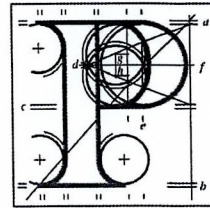


Our Case Number: ABP-317742-23

Your Reference: MCL Estates Ltd - Fast Fit Tyres



**An
Bord
Pleanála**

Gartlan Furey Solicitors
20 Fitzwilliam Square,
Dublin 2

Date: 28 September 2023

Re: BusConnects Bray to City Centre Core Bus Corridor Scheme
Bray 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.

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

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
Glaos 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

Sarah Caulfield

From: Sarah Caulfield
Sent: Wednesday 27 September 2023 10:48
To: Rachel.O'Neill@GartlanFurey.ie
Subject: RE: Bray to City Centre Core Bus Corridor Scheme / Fast Fit Tyres, Castle Garage, Dargle Centre, Castle St, Bray [GF-DOCS.FID182533]

Dear Rachel,

The Board acknowledges receipt of your email and attached objection on behalf of your client MCL Estates Ltd/Fast Fit Tyres.

Kind Regards,
Sarah

From: Rachel O'Neill <Rachel.O'Neill@GartlanFurey.ie>
Sent: Tuesday, September 26, 2023 4:06 PM
To: SIDS <sids@pleanala.ie>; Appeals2 <appeals@pleanala.ie>
Cc: Susan Fenton <susan.fenton@gartlanfurey.ie>
Subject: Bray to City Centre Core Bus Corridor Scheme / Fast Fit Tyres, Castle Garage, Dargle Centre, Castle St, Bray [GF-DOCS.FID182533]

Sent on behalf of Susan Fenton

CPO Refs: 1039(1).1c, 1039(2).1e, 1039(3).2c(T) and 1039(4).2e(T)

Please see attached (hardcopy to follow by post).

Regards,

Rachel O'Neill | Team Administrator
Gartlan Furey LLP | 20 Fitzwilliam Square, Dublin, D02 FP64 | Dx51
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GARTLAN FUREY LLP

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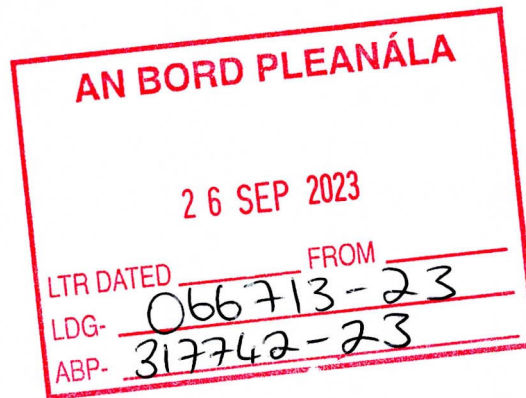
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T +353 1 799 8000
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W www.gartlanfurey.ie

Date: 26 September 2023
Our Ref: SF/RON/FAR004/0006

EMAIL: sids@pleanala.ie
appeals@pleanala.ie

An Bord Pleanála
64, Marlborough Street
Dublin 1.



Scheme Details: Bray to City Centre Core Bus Corridor Scheme
Our Client: Freehold Owners/Registry of Deeds/Sir Thomas Farmer and Anne Drury Farmer C/O Colin McLachlan, MCL Estates Ltd, Maidenraig House, 192 Queensferry Rd, Edinburgh, EH4 2BN
Property: Fast Fit Tyres, Castle Garage, Dargle Centre, Castle St, Bray, Co. Wicklow
CPO Refs: 1039(1).1c, 1039(2).1e, 1039(3).2c(T) and 1039(4).2e(T)

Dear Sirs,

We act on behalf of the above property owners who have been served with notice of the making of the above Compulsory Purchase Order. Having reviewed the drawings and documentation accompanying same, we have been instructed to object to the confirmation of the Compulsory Purchase Order (CPO) and Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) on the following grounds:

1. Absence of Owner Details in CPO Schedule

The CPO does not detail the freehold owners of the property. The freehold owners have been indicated above and the ownership is a Fee Simple interest held under Registry of Deeds. It should be noted that the registry of deeds includes full ownership of the four parking places at the public road and the land between these parking spaces and the building itself. The CPO plots are therefore inaccurate as they do not distinguish the owned areas in front of the Fast Fit building but rather take in a common area to the west.

2. Surplus Land Acquisition/Temporary and Permanent Areas

The acquisition of the temporary and permanent areas in this case will destroy the value of the owners premises. If the permanent areas all need to be acquired, then the premises can no longer function under its existing use. In relation to the temporary plot, it would appear to be very poorly thought out because the temporary plot goes right up to the frontage of the building. If this is all needed, then the premises will be closed down by the temporary compulsory acquisition. It is clear that the existing four car parking spaces at the public road side are being removed as part of the acquisition and the temporary plot removes the remaining area right in to the frontage of the building. It is important to note that the property is blighted by the CPO. The occupier no longer has any certainty re. the future of their business.

3. Drainage

The property owners are concerned in relation to the drainage implications associated with the works on the public road, in that they may negatively impact their retained property and parking areas.

4365850.1

Dermot Furey | Orla Higgins | Peter Brennan | Nora Lillis | Paul McDonnell | Juliana Mullin | David Sheehan

Brian A. Gartlan - Chairman | Stephen C. Hamilton - Of Counsel | Paula Fallon - Consultant | Susan Fenton - Consultant | Emer Shields - Consultant | Patrick White - Consultant

Lorna Carberry | Niamh Carragher | Sarah Cox | Emmet Folan | Rebekah McGrane | Andrew McMackin | Jennifer Morrow | Síle O'Hanrahan |

Dylan Walsh | Rosie Walshe

Incorporating Paula Fallon & Associates

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Legal Practice Quality Mark
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4. Noise

Inadequate information has been provided regarding the mitigation measures that are being proposed to control increased noise pollution from the intensive bus corridor.

5. Access – General

The acquisition of the excessive temporary area in front of the main building is most likely completely unnecessary. By proceeding with the temporary acquisition plot as indicated, it is clear that the building will be unable to facilitate the existing use. There will be no viable use of any sort for the premises given the extent of the temporary plot. There is no certainty as to when construction will take place which means the property is blighted for an indefinite time period.

6. Route Selection and Design

It would appear that the route has been designed with an excessive acquisition area that is unnecessary and therefore the design is flawed.

7. Boundary Treatment

There is no detail in relation to the boundary treatment either temporary or permanent.

8. Environmental Impacts

There is a lack of clarity around what the total environmental impact will be of the Bus Connect Scheme including the environmental impact and upfront carbon footprint for the construction phase. The owners have a concern in relation to the design of the scheme and the route that has been chosen.

9. Footpaths/Cycle Paths

There is a lack of clarity in relation to the impact of the scheme on footpaths and cycle paths.

10. Other Matters

Such other relevant matters that may arise when more detailed design information is made available and the owners reserves the right to raise and deal with these matters at an Oral Hearing.

The information supplied by the Acquiring Authority is incomplete and may change. We reserve the right to include other grounds of objection and to elaborate on the above listed grounds of objection when further information is made available to us by the Acquiring Authority and to tender these at the An Bord Pleanála Hearing. We request that an Oral Hearing be held in relation to the scheme.

Yours faithfully



GARTLAN FUREY LLP