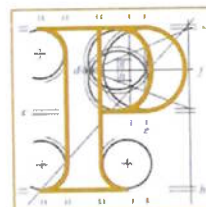


Our Case Number: ABP-317121-23

Your Reference: Collinstown Caravans Limited



An
Bord
Pleanála

Hughes Planning & Development Consultants
85 Merrion Square South
Dublin 2
D02 FX60

Date: 15 February 2024

Re: BusConnects Swords to City Centre Bus Corridor Scheme
Swords to Dublin City Centre

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above-mentioned proposed road development and will take it into consideration in its determination of the matter.

Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

If you have any queries in the meantime, please contact the undersigned officer of the Board on at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Breda Ingle
Executive Officer
Direct Line: 01-8737291

HA0

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
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(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

Sinead Singleton

From: Breda Ingle
Sent: Friday 9 February 2024 10:25
To: Sinead Singleton
Subject: FW: Collinstown Caravans Limited - ABP Ref. 317121 - Swords to City Centre Core Bus Corridor Scheme Submission
Attachments: NTA Response Submission - Collinstown Caravans Limited - Appendix A.pdf; NTA Response Submission - Collinstown Caravans Limited - Appendix D.pdf; NTA Response Submission - Collinstown Caravans Limited.pdf; NTA Response Submission - Collinstown Caravans Limited - Appendix C2.pdf; NTA Response Submission - Collinstown Caravans Limited - Appendix C1.pdf; NTA Response Submission - Collinstown Caravans Limited - Appendix B.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

From: LAPS <laps@pleanala.ie>
Sent: Friday, February 9, 2024 9:26 AM
To: Breda Ingle <breda.ingle@pleanala.ie>
Subject: FW: Collinstown Caravans Limited - ABP Ref. 317121 - Swords to City Centre Core Bus Corridor Scheme Submission

From: Bord <bord@pleanala.ie>
Sent: Thursday, February 8, 2024 4:22 PM
To: LAPS <laps@pleanala.ie>
Subject: FW: Collinstown Caravans Limited - ABP Ref. 317121 - Swords to City Centre Core Bus Corridor Scheme Submission

From: Ger Harris <ger.harris@hpdc.ie>
Sent: Thursday, February 8, 2024 3:29 PM
To: LAPS <laps@pleanala.ie>
Cc: Bord <bord@pleanala.ie>
Subject: Collinstown Caravans Limited - ABP Ref. 317121 - Swords to City Centre Core Bus Corridor Scheme Submission

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Good afternoon all,

Please see attached submission and associated Appendix Documents (A, B, C1, C2 & D) prepared in relation to the subject application/scheme.

I would appreciate it if you could please confirm receipt of this submission at your earliest convenience.

Regards

Gerard Harris
Senior Planner

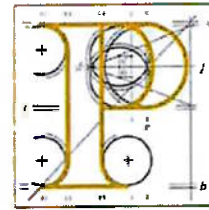
Hughes Planning & Development Consultants
85 Merrion Square
Dublin 2
D02 FX60

T 00 353 (0)1 539 0710
E ger.harris@hpdc.ie
W www.hpdc.ie

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Our Case Number: ABP-317121-23

Your Reference: Collinstown Caravans Limited



**An
Bord
Pleanála**

Hughes Planning & Development Consultants
85 Merrion Square South
Dublin 2
D02 FX60

Date: 05 January 2024

Re: BusConnects Swords to City Centre Bus Corridor Scheme
Swords to Dublin City Centre

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above mentioned proposed road development application for approval under section 51(2) of the Roads Act, 1993 as amended.

The Board has considered the case and hereby notifies you that it has decided to determine the application without an oral hearing. In this regard, please be advised that the Board has absolute discretion to hold an oral hearing and has concluded that this case can be dealt with adequately through written procedure.

Accordingly, the Board hereby considers it appropriate to invite you to make a submission in accordance with section 217B of the Planning and Development Act 2000, as amended, in relation to the submission dated 23rd November 2023 received from the National Transport Authority. A copy of the submission can be found on the Board's website at www.pleanala.ie/en-ie/case/317121 under the heading responses. This submission together with the application documentation is also available for public inspection at the following locations:

An Bord Pleanála, 64 Marlborough Street, Dublin 1

National Transport Authority, Dún Scéine, Harcourt Lane, Dublin 2

Any submission in relation to the above must be received by the Board within 5 weeks from the date of this letter (i.e. not later than 5:30pm on the 8th February 2024). No additional fee is required for making a submission. As there are a number of busconnects applications with the Board for approval you are requested in your response, if any, to provide the following:

- (a) The reference number ABP-317121-23
- (b) Your name and address.

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902


64 Marlborough Street
Dublin 1
D01 V902

(c) The name and address of the person you are acting on behalf of.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Breda Ingle
Executive Officer
Direct Line: 01 873 7291

ADHOC

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Dublin 1
D01 V902



An Bord Pleanála
64 Marlborough Street,
Dublin 1

8th February 2024

RE: Swords to City Centre Core Bus Corridor Scheme Submission (Ref. No. 317121)

Dear Sir/Madam,

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2 have been instructed by our client, Collinstown Caravans Limited of Airport Road, Dardistown, Cloghran, Co. Dublin, to make a submission in relation to the submission dated 23rd November 2023 from the National Transport Authority (NTA) which was prepared in relation to the subject scheme. Appendix A of this report contains a letter from An Bord Pleanála, dated 5th January 2024, inviting this submission.

We would first state, in direct response to Section 2.7.4 of the NTA's submission and notwithstanding the cited provisions of the Environmental Impact Assessment Report (EIAR), that our client retains their initially expressed concerns in relation to residential impacts, by way of noise pollution, light pollution, vibrations and visual impact, arising because of the subject scheme.

We would ask that our client's initial submission be reviewed in the context of the above concerns.

We would further comment on our client's primary concern, that being the physical works to the site of the dwelling and the timeline associated with the proposed works, as follows:

Physical Works to Dwelling Site

It is noted that, as per Section 2.7.4.2 of the NTA Submission, that clarity has been provided in relation to the existing boundary treatment which serves our client's dwelling with the wall being repositioned 0.95m to 1.8m closer to the property than the existing wall.

Whilst this clarity is welcomed, this repositioning works are only acceptable subject to the adequate reinstatement of the remaining front garden and driveway area. Additionally, further clarity is required as to the manner in which the revised boundary wall will tie-in in the context of the proposed traffic signal control junction detailed on the adjoining site.

Temporary Land Acquisition

It is noted that the wider documentation prepared by the NTA provides no clarity as to either an expected time-period for when temporary land acquisition will begin or the length of time the land will be subject to the temporary acquisition. As clarified by the NTA, the proposed scheme will necessitate temporary acquisition of our client's site.

It is requested, in this regard, that clarity is provided as to the precise details and timeline for the proposed realignment of the boundary wall and reinstatement of the remaining property frontage.



We would herein confirm our client's willingness to engage with the National Transport Authority (NTA) to ensure that the residential amenity of the existing dwelling on their site, pursuant to the above comments, is not inappropriately compromised by impacts arising from the subject scheme. In the absence of comprehensive mitigation measures, it is considered reasonable that appropriate compensation be afforded to our client.

We trust that the Board will have regard to the contents of our original submission, as is included in Appendix B of this submission, and we await a favourable outcome in due course. In addition, we ask the Board to have regard for the enclosed letter prepared by William Fry LLP as contained in Appendix C of this submission.

We trust the enclosed is satisfactory and we would be very much obliged if you could provide confirmation of receipt of this submission at your earliest convenience.

A handwritten signature in blue ink, appearing to read "KH", is written over a horizontal line.

Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.



Appendix A	Correspondence from An Bord Pleanála Inviting Submission on Submission dated 5th January 2024 as prepared by the National Transport Authority (NTA)
Appendix B	Original Submission by Collinstown Caravans Limited to An Bord Pleanála (July 2023)
Appendix C1/C2	Original Submission by Hughes Planning & Development Consultants & Stephen Reid Consulting Traffic and Transportation Limited to An Bord Pleanála (September 2023)
Appendix D	Letter Prepared by William Fry LLP



An Bord Pleanála
64 Marlborough Street,
Dublin 1

8th February 2024

RE: Swords to City Centre Core Bus Corridor Scheme Submission (Ref. No. 317121)

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We trust the enclosed is satisfactory and we would be very much obliged if you could provide confirmation of receipt of this submission at your earliest convenience.

A handwritten signature in blue ink, appearing to read "KH", is positioned above the printed name of the signatory.

Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.



Appendix A	Correspondence from An Bord Pleanála Inviting Submission on Submission dated 5th January 2024 as prepared by the National Transport Authority (NTA)
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Appendix C1/C2	Original Submission by Hughes Planning & Development Consultants & Stephen Reid Consulting Traffic and Transportation Limited to An Bord Pleanála (September 2023)
Appendix D	Letter Prepared by William Fry LLP



HUGHES
PLANNING
& DEVELOPMENT CONSULTANTS

Swords to City Centre Core Bus Corridor Scheme Submission (Ref. No. 317121)

Submitted on Behalf of:
Collinstown Caravans Limited
Airport Road, Dardistown, Cloghran, Co. Dublin.

12th September 2023

85 Merrion Square, Dublin 2, D02 FX60
+353 (0)1 539 0710
info@hpdc.ie
www.hpdc.ie

1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have been instructed by our client, Collinstown Caravans Limited, to make a submission in respect of the Swords to City Centre Core Bus Corridor Scheme currently being planned by the National Transport Authority (NTA).

This submission, which is accompanied by the relevant submission fee (€50), is made in response to a public notice, available at <https://swordsscheme.ie/>, inviting submissions, up until 12th September 2023, as part of a public consultation process on the route corridor (Ref. No. 317121). The purpose of this submission is to outline our client's concern to the intended route option.

We note the map which presents the location of the route corridor options as presented in Figure 1.0, below.

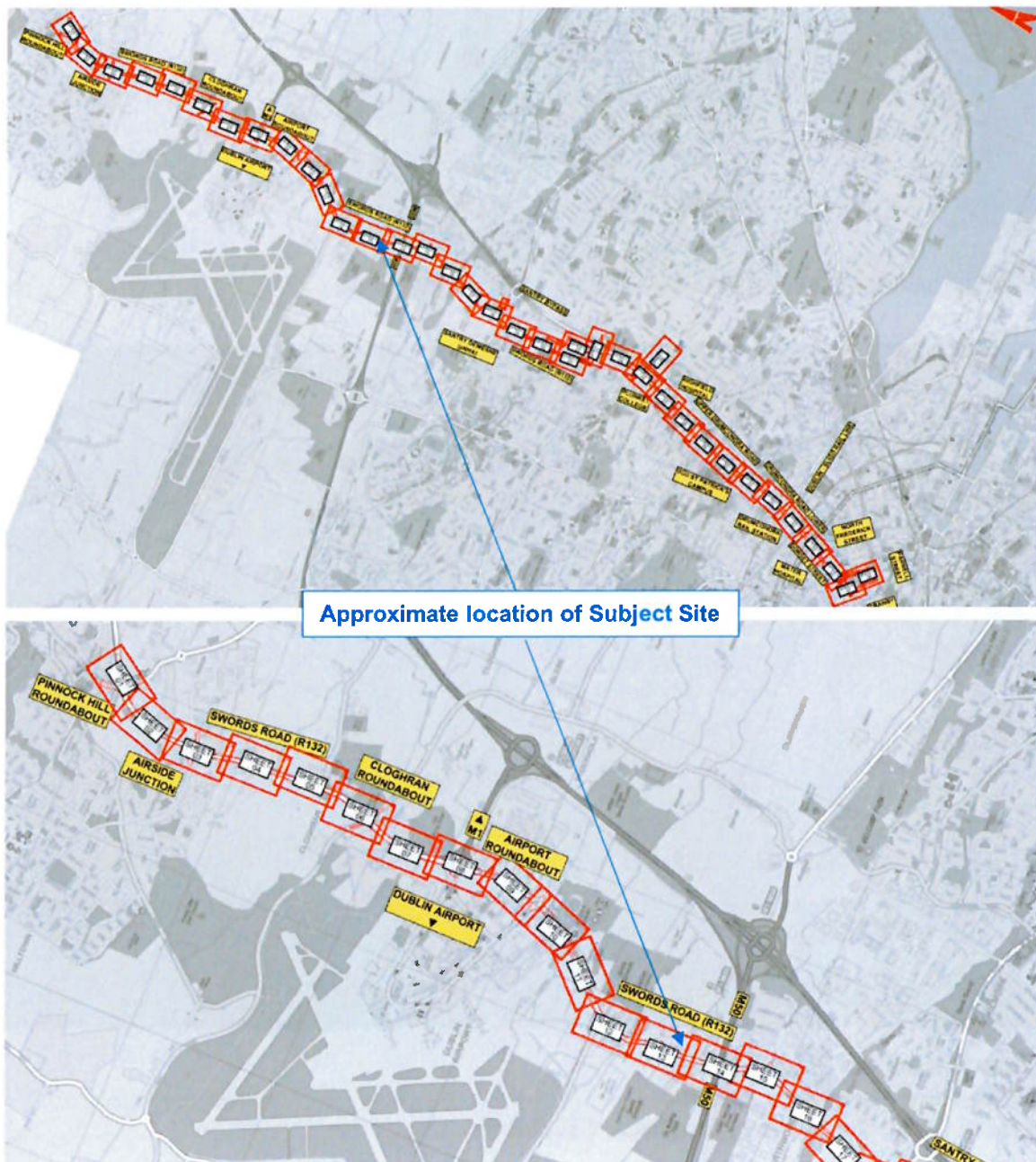


Figure 1.0 Extracts from the proposed scheme boundary illustrating the location of our client's site (blue outline) relative to the intended route option.

2.0 Subject Site

The site to which this submission pertains is located to the south/west of Dardistown Cemetery. The site fronts onto the Swords Road (R132) and extends eastwards for a distance of c. 140m, ultimately bounding Dardistown Cemetery. The site is occupied by a single residential dwelling accessible via the Swords Road and being served by an extensive rear garden.

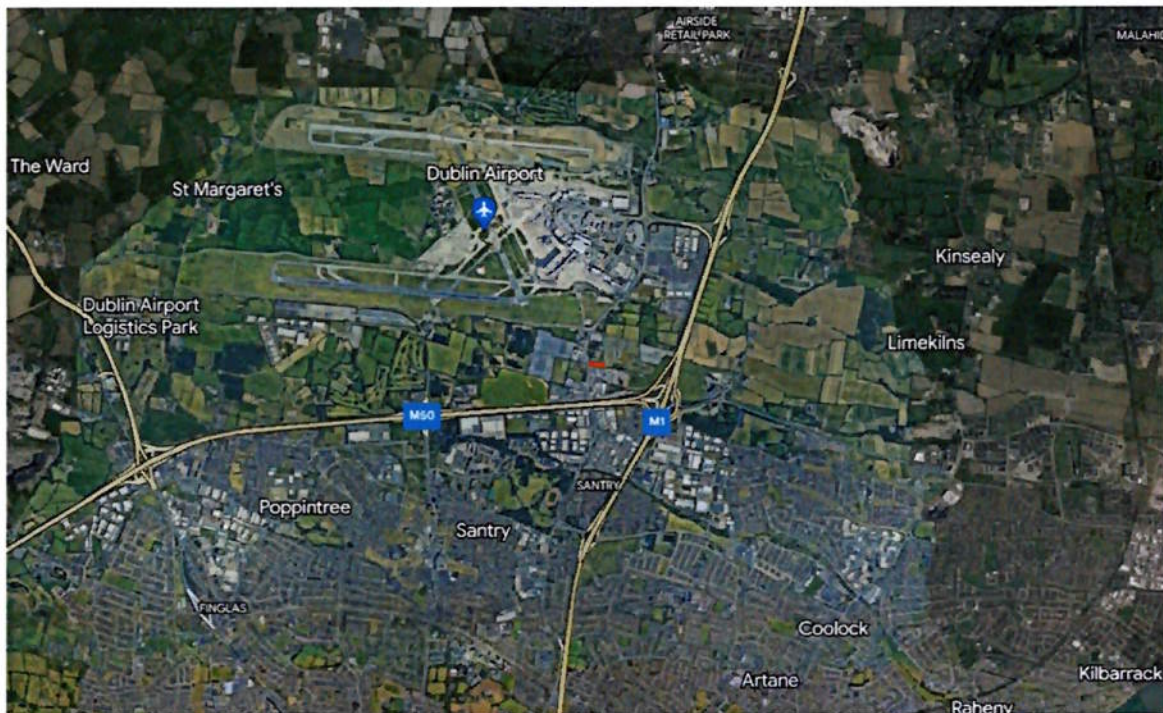
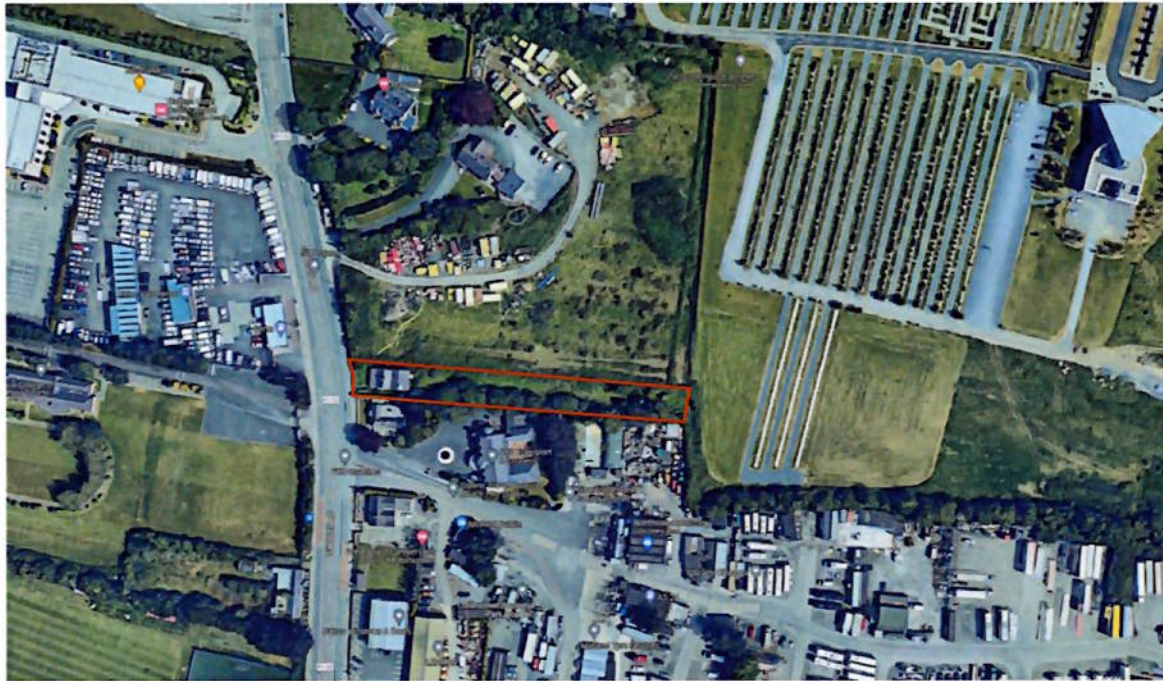


Figure 2.0 Aerial images showing the immediate (top) and wider (bottom) locational context of the subject site (red outline).

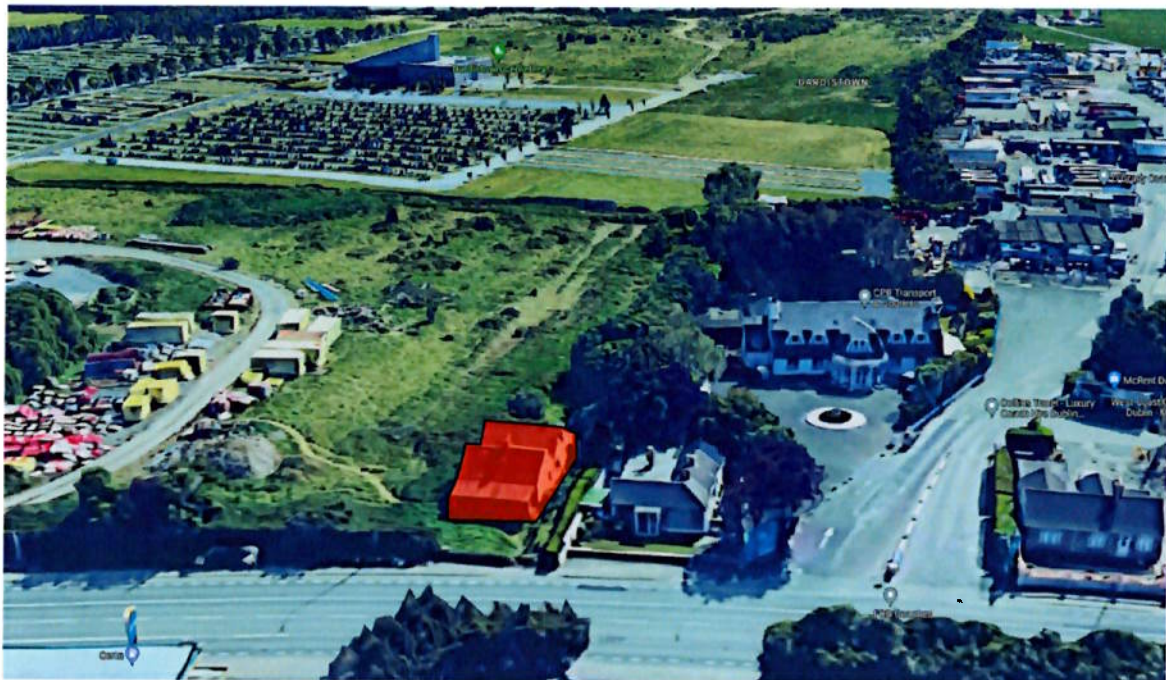


Figure 3.0 Aerial (top) and street-view (bottom) images of the existing residential dwelling on site.

3.0 Site Planning History

A review of the Fingal County planning register has identified the following historical planning applications relating to the subject site:

Reg. Ref. F23B/0034 Planning permission refused by Fingal County Council on 4th August 2023 for (i) reconstruction of existing lean-to conservatory to front, (ii) internal and external elevation alterations, (iii) a single storey extension to the rear of existing (iv) ancillary works including new boundary treatment.

It is noted that planning permission was refused for the above application on the basis of 1 no. refusal reason, the wording of which is as follows:

1. *The subject site is within the General Employment 'GE' zoning objective under the Fingal Development Plan 2023 - 2029 the objective of which is to 'Provide opportunities for general Enterprise and Employment.' Residential development is 'Not Permitted' within this 'GE' zoning designation. On the basis of the information submitted, it is considered that the use of the dwelling house on the site has been abandoned for a considerable period of time. Therefore, the proposed extensions and alterations of the existing structure are not acceptable in principle as the use of the structure as a dwelling has ceased and the proposed development would be contrary to Sections 14.10.2, 14.10.2.1, 14.10.2.2, 14.10.2.3, Policy SPQHP41 and Objective SPQHO45 of the Fingal Development Plan 2023-2029 and would, be contrary to the provisions of the Fingal Development Plan 2023-2029. The proposal is also considered to be contrary to Objective DAO11 of the Fingal development Plan 2023-2029 which has the objective to actively resist new provision for residential development and other noise sensitive uses within Noise Zone A and would be seriously injurious to the residential amenities of any future occupiers of the building, if the proposal is permitted. The applicant has not demonstrated that they comply with the 'GE' zoning objective of the site as set out in the Fingal Development Plan 2023-2029. The proposal, if permitted, would, set an undesirable precedent for similar development in the area. It is considered that permitting the proposed development would contravene materially the 'GE' zoning objective of the Fingal Development Plan 2023 - 2029, which seeks to provide for general enterprise and employment, would be contrary to the land use zoning of the site in which residential is not permitted in principle and, would, therefore be contrary to the proper planning and sustainable development of the area.*



Figure 4.0 Extracts from OSI.ie showing the subject site (red outline) on modern and historical mapping.

First and foremost, we would state that the lodgement, by our client, of the above application indicates a direct intention to resume the residential use of the existing property upon the subject site. Moreover, we would herein confirm that our client only purchased the subject property in 2021 with the property specifically purchased with the intent to make good and continue the existing residential use.

Notwithstanding the fact that residential use is not permitted upon lands zoned 'GE', we would note that the residential property is identified on historical OSI mapping and, as such, is representative of a pre-63 building and is thus an authorised residential use. Furthermore, we note that no works have been carried out on site which would prevent the property from fulfilling its historically authorised use.

With regards to the reference to 'abandoned' contained within Fingal's refusal reason for the identified planning application, we would note that The Planning and Development Act 2000 (as amended) does not provide a definition for abandonment, so when considering whether a use has been abandoned, it is pertinent to review the relevant case law on the matter as well as previous cases before An Bord Pleanála. The Supreme Court defined the concept of "abandonment of use" in the decision of Kildare County Council v. Goode [1999] 2 I.R. 495, where Barron J. held that:

"Abandonment is the objective sign of a decision not to continue further with the development."

Case law on the matter suggests 4 no. tests of abandonment as listed in 'Environmental and Planning Law in Ireland' (Yvonne Scannell, 1995) as follows:

- The intention of the owner and/or occupier to abandon or not abandon.
- The period during which the use was discontinued.
- Whether or not there have been any intervening uses.
- The physical condition of the land or structure

The following sections will assess the subject site against each test:

Period of Disuse

As stated above, our client purchased the subject property in 2021. The house was advertised and purchased on the basis of being a residential dwelling. From the perspective of our client the property has been in active use in the context of progressing plans for its refurbishment and revision to provide a modern standard of accommodation.

Intentions of Owner

Again, we note the fact that our client has owned the property for two years, within which a planning application has been lodged to refurbish and extend the property to provide a modern standard of accommodation. Our client has considered the various housing refurbishment and renovation grants/schemes available in Ireland which have been designed to enhance the quality, energy efficiency, and overall sustainability of properties across the country whether vacant, derelict or simply outdated. These grants are not limited to:

- *Vacant Property Refurbishment Grant*
- *Repair and Leasing Scheme*
- *Home Renovation Incentive (HRI) Scheme*
- *Energy Schemes*
 - *Better Energy Home Scheme*
 - *Better Energy Warmer Homes Scheme*
 - *National Home Energy Upgrade Scheme*
 - *Solar Electricity Grant*
- *Domestic Lead Remediation Grant*
- *Housing Adaptation Grant for People with a Disability*
- *External Wall Insulation Grant (The Wrap)*

Intervening Uses

A site inspection was carried out on the 4th of September 2023 to ascertain the current condition of the building and grounds. Upon entry to the building, it is clear from the outset that the property operated as a residential dwelling and that the continuation of residential use on the site would be a natural conclusion. The interior is in good condition considering the length of time it has been vacant and the original features of the house are in great condition. No intervening uses have taken place at this property.

In ABP. Ref. 31.RL.2146, and backed up by *Meath County Council v Daly*, the Inspector found that the introduction of a new use in the intervening period was grounds for abandonment stating:

'It is argued by the Planning Authority, and in my view reasonably, that this intervening use is an indication that the owners did not intend to resume the car sales use.'

As noted, the subject property was not used for anything other than a house since its construction

Physical Condition

In ABP. Ref. 309873-21, which related to the resumption of a guesthouse use, the An Bord Pleanála Inspector stated:

"As previously outlined, the long-stay residential use appears to have predominantly retained the room layout of the previous guesthouse use. Having inspected the property, I can confirm that the property (currently vacant) is mainly comprised of en-suite bedrooms, along with shared kitchen/dining/living areas at ground floor level. Accordingly, it would appear to me that the physical condition of the structure has been maintained in a state that is consistent with the permitted guesthouse use."

The physical condition of the house can be described as good whilst obviously in need of modernisation and improvement. Furthermore, we note that our client engaged a structural engineer to consider the physical condition of the property prior to purchase before subsequently engaging a design team to consider the renovation of the property by way of planning application. In this regard, the limited nature of the works shown under the planning application is considered directly relevant to discard the thought of the dwelling as having been abandoned.

Further to the above tests, it is considered prudent to note that whilst the house has been unused for c. 15 no. years, this can be considered a short period in the context of the house which is identifiable on historical OSI maps.

Upon review of relevant case law and cases determined by An Bord Pleanála, the intentions of an owner are at the crux of this issue of abandonment. In this case, the intentions of our client clearly demonstrate that it is intended to refurbish the existing property for continued residential use.

4.0 Bus Connects Proposal Relative to Subject Site

As per the documentation available at <https://swordsscheme.ie/>, the Swords to City Centre Core Bus Corridor Scheme will have a significant impact upon our client's site as follows:

1. *The extant residential dwelling will be rendered inaccessible with no pedestrian and/or vehicular access to the Swords Road; and,*
2. *Direct impacts to the residential amenity of the property including visual impact, noise, light pollution and vibrations.*

Further to the above, the scheme will also provide for a significant revision of existing boundary treatments/planting between the subject site and the adjoining road network along its western boundary.

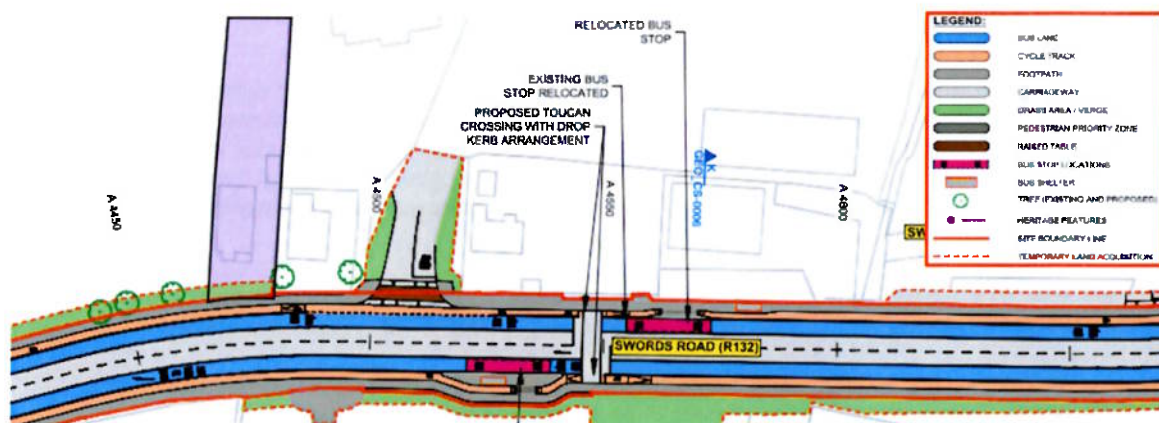


Figure 5.0 Extracts from Sheet 13 of the General Arrangement drawing illustrating the proposed works relative to our client's site (purple fill/black outline).

Whilst we would confirm our client's support for the subject proposal, in the context of improving the immediate area's access infrastructure together with associated improvements to the visual amenity of the immediate area, it is considered that the above concerns together present a material rationale for the seeking of compensation in the event that the National Transport Authority does not see fit to make appropriate amendments to the subject scheme to ensure no detrimental impact to our client's residential property and the associated monetary value of same.

5.0 Impact of Bus Connects Proposal on Subject Site

Having regard for the nature of the proposed works and the proximity of these works to our client's site, we would consider the Swords to City Centre Core Bus Corridor Scheme to present direct impacts to the residential amenity of our client's property and, by association, the value of this property.

The following sections of this report will expand upon the impacts which will occur because of the aforementioned scheme.

5.1 Dwelling Rendered Inaccessible

As identified in Figure 5.0, above, the ancillary works provided under the Swords to City Centre Core Bus Corridor Scheme will render the existing dwelling on our client's site as inaccessible with the existing pedestrian/vehicular access replaced with a new grass verge. Indeed, review of the general arrangement drawing would suggest that there will be no new boundary treatment provided and, as such, the existing dwelling will be separated from the roadway by a grass verge adjoining its front garden. The provision of the grass verge is not considered to represent any significant improvement of the visual amenity of the area.

Without a means of accessing the subject site, whether for pedestrians or vehicles, this would effectively necessitate the abandonment of the subject property for which, as per the recent planning application on site, the residential use was intended to be maintained. Moreover, without a means of accessing the site, the subject property would not be able to be removed and would remain as a blemish on the local landscape.

The purpose of a boundary wall is, in the first instance, to demarcate the boundaries of the property and protect the site and home from animals, thieves, and others. Given the location of the subject site on a busy road proximate to the airport and multiple large scale commercial operations, the lack of a boundary wall represents a serious health and safety hazard by removing any barrier to prevent vehicular crashes from encroaching on to the subject site. With no discernible boundary to the roadway, our client will suffer a direct compromise to the financial value of their property and we would appeal to the NTA to consider the impact of the provision of a grass verge at this location.

Further to the above, we would ask that the NTA have due regard for the enclosed letter, as prepared by Stephen Reid Consulting, which is included in Appendix A of this report.

The letter considers the impact of the proposed scheme on the subject residential dwelling and we would note and agree with the following commentary from this letter:

'It is disingenuous for the NTA Bus Connects promoters to claim plot 1090(2).2d is a temporary acquisition when they are proposing wholesale changes to the lands in question including setting back the boundary and are not reinstating the existing arrangements before returning the lands to the permanent owners.'

5.2 Visual Impact

Given the limited nature of the general arrangement drawings available for review in connection with the subject scheme, our client has concerns in relation to the visual impact of the scheme arising both in relation to the extended Swords Road roadway and the new pedestrian, cyclist and bus infrastructure. With regards to visual impact, the primary impact relates to the reduced separation distance between the western boundary of our client's property and the Swords Road.

Due to the position of the roadway relative to our client's site, it is assumed that the boundary treatment, which effectively doubles as a noise barrier, will be constructed to match the height of the existing fence. Simply put, the relocated vegetation and boundary fence will be situated approximately 3m closer to our client's property than at present thus resulting in an oppressive aspect when viewed from our client's property. Moreover, it is considered that the relocated boundary treatments will present an undue overbearing impact which will make the front garden appear more cramped and less open than at present.

In the absence of more detailed drawings, our client would retain concerns in relation to the visual impact of the subject infrastructure as seen from their property.

5.3 Noise

Increased noise levels are considered to represent a direct impact arising as a result of the subject scheme. In this regard, it is unclear whether internal and external noise levels at our client's property will remain compliant with the relevant standards set out in BS 8233:2014 'Guidance on Sound Insulation and Noise Reduction for Buildings' and the associated provisions of both ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development (2017) and the Dublin Agglomeration Environmental Noise Action Plan (2018 – 2023).

The key objective of the Noise Action Plan is to avoid, prevent and reduce where necessary on a prioritised basis the harmful effects including annoyance due to long term exposure to environmental noise. Noise is characterised as 'unwanted sound' or 'sound that is loud, unpleasant or unexpected' and that can eventually cause disturbance, impairment or damage to health.

Activity	Location	07:00 to 23:00 Hrs	23:00 to 07:00 Hrs
Resting	Living Room	35 dB L _{Aeq} , 16 hour	-
Dining	Dining Room/Area	35 dB L _{Aeq} , 16 hour	-
Sleeping (daytime resting)	Bedroom	35 dB L _{Aeq} , 16 hour	30 dB L _{Aeq} , 8 hour
Working	Office	40 dB L _{Aeq} , 16 hour	-

Figure 6.0 Internal noise criteria for residential buildings as set out in BS 8233:2014.

Desirable & Undesirable Sound Levels for External Amenity Spaces	
Desirable	Undesirable
< 50 dB(A) L _{night}	> 55 dB(A) L _{night}
< 55 dB(A) L _{day}	> 70 dB(A) L _{day}

Figure 7.0 Desirable and undesirable sound levels for external amenity spaces as per the Dublin Agglomeration Noise Action Plan 2018 – 2023.

As stated previously, the relocated boundary fence will be situated approximately 3m closer to our client's property than at present. This factor, in conjunction with the traffic level of the Swords Road relative to our client's site, will result in a permanently heightened noise impact to which, in the absence of a dedicated and site-specific comparative noise assessment, the rise in noise levels relative to the long-standing situation on site cannot be pre-determined.

In any case, it is considered reasonable to assume that existing noise levels arising due to the site's proximity to the Swords Road will be exacerbated to a degree that could compromise the health and wellbeing of our client and we would ask that this be taken into account.

5.4 Lighting

While adequate lighting is essential for a safe and secure environment, light spillage from excessive or poorly designed lighting is increasingly recognised as a potential nuisance to surrounding properties and a threat to wildlife. Insensitive lighting can cause what is termed "light pollution". Light pollution is essentially wasted light.

Light pollution can have a negative impact on biodiversity by affecting the normal diurnal patterns of plants and animals. Whilst we note no change in the quantum/type of street lighting infrastructure within the immediate vicinity of our client's site, it is submitted that this property will be impacted by severe light pollution in the interim period between the removal of existing vegetation and the planting/growth of replacement vegetation to mature stage where it can again provide similar screening from lighting on the Swords Road. The resulting light pollution will be a nuisance to all surrounding properties and could prove detrimental to local wildlife.

In similar manner to the above conclusion in relation to noise impacts, it is considered that the extent of light pollution arising as a result of the necessary works could compromise the health and wellbeing of our client and we would ask that this be taken into account.

5.5 Vibrations

It is considered that the extended Swords Road will impact our client by virtue of vibrations arising from vehicular movements. With vehicular movements taking place in closer proximity, c. 5m closer, to our client's property it is submitted that such vibrations, in conjunction with increased noise levels and light pollution, could further compromise the health and wellbeing through loss of sleep and we would ask that this be taken into account.

6.0 Development Plan Policy

Having regard for the previous sections of this report, it is considered clear to see that the subject proposal will compromise the residential amenity of our client. In this respect we would note that our client's site is zoned, under the current Fingal Development Plan 2023-2029, GE 'General Employment. This zoning provides the following objective which must be considered for any development on/adjoining such sites:

'Provide opportunities for general enterprise and employment.'

The Development Plan outlines uses that are permitted in each Zoning Objective. This is to ensure that lands are used suitably as it promotes the sustainable development and proper planning of an area. Uses deemed as 'permitted in principle' are uses which the Council finds appropriate for the area. Uses permitted in principle for areas zoned as Objective 'GE' include:

'Builders Provider/Yard, Civic Waste Facility, Enterprise Centre, Food, Drink and Flower Preparation/Processing, Fuel Depot/Fuel Storage, High Technology Manufacturing, Industry – General, Industry – Light, Logistics, Office Ancillary to Permitted Use, Open Space, Petrol Station, Research and Development, Restaurant/Café, Retail – Local < 150 sqm nfa, Road Transport Depot, Sustainable Energy Installation, Telecommunications Structures, Training Centre, Utility Installations, Vehicle Sales Outlet – Small Vehicles, Vehicle Sales Outlet – Large Vehicles, Vehicle Servicing/ Maintenance Garage, Warehousing, Waste Disposal and Recovery Facility (Excluding High Impact), Wholesale'

Uses not permitted for areas zoned as Objective 'GE' include:

*'Aparthotel, Abattoir, Aerodrome/Airfield, Agri-Tourism, Air Transport Infrastructure, Amusement Arcade, Bed and Breakfast, Betting Office, Boarding Kennels, Burial Grounds, Caravan Park – Holiday, Caravan Park – Residential, Concrete/Asphalt, Cultural Facility, Dancehall/Nightclub, Education, Exhibition Centre, Farm Shop, General Aviation, Golf Course, Guest House, Health Practitioner, Holiday Home/Apartments, Hospital, Hostel, Hotel, Industry – Extractive / Quarrying Office $\geq 1,000$ sqm, Place of Worship, Public House, **Residential**, Residential Care Home/ Retirement Home, Residential Institution, Retail – Comparison ≤ 500 sqm nfa, Retail – Comparison > 500 sqm nfa, Retail – Supermarket $\leq 2,500$ sqm nfa, Retail – Superstore $> 2,500$ sqm nfa, Retail – Hypermarket $> 5,000$ sqm nfa, Retail – Factory Outlet Centre, Retail Warehouse Retail – Warehouse Club, Retirement Village, Sheltered Accommodation, Traveller Community Accommodation, Waste Disposal and Recovery Facility (High Impact).'*

Whilst we note that the existing use on site is not permitted upon lands zoned GE, this use is a pre-63 use with the extant building on site identifiable on historical mapping as previously presented.



Figure 8.0 Extract from Sheet 11 of the Fingal Development Plan 2023 - 2029 showing the site (dashed red line) situated within lands subject to the zoning objective 'GE'.

6.1 Relevant Policy

It is considered, as presented above, that the Swords to City Centre Core Bus Corridor Scheme will have significant impact on the existing residential amenity of our client by virtue of undue visual impact, noise and light pollution and vibration effects. It is thus considered that the subject scheme neither protects nor improves the residential amenity of our client's property and, as such, is non-compliant with the provisions of the RS 'Residential' zoning objective. As a final point for assessment, we would consider the subject scheme to be non-compliant with the following objectives of the Fingal Development Plan 2023-2029:

Objective LP01 Require that the design of lighting schemes minimises the incidence of light spillage or pollution into the surrounding environment. New schemes shall ensure that there is no unacceptable adverse impact on neighbouring residential or nearby properties; visual amenity and biodiversity in the surrounding areas.

Objective DMS86 Ensure boundary treatment associated with private open spaces for all residential unit types is designed to protect residential amenity and visual amenity.

Objective NP03 Require all developments to be designed and operated in a manner that will minimise and contain noise levels. **Objective NP04** Ensure that future developments are designed and constructed to minimise noise disturbance and take into account the multi-functional uses of streets including movement and recreation as detailed in the Urban Design Manual (2009) and the Design Manual for Urban Roads and Streets (2013). **Objective NP05** Ensure that development complies with the NRA's design goal for sensitive receptors exposed to road traffic noise or as updated by any subsequent guidelines published by Transport Infrastructure Ireland.

7.0 Alternative Design Option

It is considered appropriate to suggest an alternative design option for review by the NTA. In this regard we would herein confirm our client's willingness to facilitate the provision of a left-in left-out entrance/exit arrangement. It is considered that such an arrangement is appropriate in the context of facilitating safe entry and exit to the subject site whilst without having any undue impact on pedestrian, cyclist and bus infrastructure.

8.0 Mitigation & Compensation

Having regard, for the identified issues which will compromise the accessibility of our client's property on the Swords Road, it is considered reasonable that the National Transport Authority (NTA) engage directly with our client in relation to identifying appropriate mitigation measures to ensure the safeguarding of the residential amenity of their property. In the absence of comprehensive mitigation measures to prevent undue accessibility impacts arising as a result of the subject scheme, our client would seek compensation to offset potential impacts to the monetary value of their property.

9.0 Conclusion

In conclusion, the undue visual impact, the vibrations, the significant increase in noise pollution and light pollution when combined all clearly render the Swords to City Centre Core Bus Corridor Scheme as incompliant with the proper planning and sustainable development of the area as it relates to our client's property on the Sword's Road. Furthermore, and notwithstanding the extent of these impacts which are considered significant, the subject proposal will also render our client's property as being inaccessible with the long-standing vehicular/pedestrian access to the Swords Road extinguished.

It is considered, for the above reasoning, that the subject scheme will be detrimental to both the accessibility of our client's residential dwelling and the residential amenity offered by this dwelling. We would reiterate that our client only purchased the property in 2021, in good faith, with the intent to refurbish and extend the property to provide living accommodation to modern standards.

In this regard, we would herein confirm our client's willingness to engage with the National Transport Authority (NTA) to identify suitable mitigation measures to ensure both the accessibility of our client's property and the adequate protection of the residential amenity of the existing property. In the absence of comprehensive mitigation measures to avoid the identified impacts, it is considered reasonable that appropriate compensation be afforded to our client.

We trust that the Board will have regard to the contents of this submission in relation to the wider public consultation process on the Swords to City Centre Core Bus Corridor Scheme.



Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.

Appendix A Letter prepared by Stephen Reid Consulting Traffic and Transportation Limited

Our Ref 028665.0001.LMCC

8 February 2024

By Hand

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

BusConnects Swords to City Centre Bus Corridor Scheme

An Bord Pleanála Case Number – ABP-317121-23

Our client – Collinstown Caravans Limited, Airport Road, Dardistown, Cloghran, Co. Dublin

Dear Colleagues

We refer to the above matter. William Fry LLP has been instructed by our client, Collinstown Caravans Limited (the "**Company**"), to make a submission in respect of the Swords to City Centre Core Bus Corridor Scheme (the "**Scheme**").

This submission is made in response to An Bord Pleanála (the "**Board**")'s letter dated 5 January 2024 notifying the Company that this matter will be determined without an oral hearing, and inviting submissions by 5.30pm, 8 February 2024 in response to the National Transport Authority ("**NTA**")'s submission dated 23 November 2023 (the "**NTA Submission**").

As noted by our client in its objection dated 18 July 2023, the NTA failed to consult with, or seek to consult with, the Company prior to serving notice of the Scheme and Compulsory Purchase Order ("**CPO**").

Accordingly, while the revisions proposed at 2.7.4 of the NTA Submission are welcome, the NTA cannot be said to have adequately considered the impact of the Scheme on the Company. Significant uncertainty remains as to the details and timeline for implementation of these proposals. As previously submitted, our client is deeply concerned about the potential impact of the Scheme and CPO on the ability of Collinstown Business Park to continue to provide opportunities for general enterprise and employment, as well as the land's future development potential. We have outlined our client's concerns below.

Reinstatement of Property Frontage

2.7.4.2 (i) of the NTA Submission states that reinstatement of property frontage will be on a "*like for like basis*" and "*detailed accommodation works plans will be prepared in consultation with landowners in line with any formal agreements and in accordance with any embedded mitigations identified in the EIAR or conditions/modifications from An Bord Pleanála in relation to the Proposed Scheme application.*"

Proposed Boundary Wall Realignment

The company notes the proposed boundary wall realignment at 2.7.4.2 (ii) of the NTA Submission whereby the wall shall be repositioned 0.95m to 1.8m closer to the property than the existing wall.

CHAIRMAN
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MANAGING
PARTNER
D. O'Sullivan

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P. Murphy
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S. Kough
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F. Barry
D. Caldwell
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L. McCarthy
D. O'Callaghan
P. Taylor
S. Kelleher
J. Heinegan

F. Doury
I. Barron
A. McIntyre
G. Egan
L. Moore
R. Brown
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B. Ryan
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P. O'Hare
S. Torrey
J. O'Connor
M. Ward

S. Delaney
P. Kennedy
J. Greene
P. Ryan
C. Soutman
J. Halls
J. Ahern
J. Brennan
C. Egan

C. Treacy
B. B. Hennessy
J. Murphy
C. Brady
N. Clatten
C. Henley
L. Houlahan
I. Dwyer
L. Brennan
C. O'Keefe
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B. Byrne
N. Carroll
N. Crowley
N. Dwyer
N. Dwyer
N. Dwyer
N. Dwyer

WILLIAM FRY

Considering the proposal at 2.7.2.2 of the NTA Submission for the addition of a signalised junction at the entrance to the Collinstown Business Park, the NTA should provide details of the boundary wall realignment shown in the context of the proposed traffic signal control junction.

Temporary Land Take

The NTA Submission states at 2.7.4.2 (ii) that *"typically along the Proposed Scheme a 2.0-3.0m working room offset for temporary land take is required to ensure there is sufficient space available to construct the Proposed Scheme and boundary treatments. Any land that is temporarily acquired will be returned to the owner."*

Residential Amenity Impacts

Notwithstanding the provisions of the Environmental Impact Assessment Report ("EIAR"), as cited in Section 2.7.4.2 of the NTA Submission, our client remains concerned as to the impact of the subject proposal on their property during both the construction and operational phase.

The proposed works, by reason of direct noise, lighting and visual impact, will definitively compromise the residential amenity of this property and, by association, its value.

Requirement for Formal Agreement

Please note that the proposed repositioning of the boundary wall is only acceptable to the Company subject to the adequate reinstatement of the remaining front garden and driveway area. Further, while the NTA proposes to temporarily acquire a portion of the Company's land, it has failed to clarify the extent and duration of this land take. This creates an unacceptable level of uncertainty for the Company.

It is essential that the NTA engage with the Company to confirm the precise details and timeline for the proposed realignment of the boundary wall and reinstatement of the remaining property frontage. A formal agreement should be agreed to this effect between the NTA and the Company. Fundamentally, any such agreement must clarify the extent and duration of the proposed temporary acquisition of the Company's lands.

Yours faithfully

A handwritten signature in black ink that reads "William fry LLP". The signature is written in a cursive, lowercase style.

William Fry LLP



Stephen Reid Consulting

Traffic and Transportation

21 The Oaks, Ridgewood, Swords, Co Dublin, K67 WK79

tel: 0879793479 e-mail: stephenreid@stephenreidconsulting.com web: www.stephenreidconsulting.com

13 July 2023

William Fry LLP
2 Grand Canal Square
Dublin 2
D02 A342

Ref: Projects/Collinstown, Swords Road – Bus Connects

By email

Dear Sirs

**Traffic Consultant Review of NTA Bus Connects Project Proposals, Swords to City Centre and Impact on:
Plot List: 1090(1).1d, 1090(2).2d – Collinstown Caravans Limited**

1. Background

Stephen Reid Consulting Traffic & Transportation Ltd (SRC) have been retained by our mutual client Collinstown Caravans Limited to undertake a review of the NTA Bus Connects Core Bus Corridor Scheme - Swords to City Centre, and with reference to the roads and traffic aspects of the Environmental Impact Assessment Report (EIAR) and associated General Arrangement drawings, pertaining to the vicinity of the above referenced plot which can be described as the footpath, boundary wall and part of the front garden and entrance to a dwelling on the Swords Road, located to the north of the Collinstown Business Park access junction.

Our client welcomes the general proposals to improve bus, cycling and walking infrastructure but has raised serious concerns with the currently proposed scheme plans in the vicinity of the dwelling frontage and the impact on the dwelling and its access.

2. Current BusConnects Proposals

The current Bus Connects proposals are illustrated in a series of drawings for this section of the route. General Arrangement Sheet 13 of 37 illustrates this section of the Swords Road. An extract of Sheet 13 of 37 is illustrated in the following Figure 1 (relevant area is circled blue) and the full Sheet 13 of 37 is appended to this document for your information.

There is a solid red line referenced in the drawing legend as the 'Site Boundary Line' which generally follows the back of footpath/property boundary interface, while a dashed red line extends eastwards into the frontage of the dwelling (to the rear of the solid red line, encompassing an area approximately 3m deep across the entire road frontage from the existing back of footpath/property boundary interface. This area is hatched green on the drawing and the legend on the General Arrangement drawing Sheet 13 of 37 refers to hatched area this as "grass area/verge".

The area encompassed between the solid red line and the dashed red line is a 'Temporary Land Acquisition' and this appears to match the plot list red line on the proposed CPO maps, which are called up as 'Lands Being Temporarily Acquired'.



Stephen Reid Consulting

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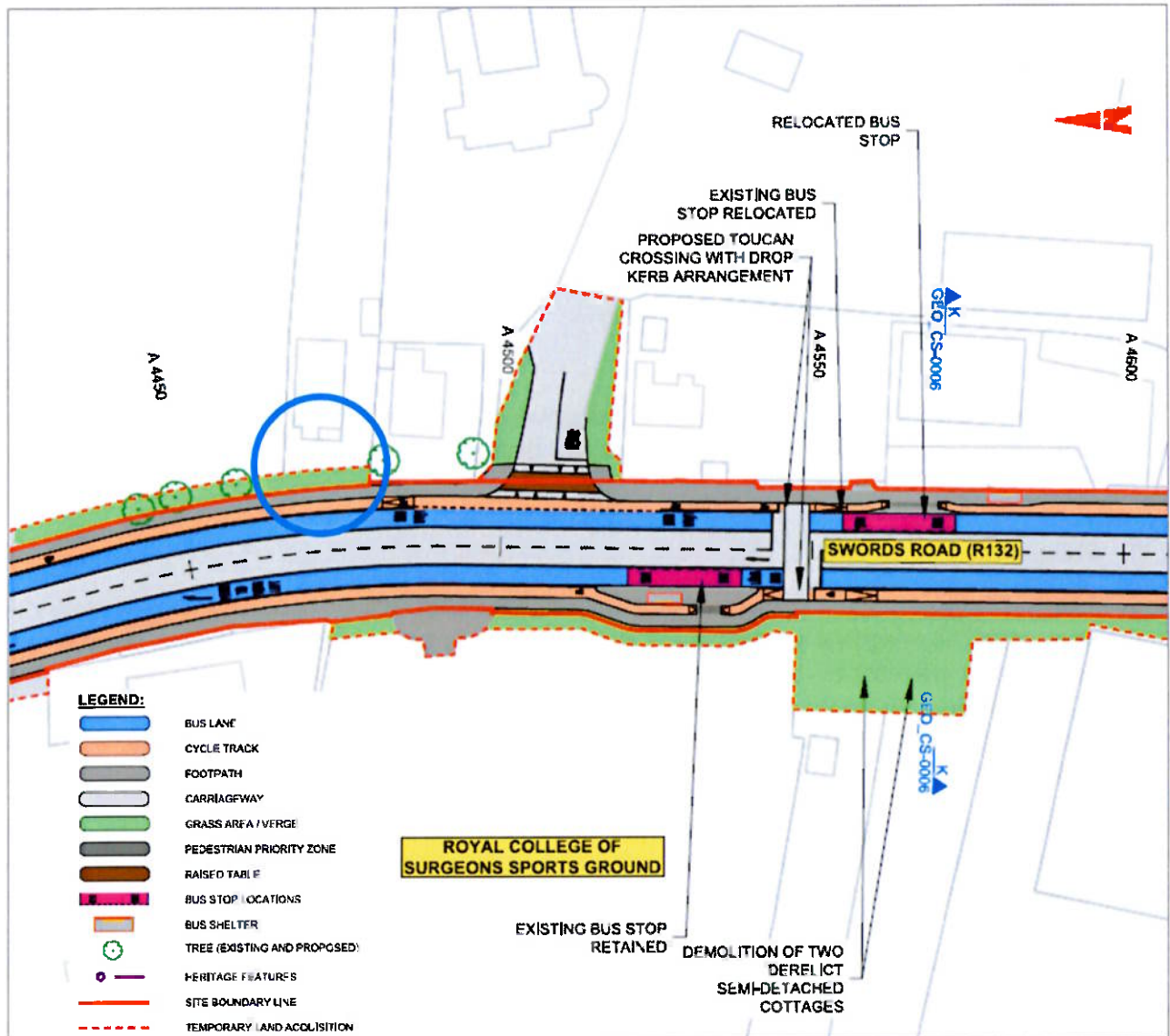


Figure 1: Extract of Sheet 13 of 37 'Swords to City Centre Core Bus Corridor Scheme - General Arrangement' (source: www.busconnects.ie, downloaded July 2023)

From a review of the EIAR documents and associated drawings the reference to lands being “temporarily acquired” is widely utilised within these documents and drawings.

SRC would submit that it is commonly and generally understood that a temporary acquisition for an infrastructure project would mean the requirement for the land by the scheme promoter is temporary in nature and solely for the purpose of construction works (such as safe working room, site compounds or marshalling areas, or for temporary diversion of utilities, roads or footpaths or in order to build structures such as boundary treatments or retaining walls which require ingress into the lands to the rear of the finished scheme. After these construction works are completed and the area of the construction site is demobilised the land would have to be reinstated to its former condition and returned to the owner of the land.



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What is illustrated on the drawing Sheet 13 of 37 is the omission of any access - vehicular or pedestrian - to the property due to a setback of the existing boundary wall to accommodate a grass landscaping verge area to the rear of the footpath and extending across the entire Swords Road frontage.

Note below that the plot referenced in the NTA correspondence, schedule and mapping identified as permanent land acquisition with plot reference 1090(1).1d is a portion of the existing public footpath and therefore there would be no issue with this part being acquired permanently as it is part of the de facto public footpath and within the taken in charge area.

However, from a cross referencing of the plot reference 1090(2).2d (identified as a temporary land acquisition) and the proposal on General Arrangement Sheet 13 of 37, it is clear that the introduction of a setback boundary to accommodate a grass verge would result in that plot being on the road side of the property boundary feature and therefore unusable to the property owner, and as such if it is to be subject to a CPO it would have to be a permanent acquisition.

Notwithstanding the impact of the proposal and the resultant setback of the boundary to accommodate the landscaping/verge area on the frontage private garden area of the dwelling impact due to reduced space to accommodate a vehicle entering/exiting and parking within the curtilage of the dwelling, the NTA have acted improperly by proposing to extinguish all access to the dwelling from the public road and footpath.



Figure 2: Extract of Sheet 13 of 29 Land Acquisition Map
'Swords to City Centre Core Bus Corridor Scheme – Compulsory Purchase Order 2023'
(source: www.busconnects.ie, downloaded July 2023)



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It is disingenuous for the NTA Bus Connects promoters to claim plot 1090(2).2d is a temporary acquisition when they are proposing wholesale changes to the lands in question including setting back the boundary and are not reinstating the existing arrangements before returning the lands to the permanent owners.

From a review of the EIAR documents, it is noted that this section of the Swords Road is identified as Section 2.c (extending southwards from Collinstown Cross to the Northwood Avenue junction, with a total length of 1.62 kilometres).

Clearly a construction start date is subject to the planning and tendering periods, so this is currently unknown. The overall project programme for the Swords to City Centre Coe Bus Corridor is given in the EIAR at Section 5.4 'Construction' in Volume 2 of the EIAR as 36 months (3 Years) and the Section 2.c works are programmed for an 18-month period within that, starting at Q3 in Year 2 and ending at the end of Q4 in Year 3.

3. Summary and Conclusions

SRC have carried out this review of the NTA BusConnects proposals for the Swords to City Centre Core Bus Corridor on behalf of Collinstown Caravans Ltd (the owner of the plots in front of the dwelling house located to the north of the Collinstown Business Park on the east side of the Swords Road).

SRC submit that the current Bus Connects proposals on General Arrangement Sheet 13 of 37 are unacceptable as these will have a significant and detrimental impact on the dwelling, and will not only extinguish all access from the Swords Road, but the proposed setback of the frontage boundary to accommodate a verge (which should have been presented as a permanent acquisition) would result in a significant impact on the ability to drive into the site and turn a vehicle so that the vehicle can exit in forward gear across the footpath, cycle path onto the public road.

SRC would welcome the opportunity to meet with the NTA Bus Connects Project Team to discuss the impact on our client and consider alternative solutions to address his concerns and mitigate possible impacts on the dwelling frontage.

SRC trust this is all clear but if you have any queries, please do not hesitate to contact the undersigned.

Yours sincerely

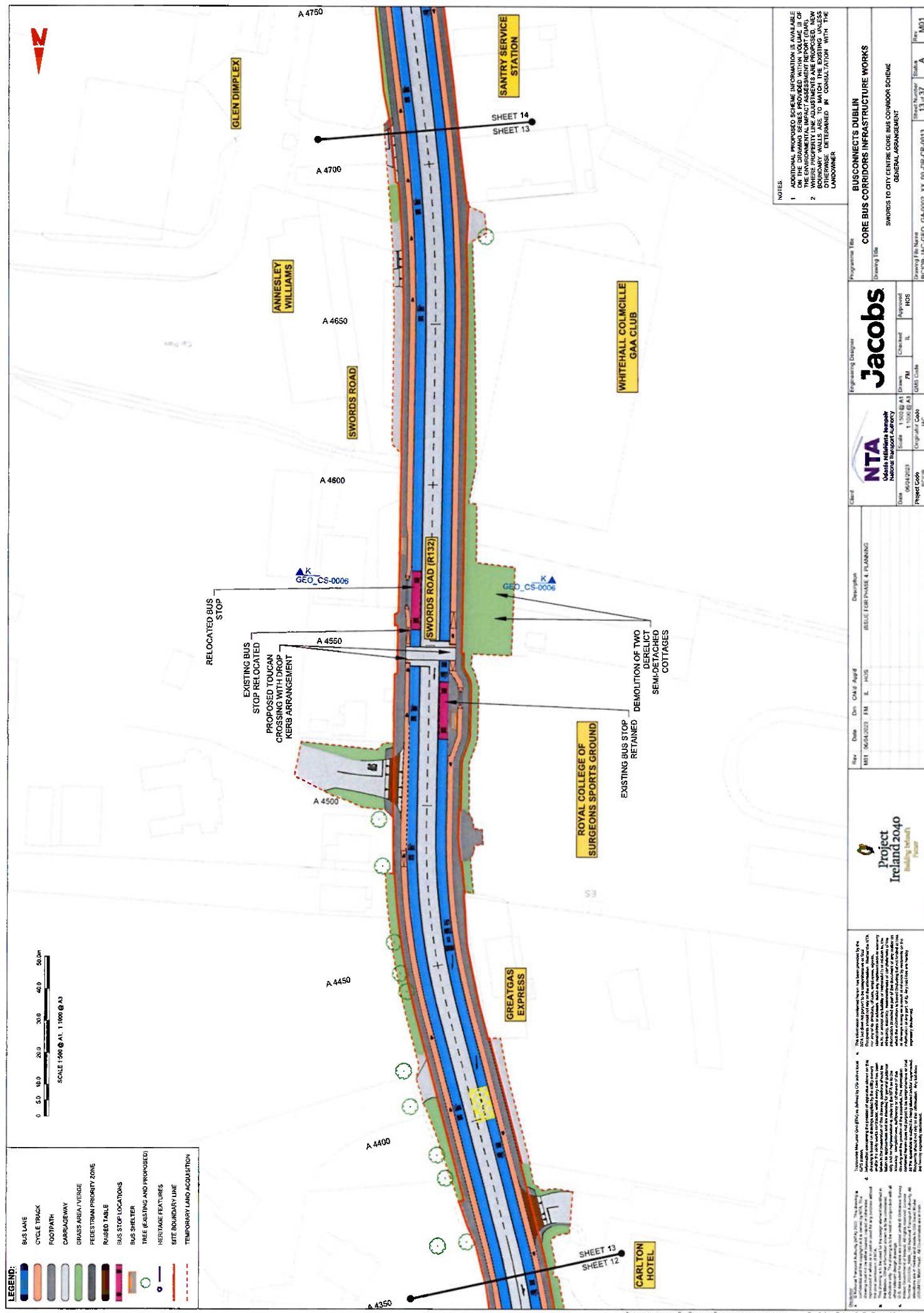
Stephen Reid CMILT

Managing Director

Stephen Reid Consulting Traffic and Transportation Limited

Appendix 1 - Copy of NTA Bus Connects – Swords to City Centre Core Bus Corridor General Arrangement Sheet 13 of 37

Appendix 2: Copy of NTA Bus Connects - Swords to City Centre Core Bus Corridor Scheme – Compulsory Purchase Order 2023 Sheet 13 of 29 Land Acquisition Map



DO NOT SCALE UP! FIGURED DIMENSIONS ONLY



O.S. Ref:
3064C

7/12/2017, 741532

Legend:

LANDS BEING PERMANENTLY ACQUIRED
SCHEDULE PART I (Shaded in Grey)

LANDS BEING TEMPORARILY ACQUIRED
SCHEDULE PART II (Shaded in Grey)

Public rights of way to be restricted or reserved with land in the SCHEDULE PART II (Section A)

Public rights of way to be restricted or reserved with land in the SCHEDULE PART II (Section B)

Private rights to be acquired SCHEDULE PART IV (Section A)

Private rights to be restricted or reserved with land in the SCHEDULE PART IV (Section B)

Private rights to be temporarily restricted or reserved with land in the SCHEDULE PART IV (Section C)

NTA
Udarás Náisiúnta Iompair
National Transport Authority

National Transport Authority

Swords to City Centre
Core Bus Corridor Scheme
Compulsory Purchase Order 2023
Sheet 13 of 29
Land Acquisition Map

Rev	Drawn	Checked	Agreed	Date
1	15/01/23	15/01/23	15/01/23	15/01/23

Rev	Drawn	Checked	Agreed	Date
1	15/01/23	15/01/23	15/01/23	15/01/23

Lands to be Compulsorily Acquired
Deposit Map
Sheet 13 of 29

Present (Under the seal of National Transport Authority) was
affixed here to
This... Day of... 2023

Member of the Authority



18 July 2023

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Swords to City Centre Bus Corridor Scheme Compulsory Purchase Order 2023 (the "Compulsory Purchase Order")

Brendan Collins – Plot Reference 1090(1).1d, 090(2).2d

Dear Sirs

Collinstown Caravans Limited (the "**Company**") recently received the letter and notice appended at **Appendix 1** (the "**Notice**") hereto. The National Transport Authority (the "**NTA**") has never consulted with or sought to consult the Company in relation to the Compulsory Purchase Order.

The Company is correctly listed as the owner of plot references 1090(1).1d, 090(2).2d. These lands constitute the front portion of a dwelling house property owned by the Company.

As further outlined below, the content of the Notice and accompanying letter is unclear to the point that it is almost completely incomprehensible. The Company has sought further information from the NTA, but has not yet received a substantive response. In those circumstances, the Company reserves its rights to make more detailed submissions in relation to the Compulsory Purchase Order and the proposed Swords to City Centre Bus Corridor Scheme (the "**Scheme**") at an Oral Hearing. The Company notes that the closing date for submissions in respect of the Scheme pursuant to section 51(3) of the Roads Act 1993 (as amended) has been extended to 12 September 2023.

The Company objects to the confirmation of the Compulsory Purchase Order for a range of reasons which are summarised below:

1. The content of the Notice and the accompanying letter, while verbose, is unclear to the point that it is almost completely incomprehensible. The Company's advisors have managed to ascertain that the NTA proposes to permanently compulsorily acquire ownership of a portion of the Company's lands. However, it seems that the NTA also intends to compulsorily acquire ownership of a portion of the Company's lands on a temporary basis, for the purposes of the Scheme. However, the Notice provides no further information in relation to the effect of the Compulsory Purchase Order. By way of example only, the Notice does not provide any information as to the duration or likely timing of the compulsory temporary acquisition. On its face, the Company is advised that, legally, this will leave the Company unable to lawfully gain access to the lands which are being temporarily compulsorily acquired and, therefore, the Company would be unable to access the dwelling house property at all. I am advised, therefore, that the NTA failed to comply with the

Collinstown Business Park

T/A Collinstown Caravans Limited

Old Airport Road, Cloghran, Co. Dublin

WF-71037224-v1 | 028665.0001

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VAT No. IE 9/Y/48957S Registered in Ireland No. 032024 Directors: B. Collins (Managing) C. Collins (Secretary)

Collinstown

business park

statutory requirements under the Housing Act 1966 (as amended) to properly set out the effect of the CPO in the Notice.

2. The Notice does not set out any information in relation to any works intended to be carried out on the lands to be temporarily compulsorily acquired during the period of the temporary acquisition. The Company is advised, therefore, that the NTA failed to comply with the statutory requirements under the Housing Act 1966 (as amended) to properly set out the effect of the CPO in the Notice. Given the lack of information in relation to the proposed temporary acquisition, the Company reserves its rights to make more detailed submissions in relation to the impact of the proposed temporary acquisition at an Oral Hearing.
3. Although the information contained in the Environmental Impact Assessment Report ("EIAR") is extremely limited, it appears that the Lands are proposed to be temporarily acquired for the purposes of carrying out significant permanent works on those lands. The Company obtained a report (the "Report") from Stephen Reid Consulting Traffic and Transportation Limited in relation to the impact of the temporary acquisition and the permanent works (which would be carried out as part of that acquisition) on the lands to be acquired and the remaining lands owned by the Company. A copy of the Report is included at Appendix 2. As is clear from the Report, the temporary acquisition of the lands (and the significant permanent works proposed to be carried out during the course of that temporary acquisition) will result in a setback of the existing boundary wall to accommodate a grass landscaping verge area to the rear of the footpath and this extends across the entire Swords Road frontage of the dwelling house property in the Company's ownership. The Company is advised that the impact of implementing the proposal shown on the NTA drawing would extinguish any access - vehicular or pedestrian - to the Company's dwelling house property from the Swords Road, as there is no allowance in the design proposal to accommodate an access point/entrance gate to the property. Therefore, as a result of the temporary acquisition and proposed permanent works, there would no longer be any means of accessing the dwelling located on the Company's remaining dwelling house property from Swords Road. The NTA has not established that the temporary acquisition of the Lands and / or these permanent works are necessary for the purposes of the Scheme. Therefore, the acquisition would be a disproportionate interference with the existing property use and the Company's property rights. This issue is not simply a matter of compensation, and I am advised that a disproportionate interference with an existing property use can invalidate a scheme. I am advised that the temporary acquisition and the permanent works that would be carried out on foot of the Compulsory Purchase Order would clearly constitute a disproportionate interference with the Company's property rights.

In light of all of the above, the Company is requesting an oral hearing in respect of the application for confirmation of the Compulsory Purchase Order.

Yours sincerely



Brendan Collins

Director

For and on behalf of Collinstown Caravans Limited

Collinstown Business Park

Collinstown Caravans Limited

Old Airport Road, Cloughran, Co. Dublin

Telephone: (01) 842 8566 Fax: (01) 842 8790 e-mail: collinstownbusinesspark@hotmail.com
VAT No. IE 9/Y/48957S Registered in Ireland No. 032024 Directors: B. Collins (Managing) C. Collins (Secretary)



APPENDIX 1

Collinstown Business Park

T/A Collinstown Caravans Limited

WF-71037224-v1 | 028665 0001

Old Airport Road, Cloghran, Co. Dublin

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Dun Scéine, Harcourt Lane
Dublin 2, D02 WT20

t 01 879 8300

info@nationaltransport.ie
www.nationaltransport.ie

Plot List: 1090(1).1d, 1090(2).2d

Thursday 18th May 2023

**RE: Swords to City Centre Core Bus Corridor Scheme
 Compulsory Purchase Order 2023**

Dear Sir/Madam,

The National Transport Authority has submitted an application under Section 51 of the Roads Act 1993 (as amended) in relation to the Swords to City Centre Core Bus Corridor Scheme to An Bord Pleanála and will be submitting the associated application for confirmation of the Swords to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023 (CPO) in the coming days. You have been identified as an owner, lessee, or occupier of, or have rights over or an interest in land referred to in the Compulsory Purchase Order.

A number of documents relating to the compulsory purchase order application are enclosed for your attention. These comprise the following:

- Statutory landowner/interested party notice;
- Extracts from the Schedules to the CPO describing the location and extent of the impacted lands and/or rights relating to you;
- Server map(s) showing the location and extent of the impacted land(s) and/or rights; and
- A copy of the National Transport Authority privacy statement.

We recommend that you consider these enclosures carefully.

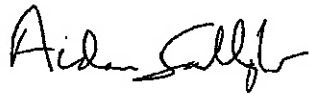
Important Note: Many of you who receive this letter are owners, lessees or occupiers of portions of multi-occupancy buildings, such as apartment buildings. Please note that there is no intention to acquire the building itself. The buildings themselves will not be directly affected by the CPO. The extents of the CPO are shown on the maps provided.

Further information relating to the Swords to City Centre Core Bus Corridor Scheme including a copy of the Environmental Impact Assessment Report, Natura Impact Statement and CPO documentation can be found at the National Transport Authority website for the Swords to City Centre Core Bus Corridor Scheme at:

www.swordsscheme.ie

If you have any questions or queries in relation to the above or the information attached, please contact us at 1800 303 653 or at property@busconnects.ie.

Yours Faithfully.

A handwritten signature in black ink, appearing to read 'Aidan Gallagher', with a stylized flourish at the end.

Aidan Gallagher

Head of BusConnects Dublin Infrastructure
National Transport Authority



Údarás Náisiúnta Iompair
National Transport Authority

National Transport Authority

Údarás Náisiúnta Iompair

www.nationaltransport.ie

**FORM OF NOTICE OF THE MAKING OF A COMPULSORY PURCHASE ORDER
UNDER SECTION 76 OF AND THE THIRD SCHEDULE TO THE HOUSING ACT
1966, AS EXTENDED BY SECTION 10 OF THE LOCAL GOVERNMENT (No. 2)
ACT 1960, TO BE SERVED ON OWNERS, LESSEES AND OCCUPIERS IN
ACCORDANCE WITH ARTICLE 4(b) OF THE THIRD SCHEDULE TO THE
HOUSING ACT 1966 AS AMENDED BY THE PLANNING AND DEVELOPMENT
ACT 2000 (AS AMENDED) AND UNDER SECTION 213 OF THE PLANNING AND
DEVELOPMENT ACT 2000 (AS AMENDED), SECTION 184 OF THE LOCAL
GOVERNMENT ACT 2001 AND SECTION 44 OF THE DUBLIN
TRANSPORT AUTHORITY ACT 2008 (AS AMENDED)**

COMPULSORY ACQUISITION OF LAND

**"Swords to City Centre Core Bus Corridor Scheme
Compulsory Purchase Order 2023"**

To: Collinstown Caravans Ltd.

Of: Airport Road,

Dardistown,

Cloghran,

Co. Dublin

Plot List: 1090(1).1d, 1090(2).2d

1. The National Transport Authority (hereinafter referred to as the "NTA") in exercise of the powers conferred upon them by Section 76 of the Housing Act, 1966, and the Third Schedule thereto, as extended by Section 10 of the Local Government (No. 2) Act, 1960 (as substituted by Section 86 of the Housing Act, 1966), amended by the Planning and Development Act 2000 (as amended) and under section 213 of the Planning and Development Act 2000 (as amended), Section 184 of the Local Government Act 2001 and Section 44 of the Dublin Transport Act 2008 (as amended), have made an order entitled as above which is about to be submitted to An Bord Pleanála (hereafter the "Board") for confirmation.

2. If confirmed, the order will authorise the NTA to acquire compulsorily the land and/or rights described in Part I, Part II and Part IV (Section A) of the Schedule and to extinguish, restrict and/or otherwise interfere with the public rights of way in Part III of the Schedule, restrict and/or otherwise interfere with the private rights in Part IV (Section B) and to temporarily restrict or interfere with the private rights in Part IV (Section C) of the Schedule thereto for the purposes of the construction of the Swords to City Centre Core Bus Corridor Scheme together with all ancillary and consequential works associated therewith for the purposes of facilitating public transport. The Swords to City Centre Core Bus Corridor Scheme will commence south of Swords at Pinnock Hill Junction and travel in a southerly direction along the R132 Swords Road past Airside Retail Park, Dublin Airport and Santry Park. The route will continue on the R132 past Santry Demesne, where the Swords Road joins the R104 at Coolock Lane. The route will continue on the R132 in a southerly direction through Santry village. It will continue along the Swords Road past Whitehall to Griffith Avenue. The route will follow Drumcondra Road Upper past the DCU St Patrick's Campus to the river Tolka. It will continue through Drumcondra, on Drumcondra Road Lower to Binns Bridge on the Royal Canal. From there it will continue on Dorset Street Lower as far as Eccles Street, from where it will continue on Dorset Street Upper to North Frederick Street and Parnell Square, all in the County of Dublin and within the Fingal County Council (FCC) and Dublin City Council (DCC) administrative areas.

3. A copy of the order and of the maps referred to in it may be seen at:

<p>National Transport Authority Dún Scéine Harcourt Lane Dublin 2D02 WT20</p> <p>Opening Hours Monday to Friday 09:15 to 16:00</p>	<p>An Bord Pleanála 64 Marlborough Street Dublin 1 D01 V902</p> <p>Opening Hours Monday to Friday 09:15 to 17:30</p>
--	--

on working days during the opening hours listed above from **Tuesday 23rd May 2023 to Tuesday 18th July 2023.**

4. A copy of the Order and map is also available for inspection and downloading on the National Transport Authority website for the Swords to City Centre Core Bus Corridor Scheme at:
www.swordsscheme.ie

5. The Housing Act, 1966, as amended, provides that if an objection is made to the proposed compulsory acquisition of land, the land in respect of which an objection is duly made by any of the persons upon whom notices of the making of the order are required to be served shall not be acquired compulsorily unless the Board makes an order to confirm the compulsory purchase order, unless:-

- (a) the objection is withdrawn, or
- (b) the Board is satisfied that the objection relates **exclusively** to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed.

6. The Board cannot, however, confirm: -

- (a) a compulsory purchase order in respect of the land if an objection is made in respect of the acquisition by an owner, lessee or occupier of the land, and not withdrawn;
- (b) an order which authorises the extinguishment of, restriction, or interference with a public right of way if there is an objection to the extinguishment, restriction or interference with a public right of way, which is not withdrawn;
- (c) an order which authorises the acquisition, restriction or interference with a private right if there is an objection to the acquisition, restriction or interference with the private right by an owner, lessee or occupier of the private right which is not withdrawn,

until it has considered the objection.

7. An Bord Pleanála has an absolute discretion under Section 218 of the Planning and Development Act 2000 (as amended) to hold an oral hearing.

8. Before making its decision on an application to confirm the Compulsory Purchase Order, the Board must consider any objection made and not withdrawn, any additional submissions or

observations made pursuant to a request by the Board under Section 217A of the Planning and Development Act 2000 (as amended) and any report of the person who held the oral hearing, if such an oral hearing takes place.

9. Any objection to the Order must state in writing the grounds of objection and be sent addressed to An Bord Pleanála (Strategic Infrastructure Division), 64 Marlborough Street, Dublin 1, D01 V902, so as to reach the said Board before 5:30pm on the 18th day of July 2023.

10. An Environmental Impact Assessment Report, and a Natura Impact Statement have been prepared in respect of the development which it is proposed to carry out on the land for which separate public notice has been given. Copies of the Environmental Impact Assessment Report and a Natura Impact Statement are available for inspection at:

**National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2D02 WT20**

**Opening Hours
Monday to Friday 09:15 to 16:00**

**An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902**

**Opening Hours
Monday to Friday 09:15 to 17:30**

on working days during the opening hours listed above from Tuesday 23rd May 2023 to Tuesday 18th July 2023 and at the National Transport Authority website for the Swords to City Centre Core Bus Corridor Scheme at www.swordsscheme.ie and can be purchased at the offices of the National Transport Authority at:-

**National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2**

Submissions or observations in relation to (i) the likely effects on the environment of the proposed development, (ii) the implication of the proposed development for proper planning and sustainable development in the area in which it is proposed to situate the proposed development and (iii) the likely significant effect of the proposed development on European Sites, may be made in writing to the Board before 5:30pm on the 18th day of July 2023. Evidence in relation to (i) the likely effects on the environment of the proposed development, (ii) the implication of the proposed development for proper planning and sustainable development in the area in which it is proposed to situate the proposed development and (iii) the likely significant effects of the proposed development on European Sites may be heard at any oral hearing, that may take place.

11. The Board has an absolute discretion at any time before making its decision to request further submissions or observations in relation to the proposed development and/or to hold meetings with the NTA in relation to the proposed development in accordance with Section 217A of the Planning and Development Act 2000 (as amended).

12. The Board, if it thinks fit, may confirm the compulsory acquisition or any part thereof, with or without conditions or modifications, or to annul the compulsory acquisition or any part thereof.

13. If no objection is received to the proposed compulsory acquisition of land, the objection is withdrawn or the Board is satisfied that the objection related exclusively to matters which can be dealt with by the arbitrator by whom the compensation may have to be assessed, the Board shall inform the NTA, which may then confirm the Order with or without modification, or refuse to so confirm it.

14. If land to which the order, as confirmed by either the Board or the NTA, relates is acquired by the NTA, compensation for the land will be assessed in respect of the acquisition as the value of the land at the date that the relevant notice to treat is served.

15. In the opinion of the NTA, no part of the land in which you have an interest consists of a house or houses which is/are unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense. If the land to which the Order relates is acquired by the NTA, compensation will be assessed in accordance with Part II of the Fourth Schedule to the Housing Act 1966, and the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919 as amended by the Acquisition of Land (Reference Committee) Act 1925, the Property Values (Arbitrations and Appeals) Act 1960 and the Local Government (Planning and Development) Act 1963 (as applied by Section 265(3) of the Planning and Development Act 2000), subject to the modifications contained in the Third Schedule to the Housing Act 1966.

16. Any dispute in relation to compensation shall be referred to and be determined by a property arbitrator appointed under the Property Values (Arbitrations and Appeals) Act, 1960.

17. A claimant for compensation may, at any time after the expiration of fourteen days from the date on which the relevant notice to treat is served, send to the Secretary, the Reference Committee, Four Courts, Dublin, and application in writing for the nomination of a property arbitrator for the purpose of determining the compensation to be paid. The application should be made in accordance with the Property Values (Arbitrations and Appeals) Rules, 1961 (S.I. 91 of 1961).

18. An extract of the Compulsory Purchase Order Schedule and Map indicating lands in which you may have an interest is attached.

19. If you have any questions or queries in relation to the above or attached map, please contact us at 1800 303 653 or at property@busconnects.ie.

Dated this Thursday 18th May 2023.

A handwritten signature in black ink, appearing to read 'Aidan Gallagher'.

Aidan Gallagher

Head of BusConnects Dublin Infrastructure
National Transport Authority

SCHEDULE

PART I

Lands Being Permanently Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense		Land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense	
Number on map deposited at NTA	Quantity, Description, and situation of land	Owners or Reputed Owners	Lessees or Reputed Lessees
1090(1).1d	<p>Area (Ha): 0.00252</p> <p>Area (m2): 25.2</p> <p>Description: House Garden</p> <p>County: Dublin</p> <p>Address: Land and Vacant Buildings, East Side of R132, Swords Road, Dardistown, Swords, Co. Dublin</p>	Collinstown Caravans Ltd., Airport Road, Dardistown, Cloghran, Co. Dublin	None
			Owner(s) Fingal County Council, County Hall, Main Street, Swords, Co. Dublin, K67 X8Y2

SCHEDULE

PART II

Lands Being Temporarily Acquired

Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense		Land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense	
Number on map deposited at NTA	Quantity, Description, and situation of land	Owners or Reputed Owners	Lessees or Reputed Lessees
1090(2).2d	<p>Area (Ha): 0.00416</p> <p>Area (m²): 41.6</p> <p>Description: House Garden</p> <p>County: Dublin</p> <p>Address: Land and Vacant Buildings, East Side of R132, Swords Road, Dardistown, Swords, Co. Dublin</p>	<p>Collinstown Caravans Ltd.,</p> <p>Airport Road,</p> <p>Dardistown,</p> <p>Cloghran,</p> <p>Co. Dublin</p>	<p>None</p>
			<p>Owner(s)</p> <p>Fingal County Council,</p> <p>County Hall,</p> <p>Main Street,</p> <p>Swords,</p> <p>Co. Dublin.</p> <p>K67 X8Y2</p>

OSI Mapping has been adjusted in accordance with survey evidence

1090(2) 2d

717024. 741998

Legend:



LANDS BEING PERMANENTLY ACQUIRED*
* SCHEDULE PART I (Shaded in Grey)

1001(1).1d



LANDS BEING TEMPORARILY ACQUIRED**
** SCHEDULE PART II (Shaded in Grey)

1001(2).2d



Public rights of way
extinguished listed in
SCHEDULE PART I

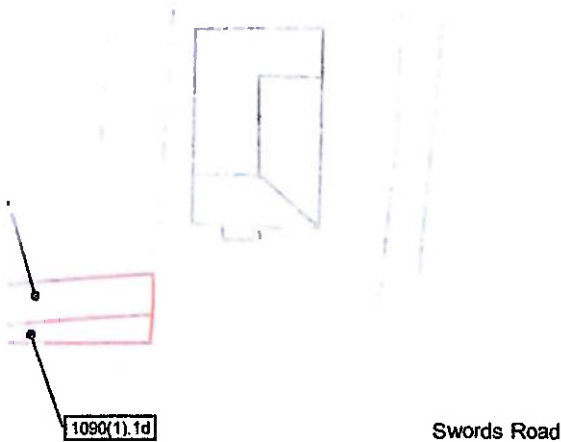
NTA

Údarás Náisiúnta Iompair
National Transport Authority

National Transport Authority

**Swords to City Centre
Core Bus Corridor Scheme
Compulsory Purchase Order 2023
Land Acquisition Map**

717137, 741802



O.S. Ref.
3064-C

to be
on the
/II (Section A)



Public rights of way to be
restricted or otherwise interfered
with listed in the
SCHEDULE PART III (Section B)



Private rights to be acquired
listed in the
SCHEDULE PART IV (Section A)



Private rights to be restricted or
otherwise interfered with
listed in the
SCHEDULE PART IV (Section B)



Private rights to be temporarily
restricted or otherwise interfered
with listed in the
SCHEDULE PART IV (Section C)

Rev.	Date	Description	Appr.
1001	09/05/23	ISSUED FOR PLANNING APPLICATION	SN

Lands to be Compulsorily Acquired Server Map

© Crown Copyright

Designed: SK	File Name:	Drawing No	Rev.
Drawn: SK	0002-CPD-POV_SP-0002_XX_00-DR-GO-0111	0002-SM-0111	M01
Checked: R.	Scale: 1:500 (A3)		
Approved: SN	Date: 09/05/23		

□

A diagram of a vertical rectangular structure, possibly a wall or a column. Two points are marked on the left side: a solid black dot labeled "1090(2) 2d" and a smaller grey dot labeled "Pt (1) 10901".

1001(2).2d

Public rights of way to be distinguished listed in the SCHEDULE PART III (See

Public rights of way to be
restored or otherwise interfered
with listed in the
SCHEDULE PART III (Section II)

Private rights to be acquired
listed in the
SCHEDULE PART IV (Section A)

Private rights to be requested or otherwise interfered with listed in the SCHEDULE PART IV (Section B)

Private rights to be kept
secrecy or otherwise if
with listed in the
SCHEDULE PART IV IS

**Swords to City Centre
Core Bus Corridor Scheme
Compulsory Purchase Order 2023
Land Acquisition Map**

[illegible]

National Transport Authority

Privacy Notice for BusConnects Dublin

This Privacy Notice is issued by the National Transport Authority of Dún Scéine, Iveagh Court, Harcourt Lane, Dublin 2 ("NTA", "we", "us", "our").

The BusConnects initiative aims to develop the current bus service network in Dublin to ensure that it can meet increasing public transport needs ("BusConnects Dublin"). In order to build the infrastructure which is required by BusConnects Dublin, it will be necessary for the NTA to acquire certain lands by agreement or by means of compulsory purchase order ("CPO") under section 44(1)(c) of the Dublin Transport Act 2008, as amended.

The purpose of this notice is to inform you of the data relating to you that we may collect and use in connection with any acquisition or potential acquisition of land which is required to deliver BusConnects Dublin (an "Acquisition") and the uses (including disclosures to third parties) we may make of such data.

If you have any questions about our use of your personal data, please contact us at privacy@nationaltransport.ie or you can contact our Data Protection Officer at privacy@nationaltransport.ie.

Personal Data that we Collect and Process

We will collect and process personal data relating to you that you or other people with an interest in the relevant lands provide to us in connection with an Acquisition. We will also collect and process personal data relating to you from publicly available sources such as the Property Registration Authority of Ireland, Land Registry and the Registry of Deeds.

This personal data may include:

- your name and contact details, including your address, phone number and email address;
- your interest in the lands which may be the subject of an Acquisition (the "Lands") (e.g. owner, reputed owner, occupier, reputed occupier etc.);
- details of the Lands including, for example, spatial location, boundary details and folio number (where applicable);
- where applicable, details of any lease or any other interest in the Lands; and
- any other personal data relating to you that you provide to us or that we generate about you in connection with an Acquisition.

Purposes of Processing and Legal Bases

We will use personal data relating to you for the purposes of:

- a) compiling CPO documentation in order to make the CPO and submit same to An Bord Pleanála for confirmation, in which case the legal bases are that it is necessary:
 - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended; and
 - ii. for compliance with the legal obligation that applies to us under the Housing Act 1966 (as amended) and the Planning and Development Act 2000 (as amended) to detail the lands as well as the owners, lessees and occupiers of those lands in the CPO;
- b) publishing details relating to the relevant CPO in a newspaper, in which case the legal basis is that this is necessary to comply with a legal obligation that applies to us under Article 4(a) of the Third Schedule to the Housing Act 1966 (as amended);
- c) publishing the details relating to the relevant CPO on the NTA's website, in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008 (as amended);
- d) processing submissions received by the NTA from impacted property owners during a consultation process with us, in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008 (as amended);
- e) creating a database to log and manage details of Lands, owners, tenancies, and correspondence and transactions with owners and/or tenants, in which case the legal basis is that this is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
- f) making an Acquisition in which case the legal basis is that it is necessary for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
- g) corresponding with you, in which case that the legal bases are that it is necessary:
 - i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
 - ii. for the performance of our contract with you (in circumstances where an Acquisition will be effected by a contract);

- h) calculating and making payments to you in respect of an Acquisition in which case that the legal bases are that it is necessary:
- i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended;
 - ii. for compliance with the legal obligations that applies to us under the Housing Act 1966 (as amended) and the Acquisition of Land (Assessment of Compensation) Act 1919 (as amended); and
- i) establishing, exercising or defending legal claims, in which case the legal bases are that it is necessary:
- i. for the performance of tasks that we carry out in the public interest and the exercise of official authority vested in us by law, including Section 44(1)(c) of the Dublin Transport Authority Act 2008, as amended
 - ii. to comply with our obligations under applicable law, including common law obligations regarding dealing with legal claims.

Recipients of Data

We may disclose your personal data to other people and organisations in connection with the above purposes, including:

- statutory agencies, where required or permitted by law as part of the statutory planning process, including An Bord Pleanála and relevant local authorities;
- outsourced property referencing providers, including the CIÉ Group Property Management department ;
- other third parties who we engage to provide services to us, such as outsourced service providers, IT services providers, professional advisers and auditors;
- other public authorities and bodies where required or permitted by law, such as An Garda Síochána, for the purposes of the prevention, investigation or detection of crime; and
- members of the public where we are required to make information publicly available under applicable law.

Retention

We will not hold your personal data for longer than is necessary. We retain your personal data for as long as we need it for the purposes described in this Notice, or to comply with our obligations under applicable law and, if relevant, to deal with any claim or dispute that might arise between you and us.

The NTA has determined that:

- Compulsory Purchase Order documentation shall be retained for 3 years after completion of all Acquisitions for BusConnects Dublin;
- copies of contracts shall be retained up until all Acquisitions are complete and for 13 years from the expiration of the contract; and
- original contracts shall be retained indefinitely.

Transfers Abroad

In connection with the above, the NTA may transfer your personal data outside the European Economic Area (EEA) to the United Kingdom, which is a jurisdiction that is recognised by the European Commission as providing for an equivalent level of protection for personal data as is provided for in the European Union. This is solely for the purposes of the operation of the scheme specific website (and not for direct marketing purposes).

If and to the extent that the NTA transfers your personal data outside of the EEA to any jurisdiction which is not recognised by the European Commission as providing for an equivalent level of protection for personal data as is provided for in the European Union, we will ensure that appropriate measures are in place to comply with our obligations under applicable law governing such transfers. These may include entering into a contract governing the transfer that contains the 'standard contractual clauses' approved for this purpose by the European Commission. If you would like to receive further details of the measures that we have taken in this regard, please contact us at privacy@nationaltransport.ie.

Your rights

You have the following rights, in certain circumstances and subject to certain restrictions, in relation to your personal data:

- ***Right to access the data*** – You have the right to request a copy of the personal data that we hold about you, together with other information about our processing of that personal data.
- ***Right to rectification*** – You have the right to request that any inaccurate data that is held about you is corrected, or if we have incomplete information you may request that we update the information such that it is complete.
- ***Right to erasure*** – You have the right to request us to delete personal data that we hold about you. This is sometimes referred to as the right to be forgotten.
- ***Right to restriction of processing or to object to processing*** – You have the right to request that we no longer process your personal data for particular purposes, or to object to our processing of your personal data for particular purposes.
- ***Right to data portability*** – You have the right to request us to provide you, or a third party, with a copy of your personal data in a structured, commonly used machine readable format.

Please note that these rights are not absolute, and are subject to certain restrictions and exemptions. For example, the right to erasure of personal data will not apply where we have a legitimate interest to hold such data and we may continue to process your personal data, despite an objection by you, where we have compelling legitimate grounds for the processing which override your interests, rights and freedoms.

If you wish to exercise any of the rights set out above, please contact us at privacy@nationaltransport.ie or you can contact our Data Protection Officer at privacy@nationaltransport.ie.

Updates

We may occasionally update this policy. We encourage you to periodically review this policy for the latest information on our privacy practices at www.busconnects.ie.

Complaints

If you are not happy with the way we are using your personal data or how we facilitate your rights or comply with our obligations under applicable data protection law, you have the right to make a complaint to the Data Protection Commission by using the online web-form available here: <https://forms.dataprotection.ie/contact>



APPENDIX 2

Collinstown Business Park

T/A Collinstown Caravans Limited

WF-71037224-v1 0286650001
Old Airport Road, Cloghran, Co. Dublin

Telephone: (01) 842 8566 Fax: (01) 842 8790 e-mail: collinstownbusinesspark@hotmail.com

VAT No. IE 9/Y/48957S Registered in Ireland No. 032024 Directors: B. Collins (Managing) C. Collins (Secretary)



Stephen Reid Consulting

Traffic and Transportation

21 The Oaks, Ridgewood, Swords, Co Dublin, K67 WK79

tel: 0879793479 e-mail: stephenreid@stephenreidconsulting.com web: www.stephenreidconsulting.com

15 July 2023

Collinstown Caravans Limited
Old Airport Road
Dardistown
Dublin
K67 C7D0

Ref: Projects/Collinstown, Swords Road – Bus Connects

By email

Dear Sirs

**Traffic Consultant Review of NTA Bus Connects Project Proposals, Swords to City Centre and Impact on:
Plot List: 1090(1).1d, 1090(2).2d – Collinstown Caravans Limited**

1. Background

Further to your instruction, Stephen Reid Consulting Traffic & Transportation Ltd (SRC) have undertaken a review of the NTA Bus Connects Core Bus Corridor Scheme - Swords to City Centre, and with reference to the roads and traffic aspects of the Environmental Impact Assessment Report (EIAR) and associated General Arrangement drawings, pertaining to the vicinity of the above referenced Compulsory Purchase Order (CPO) plot which can be described as the footpath, boundary wall and part of the front garden and entrance to a dwelling on the Swords Road, located to the north of the Collinstown Business Park access junction.

SRC note that while you welcome the general objective of the NTA to improve bus, cycling and walking infrastructure, there are serious concerns with the impact of the proposed CPO - which are referenced on the NTA documents as a "Permanent Land Acquisition" in the case of Plot 1090(1).1d, and a "Temporary Land Acquisition" in the case of Plot 1090(2).2d on the access and frontage of the dwelling on the lands in your Company's ownership.

Further to this SRC has carried out this overview of the available documents and drawings on the NTA Bus Connects website for this section of the proposed scheme to establish the scope and scale of construction stage impacts and future operational impacts due to the proposed scheme.

2. Current BusConnects Proposals

The current Bus Connects proposals are illustrated in a series of drawings for this section of the route. General Arrangement Sheet 13 of 37 illustrates this section of the Swords Road. An extract of Sheet 13 of 37 is illustrated in the following Figure 1 (relevant area is circled blue) and the full Sheet 13 of 37 is appended to this document for your information.

There is a solid red line referenced in the drawing legend as the 'Site Boundary Line' which generally follows the back of footpath/property boundary interface, while a dashed red line extends eastwards into the frontage of the dwelling (to the rear of the solid red line, encompassing an area approximately 3m deep into the front garden



Stephen Reid Consulting

Traffic and Transportation

21 The Oaks, Ridgewood, Swords, Co Dublin, K67 WK79

tel: 0879793479 e-mail: stephenreid@stephenreidconsulting.com web: www.stephenreidconsulting.com

area across the entire road frontage from the existing back of footpath/property boundary interface. This area is hatched green on the drawing and the legend on the General Arrangement drawing Sheet 13 of 37 refers to hatched area this as "grass area/verge".

The area encompassed between the solid red line and the dashed red line is referenced as a 'Temporary Land Acquisition' and this appears to match the plot list red line on the proposed CPO maps, which are called up as 'Lands Being Temporarily Acquired'. It is noted that there are inconsistencies between the General Arrangement Plan and the Deposit Map relating to the shape and size of the dwelling on your land and also that of the dwelling directly to the south of your land. The south east corner of the dwelling appears to be 1.5 metres closer to the CPO red line on the Deposit Map than on the General Arrangement plan, and this inconsistency needs to be clarified and resolved by the NTA.

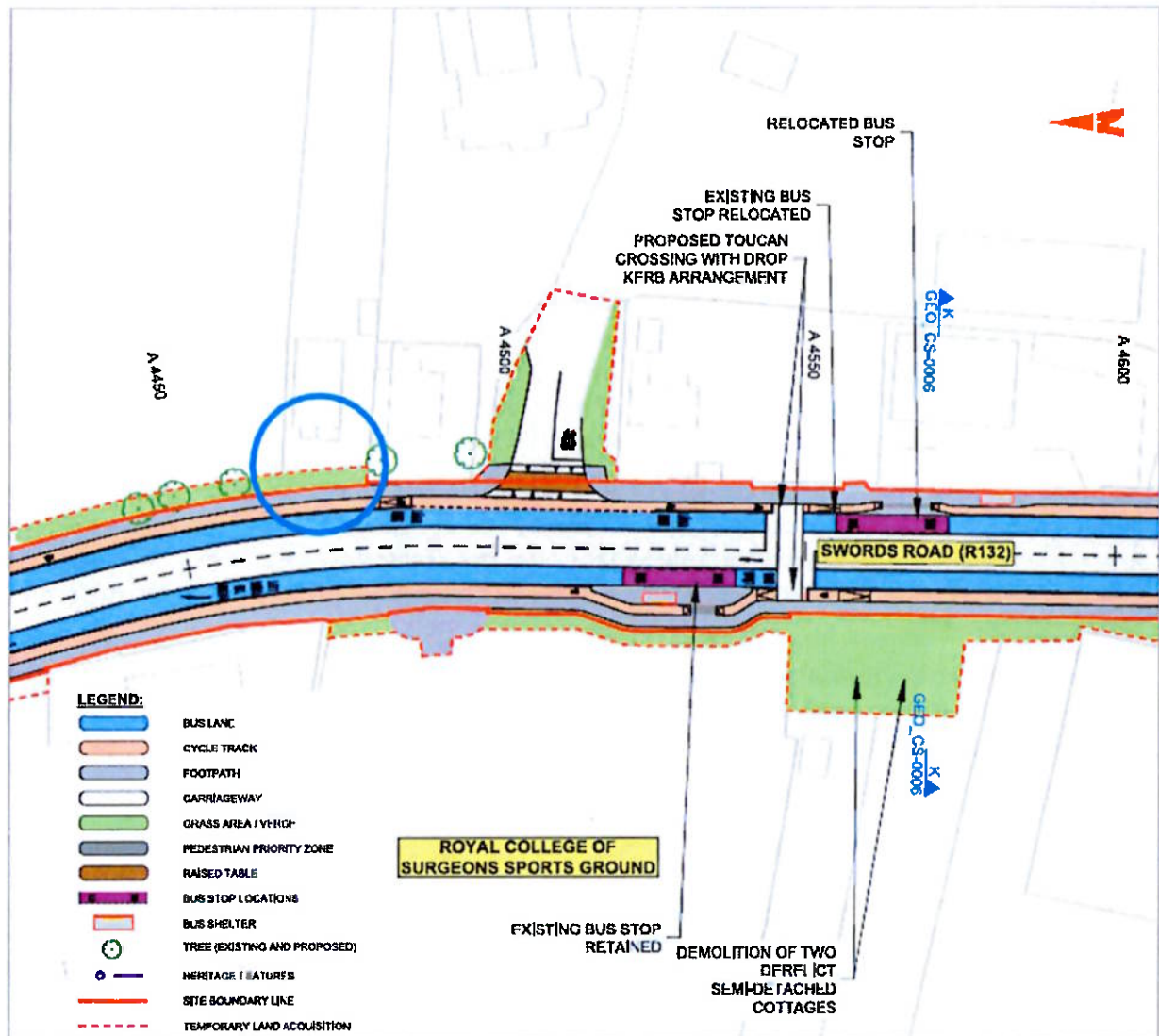


Figure 1: Extract of Sheet 13 of 37 'Swords to City Centre Core Bus Corridor Scheme - General Arrangement' (source: www.busconnects.ie, downloaded July 2023)



Stephen Reid Consulting

Traffic and Transportation

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From a review of the EIAR documents and associated drawings the reference to lands being “temporarily acquired” is widely utilised within these documents and drawings.

SRC would submit that it is commonly and generally understood that a temporary acquisition for an infrastructure project would mean the requirement for the land by the scheme promoter is temporary in nature and solely for the purpose of construction works (such as safe working room, site compounds or marshalling areas, or for temporary diversion of utilities, roads or footpaths or in order to build structures such as boundary treatments or retaining walls which require ingress into the lands to the rear of the finished scheme. After these construction works are completed and the area of the construction site is demobilised the land would have to be reinstated to its former condition, or where any changes are made these should be by agreement before the land is returned to the landowner.

What is illustrated on the drawing Sheet 13 of 37 is a setback of the existing boundary wall to accommodate a grass landscaping verge area to the rear of the footpath and this extends across the entire Swords Road frontage of the dwelling and your ownership. The impact of implementing the proposal shown on the NTA drawing would extinguish any access - vehicular or pedestrian - to the property from the Swords Road, as there is no allowance in the design proposal to accommodate an access point/entrance gate to the property.

Note below that the plot referenced in the NTA correspondence, schedule and mapping identified as permanent land acquisition with plot reference 1090(1).1d is a portion of the existing public footpath and therefore there would be no issue with this part being acquired permanently as it is part of the de facto public footpath and within the current taken in charge area.

However, from a cross referencing of the plot reference 1090(2).2d (identified as a temporary land acquisition) and the proposal on General Arrangement Sheet 13 of 37, it is clear that the introduction of a setback boundary to accommodate a circa 3 metre wide grass verge to the rear of the footpath would result in that temporary CPO plot being on the road side of the property boundary feature in the future and therefore unusable to the property owner, and as such if it is to be subject to a CPO it would have to be a permanent acquisition.

The impact of the proposal and the resultant setback of the boundary to accommodate the landscaping/verge area across the frontage of your property would also mean that even if the NTA were to agree to amend the proposal to include a vehicular access point across the verge area to a gate positioned on the line of the new setback boundary wall, the frontage garden area would be reduced and this could impact on the in-curtilage space available for a vehicle to enter and exit from the property in forward gear, necessitating difficult manoeuvres within the site and/or reversing in or out of the setback gate position across the footpath and cycle path.

SRC also notes that as the current design indicates a kerbed cycle path across the property frontage, there would also need to be inclusion of a dropped kerb or bevel kerb in line with the existing/future access gate to allow vehicles to safely access/egress on Swords Road.

It is disingenuous for the NTA to submit that plot 1090(2).2d is a temporary acquisition when they are proposing wholesale changes to the lands in question including setting back the property boundary, omitting the vehicle access and are not proposing to reinstate the existing arrangements before returning the lands to the permanent owners.

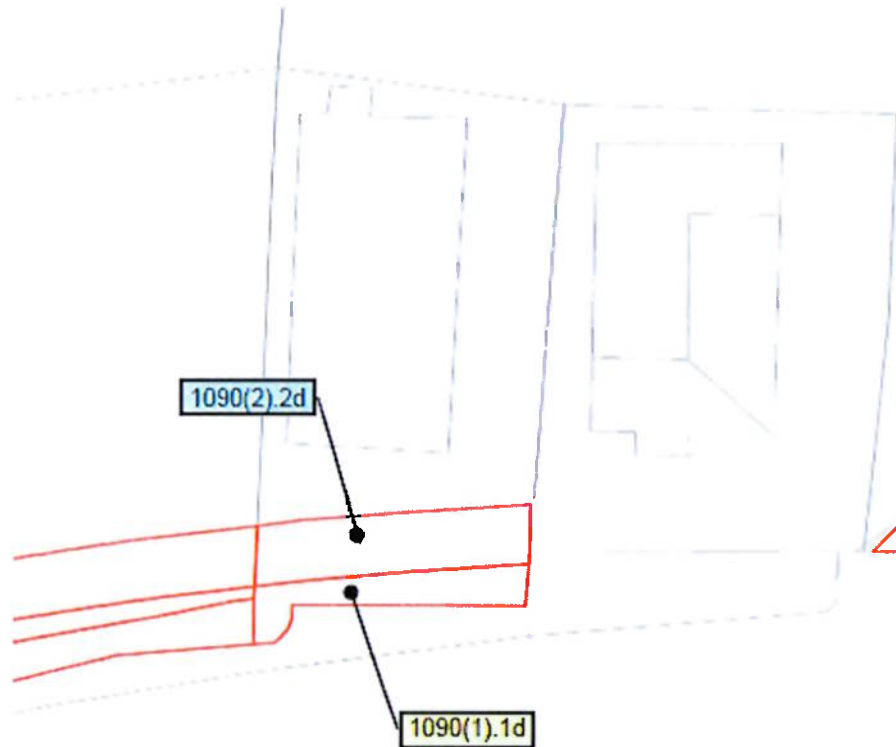


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**Figure 2: Extract of Sheet 13 of 29 Land Acquisition Map
'Swords to City Centre Core Bus Corridor Scheme – Compulsory Purchase Order 2023'
(source: www.busconnects.ie, downloaded July 2023)**

From a review of the EIAR documents, it is noted that this section of the Swords Road is identified as Section 2.c (extending southwards from Collinstown Cross to the Northwood Avenue junction, with a total length of 1.62 kilometres).

Clearly a construction start date is subject to the planning and tendering periods, so this is currently unknown. The overall project programme for the Swords to City Centre Core Bus Corridor is given in the EIAR at Section 5.4 'Construction' in Volume 2 of the EIAR as 36 months (3 Years) and the Section 2.c works are programmed for an 18-month period within that, starting at Q3 in Year 2 and ending at the end of Q4 in Year 3.

3. Summary and Conclusions

SRC have carried out this review of the NTA Bus Connects proposals for the Swords to City Centre Core Bus Corridor on your behalf as the owner of the plots in front of the dwelling house located to the north of the Collinstown Business Park on the east side of the Swords Road).

SRC submit that the current Bus Connects proposals on General Arrangement Sheet 13 of 37 which illustrate a circa 3 metre wide landscape verge to the rear of the existing footpath and new setback boundary are



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unacceptable as these will have a significant and detrimental impact on the dwelling, and as drafted will not only extinguish all access from the Swords Road, but the proposed setback of the frontage boundary to accommodate a verge external to the property (which should have been presented as a permanent acquisition) would result in a significant impact on the ability to drive into the site and turn a vehicle so that the vehicle can exit in forward gear across the footpath, cycle path onto the public road.

SRC trust this is all clear but if you have any queries, please do not hesitate to contact the undersigned.

Yours sincerely

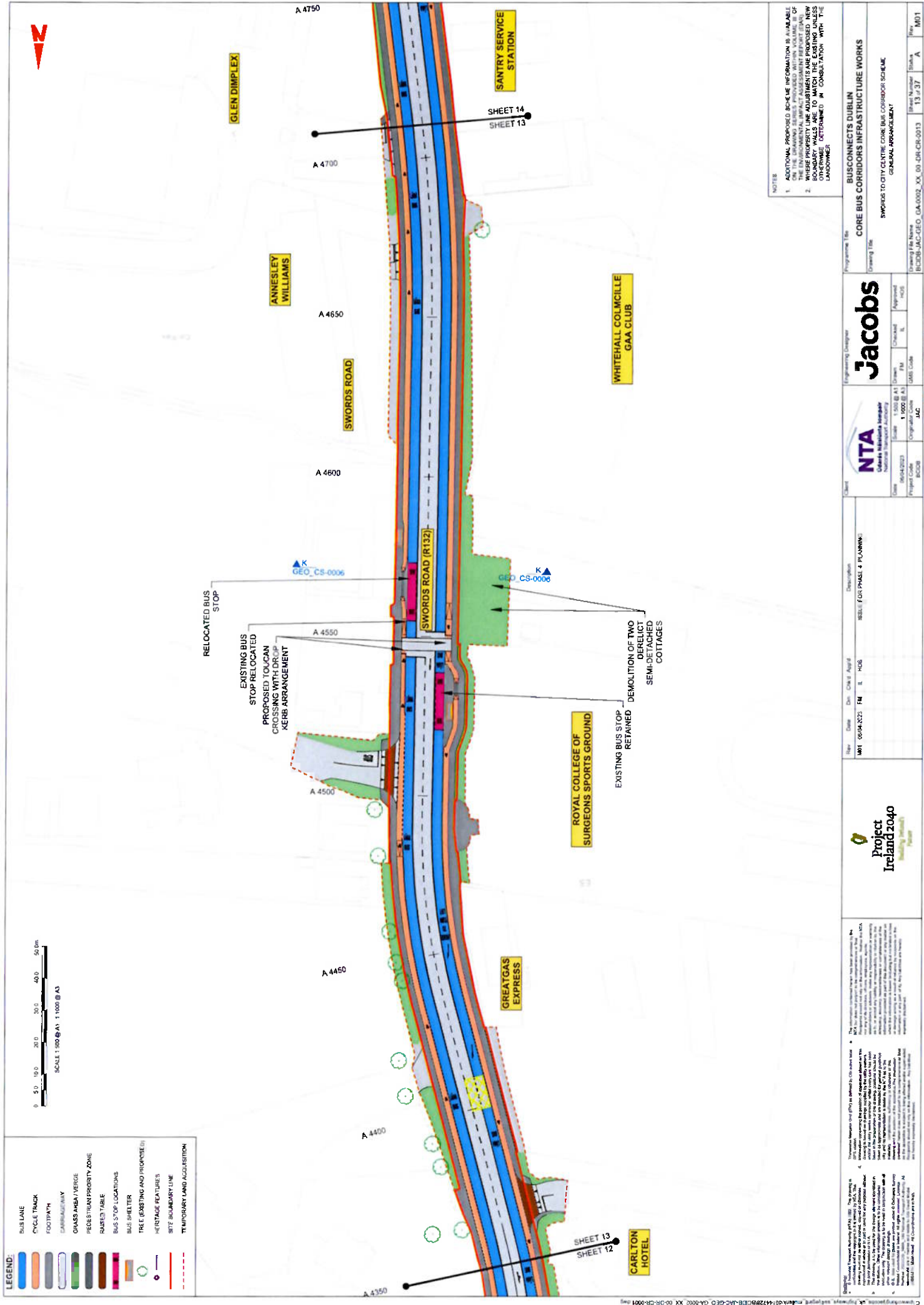
Stephen Reid CMILT

Managing Director

Stephen Reid Consulting Traffic and Transportation Limited

Appendix 1 - Copy of NTA Bus Connects – Swords to City Centre Core Bus Corridor General Arrangement Sheet 13 of 37

Appendix 2: Copy of NTA Bus Connects - Swords to City Centre Core Bus Corridor Scheme – Compulsory Purchase Order 2023 Sheet 13 of 29 Land Acquisition Map



- LEGEND:**
- BUS LANE
 - CYCLE TRACK
 - FOOTPATH
 - CARBUZZARWAY
 - GLASS AREA / VERGE
 - PEDESTRIAN PRIORITY ZONE
 - RAISED TABLE
 - BUS STOP LOCATIONS
 - BUS SHELTER
 - TREE (EXISTING AND PROPOSED)
 - HERITAGE FEATURES
 - SITE BOUNDARY LINE
 - TEMPORARY LAND ACQUISITION



NOTES

1. ADDITIONAL PROPOSED SCHEME INFORMATION IS AVAILABLE ON THE DRAWING SERIES PROVIDED WITHIN VOLUME 1B OF THE DRAWING SET.
2. WHERE PROPERTY LINE ADJUSTMENTS ARE PROPOSED, NEW BOUNDARY WALLS ARE TO MATCH THE EXISTING UNLESS OTHERWISE DETERMINED IN CONSULTATION WITH THE LANDOWNER.

		Project Ireland 2040		Building Ireland 2040		Phase 1	
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OS Ref: 5084 C

Project when this kind of National Transport Authority was

afforded leave to

The Day of 2023

- Legend:**
- LANDS BEING PERMANENTLY ACQUIRED - SCHEDULE PART I (Hatched in Grey)
 - LANDS BEING TEMPORARILY ACQUIRED - SCHEDULE PART II (Hatched in Grey)
 - Public rights of way to be restricted or otherwise interfered with - SCHEDULE PART IV (Section A)
 - Public rights of way to be restricted or otherwise interfered with - SCHEDULE PART II (Section B)
 - Private rights to be restricted or otherwise interfered with - SCHEDULE PART IV (Section B)
 - Private rights to be temporarily restricted or otherwise interfered with - SCHEDULE PART IV (Section C)



Údaráis Náisiúnta Iompair
National Transport Authority

Swords to City Centre
City Bus Corridor
Compulsory Purchase Order 2023

Sheet 13 of 29
Land Acquisition Map

Lands to be Compulsorily Acquired
Deposit Map
Sheet 13 of 29

Drawn	Check	By	Date
0002-0001-013	0002-0001-013	0002-0001-013	0002-0001-013

Rev: 001
Rev: 002

Member of the Authority