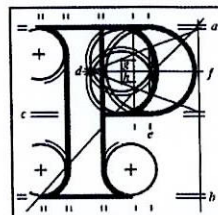


Our Case Number: ABP-313892-22



An
Bord
Pleanála

Niall and Antoinette Kavanagh
267 Navan Road
Dublin 7
D07 E9K3

Date: 21 July 2023

Re: Bus Connects Blanchardstown to City Centre Core Bus Corridor Scheme
Blanchardstown to Dublin City Centre

Dear Sir / Madam,

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

Please note that the proposed development shall not be carried out unless the Board has approved it with or without modifications.

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

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

AA02

Teil	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1800 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

Case Number ABP 313961 -22

Case Number ABP 313892 -22

Niall & Antoinette Kavanagh
267 Navan Road
Dublin 7
D07 E9K3

12 July 2023

To whom it concerns
An Bord Pleanála (Strategic Infrastructure Division)
64 Marlborough Street,
Dublin 1,
D01 V902

AN BORD PLEANÁLA	
LDG- _____	
ABP- _____	
12 JUL 2023	
Fee: € _____	Type: _____
Time: _____	By: <i>Hand.</i>

RE: Submission in relation:-

- (i) Compulsory Purchase Order 2022 for Bus Connects Blanchardstown to City Centre Core Bus Corridor Scheme (Case Number ABP 313961 -22); and
- (ii) Bus Connects Blanchardstown to City Centre Core Bus Corridor Scheme Blanchardstown to Dublin City Centre (Case Number ABP 313892 -22)

Blanchardstown to Dublin City Centre

267 Navan Road, Dublin 7

Dear Planner,

Thank you for your letters of 8 June 2023 in relation to the above matters.

We will now address the issues raised in the responses found in the two online documents published by the NTA.

We are disappointed that we have not been given the opportunity to present our case in person and that the matter is to be determined without an oral hearing. This within submission is in respect of both the application for planning permission for the proposed bus corridor and in respect of the Compulsory Purchase Order (CPO). This submission is without prejudice to our contention that an oral hearing should take place, and that such a hearing is a requirement of natural justice given the seismic impact the proposed bus corridor and in particular, the proposed CPO will have on the enjoyment of our property and the quality of our lives.

We reserve the right to raise the failure to conduct an oral hearing in any future process relating to the proposed Compulsory Purchase Order (CPO) relating to our property at 267 Navan Road.

At the outset, we would like to express our dissatisfaction with the process to date and the complete failure of the NTA to engage with us in a meaningful or respectful manner. The NTA Response to the Observations we raised in our correspondence of 29 August 2022 is contained at page 350 (section 3.2.16.3) of a 529 page document and page 352 of a 509 page document issued by the NTA on a publicly available link. It appears that no regard has been given to the privacy or data protection rights of those who made Observations in circumstances where names, addresses and photographs have been published to a wide audience, and no

separate response to our concerns has been issued to us (or any other impacted individual) notwithstanding the massive personal impact the NTA's plans have for us.

You have asked for our submission in relation to the NTA's application by no later than 12 July 2023. To that end, we confirm our objection in the strongest possible terms to the proposed CPO of that portion of our property arising from An Bord Pleánala, Case Number Case Number ABP 313961 -22 and the subject of the Blanchardstown to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2022.

We now set out our objections/ submissions in relation the two case numbers.

1. We own number 267 Navan Road and have lived here for over forty years. We are both 75 years old. Niall Kavanagh has recently been diagnosed with Frontal Temporal Dementia and we are advised by our doctors that he is likely to have mobility issues and significant care needs in the short to medium term. This is sensitive personal information that we are disclosing purely to give context to our objections, and to highlight the particularly serious impact these proposals have for us. Under no circumstances is this information to be published publicly and without our consent.
2. The NTA's application, if successful, will result in approximately 25 square meters of our property being subject to a CPO. The planned CPO would see over 2.5 metres being taken from the length of our front garden which is 10.2 meters wide. This will reduce the area of our front garden by over one third. During the works the area of the front garden that will be taken in charge by the NTA is approximately 50 square metres.
3. It is very clear from the NTA application that if the construction of the bus corridor goes ahead as planned, the required construction work will make access to our property and the use of our driveway impossible. This will continue at a minimum for the duration of the works which we can only assume will take months if not years. The NTA has given no indication of the planned duration of these works.

It is very evident that the NTA has made no allowance or arrangement for alternative parking for residents during the works. There is currently no on-street parking close to our home and we anticipate that such on-street parking within walking distance as there currently is will be eliminated by reason of the works. As a result, there will simply be nowhere for us to park our cars for the duration of the works. This puts us in an impossible position in terms of accessing our house, both for ourselves and for any visitors to our home, which may include carers.

In its response to our Observation, the NTA accepts the impossibility of access and parking at our home for the duration of the works, although it is evasive on workable solutions to this situation. It quotes from s5.5.3.2 Parking and Access of Chapter 5 Construction of Volume 2 of EIAR (a document that has never been made available to us) and states that "*local arrangements will be made on a case by case basis to maintain continued access to homes and businesses affected by the works at all times, where practicable. Details regarding temporary access provisions will be discussed with residents and business owners prior to construction starting in the area.*"

The failure to acknowledge that there is simply no parking within reasonable proximity of our home is disingenuous in the extreme. Given its conduct and engagement to date, we have no confidence at all that NTA will engage with us on the obvious access and parking issues once works begin.

4. It is our submission that the adverse impact construction works of this nature and the proposed bus corridor will have on local residents and members of the public is enormous, and may make remaining in our home unsustainable. Aside altogether from the issue of parking in our driveway, the scale of the construction work in such proximity to local residents, together with the consequent noise, dirt, disruption and vastly increased traffic, is unprecedented and has no parallel in any previous traffic or planning project undertaken in Ireland. The NTA has provided no adequate acknowledgement of this impact, and has made no suggestions with respect to mitigating measures.

5. Upon completion of the works, and following the proposed CPO, the length of our driveway will be 2.5 metres shorter than it currently is. This will drastically reduce the utility of the driveway and our enjoyment of the house; in short, the driveway will no longer function for us and we will be left with a home that has no, or very little, off-street parking beside a 5 lane road and no on-street parking within a reasonable distance. This is an appalling prospect for us in our old age.

To be clear, the total area of the driveway that will be lost to us following the proposed CPO is approximately 25 square meters. What we are left with is a front garden that cannot accommodate two parked cars. This is clearly seen in the overhead picture in the NTA's response. This will be completely life altering for us particularly given our age and our mobility issues. In its response, the NTA has not endeavoured to provide us with any comfort or certainty our driveway will accommodate the parking of our two cars (not simply that it is possible to fit two cars into the area of the front garden) once the proposed works have been completed.

6. The removal of so much of our driveway also means that we will be unable to turn our car in the driveway to enable us to drive out of our gate. In its response to our Observations, the NTA has submitted that it is not illegal to reverse a car onto a road where doing so does not endanger traffic or pedestrians. This comment is again highly disingenuous. Given the location and the volume of traffic travelling at speed on the road outside our home, how could reversing not endanger other traffic or pedestrians?

The failure of the NTA to date to adequately engage with us and/ or to acknowledge the incredibly damaging effect on our lives of the proposed works further supports our view that our concerns will be completely disregarded by the NTA and its partners if permission for the proposals are granted.

For these reasons we object to the proposed CPO and the Bus Connects Scheme proposal and reserve our rights to take whatever legal steps are necessary to protect our position.

We await your response

Yours sincerely



Niall and Antoinette Kavanagh

267 Navan Road

Dublin 7

D07 E9K3

Case Number ABP 313892 -22

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