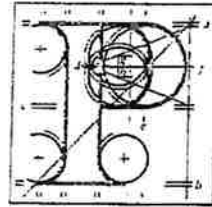


Our Case Number: ABP-318573-23



**An
Bord
Pleanála**

Jack Rogers
Crewbawm House
Crewbane
Slane
Co. Meath
[REDACTED]

Date: 19 February 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 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.

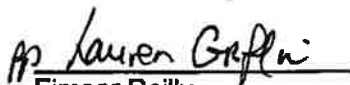
If you have any queries in relation to this matter please contact the undersigned officer of the Board at laps@pleanala.ie

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

Tel	Tel	(01) 858 8100
Gíao 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

Yours faithfully,



Eimear Reilly
Executive Officer
Direct Line: 01-8737184

HA02A

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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Lauren Griffin

From: LAPS
Sent: Monday 19 February 2024 09:45
To: [REDACTED]
Subject: FW: Additional submission re-Observation Reference: SID-OBS-001549
Attachments: OBS SLANE BRIDGE_HA17.318573_JACK_ROGERS.pdf; Jack Rogers 16.02.2024 _Additional point to submission SID-OBS-001549.pdf

From: Jack Rogers [REDACTED]
Sent: Friday, February 16, 2024 5:08 PM
To: LAPS <laps@pleanala.ie>
Subject: Additional submission re-Observation Reference: SID-OBS-001549

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir/ Madam,

I wish to make an addition observation point to my submission reference number SID-OBS-001549.

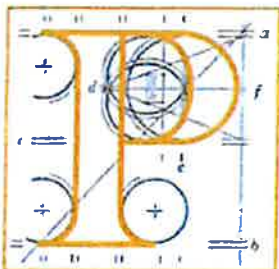
Please see

1. Date of original submission: 15/02/2024
2. Name on submission: Jack Rogers
3. Reference number: SID-OBS-001549
4. Original observation form submitted - Please see attached
5. New observation point attached - Please see attached

Yours sincerely,

Jack

From: An Bord Pleanála <no-reply@pleanala.ie>
Sent: 15 February 2024 10:20 AM
To: Jack Rogers [REDACTED]
Subject: Your Observation Reference: SID-OBS-001549



An
Bord
Pleanála

Strategic Infrastructure Observation Confirmation

Your reference	SID-OBS-001549
An Bord Pleanála case number or brief development description as provided	318573
Name	Jack Rogers
Fee	€50.00
What happens next?	Our staff will process your observation. This will take about five to seven working days. We will send a letter in the post to tell you if your observation is valid — or not.
Further information	You can get further information on Strategic Infrastructure on the An Bord Pleanála website . This includes the Strategic Infrastructure Applications Public Guidance Document .

Jack Rogers
CREWBAWN HOUSE,
Crewbane
SLANE
COUNTY MEATH

16th February 2024

An Runai,
An bord Pleanala,
Baile Atha Cliath

**ADDITIONAL OBSERVATIONS OF JACK ROGERS ON MEATH COUNTY COUNCIL APPLICATIONS
for Road development comprising N2 Slane By-Pass and Public Realm Enhancement
An Bord Pleanala Case Reference HA17.318573**

Additional observation of Jack Rogers Submission reference: SID-OBS-001549

Original Submission made on 15/02/2023

Dear Sir/ Madam,

I wish to make this additional submission to my original submission.

As we understand the application, the council are seeking approval of the scheme under section 51 of the 1993 Roads Act and an order confirming the compulsory acquisition of land under S. 49 of the said.

It would appear that in order to ground an application under s.49 it is necessary to have regard to Council Directive 2011/92 and have prepared an Environmental Impact Assessment report in respect of that application. This would have to deal with all likely significant effects arising from the compulsory acquisition of the lands, the extinguishment of all public rights, the creation of new public rights, the temporary acquisition of land, the creation of way levies, as well as the other interests in land that are either created or extinguished arising from the said scheme.

As a member of the public, who is part of a community where there is to be impacts including significant impacts on human beings arising from the acquisition, impacts on material assets, impacts on landscape, as well as impacts on biodiversity and ecology. I wish to engage in the environmental impact assessment that is required to be carried out by the board in respect of these matters, but cannot do so because the necessary documentation, and particularly the environmental impact assessment report, does not address the application made under section 49.

Consequently, therefore, if the board were to accept the application made to confirm the CPO, they would be acting contrary to European Community law and would have no jurisdiction to determine the application made under section 49.

The application for compulsory purchase order is one to which engages the Habitats Directive in order for the application to be considered in that regard the application must be accompanied by a natura impact statement which specifically addresses the issues relevant to the directive as well as the in-combination effects. As a member of the public, I am entitled to participate in that process particularly where the application will have the most profound effects on the river Boyne and Blackwater SAC/SPA, as well as the Boyne Estuary SAC/SPA, but given the absence of the request information it is impossible to participate in that process.

As a preliminary matter, the board should confirm that the application in respect of the compulsory acquisition of land and the creation and extinguishment of public rights is subject in and of itself to the requirements of the Environmental Impact Assessment Directive and Habitats Directive. Please confirm furthermore, that the board will require in respect of this application that it will be accompanied by all necessary and relevant documentation such as to entitle the board to comply with its obligations under the aforesaid Directives. Furthermore, please confirm that the necessary notice will be posted to advise the public of their entitlement to participate in the process and clarify how the deficiencies in the documentation accompany the application for the confirmation of the CPO will be addressed.

Given the extent of the controversy that has arisen from this proposed scheme I would request an oral hearing as it is not possible through a written submission to deal adequately with with conflicts of fact, the conflict of evidence, the Mistake of fact and the complexity of national and European law, The consequences of the previous board decision and the extent to which the board are entitled to depart from their previous decision, but above all, the sensitivity and vulnerability of this site which because of its designation as a World Heritage site, because of its international importance as an archaeological, heritage and cultural site, its European importance as ecological, biodiversity and ornithology importance. And because of the extent of the visual vulnerability of the site. Which in the context of the scale and extent of the development proposed cannot be resolved other than by way of an oral hearing.

Yours sincerely,

Jack Rogers

CREWBAWN HOUSE,
Crewbane
SLANE
COUNTY MEATH
C15 W6TF

15th February 2024

An Runai,
An bord Pleanala,
Baile Atha Cliath

OBSERVATIONS OF JACK ROGERS ON MEATH COUNTY COUNCIL APPLICATIONS
for Road development comprising N2 Slane By-Pass and Public Realm Enhancement
An Bord Pleanala Case Reference HA17.318573

Issues:

The Boyne Valley World Heritage Site is a premier national site of Irish Heritage. It is an Internationally recognised site of Outstanding Universal Value. The intrusion of the proposed by-pass into the Boyne Valley so close to the western boundary of the Buffer Zone of the World Heritage Site is an irreversible unnecessary proposal which will have detrimental impact on the integrity of the Bru na Boinne ensemble. Our understanding of the extent of cultural artifacts and heritage in the Boyne Valley is evolving by the day. The discoveries made in 2018 and since show how much may yet to be learned about the true extent and significance of the World Heritage Site. Our knowledge of how rich is the heritage of Bru na Boinne has been enhanced since the refusal by An Bord of the last application for a by-pass. No sufficient case has been made by the promoters of the by-pass solution for An Bord to change its position.

Necessity

There is no need for this by-pass proposal. The traffic congestion in Slane could have been resolved years ago by restricting HGVs from using the N2. The N33 was intended as the route which would relieve Slane, Collon and Ardee. Neither Meath County Council nor other responsible authorities have taken steps to ensure the N33 solution was adopted. Dublin City Council have recently shown how traffic management solutions can be used to resolve city congestion. A traffic management approach has never been adopted or attempted for Slane.

The need to enhance road safety in Slane can be resolved immediately with a HGV ban. No economic necessity has been shown that would justify driving the proposed trenched highway and bridge so close to Knowth, a protected structure of Outstanding Universal Value.

Will the project be effective in resolving Slane's congestion? The proposal is not a proposal for a by-pass of Slane. The design of the proposed new N2 is not orbital so it will not resolve the congestion

arising from traffic running west and east through Slane. In fact, it is demonstrable that this "new" proposal will bring more traffic to parts of the village. So, the proposal lacks justification because it will not resolve congestion in Slane and there is in fact an immediate cost effective solution available, a HGV ban, which will force the north/south HGV traffic on to the M1.

Landscape

The plan in this application is to trench the N2 highway into the Boyne Valley. This is to despoil and transform forever the Boyne Valley landscape which is within the envelope of the Outstanding Universal Value World Heritage Site. The "development" of this landscape as envisaged is wholly at odds with the historic and cultural significance of the Boyne Valley where the development is proposed. It is also at odds with the protected status of the valley and the Boyne as Special Areas of Conservation. The development will be at odds with European Union Environment and Heritage Legislation, and, indeed with national legislation.

The Cumulative Impact of Development on the OUV of the World Heritage Site The EIAR fails to place before An Bord the extent of these impacts. For instance, the M1 Business Park North is not referenced as having impact on the World Heritage Site, which cannot be correct as this development is clearly in view and intrusive from the summit of Dowth. There have been numerous developments of substantial agricultural buildings within the Buffer Zone. These are not referenced in the EIAR.

Boyne and Blackwater SAC and SPA

The EIAR fails to fully explore the potential impact on red listed species (e.g. Barn Owls) and water dependent species (e.g. Daubenton Bats) that may be impacted by the lighting and traffic on the proposed bridge. Given the location of the bridge, within an SPA and SAC, it is clear that there will be impacts on such species and it is my contention that this has not been explored to its full extent.

Given the significant dept of trench that is being proposed for the road and bridge on the southern and northern side of the Boyne river at Slane, I am concerned that there has not been appropriate consideration in the EIAR of the impact on hydro morphological changes within the groundwater structures and the impact on nearby Tufa formations, Tufa springs and Alkaline fens (notably qualify interests) within the SAC. For example, the springs found at Crewbane and within the Crewbane Marsh.

The recent purchase of the national park at Dowth Hall highlights the importance of the Boyne and Blackwater SAC and SPA in a national context. The proposed road and bridge will lead to further degradation of the Boyne and Blackwater SAC and SPA. There has been considerable infrastructure building within the SPA and SAC over the past two decades. Effectively, this is death by 1000 cuts to the integrity of the SAC and SPA. It will lead to future declines in this precious ecosystem & habitat that is becoming so rare on this island. There is a higher standard of investigation required to ensure the protection of this.

Oral Hearing

I trust An Bord will follow precedent and direct an Oral Hearing leading to a comprehensive report to An Bord.