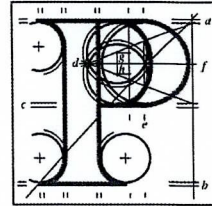


Our Case Number: ABP-317780-23

Your Reference: MCL Estates Ltd



**An
Bord
Pleanála**

Gartlan Furey Solicitors
20 Fitzwilliam Square,
Dublin 2

Date: 28 September 2023

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

Dear Sir / Madam,

An Bord Pleanála has received your letter of objection 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- (ii) all objections made are subsequently withdrawn, or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 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

CH02

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

Sarah Caulfield

From: Sarah Caulfield
Sent: Wednesday 27 September 2023 10:24
To: Rachel.ONeill@GartlanFurey.ie
Cc: Klaudia Wieszowska
Subject: RE: Bray to City Centre Core Bus Corridor Scheme / First Stop, Eveready Centre, Donnybrook Rd, Dublin 4 [GF-DOCS.FID182533]

Dear Rachel,

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

Kind Regards,
Sarah

From: Rachel O'Neill <Rachel.ONeill@GartlanFurey.ie>
Sent: Tuesday, September 26, 2023 4:05 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 / First Stop, Eveready Centre, Donnybrook Rd, Dublin 4 [GF-DOCS.FID182533]

Sent on behalf of Susan Fenton

CPO Refs: 1015(1).1c, 1015(2).2c, 1016(1).1c, 1016(1).1c and 1016(2).2c(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
T: + 353 1 7998000 | F: + 353 1 7998001 | DDI: +353 1 7998041

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GARTLAN FUREY LLP

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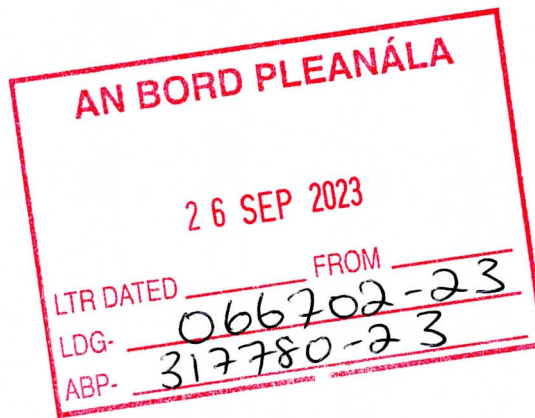
20 Fitzwilliam Square
Dublin, D02 FP64
DX51

T +353 1 799 8000
F +353 1 799 8001
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: Sir Thomas Farmer C/O Colin McLachlan, MCL Estates Ltd, Maidencraig House, 192 Queensferry Rd, Edinburgh, EH4 2BN
Property: First Stop, Eveready Centre, Donnybrook Rd, Dublin 4, D04 CV08
CPO Refs: 1015(1).1c, 1015(2).2c, 1016(1).1c, 1016(1).1c and 1016(2).2c(T)

Dear Sirs,

We act on behalf of the above property owner who has 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. Surplus Land Acquisition/Temporary and Permanent Areas

The acquisition of the temporary and permanent areas in this case will destroy the value of the owner's 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 car parking spaces at the public road side are being removed as part of the acquisition 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 the business in the premises.

2. 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.

3. Noise

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

4365833.1

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 | Silé O'Hanrahan |
Dylan Walsh | Rosie Walshe

Incorporating Paula Fallon & Associates

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4. 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. The temporary plot completely removes the access.

5. 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.

6. Boundary Treatment

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

7. 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.

8. Footpaths/Cycle Paths

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

9. 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