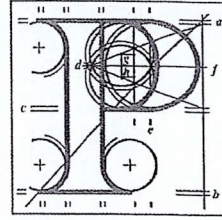


**Our Case Number:** ABP-316272-23

**Planning Authority Reference Number:**



**An  
Bord  
Pleanála**

Terenure Road East Residents' Group  
22 Terenure Road East  
Rathgar  
Dublin 6W  
D06 FW63

**Date:** 22 August 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 at [laps@pleanala.ie](mailto: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

HA02A

<b>Tel</b>	<b>Tel</b>	(01) 858 8100
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<b>Ríomhphost</b>	<b>Email</b>	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoilbhríde Baile Átha Cliath 1 D01 V902	64 Marlborough Street Dublin 1 D01 V902
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An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
[Submitted online]

RE: TEMPLEOGUE/RATHFARNHAM TO CITY CENTRE CORE BUS CORRIDOR  
SCHEME APPLICATION NO.: 316272

SUBMISSIONS/OBSERVATIONS OF TERENCE ROAD EAST RESIDENTS' GROUP,  
C/O 22 TERENCE ROAD EAST, RATHGAR, DUBLIN 6, D06 FW63 ON:

**NTA application to An Bord Pleanála Templeogue/Rathfarnham To City Centre Core  
Bus Corridor Scheme (316272)**

1. We participated in the Public Consultation in relation to the Bus Connects Project as it related to Route No. 10, Tallaght to Terenure Core Bus Corridor and Route No. 12, Rathfarnham/Terenure/Rathgar/Rathmines to Dublin City. We made detailed submissions to the NTA in relation to this matter. We rely on the content of our submissions to the NTA and on the submissions to the NTA **and** to ABP of Rathgar Residents' Association; Ray and Paula Moore (Rathgar Road, Rathgar), Rathgar Road Residents' Group; Terenure Road East Residents' Group; Diarmaid McGuinness (Auburn Villas, Rathgar Road dated 13 August 2023) and the submissions to the NTA **and** ABP made by and/or on behalf of Anna Shanley and Ryan Stempniewicz (14 Terenure Road East, Rathgar) and Greg and Audrey Turley (59 Terenure Road East, Rathgar). The content of each of those submissions are relevant to ABP's consideration now of the NTA application made to it in relation to the Templeogue/Rathfarnham Core Bus Corridor application. We request that where necessary, ABP source those submissions made **to** the NTA from the NTA itself (rather than deter public participation at the ABP stage by requiring private individuals fund experts to objectively examine the NTA plan when those experts have already submitted reports and incur expense over and above the fee charged for the making of the within submission). In assessing the application made by the NTA, ABP needs to have regard to the submissions made to the NTA in the course of the public consultation process. No submission has been withdrawn and they cannot be considered moot in relation to the application made to ABP by the NTA given that the NTA application is simply a tweaked version of what was



commented on to the NTA directly. In particular, reliance is placed by us on the expert reports/submissions submitted to the NTA on behalf of the following:

- i. Rathgar Road Residents' Group (Kieran O'Malley & Co Ltd dated 30 April 2019);
- ii. Terenure Road East Residents' Group (Tom Philips and Associates);
- iii. Professor Jennifer McElwain Professor of Botany (1711) Head, Botany Department Trinity College Dublin College Green Dublin 2 (dated 28 April 2019);
- iv. sworn statement of Greg Turley dated 14 December 2020 together with the report of Ronan Hannigan, chairman of the Eco Restoration Trust dated 15 December 2020 which were submitted to the NTA;
- v. Dr Martin Rogers, who also compiled a report on Terenure Road East on behalf of Michael O'Donoghue SC;
- vi. Mr Peter Twamley, a resident and member of the Urban Design Committee of the RIAI among others

Those reports must be provided to ABP by the NTA (and if not done voluntarily, ought to be actively sought by ABP) as they continue to be relevant and require consideration now by ABP because the current iteration of the NTA application is merely a tweaked version of what was originally proposed. The NTA proposal for Rathgar (Rathgar Road, Terenure Road East and the surrounding areas) continues to have a potential negative impact on Rathgar and the neighbouring area notwithstanding that the NTA dropped the threatened CPOs on Rathgar Road and on part of Terenure Road East in Rathgar (although not all as road widening is still planned for part of Terenure Road East and valuable mature trees are still to be felled along Terenure Road East, including at No.59 Terenure Road East).

2. The NTA application impacting on Rathgar (**316272**) continues to force a bus corridor through what is a residential area of historical and heritage significance without
  - a) an assessment of the **cumulative** impact, including environmental impact, of all of the planned "corridors" (for which separate application were made to ABP) on the city and citizens of Dublin;
  - b) without identifying with any specificity what the claimed benefits will be (including in terms of purported time savings and/or environmental impacts);
  - c) without reference to the failure to even consider N81/R137 (Harold's Cross Road) as a route into the city centre given that it is shorter and was mistakenly omitted from the original route consideration as it had been earmarked for the now defunct BRT (Bus Rapid Transport) plan;

- d) an absence of environmental assessment of the proposed intensification of the bus service making a residential area a bus corridor, thereby prioritising the commuter over the resident;
  - e) a failure to consider the impact on protected structures of such intensification;
  - f) an absence of traffic modelling and
  - g) and a failure to set out the alternatives considered.
3. The submissions referred to above are to be considered as part of the within submission to ABP and are intended by us to be read in conjunction with this submission to ABP and are required to be fully considered by the Bord in the exercise of its statutory functions.
4. We oppose the NTA's proposed Core Bus Corridor (CBC) – it was originally described as two separate corridors but is now one application - due to be routed through Rathgar and the surrounding villages and communities on a number of grounds, including because of the detrimental impact the plan will inevitably have on the following:
- Safety
  - Air quality
  - Protected structures
  - Environment (mature trees are to be felled along Terenure Road East)
  - Quiet enjoyment of our home (making it a bus corridor destroys the village)
  - Community life
  - Social cohesion (the village and roads will be divided and indeed those still facing CPO of their property are devastated to be singled out for road widening at a time of climate catastrophe)
  - Village atmosphere, heritage and character
  - Property values (will reduce as the village will be ruined by the bus corridor intended for commuters)

without contributing sufficiently to the speed of bus journeys and/or reducing car traffic. It is also inexplicable why the NTA has not already introduced all of the other means of increasing bus journey times; contactless and cashless payment methods, cameras in buses (why has the required legislation not been championed by the NTA), policing of bus lanes in general. Bus priority lights are finally being used on Terenure Road East (and Templeogue Road). The facility was there previously but was not used. This means that



the bus times relied on by the NTA in the application – being pre bus priority light - are in fact no longer relevant, are inaccurate and require to be recalibrated. Many of the bus journey improvements claimed by the NTA (in so far as they have made any clear or transparent figures available) will be due to the removal of bus stops and lengthening of distance between stops. Furthermore, there is an entirely undesirable proposal to move stop 1165 from its position on Terenure Road East closer to the busy junction in the village where there will be insufficient room on the footpath for local pedestrians and passengers alighting from or waiting to embark on buses. The new chosen location (at 14 and 12 Terenure Road East in Rathgar Village) was not contained in any earlier iteration of the NTA plans and was therefore not something about which any submissions were made, including by the homeowners and property owners outside whose properties the bus stop is now planned to be placed. The NTA is not adhering to good road planning and safe location of bus stops by choosing that location. We adopt and endorse the planning report submitted to ABP on behalf of Anna Shanley (by Hughes Planning). The bus stop should remain where it is, in our submission, serving the village and the nearby roads proximate to but not at the junction.

5. We also oppose the CPO properties on Terenure Road East (namely 59 onwards) and the removal of trees which have huge value to the community environmentally and as an amenity. The plans proposed by the NTA have a disproportionate impact on the community and on individuals for little of not gain to the planned beneficiaries.
6. Lest there be any confusion, we are painfully aware that private car usage has to be reduced. But we disagree that a bus corridor is the means by which that can be achieved most efficiently. Furthermore, there is no park and ride facility. We support provision for safe cycling but are dismayed to see that we and our children are to cycle on a bus corridor when Terenure Road East and Rathgar Road were already nominated in the GDA plan as a preferred cycle route.
7. In the meantime, a signal failure of the NTA has been to adapt the proposed bus corridor (or any of them) to reflect the changes brought about by working from home patterns since Covid 19. This failure renders the application inadequate as it fails to demonstrate that the modelling and/or data relied upon by the NTA, which was gathered prior to the pandemic, has any application to commuter numbers and patterns in 2023 and beyond.

8. The NTA has since abandoned certain CPO proposals, but original proposal demonstrates that the NTA had no understanding of the concept of protected structures or urban villages when it chose the route to begin with. It is very important to recall that the route chosen by the NTA included cutting a swathe through protected structures in Rathgar and felling almost all of the local mature trees. The fact that the engineers who came up with that plan also came up with the route is a matter of grave concern. It is too soon to be laughable, but someone in the NTA (over which no one – political or otherwise – appears to have oversight) actually thought it a good idea to obliterate the mature trees in Rathgar, including at Christ Church. Those same people chose the route. The original feasibility study (which is still relied on by the NTA in relation to the selection of the actual route, notwithstanding that the number of CPOs has been reduced) states:

*“6.4.81 In terms of ‘Environment’, route option TVR3 is considered to be less attractive in terms of potential for environmental impacts in relation to Architectural Heritage. The majority of residential properties along Terenure Road are protected structures. For option TVR3 land take from 29 protected residential properties on Terenure Road East is required along an approximate 470m section (maximum 5.7m width from front curtilages), whereas options TVR1 and TVR8 require Land take from 13 protected residential properties within 200m section, max width 1.5m width front curtilages. Land acquisition of protected structures under TVR3 will involve **relocation of boundary walls or railings. There will be no impact on the protected buildings themselves.**” [Emphasis added]*

9. It is acknowledged by the NTA’s experts that the route chosen is one which has a hugely detrimental impact on the local heritage. There are circa 79 protected structures on Terenure Road East. All of them deserve to be protected. Only those considered for CPO were evaluated by the NTA as though only a CPO could negatively impact on a protected structure – or hundreds of protected structures along Rathgar Road and Terenure Road East. When the route was selected, no consideration was given to the negative impact on the protected structures, built heritage and historic character of the area by being subjected to the intensification of the bus service.
10. The same is true of Rathgar Road which has circa 127 protected structures. These are all connected and complementary roads; Terenure Road East was at times called Roundtown



Road (1862), Upper Rathgar Road (1860), Terenure Road (circa 1930)<sup>1</sup>. Brighton Road, which dates from 1864, and the other quiet side roads off Terenure Road East and Rathgar Road will be impacted by the NTA plan because they will become rat runs; no one will continue by car along Rathgar Road (which is to be made one way, although it is unclear if the NTA has decided in which direction) when they cannot go through Rathmines which is to become one way south-bound (out of the city) from St Mary's. Already, Castlewood Avenue is congested so funnelling all city bound traffic along that road will not work. Who else will lose on Castlewood Avenue? Cyclists, who will be squeezed for space. And wither outbound traffic not permitted to travel through along Rathgar Road? No trial has been conducted and the computer modelling is outdated. This latter point is crucial to any testing of the proposal (and each of them) by ABP. The data modelling by the NTA must be subjected international scrutiny.

11. There are other notable flaws in the NTA approach to BusConnects as a project. The European Environmental Impact Assessment Directive (Directive 214/52/EC requires "*a description of the reasonable alternatives studied by the Road Authority or the Authority, as the case may be, which are relevant to the proposed road development and its specific characteristics and indication of the main reasons for the option chosen taking into account the effects of the proposed road development on the environment*". This includes "*a comparison of the environmental effects*". This means a comparison of the environmental effects of the chosen route vis a vis those studied as reasonable alternatives. The NTA proposal (and all of the corridors together) come within the scope of requiring an EIA to be done. That EIA must:

- a) Identify reasonable alternatives;
- b) Study those reasonable alternatives;
- c) Report upon such alternatives studied in conjunction with the development;
- d) Include in such report a comparison of the environmental effects of the proposed road development with the alternatives studied, and including an indication of the main reasons for selecting the chosen option.

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<sup>1</sup> Although no longer the name of Terenure Road East, the archaeological experts confusingly called it Terenure Road in the draft report relied on by the NTA. See Fred Dixon, *The History of Rathgar*, 1991 ISBN 0 9517240 0 2

12. There has been a failure by the NTA to comply with the requirements of Annex VI.2 of the EIA Directives and/or Section 50 of the Roads Act, 1993 as inserted by S.I. 279/2019 in relation in particular to 316272. Route 10 (Tallaght to Terenure Core Bus Corridor) and Route 12 (Rathfarnham to Dublin City Core Bus Corridor) were the subject of separate public consultations by the NTA. They have only now been joined together for the purpose of the application to ABP for its approval. This gave rise to project splitting which in turn gave rise to an inadequacy of public consultation in relation to both routes as a combined unit. ABP will be required to assess the legality of the NTA approach (and ultimately it will be a matter for the courts to decide – all rights are reserved in that respect).
  
13. When selecting a route to the city through Terenure Road East, Rathgar Road and Rathmines Road, the NTA excluded the N81 and R137 Harold's Cross Road from (a) Consideration, (b) Study, (c) Assessment and (d) Comparison of Environmental Effects with the chosen route. Why was that? Taking Route 10, from Tallaght/Templeogue, there are two alternatives for city-bound traffic reaching the village of Terenure. Bus traffic could turn left in Terenure Village along Terenure Road North leading to Harold's Cross Road onwards (which is how the current signage in Terenure directs traffic to the city centre). The NTA ignored that route (for flawed reasons) and insists on running the corridor through



Rathgar to Rathmines, referring to these urban villages as “pinch points”. This reveals the NTA concentration on the commuter rather than the resident or local user. **The NTA does not explain for what purpose the R137 is currently reserved.** It has sought to route bicycles along that route, but Terenure Road East and Rathgar Road were in fact identified

as the preferred cycling routes in the plans for the Greater Dublin Area.



14. The R137 is a reasonable alternative route (and is clearly the nominated route as per the signage) for such traffic with potentially three further options for such traffic reaching the city: (a) turning right along the Grand Canal (R111/Grove Road) without crossing the canal; (b) crossing the Grand Canal at the Robert Emmett Bridge (not a protected structure), proceeding to the junction with the South Circular Road and turning right down the South Circular Road, as buses do at present; or (c) proceeding along Clanbrassil Street and to access the City crossing the junction of Kevin Street and Dean Street towards Patrick Street.

15. In the application before ABP, the NTA has routed buses along Terenure Road East, Rathgar Road and through Rathmines to the City. At present, bus traffic from Rathfarnham goes through Terenure Village from the Rathfarnham Road onto Terenure Road North onto



Harold's Cross Road. This is a QBC (quality bus corridor) with a number of routes on it (known as R137) and was identified as a QBC because it is shorter, more direct, unconvoluted and a wider route to the City Centre. The exclusion of the R137 from BusConnects (316272) appears to be explained by the December 2017 report of the CBC Feasibility Study and Options Assessment Report for the Rathfarnham to City Centre Core Bus Corridor. Section 2 identifies the Harold's Cross Road and requires careful consideration by ABP as the NTA made a serious error in not considering it for BusConnects. At paragraph 6.1 the report states (at page 144):

*“When assessing route options for Section 2 of the study area generally there are two principal routes which converge/diverge at Terenure Cross, namely via Harold's Cross and via Rathgar/Rathmines, as illustrated in figure 6.1 below.”*

16. At paragraph 6.1.3, the report states:

*“The Clongriffin/Tallaght BRT is of particular relevance to Section 2 of the Rathfarnham CBC route. The CBC route should complement BRT service but not duplicate a potential routing of the Clongriffin/Tallaght BRT route, which is likely to travel via the Harold's Cross Corridor as per the transport study for the GDA (2016 to 2035 and identified in figure 1.2 of this report).”*

17. The TSGDA in referring to shortcomings in the existing bus network stated “At present the GDA is heavily reliant on the bus network. The regions existing bus infrastructure consists of a network of bus lanes of varying standards and of varying levels of continuity while in certain locations relatively competitive journey speeds and journey time reliability can be achieved. The network is generally characterised by discontinuity whereby bus priority is provided only along certain sections of each corridor. This has a major impact on the attractiveness of the bus as a mode of transport, as the delays caused by even a small number of pinch points in specific places can have a significant negative impact on the performance of the affected services as a whole and discourage people from using the bus”. (Section 3.2.3)

18. As pointed out in the excellent and considered submission of Diarmaid McGuinness (Auburn Villas), which we support: *“it is appropriate also to give further consideration to what the NTA said in its report relating to Bus Rapid Transit/Core Dublin Network (October*



2012). There the BRT studies selected a single route for appraisal which was predominantly based upon the existing QBC network. The BRT report acknowledged the purpose of the study was not to identify the preferred route for the BRT system on a particular corridor, nor was it to suggest the preferred design on any section or alignment considered. That report envisaged that there would be alternatives and that such alternatives for the BRT would be examined in greater detail. If a decision was to be made to proceed with further work on the scheme, such alternatives would necessarily be examined during the route options phase of future BRT project. The BRT report expressly states that “It is important to note that these route alignments chosen for this assessment do not reflect what a final route might be for a BRT line along these corridors.” In my submission, the BRT route in the TSGDA should not have been taken in the current CBC study as a fixed and final route at that time in 2017.

19. Mr McGuinness adds (and rather than paraphrase it is helpful to set out the submission in full again):

*7.4 The Harold’s Cross route, despite having satisfied the Stage 1 assessment in the Feasibility Report, did not progress beyond Stage 1 because of this adoption of an objective not to duplicate the bus rapid transit corridor. This bus rapid transit scheme is not proceeding along the corridor identified in the TSGDA and it is clear that the BRT indicative route and the BRT scheme as set out in the TSGDA has been abandoned. The Harold’s Cross route never got a proper Stage 2 assessment and the methodology put forward by the Feasibility Report, at page 146, whereby the first sift of route options involved in a Stage 1 assessment meant that Harold’s Cross Road, despite having satisfied this, did not get through to the multicriteria assessment of route options envisaged by Stage 2, as set out in figure 6.2 at page 146.*

*7.5 See, for example, Table 6.1 reporting on the route option sifting of Stage 1 where it identifies Harold’s Cross Road as SW50 and records a “pass” in the table, at page 150. Despite this, at Stage 2, Section 2 option assessment, paragraph 6.3.1, at page 158 of the report, states “following the Stage 1 sift for the Section 2 study areas, the remaining 19 (12 excluding Harold’s Cross route) route options were combined to form seven cohesive route options between the Dodder River and La Touche Bridge (via Rathmines Village) as shown in figure 6.5 below”. It went on to state the route options which run*

*through Harold's Cross Road (SW50, SW56, SW57, SW62, SW61, SW64) were also discounted as the Rathfarnham to City Centre CBC is to serve Rathmines for the reasons outlined in Section 6.1. Section 6.6.1 therefore identifies seven principal route options for Section 2 between the Dodder River crossing and the Grand Canal. These are, in reality, the same road route for each of the options and cannot, under any scheme of things, be regarded as alternative routes in terms of the roads chosen. The routes put forward as CB1 to CB7 are identical as far as the road chosen are concerned. It is to be noted that CB4, which was the preferred route in the Feasibility Report, envisaged the maintenance of two-way general traffic on Rathgar Road."*

**8. The Reasonable Route Options that were Open:**

*8.1 The Tallaght/Temploeogue traffic turns left at Terenure Cross and goes in via Harold's Cross Road. (Not studied or reported upon.)*

*8.2 The Rathfarnham traffic coming from Rathfarnham Road goes through the Terenure Road Crossroads and continues on the Harold's Cross Road into the City. (Not studied or reported upon.)*

*8.3 The Tallaght/Temploeogue traffic goes straight through Terenure Cross, down Terenure Road East, through Rathgar and Rathmines, and in to the City. (While the Rathfarnham traffic goes straight through Terenure Cross and on into the City through the Harold's Cross Road.) (Not studied or reported upon.)*

*8.4 The Rathfarnham traffic comes from Rathfarnham Road, turns right at Terenure Road East, down through Rathgar, while the Tallaght/Temploeogue traffic turns left at Terenure Cross and goes in through Harold's Cross Road into the City. (Not studied or reported upon.)*

*8.5 The traffic from Tallaght/Temploeogue and Rathfarnham join each other by going through Terenure Cross and down Terenure Road East through Rathgar and into Rathmines and the City. (Studied and reported upon but without any comparison as to the environmental effects vis a vis the other options listed above as reasonable alternatives.)*



## **9. A Significant Error of Law and Judgement:**

*9.1 It seems unbelievable that because of the existence of an aspiration in relation to BRT in respect of which no steps were taken to progress it and which had in fact been superseded by the Core Bus Connects Project, that its legacy would lie like a dead hand and impede the National Transport Authority from fulfilling its mandate under European and national law to identify an alternative route and to study it in accordance with the legal regime applicable. At least when it became clear after the Feasibility Report in 2018 that the BRT scheme had been abandoned, it ought to have, at an early stage of the consultation process in 2018 or 2019, to have remedied the matter by requiring the consultants to progress the Harold's Cross route which had survived Stage 1 sifting and to give it a full Stage 2 assessment under all of the appropriate multicriteria assessment stages."*

20. We (along with many others) have raised this very point with the NTA in written submissions as well as orally at our one-to-one meeting. We have received no response. ABP will now have to examine this hugely significant flaw in the proposal before it. As Mr McGuinness submits:

*"The consequences, however, of not doing so, in my submission, at this stage are fatal to the application, both as a matter of law but also as a matter of coming to a strategic planning judgement on the facts. In the absence of significant demolition at the pinch points, both in Terenure Village, Rathgar Village and the additional pinch points identified at the junction of Lower Grosvenor Road, bottom of Rathgar Road and Rathmines Road at the junction of Leinster Road, Rathmines Library and Rathmines Town Hall, these pinch points remain an insuperable objective of achieving the journey times or the alleged saving in journey times predicted."*

21. In that regard, we also adopt and to endorse paragraphs 5.32 to paragraph 5.45 (pages 24 to 27) of the report commissioned from Kieran O'Malley & Company Limited (dated 30 April 2019) and submitted to the NTA in relation to route options assessments issue and also the summary contained at paragraphs 8.7 to 8.9 (pages 34 to 35) as part of this submission. It is an issue which ABP must interrogate. It is one of the reasons we submit

that an oral hearing is required for application 316272. It will not be sufficient to deal with it from the documents submitted by the NTA.

22. No BRT route progressed to a feasibility study or planning application. The NTA finally acknowledged that the BRT route had been abandoned (see the draft Preferred Route Options Report dated November 2020 at paragraph 5.4.1, page 36) but continues to rely on the fruit of the poison tree, asserting without explanation that *“notwithstanding the fact that the BRT route is no longer currently being progressed, the Rathgar/Rathmines corridor remains the preferred corridor for the CBC”*. On what is that claim based? It is a statement without a reappraisal of the route. It is claimed – without evidence, whether in relation to development on either route, including new schools, residential development or passenger numbers or demand – that there is stronger demand for a bus along the Rathgar Road/Rathmines Road when compared to Harold’s Cross Road. The sources relied on do not support the claimed difference in demand and date back 4 and 7 years respectively (and in the case of the 2011 Census, 12 years) and were not relied on as a reason for the route selection in the feasibility study.
23. It has all the appearance of attempted post facto rationalisation for having made an error at first instance – by directing the exclusion from consideration of R137 because it was thought to be a BRT route. It was a flaw which undermines the route selection. The route was not selected for the subsequent reasons sought to be relied on (which are in themselves out of date and not supported by developments on the Harolds Cross (R137) route. The NTA is seeking to rely on 2011 Census data (two other Census have been conducted since then). It beggars belief that such retrofitting would be attempted by a statutory body in an application of such magnitude for the city as a whole. It calls into question the appropriateness of all of the data and of the research methods. The NTA position reveals that it is an attempted defence come what may of a known flawed choice rather than an actual exploration of the validity of that choice at the outset. It is yet another reason for an oral hearing. This data is deeply flawed and is being manipulated to address an even more fundamental issue – the exclusion from consideration of the R137 because of a now defunct BRT plan.
24. As Mr McGuinness submits, *“it fails to take into account significant population growth along the Harold’s Cross route. Since the 2011 census there has been significant residential*



*development along the route, including significant apartment building at the old Light Industrial Complex at the junction of Mount Tallant Avenue and Harold's Cross Road, the residential redevelopment of the old Classic Cinema site near the Kennelworth junction, the very large development of apartments next to that called Elmville, the development of the site at the Poor Claire's Monastery and other miscellaneous smaller developments. These have not just resulted in a greater combined activity density in the area, but also a significant need for access to a CBC route along the Harold's Cross Road. (v) More importantly and crucially this was not relied upon in the Feasibility Report as a reason for excluding the Harold's Cross route. Summary: In short, the proffering of these Figures are a belated and transparent fig leaf to cover up the fact that the justification for not considering the alternative route at Harold's Cross disappeared a number of years ago and what is being advanced is a tenuous and insubstantial basis for not having done what was required by law in the circumstances."*

25. We also submit that the draft Traffic Modelling Report is wholly inadequate and a failure to properly identify, assess or model the scale and nature of traffic movements caused by the proposal, modelling the diversions of the Rathgar Road, the dangers to all traffic users and the consequences for all local roads. In particular, the proposed diversion of traffic from Lower Rathmines Road onto Upper Rathmines Road and via Highfield Road is completely unsustainable and unworkable and has not been modelled to any acceptable degree required.
26. Under the heading "Transport Quality and Reliability" RG2 and RG3 in the NTA's tables have been given a higher status despite what will inevitably be the addition of large amounts of unnecessary traffic diverting onto and then off the route. It is stated "*all options rank equally under safety as they would all require the same number of turning movements at junctions and footpath widths would be the same throughout*". With respect, that statement cannot be accurate, and it follows that the reasons for adopting RG2 as the preferred route option must be wrong. It may be noted that it is also stated thereunder in relation to RG2, at paragraph 4.4.2.1.10 "*while it would have an impact on traffic movements in the area, suitable diversion routes exist and the length of diversions is reasonable (increase of up to .5 kilometres for through traffic)*." Despite repeated requests by us to do so, none of the proposals have been calculated or modelled in any form and on these grounds alone ABP

cannot be in a position to determine that the proposal is acceptable, safe, workable or necessary.

27. No increased diversion of traffic off the main Rathgar Road or from Rathmines is capable of being absorbed by the local road network, nearly all of which have on street parking on both sides and have very narrow passageways suitable for the passage of one vehicle only. The displaced volumes of traffic - in respect of which there has been no attempt at any calculation - are likely to cause chaos on the surrounding road network in Rathmines, Dartry, Rathgar and as far as Harold's Cross. This gives rise not simply to inconvenience but to loss of amenity by residents in those areas and to increased pollution (particulates from petrol and diesel engines but also the ultrafine particles from tyres, regardless of engine type) in residential areas. The NTA has not considered – adequately or otherwise – the impact of the increased circulation of toxic particles caused by rerouting traffic through smaller side roads and streets. (Report The Guardian, 23 February 2023 [Health impact of tyre particles causing 'increasing concern', say scientists | Air pollution | The Guardian](#)).

28. For the above reasons (and for the reasons contained in the submissions on which we rely), we request an oral hearing in relation to this project (316272). It is in our view flawed if ABP considers the plans separately when it is a city-wide plan by the same “developer”, the NTA. It must work in the round and is not simply the sum of its parts. It is necessary and desirable that the public have an opportunity to test the plans (in this case 316272) at a public oral hearing by ABP. Many of the “consultations” in the process were conducted remotely at a stage where Covid restrictions were in place. Even then contributions were selected by moderators and places were limited. This plan – all of the corridors – will have lasting consequences for the city and for generations of Dublin residents and visitors. It needs to be openly and transparently tested. An oral hearing would go some way towards delivering that.

29. We reserve the right to make further submissions, whether in writing or orally.

Terenure Road East Residents' Group

**15 August 2023**