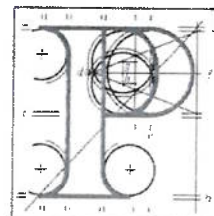


Our Case Number: ABP-314724-22

Your Reference: Charlemont and Dartmouth Community Group (CDCG)

(General Submission)



**An
Bord
Pleanála**

MacCabe Durney Barnes
20 Fitzwilliam Place
Dublin 2
D02 YV58

Date: 14 October 2024

Re: Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]
Metrolink. Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin

Dear Sir / Madam,

An Bord Pleanála has received your recent letter in relation to the above mentioned case. The contents of your letter have been noted.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in relation to the matter please contact the undersigned officer of the Board at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Eimear Reilly
Executive Officer
Direct Line: 01-8737184

RA03

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MACCABE DURNEY BARNES

PLANNING | ENVIRONMENT | ECONOMICS

Our Ref: 2193 General Submission

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

8th October 2024

Re: Railway (Metrolink–Estuary to Charlemont via Dublin Airport) Order 2022

Dear Secretary

We refer to the above Railway Order application and the further information submitted to the Oral Hearing held between the 19th February and the 28th March 2024. The public notice of the 8th August 2024 allows for submissions to be made in respect of this further information. We wish to make a submission for our client Charlemont & Dartmouth Community Group (CDCG). A submission was previously made on their behalf in relation to the original Railway Order Application which was accompanied by the prescribed fee of €50. The public notice of the 8th August 2024 indicates that the fee is not payable by a party who has previously made a valid submission. We request acknowledgement of receipt of this submission.

Our submission specifically relates to the further information presented to the Board at the Oral Hearing in so far as it relates to broader transportation and planning issues. Other submissions are being made by CDCG on behalf of residents of Dartmouth Square West, Cambridge Terrace and Dartmouth Road. Those submissions relate to specific impacts and issues arising from the submission of the Further Information.

1. Process

A significant volume of material, amounting to c200 items, has been presented to An Bord Pleanála at the Oral Hearing by TII, the applicant. On the very first day, 20 items of significant further information were submitted by the Applicant to the Hearing, including a revised Book of Reference. It was evident from the outset that the application was incomplete, and the CPO documentation was inaccurate. We contend that the Board should have suspended the process at that stage and either requested the applicant to withdraw the application or requested the applicant to publish notices indicating the changes, with the Oral Hearing recommencing at a latter stage. Instead, the Oral Hearing proceeded on the basis that the Applicant was allowed to submit further information over the entire course of the hearing. Parties were not given ample opportunity to review, what in effect, was a new application. While the public notices have given parties the opportunity to comment, after having undertaken a proper and full review of the amended application

documentation, there is no opportunity now to ask questions of the Applicant in relation to matters arising. There is an evident flaw in the procedure, particularly in relation to the assessment of noise where there are unclear and contradictory submissions¹.

The applicant, with the State's backing appears to have unlimited funds and very deep pockets. In comparison, the third parties and observers have to respond with limited resources, and in particular, time. The late nature of these submissions and the inability to ask fundamental questions at the Oral Hearing on these submissions has put third parties at a significant disadvantage and prejudiced their rights to fair procedure.

This inadequacy, and the manner in which the applicant has attempted to feed material into the process, and those affected by the scheme, has resulted in additional and unreasonable costs being incurred. For these reasons, we are requesting costs to be awarded to CDCG under section 42(10) of the 2001 Act.

2. Rationale for Southern Section of Order (from St. Stephens Green to Charlemont)

The *MetroLink Preferred Route Design Development Report* was prepared in 2019 and was submitted to the Hearing. From a review of this document, it is evident that MetroLink was conceived as a single project extending from Swords and the Airport to Sandyford. This was reflecting the *Transport Strategy for the Greater Dublin Area 2016-2035* which applied at that time. The project was to be delivered in two phases, with the first phase to Charlemont and the second phase from Charlemont to Sandyford. This would have resulted in the conversion of the Luas Green Line to Metro. In this context Charlemont Station was to be constructed as a "temporary terminus". However, it is now quite evident that the entire rationale for the onward extension to Sandyford has now been altered. The *Greater Dublin Area Transport Strategy 2022-2042* now confirms that the onward extension to Sandyford does not form part of the Strategy, or is even identified as a project to be brought forward after 2042. The conversion of the Luas Green line to Metro as far as Sandyford has effectively been abandoned. However, the project has completely failed to recognise this reality.

Once the decision had been made not to proceed with the extension to Sandyford, the rationale for the final section to Charlemont should have been reconsidered. However, this did not occur, and as highlighted in our submission to the hearing, Charlemont will be a stranded terminal station, remote from the city centre which it is intended to serve. A city centre terminus should be located in the city centre. Charlemont does not fall within any definition of the city centre. The NTAs, own Draft Dublin Transport Plan 2023 identifies the city centre as being within the canal ring, with the inner core area centred around Dame Street, Grafton Street and Henry Street.

3. Terminus v Interchange

A key consideration that needs to be taken into account is interchange and mobility hubs. The Applicant in its submission *TII Response to Submissions of the Elected Representatives at Charlemont Station 04 March 2024* indicates a confused rationale for the station at Charlemont Station. The

¹ The Board is requested to consider the CDCG submission made on behalf of the Dartmouth Square West residents which highlights inadequate and contradictory assessments/submission in relation to Airborne Noise.

question arises to whether the station is a terminal station, or a major interchange facility serving the requirements of the city centre. On page 8 of the above submission, it states that

"The MetroLink alignment proposes to have three stations on the south side of the city, with the terminus point being at Charlemont. Whilst this is the terminus of MetroLink, it is not the terminus of the transport network; Charlemont is at the heart of the integrated transport network for Dublin."

This broad sweeping statement is clearly untrue. The only interchange is with Luas services going south. The nearest Bus Connects high-capacity routes are 500m to the west at Portobello and 350m to the east at Leeson Street. There is no effective interchange with bus services, no integration with DART underground, no integration with taxi set down, no kiss and ride facilities, no evident integration with cycle provision. However, an equal or better interchange with Luas can be provided at St. Stephens Green West without duplicating light rail provision between St. Stephens Green and Charlemont which will occur with the current proposal.

A key policy for the Board to have regard to is in relation to interchange. Measure INT5 of the Greater Dublin Area Transport Strategy 2022-2042 (Major Interchanges and Mobility Hubs) states:

"It is the intention of the NTA, in conjunction with TII, Irish Rail, local authorities, and landowners to deliver high quality major interchange facilities or Mobility Hubs at appropriate locations served by high capacity public transport services. These will be designed to be as seamless as possible and will incorporate a wide range of facilities as appropriate such as cycle parking, seating, shelter, kiosks selling refreshments plus the provision of travel information in printed and digital formats."

TII have argued that it is a significant interchange, principally with Luas. However, the *TII Review of Charlemont Station* note submitted to the oral hearing, indicates that there will be 29,300 people using the Charlemont Station during a 12hr period, with only 8,000 (27%) of these accessing Luas. This leaves a total of 21,300 people (73%) wandering through the streets of this residential area seeking taxis, looking to be picked up, or walking some considerable distance to bus services.

The whole concept of a major interchange at Charlemont Station appears flawed, let alone representing *"...the heart of the integrated transport network for Dublin"*.

These disadvantages were highlighted at the OH, as were the considerable difficulties in drop-off and pick-up by taxis and private cars.

4. Prejudicing Alignments to South West Dublin

We have reviewed and are fully supportive of the Metro South West submissions to An Bord Pleanála. The logic of their submissions is inescapable. The South West of the City is the zone that is in most need of fixed rail, as it is the area that does not, or will not, benefit from high quality public transport before 2042. The South East of Dublin is well served by DART and the Luas Green Line. The West is served by the Luas Red Line. It is evident that there is a significant gap between the Red and Green Lines in the Rathmines, Kimmage, Rathfarnham, Terenure and Knocklyon areas.

The *Greater Dublin Area Transport Strategy 2022-2042* indicates Luas extensions to Knocklyon and Kimmage post 2042. However, the amended application has prejudiced the potential to provide quality public transport in the form of Metro to serve important areas such as Portobello and Rathmines, as an alignment terminating at Charlemont will not be capable of serving these areas. The Metro South West submissions highlight that Bus Connects will be incapable of serving the needs of this portion of the City.

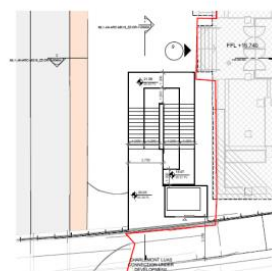
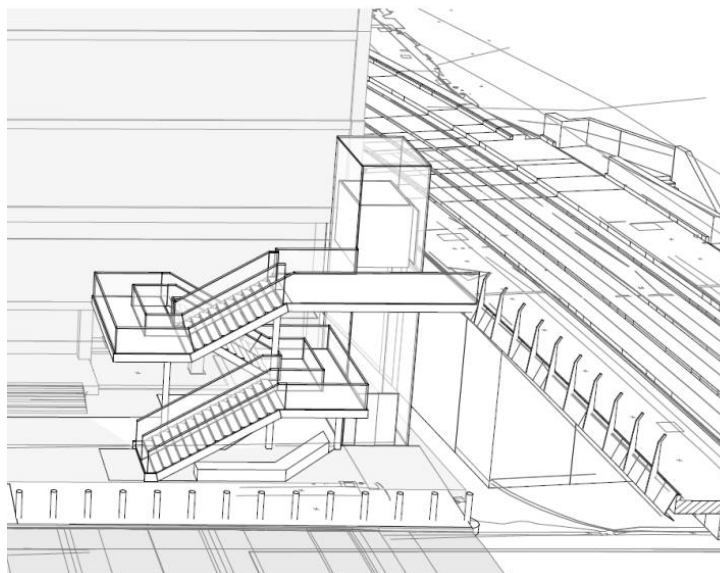
The amended Application has persisted with bringing MetroLink to Charlemont / Ranelagh, thereby duplicating the Green Line from Saint Stephens Green at a cost, estimated by the Applicant, at €650m. The Applicant has provided no economic analysis to justify favouring Charlemont over Portobello/Rathmines.

A Metro which terminates at St. Stephens Green will however facilitate such an onward extension to the Rathmines, Portobello area and beyond to the Southwest. The applicant's submissions at the Oral Hearing provides no evidence which indicated that the current alignment would facilitate the appropriate onward extension to the Southwest. It is our interpretation that it would be impractical to do so.

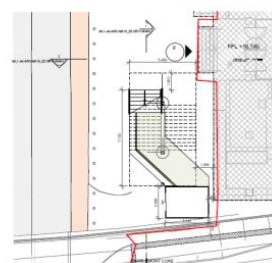
5. Stair Access and Interchange between Luas and Metro

A document entitled *Charlemont LUAS stairs & lift connection* was submitted to the Oral Hearing. According to the Applicant, the interchange between Luas and Metro at this point is a major aspect of the project. This arrangement is illustrated in the extract below.

Charlemont LUAS stairs & lift connection



LUAS platform
Level



Ground
Level

This flight of stairs is the main interchange between these two modes, which will have to accommodate all passengers including those with baggage who are either coming from, or going to the Airport. In the document submitted to the Oral Hearing *Passenger at Charlemont Station, St. Stephens Green East, Tara Street Stations*, it is indicated that in 2035 there would be 29,537 passengers interchanging in 12 hour period. Of this figure, c8,000 would be accessing Luas. The

figures are not provided for the peak period which is an average of 666 passengers per hour. One can assume that the peak period would be multiples of this figure. Yet amazingly, the two flights of are only 1.2m in each direction. While there is a provision of a lift there is no escalator up the Luas Station. This is less than a minimum footpath width on a standard road, let alone that which would be required for high volumes of pedestrians interchanging between Luas and Metro. This will undoubtedly give rise to a danger to pedestrians and passengers. Again, the nature by which this information was submitted at the Hearing, it has not been possible to pose relevant questions to the Applicant.

6. Other Deficiencies

We note that the documentation submitted as further information does not address a series of deficiencies in the EIAR which were identified in our original submission on the application. These related to:

- Description – The EIAR fails to adequately describe all aspects of the development, particularly the enabling works already undertaken at Charlemont and future elements of the project.
- Alternatives - There is an inadequate assessment of alternatives alignments, station location, station design at Charlemont and future alignments
- Traffic & Transport Assessment - An assessment of pedestrian flows in and around Charlemont Station is provided in Appendix A9.2B of the traffic impact assessment. However, the assessment does not consider egress and access from the station entrance onto Dartmouth Road.
- Noise – The noise assessment in Chapters 13 and 14 only considers the impacts during the construction phase and the running of trains in the operational phase. However, no assessment is provided of the noise impacts associated with escalators running in the operational phase.

7. Conclusions

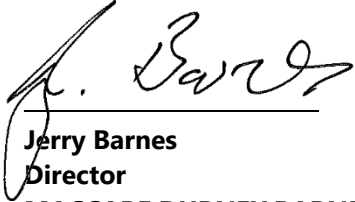
The conclusions presented in our original submission of 16th January 2023 still apply, as nothing presented at the Oral Hearing alters these conclusions. Indeed, the evidence submitted by the Applicant merely reinforces the case made in that submission and at the Hearing. This is reflected in other submissions including those from public representatives and the South West Metro Group.

We reiterate our points made in our original submission and request the following amendments:

- i. Omit from the Railway Order the section from Tara Street Station to Charlemont Station and associated onward tunnel extension and intervention tunnel
- ii. Require the submission of a railway order for a section from Tara Street Station to St. Stephens Green which would effectively provide for a terminal hub station which can effectively integrate with the Luas Green Line and future DART underground.

We trust that the Board will take these points into account in the assessment of the application.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. Barnes", is written over a horizontal line.

Jerry Barnes
Director

MACCABE DURNEY BARNES