

STRATEGIC HOUSING UNIT
An Bord Pleanála
64 Marlborough Street
Dublin 1

Dáta | Date: 16/05/2022
Ár dTag | Our Ref: ABP 31328122
Bhur dTag | Your Ref. ABP-313281-22
Applicant: Cairn Homes Properties Limited

Dear Sir/Madam,

TII seeks to ensure that the carrying capacity, operational efficiency, safety and significant national investment being made in national roads and light rail network are protected in accordance with DoECLG *Spatial Planning and National Road Guidelines for Planning Authorities* and TII's *Code of engineering practice for works on, near, or adjacent the Luas light rail system* taking account of the National Planning Framework, Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy (EMRA RSES) and the NTA's Transport Strategy for the Greater Dublin Area.

The following outlines TII's recommendations for the Boards consideration:

1. Access and Permeability to Brennanstown Luas Stop.

The southern end of the application site in submitted drawings appears to directly abuts the Luas Green Line and includes proposals to provide full vehicular / pedestrian and cycle access through the proposed scheme to the non-operational Brennanstown Luas Stop from Brennanstown Road.

Brennanstown Luas Stop and the Luas line demarcates the northern boundary of the *Cherrywood Strategic Development Zone* (SDZ) in this vicinity. The SDZ Scheme includes requirements for direct access to the non-operational Luas Stop from the south under specific objective DA 23.

The Authority is aware that in March 2022 a Part 8 proposal *Green Routes Network, Cherrywood SDZ* has been made by the local planning authority ahead of the submission for the current application. This proposal is noted as it proposes a pedestrian cycleway link from Brennanstown Luas stop that encircle Cherrywood to Bride's Glen Road. The northwestern extremity of this proposal abuts the south eastern corner of the current site. However, it appears that no access proposal has been submitted for the current application lands to date.

In the Authority's opinion, insufficient information in regard to the method of connection from the proposed site to Brennanstown Luas Stop is provided to demonstrate access for future passengers from the subject site. In addition, the Authority notes that the submitted site layout, landscaping and lighting plans do not appear to have specific regard to the presence of the Luas line and function of the southern end of the application site to provide safe and accessible access to Brennanstown Luas Stop in for example, the apparent absence of a pick up and drop off or turnabout for vehicles. This is a serious concern which needs to be addressed to promote sustainable and safe active travel in this area.

2. Brennanstown Luas Stop Substation & associated Luas Infrastructure Operatorial Access

Also, the proposed development does not appear to have regard to TII's *Code of engineering practice for works on, near, or adjacent the Luas light rail system* in the submitted application.

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag www.tii.ie.
TII processes personal data in accordance with its Data Protection Notice available at www.tii.ie.



Bonneagar Iompair Éireann
Ionad Gnó Gheata na Páirce
Sráid Gheata na Páirce
Baile Átha Cliath 8
Éire, D08 DK10



Transport Infrastructure Ireland
Parkgate Business Centre
Parkgate Street
Dublin 8
Ireland, D08 DK10



info@tii.ie



www.tii.ie



+353 (0)1 646 3600



+353 (0)1 646 3601

The non-operational Brennanstown Luas Stop is located southeast of the application site which is also adjacent to Luas Green Line. There appears to be no provision of access to Luas underground and overground assets from the subject site.

The Brennanstown Luas Stop substation was the subject of retention planning permission obtained by the Railway Procurement Agency (now TII) under Reg. Ref. D11A/0127. Current access to that substation is via gateway to the north-eastern corner of the substation indicated as forming part of the boundary with the current application site.

It is therefore noted with concern that dedicated access route to the substation is to be removed in the proposed site layout and that the proposed development does not include provisions for the necessary permanent access to the Brennanstown Luas substation, adjacent line and Luas Stop during construction and operation stages.

In addition, at this location with concern, TII notes:

- The underground electrical, foul, and service drainage services upon which the substation and Brennanstown Luas Stop rely are not adequately identified in the submitted application documentation. For example, there appears to be no proposed taking in charge drawings submitted with the application.
- The submitted outline Construction Environmental Management Plan nor construction phasing plan make provision for the protection of, and access to Luas assets.
- The submitted proposed landscaping plans do not make suitable provision for access to the substation. It is noted that tree planting is proposed at the south eastern corner of the substation which the Authority submits would be unsuitable for substation operation and due to the presence of local authority foul and surface water drains running alongside the Luas line at this location.

TII recognises that a new roadway will be installed as part of the development, however that roadway does not make provision for the accessing the substation or Luas line by service vehicles and personnel.

In this regard, safe and adequate access to the Luas substation will be permanently required in the event of the application lands being developed with a legal agreement between the developer, the local authority and TII necessary to secure this access.

The Authority finds the proposal as currently presented, unacceptable as it will frustrate and delay the commissioning and operation of the currently non-operational Brennanstown Luas Stop. This is a matter which needs to be addressed prior to any decision been made on this development.

3. Commission of Brennanstown Luas Stop

Associated with the above points, TII notes with concern that the submitted Traffic and Transport Assessment provides no assessment of bus capacity as the assessment assumes Luas will be the '*more attractive*' mode of transport it being closer than bus (Section 3.2).

Section 3.2.2. of the TTA entitled *Rail Network* acknowledges that the Brennanstown Stop is non-operational. However, the applicant assumes it will be operational for this development and puts the Carrickmines stop at 13 minutes' walk away. In addition, the applicant states that this application provides direct access to the Brennanstown Luas Stop that '*will facilitate linkage to the stop from Brennanstown Road. It is envisaged that this stop will become operational once the subject site is developed.*'

TII advises that the opening of Brennanstown Luas Stop is a matter for the NTA and is contingent upon advancement of development within Cherrywood SDZ. Technical commissioning of the stop will be matter for TII and the Luas operator, which will be co-ordinated with the local authority and the NTA.

However, the Board is advised that technical commissioning could extend beyond a year and possibly more especially with regard to the matters not addressed by applicant highlighted under items 1 and 2 above.

Given that the pedestrian access to the Luas Stop and access to Luas infrastructure is critical to the promotion of sustainable mobility at this location, TII consider it would be essential that no residential occupation of the development should take place until the matters outlined in items 1&2 are addressed and the Luas Stop is operational.

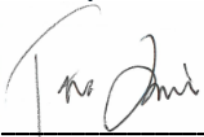
Conclusion

The Authority has examined the current proposal and finds it at variance with the protection of Luas assets, including the advancement of the opening of Brennanstown Luas Stop as the proposed development by itself, or by the precedent which a grant of permission for it would set, would adversely affect the efficient operation and safety of Luas as well as undermining investment made in sustainable mobility. In TII's opinion the proposal is premature pending the resolution of the matters outlined in this correspondence.

The Authority is of the opinion that the current proposal is unacceptable as it conflicts with the national policy objectives to safeguard the investment made in the light rail transport network to ensure quality levels of service, accessibility, and connectivity to transport users.

Please acknowledge receipt of this submission in accordance with the provisions of the Planning and Development Regulations, 2001 as amended.

Yours faithfully,



on behalf of
Land Use Planning Unit

NOTE:

In the interests of clarity TII advises that the proposal falls within the area for an adopted Section 49 Supplementary Development Contribution Scheme. If the above application is successful and is not exempt, please include a condition to apply the Section 49 Luas Line Levy.

**Note: In accordance with the provisions of section 13 of the Roads Act 2015, Transport Infrastructure Ireland (TII) is the operational name of the National Roads Authority with effect from 1 August 2015.*

All planning application referral documentation, including applications, submission acknowledgments, further information notifications and decisions should be notified electronically to TII at. TII would appreciate your Authority's assistance on this matter.