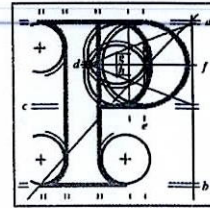


Our Case Number: ABP-313509-22



**An
Bord
Pleanála**

Elm Court Management DAC
Olympia House
61-63 Dame Street
Dublin 2
D02 KT61

Date: 18 July 2022

Re: BusConnects Belfield/Blackrock to City Centre Core Bus Corridor Scheme
Co. Dublin

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.

The Board has also received an application for confirmation of a compulsory purchase order which relates to this proposed road development. The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you in due course on this matter. The Board shall also make a decision on both applications at the same time.

If you have any queries in relation to this 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,

Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

HA02A

Tel	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Elm Court Management DAC
Olympia House
61-63 Dame Street,
Dublin 2 D02 KT61

BY HAND

An Board Pleanála
(Strategic Infrastructure Division),
64 Marlborough Street,
Dublin 1,
D01 V902

12th July 2022

Plot List: 1033 (1). 1d, 1033 (2). 2d

AN BORD PLEANÁLA
LDG- 055 304-22 / 055 306-22
ABP- 313 565-22 / 313 509-22
12 JUL 2022
Fee: € Type: AN BORD PLEANÁLA
Time: By:
11 JUL 2022
TR DATED FROM
G:
D:

Re: Belfield / Blackrock to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022

Dear Sir or Madam,

I hereby acknowledge receipt of your letter dated 12 May 2022 and write to you on behalf of Elm Court Management DAC, to object to your notice of the making of a Compulsory Purchase Order in relation to Belfield/Blackrock to City Centre Core Bus Corridor Scheme, pursuant to the power conferred upon you by Section 76 of the Housing Act, 1966, and the Third Schedule thereto, as extended by Section 10 of the Local Government (No2) Act, 1960. To be served on owners, lessees, and occupiers in accordance with Article 4(b) of the Third scheduled to the Housing Act 1966 amended by the Planning and Development Act 2000 Section (as amended) Section 184 of the Local Government Act 20021 and Section 44 of the Dublin Transport Act 2008 (amended),

We object to the Order on the following grounds.

Environmental impact

Directive 2011/92/EC states that the competent authority is required to complete its own Environmental Impact Assessment (EIA) of the direct and indirect effects of the project on the specified environmental factor set out in the Regulation.

Further, under the Aarhus Convention, establishes a number of rights of the public, individuals and their associations, with regard to the environment. As the said impact report has not been provided to us. I, therefore, requesting that this EIA and its supporting environmental

information be made available to me as soon as it is completed by your planning Department for consideration.

Traffic and Transport

Impact on the local air quality, safety of pedestrians, particularly local school children and work to make the Belfield / Blackrock to City Centre Core Bus Corridor. The NTA has not reassured me that there will not be a significant negative impact on how the date-to-date traffic will be affected and the health of the residents, therefore urge the council to carry out a through, independent and transparent assessment of the traffic and transport issues.

Proof of Need

The NTA has not provided reasons as to the need of the land.

Parking space

Potential parking difficulties that the proposal would cause to residents, people with disabilities etc.

The local economic impact

Along with the loss of parking spaces, we were not informed as to whether there be high volume of car traffic that may be impede the local business ability to trade.

Impact on the Land

Whether the NTA plans to cut down trees etc., whether residence will lose part of their front gardens to accommodate the project.

Further, no assurance has been given as to whether the front hedge and electric gate are to be impacted by the said project, and if so, whether that will be reinstated after the works are completed.

Access to the Village

Whilst we understand that the format the land will be given back once the project is over, we have not been informed whether, there will be one-way system? and whether the residents will lose direct access to the village by car?

Compensation for usage of the land

Whilst the NTA states that they will issue compensation in respect of the acquisition to Elm Court management residences, you have failed to provide us with today's value of the land.

Thus, if the value of the land to date is greater, than the date in which the said notice to treat is issued, Elm Court Management should not be at loss and the same should be compensated to the value of the land (higher) before the same was acquire by you.

Working days and hours


We have not been provided with the work time schedule for the making of the bus corridor

Conclusion

We require a full review of all local planning and environmental effects of the proposed development, information as to whether access to the Village will be affected, whether the front hedge and electric gate are to be impacted by the said project, and if so, whether that will be reinstated after the works are completed, whether trees if any will be affected.

Whether there be a significant negative impact on how the date-to-date traffic, existent parking spaces and environmental impact as a result of the said project.

Please note, Elm Court Management DAC reserve the right to issue further legal objections as may arise and or as part of expert advice.

Yours faithfully, 

For and on behalf of Elm Court Management DAC