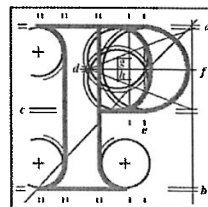


Our Case Number: ABP-315183-22

Planning Authority Reference Number: LRD6002/22S3



**An
Bord
Pleanála**

Joe and Liz Nolan
1 Chelsea Gardens
Clontarf
Dublin 3

Date: 21 December 2022

Re: Construction of 580 no. apartments and associated site works.
Lands to the east of Saint Paul's College, Sybil Hill Road, Raheny, Dublin 5

Dear Sir / Madam,

An Bord Pleanála has received your submission including your fee of €50.00 in relation to the above-mentioned large-scale residential development and will consider it under the Planning and Development Act 2000, as amended.

Your observations in relation to this appeal will be taken into consideration when the appeal is being determined.

Section 130(4) of the Planning and Development Act 2000, as amended, provides that a person who makes submissions or observations to the Board shall not be entitled to elaborate upon the submissions or observations or make further submissions or observations in writing in relation to the appeal and any such elaboration, submissions or observations that is or are received by the Board shall not be considered by it.

If you have any queries in relation to the appeal, please contact the undersigned. Please mark in block capitals "Large-Scale Residential Development" and quote the above-mentioned reference number in any correspondence with An Bord Pleanála.

Yours faithfully,

PP GD.

David Behan
Executive Officer
Direct Line: 01-8737146

LRD40 Acknowledge valid observer submission

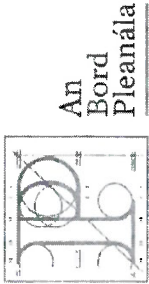
Tell
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email
(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Lodgement Cover Sheet - LDG-060002-22



Details

Lodgement Date	15/12/2022
Customer	Joe and Liz Nolan
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-060002-22
Map ID	
Created By	Klaudia Wieszowska
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Appeal <i>Observation</i>
Section	Strategic Housing <i>S105/L1P5</i>

PA Name	Dublin City Council North
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	

Observation/Objection Allowed?	
Payment	PMT-046900-22
Related Payment Details Record	PD-046790-22

Appeal

315183

LRD 90 to issue

LRD 6002/2253

PA Case Details Manual	
PA Case Number	
PA Decision	
PA Decision Date	
Lodgement Deadline	
Development Description	
Development Address	

Appeals Type	
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AN BORD PLEANÁLA	
LDG-	<u>060 002 - 22</u>
ABP-	_____
15 DEC 2022	
Fee: €	<u>50</u> Type: <u>cheque</u>
Time: _____	By: <u>req</u> <u>post</u>

1 Chelsea Gardens
Clontarf
Dublin 3
Tuesday 13 December 2022

The Secretary, An Bord Pleanála
64 Marlborough Street
Dublin 1

Ref. Raheny 3 Limited Partnership
LH29N315179
St Paul's College (Playing Fields), Sybil Hill, Raheny, Dublin 5

Enclosed is our objection and fee for €50 for case mentioned below.

To whom it concerns,

We wish to object to the above development for the following reasons:

The area is Zoned Z15: To protect and provide for institutional and community use and to ensure that existing amenities are protected.

It is a buffer zone for Bull Island UNESCO Biosphere, Dublin Bay Biosphere the Tolka Estuary/ Sandymount Special Protection Area (SPA) as thousands of internationally protected wintering birds use the whole of St Anne's as feeding grounds, Brent Geese in particular. These birds don't see a wire fence that separates one part of St Anne's from the other (it's all St Anne's).

This proposed development will have an adverse effect on the integrity of the park and all the wildlife. There is also a colony of bats in the park that are protected under the EU Habitats Directive.

The Compulsory Purchaser Order of 1938 (Dublin Corporation) of St Anne's Park excluded Sybil Hill House and 22 acres of parkland: these 22 acres were to be kept for playing fields.

This proposed development is unjustifiable; to think that a developer can buy up land in a PUBLIC PARK, think he can have it rezoned just to suit his/their bank balance and destroy it for pure greed is wrong on so many levels.

St Anne's Park is probably the second biggest park in Dublin and is an Iron Lung for the whole of the northside; it is used by thousands of people for all types of activities. A study of St Paul's says it is an extremely important terrestrial feeding site for Light-bellied Brent Geese, removal of just one of these sites will result in the displacement of upwards of 12.5% of the population (~1500 geese). It concludes that is an unacceptably high proportion of the population to be expected to be displaced to and absorbed within

AIRBOND PLEANĂLA	
_____	_____
_____	_____
12 DEC 2022	
_____	_____
_____	_____

1. The first part of the document is a cover page which contains the title of the document and the name of the author.

The second part of the document is the main body of the text which contains the main content of the document.

The third part of the document is the conclusion which summarizes the main points of the document.

The fourth part of the document is the references which list the sources of information used in the document.

The fifth part of the document is the appendix which contains additional information related to the main body of the text.

The sixth part of the document is the bibliography which lists the sources of information used in the document.

The seventh part of the document is the index which provides a list of the topics covered in the document and the pages where they can be found.

The eighth part of the document is the glossary which defines the terms used in the document. The glossary is an alphabetical list of terms and their definitions. It is used to help the reader understand the meaning of the terms used in the document.

The ninth part of the document is the list of figures which provides a list of the figures included in the document and the pages where they can be found.

The tenth part of the document is the list of tables which provides a list of the tables included in the document and the pages where they can be found.

The eleventh part of the document is the list of appendices which provides a list of the appendices included in the document and the pages where they can be found.

The twelfth part of the document is the list of references which provides a list of the references included in the document and the pages where they can be found.

the existing network of sites and not in keeping with **the conservation objectives of adjacent European protected sites.**

The report also notes that over 50% of the ringed birds in SPA areas have also been resighted at the St Paul's site.

There is a proposal to run a pipeline for wastewater across part of St Anne's into the Naniken River and out into the Bull Island UNESCO Biosphere.

Any attempt to run wastewater into it will have severe consequences for the park and more importantly for the Lagoon.

The Lagoon is the most Eutrophic part of the Biosphere and must not be interfered with as it will have serious consequences down the line.

What does that say about us in the eyes of Europe? The Irish authorities will probably end up in the European Court of Justice again just like the 52 acres proposed infill in the Dublin Bay case. We have a jewel in the crown in this biosphere and the only one in the world within capital city limits.

In addition, it is crucial to point out that Article 4(4) of the Birds Directive⁹ states that:

"In respect of the protection areas referred to in paragraphs 1 and 2, Member States shall take appropriate steps to avoid pollution or deterioration of habitats or any disturbances affecting the birds, in so far as these would be significant having regard to the objectives of this Article. Outside these protection areas, Member States shall also strive to avoid pollution or deterioration of habitats."

The proposed development site is clearly an integral part of St Anne's Park and therefore inextricably linked to Dublin Bay Biosphere and Tolka Estuary/Sandymount Strand Special Protection Area and is protected under Irish and European Law and must be protected for generations to come.

If this development gets the green light, it will change the physical and visual characteristics and have disastrous consequences for the park and its environs.

It is also worth noting the light bellied Brent Goose is of National and International importance and protected under Irish & European Law.

The proposal for 580 units, creche and a 100-bed nursing home - we will have total gridlock as Sybil Hill Rd is a main artery for the whole northside of Dublin.

We hear every day about the health and the prevention of obesity in our children and we should be doing more to promote sports of all kinds for our children. GAA, Soccer, Rugby and running will be lost, so what message are we sending out?

I use Sybil Hill Rd at least 4/5 times a day and the traffic at times is ludicrous. It will be a national disgrace if this development gets the green light. We are being told on daily basis that we are destroying our environment and these types of developments are a huge part of the problem.

As this development is backed by an English Hedge Fund, do you actually think that they have the community interest at heart? The answer is no, just large profits, there will be no community gain from this proposal.

St Annes Park is the jewel on the northside so let's not destroy it. We should be enhancing the whole of the park, not destroying it.

An Bord Pleanála's decision after judicial reviews was to refuse permission for previous applications on this site clearly (I won't quote the full reasons) "states the proposed development would contravene materially a development objective (G123) indicated in the Dublin City Development Plan (2016-2022) for the protection of European sites. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area."

St Anne's Park is a Green Flag award winning park. In September 2019, the public was asked to vote for their favourite Green Flag Park in the global Green Flag People's Choice competition. Over 45,000 votes were cast from all around the world.

Robert Moss, Republic of Ireland Green Flag Award Manager said:

"St Anne's Park is one of the green citadels that make North Dublin a special place. Its location within the buffer zone of the Dublin Bay Biosphere makes it an important site for biodiversity, especially as a feeding site for Brent Geese and other shorebirds at high tide."

In 2007/2008 the Minister for environment John Gormley set up a Dublin Bay Task Force to come up with a plan that would incorporate the land side and its environs into the Dublin Bay Biosphere and Tolka Estuary/Sandymount Strand Special Protection Area as the water side had already been redesignated.

As the European Court of Justice had ordered the Irish Authorities to do so because the site for the 52acre infill was omitted from the original proposed Tolka Estuary/Sandymount Strand SPA.

The task force was made up of all stake holders around the bay including Dublin City Council and two NGOs. An agreement was made after a twelve-month period by all to include a certain distance landside from the water boundary of the whole of the North Dublin Bay Biosphere and Tolka Estuary/Sandymount SPA and this would have included St Annes/St Pauls and beyond. But due to the financial collapse at the time it was put on hold, so in principle it must be incorporated into the Bull Island UNESCO Biosphere, Dublin Bay Biosphere and Tolka Estuary/Sandymount SPA.

This development is obnoxious, incorrect, and inadequate and will have a detrimental effect on St Anne's Park, as it only benefits certain people (speculators & developers). These people do not care about our environment as it interferes with making more and more money.

Have we not learned anything from the past?

Dublin City Council reason for refusal.

“The submitted Natura Impact Statement has not demonstrated that the evidence provided supports the assertion that no impact arises to the Dublin Bay populations of protected Brent geese. Any assessment of the impacts of the proposed development on the site integrity of the Natura 2000 sites in Dublin Bay under the EU Birds and Habitats Directives cannot be made in the absence of data and the precautionary principle applies. It is considered that the proposed development would, therefore, materially contravene Policy GI23 of the Dublin City Development Plan 2016-2022 for the protection of European sites, and hence would be contrary to the proper planning and sustainable development of the area.”

An Bord Pleanála must reject this proposal out of hand.


Joe & Liz Nolan