

Our Ref: 29S.JA0039
P.A.Reg.Ref:

Your Ref:



An
Bord
Pleanála

Anthony T Hanahoe
M.E. Hanahoe
Sunlight Chambers
21 Parliament Street
Dublin 2

22nd February 2018

Re:

Development of a new civic plaza and ancillary traffic management
measures at College Green,
Dublin 2.

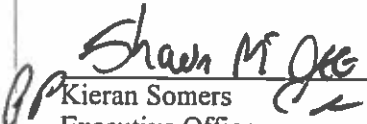
Dear Sir,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

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

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Kieran Somers
Executive Officer
Direct Line: 01-8737107

EI02



M.E. HANAHOE
SOLICITORS

Sunlight Chambers,
21 Parliament Street, Dublin 2, D02 TW99.

T. +353 (1) 677 2353 F. +353 (1) 671 2660
E. info@hanahoe.ie www.hanahoe.ie
DX: 1011

BY HAND
An Bord Pleanála
64 Marlborough St
Rotunda
Dublin 1
D01 V902

AN BORD PLEANALA	
TIME	1706 BY hand.
21 FEB 2018	
LTR DATER	FROM LC
PL	295. JA0039

Our Ref: AH/MAH/ABP

Your Ref: PL29S.JA0039

21st February 2018

**Re: Proposed Development of a New Civic Plaza at College Green Dublin and Ancillary Traffic Management Measures.
An Bord Pleanála Reference PL29S.JA0039**

Dear Sirs,

We refer to notice dated Friday the 19th day of January 2018 which provides for submissions to be made in respect of an Environmental Impact Assessment to be carried out by An Bord Pleanála in respect of the above proposal.

We act for the owners proprietors and or business owners of the Porterhouse Brewing Company, Street 66, The Oak, Zaytoon, Di Fontaines, Mr Morgan Crowe, Mr Tony McEvoy and Mr Brian McCreesh who intend to fully participate in the oral hearing when it is reconvened and include by way of appendix the documents to be relied on and many of which have not been previously submitted but which are vital to an understanding of how the proposal came to be formulated in its present form.

Our clients all live and work in the vicinity of Parliament Street and have a vital interest in the scheme and in particular the direct and indirect impacts and have engaged a number of specialists to deal with particular aspects of the scheme.

These specialists include Mr Des McMahon, Architect, Mr Julian Keenan, Traffic Engineer and Ms. Imelda Shanahan and Mr Tom Ryan Environmental Specialists who will deal with specific impacts on the area in general, on Parliament Street in particular and then individual businesses. As the Board is aware this information should have been included in the EIAR which is required to address all likely significant effects both direct and indirect long term, short term and cumulative effects and this demonstrably has not occurred. It has become necessary to engage a number of specialists to identify these lacuna and to address the implications of these omissions.

It is, furthermore difficult to understand the failure to include certain central documents and information and the EIAR cumulative effects of these failures and omissions is a design that

and at 78A Malahide Road (Opposite Griffith Avenue), Dublin 3, D03 C782. T. +353 (1) 897 3333 F. +353 (1) 853 0115

Anthony T Hanahoe, Michael E Hanahoe, Terence Hanahoe, Carthage Conlon, Robert Purcell
Daniel Hanahoe, Una Gogarty, Marcus Hanahoe, Danica Kinane, Miska Hanahoe, Margaret Rice (Legal Executive)

is fundamentally flawed and not fit for purpose, and EIAR which has not addressed or complied with the statutory obligations under Directive 2011/92/EU and Directive 92/43/EEC

We note that in the directions issued by the Board relating to the form of the oral hearing the local authority's evidence was to be heard first and an opportunity afforded to clarify that evidence and the position of the local authority and we respectfully agree with this as it is vital the anomalies contradictions and omissions are clarified, it is impossible to make any meaningful submissions on the proposal.

We furthermore appreciate the detailed consideration of the documentation undertaken by the Board and the documents identified as requiring submissions by the Board and it is difficult to understand the reluctance of the City Council to make these documents available in the first instance, to make them accessible and even following the Board's letter, it is very difficult to access these and other relevant documents and this is the antithesis of the European Directives.

Indeed, as is often stated in cases of this type '*a public authority is expected to proceed with all the cards face upwards on the table*'. There is a recognised implicit obligation on a respondent public authority to put before the Court the material necessary to deal with the relevant issues. Thus is for from what has occurred here but through the approach adopted by the Board, for which we are very grateful, it should be possible to obtain the appropriate clarification as part of the oral hearing.

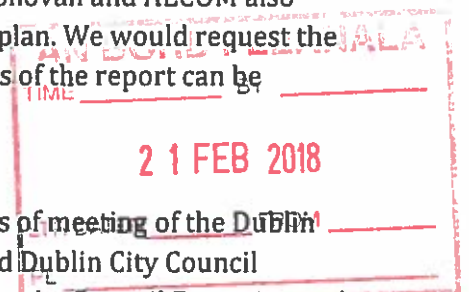
We note the team included in the EIAR but note that the previous engineers, Clifton Scannell Emerson Associates the authors of the College Green improvements report have now been replaced by ARUP and we are concerned that they may not be in attendance to clarify certain matters relating to that report. We further note that Roughan & O'Donovan and AECOM also made significant contributions which form the basis of the finalised plan. We would request the Board to require the attendance of these firms so that certain aspects of the report can be clarified.

We will also be asking the Board to consider the Agenda and Minutes of meeting of the Dublin City Council, the Dublin City Council South East Area Committee and Dublin City Council Transportation SPC as well as various reports, presentations made by the Council Executive and correspondence between these various entities which are a matter of public record.

The Board will be aware of the impact of the proposal on the persons and properties within the Parliament Street sector which impact and indeed explicitly acknowledged in the documentation.

The effect of the two way bus movements on Parliament Street has the most profound effects in terms of the sheer numbers traversing the street on an hourly basis, the visual unit, the noise, the emissions, the congestion and will render the entirety of the Street incapable of any reasonable use, impossible to continue to live on and destroy the amenities, prosperity and potential of these businesses and residents.

The effects of this area is mirrored throughout the city centre with the entire functioning of the city being undermined and will occur in Parliament Street and will occur throughout the satellite districts surrounding the proposed Plaza



No project however desirable could justify such impacts and certainly not this Plaza on which will be in terms of its use and ethos reminiscent in its character to that of Smithfield being broad, windswept, empty and devoid of activity and cannot be the basis of the catastrophe to be visited on the rest of the City and on the area our clients have and workers in Parliament Street.

We look forward to fully participating in the oral hearing where these concerns will be more fully elaborated. The Board will appreciate the limited resources and would be grateful for the "maximum" period of notice where possible so as to organise for the attendance of our clients and specialists engaged.

We would be grateful for perhaps some date in March/early April.

Yours faithfully,


M.E. HANAHOE SOLICITORS

