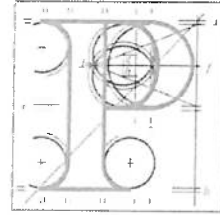


F
Our Case Number: ABP-316272-23



**An
Bord
Pleanála**

Maria Blair
10 Rathfarnham Wood
Rathfarnham
Dublin 14

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

AN BORD PLEANÁLA

LDG- _____
ABP- _____

26 MAR 2024

Fee: € _____ Type: _____

Time: 12:35 By: Hard

10 Rathfarnham Wood
Rathfarnham
Dublin 14

An Bord Pleanála (Strategic Infrastructure Division)
64 Marlborough Street
Dublin 1
D01 V902

316272/316377

20th March 2024

**BusConnects Templeogue / Rathfarnham to City Centre CBC
Objection to proposed Compulsory Purchase Order - 10 Rathfarnham Wood,
Rathfarnham, Dublin 14
Submission on (1) Planning Application in respect of and (2) Proposed CPO of
Woodland area of Rathfarnham Castle Park**

Dear Sirs,

I am writing in connection with the proposed CPO affecting the property belonging to my husband and I, which has been submitted to you for confirmation. Our house and our neighbours' are unusual in that they back onto the Grange Road and a section of extremely high value amenity area – private back garden – is proposed to be taken. On top of the issue of our property being compulsorily acquired, the level of disruption and environmental impact involved in knocking an excellent quality blockwork shed and a c. 3 metre high, high quality, granite faced wall are completely unnecessary and disproportionate. In addition to this, an excellent quality Whitebeam tree in our garden is proposed to be cut down as part of the works.

We wish to make this further submission in response to the NTA Response Documents in relation to both matters listed above – refs ABP-316272 and ABP-316377.

1. Lack of proper consideration of options

Firstly, we are appalled by the statement on page 247 of the CPO Response Document that:

*“With regards to the option of acquiring land from properties on the southern side of Grange Road between Butterfield Avenue/Rathfarnham Road junction and Nutgrove/Grange Road junction **the landtake would have impacted significantly more properties and as such was not considered.**”*

Surely, given the importance of Rathfarnham Castle Park's Woodland area as evidenced by the numerous perspectives outlined in the extensive Rathfarnham Wood Residents' Association (RWRA) submission and many other submissions including our own, any reasonable alternatives such as taking land from the opposite side of the road should at least have been considered.

While we maintain that the existing road width is sufficient in any event, it is quite incredible that this very basic level of due diligence was not undertaken. **Accordingly, the NTA did not undertake a**

proper analysis or consideration of the area and their decision to seek to CPO both part of our garden and a large section of the Park was fundamentally flawed and should not be confirmed.

2. Importance of the Park not appreciated

There is a constant thread running through all of the NTA Responses of a lack of appreciation of the importance of the Woodland area and Rathfarnham Castle Park generally to the local community. This is so wrong. It is locally significant for a range of reasons – it is a diverse wildlife habitat, it is a home for numerous protected species, it contains an open watercourse which is a sensitive hydrological resource. It is also a highly valued natural play space for local autistic children, for whom it meets sensory needs which other play spaces do not. All of these issues have been extensively explained by RWRA, other local residents and groups, as well as the Autism advocacy groups AsIAm – the national autism charity and Involve Autism. Yet the NTA has apparently not taken any of this information on board.

Every effort should be made to minimise any impact on the Park and its Woodland, where an alternative approach is reasonably available. This approach is being taken in relation to other areas. For example, in relation to the suggestion of cyclists potentially sharing bus lanes, the NTA dismissively states that “there are specific reasons” (pg 247 of CPO Response) for this approach being taken in other locations. The NTA does not appear to understand that very substantial “specific reasons” are also present here. So many submissions have highlighted the central significance of the Woodland area of Rathfarnham Castle Park in the local area.

Here, the construction works will cause catastrophic environmental consequences throughout the entire Park, including the loss of a successful breeding habitat for many protected species. Also, a highly valued sensory space will be taken from the local autistic community. Accordingly, we would feel that this is precisely the type of situation which should be regarded as giving rise to “specific reasons” whereby it would be appropriate for cyclists to share bus lanes, to give one example.

3. Status of the Park as a breeding habitat for protected species finally acknowledged

The NTA Planning Response [pg 93] belatedly acknowledges that **“Rathfarnham Castle Park has not previously been identified as an ex-situ site for Special Conservation Interest wintering birds, but does nonetheless support wintering birds such as ducks, moorhens and some SCI gulls.”** This is a response to the extensive evidence provided by RWRA and others regarding the large variety of protected species inhabiting the Park. It confirms once more that the Park was not originally properly assessed in the EIAR.

There is acceptance on page 248 of the CPO Response that Rathfarnham Castle and Park are “community noise sensitive locations” close to the road edge. Yet despite this, it is proposed that there will be road widening, road reconstruction and utility diversion works and boundary wall (3m high) knocking and reconstruction. All of this will have a devastating impact on wildlife in the Park.

The EIAR notes that the noise, vibration, increased human presence and visual deterrent of construction traffic associated with site clearance and construction is “likely to **displace breeding birds from habitat areas adjacent to the footprint of the Proposed Scheme**”.... “All areas within **250m** of the Proposed Scheme will be subject to construction activities which generate noise levels greater than 50dB (e.g. piling, rock-breaking, etc.) These activities will result in a greater magnitude

of effect on the baseline environment. As a result, noise and vibration from these activities, will have the potential to result in the **reduced breeding success of breeding bird species** in the vicinity of the works....” (Planning Report pg 445, extracted from Ch 12 EIA.)

Similarly, the NTA CPO Response [pg 65] acknowledges that “In relation to breeding birds there is a **likely significant residual effect at the local geographic scale (habitat loss, disturbance / displacement).**” Similarly, the CPO Response [pg 66] indicates that there will be a **significant negative effect on the conservation status of breeding birds** at the local geographic scale.

Again, there is a dismissive approach given in relation to wintering birds in the Park:

“None of the construction activities proposed would be expected to result in any more than a moderate level of disturbance effect on wintering birds at distances beyond 250m”.

However the entire Park is located within a distance of 250m of the boundary wall! Therefore the **entire Park** will be subject to very significant disturbance due to these works. Again, there is no appreciation of the impact of the works on this particularly sensitive wildlife habitat.

There are similar dismissive comments on page 251, that:

*“these impacts will not affect the conservation status of breeding bird species and will not result in a negative effect, **above the local geographic scale.**”*

This comment encapsulates the entire problem with the NTA’s approach. Rathfarnham Castle Park is very important at the local geographic scale. Naturally, as a small local park, it is insignificant at a national level. However to the local residents and many others, it is a very much used and valued public amenity. The Park was not even properly assessed from an environmental perspective, to the extent that the existence of the River Glin was not even suspected (please see original RWRA submission). That demonstrates the appalling level of disregard and disinterest shown towards it.

4. Impact of the CPO on our own back garden

It is proposed that a section of our own secure, private, south facing, back garden will be taken for road widening works. Our house and our neighbours’ are unusual in that they back onto the Grange Road and a section of extremely high value amenity area – a secure, private back garden – is proposed to be taken.

On top of the issue of our property being compulsorily acquired, the level of disruption and environmental impact involved in the proposals are completely excessive and disproportionate. We have an excellent quality blockwork shed at the end of our garden, as well as the Whitebeam tree already mentioned. The wall at the end of the garden is a c. 3 metre high, exceptionally high quality, granite faced wall which is in perfect condition and should not be knocked.

5. Extending the bus corridor past the Park does not make sense

Rathfarnham Castle Park (and our garden) are situated at the very end of this bus corridor. Neither of the two roads onto which the buses will continue are capable of being widened. There is no material delay to the S6 or the current 16 arising from this particular 450m section of road. Even if there were, the presence of a bus lane would simply shift that minimal delay to the immediately

following narrow sections of Grange Road (in respect of the proposed A2) and Nutgrove Avenue (in respect of the S6 and proposed A4). In practice, very few passengers alight at any stop between Butterfield Avenue and Nutgrove Avenue.

Also, the general outbound traffic naturally diverges both at the Butterfield Avenue and Willbrook Road junctions, so that substantially less outbound traffic actually passes the Park than travels along the Rathfarnham Village by-pass. This means that, although the outbound S6, A2 and A4 will continue to pass the Park, the amount of general traffic with which they will share the road will be far less than the traffic up to the Butterfield Avenue junction.

Therefore the NTA contention that this supports the rationale for the bus corridor being extended to the Nutgrove Avenue junction does not hold water. [pg 88 of Planning Response] In practice, the amount of traffic here is substantially less than at other outbound stretches along this corridor, which gives the opportunity to save the Woodland area. (I am only referring to outbound buses here as there is already an inbound bus lane passing the Park.)

Again, buses will not have any priority after the Nutgrove Avenue / Rathfarnham Wood junction in any event, as there is simply no space to widen the road or allow any other measures. Therefore the bus priority provided by this short stretch of bus corridor will be minimal and very short-lived in any event – the buses will simply merge with general traffic a short distance further on. There is precedent in shortening a proposed bus corridor – the Clongriffin route.

Once again, the bus corridor should terminate at the Rathfarnham Village bypass, with a signal controlled priority light for outbound buses at the junction with Butterfield Avenue. The >15 metre road behind our house and the Park is sufficiently wide to accommodate the remainder of the requirements, especially given the extreme importance of not interfering with the Woodland area and River Glin from an environmental perspective. The Park and in particular the Woodland area must be protected for future generations – both wildlife and human.

Yours faithfully,

Maria Blair
Maria Blair