

Fourteenth Schedule

Explanatory Notes

1. The Commission noted the submission of Transport Infrastructure Ireland on the 27th day of March 2025, the observer's submissions seeking a new access following the Commission's invitation to respond to Transport Infrastructure Ireland's submission of the 27th day of March 2025, and the Inspector's assessment and subsequent recommended condition number 6 in relation to Brooks Timber and Building Supplies Limited.

On the facts of the case, the Commission noted (i) the existing direct access to Ballyboggan Road from this site, (ii) the extent of the remaining curtilage around this site, (iii) the proposal for a new second access from this site traversing a new sloped two-way cycle path approximately 50-60 metres downhill from the previous junction with the cyclepath, (iv) that Broombridge Road would be hosting a ramped two-way tram system and associated infrastructure at this location, (v) that the ramped Luas warranted the CPO of a private access to remove gated access to FashionFlo Limited directly opposite, and (vi) the potential environmental impacts of a new access at this particular location have not been assessed, particularly with respect to traffic circulation patterns, traffic safety, and pedestrian, cyclist and tram safety.

The Commission determined that sufficient space exists within the remaining curtilage of Brooks Timber and Building Supplies to ensure operational continuity and safety of staff and customers on the site. While sufficient justification has not been presented to warrant further consideration, or agreement to, a proposed second access, the consideration of compensation as part of the Railway order and compulsory purchase order process will not preclude the Observers from pursuing this access should they so choose through a separate application for consent in the future.

2. The Commission noted the Inspector's recommended Condition 3(a) concerning a cycle strategy and 3(b) concerning a public realm strategy and cycle track provision. The Commission also noted Item number 1 of the submission from the National Transport Authority and were satisfied that the

subsequent response from Transport Infrastructure Ireland was an acceptable approach to addressing the issue of cycling strategy. On that basis, the Commission omitted recommended Condition 3(a).

The Commission also considered the Environmental Impact Assessment Ireland including, in particular, Appendix A21.2 Urban Integration Report therein, and considered the engagement with the public realm strategy, including as it related to the environment around St. Helena's Stop and Farham pitches, was sufficiently robust as to not warrant the inclusion of recommended Condition number 3(b).

3. The Commission were satisfied that an appropriate Road Safety Audit would be undertaken to inform the detailed design stage such that the Inspector's recommended Condition 4 could reasonably be omitted.
4. The Commission was satisfied that the requirements set out in the Inspector's recommended Conditions 10, 11, 13, 14, 15, 16, 18, 19, and 20 constituted elements of the package of mitigation measures contained in the Environmental Impact Assessment Report. In light of Condition number 3 above to implement all mitigation measures contained in the submitted Environmental Impact Assessment Report, the Commission was satisfied that Conditions 10, 11, 13, 14, 15, 16, 18, 19, and 20 represented duplication and could therefore reasonably be omitted.
5. The Commission had regard to the submission from the Parks, Biodiversity and Landscape Services Division in Dublin City Council, that a stop in Tolka Valley Park should be considered to act as a catalyst for tourism and amenity value. While the Commission noted the response of Transport Infrastructure Ireland that the route option assessment was not justified from a catchment perspective, the Commission also noted the planning authority commentary that such a stop may improve access to the park for communities in the adjoining area, particularly as brownfield sites are developed. The Commission concluded that the works the subject of this Order did not prejudice an additional stop in the park at a future date.