

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP 312642  
☐

Defer Re O/H

TO:SEO

Having considered the contents of the submission ~~dated~~ received 13/03/2022  
fromTroy Butcher I recommend that section 131 of the Planning and Development Act, 2000  
be/not be invoked at this stage for the following reason(s): Not circulatedPending oral hearing Assen / No New  
Russell Planning issue  
E.O.: \_\_\_\_\_ Date: 16/3/22

To EO: \_\_\_\_\_

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached  
submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

## CORRESPONDENCE FORM

Appeal No: ABP 312642-22

M \_\_\_\_\_

Please treat correspondence received on 13/3/22 - email as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

2. Acknowledge with BP 203. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

## Amendments/Comments

troy butchers Response

## 4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐EO: Rose ODate: 16/3/22Plans Date Stamped ☐Date Stamped Filled in ☐AA: Modi LankarDate: 24-3-2022

**James Sweeney**

---

**From:** Stephen Troy [REDACTED]  
**Sent:** Sunday 13 March 2022 09:53  
**To:** Appeals2  
**Subject:** Troy's Butchers, Moore Street, Dublin 1  
**Attachments:** Stephen Troy response to Hammerson 1st party appeal reference 2962 21.pdf;  
Stephen Troy reponse to Hammerson 1st party appeal ref 2861 22.pdf

Dear An Bord Pleanala ,

Please find attached my response to HAMMERSONS first party appeal on planning applications 2861/21 , 2862/21.  
Your reference numbers: 312603 , 312642.

Yours Faithfully,

Stephen Troy.  
Ph: [REDACTED]  
C/o  
Troy's Butchers  
Moore Street,  
Dublin 1

For application Nos: 2861/21,

Appeal References: 312603-22,

Dear Planners,

I am making this observation regarding Hammerson's first party appeal and to make comment regarding other third-party appeals. As you will note from my appeal, I am completely against Hammerson's development, I believe that it is the wrong plan for the area, as it makes no sense, culturally, economically and will have a catastrophic environmental impact on the city centre.

While I believe that DCC's granting of permission on this development will be overturned due to the information I provide on page 103 of my appeal. I have also read Aengus Ó Snodaigh TD's observation where he talks about what can only be described as corruption. I believe that this allegation will result in a Garda investigation, that is of course if they are not already looking into it. It's important to note that I have faith and trust in An Bord Pleanála's integrity and responsibility to uphold the law, with that said as the plan is still at this point in time on the table, I make these observations below in relation to the appeals process.

I find it unbelievable that Hammerson would look a gift horse in the mouth and challenge the conditions imposed on the permission granted. DCC in my view grossly erred in granting approval for the destruction of the last 1916 battlefield site, the destruction of Moore Street market, allowing for the decline and evaporation of economic footfall of a major section of the city centre, creating a traffic and environmental nightmare for people who live or work within the area for an inordinate amount of years, in order to benefit colleagues within Hammerson.

I note that Hammerson's main concerns are fourfold,

1. Hammerson argues - That the development is part of 6 developments and should be considered as 6 individual applications yet as one application at the same time??

- (a). If an Bord Pleanála allows such a statement it would be a legal error. One cannot benefit from submitting a separate application and then wish to have the applications considered collectively. Especially as some applications have not even been submitted yet and may not pass. If they wanted them to be considered together, they should have had them as one application.

**Conclusion on hammerson first party appeal:**

**The arguments raised for delaying a site are invalid;**

- 1. The site in question is not subject to any metro enabling works.**
- 2. A planning application can not be considered to be affected by a separate planning application.**
- 3. The submitted applications cannot be affected by a future law that may or may not happen.**
- 4. They are not doing conversation works on 14-17 and certainly not in the rubble of 18.**

**All their points are not credible arguments for an extension (ie) an extra 2 years of dereliction or disruption to businesses.**

**It brings me back to my view on why Hammerson really need the extra time and why we have 6 applications. Hammerson are all over the news due to the fact that they are at high risk of bankruptcy, this was admitted by their auditor in their annual report. I believe that the reasoning behind the 6 applications is that they plan on selling some of the sites with planning approval in order to finance other developments and to keep the company afloat, that is why they have 6 applications, as having 6 sites is easier to get buyers due to the affordability factor. There is no other explanation in my view. That said, selling a site like that takes time and they require the extra two years to facilitate that.**

**This brings me to why the two years extension is problematic, as you will know I have spelt out why the Hammerson construction phases will be devastating for the north inner city. If you remember I talk about economic growth poles, that it takes two years for a growth pole to have a positive effect on an area. Economists claim that a declining growth pole can bring a negative effect within 6 months, they claim that theory as people normally act in repetitive cycles, most of my customers are repeat customers, in order to change the habits of people it requires more time or a shock to their system. One bad experience can stop a customer going to a location as that is the shock to their system, whereas one good experience is not normally sufficient. As Customers normally go to a location due to convenience, and not due to one good experience they had, i.e they are within the location or there is a number of shops they like within the area so they will go there. Hammerson's construction site will destroy that level of convenience for an inordinate amount of years considering the applications yet to be submitted.**

• Mary Lou McDonald TD's observation is also excellent and a clear insight into the actions of elected representatives who have endeavoured to save the site, I especially like the point where she highlights that DCC is due to report the appraisal of five buildings this month to possibly add them on to the list of protected structures. I also note that a review of the other buildings in question may occur in the future.

Yours Faithfully,

Stephen Troy.

C/o

Troy's Butchers

Moore Street

Dublin 1.

For application Nos: 2862/21

Appeal References: 312642-22

Dear Planners,

I am making this observation regarding Hammerson's first party appeal and to make comment regarding other third-party appeals. As you will note from my appeal, I am completely against Hammerson's development, I believe that it is the wrong plan for the area, as it makes no sense, culturally, economically and will have a catastrophic environmental impact on the city centre.

While I believe that DCC's granting of permission on this development will be overturned due to the information I provide on page 103 of my appeal. I have also read Aengus Ó Snodaigh TD's observation where he talks about what can only be described as corruption. I believe that this allegation will result in a Garda investigation, that is of course if they are not already looking into it. It's important to note that I have faith and trust in An Bord Pleanála's integrity and responsibility to uphold the law, with that said as the plan is still at this point in time on the table, I make these observations below in relation to the appeals process.

I find it unbelievable that Hammerson would look a gift horse in the mouth and challenge the conditions imposed on the permission granted. DCC in my view grossly erred in granting approval for the destruction of the last 1916 battlefield site, the destruction of Moore Street market, allowing for the decline and evaporation of economic footfall of a major section of the city centre, creating a traffic and environmental nightmare for people who live or work within the area for an inordinate amount of years, in order to benefit colleagues within Hammerson.

I note that Hammerson's main concerns are fourfold,

1. Hammerson argues - That the development is part of 6 developments and should be considered as 6 individual applications yet as one application at the same time??

(a). If an Bord Pleanála allows such a statement it would be a legal error. One cannot benefit from submitting a separate application and then wish to have the applications considered collectively. Especially as some applications have not even been submitted yet and may not pass. If they wanted them to be considered together, they should have had them as one application.

#### **Conclusion on hammerson first party appeal:**

**The arguments raised for delaying a site are invalid;**

- 1. The site in question is not subject to any metro enabling works.**
- 2. A planning application can not be considered to be affected by a separate planning application.**
- 3. The submitted applications cannot be affected by a future law that may or may not happen .**
- 4. They are not doing conversation works on 14-17 and certainly not in the rubble of 18.**

**All their points are not credible arguments for an extension (ie) an extra 2 years of dereliction or disruption to businesses.**

It brings me back to my view on why Hammerson really need the extra time and why we have 6 applications. Hammerson are all over the news due to the fact that they are at high risk of bankruptcy, this was admitted by their auditor in their annual report. I believe that the reasoning behind the 6 applications is that they plan on selling some of the sites with planning approval in order to finance other developments and to keep the company afloat, that is why they have 6 applications, as having 6 sites is easier to get buyers due to the affordability factor. There is no other explanation in my view. That said, selling a site like that takes time and they require the extra two years to facilitate that.

This brings me to why the two years extension is problematic, as you will know I have spelt out why the Hammerson construction phases will be devastating for the north inner city. If you remember I talk about economic growth poles, that it takes two years for a growth pole to have a positive effect on an area. Economists claim that a declining growth pole can bring a negative effect within 6 months, they claim that theory as people normally act in repetitive cycles, most of my customers are repeat customers, in order to change the habits of people it requires more time or a shock to their system. One bad experience can stop a customer going to a location as that is the shock to their system, whereas one good experience is not normally sufficient. As Customers normally go to a location due to convenience, and not due to one good experience they had, i.e they are within the location or there is a number of shops they like within the area so they will go there. Hammerson's construction site will destroy that level of convenience for an inordinate amount of years considering the applications yet to be submitted.



· Mary Lou McDonald TD's observation is also excellent and a clear insight into the actions of elected representatives who have endeavoured to save the site, I especially like the point where she highlights that DCC is due to report the appraisal of five buildings this month to possibly add them on to the list of protected structures. I also note that a review of the other buildings in question may occur in the future.

Yours Faithfully,

Stephen Troy.

C/o

Troy's Butchers

Moore Street

Dublin 1.