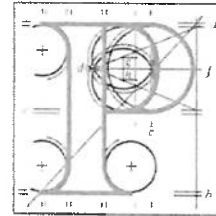


Our Case Number: ABP-316272-23



**An
Bord
Pleanála**

Peter Lynch
55 Rathfarnham Road
Terenure
Dublin 6W

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

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
Glaio Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

From: LAPS
Sent: Tuesday 26 March 2024 13:39
To: Peter Lynch
Subject: RE: Proposed Compulsory Purchase Order - ABP 316377 - Plot No. 1026 - Peter Lynch (55 Rathfarnham Road, Dublin 6W)

Good afternoon Peter

I acknowledge receipt of your email. A formal acknowledgement will issue by post.

Kind regards

Eimear

From: Peter Lynch <[REDACTED]>
Sent: Tuesday, March 26, 2024 11:49 AM
To: LAPS <laps@pleanala.ie>
Cc: Peter Lynch <[REDACTED]>
Subject: Proposed Compulsory Purchase Order - ABP 316377 - Plot No. 1026 - Peter Lynch (55 Rathfarnham Road, Dublin 6W)

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 Sirs,

Further to your recent letters dated 23rd February 2024 sent to me, please find attached documentation in respect of my submission to the submission made by the NTA in respect of the above dated 20th December 2023.

In this respect, the following documents are attached.

1. Submission letter dated 23rd March 2024.
2. Updated Planning Consultant Response – RW Nowlan Planning Consultants dated March 2024.
3. Updated Engineers letter – NRB Consulting Engineers dated 14th March 2024.
4. Copy letter dated 10th August 2023 objecting to the CPO.
5. Copy letter dated 10th August 2023 objecting to the proposed planning scheme.
6. Copy Planning Submission -RW Nowlan Planning Consultants dated July 2023.
7. Copy Engineers Report – NRB Consulting Engineers dated 24th July 2023.

You might confirm safe receipt of this information.

Many thanks

Peter

Peter Lynch MSCSI MRICS
Director
PSRA No. 004303 – 002921

51/52 Fitzwilliam Square, Dublin 2

Tel. [REDACTED]

p [REDACTED]



AN BORD PLEANÁLA
LDG- _____
ABP- _____
26 MAR 2024
Fee: € _____ Type: _____
Time: 13.45 pm By: Hancl.

Peter Lynch
55 Rathfarnham Road
Terenure
Dublin 6W

23rd March 2024

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

**Re: Templeogue/Rathfarnham to City Centre Bus Corridor – ABP 316272-23
Plot No. 1026 – 55 Rathfarnham Road, Terenure, Dublin 6W**

Dear Sirs,

I refer to your recent letters inviting me to make a submission to the submission received from the National transport Authority (NTA) dated 20th December 2023 in respect of the road development application and compulsory purchase order relating to the above.

Firstly, I am extremely disappointed and indeed perplexed that the Bord have elected not to hold an Oral hearing in respect of the proposed CPO/Planning Application, particularly due to the significant adverse effect proposals will have on my own property, those of my neighbours and the general community. The proposals are disproportionate, a breach of the Development Plan and Environmental legislation (local and European) together with current Building Regulations.

The NTA have failed to address any of the issues raised in my previous objections in any cogent, constructive or adequate manner and their flippant and somewhat arrogant and vague response is quite frankly insulting. Moreover, it would appear from reviewing the various submissions from all the other affected parties along the corridor that in no instance have the NTA accepted that they may have erred in their initial proposals. This is staggering in the extreme.

My previous objections still stand as the NTA have failed to provide any factual evidence to support any defence to these objections. In particular, it should be noted that despite numerous requests the NTA would not provide accurate drawings, cross sections, datum points etc. demonstrating on a “before and after” basis the impact of the CPOs on the properties along the Road from Dodder Bridge to the entrance to Rathdown Park. The information forming part of the initial planning application and proposed CPO is grossly inadequate and lacks any precision or detail. Based on the proposed land take and current regulations there will undoubtedly be a breach of the Part M regulations which is a direct ground for a Planning refusal and a decline of the CPO. What the NTA appear to be suggesting is that this will all be okay when finished despite showing no accurate documentary evidence to support their contention. As a Chartered Surveyor with

considerable experience in this area and CPO, this is not the case and can't be achieved unless the Rathfarnham road is raised significantly in height which in itself creates a myriad of additional problems which have not been considered in the proposed Planning Application or CPO. What concerns me, my neighbour's and the wider Community most is that if the CPO is approved, the works will be undertaken and at this stage the NTA will suggest that they made an error in initial calculations. This will be too late, and our properties and the fabric of Terenure Village will be irrevocably destroyed.

Moreover, the NTA have still failed to address the cumulative environmental effect of the other corridors proposed on the Rathfarnham Road. Although Environmental Impact assessments may have been undertaken on the various corridors in isolation they have completely ignored the direct cumulative impact to the Rathfarnham Road through diversions of traffic from other corridors (two directly impact the Rathfarnham Road) such as Bus gates, traffic restrictions etc. Moreover, these other Plans have not yet been approved and may yet be modified which may result in additional detrimental impacts.

On these two issues alone, there are ample grounds for a refusal of the CPO ignoring the other factors and the disproportionate proposals relative to what may be achieved as well as the breaches of the Development Plan.

For your information, I attach two updated responses from our consultants Robert Nowlan and NRB Consulting Engineers which outline their response to the latest NTA submission. In addition, for your convenience, I also attach a copy of my previous objection and associated documentation which as indicated above the contents/contentions of which still stand. The entire suite of documentation together with this letter should be considered as part of my current objection to what is being proposed and in response to the NTA's submission dated 20th December 2023.

Accordingly, I would urge you to consider independently the actual facts, proposals and the lack of comprehensive detail supporting the NTA's case and refuse the proposed CPO / Planning Application affecting my property and those along the corridor from Dodder Bridge to the entrance to Rathdown Park. If the proposals were to be approved as indicated, I am in no doubt there would be firm grounds for Judicial Review and/or appeals to the European Courts on what is fundamentally a flawed proposition in respect of the current scheme on our properties.

Yours faithfully,



Peter Lynch

14 March 2024
19-042/A/ER

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.

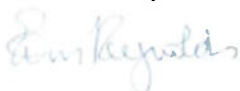
Additional information was sought from the NTA with specific dimensions, datums and cross sections, with this information requested on a 'before' and 'after' basis but this was not provided.

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

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

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- 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

Peter Lynch
55 Rathfarnham Road
Terenure
Dublin 6W

10th August 2023

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

Re: Templeogue/Rathfarnham to City Centre Bus Corridor – ABP 316377-23
Plot No. 1026 – 55 Rathfarnham Road, Terenure, Dublin 6W

Dear Sirs,

I wish to submit my objection to the proposed land take (CPO) at 55 Rathfarnham Road, Terenure, Dublin 6W to facilitate the proposed scheme at the above. I would also request an oral hearing be convened to examine the serious consequences of what is being proposed.

The proposed planning application in respect of this Bus Corridor is fundamentally flawed, particularly in respect of my own property and those situated in the block extending from 51-71 Rathfarnham Road i.e. from Pearse Bridge to the Rathdown entrance junction.

For your information, please find attached two reports, one from RW Nowlan & Associates and the other from NRB Consulting Engineers outlining a number of the concerns and flaws with the proposals. In the event that any overall planning application were granted, albeit with conditions, the proposed scheme should be modified to remove any proposed Compulsory Purchase proposals in respect of my property and those located in the overall block. These proposed CPO's are unnecessary, disproportionate and fail to satisfy any reasonable criteria for their inclusion.

There has been a complete lack of information available from the NTA/Bus Connects in respect of the proposed CPO's. I have, like several of my neighbours on several occasions written to the NTA/Bus Connects seeking detailed dimensioned scaled drawings with associated datum points and cross sections showing the before and after proposals but on every occasion the NTA/Bus Connects would not release this information despite their consultants, Ove Arup having already prepared such information. This is wholly unsatisfactory and something as a Surveyor/CPO expert I have never encountered in over 35 years working in the profession.

Irrespective of the lack of detailed information being made available by the NTA/Bus Connects there are a number of fundamental issues with what is being proposed and indeed the proposed CPO's along our stretch of Road which directly affect my property. A sample of

these concerns, apart from the ones included in the attached reports may be summarised as follows:

1. There has been a complete lack of an integrated assessment of the overall scheme, rather each corridor appears to have been considered in isolation ignoring the cumulative effects of measures in one corridor on another. In respect of the subject corridor this creates a serious issue as it is directly affected by the proposals along two other corridors including the Kimmage to City Centre one.
The Environmental Impact Assessment Report (EIAR) for the subject corridor is therefore fundamentally flawed as the data and assessment has ignored the other corridors and as such failed to recognise the increases in traffic that will be generated along with environmental factors such as noise and pollution etc. Under EU legislation the subject EIAR would be dismissed as being inadequate and not fit for purpose.
2. The proposals fail to protect the fabric and existing built up environment of Terenure Village. They are particularly damaging to existing residential amenity, trees, wildlife and fauna in the area. They are in breach of numerous policies and development control criteria of the Dublin City Development Plan with respect to Villages and other factors. Moreover, the proposed CPO's along our block will be a direct breach of Part M of the building regulations which is an absolute ground for rejection. This is particularly concerning for the elderly residents along this block from 51-71 Rathfarnham Road.
3. The proposed CPO in respect of my property and that of my neighbours, merely to create a cycle lane for less than 100 metres, is wholly disproportionate for what might be achieved relative to the associated destruction of property, the environment, cost and breaches of both the Development Plan and Building Regulations.
Moreover, the proposals are extremely short-sighted with little consideration for alternatives (better use of the new Greenway), despite the NTA's assertions alternatives were considered which is clearly not the case. There would be a complete destruction of the current environment for a short cycleway whereas other parts of the Village and indeed roads accessing the Village (e.g. Terenure Road East) will continue to use and operate shared cycleways. The status quo and existing arrangements should be maintained along our stretch of road.
If these CPO'S are granted, including the one proposed at 55 Rathfarnham Road the NTA/Bus Connects and indeed the Bord will leave themselves seriously exposed to Judicial Review and challenges to the various higher level courts of the EU.

Accordingly, I would urge the Bord to consider the above and attached and refuse to grant the proposed CPO in respect of 55 Rathfarnham Road, recognising that is not appropriate, disproportionate and in breach of the Development Plan and Building Regulations together with EU regulations on environmental issues.

Yours faithfully,

Peter Lynch

Peter Lynch
55 Rathfarnham Road
Terenure
Dublin 6W

10th August 2023

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

**Re: Templeogue/Rathfarnham to City Centre Bus Corridor – ABP 316272-23
Plot No. 1026 – 55 Rathfarnham Road, Terenure, Dublin 6W**

Dear Sirs,

I wish to submit my objection to the proposed Planning Application in respect of the above corridor with respect to the proposals directly affecting my property at 55 Rathfarnham Road, Terenure, Dublin 6W together with the other properties stretching from 51-71 Rathfarnham Road inclusive.

The proposed planning application in respect of this Bus Corridor is fundamentally flawed, particularly in respect of my own property and those situated in the block extending from 51-71 Rathfarnham Road i.e. from Pearse Bridge to the Rathdown entrance junction.

For your information, please find attached two reports, one from RW Nowlan & Associates and the other from NRB Consulting Engineers outlining a number of the concerns and flaws with the proposals. In the event that any overall planning application were granted, albeit with conditions, the proposed scheme should be modified to remove any proposed Compulsory Purchase proposals in respect of my property and those located in the overall block with the maintenance of the current shared cycle/bus route. The proposed CPO's/works are unnecessary, disproportionate and fail to satisfy any reasonable criteria for their inclusion.

There has been a complete lack of information available from the NTA/Bus Connects in respect of the proposed CPO's and what is being proposed along this carriageway. I have, like several of my neighbours on several occasions written to the NTA/Bus Connects seeking detailed dimensioned scaled drawings with associated datum points and cross sections showing the before and after proposals but on every occasion the NTA/Bus Connects would not release this information despite their consultants, Ove Arup having already prepared such information. This is wholly unsatisfactory and something as a Surveyor/CPO expert I have never encountered in over 35 years working in the profession.

Irrespective of the lack of detailed information being made available by the NTA/Bus Connects there are a number of fundamental issues with what is being proposed and indeed the proposed CPO's along our stretch of Road which directly affect my property. A sample of these concerns, apart from the ones included in the attached reports may be summarised as follows:

1. There has been a complete lack of an integrated assessment of the overall scheme, rather each corridor appears to have been considered in isolation ignoring the cumulative effects of measures in one corridor on another. In respect of the subject corridor this creates a serious issue as it is directly affected by the proposals along two other corridors including the Kimmage to City Centre one. The Environmental Impact Assessment Report (EIAR) for the subject corridor is therefore fundamentally flawed as the data and assessment has ignored the other corridors and as such failed to recognise the increases in traffic that will be generated along with environmental factors such as noise and pollution etc. Under EU legislation the subject EIAR would be dismissed as being inadequate and not fit for purpose.
2. The proposals fail to protect the fabric and existing built up environment of Terenure Village. They are particularly damaging to existing residential amenity, trees, wildlife and fauna in the area. They are in breach of numerous policies and development control criteria of the Dublin City Development Plan with respect to Villages and other factors. Moreover, the proposed CPO's along our block will be a direct breach of Part M of the building regulations which is an absolute ground for rejection. This is particularly concerning for the elderly residents along this block from 51-71 Rathfarnham Road.
3. The proposed CPO in respect of my property and that of my neighbours, merely to create a cycle lane for less than 100 metres, is wholly disproportionate for what might be achieved relative to the associated destruction of property, the environment, cost and breaches of both the Development Plan and Building Regulations. Moreover, the proposals are extremely short-sighted with little consideration for alternatives (better use of the new Greenway), despite the NTA's assertions alternatives were considered which is clearly not the case. There would be a complete destruction of the current environment for a short cycleway whereas other parts of the Village and indeed roads accessing the Village (e.g. Terenure Road East) will continue to use and operate shared cycleways. The status quo and existing arrangements should be maintained along our stretch of road.

Accordingly, I would urge the Bord to consider the above and attached and refuse to grant the proposed CPO's/Works in respect of 51-71 Rathfarnham Road, recognising that is not appropriate, disproportionate and in breach of the Development Plan and Building Regulations together with EU regulations on environmental issues.

Yours faithfully,

Peter Lynch

24 July 2023
19-042/ER

Core Bus Corridor Project,
National Transport Authority,
C/O Residents of,
55, 59, 61, 63, 65, 67 & 71 Rathfarnham Rd.,
Terenure,
Dublin 6W.

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:
BASED ON AVAILABLE DESIGN DETAILS AND TOPOGRAPHICAL SURVEY

NRB Consulting Engineers Ltd are specialist in the field of Traffic/Transportation and Roads and we do not offer expertise in other areas of Consulting Engineering. Further details of our expertise are available on our website. This Report has been prepared in full by Eoin Reynolds, a Chartered Engineer with over 33 years-experience in the area of Traffic/Transportation and Roads and a Director of NRB Consulting Engineers Ltd.

We do not address herein the technical, environmental or capacity matters associated with the proposed Corridor. Nonetheless, given the likely huge cost, disruption, limited benefits and the environmental effects we are surprised that an underground alternative to a Bus Corridor does not appear as being vigorously pursued by the NTA.

We have reviewed the proposed design of the Bus Corridor, based on the relatively scant design information available from the Statutory Application documentation, supplemented by a Topographical Survey previously commissioned by NRB on behalf of the Residents.



This submission focuses on the resulting changes to the gradients on the approaches to the residential houses as a result of the Bus Connects plans, and the implications in terms of the Mandatory Part M, National Building Regulations.

As far as we can see, the only levels information provided in the documentation is a "Crown Line" level along the proposed route 'centreline'. No information appears to be available to Residents to enable them to clearly determine the effects on their properties or the medium terms implications for accessibility. No levels information is provided to residents.

In terms of the impact upon individual residences along the route, given the scant information provided within the statutory documents and the planning application we have had to assume some typical design details (gradients and details which would normally apply to schemes of this nature, with the assumed gradients as illustrated below as **Figure 1**).

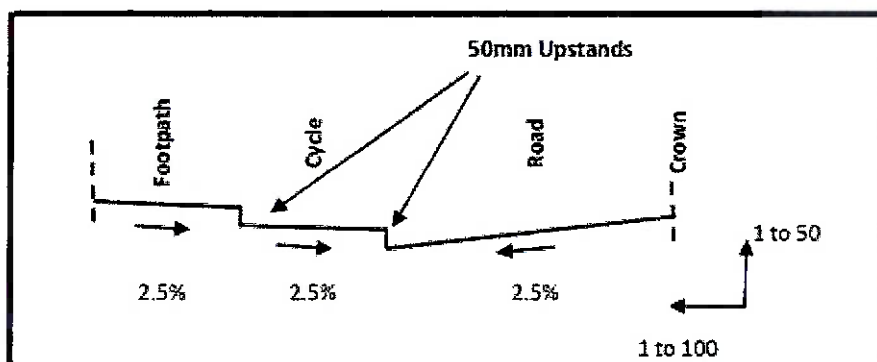


Figure 1 – Details assumed for the Purposes of this Study

We have used the Permanent CPO Land-take drawings and the property widths along the corridor to calculate the depth of land-take at each property.

We include below a 'Before' and 'After' Cross Sectional Profile for each Property.

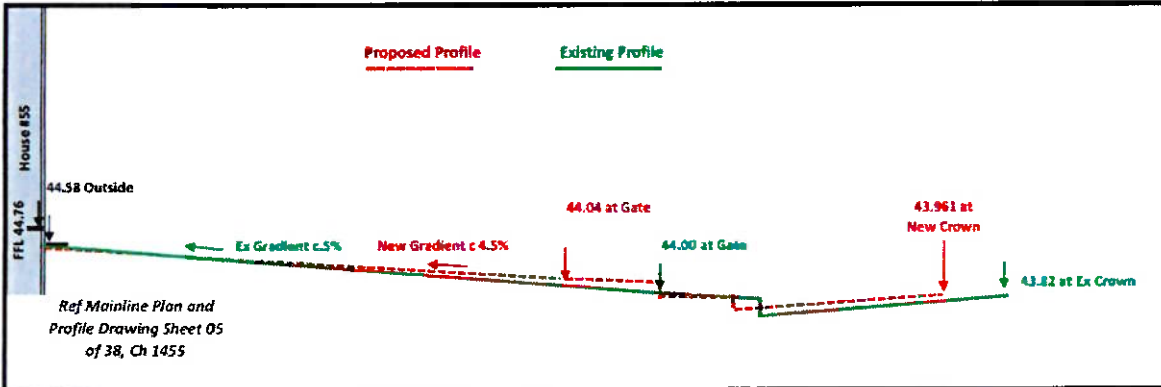


Figure 2 – Profile for #55 Rathfarnham Road

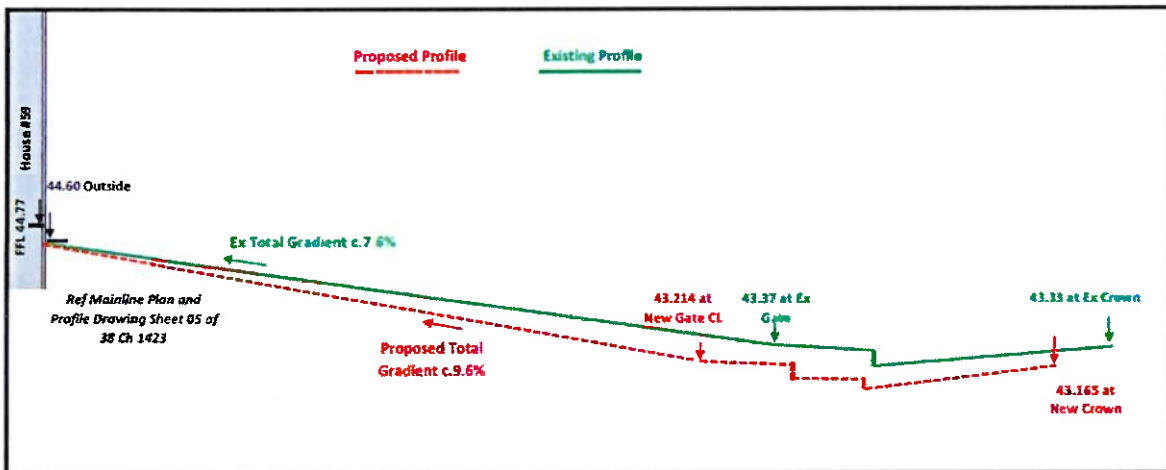


Figure 3 – Profile for #59 Rathfarnham Road

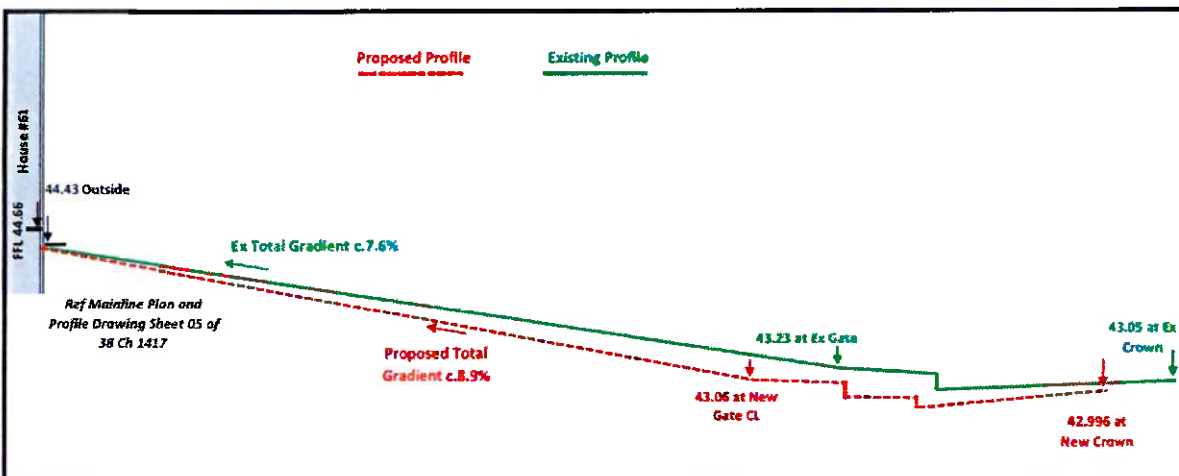


Figure 4 – Profile for #61 Rathfarnham Road

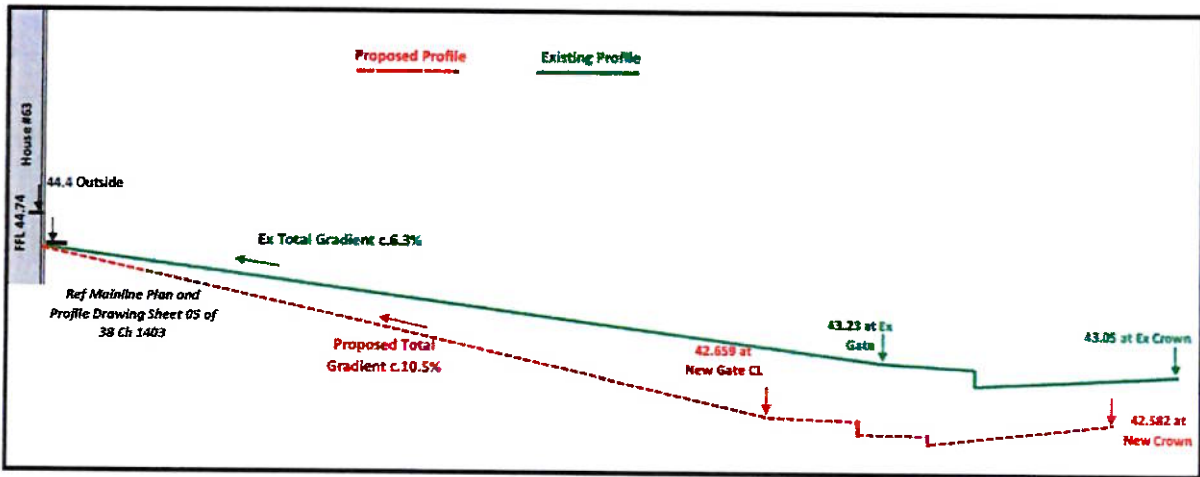


Figure 4 – Profile for #63 Rathfarnham Road

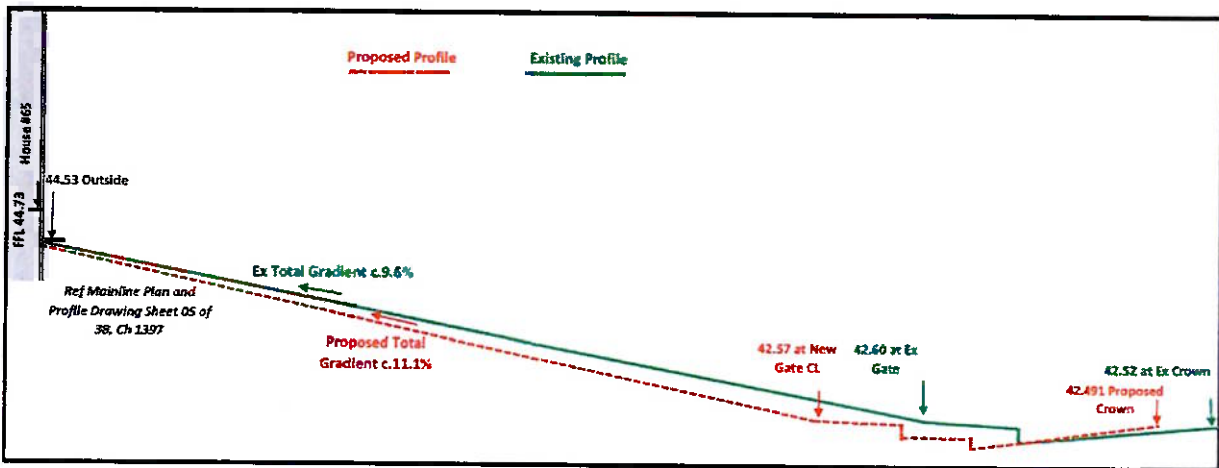


Figure 5 – Profile for #65 Rathfarnham Road

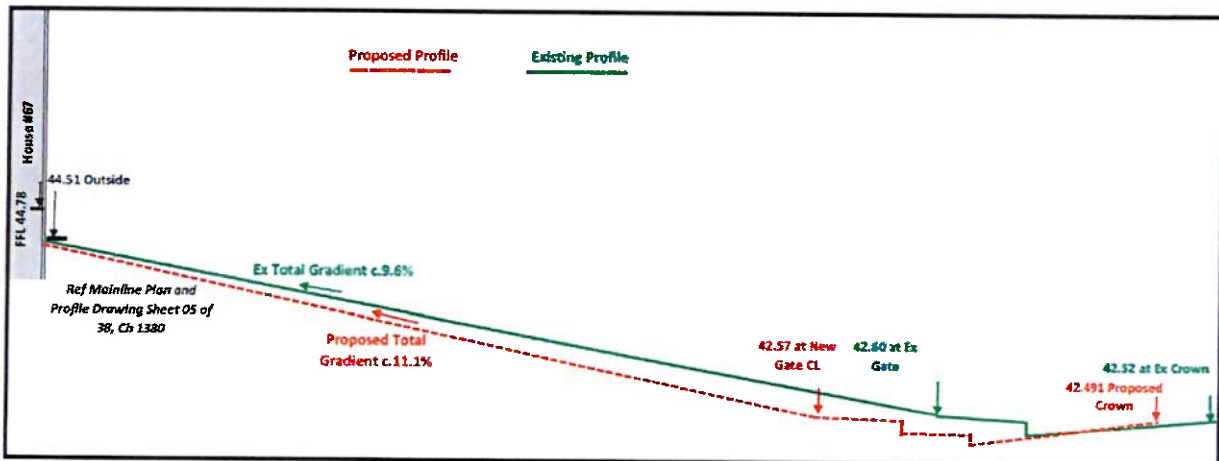


Figure 6 – Profile for #67 Rathfarnham Road



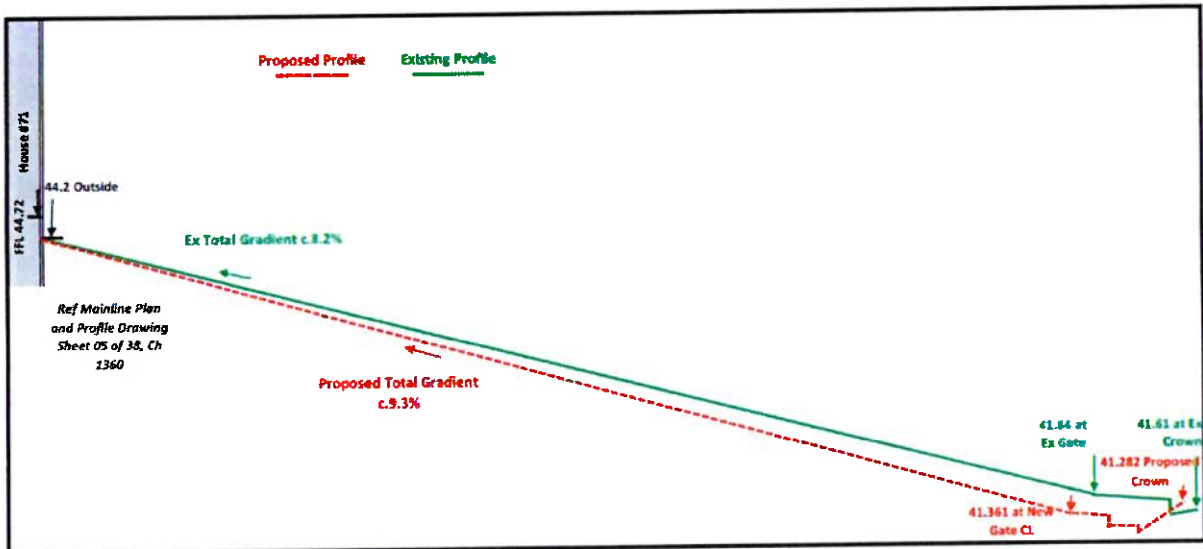


Figure 7 – Profile for #71 Rathfarnham Road

We include below the Summary Table of the comparison of the gradients currently versus post Bus Corridor for each Residence.

Table 1 – Summary of Design Review of Access Gradients

House Details	Current Total Gradient ¹	Future Total Gradient ²	Comment
55 Rathfarnham Rd	5%	4.5%	Improvement
59 Rathfarnham Rd	7.6%	9.6%	Significantly Steeper
61 Rathfarnham Rd	7.6%	8.9%	Significantly Steeper
63 Rathfarnham Rd	6.3%	10.5%	Significantly Steeper
65 Rathfarnham Rd	9.6%	11.1%	Significantly Steeper
67 Rathfarnham Rd	10.6%	13.6%	Significantly Steeper
71 Rathfarnham Rd	8.2%	9.3%	Steeper

1 – Measured from the existing vehicular gate threshold level to the house doorway ex ground level
 2 – Using Provided Crown level to interpolate the Future gate threshold level



Part M, the Statutory National Building Regulations specifically states; -

"An extension or a material alteration of a dwelling must not make the building, as a whole, less satisfactory in relation to Part M than it was before. This means an extension or a material alteration of a dwelling need not itself comply with Part M, but it must not result in the dwelling being less compliant than it previously was"

This extract is taken from Page 12 of the National Statutory Document, reproduced exactly below as **Figure 8**....

The Requirements of Part M do not apply to works in connection with extensions to and the material alterations of existing dwellings, provided that such works do not create a new dwelling. However, an extension or a material alteration of a dwelling must not make the building, as a whole, less satisfactory in relation to Part M than it was before. This means an extension or a material alteration of a dwelling need not itself comply with Part M, but it must not result in the dwelling being less compliant than it previously was;

Extract P12 Part M

Figure 8 - Part M Extract Referring to Residential Dwellings
Page 4 of 5

We conclude that the Bus Connect plans (as per the Planning Application, based on the design data provided) appear to result in a significantly steeper approach to the majority of the subject dwellings, clearly contravening National Building Control Regulations.

Based on our Design Review, it would therefore appear clear to us that an adequate detailed 3-D design that fully explores the implications for accessibility to the subject houses has **NOT** been undertaken by Bus Connects and/or their agents.

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.

Such failure to properly assess, detail and design, and subsequently accurately cost Public Infrastructure Projects from the outset has proven to be problematic in the recent past in terms of the medium to longer term cost implications for the Taxpayer.

Yours sincerely,



Eoin Reynolds
Chartered Engineer
Director



PROJECT NO. 67.06/2023



PLANNING SUBMISSION

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, TERENURE, DUBLIN 6W.

DATE: JULY 2023

1.0 INTRODUCTION

1.1 This submission has been prepared in response to the invitation by the National Transport Authority to make submissions or observations on the proposed 'Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme'. The Scheme forms part of the Bus Connects project for the city. This submission is specifically related to the section of the Scheme that is located between the junctions of Rathfarnham Road with the Dodder Park Road to the south and the junction of Rathfarnham Road with Rathdown Park to the north. 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 details of the scheme for the section of roadway along the frontages of house nos. 51-71, are shown on drawing sheets 4 and 5.¹ Compared to the current situation along the stretch of Rathfarnham Road in front of the sites of house nos. 51-71, the proposals will result in the following changes:

1. Removal of left hand turning lane into Rathdown Park outside house nos. 51-53
2. Dedicated cycle lane to replace shared cycle/bus lane outside house nos. 51-71
3. Compulsory acquisition and loss of land to enable set back of boundary wall outside house nos. 51 -71 to facilitate a cycle lane
3. New boundary treatment to match existing outside house nos. 51-71
4. Signal controlled priority for buses outside no. 51.

2.2 This submission questions the necessity and benefit of the setting back of the boundary wall along the front gardens of the house nos. 51-71 on the basis that this setback does not facilitate an additional bus lane but rather a cycle lane where such a cycle lane is already available as a shared bus/cycle bus.

2.3 In addition, it is considered that the introduction of the signal controlled priority measures that are proposed for junctions to the south and north of this section of road, may lead to significant traffic congestion while the need for both priority measures is not made clear. The consequences of

the proposed measures on increased traffic congestion cannot be properly understood in the absence of an integral consideration of the total of the Bus Connects scheme proposals in the broader locality rather than just those in the proposed corridor in isolation.

3.0 LACK OF INTEGRATED ASSESSMENT OF ENTIRE BUS CONNECTS SCHEME

3.1 The proposed bus corridor scheme forms part of the Bus Connects project to create an improved bus transport network for the City of Dublin. The National Transport Authority (NTA) has decided to introduce the new network on a phased basis.² While the reasons for such a phased basis are understood (*...to ensure smooth and efficient delivery of the full benefits for all bus users, while at the same time ensuring the network is responsive and flexible as the city grows and people's needs evolve*)³ it is a consequence of this approach that unintended effects may not be fully appreciated or understood as the Environmental Impact Assessment is carried out on individual Bus Connect route sections of the scheme rather than the scheme in full.

3.2 For example, one can be concerned that there is no traffic modelling included in the documentation that shows the combined effects of the intended alterations to road traffic flows/diversions etc for the south, southwest and west of the city. There appears to be no integrated analysis for the subject Templeogue/Rathfarnham Scheme together with the Kimmage Scheme. Other corridor schemes as they are introduced on a phased basis are likely to have consequences for traffic volumes on the subject section of road space which would further add to the traffic congestion on this section.

3.3 The EIAR (traffic and transportation) fails to take into account the interaction of the Kimmage to City Centre corridor with the Templeogue/Rathfarnham Scheme. These corridors/schemes cannot and should not be considered independently as impacts of Bus Gates, traffic restrictions and rerouting significantly affect the broad areas of these corridors - cannot and should not be assessed in isolation. No integrated EIA analysis of these proposed corridors together has been presented in this application.

¹ *Environmental Impact Assessment Report*, Vol. 1, General Arrangement Drawings, April 2023, sheets 4 and 5.

² *New Dublin Area Bus Network, Summary Document*, NTA, September 2020, p. 9.

³ *New Dublin Area Bus Network, Summary Document*, NTA, September 2020, p. 9.

4.0 IMPACT ON TRAFFIC FLOWS AND CONGESTION

4.1 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.

4.2 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.

5.0 GRADIENT OF PRIVATE DWELLING DRIVEWAYS

5.1 The houses along Rathfarnham Road are at a significantly higher level than the road. Removing part of the front gardens as proposed, creates a risk that gradients of the driveways to the individual houses may become too steep. The documentation fails to provide detailed information of the impact on the gradients of the driveways.

5.2 A report assessing the impact of the proposed land take from the front gardens on the gradients of the access driveways to house nos. 55-71 reveals that for 5 of the 7 houses, the access gradient would be significantly steeper than is currently the case.⁴ Such a deterioration would contravene national Building Control Regulations which require that a material alteration to a dwelling must not

⁴ Report NRB Consulting Engineers, 24/07/23

make the dwelling less satisfactory in relation to Part M of the Regulations (which regulate disabled access to dwelling houses) than it was before.

6.0 REASON FOR SETBACK OF THE BOUNDARIES

6.1 In examining the proposals for the subject stretch of Rathfarnham Road, 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. It is also not clear what is meant by 'temporary land acquisition'. Along this stretch of roadway there is currently a bus lane plus a single lane carriage way in both directions. This division of road space remains unchanged in the proposals. The only differences between the proposed design and the current situation are the removal of a left hand turning lane into Rathdown Park and the addition of a cycle lane instead of the current combined cycle lane/bus lane. As it is proposed to improve travel times for buses under the bus connects scheme, the proposals for this section of roadway do not change the relative position between cars and buses other than the introduction of the bus priority signalling. The division of available road space between private (cars) and public (buses) road space remains the same as it is at present. In that context, it seems excessive to remove front boundary walls and parts of front gardens just to achieve a cycle lane where such a cycle lane already exists in the form of the share cycle/bus lane.

6.2 The houses for which boundary setbacks are proposed, all have beautiful mature gardens which took years to achieve. It seems reckless to destroy them. Proposals on the restoration of lost trees are not clear.

7.0 LACK OF RATIONALE FOR THE DEDICATED CYCLE LANE

7.1 It is noted that the proposed corridor scheme makes no provision for a dedicated cycle lane along Rathfarnham Road between Rathfarnham Village and a short distance south of the junction with Dodder Park Road.⁵ Along this section of road there are 22 houses fronting onto Rathfarnham Road. The cycle lane is provided here as a shared facility with the bus lane. Unlike this section of Rathfarnham Road, a dedicated cycle lane is proposed for the section between the junctions with Dodder Park Road and Rathdown Park. This inconsistency in approach is not explained in the documentation.

⁵ *Environmental Impact Assessment Report*, Vol. 1, General Arrangement Drawings, April 2023, sheets 3 and 4.

8.0 CONFLICT WITH DEVELOPMENT PLAN ZONING OBJECTIVE

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).⁶ 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.⁷ 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.

9.0 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. Moreover, it would specifically be a breach of the Part M Building regulations.**
- **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 proposed scheme does not state why a dedicated cycle lane is required along this stretch of Rathfarnham Road whereas a shared bus lane/cycle way is proposed for the section of Rathfarnham Road to the south of the junction with Dodder Park Road. This inconsistency in approach requires clarification.**
- **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.**
- **As a result of the phased introduction of proposed measures under the Bus Connects improvement scheme, unintended effects may not be fully appreciated or understood as the**

⁶ Dublin City Development Plan 2022-2028, Map H.

⁷ Dublin City Development Plan 2022-2028, p. 531.

Environmental Impact Assessment is carried out on sections of the scheme rather than the scheme in full. This approach is inconsistent with the holistic approach under the EIA Directive which is to ensure that all environmental impacts are considered that are consequential of a development scheme or project.

- The houses along Rathfarnham Road comprising nos. 51-71 are at a significantly higher level than the road. Removing part of the front gardens as proposed, will result in gradients of the driveways to the individual houses that become significantly steeper which contravenes the requirements under Part M of the Building Control Regulations.

Peter Lynch
55 Rathfarnham Road
Terenure
Dublin 6W

23rd March 2024

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

**Re: Templeogue/Rathfarnham to City Centre Bus Corridor – ABP 316272-23
Plot No. 1026 – 55 Rathfarnham Road, Terenure, Dublin 6W**

Dear Sirs,

I refer to your recent letters inviting me to make a submission to the submission received from the National Transport Authority (NTA) dated 20th December 2023 in respect of the road development application and compulsory purchase order relating to the above.

Firstly, I am extremely disappointed and indeed perplexed that the Bord have elected not to hold an Oral hearing in respect of the proposed CPO/Planning Application, particularly due to the significant adverse effect proposals will have on my own property, those of my neighbours and the general community. The proposals are disproportionate, a breach of the Development Plan and Environmental legislation (local and European) together with current Building Regulations.

The NTA have failed to address any of the issues raised in my previous objections in any cogent, constructive or adequate manner and their flippant and somewhat arrogant and vague response is quite frankly insulting. Moreover, it would appear from reviewing the various submissions from all the other affected parties along the corridor that in no instance have the NTA accepted that they may have erred in their initial proposals. This is staggering in the extreme.

My previous objections still stand as the NTA have failed to provide any factual evidence to support any defence to these objections. In particular, it should be noted that despite numerous requests the NTA would not provide accurate drawings, cross sections, datum points etc. demonstrating on a “before and after” basis the impact of the CPOs on the properties along the Road from Dodder Bridge to the entrance to Rathdown Park. The information forming part of the initial planning application and proposed CPO is grossly inadequate and lacks any precision or detail. Based on the proposed land take and current regulations there will undoubtedly be a breach of the Part M regulations which is a direct ground for a Planning refusal and a decline of the CPO. What the NTA appear to be suggesting is that this will all be okay when finished despite showing no accurate documentary evidence to support their contention. As a Chartered Surveyor with

considerable experience in this area and CPO, this is not the case and can't be achieved unless the Rathfarnham road is raised significantly in height which in itself creates a myriad of additional problems which have not been considered in the proposed Planning Application or CPO. What concerns me, my neighbour's and the wider Community most is that if the CPO is approved, the works will be undertaken and at this stage the NTA will suggest that they made an error in initial calculations. This will be too late, and our properties and the fabric of Terenure Village will be irrevocably destroyed.

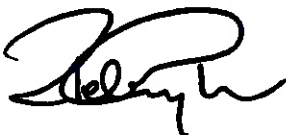
Moreover, the NTA have still failed to address the cumulative environmental effect of the other corridors proposed on the Rathfarnham Road. Although Environmental Impact assessments may have been undertaken on the various corridors in isolation they have completely ignored the direct cumulative impact to the Rathfarnham Road through diversions of traffic from other corridors (two directly impact the Rathfarnham Road) such as Bus gates, traffic restrictions etc. Moreover, these other Plans have not yet been approved and may yet be modified which may result in additional detrimental impacts.

On these two issues alone, there are ample grounds for a refusal of the CPO ignoring the other factors and the disproportionate proposals relative to what may be achieved as well as the breaches of the Development Plan.

For your information, I attach two updated responses from our consultants Robert Nowlan and NRB Consulting Engineers which outline their response to the latest NTA submission. In addition, for your convenience, I also attach a copy of my previous objection and associated documentation which as indicated above the contents/contentions of which still stand. The entire suite of documentation together with this letter should be considered as part of my current objection to what is being proposed and in response to the NTA's submission dated 20th December 2023.

Accordingly, I would urge you to consider independently the actual facts, proposals and the lack of comprehensive detail supporting the NTA's case and refuse the proposed CPO / Planning Application affecting my property and those along the corridor from Dodder Bridge to the entrance to Rathdown Park. If the proposals were to be approved as indicated, I am in no doubt there would be firm grounds for Judicial Review and/or appeals to the European Courts on what is fundamentally a flawed proposition in respect of the current scheme on our properties.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Peter Lynch', written in a cursive style.

Peter Lynch

14 March 2024
19-042/A/ER

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Dublin 1
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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

Peter Lynch
55 Rathfarnham Road
Terenure
Dublin 6W

10th August 2023

An Bord Pleanala
Strategic Infrastructure Division
64 Marlborough Street
Dublin 1
D01 V902

**Re: Templeogue/Rathfarnham to City Centre Bus Corridor – ABP 316377-23
Plot No. 1026 – 55 Rathfarnham Road, Terenure, Dublin 6W**

Dear Sirs,

I wish to submit my objection to the proposed land take (CPO) at 55 Rathfarnham Road, Terenure, Dublin 6W to facilitate the proposed scheme at the above. I would also request an oral hearing be convened to examine the serious consequences of what is being proposed.

The proposed planning application in respect of this Bus Corridor is fundamentally flawed, particularly in respect of my own property and those situated in the block extending from 51-71 Rathfarnham Road i.e. from Pearse Bridge to the Rathdown entrance junction.

For your information, please find attached two reports, one from RW Nowlan & Associates and the other from NRB Consulting Engineers outlining a number of the concerns and flaws with the proposals. In the event that any overall planning application were granted, albeit with conditions, the proposed scheme should be modified to remove any proposed Compulsory Purchase proposals in respect of my property and those located in the overall block. These proposed CPO's are unnecessary, disproportionate and fail to satisfy any reasonable criteria for their inclusion.

There has been a complete lack of information available from the NTA/Bus Connects in respect of the proposed CPO's. I have, like several of my neighbours on several occasions written to the NTA/Bus Connects seeking detailed dimensioned scaled drawings with associated datum points and cross sections showing the before and after proposals but on every occasion the NTA/Bus Connects would not release this information despite their consultants, Ove Arup having already prepared such information. This is wholly unsatisfactory and something as a Surveyor/CPO expert I have never encountered in over 35 years working in the profession.

Irrespective of the lack of detailed information being made available by the NTA/Bus Connects there are a number of fundamental issues with what is being proposed and indeed the proposed CPO's along our stretch of Road which directly affect my property. A sample of

these concerns, apart from the ones included in the attached reports may be summarised as follows:

1. There has been a complete lack of an integrated assessment of the overall scheme, rather each corridor appears to have been considered in isolation ignoring the cumulative effects of measures in one corridor on another. In respect of the subject corridor this creates a serious issue as it is directly affected by the proposals along two other corridors including the Kimmage to City Centre one.
The Environmental Impact Assessment Report (EIAR) for the subject corridor is therefore fundamentally flawed as the data and assessment has ignored the other corridors and as such failed to recognise the increases in traffic that will be generated along with environmental factors such as noise and pollution etc. Under EU legislation the subject EIAR would be dismissed as being inadequate and not fit for purpose.
2. The proposals fail to protect the fabric and existing built up environment of Terenure Village. They are particularly damaging to existing residential amenity, trees, wildlife and fauna in the area. They are in breach of numerous policies and development control criteria of the Dublin City Development Plan with respect to Villages and other factors. Moreover, the proposed CPO's along our block will be a direct breach of Part M of the building regulations which is an absolute ground for rejection. This is particularly concerning for the elderly residents along this block from 51-71 Rathfarnham Road.
3. The proposed CPO in respect of my property and that of my neighbours, merely to create a cycle lane for less than 100 metres, is wholly disproportionate for what might be achieved relative to the associated destruction of property, the environment, cost and breaches of both the Development Plan and Building Regulations.
Moreover, the proposals are extremely short-sighted with little consideration for alternatives (better use of the new Greenway), despite the NTA's assertions alternatives were considered which is clearly not the case. There would be a complete destruction of the current environment for a short cycleway whereas other parts of the Village and indeed roads accessing the Village (e.g. Terenure Road East) will continue to use and operate shared cycleways. The status quo and existing arrangements should be maintained along our stretch of road.
If these CPO'S are granted, including the one proposed at 55 Rathfarnham Road the NTA/Bus Connects and indeed the Bord will leave themselves seriously exposed to Judicial Review and challenges to the various higher level courts of the EU.

Accordingly, I would urge the Bord to consider the above and attached and refuse to grant the proposed CPO in respect of 55 Rathfarnham Road, recognising that is not appropriate, disproportionate and in breach of the Development Plan and Building Regulations together with EU regulations on environmental issues.

Yours faithfully,



Peter Lynch

24 July 2023
19-042/ER

Core Bus Corridor Project,
National Transport Authority,
C/O Residents of,
55, 59, 61, 63, 65, 67 & 71 Rathfarnham Rd.,
Terenure,
Dublin 6W.

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:
BASED ON AVAILABLE DESIGN DETAILS AND TOPOGRAPHICAL SURVEY

NRB Consulting Engineers Ltd are specialist in the field of Traffic/Transportation and Roads and we do not offer expertise in other areas of Consulting Engineering. Further details of our expertise are available on our website. This Report has been prepared in full by Eoin Reynolds, a Chartered Engineer with over 33 years-experience in the area of Traffic/Transportation and Roads and a Director of NRB Consulting Engineers Ltd.

We do not address herein the technical, environmental or capacity matters associated with the proposed Corridor. Nonetheless, given the likely huge cost, disruption, limited benefits and the environmental effects we are surprised that an underground alternative to a Bus Corridor does not appear as being vigorously pursued by the NTA.

We have reviewed the proposed design of the Bus Corridor, based on the relatively scant design information available from the Statutory Application documentation, supplemented by a Topographical Survey previously commissioned by NRB on behalf of the Residents.



This submission focuses on the resulting changes to the gradients on the approaches to the residential houses as a result of the Bus Connects plans, and the implications in terms of the Mandatory Part M, National Building Regulations.

As far as we can see, the only levels information provided in the documentation is a "Crown Line" level along the proposed route 'centreline'. No information appears to be available to Residents to enable them to clearly determine the effects on their properties or the medium terms implications for accessibility. No levels information is provided to residents.

In terms of the impact upon individual residences along the route, given the scant information provided within the statutory documents and the planning application we have had to assume some typical design details (gradients and details which would normally apply to schemes of this nature, with the assumed gradients as illustrated below as **Figure 1**).

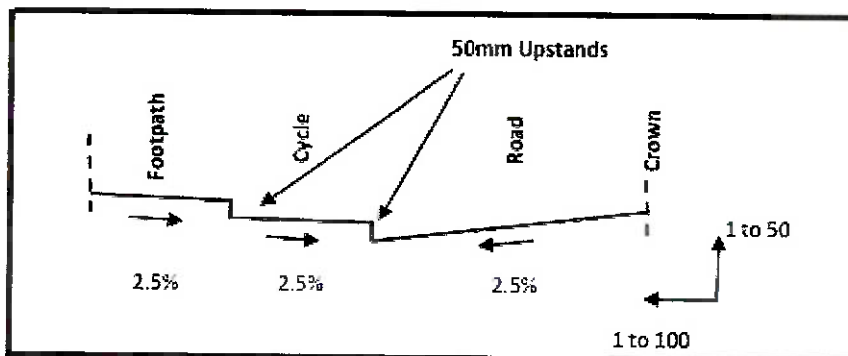
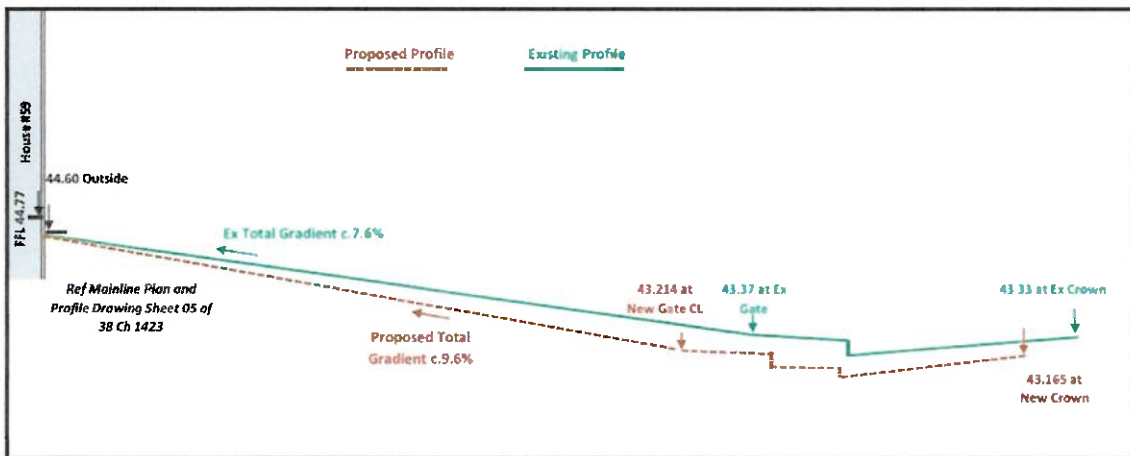
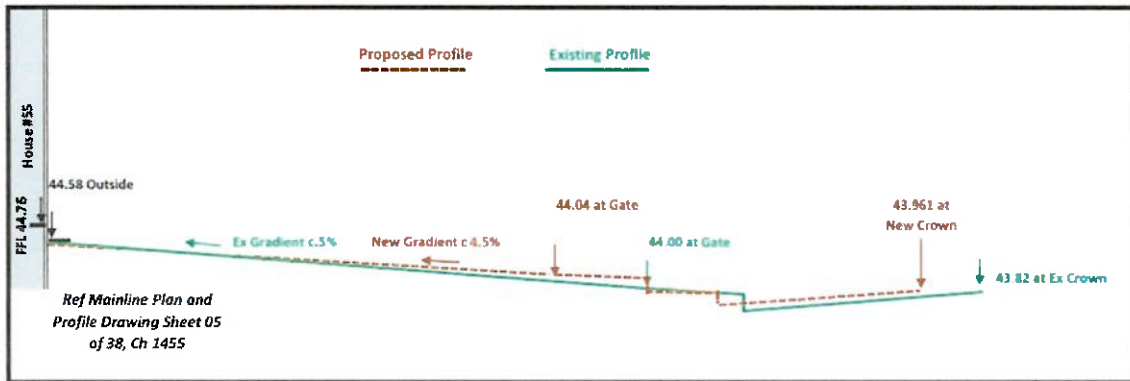


Figure 1 – Details assumed for the Purposes of this Study

We have used the Permanent CPO Land-take drawings and the property widths along the corridor to calculate the depth of land-take at each property.

We include below a 'Before' and 'After' Cross Sectional Profile for each Property.



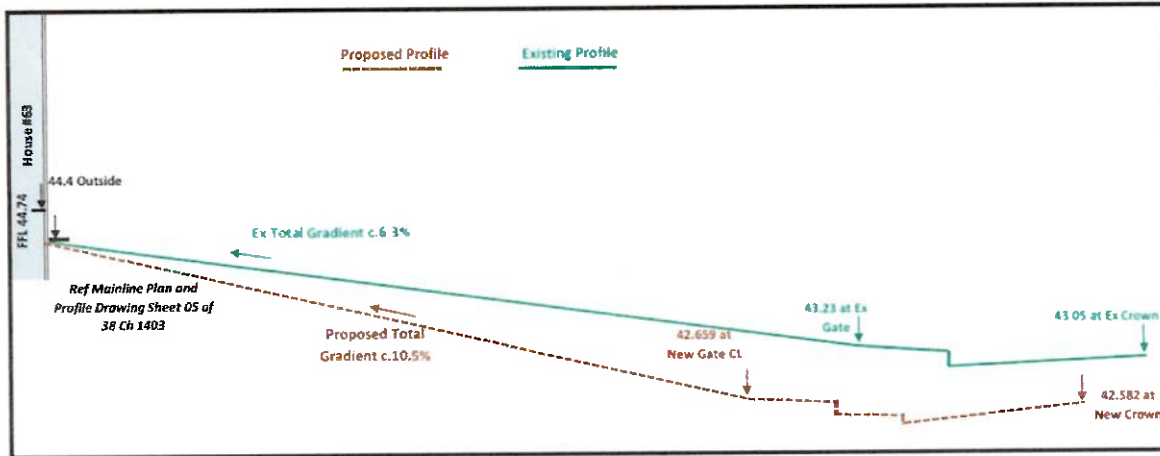


Figure 4 – Profile for #63 Rathfarnham Road

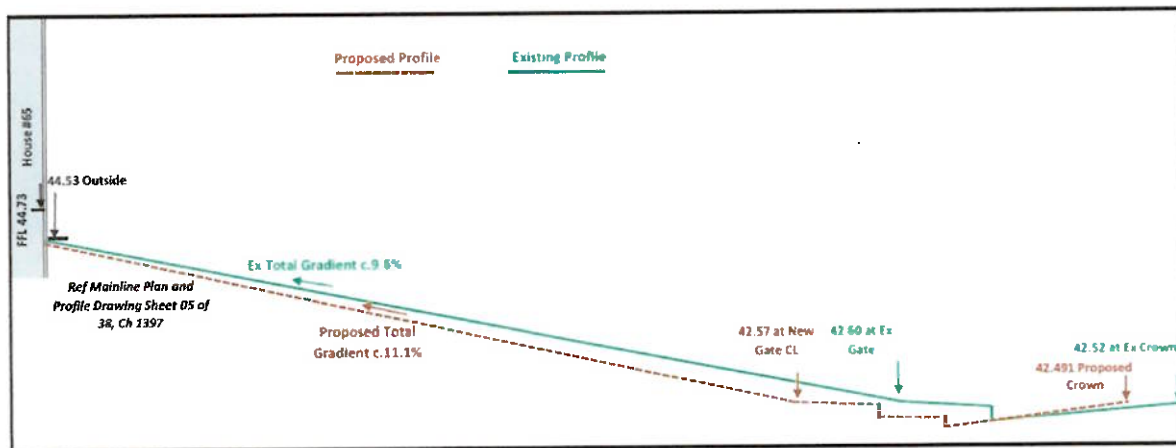


Figure 5 – Profile for #65 Rathfarnham Road

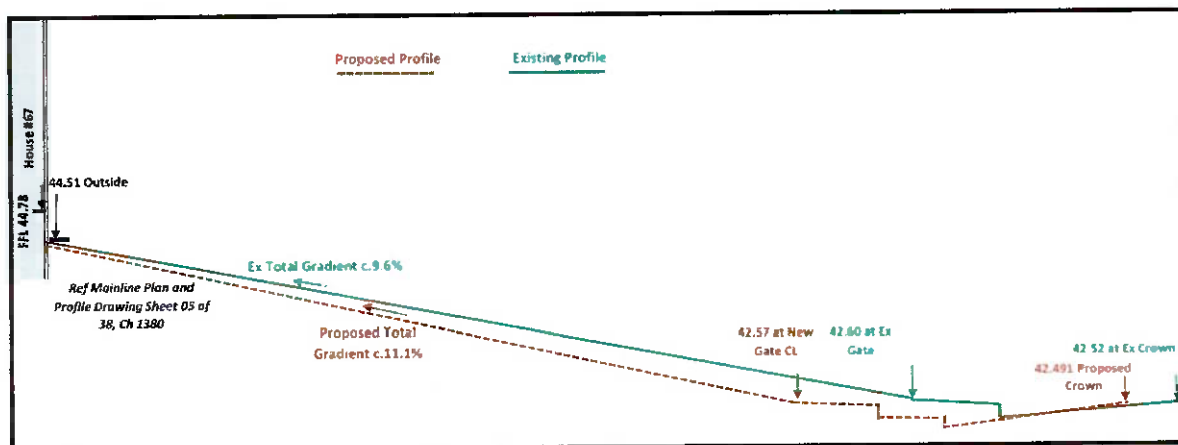


Figure 6 – Profile for #67 Rathfarnham Road

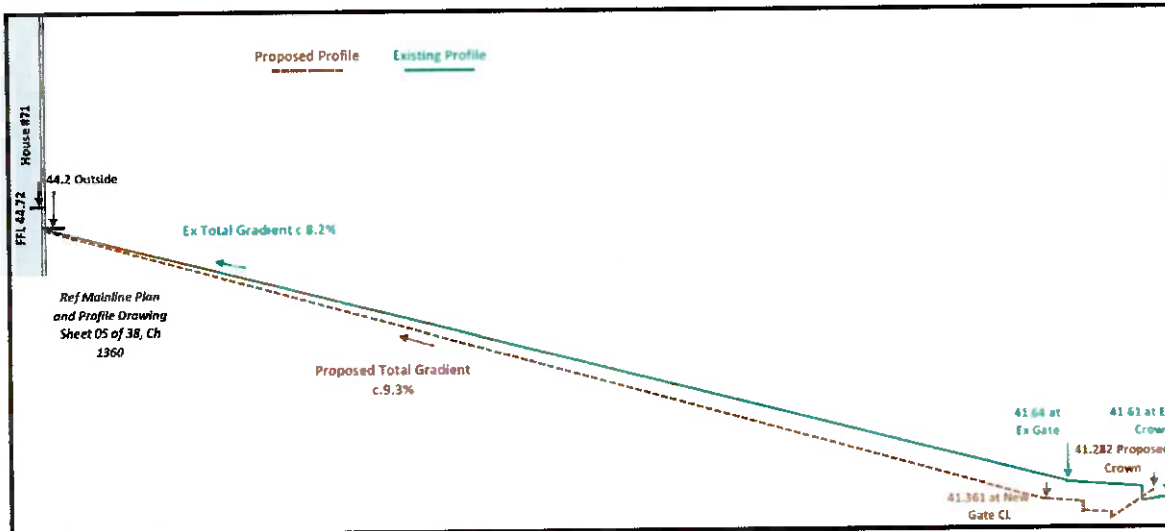


Figure 7 – Profile for #71 Rathfarnham Road

We include below the Summary Table of the comparison of the gradients currently versus post Bus Corridor for each Residence.

Table 1 – Summary of Design Review of Access Gradients

House Details	Current Total Gradient ¹	Future Total Gradient ²	Comment
55 Rathfarnham Rd	5%	4.5%	Improvement
59 Rathfarnham Rd	7.6%	9.6%	Significantly Steeper
61 Rathfarnham Rd	7.6%	8.9%	Significantly Steeper
63 Rathfarnham Rd	6.3%	10.5%	Significantly Steeper
65 Rathfarnham Rd	9.6%	11.1%	Significantly Steeper
67 Rathfarnham Rd	10.6%	13.6%	Significantly Steeper
71 Rathfarnham Rd	8.2%	9.3%	Steeper

1 – Measured from the existing vehicular gate threshold level to the house doorway ex ground level
2 – Using Provided Crown level to interpolate the Future gate threshold level



Part M, the Statutory National Building Regulations specifically states; -

"An extension or a material alteration of a dwelling must not make the building, as a whole, less satisfactory in relation to Part M than it was before. This means an extension or a material alteration of a dwelling need not itself comply with Part M, but it must not result in the dwelling being less compliant than it previously was"

This extract is taken from Page 12 of the National Statutory Document, reproduced exactly below as **Figure 8**....

The Requirements of Part M do not apply to works in connection with extensions to and the material alterations of existing dwellings, provided that such works do not create a new dwelling. However, an extension or a material alteration of a dwelling must not make the building, as a whole, less satisfactory in relation to Part M than it was before. This means an extension or a material alteration of a dwelling need not itself comply with Part M, but it must not result in the dwelling being less compliant than it previously was;

Extract P12 Part M

Figure 8 - Part M Extract Referring to Residential Dwellings

We conclude that the Bus Connect plans (as per the Planning Application, based on the design data provided) appear to result in a significantly steeper approach to the majority of the subject dwellings, clearly contravening National Building Control Regulations.

Based on our Design Review, it would therefore appear clear to us that an adequate detailed 3-D design that fully explores the implications for accessibility to the subject houses has **NOT** been undertaken by Bus Connects and/or their agents.

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.

Such failure to properly assess, detail and design, and subsequently accurately cost Public Infrastructure Projects from the outset has proven to be problematic in the recent past in terms of the medium to longer term cost implications for the Taxpayer.

Yours sincerely,



Eoin Reynolds
Chartered Engineer
Director



PROJECT NO. 67.06/2023



PLANNING SUBMISSION

Submission on the proposed
construction of the Templeogue/
Rathfarnham, Terenure Dublin 6W to
City Centre Core Bus Corridor

ON BEHALF OF:
RESIDENTS OF NOS. 51-71,
RATHFARNHAM ROAD

DATE: JULY 2023

1.0 INTRODUCTION

1.1 This submission has been prepared in response to the invitation by the National Transport Authority to make submissions or observations on the proposed 'Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme'. The Scheme forms part of the Bus Connects project for the city. This submission is specifically related to the section of the Scheme that is located between the junctions of Rathfarnham Road with the Dodder Park Road to the south and the junction of Rathfarnham Road with Rathdown Park to the north. 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 details of the scheme for the section of roadway along the frontages of house nos. 51-71, are shown on drawing sheets 4 and 5.¹ Compared to the current situation along the stretch of Rathfarnham Road in front of the sites of house nos. 51-71, the proposals will result in the following changes:

1. Removal of left hand turning lane into Rathdown Park outside house nos. 51-53
2. Dedicated cycle lane to replace shared cycle/bus lane outside house nos. 51-71
3. Compulsory acquisition and loss of land to enable set back of boundary wall outside house nos. 51 -71 to facilitate a cycle lane
3. New boundary treatment to match existing outside house nos. 51-71
4. Signal controlled priority for buses outside no. 51.

2.2 This submission questions the necessity and benefit of the setting back of the boundary wall along the front gardens of the house nos. 51-71 on the basis that this setback does not facilitate an additional bus lane but rather a cycle lane where such a cycle lane is already available as a shared bus/cycle bus.

2.3 In addition, it is considered that the introduction of the signal controlled priority measures that are proposed for junctions to the south and north of this section of road, may lead to significant traffic congestion while the need for both priority measures is not made clear. The consequences of

the proposed measures on increased traffic congestion cannot be properly understood in the absence of an integral consideration of the total of the Bus Connects scheme proposals in the broader locality rather than just those in the proposed corridor in isolation.

3.0 LACK OF INTEGRATED ASSESSMENT OF ENTIRE BUS CONNECTS SCHEME

3.1 The proposed bus corridor scheme forms part of the Bus Connects project to create an improved bus transport network for the City of Dublin. The National Transport Authority (NTA) has decided to introduce the new network on a phased basis.² While the reasons for such a phased basis are understood (*...to ensure smooth and efficient delivery of the full benefits for all bus users, while at the same time ensuring the network is responsive and flexible as the city grows and people's needs evolve*)³ it is a consequence of this approach that unintended effects may not be fully appreciated or understood as the Environmental Impact Assessment is carried out on individual Bus Connect route sections of the scheme rather than the scheme in full.

3.2 For example, one can be concerned that there is no traffic modelling included in the documentation that shows the combined effects of the intended alterations to road traffic flows/diversions etc for the south, southwest and west of the city. There appears to be no integrated analysis for the subject Templeogue/Rathfarnham Scheme together with the Kimmage Scheme. Other corridor schemes as they are introduced on a phased basis are likely to have consequences for traffic volumes on the subject section of road space which would further add to the traffic congestion on this section.

3.3 The EIAR (traffic and transportation) fails to take into account the interaction of the Kimmage to City Centre corridor with the Templeogue/Rathfarnham Scheme. These corridors/schemes cannot and should not be considered independently as impacts of Bus Gates, traffic restrictions and rerouting significantly affect the broad areas of these corridors - cannot and should not be assessed in isolation. No integrated EIA analysis of these proposed corridors together has been presented in this application.

¹ *Environmental Impact Assessment Report*, Vol. 1, General Arrangement Drawings, April 2023, sheets 4 and 5.

² *New Dublin Area Bus Network, Summary Document*, NTA, September 2020, p. 9.

³ *New Dublin Area Bus Network, Summary Document*, NTA, September 2020, p. 9.

4.0 IMPACT ON TRAFFIC FLOWS AND CONGESTION

4.1 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.

4.2 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.

5.0 GRADIENT OF PRIVATE DWELLING DRIVEWAYS

5.1 The houses along Rathfarnham Road are at a significantly higher level than the road. Removing part of the front gardens as proposed, creates a risk that gradients of the driveways to the individual houses may become too steep. The documentation fails to provide detailed information of the impact on the gradients of the driveways.

5.2 A report assessing the impact of the proposed land take from the front gardens on the gradients of the access driveways to house nos. 55-71 reveals that for 5 of the 7 houses, the access gradient would be significantly steeper than is currently the case.⁴ Such a deterioration would contravene national Building Control Regulations which require that a material alteration to a dwelling must not

⁴ Report NRB Consulting Engineers, 24/07/23

make the dwelling less satisfactory in relation to Part M of the Regulations (which regulate disabled access to dwelling houses) than it was before.

6.0 REASON FOR SETBACK OF THE BOUNDARIES

6.1 In examining the proposals for the subject stretch of Rathfarnham Road, 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. It is also not clear what is meant by 'temporary land acquisition'. Along this stretch of roadway there is currently a bus lane plus a single lane carriage way in both directions. This division of road space remains unchanged in the proposals. The only differences between the proposed design and the current situation are the removal of a left hand turning lane into Rathdown Park and the addition of a cycle lane instead of the current combined cycle lane/bus lane. As it is proposed to improve travel times for buses under the bus connects scheme, the proposals for this section of roadway do not change the relative position between cars and buses other than the introduction of the bus priority signalling. The division of available road space between private (cars) and public (buses) road space remains the same as it is at present. In that context, it seems excessive to remove front boundary walls and parts of front gardens just to achieve a cycle lane where such a cycle lane already exists in the form of the share cycle/bus lane.

6.2 The houses for which boundary setbacks are proposed, all have beautiful mature gardens which took years to achieve. It seems reckless to destroy them. Proposals on the restoration of lost trees are not clear.

7.0 LACK OF RATIONALE FOR THE DEDICATED CYCLE LANE

7.1 It is noted that the proposed corridor scheme makes no provision for a dedicated cycle lane along Rathfarnham Road between Rathfarnham Village and a short distance south of the junction with Dodder Park Road.⁵ Along this section of road there are 22 houses fronting onto Rathfarnham Road. The cycle lane is provided here as a shared facility with the bus lane. Unlike this section of Rathfarnham Road, a dedicated cycle lane is proposed for the section between the junctions with Dodder Park Road and Rathdown Park. This inconsistency in approach is not explained in the documentation.

⁵ *Environmental Impact Assessment Report*, Vol. 1, General Arrangement Drawings, April 2023, sheets 3 and 4.

8.0 CONFLICT WITH DEVELOPMENT PLAN ZONING OBJECTIVE

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).⁶ 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.⁷ 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.

9.0 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. Moreover, it would specifically be a breach of the Part M Building regulations.
- 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 proposed scheme does not state why a dedicated cycle lane is required along this stretch of Rathfarnham Road whereas a shared bus lane/cycle way is proposed for the section of Rathfarnham Road to the south of the junction with Dodder Park Road. This inconsistency in approach requires clarification.
- 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.
- As a result of the phased introduction of proposed measures under the Bus Connects improvement scheme, unintended effects may not be fully appreciated or understood as the

⁶ Dublin City Development Plan 2022-2028, Map H.

⁷ Dublin City Development Plan 2022-2028, p. 531.

Environmental Impact Assessment is carried out on sections of the scheme rather than the scheme in full. This approach is inconsistent with the holistic approach under the EIA Directive which is to ensure that all environmental impacts are considered that are consequential of a development scheme or project.

- The houses along Rathfarnham Road comprising nos. 51-71 are at a significantly higher level than the road. Removing part of the front gardens as proposed, will result in gradients of the driveways to the individual houses that become significantly steeper which contravenes the requirements under Part M of the Building Control Regulations.