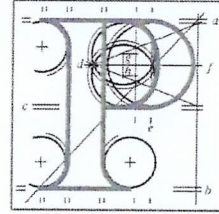


• **Our Case Number:** ABP-317660-23

**Your Reference:** Gordon's Fuels - RS/KD/LF



An  
Bord  
Pleanála

James H. North & Co. Ltd.  
c/o Keiron Diamond  
t/a North's Property  
7a Fitzwilliam Place  
Dublin 2  
D02 YR60

**Date:** 24 November 2023

**Re:** Busconnects Kimmage to city centre core bus corridor scheme  
Kimmage, 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.

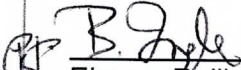
Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

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 at [laps@pleanala.ie](mailto: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

HA02A

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

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

An Bord Pleanála  
Strategic Infrastructure Division  
64 Marlborough Street  
Dublin D01V902

21st November 2023

Our Ref: RS/KD/LF

**Objection to the Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023. Extended date for objections: 8<sup>th</sup> December 2023**

**RELEVANT PLOT LISTS:**

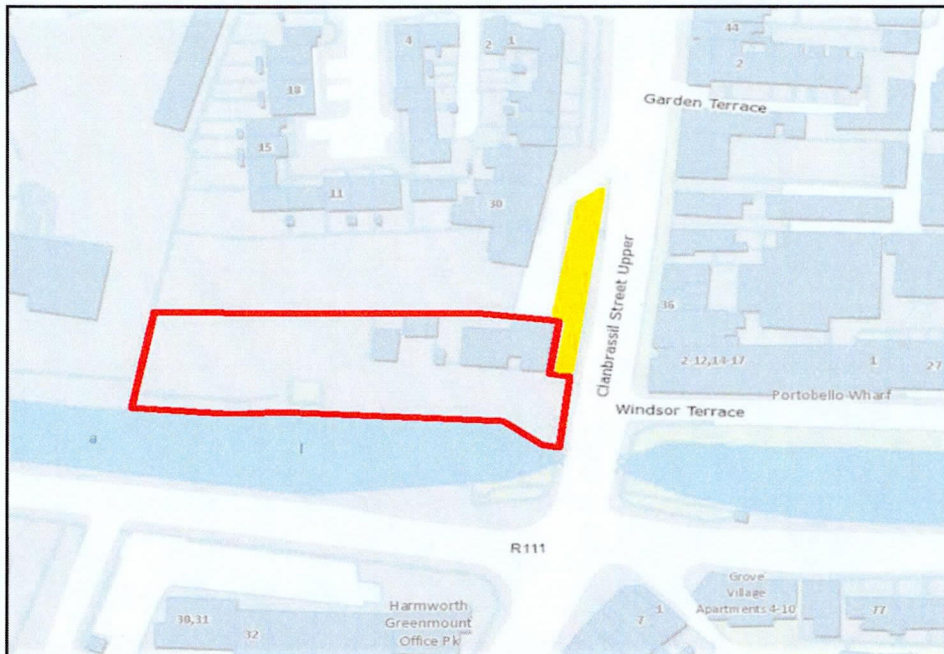
Plot List: 1022(1).1a. Easement Plot List: CE.

Plot List: 1021(1)1c; 1021(2)1d; 1021(3)1z; 1021(4)2c; 1021(5)2d; 1021(6)2z. Easement Plot List: CD

Dear Sirs,

We act for Mr Barra Gordon and Mrs Suzanne Gordon who own and operate Gordon's Fuels and who own and occupy, as their principal private residence, the adjoining bungalow situated at 32A Clanbrassil Street Upper, Dublin D08 R6TR all situated on approx. 0.25 HA (0.63 Acres).

We now wish to make a formal objection on their behalf to An Bord Pleanála in respect of the proposed National Transport Authority (NTA) Kimmage to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023.



**AN BORD PLEANÁLA**  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_  
23 NOV 2023  
Fee: € \_\_\_\_\_ Type: \_\_\_\_\_  
Time: 9.15 By: REG. POST

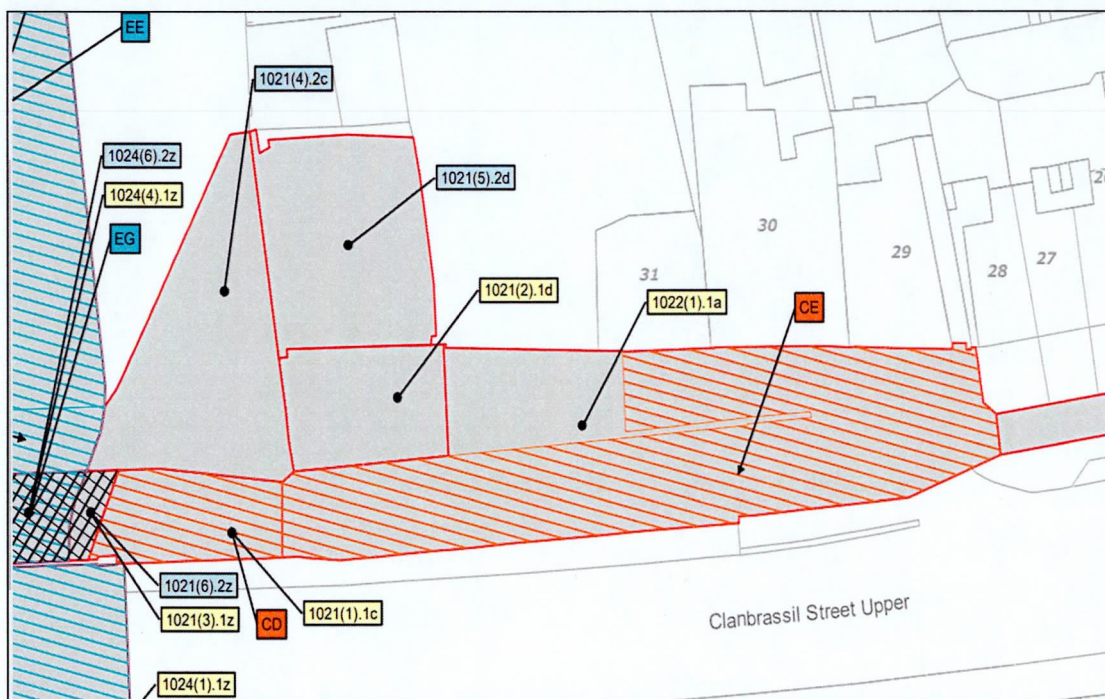


For clarity we have approximately outlined in red the 0.25 HA (0.63 Acres) owned and occupied by our clients on the above OS map extract together with their vehicular and pedestrian route shown highlighted in yellow.

We refer to the extract below from the **Lands to be Compulsorily Acquired Deposit Map** (O.S. Ref: 3263-19 3263-24 Sheet 5 of 6) Drawing 0011-DM-0005 M01 dated 19/06/2023) which highlights all the proposed permanent and temporary acquisition of our clients rights and more specifically listed as follows:

**Plot List: 1022(1).1a. Easement Plot List: CE.**

**Plot List: 1021(1)1c; 1021(2)1d; 1021(3)1z; 1021(4)2c; 1021(5)2d; 1021(6)2z. Easement Plot List: CD**



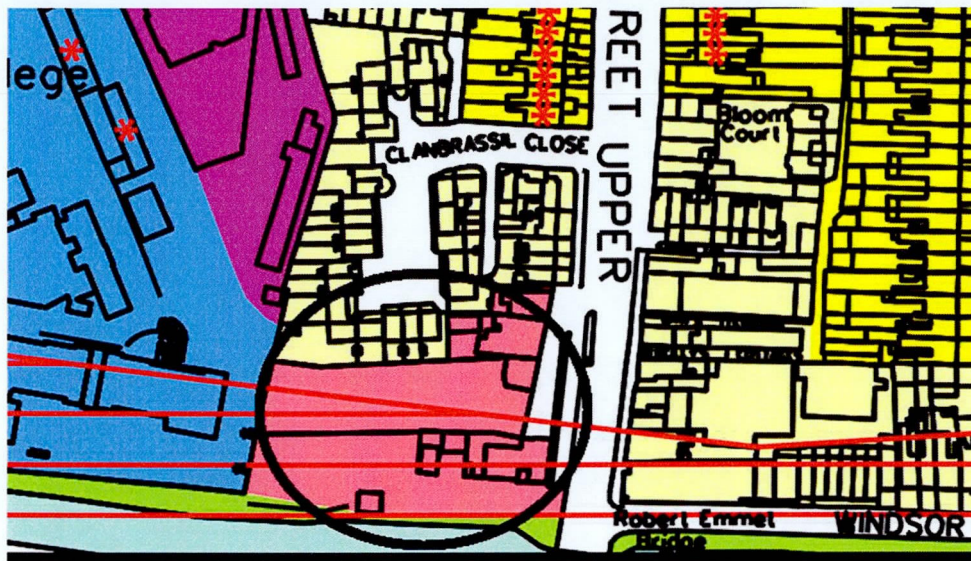
The proposed NTA scheme will involve demolishing Mr and Mrs Gordon's principal private residence and reduce accessibility to their business both during and after construction. It will reduce the future redevelopment potential of their owned and occupied property by taking away land and restricting the future vehicular access and egress to this location from Upper Clanbrassil Street.

It should be noted that the subject site lies within the Canal Ring and as such has significant potential for redevelopment in accordance with its Neighbourhood Centre zoning objective and its location fronting a significant body of water, which can absorb increased height and density.



It should also be noted that our clients land is zoned Z3 under the current Dublin City Council Development Plan. In addition, the adjoining lands are also zoned Z3. In our opinion the proposed NTA scheme will have a negative and detrimental effect on both the Gordon property and on the adjoining properties all of which are also Zoned Z3 Neighbourhood and therefore suited to substantial future mixed-use redevelopment.

The zoned lands are shown circled in black and coloured pink on the below DCC zoning map extract. It should be noted that the entirety of the Z3 Zoned lands, solely accessed from Clanbrassil Street Upper, extends to approx. 0.536 Ha plus the area of the existing public road and immediate canal side area.



We have reviewed with Mr and Mrs Gordon the documents relating to the NTA Bus Corridor Scheme and we now put forward various observations and objections on their behalf summarised as follows:

1. Gordon's Fuel comprises a well know fuel sales business with residence situated adjoining Robert Emmet Bridge and the Grand Canal at 32A Clanbrassil Street Upper, Dublin D08 R6TR.
2. As landowners and occupiers of the subject plots listed above, Mr and Mrs Gordon are greatly affected by the intention of the NTA to acquire their lands permanently and to extinguish their current right of access and replace it with a much less suitable one and having demolished their residence in the process.
3. We consider that Mr and Mrs Gordon are much more adversely affected than any other family or business along the entire proposed NTA bus corridor scheme.



4. Gordon's Fuel are one of the few remaining traditional businesses in this vicinity. The business was operated by Mr Gordon's father before him, and Mr and Mrs Gordon are widely known in the locality and to generations of local people.
5. Other traditional businesses in the Clanbrassil Street area (Upper and Lower) have all but disappeared over the years largely due to previous CPO acquisitions for road widening which caused property blight over many years from the 1970s until the 1990s.
6. Mr Gordon has lived all his life in the house now proposed for demolition, which now comprises a Family Home with his spouse Suzanne under the Family Home Protection Act 1976 and he and his spouse will struggle to find and acquire another suitable residence in the area.
7. The proposed NTA bridge widening works to facilitate new cycling and pedestrian structures will require the removal of our clients gated access and separate roadway leading to their business.
8. The proposal by the NTA to acquire and replace this existing private access road with a narrow public access road running immediately in front of the adjoining scrapyards and the two semi derelict public houses, will result in greatly limiting future development potential in the location.
9. The effect of the proposed scheme on Mr and Mrs Gordon's property has not, in our view, been properly explored or appreciated by the NTA.
10. The sole future access proposed to these lands is via the revised Upper Clanbrassil Street junction and proposed revised reduced capacity access road.
11. The proposed CPO scheme fails to recognise the need to protect and enhance the existing access and egress from Upper Clanbrassil Street to this redevelopment cul-de-sac. It also fails to appreciate the likely effects of the extinguishment of the existing separate access to the canal side on Gordon's Fuels, both during and after the extensive construction works and following the land take. The proposed erection of a construction crane during works will affect the existing remaining fuel sales business. The NTA propose to remove the existing on-street car parking and this will also impact negatively on customers and other businesses.
12. The close proximity of Mr and Mrs Gordon's property to the proposed widened bridge and the necessary setback in the future, will further reduce the development potential currently present.



13. The future potential access arrangements underneath the overhang of the widened bridge, in the vicinity of the acquired existing private road below it, are not shown or addressed adequately in the NTA drawings.
14. The NTA do not address the future access requirements in and out of the location from Upper Clanbrassil Street and the detrimental impacts on the Z3 Zoned lands has not been adequately investigated by the NTA. For example, the prospect of reduced road width access, footpath widths, elimination of on street parking, extinguishment of the private access to the Gordon Fuels has not been properly considered.
15. The NTA do not provide adequate details of the future traffic capacity and of the new road junction with Upper Clanbrassil Street and the proposed access width for commercial and general future vehicular access post redevelopment of the adjoining Z3 lands for high density mixed uses to include residential. We consider this to be a serious omission from the NTA studies which An Bord Pleanála are to rely upon in reaching their decision on the CPO Order.



*Existing access route shown circled in red*



16. We propose that additional information on the alternatives to the proposed bridge widening and new junction creation on Upper Clanbrassil Street be requested from the NTA by An Bord Pleanála in order to ensure the proper and orderly planning and redevelopment of the adjoining Z3 Neighbourhood lands.
17. Finally, should the NTA be unable to demonstrate, to the satisfaction of both our clients and An Bord Pleanála, how the orderly development and best possible future access to the Z3 lands adjoining the proposed bus corridor can take place, then we respectfully request that the NTA proposal for this section of the route be refused as not being in accordance with proper planning and development.

Yours faithfully,



**Keiron Diamond**

**Commercial Director**

**North's Property**