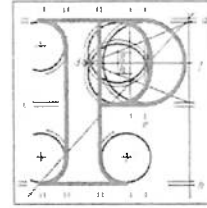


Our Case Number: ABP-318573-23



**An
Bord
Pleanála**

Ronan O'Loughlin
Curraghtown
Moynalty
Kells
Co. Meath

Date: 01 March 2024

Re: A proposed Road Development comprising of the N2 Slane By-Pass and Public Realm Enhancement Scheme
Within the Townlands of Slane, County Meath

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 accept this letter as a receipt for the fee of €50 that you have paid.

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,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

HA02A

Teil (01) 858 8100
Glaó Áitiúil 1800 275 175
Facs (01) 872 2684
Láithreán Gréasáin www.pleanala.ie
Ríomhphost bord@pleanala.ie

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

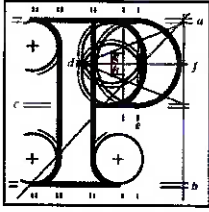
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Observation on a Strategic Infrastructure Development Application

Observer's details

1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

(a) Observer's
name

Ronan O'Loughlin

(b) Observer's
postal address

Curraghtown, Moynalty, Kells, Co.Meath

Agent's details

2. Agent's details (if applicable)

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

(b) Agent's postal
address

Click or tap here to enter text.

Postal address for letters

3. During the process to decide the application, we will post information and items to you or to your agent. For this **current application**, who should we write to? (Please tick ✓ one box only)

You (the observer) at the postal address in Part 1

The agent at the postal address in Part 2

Details about the proposed development

4. Please provide details about the **current application** you wish to make an observation.

- (a) **An Bord Pleanála case number for the current application (if available)**
(for example: 300000)

HC17.HC0003

- (b) **Name or description of proposed development**

Slane Bypass, County Meath

- (c) **Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Slane Bypass, County Meath

Observation details

5. Grounds

Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below. There is **no word limit** as the box expands to fit what you write.

You can also insert photographs or images in this box. (See part 6 – Supporting materials for more information).

This submission is lodged to object in the strongest possible terms to the proposed Slane Bypass currently under consideration.

The proposed bypass will involve works on a massive scale, which will have an enormous and unquantifiable impact on the environment, with impacts on hydrology, hydrogeology, flora, fauna, the landscape, the built heritage and the cultural heritage in the immediate and wider area. The cumulative adverse impacts are wholly disproportionate to the problem for which a solution sought. The traffic congestion in the vicinity of and through Slane village where the existing road cannot cater for the daily volume of through traffic, can readily be addressed in other ways, primarily by diverting traffic on to two of the existing motorways that are in the immediate vicinity.

None of the mitigation measures set out, the references to screening and buffer zones can or will take from the fact that once built, the road will be there for all time. Proposing a plan that will hide the road may be effective on the limited visual plane, but there will be no escaping the fact that this massive civil engineering feat will have produced a permanent structure, the effects of which will be wholly irreversible and deeply damaging. It is an insult to place reliance on mitigation measures to recommend this project. The sensitivities of this particular area and the precious sites and features which it holds, require and deserve proper protection, not mitigation measures to temper the worst excesses of the proposal.

The proposal is so destructive of the environment and landscape, the built and cultural heritage, and the World Heritage Site and the Boyne River, that is it at variance with reason and common sense. This further proposal has been developed on foot of an inherited desire to bypass Slane which, when first conceived decades

5. Grounds

ago was, even then, a blunt instrument grasped to address a growing traffic problem. That Meath County Council has failed to take account of all of the developments in thinking and approach to the necessary protection of our landscape and heritage, and all of the mistakes and challenges which such types of schemes have represented and encountered since this idea was first proposed is deeply disappointing. It represents a failure in its duty to have proper regard to the environment and heritage of the area and a failure to properly appreciate the richness, sensitivity and vulnerability of the area.

To press on with a proposal to build a further stretch of motorway, in an attempt to solve a traffic problem in the face of the well-established fact that more motorway means more traffic, is an abdication of responsibility and a failure to learn or apply learning.

The traffic management issue in Slane arises because of the failure to put in place an alternative to road transport for freight and passengers in the quadrant between the Dublin/Belfast rail line and the Dublin/Sligo rail line. However, the solution is not to trench a road through the Boyne Valley. The proposal does not represent responsible planning. Traffic congestion through Slane is a current problem which requires to be addressed in a responsible fashion. Traffic congestion requires a multi-factorial response and experience shows that building more roads with greater capacity to take more and more traffic, does not solve traffic problems. In this case, it will simply allow more traffic to opt for the toll free option of the N2 as opposed to the tolled M1 & M3. This will have a clear impact on current traffic volumes on the N2 and is likely to cause traffic congestion problems at Collon or further along the N2.

Due consideration has not been given to the use of the existing road structure to reduce the traffic problems in Slane. Every possible alternative to the irreversible and extensive destruction and damage which the construction of this bypass will represent must be engaged with in a meaningful way. .

In addition to all of the foregoing observations, that Meath County Council with the expertise of the NRA/TII and other bodies at its disposal would consider such works,

5. Grounds

with two motorways so closely adjacent to the existing area, represents a dereliction of its duties (and in respect of those bodies, their respective duties) and its responsibility to the taxpayer. Furthermore, and even more concerning than the clear fiscal irresponsibility, is the fact that Meath County Council is prepared to make a proposal to build such a structure proximate to a UNESCO World Heritage Site. Frankly, it is meaningless to say the proposed new road runs merely adjacent to the World Heritage Site, and that the impact on the European Heritage Site, the Special Area of Conservation and the highly sensitive and wholly vulnerable and precious Boyne River can be mitigated against by measures proposed. The site /area is more than its footprint; it is the whole area, both physically and in space, tangible and intangible, the air, the environment, the sense of the place, the atmosphere, its beauty and its solitude, its balance and its uniqueness.

The proposal is shortsighted, misconceived, inept, and patronising. Advances in thinking and planning, to take account of sensitivities of an area such as this, are not apparent in the approach of Meath County Council. It shows scant regard for the riches that require to be protected and, once again, the County of Meath is to be held servient to the transport needs of the City of Dublin, this time at an intolerably high cost. That such a proposal is made by our own County Council, which should be fighting to protect Meath, makes it even more egregious.

The following is an outline of grounds upon which this objection is advanced:

A

1. The scheme involves compulsory acquisition under Section 49 of the Road Act 1993. Meath County Council believes that it is entitled not just to acquire lands, but to extinguish public rights of way and create public rights of way, and contends that the public cannot participate in that process under s49, which contention is wrong in law and in fact.
2. The Environmental Impact Assessment Directive and the Habitats Directive apply to that process under s49 and in so far as Meath Co Co initiates a

5. Grounds

procedure to acquire lands, without incorporating the Habitats Directive and the EIA Directive, the whole process is wrong in law and misconceived.

3. In so far as the public is excluded from that process, whereby the entitlements of the public to exercise public rights, particularly public rights along the Boyne River will be extinguished, such exclusion is contrary to fair procedures and the principles of natural and constitutional justice.

B

4. The purported approval of the scheme under Section 51 of the Roads Act 1993 requires significant and vital statutory consents and the proposer and the proposal must engage properly and fully with the following:
 - i. Environment Impact Assessment pursuant to said Directive.
 - ii. Appropriate assessment pursuant to the Habitats Directive.
 - iii. Proper and appropriate consideration of the area, which is a Special Area of Conservation (SAC), a European Site.
 - iv. Proper and appropriate consideration of the SAC includes the Boyne River which flows into another SAC namely the Irish Sea, which SAC has been designated as extending up to Drogheda. Insufficient levels of consideration and detail have been engaged with and the assessment of all of the impacts on both SACs is not adequate and is not sufficiently precise or definite.
 - v. The Water Framework Directive. Insufficient consideration is given to the Water Framework Directive and its requirements. The Boyne River is very vulnerable, its ecological balance is very delicate. The river requires active protection. It is not in a robust state. It is a vitally important water course in the extended area of North Leinster and any adverse impact upon the river, will involve depletion of the quality of the environment, the quality of the water courses and the quality of the hydrology. Had adequate regard been given to the impact of this Directive alone, this proposal would not have been advanced as

5. Grounds

it is. There could not be a more sensitive or vulnerable river requiring the protection of the Directive and it is of the greatest concern that Meath County Council has failed to recognise this state of affairs, being well placed to know of the extent of the sensitivity of the river.

- vi. The Strategic Environment Assessment Directive and the criteria which it mandates to ensure a high level of environmental protection, requires Meath Co Co to take proper account of environmental considerations when preparing, adopting and implementing public plans and programmes. No such due regard is evident in the scheme. The undoubted significant environmental effects of the proposal which require consideration under many headings including waste management, water management, and all of the other specific considerations that arise are not considered adequately or appropriately in the plans and programmes in respect of the scheme sought to be approved under Section 51. In respect of the Strategic Environmental Directive there is a real concern that the proposal does not appear to be consistent or compliant with its obligations under that Directive. Meath County Council does not seem to have regard to any plans and/or do not have any plans and this proposal does not appear to have been subject to a strategic environmental assessment under the Directive.
- vii. The Birds Directive and appropriate considerations thereunder.

C

- 5. Separate and apart from the foregoing considerations which arise on foot of statutory and EU obligations, the proposed development involves a World Heritage Site of environmental significance both nationally and internationally. It is trite to say that the proposed route will pass some 500 meters from the "perimeter" of the buffer zone of the Brú Na Bóinne Unesco World Heritage Site. The site may be geographically delineated for the purposes of management, but a World Heritage Site of the nature of Brú Na

5. Grounds

Bóinne to be properly protected, must be protected within its setting and the integrity of the landscape in which it lies must be protected and respected. The proposed scheme does precisely the contrary and intrudes in a real and significant way on the World Heritage Site. To propose a scheme of the scale and order of this scheme to pass within 500 meters of the “perimeter” is to wholly misunderstand the significance of the World Heritage Site and does no more than pay lip service to our heritage.

6. To attempt to justify this scheme on the basis that it is “500 meters from the perimeter” demonstrates a complete lack of understanding of the sensitivity of the World Heritage Site. Its very presence to east of the village of Slane should require the planners and proposers of this scheme to exclude all consideration of a bypass east of the village of Slane.
7. Notably, and in addition, within 500 meters of the route are 44 identified archaeological and cultural sites. If further reason was necessary to ensure that any of the land east of the village of Slane should not be entertained or considered for such development, those 44 archaeological and cultural sites are sufficient, and weigh significantly in the balance against this proposal being entertained.
8. That Dr Stephen Carter on behalf of the proposer categorises the effect of this proposal on the World Heritage Site as ‘negligible impact, of minor significance’ reflects a failure to understand the site, that the site includes not just the ground upon which it stands, but the space above and around it and the entire setting in which it is located.

D

9. The Board is being asked to approve a scheme through a World Heritage Site and a European Site (SAC) to which the requirements of the EIA Directive and the Water Framework Directive apply. It is, without dispute, a highly sensitive site. Meath County Council must establish an overwhelming need for the scheme. Given the proximity of two motorways in the immediate vicinity, there is no overwhelming need for the scheme. To build a further stretch of motorway in east Meath, which already accommodates two

5. Grounds

functioning motorways, cannot be described as an "overwhelming need". A simple diversion between the existing N2 to either the N1 or N3 would allow for the bypass of Slane village by through traffic travelling north or south.

10. Reasonable alternatives in terms of a route, and in terms of redirection of traffic on the N2 from Slane to the existing motorway network, have not been explored or explored adequately. Notably, appropriate and desirable trials in respect of traffic diversion and management for a proper period of time have not taken place. This proposal if constructed, will simply duplicate what is there already: a perfectly adequate road network with 2 motorways presently 14kms and 20kms from the M1 and the M3. New link roads may even be shorter. This clearly is an issue for consideration on proportionality grounds and requires a fundamental reappraisal of the need for this proposed development at all.
11. Policy issues and issues impacting climate change behove Meath County Council to find alternatives urgently to reduce and eliminate reliance on fossil fuels and the exponential growth of car use. Reliance on the existing network will avoid very significant levels of submissions during the construction phase and the increased volume of traffic which inevitably follows on further road construction.
12. Segregation of traffic based on types of vehicles and/or the times during which vehicles might be diverted from the village have not been considered adequately or at all. The existing road network in the area has sufficient capacity to carry the traffic travelling north and south, but alternative possibilities have not been considered or explored or trialled. Accordingly, this application is wholly premature as proper and reasonable alternatives which are eminently less impactful on the citizens, wholly less destructive of the environment and much less expensive for the taxpayer are available, but not yet properly considered.

E

5. Grounds

13. No proper consideration has been given to the volume of waste material that will be generated by this proposal if it is approved. The construction of a 'cut and cover' tunnel, and a crossing over the Boyne are significant and extensive civil engineering works which will result in the highest levels of waste materials being generated. Such levels of waste materials will require solutions of a very significant nature, the scale of which have not been properly or appropriately described, which will include not only the actual management of the waste material, but the need to store it, to prevent run off to the Boyne and all watercourses, to protect the heritage site from the increased vibrations from the heavy engineering vehicles and all of the other protections that will be required. The challenge in terms of management of this issue alone is not achievable without damage and loss.
14. The consultation papers report that "the prospective applicant stated that a construction methodology has been developed which demonstrates that there will be no adverse effect on the site". It is impossible to conceive of a methodology that could procure such an outcome for works in such a scale and the Board will require to be absolutely satisfied that such an assertion can be backed up in fact.
15. The increased traffic which will be required to deal with this waste material and the impact of that traffic has not been adequately considered.

F

16. This very landscape, which Meath County Council proposes to lance with a further motorway and more infrastructure has been a cradle of the arts for millennia. It has been celebrated in song and music, in poetry and prose. Its serenity is central to that artistic output. Meath County Council must meet its obligations in terms of the arts and must actively preserve the inspirational locus that is the Boyne Valley. Seeking approval for works of this scale in this sensitive landscape is to disregard that aspect of its responsibility.

5. Grounds

17. The Boyne is inextricably linked with our spoken heritage, it is central to our history, dating from the neolithic period continuously to the present day. Its significance and presence warrants care and protection. It is represented and described in the earliest traces of our written and spoken first language and no attack upon it should be entertained.

G

18. The Boyne Valley has successfully developed its own brand, and is now synonymous with fine food, artisan produce and responsible farming methods. Protection, preservation and enhancement of this brand is what is needed, not a massive engineering project which will have impacts inconsistent with what is sought to promote by the Boyne Valley brand.

H

19. This proposed engineered solution to a traffic management problem carries vastly disproportionate knock-on effects.

20. The proposal cannot be reconciled with the sensitives of the site. It cannot be reconciled with the vulnerability of the river and the impact on hydrology, hydro geology, water quality and the water table for the entire Boyne/Blackwater network. This proposal is of such a scale and such an order and so unsuitable for the location proposed as to warrant refusal.

Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

You can insert photographs and similar items in your observation details: grounds (part 5 of this form).

If your supporting materials are physical objects, you must send them together with your observation by post or deliver it in person to our office. You cannot use the online uploader facility.

Fee

7. You **must** make sure that the correct fee is included with your observation.

Observers (except prescribed bodies)

- strategic infrastructure observation is €50.
- there is no fee for an oral hearing request

Oral hearing request

8. If you wish to **request the Board to hold an oral hearing**, please tick the “Yes, I wish to request an oral hearing” box below.

You can find information on how to make this request on [our website](#) or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

Final steps before you send us your observations

9. If you are sending us your observation using **the online uploader facility**, remember to save this document as a Microsoft word or PDF and title it with:

- the case number and your name, or
- the name and location of the development and your name.

This also applies to prescribed bodies sending an observation by email.

If you are sending your observation to us by post or delivering in person, remember to print off all the pages of this document and send it to us.

For Office Use Only

FEM – Received		SIDS – Processed	
Initials		Initials	
Date		Date	

Notes