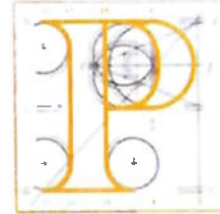


Our Case Number: ABP-316272-23



**An
Bord
Pleanála**

**Marcus Purcell & Family
67 Rathfarnham Road
Terenure
Dublin 6W
D6W P621**

Date: 25 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 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

Tel	Tel	(01) 858 8100
Glaó 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

Eimear Reilly

From: Marcus Purcell [REDACTED] >
Sent: Thursday 25 April 2024 14:42
To: Eimear Reilly
Subject: Re: Bus Connects - ABP - 316377-23 / ABP - 316272-23

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.

Eimear - Please see below

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Ref Case Numbers ABP – 316377-23 and ABP – 316272-23

Sir / Madam

Further to your letters dated 28 February 2024 in relation to the above 2 case numbers.

We were firstly disappointed with the decision not to hold oral hearings in relation to the significant matters that were raised in our submission and the submissions of many other concerned citizens. We hope this decision could be reconsidered.

With regard to the issues we raised in our submission and your response to them, we are not satisfied that they have been fully addressed and in particular the material issue of adherence to the Part M requirements and the lack of information and detailed provided to address the significant concern we have that due to the increased steepness of our driveways as a result of the proposed Bus Connects programme.

We enclose with this letter further analysis from our planning consultant Robert Nowlan which we feel requires a more detailed response from yourselves.

In summary we are very frustrated by the responses provided to our submission due to the lack of clarity in how these key issues are going to be addressed satisfactorily.

We await further detail response to our request.

Kind regards

Marcus Purcell & Family

Sent from my iPad

On 25 Apr 2024, at 14:36, Eimear Reilly <e.reilly@pleanala.ie> wrote:

Hi Marcus

Unfortunately, I could not open that file either, see below:

<image001.png>

Is it something that you could copy and paste into the body of an email instead?

Many thanks

Eimear

From: Marcus Purcell [REDACTED]
Sent: Thursday, April 25, 2024 1:55 PM
To: Eimear Reilly <e.reilly@pleanala.ie>
Subject: Re: Bus Connects - ABP - 316377-23 / ABP - 316272-23

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.

Eimear

Hopefully this will work

Marcus

Sent from my iPad

On 24 Apr 2024, at 09:08, Eimear Reilly <e.reilly@pleanala.ie> wrote:

Good afternoon Marcus

I refer to your email below and to its attachments.

Please note that your word document, shown below, is corrupted and could not be opened:

<image001.png>

If you wish for this document to be included in your submission, please ensure that you send an uncorrupted word doc or pdf version asap.

Many thanks

Eimear Reilly

From: LAPS <laps@pleanala.ie>

Sent: Thursday, March 28, 2024 3:52 PM

To: Eimear Reilly <e.reilly@pleanala.ie>

Subject: FW: Bus Connects - ABP - 316377-23 / ABP - 316272-23

From: Marcus Purcell [REDACTED]

Sent: Thursday, March 28, 2024 3:40 PM

To: LAPS <laps@pleanala.ie>

Subject: Bus Connects - ABP - 316377-23 / ABP - 316272-23

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.

Sir / Madam

Further to our ongoing correspondence please find attached a reply to the responses provided by the NTA to our submission in relation to the above case numbers.

We are not satisfied with the responses provided and seek further clarifications. Please find attached a letter and a supporting documents in that regard

Regards

Marcus Purcell & Family

Sent from my iPad

Kevin McGettigan

From: Eimear Reilly
Sent: Monday 8 April 2024 12:54
To: Kevin McGettigan
Subject: FW: Bus Connects - ABP - 316377-23 / ABP - 316272-23
Attachments: NRB Submission Letter to NTA 14 March 2024.pdf; Final Submission Dated March 2024.pdf; an bord pleanala letter.docx

Follow Up Flag: Follow up
Flag Status: Flagged

* Unable to print

From: LAPS <laps@pleanala.ie>
Sent: Thursday, March 28, 2024 3:52 PM
To: Eimear Reilly <e.reilly@pleanala.ie>
Subject: FW: Bus Connects - ABP - 316377-23 / ABP - 316272-23

From: Marcus Purcell <[REDACTED]>
Sent: Thursday, March 28, 2024 3:40 PM
To: LAPS <laps@pleanala.ie>
Subject: Bus Connects - ABP - 316377-23 / ABP - 316272-23

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.

Sir / Madam

Further to our ongoing correspondence please find attached a reply to the responses provided by the NTA to our submission in relation to the above case numbers.

We are not satisfied with the responses provided and seek further clarifications. Please find attached a letter and a supporting documents in that regard

Regards

Marcus Purcell & Family

Sent from my iPad

14 March 2024
19-042/VER

NRB Consulting Engineers Ltd
1st Floor
Apollo Building
Dundrum Road
Dundrum
Dublin 14

+353 1 292 1941
info@nrb.ie
www.nrb.ie

An Bórd Pleanála,
64 Marlborough St.,
Dublin 1
D01 V902

Sent by Email to Client Only

Dear Sirs/Madam,

TEMPLEOGUE/RATHFARNHAM TO CITY CENTRE - CORE BUS CORRIDOR SCHEME
REVIEW ON BEHALF OF #55, #59, #61, #63, #65, #67 & #71 RATHFARNHAM ROAD:
AN BÓRD PLEANÁLA REFERENCE ABP-316272-23

We previously prepared a submission to the NTA with regard to the impact of the proposed Bus Corridor Scheme on the above-referenced properties on Rathfarnham Road. A copy of the submission prepared by NRB is attached herein (Report dated 24th July 2023) for ease of reference.

We note the response now made to An Bórd Pleanála by the NTA. We reiterate our original assertion that one of the key issues affecting these properties is the potential breach of Part M regulations if the works are allowed to proceed as proposed.

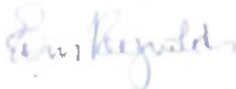
Additional information was sought from the NTA with specific dimensions, datums and cross sections, with this information requested on a 'before' and 'after' basis but this was not provided.

If there is no breach of Part M Regulations, as we believe there will be as set out in our submission of 24th July 2023, we suggest that it should be very easy for the NTA given their resources to unequivocally demonstrate same. They could easily provide **'before' and 'after' cross sections through the Residents properties from Rathfarnham Road to the boundary walls of each house clearly demonstrating Part M Compliance.** We are at a loss to understand why this was not provided by the NTA in the first instance, or formed part of the planning application, refer to the extract included below from our original submission:

"We would suggest that a comprehensive consequential design for pedestrian and vehicular access from the public road to the door of each house, that meets the Part M requirements, should be provided demonstrating to An Bord Pleanála and each resident that this has been adequately addressed"

We therefore request that ABP instruct, or request, the NTA to provide this information to these affected residents, as it is our considered opinion there may be a breach of the Part M regulations if proposals proceed as currently indicated in the current planning application.

Yours sincerely,

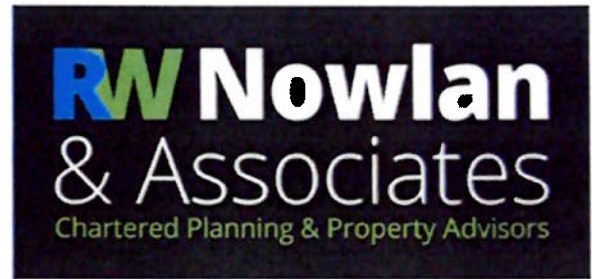


Eoin Reynolds
Chartered Engineer
Director

Enclosure – Copy NRB Report dated 24th July 2023



PROJECT NO. 67.06/2023



PLANNING RESPONSE

Submission on the proposed
construction of the Templeogue /
Rathfarnham to City Centre Core Bus
Corridor

ON BEHALF OF:

RESIDENTS OF NOS. 51-71,

RATHFARNHAM ROAD

DATE: MARCH 2024

1.0 INTRODUCTION

1.1 A submission was made on the proposed 'Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme' on behalf of the residents of the houses nos. 51 – 71, Rathfarnham Road. The National Transport Authority (NTA) prepared a report which contains the observations on this and other submissions that were made in relation to the scheme. This submission is in response to the invitation by An Bord Pleanála to make submissions or observations on the report 'NTA Observations on the Proposed Scheme Submissions.'¹ The submission is made on behalf of the residents of the houses nos. 51 – 71 which are located along the western side of this section of Rathfarnham Road.

2.0 GENERAL

2.1 The submission on behalf of the residents of nos. 51-71, Rathfarnham Road is listed in the report as submission no. 229 and a response to the submission is stated on page 707 of the report. This response refers to sections 2.1.1 and 2.3.3 of the report.

3.0 IMPACT ON TRAFFIC FLOWS AND CONGESTION

3.1 The submission on behalf of the residents stated that by introducing signal controlled priority for inbound and outbound direction buses at the junction to the south with Dodder Park Road and also at the junction outside no. 51 with Rathdown Park, it is likely that significant traffic congestion will result in the short stretch of Rathfarnham Road between these two junctions. This stretch is estimated to be ca. 260 m in length. As a result of the signal controlled priority for buses at the two locations, there is a risk that traffic will be held back in both directions at the junction with Dodder Park Road but also at the junction with Rathdown Park. If these traffic lights are not coordinated (which is impossible given the fact that there is a bus stop located on this stretch of road), there is a significant risk that cars would be let through at the junction to the south, only to be held back at the junction with Rathdown Park. This would result in traffic congestion south of the junction with Rathdown Park.

3.2 The response by the NTA is contained in section 2.3.3.5 of the report. However, this response does not deal with the specific issue raised in the submission and instead refers to a change in modal split and general reduction in car based traffic as a result of the proposed scheme. However, the submission related specifically to the short stretch of Rathfarnham Road between the junctions with Rathdown Park and Dodder Park Road. Along this section congestion is likely to result from the fact

¹ *NTA Observations on the Proposed Scheme Submissions*, December 2023.

that cars would be let through at the junction to the south, only to be held back at the junction with Rathdown Park. This would result in traffic congestion south of the junction with Rathdown Park.

3.3 A better solution would be if traffic was held back at the junction with Dodder Park Road (to allow buses to continue along Rathfarnham Road unhindered) but not at the junction with Rathdown Park. Rathdown Park is a local residential access road whereas Rathfarnham Road is a regional road and a key radial route into the city. It would therefore make sense to have longer green traffic light cycles for the inbound traffic along Rathfarnham Road which would also benefit buses. A signal-controlled priority treatment is therefore not necessary at this junction. For outbound traffic there is less of a problem given the distance of the nearest house (no. 71) to the signal priority-controlled junction with Dodder Park Road. **This suggestion is not commented in the NTA response report.**

4.0 GRADIENT OF PRIVATE DWELLING DRIVEWAYS

4.1 The submission stated that by removing part of the front gardens as proposed, there would be a risk that gradients of the driveways to the individual houses may become too steep.

4.2 The response by the NTA is contained in section 3.109.2 of the report and it is stated that: *...“the Proposed Scheme has been carried out so as to minimise impacts on adjacent properties and at this location is such that it will not result in any increase to the maximum driveway gradients at this property.”*²

4.3 Please note the attached letter by NRB Consulting Engineers. The additional information that was sought from the NTA has not been provided in the response document. This additional information would show specific dimensions, datums and cross sections on a ‘before’ and ‘after’ basis. If their assertion that no increase to the maximum driveway gradients will occur is correct, it should not be difficult to provide this information. **The additional information should be sought.**

5.0 REASON FOR SETBACK OF THE BOUNDARIES

5.1 The submission stated that it is not clear why a setback of the boundary wall with resultant loss of part of the front gardens is necessary. This is a disproportionate proposal relative to the benefits and outcomes that would result. The proposed set back of front boundary walls of gardens of houses

² NTA Observations on the Proposed Scheme Submissions, December 2023, p. 527.

nos. 51-71, Rathfarnham Road is not justified given the loss of mature gardens and the relatively limited benefit of a one way cycle lane where such a cycle lane is already in existence.

5.2 The submission point is summarised as follows: *...“unnecessary change providing no real gains to bus travel times.”*³ However, an adequate response by the NTA is lacking. It would appear that the response is considered to be the reference to the overall gains in travel times achieved with the proposed measures. However, the submission relates to a specific section of Rathfarnham Road where a bus lane already exists. A comparison was made in the submission between the cycle lane between Rathfarnham Village and a short distance south of the junction with Dodder Park Road where the proposed corridor scheme makes no provision for a dedicated cycle lane along Rathfarnham Road⁴, whereas such a dedicated cycle lane is considered necessary along the section of Rathfarnham Road between the junctions with Dodder Park Road and Rathdown Park. This inconsistency in approach is not explained in the documentation. By accepting the shared cycle lane with the bus lane along this section, the removal of a section of the front gardens of the houses would not be necessary. **The NTA report fails to make clear why a dedicated cycle lane is necessary here and not a short distance to the south along the same road.**

6.0 CONFLICT WITH DEVELOPMENT PLAN ZONING OBJECTIVE

6.1 The submission stated that the proposed set back of the front boundary wall and use of part of the existing front gardens of the houses on Rathfarnham Road for the widening of the road space, appears to be in material contravention of the development plan zoning objective. The houses plus gardens are zoned Z2 - Residential Neighbourhoods (Conservation Areas).⁵ The zoning objective is: *...“To protect and/or improve the amenities of residential conservation areas.”* The permissible uses nor open for consideration uses do not include the use of the land for transport related purposes.⁶ The proposed widening of the road space along the fronts of the houses nos. 51 – 71 would therefore be a material contravention of the Dublin City Development Plan.

6.2 This issue of alleged material contravention of the zoning objective of the development plan has not been referred to in the summary of the submission no. 229. **The issue of material contravention of the zoning objective appears to have been overlooked by the NTA.**

³ NTA Observations on the Proposed Scheme Submissions, December 2023, p. 707.

⁴ Environmental Impact Assessment Report, Vol. 1, General Arrangement Drawings, April 2023, sheets 3 and 4.

⁵ Dublin City Development Plan 2022-2028, Map H.

⁶ Dublin City Development Plan 2022-2028, p. 531.

7.0 LACK OF INTEGRATED ASSESSMENT OF ENTIRE BUS CONNECTS SCHEME

7.1 The submission stated that no integrated EIA analysis of the proposed corridors together has been presented in the application. As a result of the phased introduction of proposed measures under the Bus Connects improvement scheme, unintended effects particularly with respect to traffic impacts, may not be fully appreciated or understood as the Environmental Impact Assessment is carried out on sections of the scheme rather than the scheme in full.

7.2 The response by the NTA is contained in section 2.1.1.9 and states in essence that the impacts of all corridors in operation were assessed under the cumulative impacts section of the EIAR. Notwithstanding this claim, the question remains whether changes to the Kimmage to City Centre Core Bus Corridor that were proposed during the consideration of that scheme in the planning process, have been sufficiently considered in terms of their traffic impacts on the subject scheme. It is considered that an integrated EIA analysis of the proposed corridors together would be a more appropriate process to consider the environmental impacts, particularly traffic impacts, of each of the corridor schemes as part of an integrated project.

8.0 CONCLUSION

- **The proposed set back of front boundary walls of gardens of houses nos. 51-71, Rathfarnham Road is not justified given the loss of mature gardens and the relatively limited benefit of a one way cycle lane where such a cycle lane is already in existence. The NTA report fails to respond to this question why a widening of the road is necessary along this section of Rathfarnham Road given the fact that a shared cycle lane/bus lane is considered acceptable a short distance to the south. This inconsistency in approach requires clarification. The NTA report does not provide such clarification.**
- **The proposed set back of front boundary walls of gardens of houses nos. 51-71, Rathfarnham Road for the purpose of widening the road space of the road, would materially contravene the zoning objective under the Dublin City Development Plan 2022-2028. The NTA report fails to address this issue.**
- **The introduction of the signal-controlled priority measures that are proposed for junctions with Dodder Park Road and Rathdown Park are likely to lead to significant traffic congestion while the need for both priority measures is not made clear. The NTA report fails to refer to**

the specific point about the bus priority measures which can result in significant traffic congestion during traffic light cycles.

- The houses along Rathfarnham Road comprising nos. 51-71 are at a significantly higher level than the road. Information should be sought from the NTA on a 'before and after' basis to demonstrate that no increase in the driveway gradients to the houses will occur.
- As a result of the phased introduction of proposed measures under the Bus Connects improvement scheme, unintended traffic impacts may not be fully appreciated or understood as the Environmental Impact Assessment is carried out on sections of the scheme rather than the scheme in full.

Yours sincerely,



Robert Nowlan
Managing Director
RW Nowlan & Associates