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Rathfarnham  
Dublin 14

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

18<sup>th</sup> September 2017

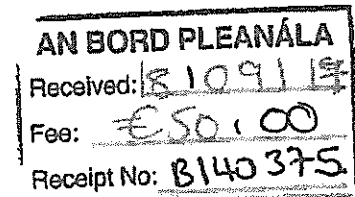


Ref: APPLICATION TO SUBMIT COMMENTS IN RESPECT OF SOUTH DUBLIN COUNTY COUNCIL (SDCC) APPLICATION TO BUILD A DUBLIN MOUNTAIN VISITOR CENTRE (APPLICATION REFERENCE-STRATEGIC INFRASTRUCTURE DEVELOPMENT—JA0040)

Dear Sirs

I wish to make comments in respect of SDCC Application JA.0040.

I enclose a cheque in the sum of €50.00.



I make this submission having read and understood the relevant rules applicable relating to SID applications. Accordingly I make these comments in the context of the proper planning and sustainable development of the area and the likely effect on the environment of the proposed development.

In this regard I have set out comments which relate to the following matters in five sections.

1. Zoning and Planning Issues
2. Over-intensification and Sustainability Issues
3. Traffic
4. Business Plan
5. Environmental Impact Assessment Report Issues.
6. Summary-Conclusion

Clearly these are all inter-related however I have tried to present them in a manner that makes sense both separately and also as part of a coherent overall argument.

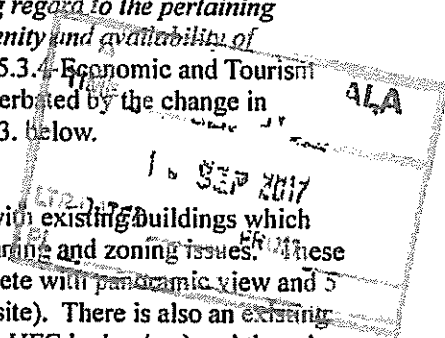


### 1.Zoning and Planning Issues

1. The development is in a high amenity area which borders onto an area of agricultural zoning. There are therefore very specific restrictions in respect of development in relation to the type of developments that can be undertaken and the uses any such developments can be put to.
2. In this context, I note that cafe/restaurants are only to be considered in the context of existing premises. This is no such existing premises. I note the reference to the necessity of a “wow” factor as an explanation for the siting of the proposed

development at this particular site. There are no clear objective reasons for this being necessary. As I understand it a "wow factor" is not a term that is recognised in planning law and practice.

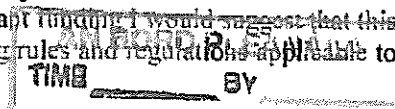
3. To the extent that a "wow factor" may be relevant in regard to this proposed development, I would make the point that the actual prospect/view is also protected as set out in Section four of the Current South Dublin County Council Development Plan 2016-2022 (Development Plan") where it specifically states that "*prospects that are to be preserved and protected.*" Accordingly I would argue that the construction of the proposed development is not only in breach of the relevant zoning rules but is also detrimental to the prospect which is also protected and recognised under existing planning rules/guidelines applicable to this area.
4. The size and scale of the proposed development is such that it basically converts an area which the current Development Plan and relevant applicable zonings (High Amenity and Rural Use) give specific protection to into an urban environment with a large carpark. This is not remotely consistent with SDCCs stated ET7 objective 1: "*to promote the active use of managed forests for tourism and leisure related activities subject to an appropriate scale of development having regard to the pertaining environmental conditions and sensitivities, scenic amenity and availability of services*", which is set out in the Planning Statement 5.3.4 Economic and Tourism Development Section section 4.5.0. This will be exacerbated by the change in road/footpath provision which is discussed in section 3. below.
5. The reality is that there are a number of sites nearby with existing buildings which would be much less problematic in the context of planning and zoning issues. These include the Total Fitness/Ben Dunne Gym site (complete with panoramic view and 5 minutes away by mini bus from the Ticknock Coillte site). There is also an existing facility at Glencree (around 15 minutes away from the HFC by bus/car) and there is also a site at Orlagh (less than 5 minutes away by bus/car) which although it is in private ownership, it is known that the new owners have already indicated their willingness to engage in tourism/leisure industry activity. I believe that facilitating a right of way from this site to the Hellfire Club would require access only over 1 or 2 adjacent landowners land. Given that Councils such as Mayo County Council engaged with 30-40 landowners to ensure the availability of the Westport/Achill Greenway, this should at least be properly reviewed as an option. In relation to Glencree it should be noted that a feasibility study in 2006-2008 concluded that Glencree was the best place to site a Dublin Mountain Visitor Centre. There is also a potential site-Stewards House -that is within 100 metres of the proposed development and it is widely known that the current owner would be open to discussion with SDCC.
6. The reality is that SDCC are already proposing minibuses (so the Ticknock option would be comparable and is more realistic) and SDCC is aware that it must engage with Wicklow County Council and Dun Laoghaire Rathdown (as they have notified them as part of this planning process). Given the real issues outlined above, further engagement about suitable sites in the wider Dublin Mountain area is entirely appropriate.
7. The point at 5 above concerning options that have existing buildings and infrastructure is reinforced by the fact that in the Environmental Impact Assessment Report (EIAR) it is readily and frequently admitted by SDCC that all of the proposed



changes resulting from the proposed development will be permanent and substantially moderate or severe in terms of impact upon the receiving environment. It is essential therefore that all options must be examined.

## 2. Over-intensification and Sustainability Issues

1. Under SDCC's own current development plan, any development in this area is meant to be, under Section 8 and 9 of the Development Plan, development that recognizes that the area is "*rich in diversity*" and that the councils' overall plans must "*protect, conserve and enhance ...and restrict development.*" Section 4 of the Development Plan - Economy and Tourism- does propose some form of development at the Location however I do note that any such development is to be on an "*appropriate scale*", and to fully take into account "*pertaining environmental conditions and sensitivities, scenic amenity and availability of services.*"
2. It is obvious that this is not the case with regard to this proposed development. Whilst there are issues with the EIAR, which I refer to in Section 5 below, even if one accepts the EIAR at face value the following are just some of the issues that are clear.
3. A significant element of the funding is coming from Failte Ireland. The funding that is accessed is clearly referable to large scale tourism projects and this is clear from page 2 of the Grant Scheme documentation that states that the funding is intended to support "*large tourism experience development projects.*" Any mention of sustainability in that application process is clearly economic sustainability. How can a large tourism experience development project be compatible with the Development Plan objectives set out in point 2.1 above "*restrict[ing] development*" and taking into account "*pertaining environmental conditions and sensitivities*"? How can the existing environment and ecology be preserved in that context? I appreciate that Bord Pleanala are not responsible for the actions or requirements of Failte Ireland, however I would respectfully suggest that in assessing a planning application, particularly its sustainability, it is necessary to know what the actual intent of the applicant is. The Business Plan and Planning Statement make conflicting references as to the importance of commercial activity. This is referred to in more detail in section 5 below. Also SDCC has consistently limited development in this area because of road infrastructure and the overall environment and now plans a 3 fold increase in footfall-most of which will be casual tourism with no real vision for real education and sustainable development. The reality is that if SDCC intends to meet its obligations to Failte Ireland to access the relevant funding I would suggest that this will be in clear conflict with the relevant planning rules and regulations applicable to the area.
4. Obvious examples are set out in section 4 Biodiversity and Section 11/12 Archaeology and Architecture in the EIAR. In relation to biodiversity SDCC is very clear that it intends to destroy environments/habitats for red squirrel. It also intends to undertake similar activity in respect of badgers. In relation to the archaeology/architecture which is dealt with in Section 11/12 of the EIAR, there are references to this site being of world heritage quality (See page 196 EIAR). In fact in relation to one element (Neolithic art), comparisons are made with Stonehenge (see page 200 EIAR).
5. The reality is that SDCC will be destroying habitats for protected species and installing 21<sup>st</sup> Century steps/stairs within 1-2 metres of very important archaeological



finds for the purposes of ensuring a transient tourist population are provided with something to look at while they drink coffee. We note that the tourist being targeted will be the "Naturally Curious" and "Social Energisers" (see the business plan attached to the application to ABP). It should be noted that Social Energisers are primarily stag parties, according to Bord Failte definitions.

6. The reality is that a threefold increase in visitors will be sought. There is no woodland management plan or other ongoing control/monitor to ensure the sustainability of the existing environment.
7. It should be noted that good practice in places like Newgrange and Mullaghmore is for , interpretative centres being placed some distance away from the actual site that is being interpreted.

### 3. Traffic

1. SDCC has a record of refusing planning permission foreven small-scale developments on Killakee Road, with road issues being part of the rationale. One such refusal by SDCC in 2017 stated that:

"The proposed development constitutes undesirable ribbon development on a substandard rural road network, which will lead to a demand for the uneconomic provision of services and would set an undesirable precedent for further similar developments in the area". [Application by Kerrie O'Keefe and Owen Brennan to SDCC. Decision Order No 0163. Date of decision 10/2/17 Register Reference SD16A/0428].

2. I find it difficult to reconcile this approach is relation to a small scale housing activity with a massive large scale tourism development. In that context I note that SDCC states in the Planning Statement, Chapter 6, Planning Merits, page 37 that "Projected increases to traffic flows from the development are not significant." This is despite SDCCs estimation of increased visitor numbers of 200,000 per annum.

### 4. Business Plan

I understand and accept that Bord Pleanala do not have a responsibility to ensure that any development that they authorise is commercially feasible. I believe however that if a proposed development has not been thought through, or is not adequately funded to such a degree that it is very unlikely to actually function as proposed, that such a development cannot be considered to be appropriate in the context of proper planning and sustainable development. This is particularly the case in these circumstances where SDCC readily admits (in its own EIAR) that the impact upon the surrounding environment will be very significant.

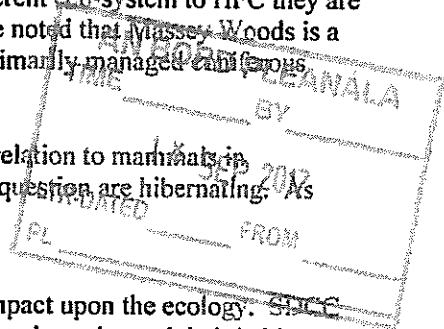
In this regard I would bring the following matters to Bord Pleanala's attention:

1. On page 5 it states that it is not intended that the facilities should be operated for commercial gain. If this is the case why has the Council applied for a grant for large scale tourist developments from Bord Failte. Bord Failte understandably is purely driven by increasing the commerciality of tourist activity.

2. This emphasis on tourism is reinforced by the analysis of the forms of tourism that will be targeted. The main groups of foreign tourists that will be sought are the culturally curious and "Social energisers-mainly UK". Please see pages 9-13 for full details. These are by definition transient visitors and in the case of the Social Energisers, this is a generic name for young adult tourism-primarily stags and hens. How a development to cater for this audience can be in accordance with the developments/planning restrictions and conditions referred to in the Planning Issue above (Section 1) is very difficult to comprehend.
3. This clear commercial focus is then contradicted on page 14 where there is a reference to *"It is not planned to run the centre as a commercial business operating on a purely for profit basis... core purpose is providing orientation and interpretation."*
4. This is contradicted again on pages 19, 23 and 25 where there are references to using social media such as Facebook and Booking.com and on page 23 there are specific references to *"sell the centre actively and aggressively in the chosen distribution centres"* (i.e. websites etc.). there are further explicit references to *"close a purchase with a consumer.."* On page 25 there is another reference to the centre being *"designed primarily to support tourism development."*
5. These inherent contradictions are I believe a necessary corollary of SDCC trying to do what is practically impossible, namely build and run a huge commercial enterprise in an ecology/environment which has specific legal and regulatory protections to stop precisely this type of development because of the undoubted impact upon the environment.

#### 5.Environmental Impact Assessment Report Issues

1. The EIAR is vague and incomplete in regard to ecology. The description and evaluation of bird and mammal life generally is either simply not there at all (birds) or sketchy and incomplete (mammals). It is also note-worthy that despite Massy wood being a completely different eco-system to HFC they are not really considered separately. It should be noted that Massy Woods is a broadleaf deciduous forest and the HFC is primarily managed coniferous forest.
2. The EIAR was also primarily undertaken in relation to mammals in November-December when the mammals in question are hibernating. As such, the EIAR is flawed.
3. There can be no argument over the serious impact upon the ecology. SDCC is clearly ready and willing to sacrifice protected species and their habitats as is illustrated by the application to destroy/disturb squirrel and badger homes/nests. That this will be undertaken simply for a commercial use-coffee shop/restaurant. This is clearly disproportionate and will effectively eradicate part of the natural environment/ecology. As such it is not sustainable in the context of the current environment/ecology. This is particularly given the fact, which is clear from Section 4 above, that the business plan is flawed and contradictory.



Summary

The area in which the proposed development will take place is clearly acknowledged by SDCC to be of high amenity, bounded by agricultural land and have protected perspectives. In this context, to date, SDCC has restricted development and generally respected the fact that the area is *rich in diversity* and that the councils' overall plans must "*protect, conserve and enhance ...and restrict development.*" It should also be noted that a large number of farmers in the area in receipt of funds/assistance such as GLAS and REPS. These all reflect the fragile nature of the environment in this location which SDCC has acknowledged and accepted up until now (see Section 3 on traffic above and the explicit reference to recent SDCC planning decisions). All of this approach is now being completely reversed and overthrown by the current application. It would appear that this site has been chosen for a very commercial development which represents a very resource and site intensive activity that is not remotely in accordance with the zoning or indeed SDCC's own recent zoning and planning practice. The choice of this site is even more bewildering given that there are a number of locations within the area that would be more appropriate for a development of this kind and which sites would be in keeping with current planning regulations.

Thank you for reading my comments/objection. I would be obliged for an acknowledgement and outline of the next steps in the planning appeals process at your earliest convenience.

Yours Sincerely,

  
David Mc Munn

