

Orla Kelly and Paul Farrell
54 Ashfield
Templeogue
Dublin 6W
D6WKX95

Date: 12 July 2023

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 accept this letter as a receipt for the fee of €50 that you have paid.

Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

The Board has also received an application for confirmation of a compulsory purchase order which relates to this proposed road development. The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you in due course on this matter. The Board shall also make a decision on both applications at the same time.

If you have any queries in relation to this matter please contact the undersigned officer of the Board.

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

HA02A

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Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

54 Ashfield
Templeogue
Dublin 6W
D6W KX95

Ref: HA29N.316272

Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

Dear Sir/Madame,

We are writing to make observations on the planning application that has been submitted in relation to the Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme.

We have set out below, seven numbered observations, with justification for each. It is our belief that any one of these observations is sufficient to **reject** the application. However, when all seven grounds are considered together, it is obvious that the application should be **rejected** in its entirety.

We look forward to hearing from you in due course.

Yours sincerely,



Orla Kelly



Paul Farrell

1. There is no existing problem that warrants such a profound disruption of the lives and livelihoods of so many denizens of the Dublin Area

The Government's own research states '*There is limited research available on the quality of the public transport system in Ireland. Nine out of ten passengers expressed satisfaction with public transport services, according to research undertaken on behalf of the National Transport Authority, although this figure varies depending on service provider*' (Kantar MillwardBrown, 2018). (Source: <https://publicpolicy.ie/covid/the-utility-of-public-transport-in-ireland-post-covid-19-lockdown-and-beyond/>, accessed on 14 June 2023)

With the Government's own research citing 90% satisfaction with public transport services, and in light of the changed post-Covid landscape regarding work patterns (see below), there is simply no case for considering the granting of this application.

AN BORD PLEANÁLA	
LDG-	<u>064-393-23</u>
ABP-	_____
19 JUN 2023	
Fee: €	<u>50.00</u> Type: <u>03</u>
Time:	<u>115</u> By: <u>HJD</u>

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

2. The application itself acknowledges the persisting issues of concern that mitigate against approval of the plan

Chapter 0, <https://templeoguerathfarnhamscheme.ie/wp-content/uploads/sites/10/2023/03/Chapter-01-Introduction.pdf>, states:

1.6.3.3 Templeogue to Terenure

The key issues emerging from the consultation process relating to the Templeogue to Terenure Section of the Proposed Scheme were as follows:

- Traffic, parking and access impacts - Concerns were raised over the possible increase in traffic on alternative routes which motorists might take in order to access the city centre due to the proposed traffic management measures.
- Pedestrian and cyclist safety Residents raised concerns about the safety of pedestrians along the route, particularly through the villages of Templeogue and Terenure, due to reduced footpath widths and increased bus frequency and speeds. Concerns were raised over the quality of cycling provision in the area. Residents felt there was a lack of continuous, segregated cycle lanes.
- Proposed land acquisition – Concerns were raised over the proposed acquisition of private land to deliver the scheme. However, there was support for the reduction in potential land acquisition compared with the proposals during the first round of public consultation. Particular concerns that were mentioned included reduced access to driveways and parking areas, reduction in property value, reduction in privacy and security.
- Removal of bus stop – Concerns were raised that removal of the bus stop could potentially result in daily commuting times increasing.
- Inadequacies in consultation process – Concerns were raised that the second round of public consultation had continued through the period of the COVID-19 pandemic. Residents were concerned they did not have sufficient opportunity to discuss the proposals in person with their local community members.
- Increased air and noise pollution – A number of submissions raised that due to land acquisition, the increased proximity of the road to houses could potentially lead to increased air pollution levels. It was noted that, increased traffic levels could result in increased air pollution, in the form of nitrogen emissions from car exhausts of non-electric vehicles.
- Need for the scheme- Some residents felt that the scheme was not needed in the area and the current provision of public transport and cycle tracks are sufficient. These residents generally felt that the scheme would not benefit them enough to warrant potential changes and disruption to their quality of life.
- Removal of trees – A number of submissions were supportive of the reduction in tree loss along the scheme, however they expressed continued disappointment over the quantity of trees to be removed.

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

1.6.3.4 Rathfarnham to City Centre

The key issues emerging from the non-statutory consultation process relating to the Rathfarnham to City Centre Section of the Proposed Scheme were as follows:

- Inadequacies in consultation process- Some submissions stated that they had not been notified of plans unless their property was being considered for land acquisition. Concerns were also raised that some residents whose homes would potentially be impacted by land acquisition had not been notified.
- Pedestrian and cyclist safety - Concerns were raised for the safety of pedestrians along the route, particularly at shared spaces at bus stops, at locations where the footpath is narrow and at pedestrian crossings. Many submissions noted support for improvements to pedestrian safety along the scheme Environmental Impact Assessment Report (EIAR) Volume 2 of 4 Main Report Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme Chapter 1 Page 29 such as the bus gate through Rathmines Village reducing traffic volumes and speeds, and the one-way system on Rathgar Road.
- Traffic, parking and access impacts – Concerns were raised that where the road would be widened, traffic would increase as a result of the general traffic lanes not sharing lanes with buses. Some residents raised concerns that traffic management measures on alternative routes would funnel traffic onto CBC.
- Proposed land acquisition - Many residents, particularly those on Rathfarnham Road and Terenure Road East raised concerns about the acquisition of private land to deliver the scheme.
- Protected structures - Residents raised concerns over the loss of architectural, archaeological and cultural heritage along the route, and particularly on protected structures. Residents of Rathfarnham Road and Terenure Road East raised specific concerns over the impact on protected structures as a result of road widening along the route, and requested alternative options be explored further.
- Removal of trees - Residents raised concerns about the potential loss of trees along the route. Concerns included amenity, aesthetic impacts, heritage, environmental concerns (including biodiversity, carbon, air quality, noise pollution) and the potential impacts on health and wellbeing. It was also noted that the trees create a natural division between the footpath/cycle path and the road, which provides protection for pedestrians and cyclists.
- Increased air and noise pollution- Residents were concerned that potential removal of trees, increased traffic levels, and the reduction of garden/driveway space could result in increased air pollution and noise pollution. This issue was particularly apparent with regards to Rathfarnham Road and Terenure Road East.
- Need for the scheme - Residents were concerned that not enough traffic modelling assessments had been undertaken. There were concerns that without these it was hard to know if traffic flow would be maintained. It would also be difficult to understand whether traffic would be pushed onto alternative routes, causing further problems.

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

The issues raised during the second round of public consultation in March / April 2020 and the additional (third) public consultation phase in November 2020 were broadly the same. These issues have been considered in the iterative Proposed Scheme development.

This last admission (in section 1.6.3.4 above) is particularly interesting and captures yet again one of the main problems with this planning application — the issues were raised in the second round of consultation (held in the full throes of Covid) and those issues persisted in the third round of consultation. Therefore, the issues remain to be addressed, and this application cannot be granted in the face of such glaring, unresolved issues.

3. Adequacy and efficacy of modelling

The question of traffic modelling needs to be revisited in its entirety because as stated in Volume 4 of 4 of the EIAR:

Destination and mode choice parameters within the ERM have been calibrated using two main sources: Census 2016 Place of Work, School or College - Census of Anonymised Records (2016 POWSCAR), and the Irish National Household Travel Survey (2017 NHTS).

3.2.2.3 The use of the ERM for the Proposed Scheme

The NTA's ERM is the most sophisticated modelling tool available for assessing complex multi modal movements within an urban context. This provides a consistent framework for transport assessments. The ERM is the ideal tool to use as a basis for the assessment of the Proposed Scheme and to estimate its multi-modal impact. In addition, it provides the platform to forecast future trip demand and distribution.

The NTA ERM is, therefore, the primary high-level modelling tool for the strategic transport assessment of the Proposed Scheme, providing the sole source of multi-modal forecast trip / person demand for each of the scenarios to be assessed. The ERM provides the strategic impacts and benefits of the Proposed Scheme and the outputs from the ERM provide key inputs to the Transport Impact Assessments (TIA) and EIAR.

Two points of particular note arise:

- The data used by the NTA, dating from 2016 and 2017, is out of date, and in the intervening period the COVID pandemic has radically altered many people's work patterns (e.g. many Government Departments now only required two core days of office attendance each week)
- The modelling tool used is described by the applicant as '*the sole source of multi-modal forecast trip / person demand for each of the scenarios to be assessed*'

It is untenable that an application based on 6-year old data, when the current data is known to be fundamentally changed due to Covid, using a single forecasting system, would even be entertained. It is common practice throughout the technical sphere to employ multiple modelling paradigms, from different teams/vendors to guard against the real and present dangers of models suffering from unintended biases, and therefore producing convincing, but ill-informed and ill-judged, results. It was open to the applicant to commission other modelling, for example from academic institutions, but instead it chose to rely on its own, self-described '*sole source*' —this oversight severely impugns the credibility of any modelling on which the applicant has relied.

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

Furthermore, as explained in the peer-reviewed paper, '*Making the Most of Models Using Models To Develop More Effective Transport Policies And Strategies*' (Source: https://www.vtpi.org/FerWig_Modelling.pdf, accessed: 14 June 2023):

Difficulties with models could include:

- Models may be unreliable or may mislead.
- Models may be limited or silent on some important aspects.
- Models could be intended to be used only for project assessment and for the testing of relatively marginal network changes.
- Models may not make sense when compared with other data such as trend based projections.

In some circumstances, each of the above may be true, but the majority of problems associated with models are caused by their inappropriate specification, use or interpretation, rather than any inherent problems of particular models.

In this case the applicant states that the model is the '*sole source*', and there has not been any apparent, or certainly meaningful, peer review. This approach is contrary to all received wisdom in this field and, given the potentially devastating negative consequences of this application for literally hundreds of thousands of people, it behoves An Bord Pleanála to decline this application based on these significant shortcomings.

4. Reliance on ambiguous and un-supported 'sound-bites'

The application contains a number of '*sound-bites*' that do not stand up to close scrutiny.

One example is to be found in Chapter 2, wherein the applicant states: '*there are key sections of the current bus lanes that are not operational on a 24-hour basis in addition to being shared with both formal and informal parking facilities and cyclists which compromises the reliability and effectiveness of the bus services in these areas.*' The statement that they are not operational on a 24-hour basis is correct. **HOWEVER**, this ignores the fact that the buses are not operational on a 24 hour basis. Indeed to provide any increase in terms of bus service, existing or proposed, bus-operators will have to resolve their well-publicised recruitment crisis; one possible solution, it to increase wages and benefits, however this will adversely affect the costings and viability of the current or proposed scheme—factors that have not been mentioned in the application.

Another example is the statement '*Improve accessibility to jobs, education [...]*' — this statement ignores the fact that many of the new jobs being created in the Irish economy are virtually-enabled and require little if any work-place attendance. And in the case of access to education, it is a matter of public record that the vast majority of educational institutions are already over-subscribed—the proposal to wreak havoc through large swathes of Dublin city and suburbs to provide an increased frequency of buses to take people to educational institutions that have no place for them, is a cynical abuse of the aspirations of those who have already been educationally disappointed—the money would be better spend on expanding the capacity in the educational institutions.

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

The statement in section 6.3.3.4 that '*Removal of trees – A number of submissions were supportive of the reduction in tree loss along the scheme, however they expressed continued disappointment over the quantity of trees to be removed.*', is a particularly egregious example of a self-serving statement, phrased in a manner that obscures the reality of a situation— it is framed positively, '*A number of submissions were supportive [...]*', but on close reading what was actually being supported were **objections** to the plan, on the basis of tree removal; and continued disappointment after the 'alleged' consultation. Furthermore, the description as presented could even be used to describe outright objections to the plan on the basis of tree loss, because such outright objections still fit the applicant's presentation '*A number of submissions were supportive of the reduction in tree loss along the scheme [...]*'.

The above examples serve to highlight the self-serving, and in some cases mis-leading, presentation of information by the applicant — consequently, An Bord Pleanála cannot rely on the application as presented to provide a true, fair and balanced picture of the state of consultation and objection, and on that basis alone, the application should be rejected.

5. Impacts for religious practice have been ignored

We have been unable to find any reference in the applicant's submission to the impacts of the proposals on religious practice. This is a very important point, albeit one that secular society may seek to minimise. Under the planned scheme, private transport access to long established churches e.g. on Rathmines Rd Lower, will be rendered impossible for large portions of time. This will have a serious adverse effects for persons, — some/many of whom may have a variety of mobility challenges that in some cases preclude the use of public transport — seeking to access these locations by private transport, often adapted for their particular challenges, for major life events such as christenings, communions, confirmations, weddings and funerals — the loss of these capabilities may not be readily appreciated at this time, and do not seem to have been reflected anywhere in the application, but we believe serious and detailed consideration needs to be given to these aspects before any informed application could be made, and certainly before An Bord Pleanála can make an informed decision on the application.

6. Impacts for commercial life have been ignored

Rathmines, Rathgar, Terenure and Templeogue are all areas that benefit from the availability of a range of local retail outlets for groceries, fashion, food, drink, etc. These facilities are both part of the fabric of the areas, and essential to the lives of many of the residents e.g. several supermarkets are close by but if one is to do a reasonable sized shop, or if one were older or infirm, being able to access such shops with one's car is essential —and shopping locally minimises the carbon footprint of essential purchasing. However, due consideration has not been paid to the impacts of this proposed plan on this essential, continued commercial life.

7. Efficacy of virtual consultation

Chapter 0, <https://templeoguerathfarnhamscheme.ie/wp-content/uploads/sites/10/2023/03/Chapter-01-Introduction.pdf>, states:

1.8 Difficulties Encountered During the Preparation of the EIAR

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

The primary difficulty encountered during the preparation of the EIAR was the onset of the COVID-19 pandemic in March 2020 and the ensuing restrictions which have continued into 2021. On site and face-to-face consultations for the PRO non-statutory public consultation (which had commenced on 4 March 2020) was suspended when it was underway with all remaining planned events cancelled. However, the consultation remained open and continued to accept written submissions.

The third round of public consultations (November/December 2020) was largely virtual (either by virtual consultation rooms/Zoom meetings or telephone contact).

Subsequent engagement with interested parties and landowners continued via virtual means.

It is considered that in spite of the COVID-19 restrictions comprehensive consultations were undertaken to inform design development and EIAR preparation.

With regard to EIAR baseline surveys, they were either undertaken prior to COVID-19 restrictions coming into force or were undertaken within the requirements of the Governments COVID-19 guidelines. The restrictions did not give rise to any substantive effects on data gathering and consequently it is considered that the EIAR prepared is sufficiently robust in nature

The applicant concedes that Covid disrupted consultation on the proposed plan and that much of the subsequent consultation was conducted virtually. Figure No. 1, sourced from the Central Statistics Office, demonstrates the error of seeking to rely on virtual consultations — only 9% of 60-74 year olds use virtual methods for such consultations. And even in the group with highest engagement for virtual consultations, 30-44 year olds, the engagement rate is only 16 %. It is unconscionable to suggest that virtual consultations, conducted during the Covid restrictions, could be treated as providing a reasonable or efficacious indication of the views of the actual persons and communities whose lives will be so profoundly affected by the proposed scheme.

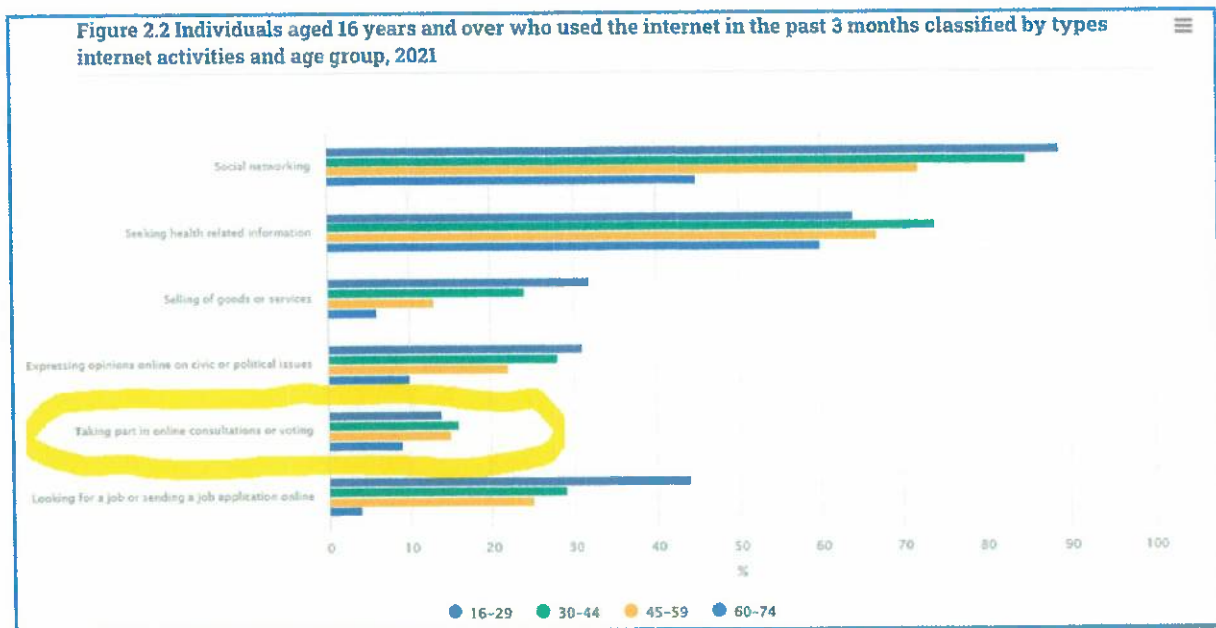


Figure No. 1: Internet Usage according to CSO study from 2021 (Yellow highlighting added by this letter's authors)

Source: <https://www.cso.ie/en/releasesandpublications/ep/p-isshdcb/householddigitalconsumerbehaviour2021/internetactivities/> Accessed: 15 June 2023

Observations on Templeogue / Rathfarnham to City Centre Core Bus Corridor Scheme

In this regard, we have no recollection of receiving any wide-spread mail delivery from the NTA advising us, and the thousands of others whose addresses they know (from the electoral register), of the proposal to put into effect such profound changes that directly affect our immediate environment — surely such direct communications should have been undertaken to ensure that the widest possible consultation was achieved and that the largest number of denizens were made aware of the plan; the application states *'Letters were delivered to each individual potentially impacted property affected by the Proposed Schemes [...] 294 letters were delivered on 18th January 2019 along the two proposed sections'*. It is shameful that letters were not sent to all houses in the affected areas, and one can only wonder if this was a tactic to minimise responses, observations and objections.

The lack of letters for all affected houses means that such consultation as the applicant claims, and relies upon, should be discounted, and the applicant should be required to ensure that a proper, inclusive consultation process is undertaken. The applicant's statement that *'It is considered that in spite of the COVID-19 restrictions comprehensive consultations were undertaken to inform design development and EIAR preparation.'*, is very informative. The applicant is not claiming that it has properly informed the affected cohort of citizens of the likely impacts, it is simply claiming that, from the applicant's point of view, it has done enough to inform its own design which is the subject of the subject application — these are two very different matters.

In reality, the applicant is simply pressing ahead with its design but without the benefit of the views of a significant cohort of those directly affected — this is simply unacceptable and does not provide a solid basis on which An Bord Pleanála can consider and assess the proposal. In fact, against this backdrop, the applicant's statement, *'The [Covid] restrictions did not give rise to any substantive effects on data gathering [...]'* is exposed as ill-judged and uncertain. Indeed, the matter (Covid restrictions' effects on data gathering) is simply unknowable, and to assert otherwise is to seek, wittingly or unwittingly, to mislead the Bord in its deliberations.