

An
Bord
Pleanála

Memorandum

ABP-317742-23 Road (HA)

ABP-317780-23 CPO (KA)

BusConnects - Bray to Dublin City Centre

To: Board

From: Tomás Bradley, Senior Planning Inspector

Re: Oral Hearing Request

Date: 15th January 2023

1.0 Introduction

The National Transport Authority (NTA) have made an application to An Bord Pleanála (the Board) under:

- Section 51 (2) of the Roads Act 1993, as amended (HA - Roads Development)
- Section 48 of the Roads Act 1993, as amended (KA - Compulsory Purchase Order (CPO))

for approval of:

- a road development scheme (HA)
- lands to be compulsorily acquired for the implementation of said road development scheme (KA)

for the construction and operation of the Bray to Dublin City Centre Core Bus Corridor Scheme for the purposes of facilitating public transport. The road development scheme is commonly referred to as 'BusConnects'.

2.0 Development Description

The proposed development consists of construction of bus, cycle and pedestrian infrastructure and has an overall length of approximately 18.5 km. The proposed

development is intended to make significant improvements to pedestrian and cycling facilities and to bus priority. Some of the key changes that will be made to the existing corridor as a result of the proposed development are the following:

- number of pedestrian signal crossings will increase by 60% from 106 to 170;
- proportion of segregated cycle facilities will increase from 47% to 91%;
- proportion of bus priority measures will increase from 69% to 99.6%.

The proposed development will commence at the junction of Leeson Street Lower and Earlsfort Terrace on St. Stephen's Green. The proposed development is routed along Leeson Street Lower and Upper, and Sussex Road.

It continues along Morehampton Road and Donnybrook Road, through Donnybrook Village and on to the Stillorgan Road, serving the UCD Interchange via the Stillorgan Road Overbridge at Belfield. The route then continues on the Stillorgan Road (N11), which carries on to the Bray Road to Loughlinstown Roundabout.

From Loughlinstown Roundabout it runs along the Dublin Road (R837) to St. Anne's Church and then continues south through Shankill village along the R119. It then passes through Wilford Junction and along the Dublin Road until it terminates on Castle Street in Bray, on the north side of the River Dargle crossing.

The proposed development is located in the County of Dublin and County of Wicklow within the Dublin City Council (DCC), Dun Laoghaire-Rathdown County Council (DLRCC) and Wicklow County Council (WCC) administrative areas.

The Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) has been prepared in respect of the proposed road development.

3.0 Submissions

3.1. Number of Submissions

Table 1 sets out the number of submissions made in respect of the files. The number of references to oral hearings is also noted. While many requested an Oral Hearing directly, several others sought or reserved the right to participate in such a hearing were one to be held.

Table 1: Number of Submissions			
	Total	Requests for Oral Hearing	
ABP-317742-23	217	38	17%
ABP-317780-23	85	19	22%

3.2. Spatial Distribution of Submissions

Spatially, the submissions are generally concentrated in certain locations as identified in Table 2. While wide ranging issues arise, the routing of the proposed development through Shankill Village is a significant ground raised by a large number of observers.

The figures are considered an approximation and rudimentary given certain submissions raise several issues in different locations. It is neither an indication of how submissions or issues will be dealt with or weighted in the assessment of the proposed development.

Table 2: Spatial Distribution of Submissions	
Location	Approximation
Donnybrook	~14%
Patrician Villas	~16%
South Park	~3%
Shanganagh Vale	~3%
Shankill Village	~45%
Woodbrook	~3%
Bray and Environs	~6%
Other Locations	~10%

3.3. Summary of Issues Raised in Submissions

Briefly, the issues raised include the following:

- **Need for the Proposed Development** if existing Bus Operations were made more efficient.
- **Consideration of Reasonable Alternatives** particularly at the village of Shankill where it is considered use of the M11/N11 road is more appropriate.
- Consideration of Policy and that the proposed development would contravene conventions, directives, policies, plans and strategies at all levels of governance including international, domestic and local.
- **Lack of Detail and Construction Methodology** in respect of the proposed development and in particular on lands which are the subject of CPO. There is misleading and contradictory Information provided during public consultation and in documents submitted as part of the planning application.
- **Impacts to Traffic & Transport** generally as a result of the proposed development particularly as a result of the following measures:
 - Design of Junctions

- Design of Permeability Measures
- Removal of Slip Lanes
- Design of Access/Egress
- Operation of Buses
- Loss of Car Parking
- **Impact to Shankill Village** and surrounding residential areas generally as a result of the proposed development due to the loss of character and amenity owing to tree and wall loss. It is also considered widely that the cost of the intervention does not give rise to any significant benefit in terms of bus operations.
- **Impact to Residential Amenity** generally including issues related to traffic and transport, air quality, climate, noise and vibration, human health, landscape and visual and material assets as a result of:
 - loss of public and private green space, stone walls trees, other screening and privacy/overlooking
 - increase in visual impact, health (physical and mental) impact, decrease in property value and related issues such as anti-social behaviour
 - increase in air, noise and light pollution during the construction and operation phases of the proposed development,
 - increase in indirect traffic and transport impacts as a result of changing behaviours including ad-hoc parking, rat-running through residential areas.
 - alterations to existing access and egress arrangements
- **Impact to Social, Community, Commercial Amenity/Operation** generally including issues related to traffic and transport, air quality, climate, noise and vibration, human health, landscape and visual and material assets as a result of:
 - loss of public and private space, stone walls trees, other screening and privacy/overlooking
 - increase in air, noise and light pollution during the construction and operation phases of the proposed development,
 - increase in indirect traffic and transport impacts as a result of changing behaviours.
 - alterations to existing access and egress arrangements, loss of parking;

- disruption to operations both temporarily and permanent.
- **Impact to Natural Heritage** as a result of the removal of trees, tree stands, hedges, hedgerows which would have a significant impact on to the character, amenity and biodiversity of these locations. There would be a significant impact on flora and fauna, in particular bat species. There are queries on the extent of bat surveys also. Any replacement planting would take years to reach maturity and achieve its current ecological value.
- **Impact to Built Heritage** predominantly as a result of the alteration or removal of stone walls which would have a significant impact on to the character and amenity of these location. The proposed development would also impact on the character of protected structures and their curtilage.
- Cumulative Assessment of the proposed development with other Mobility Schemes in the general area of the site and that would interact with it to result in a significant traffic and transport impact.

In respect of the CPO file specifically, the common issues emerging particularly in respect of owners and occupiers of the sites include:

- **Impact to Future Development Potential** of the sites as a result of the loss of lands and site value.
- **Impact to Access and Egress** to the sites including general road safety issues and obstruction of sightlines.
- **Impact of Loss of Car Parking and Delivery Loading Areas** on the sites to business operations
- **Impact of Loss of Car Circulation Space** on the sites to business operations
- **Impact of Potential Closure of Businesses** in order to facilitate construction phase of the proposed development
- **Impact of Potential Reduced Business Capacity** at Operation Stage as a result of the proposed development
- **Loss of Beneficial Lands** used as public/private space for business operations, storage, roadside signage
- **Impact of Loss Of Tree(s), Wall(s) and other Boundary Treatments** and the details of how these will be altered and privacy maintained.

- **Impact to General Residential and Commercial Amenity** as a result of construction and traffic nuisance due to the proposed development.
- **Issue of Insurance** and Liability in respect of the to the landowners following the proposed works.
- **General Lack of Detailed Design** in respect of the proposed development and the duration it will take to complete.
- **Loss Of Lands which the owner/occupier considers to be surplus** to the requirements of the primary scheme.

4.0 Recommendation

At present, it is considered there is no issue arising that lacks clarity or detail or are so complex as to require a hearing. I am satisfied that the need for the proposed development, alternatives and design approach are sufficiently detailed. While several submissions point to the fact that the nature and extent of impacts on their properties are uncertain, it is the view that written evidence will provide such clarity to all issues without recourse to an oral hearing.

I am satisfied that written evidence will allow for a proper and full assessment of the case without recourse to an oral hearing. It is noted that this has been satisfactory approach in respect of other applications made to the Board for BusConnects schemes and allowed for a proper and full assessment of the case in those instances.

In the absence of an oral hearing being held, it is considered it prudent to facilitate the applicants responding to the submissions received. It is noted that the Board has agreed with the NTA that responses to the submission currently on file in relation to these applications should be received no later than 29th March 2024. The response is expected to address each submission individually in detail. Following this, it is considered important to provide observers with a further opportunity to consider the NTA's response and submit further written evidence if deemed necessary.

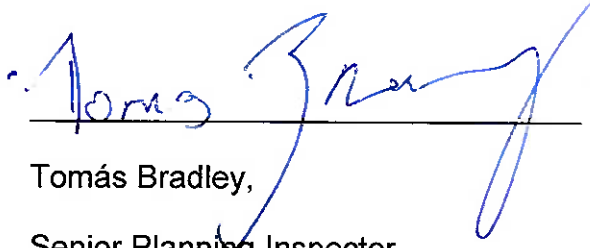
This course of action should bring about focused and prompt responses to issues being raised by all parties to the files and ensure efficiency in terms of timelines for the completion of inspectorate reporting.

Having considered:

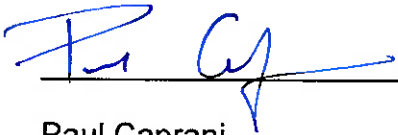
- the general nature, scale and complexity of the proposed development.
- the general plans and particulars submitted by the applicant.
- the general issues raised by the observers.
- the submissions of the observers requesting an oral hearing be held.
- the approach, as set out above, to seek written responses to submissions.

It is therefore recommended that an oral hearing not be held.

I Agree with this recommendation



Tomás Bradley,
Senior Planning Inspector



Paul Caprani,
Assistant Director of Planning

