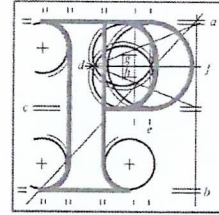


**Our Case Number:** ABP-317780-23

**Your Reference:** Padraic & Anna Costello



**An  
Bord  
Pleanála**

Peter P. Gillett and Associates  
55 Glencarrig  
Sutton  
Dublin 13

**Date:** 12 October 2023

**Re:** Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023  
Bray to Dublin City Centre

Dear Sir / Madam,

An Bord Pleanála has received your letter of objection on behalf of your clients Padraic & Anna Costello in relation to the above-mentioned compulsory purchase order.

In respect of same, please note that in circumstances where

(i) no objections are received by the Board within the period provided for making objections, or

(ii) all objections made are subsequently withdrawn, or

(iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Board will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

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 on this matter in due course.

If you have any queries in the meantime, 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,

Sarah Caulfield  
Executive Officer  
Direct Line: 01-8737287  
CH03

Teil (01) 858 8100  
Glao Áitiúil LoCall 1800 275 175  
Facs (01) 872 2684  
Láithreán Gréasáin Website [www.pleanala.ie](http://www.pleanala.ie)  
Ríomhphost Email [bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde 64 Marlborough Street  
Baile Átha Cliath 1 Dublin 1  
D01 V902 D01 V902



**Peter P. Gillett & Associates**  
TOWN PLANNING & DEVELOPMENT CONSULTANCY

**Strategic Infrastructure Section**  
**An Bord Pleanála**  
**64 Marlborough St,**  
**Dublin 1**

**29<sup>th</sup> September 2023**

**Re :Bray to City Centre Bus Corridor Scheme CPO Order 2023.9.27**  
**Plot list 1129(1).2a.1129(2.2d,1129(3).2d**

<b>AN BORD PLEANÁLA</b>	
LDG- <u>067314-23</u>	
ABP- <u>317780-23</u>	
<b>05 OCT 2023</b>	
Fee: € _____	Type: _____
Time: _____	By: <u>Reg Pod</u>

Dear Sir/ Madam

### 1.Introduction

On behalf of Padraic and Anna Costello 116a South Park , Foxrock D18 E2X0 and Eamon Griffith 114 South Park , Foxrock D18E3E9 we wish to object to both the CPO and the element of the Scheme which proposes a new laneway on to the N11 from the existing cul de sac. Both residential properties immediately adjoin the proposed laneway and will be adversely affected by it .The CPO requires the compulsory acquisition of part of their front and side gardens which they are totally opposed to for a number of reasons. We understand that no fee is required to make this submission.

### Background to Submission .

2.Our clients reside in a short cul de sac of detached houses which lies perpendicular to the N11 where there is an existing bus stop within a few meters of the entrance to the proposed laneway. There is an existing laneway from Beech Park that lies approximately 41 ms distance from the bus stop that is to be retained. Our clients and their neighbours in the South Park housing community strongly object to this new laneway because it is not necessary, it does not convey any significant benefit or convenience for the public , it will be injurious to the residential amenities of this and surrounding roads and finally it amounts to a replication of an existing pedestrian access route that adequately and safely serves its purpose. It can also be argued that for the above reasons the proposal is uneconomic and wasteful.

3. Our clients and their neighbours are fully supportive of the Bus Corridor Scheme except for this element of it that may not have been objectively considered. Our clients and their neighbours as a community group have written to the NTA to voice their concerns and objections. This appears to have been mainly disregarded as no changes were made to the scheme. **We attach our clients original submission to the NTA. Under separate cover the Community submission and signed petition will be presented to An Bord for consideration.** We request that this proposed laneway be omitted from the scheme as it is not necessary and will only detract from the privacy and quiet ambiance of this quiet cul de sac without any tangible increase in accessibility to the subject bus stop which is well served by the existing laneway which was provided during the construction of this estate in the 60s.

4. In terms of direct residential amenity impacts the security and privacy of both dwellings will be impinged. While there is no detailed design of the laneway including walling, steps, levels it would be reasonable to anticipate some overlooking and risk to security. There will also be attendant noise and general disturbance as people use the new laneway and this is likely to be more acute during non daylight hours. While this disturbance will also apply to the adjacent houses in the cul de sac the proximity of the laneway and its potential design will affect these two properties more. In our view this would materially contravene the Development Plan zoning objective for the area to protect and provide for residential amenity. The proposal will also in our opinion significantly depreciate the value of these two properties and this is also a valid planning reason why the proposal should be rejected. The laneway by reason of its anticipated vertical and horizontal alignment also poses a serious safety risk of injury or otherwise to pedestrians, scooters and cyclists using the proposed laneway and to vehicular traffic at the end of this cul de sac and in particular access and egress by our clients to their driveways.

5. We also wish to point out that the construction of the laneway will also have temporary adverse impacts as most of the works will be from the safer end of the cul de sac rather than from the busy and dangerous section of National Primary Road. Lorries and other construction traffic will be generated and add to the general disturbance of the works from traffic generated and construction as well as undermining the safety of the cul de sac for residents and especially children playing on the road.

6. Our clients wish to formally object to the acquisition of part of their property. This will detract from their use and enjoyment of their dwelling and gardens. It also will directly facilitate the construction of the undesirable laneway with all its inherent adverse impacts on residential amenity as detailed above. Use of the CPO procedure to proceed with this proposal is unfair in this instance and is not legally or strategically warranted given the availability of the high quality and existing route from nearby in Beech Park. We could understand the need for the current proposal on this or from one of the adjoining cul de sac if there was no existing convenient and safe connection to the bus stops on either side of the N11. That would be in the public interest and consistent with today's need for improved connectivity to public transport and reduction in car usage to reduce carbon emissions. This situation does not arise and we can argue that the proposal is contrary to the public interest and to the amenity of this estate. **We request that this subject element of this overall commendable**

scheme is omitted in the interest of the proper planning and sustainable development of the area and in the interest of desirable protection of residential amenity.

7. We are attaching our clients additional submissions to be read in conjunction with this submission.



**Peter P. Gillett & Associates**

116A South Park  
Foxrock  
Dublin 18  
03/10/2023

**Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023 –  
Proposed Pedestrian Link between Bus Corridor N.11 and Cul-de-Sac 114/116 South Park –  
Padraic & Anna Costello.**

With reference to the above and the N.T.A. proposal outlined in their letter dated the 23/2/23 and Notice of Compulsory Order dated the 10/8/23, the Notice of this development is displayed on the N.11 dual carriageway but no notice is on display anywhere in South Park.

This development refers to clay mounds which were constructed by the Co. Council with an agreement between Dublin Co. Council the then owner of 114 and I almost 40 years ago. Copy letter 7<sup>th</sup> August 1983 attached. Now that clay mound is to be breached. Commencement is to the back of the mound opposite the northwest corner of our house and ending in the middle of the cul-de-sac. This means the full length of our house and the front garden inside the security walls which are between us and the mound over a gas pipe (in part) servicing my house and other houses further up the hill will be impacted.

Apart from the necessity to spend financial resources to prevent the implementation of these proposals to protect our property – members of our family and indeed our neighbours – to prevent traffic accidents at two locations at the top of the cul de sac, and at the entry to South Park and our home, where we believe a death trap condition will have been created. I fear the possibility where I have to reverse / enter my driveway cross the cul-de-sac in very close proximity the new opening in the security wall.

There is no necessity to use this route through the mound and security wall, when there is passage already in existence through “Williams Lane” to the top of Beech Park Road.

The important points for us:

- (A) Sound barrier
- (B) Security wall increasing expense and anti-social behaviour
- (C) The dismantling of mound (sound barrier)
- (D) Break through of a pathway down towards the two house and security wall turning right to cul-de-sac over a gas pipe and drainage system
- (E) Opening the cul-de-sac wall and the dangers which will be created by the use of my driveway.

“National Transport Authority” intention to construct a pedestrian link through clay/soil sound barrier and break through block security wall from the N11 Stillorgan dual-carriageway to cul-de-sac 114 – 116A South Park. Both constructed by the county council the mound to prevent and protection from road traffic noise and the security wall to prevent vandalism and other forms of criminality. It is not clear what kind construction or facility that may be envisaged, once the link is there for pedestrians then it will also be used by cyclist, E-scooters, etc... What a death trap that will be, with cars reversing into the opening in against the security wall colliding with an E-scooter, large M.P.V.s has to engage in three or four manoeuvres.

There will be an increase in traffic –pedestrians, delivery of pedestrians / passengers obstruction of road. South Park could be used as a “Park and Ride”. I fear that the drainage system behind the security wall could be damaged. While I will be directly impacted, I will supply whatever information available, to me for whole community.

### **The Construction of a sound Barrier.**

Parallel to the N.11 dual carriageway to reduce road noise and in particular the stop/start at the traffic lights by heavy vehicles, sirens of emergency services vehicles, it also provide for privacy from road users. The front of the clay mound to be 8” 6” in height to give a measure of necessary protection from sound. The N.11 traffic has increased enormously and the mound is absolutely necessary.

The ground/road rises in elevation toward Foxrock and without the mound road users including pedestrians would have unimpeded view in and around some of our gardens, houses and roads South Park and Beach Park roads, so our privacy would be compromised.

The clay mound was to be planted with shrubs which was to be a dense barrier to prevent people walking on the mound.

### **The Construction of Security Block Wall.**

Concrete block wall 8” 6” above ground level along the back of the mound across the cul-de-sac 114/116A South Park as a security wall. When the foundation for that wall was being built, it was discovered that the space behind the foundation and the back of mound was retaining water (both ground and surface). It became clear that the water was leaking through the foundation and into gardens and roads to the lowest point of the South Park. The county council fixed a draining system which since has served the purpose.

The wall replaced a low profile 5ft high block wall which separated the then cul-de-sac and the green fields which were later developed as the N.11 dual carriageway. There was no access from that cul-de-sac for cyclists or pedestrians and the new wall is closer to the back of mound, it is still very small and narrow space. The gas supply pipe for 116A is connected at the back of the mound and inside the security wall and under or through the mound. The same pipe supplies gas to houses above Williams Lane and along the N.11. That pipe must be very close to the envisaged passage through the mound which is very close to back of my dwelling. The opening of passage way through the mound and security wall at the cul-de-sac is not a necessity as Williams Lane to the top Beach Park Road has been in use for 70 years.

### **Wildlife.**

Wild birds and animals have flourished since the growth of the plantation on the wasteland from Cloonkeen Road along the N.11 to Williams Lane a distance of 1km.

Wild animals – hedgehogs – squirrels and foxes the latter being the most numerous and feed on rodents. This proposed passage way to the cul-de-sac will reduce the environment and obstruct wild animals and force them out into the fast traffic. the fox has made this area its habitat, Foxrock.

### Cul-de-Sac Area

There are five driveways servicing the dwellings within the cul-de-sac. Some vehicles have to be driven into a driveway to comply with the road traffic rules, with the consequences of having to reverse out which means that manoeuvre could be in the way of other vehicles entering the area or reversing out against other traffic, pedestrians and cyclists.

There is no alternative to this practice and if reversing from an opposite site which applies to 116A driveway, rear view vision can be difficult. Goods vehicles, service delivery vehicles and lorries including emergency vehicles experience difficulty in turning around due to lack of sufficient space.

If the proposed opening in the security (block) wall is to be in use, it will place pedestrians, cyclists, E-scooter or conveyances at peril of being seriously injured or even worse by vehicles using the cul-de-sac, especially those emerging from 114 – 116 (South Park). It could become a death trap. The proposals show disregard for property owners/residents, even the travelling public, bearing in mind that there is an immediately convenient and safe entrance through Williams Lane at the top of Beach Park Road which is wide and in use for over 70 years, only 30 metres approx away from the proposed development. It is not understood by many resident or even by experts why that current pathway is not proposed.

The delivering and collection of passengers in vehicles at the cul-de-sac will cause obstruction to driveways and after a while the whole of South Park will become park and ride.

From my perspective and the driveway at 116A South Park by reversing out, wall opening will cause and expose hidden dangers. There would be reduced sight lines for car coming out of a driveway – not allowing drivers reaction time – error correction.

This will transfer risks to some of the most vulnerable road users, travellers in or out of cul-de-sac. Services to 116A is connected to the mains – in front of 114 electricity – water – telephone – water meter, TV cable area installed near the head of road and up the driveway to house.

In reality, it will be difficult to enjoy living at 116A if these proposals come to fruition. The property will devalue, noise levels will increase, security from vandals and criminals. Crime and vandalism in the cul-de-sac and neighbourhood where easy escape route is available.

This is to be read in construction with Peter Gillett's submissions on my behalf and on behalf of Eamonn Griffith.

Signed:

  
Padraic Costello

  
Anna Costello

Comhairle Contae Átha Cliath  
Dublin County Council

Park House,  
North Circular Road,  
Dublin 7.  
Phone 727777

7/8/23.

Your Ref:

Our Ref:

The following is what we are proposing for the area in question.

1. To construct a mound parallel to the road which will be 8'6" in height above the new road. This is the best form of sound barrier that can be constructed, it will also provide for privacy from road users.
2. We propose to construct a 8'6" high block wall above ground level along the rear of the mound as a security measure.
3. We propose to construct a 5' high chainlink fence of rustic poles along the front of the mound in order to keep people off the mounds until the shrubs get established.
4. We propose to plant the mound with shrubs so that in a number of years this will form a dense barrier which will make it impossible for anyone to walk on the mounds.
5. We are constructing the mounds in such a way that will leave surplus land at the rear which we propose to dispose off to Mr Connolly and Mr Costello and which would add to the potential and value of their properties.
6. At the rear of Mr Connolly's property there is at present a pedestrian right of way. We propose to close this and reroute the pedestrians through an adjacent Cul-De-Sac.





Comairle Contae Átha Cliath  
Dublin County Council

Road Construction Division,  
Park House,  
North Circular Road,  
Dublin 7.  
Phone 727777

Your Ref:

Our Ref:

This is the position at present. I hope that this is of some help in explaining the situation to you.

Yours sincerely

J. Gallagher

S.E.E.

17/8/83  
Rec 26/8/83  
Kc.



**DUBLIN COUNTY COUNCIL**  
 Land Acquisition Dept

Dwg. NO SLA 69/B4 O.S. ref. <sup>3357/425</sup> 3393/24825  
 Date. 14 May 1984 Drawn by: *Ward*  
 Scale. 1:1000 Approved by: *Ormond*  
 Dev. File NO

Project: Cabinteely By Pass	Gross Area	Acres	m <sup>2</sup>
Land to be	Road Area	Acres	m <sup>2</sup>
Adjacent to 116 South Park	Nett Area	Acres	263 m <sup>2</sup>

Aidan Gallagher,  
NTA,  
Dun Sceine, Harcourt Lane,  
Dublin 2, D02 WT20

*Mr Eamon Griffin letter  
to N.T.A and photographs  
A to G, Thank you*

Dear Sirs,

We are writing to you to strongly encourage you to rescind the CPO proposed for the Pedestrian Link between 114 and 116A South Park, Foxrock Dublin 18.

As a community we have no objections to the concept of the Bus Connect scheme outside this element of the proposal.

We as a community have been extremely united in our rejection of the NTA's proposal to install a Pedestrian Laneway for access to a Bus Stop on the N11.

**There is presently an existing Laneway providing access to the N11, accessed from the adjoining cul de sac in Beach Park. (See enclosed attached Map)**

**The exit point from the Existing Lane & the Proposed new Lane are 35 yards apart (approx. "42 Second" walk)**

**The Existing laneway provides excellent access to the Bus Stop & Cycleway on the Bus Corridor.**

- 1. The Existing laneway is 90 yards from the Bus Stop.**
- 2. The walk from the Existing Laneway is a 50 Second walk to the Bus Stop**
- 3. It is a 42 Second walk from the Existing laneway to the proposed New Laneway.**
- 4. Construction of a new Laneway is a complete waste of Public Funds.**

This project will affect all the community including the elderly and children, impacting safety, security, and the ability to enjoy our living spaces.

Furthermore, the Beach Park Laneway access point to the N11 is an established pedestrian route from South Park and Beach Park to the existing Bus Stops on the N11. This laneway has been in operation since the 1960's when the housing estates were originally built.

The reduction of (literally) a couple of **seconds** walk to avail of bus services is not going to affect the proportion of car usage vs bus usage.

The people of South Park & Beach Park already have access to the planned Bus Connects routes. It takes less than 8 minutes on average (from any location within the estates) to access the bus stops from South Park & Beach Park with three existing access points on Beach Park Laneway, Kill Lane and Clonkeen Road.

The proposed New Laneway is going to have **NO** effect on the number of bus users. If people want/need to get the bus to work or for social reasons then they will, as easy access already exists through Beach Park Laneway, Kill Lane and Clonkeen Road. Changing the nature of our community is not benefiting any member of our community.

During our door-to-door petition many residents indicated how they enjoyed the safety of the estate for evening walks. This was particularly true of the elderly, female residents who restrict their walks to the lovely estate that we have. They feel safe in their environs, and do not want a 2<sup>nd</sup> access point directly to the N11, a busy dual carriageway. They have a feeling of safety in our low-crime estate.

There are also many existing cyclists in the estate who can just as easily access the N11 through the Beach Park Laneway, Kill Lane and Clonkeen Road. The proposed South Park access point for these users is completely pointless.

The installation of another Laneway will only act as a magnet for undesirable elements to congregate and intimidate the younger and older members of the community as has been experienced to a greater or lesser degree with the existing laneway over the years. The community accepts that it is necessary to provide access to the N11, however it is not necessary to provide two access points within 35 yards of each other.

There is overwhelming community rejection to the NTA proposal. This may have been a good intentioned proposal originally, but the key point remains that the only people it is planned to affect have no desire or requirement for its implementation. This fact alone should be enough to trigger a withdrawal of the proposed laneway and the temporary CPO.

This scheme is also likely to encourage people to drive to South Park and leave their car there as a safe spot to park, therefore **not** reducing pollution. Instead, it will increase local car congestion within the South Park estate, increase danger to children and increase car pollution.

The specific Cul de Sac where the Laneway is proposed is presently used as a very safe place for children to play football on the street. This facility will be removed with the installation of a New Laneway.

Accessibility to the bus network & cycle lanes, is more than adequately provided by existing access on Beach Park Laneway, Kill Lane and Clonkeen Road with availability to multiple Bus stops & Cycle Ways.

In closing, we thank the NTA for taking the time to review our observations and this subsequent response document. We now ask the NTA to rescind the Proposed Laneway & reject this temporary CPO of the property between 114 and 116A South Park as existing access points to the Bus Connect corridor are adequately provided.

Yours Sincerely,

## Beach Park Laneway Entrance.

- Laneway exit is 90 yards from the Bus Stop.
- It is a 50 second (less than 1 minute) walk from the EXISTING laneway to the Bus Stop
- It is a 42 second walk from the EXISTING Laneway to the Proposed Laneway
- Complete waste of Public Funds.





6.









E



f.



9.





