

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

AN BORD PLEANÁLA	
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3rd September 2019

Case Reference: PL06F.304624
Broadmeadow Way

Dear Sir/Madam,

I am making a submission to object to the severance of the farm of [REDACTED] (my uncle) which is planned as a part of the above project. The severance would have a serious damaging impact on the farm and is entirely unnecessary. The outcome of the public consultation on the matter included a commitment to review alternative routes which would negate the requirement for severance. I believe that review was flawed both in its scope (it compared only one route which avoided severance with four routes through the farm) and in its execution (for example it simply chose a favoured route from the five being considered and took no account of the impact of severance).

There are two other routes which avoid severance and which, under the council's own criteria, are clearly better than the proposed route.

Jack's farm was originally purchased by his aunt in the 1930s and has been a [REDACTED] family farm since then. Farming activity has varied from vegetables, tillage, orchards and dry stock. In recent years the land has been used for dry stock and currently also has some horses. This suits Jack as he is now in his 80s but it is very likely, especially considering the current situation for beef farmers, that a younger more active farmer would seek the most profitable option – very likely dairy.

Jack has made his objection to the severance clear from the start of planning for this project – please see the enclosed newspaper report from 2014.

The Route Review

The outcome of the Public Consultation included a commitment to: "Review/assess the severance of the agricultural land along the Plll river and review alternative routes which will negate the requirements for this severance of lands" (see clause 8.4.1 (5) on page 66 of Volume 4B EIA Appendix 2).

Chapter 10 of Volume 4B EIA Appendix 2 has that assessment.

Five routes were examined – however despite the outcome of the Public Consultation requiring a review of "alternative routes" not requiring severance, only one of the routes (Route 2 Green) being assessed avoids any significant severance as it mostly follows the farm's southern boundary (note that this route does sever a small island which cattle do cross to and from at lower tides). Instead of

comparing the favoured route through the farm with routes that go north of and south of the farm they compared four routes through the farm with the route south of the farm alone.

The five route engineering comparison is done under four headings. The comparison between Route 2 (which largely avoids severance) and Route 5 (which the review opts for) is as follows:

	Route 2	Route 5
Technical	Preferred	Preferred
Safety	Most Preferred	Most Preferred
Integration	Preferred	Most Preferred
Construction Impact	Acceptable	Most Preferred

The assessment ranking is Most Preferred/Preferred/Acceptable/Least Acceptable.

The most significant difference in construction impact assessment (Acceptable vs Most Preferred) – however the construction impact Route 2 has is described as “Minor environment impact with the use of low impact construction methods. No impact on flood storage capacity of flood plains in the area. Re-uses a section of the existing stone access.” The impact of Route 5 is described as “Least environmental impact with the use of low impact construction methods.”

So the biggest difference in the Route 2 vs Route 5 engineering assessment is in fact a ‘minor’ environmental impact.

The other difference is in the ‘integration’ assessment – which is based on Route 5 following the train track to Corballis Cottages Road. This is of benefit as the planned direct link to Donabate village (“Branch 4 Link”) will go that way. This integration benefit of Route 5 is matched by a cost benefit for Route 5 as the cost of the as far as Corballis Cottages Road is rightly regarded as a Branch 4 Link cost.

However the route north of the farm, which they failed to consider, would also have these cost/integration benefits but should be preferable as continuing along the Corballis Cottages Road to meet with the cycleway and footpaths on the newly constructed Donabate Distributor Road (“DDR”) would reduce the length of construction by approximately 150m.

In addition the assessment of Route 2 compared to Route 5 under ‘safety’ failed to take account of the additional dangers arising from passing through an active farm. Not least among these would be the risk to walkers/cyclists arising from fouling of the Greenway by crossing cattle. Note that if the farm switched to being a dairy enterprise it would lead to inevitable twice daily fouling of the Greenway – especially as all farm buildings are on the smaller portion of the farm once divided by the Greenway.

In the event of a single fouling event, and with no passing motor traffic to help spread/clear it, it is clear that walkers/cyclists would be exposed to a slip/fall risk as well as risk of infection for a considerable time. For this reason Route 2 should have been assessed as ‘Most Preferred’ under the safety assessment.

I will come back to the fouling issue.

As a result I believe the review conducted was flawed as:

- it exaggerated the significance of a 'minor' environmental impact
- it failed to consider the non-severance route north of the farm
- it failed to factor in the risks to the safety of walkers/cyclists from passing through an active farm
- it gave no weight to the benefit of not severing the farm

The Direct Route Option

The route north of the farm is the better of the two non-severance routes around the farm but I do not believe it is the best non-severance route.

Given the plans for the Branch 4 Link to Donabate I believe the best route to Newbridge Demesne for the Greenway is to follow that link as far as Donabate Train Station. From there to Newbridge Demesne is a distance of 200 metres.

I have prepared a comparison of this route (the "Direct Route") to the proposed Route 5 below:

Safety – the Direct Route would score better than Route 5 not only because it eliminates the slip/fall/infection risks of cattle fouling but it also enables cyclists/walkers to pass under rather than across the DDR. The expectation is that there will be more than 400,000 crossings of the DDR – many of which will be by pedestrians and occasional/young/elderly cyclists. It should be noted that the DDR was planned and given planning permission as a dual carriageway (and the newly constructed bridge over the train line has been built to accommodate a second carriageway). There have been concerns locally that the single carriageway version will quickly be inadequate. This clearly indicates that the DDR is expected to carry a very large volume of traffic (even when opened as single carriageway) and that this is expected to increase significantly. **Requiring large numbers of pedestrians and vulnerable/inexperienced cyclists to cross a very busy DDR (twice) is an extremely serious risk which can readily be avoided by opting for the Direct Route.**

Integration – the Direct Route should also score better than Route 5 because not only would it share a part of the Branch 4 link - it would actually share all of that route.

Construction Impact – the Direct Route should also score better on this than Route 5 as it eliminates a 650m stretch of Route 5 (from the train bridge on Corballis Cottages Road to the point Route 5 meets the DDR) and replaces it with, at most, a 200m route from Donabate train station to Newbridge Demesne (see below).

So under 3 of the 4 engineering assessment headings the Direct Route is better than Route 5. It may also be just as good as Route 5 under the one remaining heading - Technical.

The Direct Route should also be cheaper than Route 5 as it would, at most, require a track of 200m in Donabate instead of a 650m track, with river bridge, in Kilcrea.

From this it appears that, even without taking any account of the benefit of avoiding the severance of the farm, the Direct Route should be chosen over Route 5.

I note the suggestion in a submission already made that the route should go directly to the main centre of Donabate's population – this is a sensible proposal as it would prioritise public transport users over car users (which must better meet Government objectives than a 'car park to car park' route) and would mean that the Direct Route would end at Donabate train station and thus would simply consist of the Branch 4 Link. It would therefore have nil incremental construction/cost and would clearly rank as the best option under cost, technical, safety, integration and construction impact assessments.

Nonetheless if the Council is determined to connect to Newbridge House this could readily be done by taking a spur from Donabate train station to The Square from which Newbridge Demesne can be readily accessed via Newbridge Avenue. The Square and Newbridge Avenue form a very lightly trafficked cul-de-sac. The distance from the Donabate train station access road to The Square is approximately 200m.

Fouling

The issue of fouling of the Greenway crossing points from the passage of farm animals is very serious. Where farmers have cattle cross public roads it is the farmer who has to clear up any fouling. Failure to do so can leave them exposed to liability in the event of accidents/infection.

Generally this is not a major risk as the roads are predominantly used by motorised vehicles with few pedestrians/cyclists and the motor traffic helps clear the fouling.

On a Greenway with no motorised traffic to help clear fouling, but a large volume of pedestrian/cyclist traffic the risks arising from fouling are much greater. It appears that the council may require the farmer (i.e. Jack) to ensure fouling is promptly cleared at the proposed crossing points.

Proper clearing would probably require installation of a piped water supply to the multiple crossing points proposed and even with this cleaning to a sufficiently high standard to ensure no risk of infection would be difficult.

In addition the wetting of the Greenway would lead to slip/fall risks for Greenway users and this would be especially the case in the event of cold weather. If conditions are freezing safe cleaning would not only require wetting the Greenway (when supply pipes may be frozen) but would also require the surface to be then dried – which in practical terms would be impossible.

If Jack is required to clear up fouling it would make the current use of the farm difficult but would make dairy (currently the best use of the farm and the likely choice of a younger, more active farmer) extremely difficult.

The requirement for farmers to clear fouling of the public road, when they have chosen to have cattle cross the public road, may well be reasonable – the same cannot be said of a requirement on Jack to clear up fouling of a Greenway which has been put against his wishes through his land. That would be a gross imposition which is entirely unnecessary as there are better routes which avoid severance.

Clearly there must be a requirement for fouling to be cleared up (or else Greenway users will be put at serious risk) – if Jack is not to be held responsible then the Council must accept it as a direct consequence of their choice of route.

Conclusion

To conclude I would ask An Bord Pleanála to approve the Broadmeadow Way plan only to the point where it meets the Corballis Cottages Road and would request Fingal Council to pursue the extension of the route along the planned Branch 4 Link to Donabate train station.

Apologies for the length of this letter – I would welcome any opportunity to attend an oral hearing.

Yours Sincerely



Caroline Murray



SEARCH ...

Local Farmers Object To Walkway

DIGITAL EDITION



Jack Sheehan

24TH MARCH 2014



The much anticipated walkway/cycleway across the Malahide estuary, which will start at Malahide Castle and culminate at Newbridge House in Donabate, is widely regarded as a very welcome development for tourism in the area. However, the proposed development is a source of concern for a number of local farmers in the Donabate area.

Swords local election candidate, Michael Collins (NP), who is a native of Donabate, was contacted by concerned local farmers, who are angry that the new walkway will cross their land and are



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learned for the safety of their animals. Collins contacted the County Leader and explained the dilemma that faces the farmers. The new walkway is planned to go through the land of three local farmers, Jack Sheehan, Francis Hand and Ivan Keeling, who are set to face compulsory purchase demands on parts of their farm holdings.

Collins proposes that the walkway, upon reaching the Donabate side of the causeway should then proceed along the northern side of the Malahide Estuary to the end of the Kilcrea Road. It should then proceed directly along this estuary into Swords, linking up with the existing walkway to Malahide, thereby making a complete loop.

The advantage of opening the entire estuary as a pedestrian and cycleway track, will prove a major attraction for residents of both Swords and Malahide.

“While Francis and Ivan are both affected by the plans, the impact on Jack’s land will effectively mean his farm will be divided in two. The walkway will go very close to his house and will greatly affect his privacy. Also, if he has cattle on one side and wants to locate them on the other side, what is he to do?. There’s also the issue of security and the danger of cattle eating litter that has been discarded, and the likes,” he said.

The three men have all lodged objections with the Local Authority. Jack Sheehan spoke about how the proposed development will affect him. “My privacy will be taken away. This is a very quiet area and another concern we all have is that we have hay in summer, and the possibility of someone setting fire to it is a real worry for us,” he said.

Another problem for the local authority, according to the farmers, is that some of the area is to be built on a flood plane, which will necessitate much of it to be built on stilts. Once the route crosses Jack Sheehan’s land, the water will be a major problem. “The Council will have to use pile drivers, and dig deep at that,” they maintain. Another potential problem surrounds the sluice gate, which keeps the rising tide at bay. In severe weather, this sluice gate can be dislodged, meaning that up to 100 acres can be flooded. Collins and the farmers believe that the cycleway/walkway is a good idea, but needs to be located in a more appropriate location, where the public can enjoy their walk and cycle, but not at the expense of families who have farmed for generations, in a peaceful, secure rural area.

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