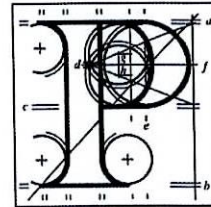


Our Case Number: ABP-317164-23
Your Reference: Kealy's of Cloghran



**An
Bord
Pleanála**

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

Date: 19 July 2023

Re: Swords to City Centre Core Bus Corridor Scheme, Compulsory Purchase Order 2023
Swords to Dublin City Centre

Dear Sir / Madam,

An Bord Pleanála has received your letter of objection on behalf of your client Kealy's of Cloghran in relation to the above-mentioned compulsory purchase order.

In respect of same, please note that in circumstances where

- (i) no objections are received by the Board within the period provided for making objections, or
- (ii) all objections made are subsequently withdrawn, or
- (iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Board will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

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 on this matter in due course.

If you have any queries in the meantime, 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

CH03

Tel	Tel	(01) 858 8100
Glaao 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
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Sarah Caulfield

From: Sarah Caulfield
Sent: Tuesday 18 July 2023 17:05
To: 'Louise Kennedy'
Cc: Niamh Moloney; Kevin Hughes; Christopher Browne
Subject: RE: Submission (Ref. No. 317121) on behalf of Kealy's of Cloghran

Dear Louise,

The Board acknowledges receipt of your email and attached submission on behalf of your client.

Kind Regards,
Sarah

From: Louise Kennedy [REDACTED]
Sent: Tuesday, July 18, 2023 4:59 PM
To: Sarah Caulfield <s.caulfield@pleanala.ie>
Cc: Niamh Moloney [REDACTED] vin Hughes [REDACTED] Christopher Browne [REDACTED]
Subject: Re: Submission (Ref. No. 317121) on behalf of Kealy's of Cloghran

Hi Sarah,

Apologies for the confusion, please discard the previous email.

Please find enclosed Swords to City Centre Core Bus Corridor Scheme Submission (Ref. No. 317164) on behalf of Kealy's of Cloghran, Swords Road, Cloghran, Co. Dublin.

I would appreciate confirmation of receipt of the attached submission.

Should you require any further information please do not hesitate to contact me.

Kind Regards

Louise Kennedy
Consultant Town Planner

Hughes Planning & Development Consultants

85 Merrion Square,

Dublin 2

D02 FX60

T +353 (0)1 539 0710

E [REDACTED]

W www.hpdc.ie

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On Tue, 18 Jul 2023 at 16:35, Louise Kennedy [REDACTED] wrote:

Dear Sir/ Madam,

Please find enclosed Swords to City Centre Core Bus Corridor Scheme Submission (Ref. No. 317121) on behalf of Kealy's of Cloghran, Swords Road, Cloghran, Co. Dublin.

I would appreciate confirmation of receipt of the attached submission.

Should you require any further information please do not hesitate to contact me.

Kind Regards

Louise Kennedy
Consultant Town Planner

Hughes Planning & Development Consultants

85 Merrion Square,

Dublin 2

D02 FX60

T +353 (0)1 539 0710

E [REDACTED]

W www.hpdc.ie

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Swords to City Centre Core Bus Corridor Scheme Submission (Ref. No. 317164) COMPULSORY PURCHASE ORDER

Submitted on Behalf of:
Kealy's of Cloghran, Swords Road,
Cloghran, Co. Dublin.

18th July 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, Kealy's of Cloghran, Swords Road, Cloghran, Co. Dublin, 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 is made in response to a public notice, available at <https://swordsscheme.ie/>, inviting submissions, up until 18th July 2023, as part of a public consultation process on the route corridor (Ref. No. 317164). 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. The purpose of this submission is to outline our client's concern to the compulsory purchase order and object to it,

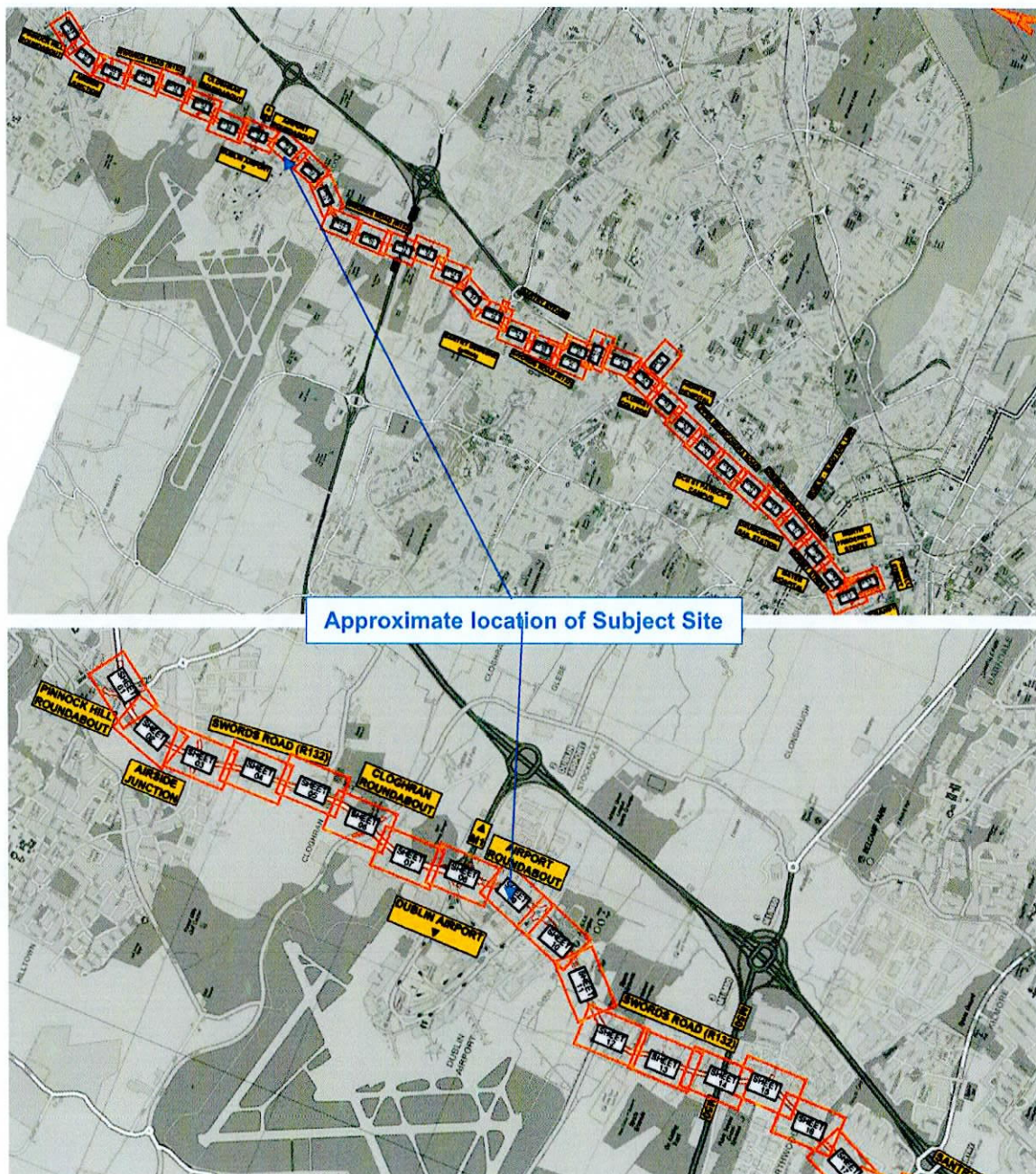


Figure 1.0 Extracts from the proposed scheme boundary illustrating the location of our client's site (blue outline) relative to the intended route option.

2.0 Subject Site

The site to which this submission pertains is located on the western side of the Swords Road to the south-east of Terminals 1 & 2 of Dublin Airport within the wider campus of the airport and in close proximity to multiple long-term parking zones. The site extends to approximately 0.398 hectares and is occupied by a two-storey restaurant/pub with a large parking area to the rear of the site. The site fronts on to the Swords Road along its eastern boundary with the property separated from adjoining traffic lanes by a strip of trees and a bicycle lane which is raised off road level and adjoins the footpath.



Figure 2.0 Street/aerial views of our client's property.

3.0 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:

- Creation of traffic hazard with significant increase in potential for traffic-related incidents due to proximity of traffic lanes to our client's property;
- Removal of long-standing staff parking and coach parking spaces;
- Conflict between cars entering/exiting parking area and new pedestrian/bicycle lanes;
- Direct commercial impact during construction process.

Further to the above, we would query the necessity of carrying out the subject works given the existing infrastructure, inclusive of 3 no. traffic lanes and bus/cycling lanes, in the immediate vicinity of our client's property.

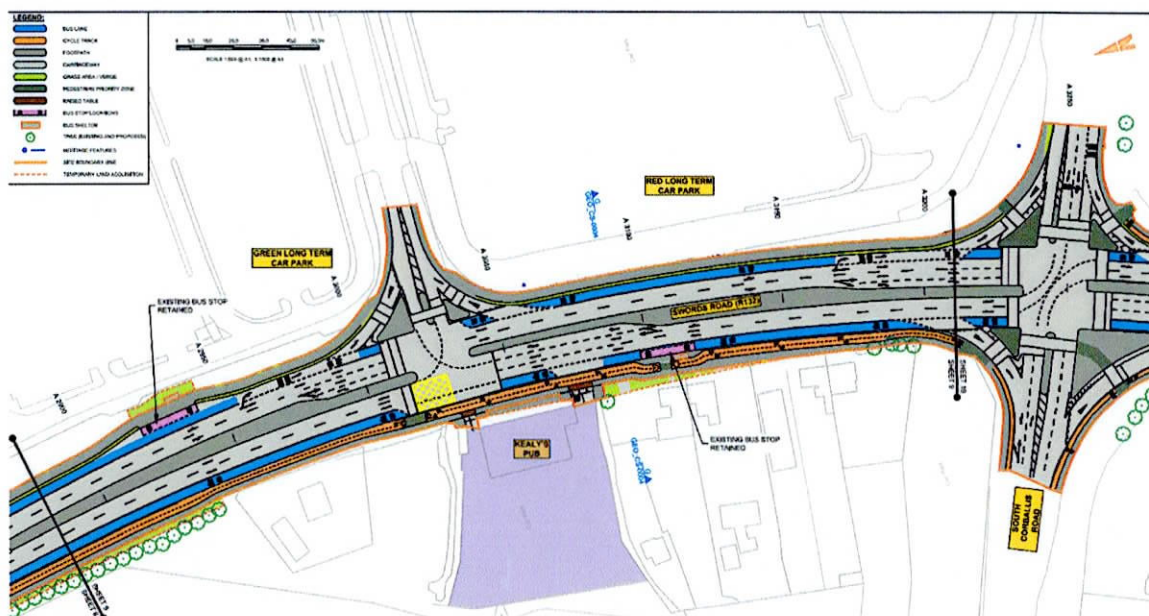


Figure 3.0 Extracts from Sheet 9 of the General Arrangement drawing illustrating the proposed works relative to our client's site (purple fill).

4.0 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 accessibility, amenity and, by association, commercial viability 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 subject scheme as previously identified in Section 3.0 of this report.

4.1 Creation of Long-Term Traffic Hazard

Our client is concerned, owing to the original road layout at this location – as presented in Figure 0.0 below, that the proposed works will result in the creation of a long-term traffic hazard. In this regard, we would note that our client experienced several instances of vehicles crossing lanes and subsequently crashing into the front façade of the property on site. Our client's concerns are based on the increased proximity of traffic lanes to the front of the property and the omission of the existing strip of planter boxes as is suggested in the general arrangements drawing. It is requested, in the instance that permission is granted for this scheme, that an appropriate buffer zone is retained to allow for the provision of a barrier and planting area to ensure no undue issues arise.

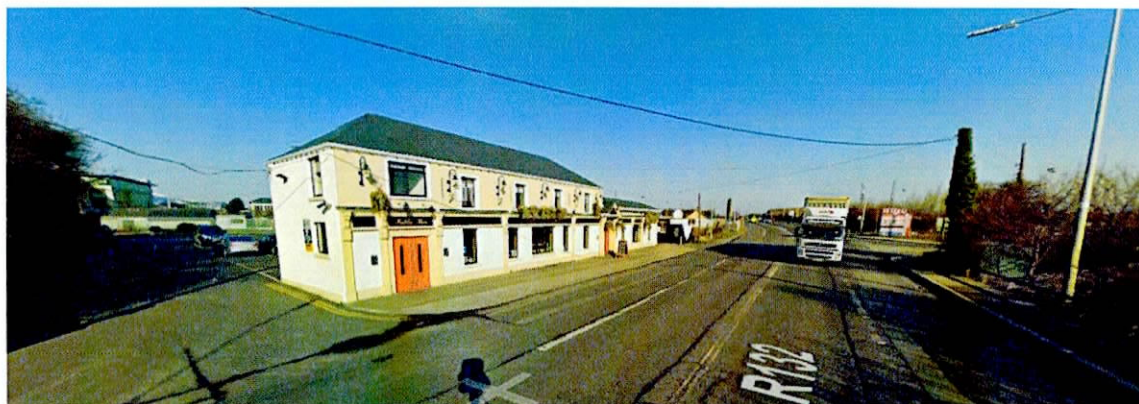


Figure 4.0 Street-view image of the subject site from 2011.

4.2 Removal of Staff/Coach Parking Area

Our client is concerned that the proposed works will render the existing parking area to the front of the site unusable. This area is utilised for staff parking and to accommodate coach parking for tour groups en route to and exiting the airport. It is considered reasonable to request that an appropriate extent of parking space adjoining the footpath to the immediate front of the property is retained to ensure that this parking area is not compromised.



Figure 5.0 Street view image illustrating the parking area to the front of the subject property.



Figure 6.0 Image illustrating the parking area to the front of the subject property.

4.3 Carpark Accessibility

Our client is concerned with the lack of detail presented on the general arrangement drawings in relation to how accessibility to the rear carpark will not be compromised by the proposed scheme. As it stands, and as is considered appropriate given the non-urban/central location of the subject site, cars have priority along the Swords Road and bicycles are requested to wait for passing traffic whilst crossing the front of our client's property.

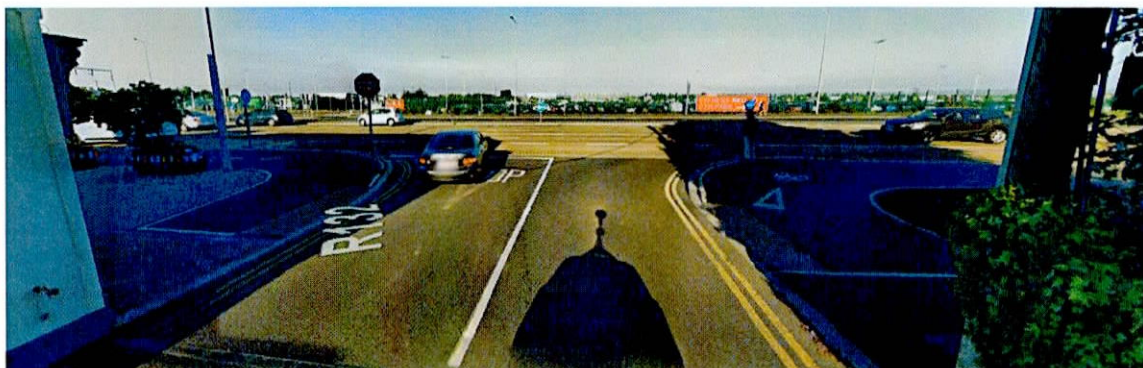


Figure 7.0 Existing arrangement to the front of the subject site with cyclists required to slow down and await vehicular movements before crossing the subject site. This is considered appropriate at this location.

Our client is concerned that the scheme will result in traffic queuing on the Swords Road as it waits for passing cyclists to cross the access road into the rear carpark. It is considered that this arrangement, if not clarified, will result in the creation of a traffic hazard and requests appropriate measures be undertaken to ensure accessibility issues do not arise.

4.4 Commercial Impact During Construction Process

Our client is concerned with the lack of clarity in relation to the length of the construction process for the subject scheme. Such clarity is considered a necessity with regards to ensuring that the project has no undue impact on the operation of our client's commercial property. Whilst the rear carpark can be accessed via 2 no. entrances, there is only 1 no. exit point. The entrance only point cannot be revised to provide both access/egress and our client is concerned that prolonged works will compromise the extent of customers able to access the site without any impediment.

Furthermore, 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).

It is considered that the subject scheme 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. Such noise impacts which may compromise the amenity offered within our client's premises which, being hospitality orientated, is crucial in the context of ensuring a high-quality service to customers.

4.5 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 HT 'High Technology' under the provisions of the Fingal Development Plan 2023-2029. This zoning provides the following objective which must be considered for any development on/adjoining such sites:

'Provide for residential development and protect and improve residential amenity.'

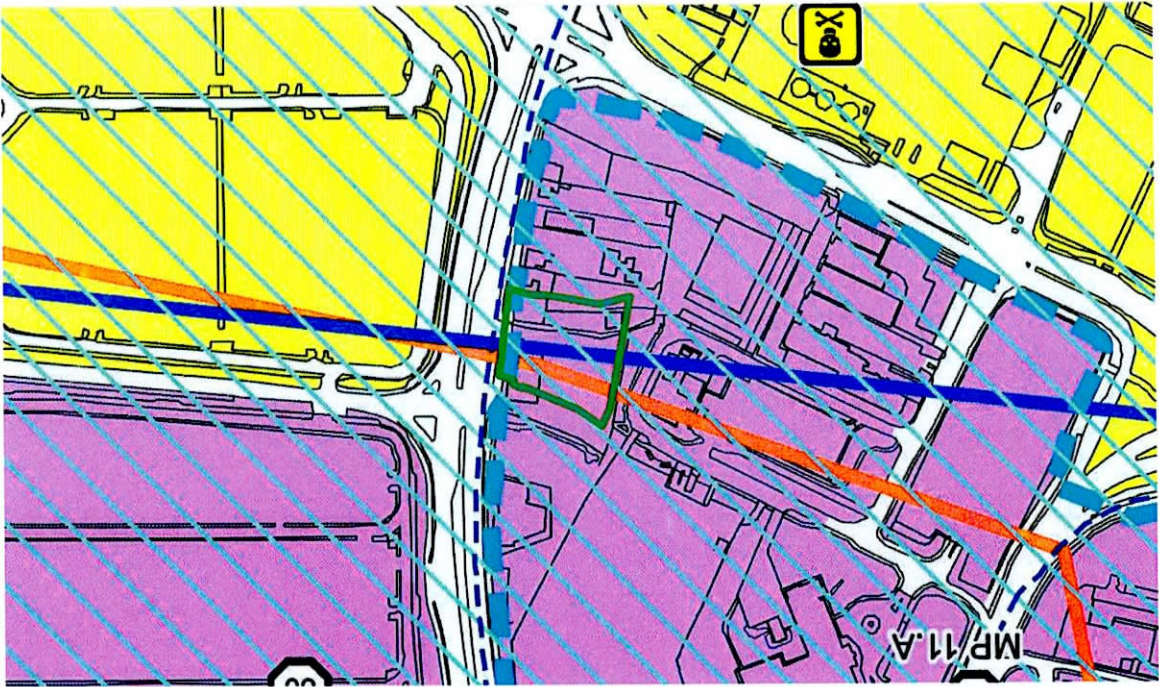


Figure 8.0

Extract from Sheet No. 11 'Fingal South' of the Fingal Development Plan 2023-2029 illustrating our client's site (green outline) subject to the provisions of the HT 'High Technology' zoning objective.

As per the provisions of the current development plan, the vision for lands subject to the HT 'H' zoning objective is to ensure:

'The HT zoning is aimed at providing a location for high end, high-quality, value added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.'

Whilst the extant use on our client's site is unrepresentative of a high technology use, it is permitted and, in our opinion, offers a unique aesthetic relative to the immediate and wider location. It is respectfully requested that the subject scheme ensure that the aesthetic quality of this property is in no way diminished because of the subject scheme and, in this regard, we reiterate previous comments in relation to the retention of the planting strip which separates the site from adjoining road infrastructure and the provision of a barrier of appropriate construction to prevent any undue traffic impacts.

5.0 Devaluation of Property

The proposed works and the associated accessibility and noise impacts will lead to a loss in the value of numerous properties in the immediate area. This is of particular concern to our client who has invested substantially in their existing property to provide a high standard of hospitality to their customers.

6.0 Mitigation & Compensation

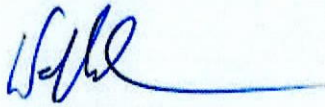
Having regard, for the identified issues which may compromise the accessibility and commercial amenity of our client's property, it is considered reasonable that the National Transport Authority (NTA) engage directly with our client in relation to identifying appropriate mitigation measures to ensure the adequate protection of residential amenity at this location. In the absence of comprehensive mitigation measures to prevent undue access and noise 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.

7.0 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.

It is considered, for the above reasoning, that the subject scheme will be detrimental to the accessibility and commercial amenity of our client's property and will unduly compromise the value of this property. 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 the adequate protection of residential amenity at this location. 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 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.