



An
Bord
Pleanála

Oral Hearing Agenda and Order of Proceedings

ABP-311059-21

Date	14 th December 2021
Start Time	10am
Location	Video Conference Call
Case	1,365 no. units (346 no. houses and 1,019 no. apartments), creche and associated site works at Corballis East, Donabate, Dublin.

The purpose of the oral hearing is to provide an opportunity for all participants, who wish to do so, to make further submissions beyond their written submissions, and to allow the inspector to seek clarification on any relevant issues arising and submissions made. Participants will also have the opportunity to ask questions or seek clarification on submissions made at the hearing.

The following should be noted:

- There is no obligation on any participants to make a submission to the oral hearing or to ask questions of the other participants. All written submissions already received will be considered by the inspector and the Board. For this reason, submissions previously made in writing should not be reiterated at the oral hearing.
- If you intend to provide written copies of your presentations these can only be accepted if there are copies available for all the participants at the hearing. Two copies of any written documentation should also be submitted for the Board file.

- The agenda and order of appearance for the oral hearing is set out below, along with a timetable. Participants should please note that this timetable is indicative only, and may vary during the course of the oral hearing.
- On completion of the oral hearing, the inspector will prepare a report and recommendation on the case for the Board. The decision to grant or refuse permission will be made by the Board.

Agenda

In its submission to the hearing the applicant is requested to address the following specific issues:

1. Clarification and elaboration in respect of the proposed development's interaction with the Belfast Railway line and its existing and proposed new embankments following any expansion of the rail line to accommodate the proposed Dart Extension.

2. The potential for visual impacts and the requirement for more detailed analysis and justification for the proposed design choice of the apartments to south west of the site, where the visibility of proposed apartment blocks 6 and 8 and the top storey to blocks 4 and 5 are particularly apparent, and which may potentially have an adverse impact on protected views as outlined in the Fingal Development Plan

In its submission to the hearing the applicant is requested to give consideration of, inter alia, the following matters:

- In respect of Item 1, the Board notes that the subject site is situated in close proximity to the Dublin to Belfast railway line, which is identified for future improvement works, including expansion of the DART network. The proximity of the proposed structures and infrastructure for the development, including Mixed Use Building 02 and the proposed 'Catchment A' attenuation wetland feature within the Nature Park, may have potential to compromise the stability or expansion of the railway embankment/enabling railway line infrastructure. Protection of this rail line is considered to be integral to the sustainable growth of Donabate and towns further north (noting the NPF key growth enablers for Dublin includes delivering key rail projects such as DART expansion), and this is reflected in Section 8 of the Donabate Local Area Plan and Objective DONABATE 12 of the Fingal County Development Plan 2017-2023 which relate to the promotion of improved rail services.

- The Board notes that the EIAR is silent on a potential impact upon the safe operation of the railway line or expansion of the railway line. Similarly, the NIS should reflect any amendments or potential risks, as applicable. The

applicant is asked to clarify this matter, and ensure that all relevant issues and potential impacts and where relevant proposed mitigation is considered in the EIAR or NIS, as appropriate.

- In respect of item 2, The Board notes that local planning policy in Chapter 9 of the Fingal County Development Plan identifies an exceptional landscape quality for the area within which the subject site is situated, with Objective 5.2 of the Donabate Local Area Plan requiring the protection of views identified in the Development Plan, which includes views to the south of the site along Corballis Cottages road and adjoining the proposed Nature Park, as identified in sheet 7 of the zoning maps for the plan. The proposed development introduces a typology of housing which is highly visible.
- The applicant is requested to elaborate in terms of this visual impact, and to expand on the design rationale, justification and appropriateness of the scheme in terms of design, scale and mass to the southwest of the site, where the visibility of proposed apartment blocks 6 and 8 and the top storey to blocks 4 and 5 are particularly apparent. The elaboration and expansion of the design rationale and any additional visual impact assessment documentation should have regard to Objective NH34, Objective NH35, Objective NH36, Objective NH37, Objective NH38, Objective NH40 and specifically Local Objective 40 of the Fingal County Development Plan 2017-2023 in relation to the protection of sensitive landscapes, Objective 5.2 of the Donabate Local Area Plan in relation to protected views, as well as SPPR 3 and the criteria described in section 3.2 of the Section 28 Urban Development and Building Height, Guidelines for Planning Authorities (2018).
- Please note that any additional analysis or elaboration of issues whether in respect of item 1 or 2, should be considered in the context of the submitted EIAR and NIS and its potential interactions with other issues within the EIAR and/or NIS, and any necessary addendums to the EIAR or NIS should form part of the Oral Hearing discussion/submission.

Order of Proceedings

Tuesday 14 th December	
Time	Topic
10AM	<ul style="list-style-type: none"> • Opening of oral hearing
	<ul style="list-style-type: none"> • Applicant: <ul style="list-style-type: none"> ○ Summary of proposed development (max. 10 minutes) ○ Response to issues raised on limited agenda
	<ul style="list-style-type: none"> • Planning authority <ul style="list-style-type: none"> ○ Points to raise on limited agenda matters
	<ul style="list-style-type: none"> • Observers <ul style="list-style-type: none"> ○ Points to raise on limited agenda matters
13:00 – 14:00	Break
2PM	<ul style="list-style-type: none"> • Questioning between the parties
	<ul style="list-style-type: none"> • Closing comments in the following order: <ul style="list-style-type: none"> ○ Observers ○ Planning Authority ○ Applicant
	<ul style="list-style-type: none"> • Closing of oral hearing

Other Matters

Parties to the application are reminded that the hearing is designed to allow further necessary elaboration, discussion and examination of relevant issues pertaining to the matters outlined in the limited Agenda and will not allow any discussion on any other issues outside of the agenda. Submissions should be concise dealing only with the relevant matters as outlined above. Where maps/diagrams/images are referenced in submissions, these should be available for display and should be of a scale that ensures they are legible to all at the Hearing.

Following the completion of a submission by a given party on the particular matters as outlined in the agenda, the Inspector may facilitate relevant questions and cross-questioning.

The Inspector may at her discretion lead a discussion on other matters directly related to agenda matters, such as appropriateness of conditions to deal with matters arising, should the Board be minded to grant planning permission for the proposed development.

The Inspector may at her discretion invite closing statements, if required they will be invited in the following order. The Parties shall note that no legal arguments, new material or issues other than those pertaining to the limited agenda may be produced or referred to at this point and should be confined to 5 minutes.

1. Observers
2. Planning Authority
3. Applicant

NOTE: Participants are requested to make available sufficient copies of any written documentation submitted at the hearing to each party (minimum 2 copies to each party and 3 copies to the Board).

Please also note that a digital recording will be made of the evidence given at the hearing.

Rachel Gleave O'Connor
Inspectorate
3rd December 2021