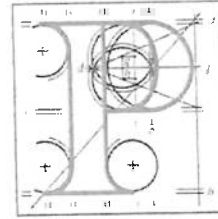


**Our Case Number:** ABP-316272-23



**An  
Bord  
Pleanála**

Adrian Young and Nicole Byrne  
Woodview Cottages  
Rathfarnham

**Date:** 24 April 2024

**Re:** Bus Connects Templeogue/Rathfarnham to City Centre Core Bus Corridor Scheme  
Templeogue/Rathfarnham to 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.

If you have any queries in the mean time, please contact the undersigned officer of the Board at [laps@pleanala.ie](mailto: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

HA02

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

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

## Kevin McGettigan

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**From:** Eimear Reilly  
**Sent:** Monday 8 April 2024 12:37  
**To:** Kevin McGettigan  
**Subject:** FW: Your Observation Reference: SID-OBS-001008  
**Attachments:** ABP-316272-23\_Response to NTA\_Adrian Young.pdf

---

**From:** LAPS <laps@pleanala.ie>  
**Sent:** Thursday, March 28, 2024 3:24 PM  
**To:** Eimear Reilly <e.reilly@pleanala.ie>  
**Subject:** FW: Your Observation Reference: SID-OBS-001008

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**From:** Adrian [REDACTED]  
**Sent:** Thursday, March 28, 2024 11:18 AM  
**To:** LAPS <laps@pleanala.ie>  
**Subject:** Re: Your Observation Reference: SID-OBS-001008

**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.

Hi Eimear,

Hope you are well.

Please see attached letter and response to the NTA's submission Case Number: ABP-316272-23.

Please confirm receipt of this email.

Kind regards,  
Adrian

On Thu, Aug 31, 2023 at 2:51 PM LAPS <laps@pleanala.ie> wrote:

Hi Adrian

I can confirm that your submission has been validated and was acknowledged by letter on 30<sup>th</sup> August 2023.

Please see attached copy of the letter which issued by post.

Kind regards

Eimear

---

**From:** Adrian [REDACTED]  
**Sent:** Wednesday, August 30, 2023 4:21 PM  
**To:** LAPS <[laps@pleanala.ie](mailto:laps@pleanala.ie)>  
**Subject:** Re: Your Observation Reference: SID-OBS-001008

Hi Eimear,

Hope you're well.

I never received a letter of confirmation. Is there an issue with the observation?

Regards,

Adrian

On Tue 15 Aug 2023, 17:15 Adrian Young, <[REDACTED]> wrote:

Hi Eimear,

Thanks for the confirmation.

Best,

Adrian

On Tue 15 Aug 2023, 17:05 LAPS, <[laps@pleanala.ie](mailto:laps@pleanala.ie)> wrote:

Good afternoon Aidrian

I confirm that your submission has been received. A formal acknowledgement will issue in due course.

Kind regards

Eimear

---

**From:** SIDS <[sids@pleanala.ie](mailto:sids@pleanala.ie)>  
**Sent:** Tuesday, August 15, 2023 4:03 PM  
**To:** LAPS <[laps@pleanala.ie](mailto:laps@pleanala.ie)>  
**Subject:** FW: Your Observation Reference: SID-OBS-001008

---

**From:** Adrian Young [REDACTED]  
**Sent:** Tuesday, August 15, 2023 4:02 PM  
**To:** SIDS <[sids@pleanala.ie](mailto:sids@pleanala.ie)>  
**Subject:** Fwd: Your Observation Reference: SID-OBS-001008

Good afternoon,

I made the below observation last week and have not received confirmation yet. The closing date is today and I want to make sure there is no issue.

Can you please advise?

Regards,

Adrian

----- Forwarded message -----

From: **An Bord Pleanála** <[no-reply@pleanala.ie](mailto:no-reply@pleanala.ie)>

Date: Tue 8 Aug 2023, 23:23

Subject: Your Observation Reference: SID-OBS-001008

To: Adrian Young [REDACTED]

## Strategic Infrastructure Observation Confirmation

<b>Your reference</b>	SID-OBS-001008
<b>An Bord Pleanála case number or brief development description as provided</b>	316272
<b>Name</b>	Adrian Young
<b>Fee</b>	€50.00
<b>What happens next?</b>	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.
<b>Further information</b>	You can get further information on Strategic Infrastructure on the <a href="#">An Bord Pleanála website</a> . This includes the <a href="#">Strategic Infrastructure Applications Public Guidance Document</a> .

**Eimear Reilly**  
**An Bord Pleanála**  
**64 Marlborough Street**  
**Dublin 1, D01 V902**  
*by email*  
**28/03/2024**

Adrian Young & Nicole Byrne  
Woodview Cottages

**Case Number:** ABP-316272-23  
**Re:** Templeogue / Rathfarnham Bus Connects

Dear Eimear,

My observation submitted in relation to the above reference planning application outlined a number of serious concerns in relation to construction compound TR3. The overall planning process and insufficient response from the NTA in addressing my concerns, and that of other residents who also submitted observations, has prompted my response.

The lack of an official oral hearing for a project of this magnitude is incomprehensible. Bus Connects, in its totality, is easily as significant and impacts far more individuals and residential groups than the Metrolink Project which is currently hearing oral responses at An Bord Pleanála. This is evidence of the presumptive attitude taken by the NTA, in tandem with the ABP and TII, in addition to the manner in which the authority for the application of CPOs was granted.

In their response, the NTA offered no new mitigation measures based on the observations on the size of the site, air quality, noise, dirt, safety, egress and other hazards as well as the undefined end date of use of site TR3. Immediate consultation is required with residents if planning is to proceed. Residents must have certainty and confidence in the planning process so they may appropriately manage and plan their lives.

South Dublin County Council do not approve of the full extent of the use of the site and multiple Councillors and TDs from the area have made their own submissions directly referencing the unsuitability of the location of the TR3 site. There has been complete overreach in the use of the powers of CPOs. The proposed destruction of a green amenity that is not on the Bus Connects route is entirely unnecessary for the construction works to proceed. The NTA must find another site that does not have such a profound impact on a residential area for their base of operations.

I urge you to carefully consider the NTA response in light of my original submission and my reply in the attached. You will see they have failed to address what are very serious concerns on grounds of health, safety and quality of life.

Thank you in advance for your consideration and please confirm receipt of my response.

Yours sincerely,

Adrian Young

## Response to NTA Observations on the Proposed Scheme Submissions

Adrian Young & Nicole Byrne  
Woodview Cottages

**Case Number:** ABP-316272-23

### Construction Compound TR3 Location

The disruption compound TR3 will cause on a persistent basis (6 days per week for at least 2 years from 0700 to 2300) is unfathomable for the residents who will have to endure the pollution, noise, dirt and hazards. There are no mitigation measures that will make living with this site bearable in its proposed form.

Cllr Yvonne Collins (FF) and TD Colm Brophy (FF) have raised serious concerns regarding the construction compound, most forcefully from Green Party TD Francis Noel Duffy and Cllr Mark Lynch who state in their observation:

*'Construction Compound By Dodder View Road*

*'There are serious concerns regarding the construction compound being developed adjacent to residential streets, particularly considering the high-risk activities and the storage of hazardous materials on the southern boundary of the site.*

*The compound will be open from 07:00hrs and 23:00hrs on weekdays, between 08:00hrs and 16:30hrs on Saturdays and it is expected that Sunday and nighttime activities will be facilitated to complete works that cannot be undertaken during the day. It is also expected that a total of 26 two-way lorry movements in a typical hour during peak haulage activity of the proposed scheme. This level of traffic in and out of the compound, coupled with the nighttime activity which will create an intolerable level of noise pollution is of particular concern to young families and professionals who live adjacent to the compound.'*



**Southern Boundary of site**

TR3 is not a stretch of road that will have temporary work. It's an operational hub that will be the first and last piece of construction infrastructure that will be in use for the entirety of the construction project. Temporary disruption to the public realm is necessary to improve public infrastructure. The

placement of this site will achieve nothing of the sort and cause untold damage to the neighbourhood and the lives of residents for an indefinite period of time, but minimum of two years.

The NTA, in their response to the observation, have failed to address specific concerns, additional information or proposed new mitigation measures, referring back to their original reports for the most part. These reports are referenced in my observation and the NTA have failed to adequately respond to the below issues raised.

### **Construction hours**

In reference to my original observation, *'If approved working hours were introduced, as proposed by Jane Dennehy in her Inspection Report (Senior Planner SDCC), the total available hours to work would be reduced from 88.5 hours per week to 61.5 hours, a reduction of 27 hours.*

*In other words, the Bus Connects Planners are assuming they can work 44% more hours per week than a Senior Planner in the Council will allow construction work to take place in a residential area (for clarity, site TR3 is in a residential area within 10m of private dwellings).'*

The proposed construction hours are wholly inappropriate for a construction site in a residential area. The hours of construction impact all aspects of the operation of the site and exacerbate many of the issues being raised in opposition to the location of the site including pollution from noise, light and fumes; parking; health and safety. The proposed construction hours are required for the NTA to achieve their completion target of two years and serve no other purpose. No residential construction project would be granted permission to operate on the proposed construction schedule of Bus Connects and nor should they. Neither is the disruption at the site truly temporary, as might be accommodated outside someone's home on the route during construction. This is the locus for all construction on the route and will be operational at all times throughout the construction period.

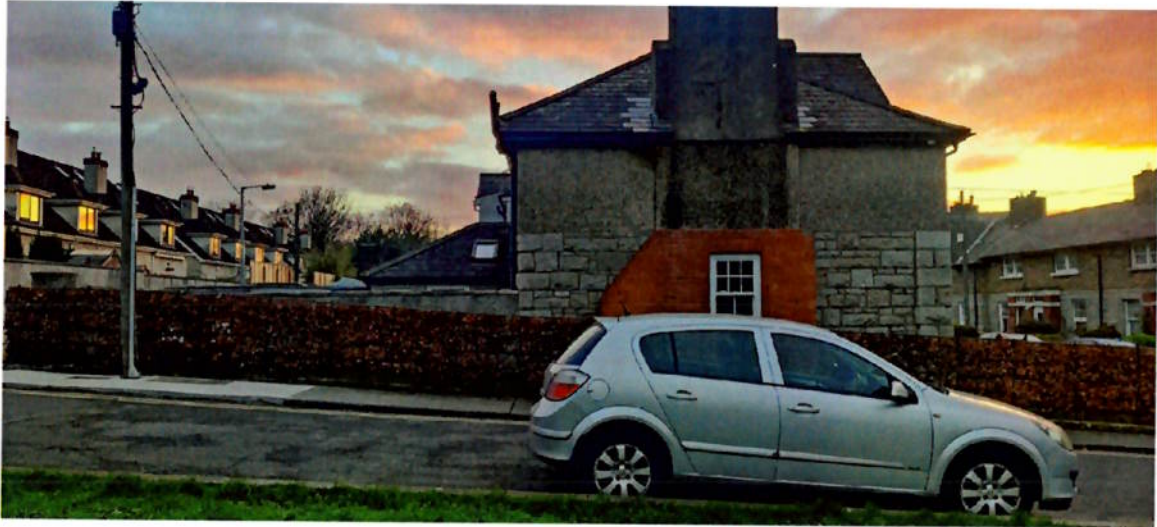
**Hazardous materials on compound:** The NTA in their response refer to the storage of hazardous materials at the southern boundary of the site, in order to minimise the impact on the Dodder from runoff. To reiterate my original observation, the southern boundary of the site is the closest possible location of site TR3 to residents and passing pedestrian traffic. Hazardous materials stored at this location include:

- *Soil and stone;*
- *Concrete, brick, tiles and ceramics;*
- *Bituminous mixtures;*
- *Metals;*
- *Wood;*
- *Municipal type wastes generated by construction employees; and*
- *Other.*

*The hazardous waste streams which could arise from construction activities include the following:*

- *Waste electrical and electronic equipment (WEEE) components;*
- *Batteries;*
- *Asbestos;*
- *Wood preservatives;*
- *Liquid fuels; and*
- *Contaminated soil.'*





***Southern Boundary of site where hazardous materials will be stored***

### **Pollution**

The NTA in their response refer to the initial assessment and mitigation measures do not sufficiently address the serious concerns of pollution at the site. Aside from the storage of hazardous waste adjacent to residences, pollution mitigation and monitoring of air quality for the construction site are inadequate or non-existent. As with a number of other aspects of the EIAR including the flood risk assessment and noise pollution assessment, the air quality assessment does not adequately assess the impact in the baseline data, nor the construction and post construction modelling.

There is no air quality monitoring station located at site TR3 or have any baseline measurements been taken at the site. The modelling of air quality for construction and post construction phases does not assess the construction sites, just the bus route. The closest point the model assesses is identified in Appendix A7.1 is location AQ418 with ITM reference 714282,729246 which is on the proposed bus route in a garden high above the site behind a dense bank of trees. With the number of heavy plant vehicles that will be accessing, idling, refuelling and dumping at the site, air quality assessments and management are critical. The NTA have neglected to undertake air quality assessments to establish baselines nor run modelling for the site nor proposed any proper measurement during the works for any pollutants, most especially for diesel emissions and dust.



***Air quality modelling location in a garden, behind dense trees, on a hill above the site. Red outline for rough reference only. Also visible is the old construction site for comparison to the proposed site. There is no air quality assessment of the site.***

## Health

A busy construction site in operation for two years minimum will generate enormous amounts of dust and pollution that the NTA note,

*'The dust emission magnitude for the proposed earthwork activities required for the Proposed Scheme is conservatively classified as large. The proposed Construction Compounds plus the Proposed Scheme construction site areas will have a total site area greater than 10,000m<sup>2</sup>, while there would be between five and ten heavy earth moving vehicles in use at any one time during peak construction activities. The sensitivity of the area is combined with the dust emission magnitude for each dust generating activity to define the risk of dust impacts in the absence of mitigation. The sensitivity of the area would be described as high for dust soiling and medium for human health impacts. As outlined in Table 7.21, this results in an overall high risk of temporary dust soiling impacts and an overall medium risk of temporary human health impacts as a result of the proposed earthworks activities.'*

Through climate friendly building practices, as commendable as these might be, the construction work proposes reusing as much rubble etc. as possible in the new construction. Storage of which will be at the construction compounds, thereby further increasing the dust pollution beyond that of a typical construction site,

*'Where practicable, materials will be reused within the extent of the Proposed Scheme; and...Stockpiling of existing subbase, capping layer and topsoil material generated on-site for direct reuse in the Proposed Scheme, where practicable, in the proposed construction compounds (subject to material quality testing to ensure it is suitable for its proposed end use);'*

Having lived bedside a much smaller construction site, I can attest to the fact that dust mitigation employed by construction companies are insufficient to achieve the proposed aims of the NTA,

*'When the dust mitigation measures detailed in the mitigation section of this Chapter are implemented, fugitive emissions of dust from the site will not have a significant impact at nearby receptors.'*

Through very recent experience, this is simply untrue.

*'The sensitivity of the area would be described as high for dust soiling and medium for human health impacts'*,

The NTA are very open to describing potential impact as high for dust soiling and medium for human health. There are vague assertions as to potential mitigation measures if dust is to impact outside the site boundaries or the site,

*'A series of mitigation measures will be implemented by the appointed contractor to minimise dust nuisance impacts:*

- Public roads affected by the Proposed Scheme will be regularly inspected for soiling associated with the construction activities and cleaned as necessary;*
- Material handling systems and site stockpiling of materials will be designed and laid out to minimise exposure to wind. Water misting or sprays (or similar dust suppression methods) will be used as required if particularly dusty activities associated with the construction contract are necessary during dry or windy periods;*
- During movement of dust-generating materials both on and off-site, trucks will be covered with tarpaulin and before entrance onto public roads, trucks will be checked to ensure the tarpaulins are properly in place; and*
- The appointed contractor will provide a site hoarding of 2.4m (metres) height along*

noise sensitive boundaries, at a minimum, at the Construction Compounds which will assist in minimising the potential for dust impacts off-site.

*The appointed contractor will keep the effectiveness of the mitigation measures under review and revise them as necessary. In the event of dust nuisance occurring outside the works boundary associated with the Proposed Scheme, movements of materials likely to raise dust will be curtailed and satisfactory procedures implemented to rectify the problem.'*

ABP must be fully confident the mitigation measures are sufficient so as not to cause immediate damage to property and human health, especially that of children and infants living within metres of the site.

### **Noise**

From my original observation 'The Construction Noise Level is predicted at 78dB 10m from residential dwellings. Sustained exposure to noise above 80dB can lead to hearing damage and it is recommended protection is used by the HSE. The reported dBs are just below what is considered an unsafe volume of noise without protection.' is not disputed by the NTA in their response.

They seem confident the construction work can operate within a 2.5% margin of safety for high decibel activities which can cause hearing damage.

Noise mitigation at the site is proposed as follows:

- '1 During the Construction Phase, the appointed contractor will be required to manage the works to comply with the limits detailed in Section 9.2.4.1 using methods outlined in BS 5228-1 (BSI 2014a); and*
- 2. The best means practicable, including proper maintenance of plant and equipment, will be employed to minimise the noise produced by on site operations. BS 5228-1 includes guidance on several aspects of construction site practices, which include, but are not limited to:*
- 3. Selection of quiet plant;*
- 4. Control of noise sources;*
- 5. Screening;*
- 6. Hours of work;*
- 7. Liaison with the public; and*
- 8. Monitoring.'*

The mitigation measures above are in the context of a construction site that will be operational 16 hours per day from 7:00 to 23:00. The NTA appears to be relying on new technologies not yet known to the rest of us that would allow a construction site to operate in near silence, especially in the evening hours. Regular temporary loud noises in the evening that have been identified as a certainty by the NTA, (the sound of machinery reversing, dumping rocks, moving equipment) are still loud enough to wake sleeping children on a regular basis. Sleep disturbance in young children has been [linked](#) to mental health and behavioural challenges. The NTA wishes to further impact the health of children living in the vicinity of the construction site in addition to the pollution that will be created.

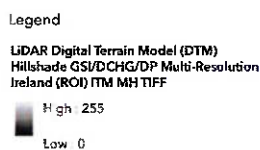
### **Visual Impact**

In the NTA response they state 'The area of the compound has been kept to the smallest practicable extent to minimise the land take on this area.'

Map and aerial images used to describe the site do not show the steep gradient of the area that is not usable for the proposed construction site. The maximum available space that could be used for a

construction site *is* being used as it is not possible to utilise the very steep sloping eastern boundary of the green area for the construction compound. The proposal, contrary to the NTA response, is taking the maximum available and usable space, excluding the car park (which will be required for workers). Further, the suggestion that this section will still be available for use as a recreational space is condescending in its implication the space could be used in any enjoyable manner in that it overlooks the construction site due the hill on which the remaining space is on.

The image is an overlay of the proposed construction site with topographical terrain included from [here](#) showing the high gradient of the area not part of the site. The area with the hill (highlighted in grey), although not part of the site, will be rendered unusable as a recreational space due to aforementioned pollution of the public realm.



[LIDAR Digital Terrain Model \(DTM\) Hillshade GSI/DCHG/DP Multi-Resolution Ireland \(ROI\) ITM MH TIFF](#)



***Construction Compound TR3 - Large hill that cannot be used for construction compound.***

### **Construction traffic and access/egress to site compound**

The construction of the Dodder Greenway cycle route has substantially changed the layout of the road on which site TR3 has its access / egress (R112). The footpath is much wider and the road is much more narrow due to the addition of the cycle lane on the opposite side of the road than when planning was first submitted.

The construction compound that was located at the same site as the proposed TR3 had difficulty in managing traffic onto the site. Towards the end of the construction phase (with the cyclelane and footpath complete). I observed this numerous times with trucks and other heavy plant machinery leaving the site requiring the assistance of construction workers to stop traffic. Often, the vehicles needed to reverse to fully make the turn out of the site going in either direction.

The peak traffic to and from the various construction points along the route is estimated at 191 daily movements of plant and machinery or 12 on an hourly basis, as identified in my original submission. Such levels of construction traffic would render the use of the main R112 almost unusable at peak construction hours as well as the footpath on the construction site side and the cycle lane on the opposite side - for at least two years.

Construction Compound TR3 will be located along Dodder View Road, across the road from Bushy Park, in the greenfield area between Dodder View Road, Woodview Cottages and Church Lane, as shown in Image 5.3. The area of Construction Compound TR3 is approximately 5,120m<sup>2</sup>.

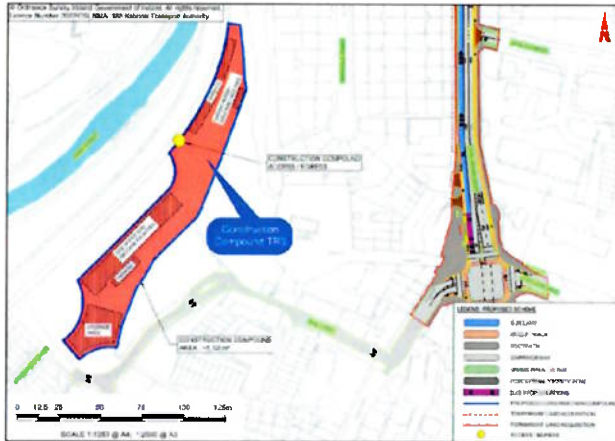


Image 5.3: Location and Extent of Construction Compound TR3

The images below are of the egress as identified in the construction site map (right). They show the narrowness of road, the new wide footpath (which will be unusable at the site entrance, requiring an additional pedestrian crossing on the Rathfarnham bridge side of the site entrance) and the closeness of the cyclelane on the opposite side of the road, which will be required to create space for vehicles to exit and safely enter the site.



Access Point - Footpath  $53^{\circ} 18' 2.898'' N 6^{\circ} 17' 12.15'' W$



Access Point - narrow road



**X - Access Point**

### **Drainage**

While environmental impact assessments are discussed, specific concerns related to drainage and how they will be addressed are not detailed.

The NTA reviewed the risk of flooding but have not fully assessed the site in person. The previous construction site, which has only recently been fully removed, is currently waterlogged after relatively light rain.



**Previous construction site water-logging**

### **Undefined end date to temporary CPO**

The NTA does not address the indeterminate end to the temporary CPO of the land, which will be required indefinitely until the project is complete. The two year timeframe for completion is unrealistic on the basis of construction hours alone and delays are inevitable on a project of this magnitude. There must be a time limited use of the site if planning is granted.

### **Decreased parking availability**

The NTA response does not adequately address concerns regarding the decrease in parking availability. There will be up to 250 workers employed at peak on the route, with site TR3 being the primary base of operations that will provide welfare facilities, changing areas etc. The NTA

optimistically suggests that, with this number of workers, *'fewer than 10 trips by private vehicle are envisaged to and from site during peak periods'*.

The response reiterates the unlikely scenario that construction workers arriving at a construction site to begin work at 7:00 or finishing work at 23:00 will be able to avail of non-car transport to the site. It is unworkable and there is no possible way the NTA can believe their mere suggestions for transport to and from the construction sites will be followed by the appointed construction company and their workers.

### **Consultation and Mitigation**

As the primary construction site for the route, mitigation measures need to be concrete, clear and agreed with relevant stakeholders prior to any granting of planning permission.

The NTA, TII and ABP will all be liable for any health issues (including, but not limited to, respiratory illness, deformities, chemical exposure, hearing damage, mental health issues) that may arise during or after the construction phase due to negligence from the inadequate implementation of mitigation measures in respect of dust, fumes, noise or other concerns including asbestos.

Residents are acutely aware of the impact of such a site on their lives and of potential mitigation measures that would be required if the planning is to proceed having lived beside the significantly smaller construction site up until very recently.

Engagement with local residents and other local stakeholders is essential to ensure their concerns are addressed with appropriate and enforceable mitigation measures that need to be agreed prior to any granting of planning permission for the site.

At a minimum, consultation is required on:

- size of the site
- air quality / pollution monitoring
- dust mitigation
- storage of hazardous materials
- construction hours
- detailed noise mitigation measures, especially for evening hours
- definitive end to use of site
- window cleaning
- car cleaning
- road cleaning

Finally, of further concern is the impact of property and rental prices which will undoubtedly be impacted during the indeterminate construction phase and will need to be addressed through a time limited granting of permission for use of the site and not the open ended period currently under consideration. If that is not possible, agreement must be reached on financial compensation if there is a loss incurred on a sale / rental during the construction phase.

Thank you for taking the time to review this response and taking the observations into consideration.

Yours,

Adrian Young