

## MEMO

TO: An Bord Pleanála  
FROM: Tom Rabbette SPI  
DATE: 06/04/2016  
RE: Addendum to Inspector's Report on PA0043 dated 7<sup>th</sup> March 2016

---

I refer to my report and recommendation on PA0043 to the Board dated 07/03/16 concerning the National Children's Hospital and associated development. Should the Board be disposed to a grant of permission, in addition to the 14 no. conditions recommended in my previous report, I would also recommend that they apply a condition seeking Financial Contributions pursuant to the s.48 Development Contributions Schemes as applied by Dublin City Council, South Dublin County Council and Fingal County Council. (I note that Fingal County Council, as indicated in their report received on the 19/10/15, is not seeking financial contributions as the HSE is a registered charity, however, I also note here that the HSE is not the applicant in this instance. South Dublin County Council also applies exemptions to registered charities in its s.48 Scheme but they did seek a s.48 contribution condition.) I therefore am adding a further draft condition to those as recommended previously to the Board in my report dated 07/03/16. The recommended additional Condition No. 15 is as follows:

*'The developer shall pay to Dublin City Council, South Dublin County Council and Fingal County Council a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the relevant planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the relevant planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.'*

**Reason:** *It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development*

*Contribution Scheme made under section 48 of the Act be applied to the permission.'*

In addition, the report from South Dublin County Council (received by the Board on the 16/10/15) also seeks a special contribution relating to pedestrian facilities at the roundabout at the entrance to the Tallaght hospital complex. The condition seeks either provision of an additional pedestrian crossing on the southern arm of the access roundabout on Belgard Square North or, alternatively a contribution of c. €70,000 for the cost of these works. As the roundabout in question is outside of the application site and outside of the associated Tallaght hospital holding, but as the suggested works would benefit pedestrian access to the hospital, I would recommend that a special financial contribution should apply. Accordingly, I recommend additional Condition No. 16 as follows:

*'The developer shall pay to South Dublin County Council a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of the provision of an additional pedestrian crossing on the southern arm of the access roundabout at the entrance to The Adelaide and Meath Hospital. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.*

**Reason:** *It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.'*

---

Tom Rabbette  
Senior Planning Inspector  
6<sup>th</sup> April 2016