



An Bord Pleanála Planning Reference PL06F.304624

**Broadmeadow Way Proposed Greenway Between
Malahide Demesne and Newbridge Demesne**

**Fingal County Council responses to submissions made to
An Bord Pleanála by prescribed bodies and other
interested parties.**

November 2019



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1. Introduction

This document provides Fingal County Council responses to the third-party submissions made in the case of the Broadmeadow Way Proposed Greenway (PL06F.304624) as requested in correspondence from An Bord Pleanála to Fingal County Council dated 30th October 2019. Fingal County Council notes that all submissions are generally supportive of the proposed greenway.

The submissions have been grouped as follows,

- **Group A** – Prescribed Bodies
- **Group B** – Malahide/O’Hanlon’s Lane
- **Group C** – Agricultural Lands Kilcrea Donabate
- **Group D** – Others
- **Group E** – Elected Representatives

Each submission has been individually referenced as shown in Table 1 below.

Table 1 Submission References

Reference	Submission
Group A - Prescribed Bodies	
A1	HSE/National Office for Environmental Health Services/Environmental Health Service
A2	Health Service Executive (HSE)
A3	Transport Infrastructure Ireland (TII)
A4	Irish Aviation Authority (IAA) – 2 Identical Submissions
A5	Dublin Airport Authority (DAA)
A6	Dun Laoghaire Rathdown County Council (DLRCC)
A7	Fáilte Ireland (FI)
A8	Inland Fisheries Ireland (IFI)
A9	Development Applications Unit – Department of Culture, Heritage & the Gaeltacht. (DCHG)
A10	Geological Survey of Ireland
A11	Fingal Public Participation Network (PPN)/Jamie Moore
Group B - Malahide/O’Hanlon’s Lane	
B1/B2 -Identical Submissions	Malahide Community Forum (Area Resident Association) O’Hanlon’s Residents Association
B3	Casquai Management Company (Casino Apartments)
B4	Drs. Albert & Susan Ellingboe , [REDACTED]
B5	Donal and Liz McCarthy, [REDACTED]
B6	Frank J. Walsh, [REDACTED]
B7	Hendrik Van der Kamp for Mike Woods, [REDACTED]
B8	Josephine and Pauline Duddy, [REDACTED]
B9	Kathleen Martin, [REDACTED]

Table 1 Continued

Reference	Submission
Group B - Malahide/O'Hanlon's Lane	
B10	Pat Sharkey, [REDACTED]
B11	Sheila&Christopher Curran, [REDACTED]
Group C - Agricultural Lands Kilcrea Donabate	
C1	Ann Moran, [REDACTED] for Jack Sheehan
C2	Brian T Sheenan, [REDACTED] for Jack Sheehan
C3	Caroline Murray, [REDACTED], for Jack Sheehan
C4	Sheehan Planning on behalf of Olive Moran, [REDACTED] for Jack Sheehan
C5	Sandra Leydon, [REDACTED]
Group D - Others	
D1	Irish Cycling Advocacy Network
D2	Ross MacCanna
D3	Alwyn Bryan
D4	Brendan Fleming
D5	David Dallaghan
D6	Donabate Portrane Community Council/Gareth Lee
D7	Ita O'Farrell
D8	James Cleary
D9	Paul Kiernan
Group E - Elected Representatives	
E1	Cllr. Adrian Henchy
E2	Cllr. David Healy
E3	Cllr. Paul Mulville

2. Submission Response Approach

Submissions can be roughly grouped under four broad headings, namely:

1. Submissions with No Observations;
2. Supportive Submissions;
3. Submissions with Observations requiring individual response
4. Submissions with Observations that have common themes.

Fingal County Council's responses to these submissions are outlined below. Where appropriate, responses to individual submissions have been prepared. These are outlined below and/or in Appendix A to this document. In the Submissions with Observations, there are a number of recurring themes and sub-themes arising. To avoid duplication, responses are provided for each theme and are linked to the submission references listed above.

3. Submissions with No Observations

Table 2 lists those prescribed bodies who responded in writing to indicate that they had no observations to make with reference to the case. In response Fingal County Council acknowledges receipt of these submissions and has no further comment.

Table 2

Reference	Prescribed Bodies – No Observations
A3	Transport Infrastructure Ireland (TII)
A4	Irish Aviation Authority (IAA) – 2 Identical Submissions
A5	Dublin Airport Authority (DAA)

4. Supportive Submissions

The majority of the submissions received indicated support in principle for the proposed development. Table 3 lists those submissions that are supportive without raising additional issues for consideration. Fingal County Council is in agreement with these submissions with respect to the potential positive health benefits and tourism enhancement to the area should the scheme be approved and constructed.

Table 3

Reference	Supportive Submissions without caveats
A2	Health Service Executive
A6	Dun Laoghaire Rathdown County Council
A7	Fáilte Ireland

5. Submissions with Observations Requiring Individual Response

Those submissions requiring individual response are listed below.

5.1 Inland Fisheries Ireland

The Inland Fisheries Ireland details concerns with respect to fish life and associated habitats during the construction stage of the proposed scheme, refer to Appendix A for Fingal County Council's detailed response to Inland Fisheries Ireland.

5.2 Department of Culture, Heritage & the Gaeltacht

Refer to Appendix A for Fingal County Council's detailed response to the Department of Culture, Heritage & the Gaeltacht. There will be no long-term impacts on the key relationships that define the structure or function of the European sites considered in the NIS. The integrity of Malahide Estuary SAC will not be adversely affected by the

proposed development in terms of wholeness or soundness of their conservation objectives.

5.3 Geological Survey Ireland

In the event of a grant of permission, all site investigation reports for the proposed greenway will be forwarded to the Geological Survey of Ireland as requested. Fingal County Council would engage with Geological Survey of Ireland with respect to relevant interpretive signage. Fingal County Council very much appreciate the offer of access to Geological Survey of Ireland datasets.

6. Themes within the Submissions With Observations

The common themes and sub-themes arising are as outlined in Table 3 below,
Table 4

Theme	Submission Reference
1 Consultation <ul style="list-style-type: none"> • Historic • Design Phase • Construction Phase 	A1,A11,B1/B2,B5,C3,C4,C5
2 Facilities Provided along Route <ul style="list-style-type: none"> • Litter • Water Stations • Seating • Art • Signage • Bicycle Rack • Toilets 	A1, A11, D1,D6,E3
3 Construction Stage Concerns <ul style="list-style-type: none"> • Identification of Wells • Vermin Control 	A1
4 Connectivity <ul style="list-style-type: none"> • National,Regional,Local Objectives • Relevant Projects • Greenway to urban centres • Greenway to rail stations 	A11,B1/B2,B4,C3,D1,D2,D5,D6,D7,D9,E1,E3
5 Route Selection	
Malahide	B3,B4,B5,B7,B8
Kilcrea	C1,C2,C3,C4,C5,D2,D3,E1
6 Malahide Road/O’Hanlon’s Lane/Bisset’s Strand	(B1/B2),B3,B4,B5,B6,B7,B8,B9,B10,B11,C2,D1,D4
7 Agricultural Lands Kilcrea	C1,C2,C3,C4,C5,D3,D9,E1

Theme – Table 4 Continued	Submission Reference
8 Greenway Design Width	B1/B2,B11,D1, E2
9 Bridge/Estuary Crossing	D1, D4,D8,E1,E2
10 Route Boundary Treatment	D1,E2
11 Lighting	D6,A9,E2
12 Flooding	D6
13 CPO	D1,C1,C5

7. Theme 1 – Consultation with Stakeholders

In arriving at the proposed greenway route now being considered the project team engaged with relevant stakeholders including Irish Rail, National Parks and Wildlife Service, National Transport Authority, Fáilte Ireland, elected representatives, affected landowners and the local community. Fingal County Council carried out non-statutory public consultation in 2014 as part of the design process which informed the final proposed route. The project team has engaged extensively with those land owners directly affected by the Compulsory Purchase Order submitted for the scheme. Since the public consultation the project team have reported regularly in relation to progress on the project at both Full Council meetings and Area Committee meetings. Updates on the project have also been issued via Fingal County Council social media channels.

Should planning be granted for the proposed greenway, Fingal County Council will appoint a Project Liaison Officer for this scheme who will serve as the main point of contact for members of the public, other stakeholders and affected landowners on the scheme during the remaining stages of the project including the detailed design and construction stages. This role will include direct contact with landowners and residents living proximal to the route as well as wider community wide contact through social media, the FCC website and public meetings or other media as required. In addition the contractor that is eventually appointed for the main works will be required to appoint a site based employee to be the main point of contact for the contractor and to liaise with local stakeholders and the local community, including sensitive receptors, in a timely manner and this requirement will be included in the scheme contract documents.

8. Theme 2 – Facilities Provided along Route

Litter Facilities

Litter facilities are currently provided at Malahide Demesne, Bissets Strand, Dublin Road and Newbridge Demesne. The ethos of the proposed development, in particular the sections of rural greenway i.e. across the estuary and through Kilcrea, is 'leave no trace' in line with the Sport Ireland/National Trails Office guidance, similar to greenways and other parkland and rural facilities around the country and appropriate signage reinforcing this principle will be provided as part of the scheme. The route of the proposed development will also be added to the routine litter picking undertaken by the Operations Department of Fingal County Council and the provision of additional litter

bins along the rural sections of the route will be regularly reviewed during the operational and maintenance phase of the scheme.

Water Stations

In order to minimise the environmental impact of the scheme, the construction of the greenway involves minimum dig and there are no utility services proposed other than ducting for lighting requirements. For this reason there is no plan to provide additional water stations along the remainder of the route. Water can be purchased at both demesne locations and there is a public drinking water fountain at Malahide Demesne. Consideration will be given to providing a water fountain at Newbridge Demesne as part of Fingal County Council's ongoing roll out of public drinking water facilities.

Seating along Route

There are existing seating areas at Malahide and Newbridge Demesnes. A new seating area is proposed at Bissets Strand proximal to the proposed viewing area. No additional seating is proposed for the remainder of the route given the active nature of the proposed development and the proximity to both demesnes and both Malahide and Donabate village centres.

Art

No specific piece of art is proposed for the scheme at this time. In 2007 the Council adopted a policy to pool the allocated per cent for art schemes into one capital fund. This would then be distributed throughout the county.

Signage

Appropriate signage will be provided along the greenway with respect to directional signing, bicycle parking and route user protocol. Interpretive signs will also be provided with respect to the Special Area of Conservation/Special Protection Area in the context of habitats, flora and fauna. The location and format of any signage will be agreed between the Fingal County Council Conservation Officer, Biodiversity Officer and Planning Dept following consultation with relevant stakeholders.

Bike Racks

Indicative bicycle rack locations are included in the planning application documentation, further consideration will be given in relation to the nature and quantum of bicycle parking during the detailed design stage of the project however the intention is that high quality and durable racks will be provided that will be in line with the receiving environment.

Toilets

There are toilet facilities at both demesne locations as well as in the adjacent village centres. No additional toilet facilities are proposed specifically for this scheme.

9. Theme 3 – Construction Stage Concerns

Identification of Wells

If wells are identified during detailed design or during construction works water will be tested as specified.

Pest Control

A pest control plan will be incorporated in the final Construction Environmental Management Plan and it will be developed taking into account the measures outlined in submission A1 to be included in the contract documents.

10. Theme 4 – Connectivity

A number of submissions made reference to concerns regarding the lack of connectivity of the proposed development to a wider pedestrian and cyclist network and to adjacent areas such as Malahide and Donabate village centres and train stations. In this regard, the Broadmeadow Way should be considered in the context of the future walking and cycling network within the county. Section 10 should be read with reference to the Connectivity Drawing in Appendix B.

Planning Perspective

National Policy Objective 22 of the National Planning Framework encourages cycle networks through the facilitation of the development of a National Greenways/Blueways Strategy which prioritises projects on the basis of achieving maximum impact and connectivity at national and regional level. The proposed greenway is predominantly targeted at tourists, day trippers and local users while also playing a role in supporting the national sustainable transport network.

The Fingal Development Plan 2017-2023 is the primary policy document at the local level guiding the development of a high quality network of walking and cycling infrastructure in Fingal and it contains various policy objectives relating to specific elements of infrastructure, such as the Broadmeadow Way, as well as to wider network objectives such as supporting sustainable transport policies, achieving local amenity and recreational objectives and supporting the implementation of the National Transport Authority's Transport Strategy for the Greater Dublin Area 2016-2035 and Greater Dublin Area Cycle Network Plan.

Specifically Local Objective 43 of the Fingal Development Plan seeks '*Completion of the Broadmeadow Way between Malahide and Donabate to be prioritised during the lifetime of this Development Plan*'. In addition Local Objective GI28 of the plan seeks to provide attractive and safe cycling and walking routes linking open spaces, key parks and cultural sites and heritage assets. Objective GI28 seeks to '*Provide attractive and safe routes linking key green space sites, parks and open spaces and other foci such as cultural sites and heritage assets as an integral part of new green infrastructure provision, where appropriate and feasible*'. Additional local objectives throughout the plan support integrated pedestrian and cycle routes linking with tourist destination in the County. In this context, the primary function of the proposed greenway is to link these key regional parks by sustainable transport modes. The proposed greenway also aligns with Objective MT13 of Fingal Development Plan 2017-2023 which seeks to promote walking and cycling as efficient, healthy and environmentally-friendly modes of transport by securing the development of direct, comfortable, convenient and safe cycle routes and footpaths, particularly in urban areas.

The Donabate Local Area Plan 2016 comprises strategic residential development lands with a development potential of c.4000. The Donabate Distributor Road [DDR] is an integral component of the Donabate LAP 2016 linking Donabate Village to the Hearse Road. The proposed scheme facilitates direct connectivity to Donabate town centre via the Donabate Distributor Road and to future pedestrian/cycle routes in the Corballis East lands that link to Donabate Town centre via the Corballis Cottages rail bridge as required by the Donabate LAP.

Transportation Policy Perspective

The proposed greenway aligns with sustainable transport policy at national level including the National Cycle Policy Framework 2009-2020 and its vision seeks a bicycle friendly environment in rural and urban areas and Section 28 Guidelines – Sustainable Residential Development in Urban Areas (2009) which seeks to prioritise walking, cycling and public transport and the need to minimise the use of cars as a shared goal. At the regional level, the NTA's Transport Strategy for the Greater Dublin Area 2016-2035 contains significant policy objectives in relation to provision of sustainable transport infrastructure whilst the Greater Dublin Area Cycle Network Plan provides more detail on the proposed future layout of the longer term cycle network including specific routes through Fingal.

Capital Programme and Funding

At an implementation level, all the above policy documents inform the Fingal Capital Programme 2020-2022, a rolling three-year programme of works that sets out the proposed schemes to be progressed by Fingal County Council during that time period, alongside the associated funding requirements for each proposed project. The Capital Programme is adopted by the Full Council of Fingal County Council and the funding requirements therein are included within the agreed annual Fingal County Council budget.

Broadmeadow Way and Future Network

The future network is at varying stages of development in different locations across the county and many elements that will address the future connectivity of the Broadmeadow Way are at different stages of the project life cycle from the early feasibility stage through to preliminary design stage, planning stage and construction stage. Further details of the status of the relevant elements of the adjacent wider network are set out below. In all of these schemes, significant collaboration has been undertaken with the National Transport Authority to ensure consistency with the wider regional strategic transportation network and the NTA is wholly or partly funding a number of the schemes listed below.

1. Baldoyle - Portmarnock Greenway

The Baldoyle - Portmarnock Pedestrian and Cyclist scheme is a 2.1km route running roughly parallel to the R106 from the northern extents of Baldoyle to the southern boundary of Portmarnock. It was granted planning permission by An Bord Pleanála in 2018 and construction works are currently on site with a projected opening date in early 2020. Like the Broadmeadow Way, this scheme also aligns with route FG1/N5 of the Greater Dublin Area Cycle Network Plan. It is fully funded under the Fingal Capital Programme 2020-2022.

2. Sutton - Malahide Greenway

The Sutton-Malahide Greenway refers to a high quality coastal walking and cycling route that is proposed to connect Malahide village with Portmarnock village along the R106 Coast Road, including Portmarnock train station, and tying into either end of the Baldoyle-Portmarnock Greenway, and continuing south along the R106 Coast Road and Station Road past Sutton train station as far as Sutton Cross, facilitating connectivity to the S25 Sutton to Sandycove route to the south and onwards into Dublin City. A non-statutory public consultation took place for a number of routes late in 2017 for this proposed scheme. Following the submissions received, the consultants and Fingal County Council's project team have continued to work on this project, in collaboration with the NTA, and a preferred route has been identified that will provide a continuous, high quality segregated route. Further local consultation is planned for early 2020 and significant environmental and design works have taken place to date. It is Fingal County Council's intention to submit a planning application to An Bord Pleanála in mid-2020. The planning, design and construction stages of this project are fully funded under the Fingal Capital Programme 2020-2022.

3. Fingal Coastal Way

The Fingal Coastal Way project is a proposed coastal walking and cycling greenway planned to extend from Newbridge Demesne in Donabate through Rush, Loughshinny, Skerries, Ardgillan and Balbriggan, as far as the county boundary with Meath. Like the Broadmeadow Way, this scheme will align with part of the overall route FG1/N5 of the Greater Dublin Area Cycle Network Plan. The overall length of the scheme is envisaged to be approximately 32km, the exact length will depend on the final route selected. The

route is envisaged to be predominantly a leisure and tourist amenity and will be developed to be a flagship scheme for recreational walking and cycling in the county with the potential to promote and enhance the local environment for walkers, runners, cyclists and nature enthusiasts, as well as bringing benefits to the local tourist economy. Given its potential to link into a number of existing settlements, it will significantly improve connectivity between the urban centres along the route including a number of schools, train stations and other amenities, and it is therefore likely to serve as a local commuter route and to provide an attractive option for pedestrians and cyclists that will help promote modal shift and sustainable travel choices.

The scheme is currently at constraints and feasibility study stage, with a series of non-statutory public information meetings due to take place later this month (November 2019). Preliminary design and route options stages are planned for 2020 and submission of a planning application is programmed for 2021, with construction commencing in 2022. The scheme is fully funded up to 2022 under the Fingal Capital Programme 2020-2022.

The proposed greenway will ultimately in time, form part of the proposed Fingal Coastal Way, a strategic greenway extending along the Fingal coast from Kilbarrack to the County boundary north of Balbriggan town with potential link to other strategic greenways with Dublin City and adjoining counties.

4. Corballis East lands, Donabate

In June 2019 planning permission was granted by Fingal County Council (ref. F18A/0618) for the transportation infrastructure element of residential zoned lands in Corballis East, in accordance with the Donabate Local Area Plan. Included within the permission is a footpath and off-road cycle path that will tie into the Broadmeadow Way at the Coast Road. This cycle and pedestrian route will run through a proposed parkland area (for which planning permission was granted under ref. F18A/0618) located in the southern Corballis lands, crossing the Donabate Distributor Road and continuing northwards through the proposed residential development to a proposed public area at the back of Smyth's Pub, located on Main Street in Donabate village. It will provide users of the Broadmeadow Way with a direct link to Main Street. It will also connect directly into the proposed pedestrian and cycle bridge over the Dublin-Belfast railway line detailed below. This planning permission is currently under appeal with An Bord Pleanála.

5. Donabate Distributor Road – Phase 1

Phase 1 of the Donabate Distributor Road scheme involves the construction of 4km of new high quality road, footpaths and cycle facilities around the southern and eastern sides of Donabate to service new residential development and provide a second bridge crossing over the mainline Dublin-Belfast railway line. Footpaths and off-road cycle facilities are included along the length of the road. The road is being part-funded by the Local Infrastructure Housing Activation Fund (LIHAF) which is a key element of the Rebuilding Ireland programme and it is expected to open to traffic in the next 6-8 weeks. Its construction has been fully funded under the Fingal Capital Programme 2020-

2022. The various developments that are being planned adjacent to the new road, such as Corballis East and the new pedestrian and cycle bridge which are further detailed below, are being designed to accommodate significant amounts of walking and cycling provision to ensure that sustainable modes are prioritised over car traffic, and Phase 1 of the Distributor Road will play a key role in providing a high quality cycling spine route through the area.

6. Donabate Distributor Road – Phase 2

Phase 2 of the Donabate Distributor Road scheme will involve the upgrade and/or realignment of the R126 Hearse Road between the end of Phase 1 of the Donabate Distributor Road and the Lissenhall M1 Interchange. This is an objective of the Fingal Development Plan 2017-2023 and coincides with route F2 of the Greater Dublin Area Cycle Network Plan. Accordingly, work will commence in 2020 on the feasibility and route options for improved vehicular, pedestrian and cycle facilities along this route corridor, and funding for the design and planning stages of this project is included in the Fingal Capital Programme 2020-2022.

7. Donabate Pedestrian and Cycle Bridge

Fingal County Council has recently advertised the construction of a new pedestrian and cycle link over the Dublin-Belfast railway line to the south of Donabate village. The provision of a new bridge at this location is an objective of the Donabate Local Area Plan 2016 and the purpose of the bridge is to facilitate a safe and segregated cycling and pedestrian route away from the existing substandard Hearse Road railway bridge, which is relatively narrow and difficult to provide satisfactory levels of pedestrian and cyclist provision. This new bridge will also provide a new link for existing and new residents, connecting the developing areas of Corballis East and Corballis West to the wider area such as Newbridge Demesne and Donabate Village. The scheme has been advertised at Part 8 and is expected to be approved by the Full Council at the December meeting, with construction programmed for 2020. It is fully funded under the Fingal Capital Programme 2020-2022.

8. R132 Upgrade

In early 2019 Fingal County Council published the South Fingal Transport Study, a strategic study of the transport network in South Fingal that assessed the required key transport infrastructure and outline levels of land use development to enable sustainable growth in the area up to and beyond the delivery of MetroLink and other strategic transport interventions. One of the key recommendations arising from the Study was the urbanisation of the R132 corridor, in order to convert it from a high speed vehicle dominated route to a more integrated transportation corridor with improved levels of pedestrian and cycling connectivity across and along it and more integration with the surrounding environment including adjacent future and proposed residential and commercial developments. The provision of cycling and walking facilities along the R132 corridor will also facilitate improved future connectivity from Donabate to the proposed MetroLink and BusConnects schemes, via the Hearse Road and proposed Donabate Distributor Road Phase 2.

Upgrades to the R132 will be progressed over the course of the next few years (under a package of sustainable transport measures across Swords) and these measures are funded under the Fingal Capital Programme 2020-2022.

9. Connections to Malahide and Donabate

The Broadmeadow Way has incorporated connectivity to Malahide village via improved access at Bridgefield car park and at Bisset's Strand railway bridge. The proposed greenway also includes a spur for future direct connectivity to Donabate via lands at Corballis East (see below). In advance of construction of the Corballis East link, greenway users can access Donabate via Newbridge demesne during park opening times.

As part of the ongoing planning and design development of the walking and cycling network across Fingal, there is ongoing and close interaction between Fingal County Council and many stakeholders including the National Transport Authority. The proposals outlined above show that there are firm plans, with associated funding commitments under the Fingal Capital Programme 2020-2022, to improve walking and cycling connectivity between the proposed development and the surrounding area. Notwithstanding this, and in the short-term, it has been agreed between Fingal County Council and the National Transport Authority that a more detailed assessment of local connections would be considered at the detailed design stage of the Broadmeadow Way project, between the proposed development and Malahide Train Station, Malahide Village, Donabate Train Station and Donabate Village.

11. Theme 5 – Route Options Malahide and Kilcrea

A number of submissions raised concerns in relation to the route proposed on O'Hanlon's Lane and at Kilcrea farm land. Fingal County Council is of the view that the design team has investigated all viable options to arrive at the optimum route and the Route Options Report was included in Volume 4B of the EIAR that accompanied the planning application.

Route Options Malahide

A number of submissions suggest alternative routes through Malahide Demesne, on the Dublin Road section and that alternatives to O'Hanlon's Lane (e.g. Yellow Walls Road, Old Street, New Street) would be preferable to provide the necessary connectivity to Bisset's Strand.

A full route options study was carried out at the preliminary design stage of the project with the route broken down into discrete sections and differing number of feasible route options being considered for each section of the route, including many of those options raised in submissions.

The proposal to route the greenway through the refurbished Casino property (B5) and via bridge structure to connect to Bisset's Strand has not been considered as the design rationale was to use available route options where possible and that route was not considered feasible at that time. The provision of a route through a private apartment development would however still not be considered appropriate at this time. At preliminary design stage all identified route options were assessed using engineering, cost and environmental criteria. The engineering criteria were technical, safety, integration and construction impact. This work is outlined in detail in Volume 4B- EIAR Appendix 2 – Route Options Report.

The route options analysis was carried out in sections.

- **Route Options through Malahide Demesne** – The 'Most Preferred' route is being put forward in the current application and is the most preferred under engineering, cost and environmental criteria.
- **Route Options on Dublin Road** – The most preferred route was not chosen as it did not connect the preferred routes through Malahide Demesne and O'Hanlon's Lane. The second ranked option was chosen as it provided the appropriate connectivity.
- **Route Options to connect from Dublin Road to Bisset's Strand** - The 'Most Preferred' route which is O'Hanlon's Lane is what is being put forward and it was rated as the most preferred under engineering and environmental criteria and preferred in relation to cost.

The emerging preferred route was put on display in 2014 as part of a non-statutory public consultation. Following the non-statutory public consultation the design team undertook to

- **Review the preferred option of O'Hanlon's Lane** – The O'Hanlon's Lane Option was assessed against an additional route option Hogan's Gate-Dublin Road-Main Street-Old Street-Strand Court-Bisset Strand. The O'Hanlon's Lane Option was determined again to be the preferred option. This was on the basis that the alternative route would impact on demesne walls and the casino wall which are protected structures, the requirement of removal of significant on-street parking and bus pull in. This alternative route is also significantly higher trafficked.
- **Examine improved linkages to Malahide Village**
 - Signage from Hogan's Gate to Malahide Village – This is to be provided
 - Improved access through Bridgefield car park to the railway bridge – This is to be provided
 - Install as a safe access under Bisset's Strand bridge for cyclists and pedestrians. – This is to be provided

Route Options Kilcrea

Routes Examined and Discounted

A number of relatives of Mr. Jack Sheehan, a farmer in Kilcrea, who is impacted by the proposed scheme, and other submissions have queried the choice of route across Mr. Sheehan's farm. It should be noted that Fingal County Council have had extensive engagement through meetings and written correspondence with Mr. Sheehan and his technical and legal representatives over the course of the project lifetime and have delivered what is considered to be the optimum route within the given constraints.

The submissions received query why:

- The route could not continue north along the railway line until it intersects with the Donabate Distributor Road.
- The route could not continue on Corballis Cottages Road to the front of the farmstead.

These routes were considered by the design team but were discounted at an early stage and thus were not included in the route option assessment provided as part of the planning application. The possible route following the line of the railway track until intersection with the Donabate Distributor Road or through to Donabate was discounted for a number of reasons including topography (i.e. the level of the Donabate Distributor Road is approximately 7m higher than existing ground level at that location) and accessibility and that connectivity to Newbridge Demesne is a fundamental objective of the scheme.

The assessment of the route in front of Mr. Sheehan's property on Corballis Cottage Road was discounted because of the difficulties in providing safe crossing points and the inability to achieve required sight lines on the Corballis Cottage Road because of the topography and winding nature of the road.

Route Options before and after Non-Statutory Public Consultation

The objective of the Broadmeadow Way is to connect two existing destinations Malahide Castle and Newbridge Demesne. A full optioneering study was carried out at the preliminary stage of the project and a second review was undertaken subsequent to the non-statutory public consultation in 2014 on foot of submissions made by Mr. Sheehan among others.

As part of this second review the designers carried out a full re-assessment of the route from the north shore of the estuary to Newbridge Demesne gates and revised the route to

- Include a spur for future connection into Donabate Village under the Corballis Cottage Road railway bridge and through the Corballis East Development Lands.

- minimise the severance of Mr. Sheehan's farm (the original proposed route was along the bank of the Pill River and would have bisected the farm lands). The revised route runs to the rear of the farmstead leaving the farm lands intact with the farmyard and farm outbuildings on the other side of the greenway.

Rationale for Scoring Options Post Public Consultation

Submission C4 queried the scoring mechanism that arrived at the preferred route option on Mr. Sheehans land. The submission relates to only engineering considerations (technical, safety, integration and construction impact). It should be noted that preferred route options were arrived at looking at engineering, cost and environmental considerations. The chosen route is the most preferred route with respect to engineering, cost and was ranked second with respect to environment. The route queried in the submission was ranked below the preferred option in relation to engineering and cost and was ranked above the preferred option with respect to environment.

Consideration of Donabate Distributor Road

A submission is concerned in relation to the consideration of the Donabate Distributor Road with respect to the Broadmeadow Way route. Non-statutory public consultation drawings showed the approved route of the Donabate Distributor Road (DDR) intersecting with the Broadmeadow Way at the same location as is included in the current planning application (See Drawings 12_160_179 and 12_160_180). The project teams for both projects liaised during the detailed design of the Donabate Distributor Road to ensure the design was future proofed to accommodate the proposed Broadmeadow Way in the event it should get planning approval and be constructed in the future.

12. Theme 6 – Malahide Road /O'Hanlon's Lane/Bisset Strand

A number of the submissions relate to issues arising from the proposed development's route along Dublin Road, O'Hanlon's Lane and Bisset's Strand. These are addressed under the relevant sub-headings below.

The works proposed are,

- Reconfiguration of c.220m of the R106 Dublin Road between Bridgefield car park and O'Hanlon's lane to facilitate the provision of a new off-road shared pedestrian and cyclist facility along the northern side of the road, and a new signal controlled crossing.
- Approximately 135m of road resurfacing and 230m of shared surface road markings, signage and boundary hedge trimming along O'Hanlon's Lane.
- The reconfiguration of the junction of Bisset's Strand and O'Hanlon's Lane.

- Two signal controlled crossings and new traffic signals at the railway bridge on Bisset's Strand.

R106 Dublin Road Issues

➤ Parking – Bridgefield Car Park (R106 Dublin Road)

Submission B3 is concerned in relation to increased use of Bridgefield Car Park as a result of the Broadmeadow Way and visitors to the refurbished Casino cottage and the potential congestion arising at the location. The scheme will not decrease the number of parking spaces in the Bridgefield car park. The EIAR states that 'it is expected that the increase in demand for car parking at the Malahide Demense end of the proposed greenway would be catered for by the existing car parking spaces at Malahide Castle's main car park, Bridgefield car park, two car parks off Back Road, and overflow car parks adjacent to Malahide Castle's main car park and adjacent to the western car park off Back Road'.

➤ Width of Proposed Greenway on Dublin Road

Following consideration of submissions, the proposed carriageway width at this location will be reduced from 6.5m to 6.0m. This facilitates an increase in the shared surface greenway width on the northern side of the road from 3.4m to 3.9m, thereby inducing lower traffic speeds on the carriageway and improving the level of service provided here for cyclists and pedestrians. It is also proposed to amend the junction layout at the access into Casino Apartments by providing continuous priority across the apartment access road, thereby prioritising pedestrian and cyclist traffic on the greenway. These revised details are indicated on Drawing 12-160-254 A in Appendix B. The proposal to provide a yellow box at the junction of O'Hanlon's lane remains unchanged.

➤ Proposed/Recently installed Toucan Crossing on Dublin Road

The installation of a Toucan Crossing at Hogan's Gate and the installation of disability access systems will ensure that all users have safe and accessible access from Malahide Castle to continue along the greenway. These works will improve accessibility, safety and also reduce the speed of traffic on the Dublin Road which will be of benefit to all users

A submission points out that a toucan crossing has been installed at the eastern side of Hogan's Gate near the entrance to Bridgefield Car Park. The Broadmeadow Way proposes a toucan crossing on the western side of Hogan's Gate. The new toucan system at Hogan's Gate will be used as is or repositioned if required.

➤ Parking Issues on Dublin Road

Submissions note that people are parking on the Dublin Road to drop and pick up children from school causing congestion with the fear that the Broadmeadow Way

would exacerbate the situation. Parking is problematic at this location at certain limited times of day and there are double yellow lines at this location. It would be proposed that haphazard parking be discouraged through engagement with the school authorities, encouragement of parents to walk/cycle their children to school and appropriate enforcement of the double yellow lines status of the road by An Garda Síochána. The provision of high quality segregated cycle facilities, as outlined above as part of the wider network, will also encourage more modal share for cyclists and pedestrians travelling to schools.

O'Hanlon's Lane

➤ **Junction O'Hanlon's Lane and R106 Dublin Road**

A number of submissions express concern in relation to safety in exiting and entering O'Hanlon's Lane from the Dublin Road. The widened footpath on the north side of Dublin Road and the provision of the yellow box at the junction will improve sight lines in both directions for vehicles entering and exiting O'Hanlon's lane. The narrowing of the carriageway on the R106 Dublin Road will cause a reduction in speed of vehicular traffic.

➤ **O'Hanlon's Lane – Issues raised in submissions**

A number of submissions expressed concern about the suitability of O'Hanlon's lane for use as part of the greenway route in the context of,

- **Width** – O'Hanlon's lane varies in width over its approximate 350m length. Submissions are particularly concerned with the narrow width of the lane for the first 130m from the junction with R106 Dublin Road. Fingal County Council can confirm that the metalled surface along this section is a minimum of 3 metres in width. Currently part of the metalled surface width is covered by a thin layer of soil. It is considered that a further width of up to 0.5m is available through hedge trimming where appropriate.
- **Greenway/Vehicular Traffic Interplay** – Submissions are concerned in relation to increased pedestrian and cyclist traffic on O'Hanlon's Lane particularly where greenway traffic and vehicular traffic meet near exit/entrance to/from R106 Dublin Road. Similar concerns were also raised in relation to the junction between O'Hanlon's Lane and Bisset's Strand. O'Hanlon's Lane is a cul de sac by virtue of bollards situated approximately 190m from the Dublin Road with seven residential properties to the south of the bollards and seventeen to the north.

With reference to the National Cycle Manual and the Design Manual for Urban Roads and Streets (DMURS) O'Hanlon's Lane will operate as a narrow shared street characterised by being a quiet, low traffic and low speed environment, an integrated space where pedestrians, cyclists and vehicles share the main carriageway. This gives rise to the overall creation of a driving environment where significant care and

attention is taken by drivers, especially in those sections where there are no footpaths present and vehicles share the roads with pedestrians and cyclists. DMURS notes that research has found that shared carriageways perform well in terms of safety, and refers to the UK Department for Transport Shared Space Project Stage 1: Appraisal of Shared Space, 2009. DMURS also notes that research from the UK has found that narrow carriageways are one of the most effective design measures that calm traffic (UK Manual for Streets, 2007). The National Cycle Manual indicates that a high quality of service and unconstrained accessibility for cyclists is possible on this link.

The route is already used by cyclists and pedestrians, and the proposed scheme will bring increased numbers. Research from the UK and other European countries has shown that areas popular for cyclists tend to be safer than average. Motorists become more attentive and change their behaviour when exposed to higher numbers of pedestrians and cyclists (Jacobsen, 2003). In such areas, improved interplay could be expected to develop between road user groups when road users acquire experience with each other, and develop more correct expectations (Phillips et al, 2011).

- **Increased Pedestrians/Cyclists** – Submissions are concerned with the increase in pedestrians and cyclists passing up/down the lane. Some residents have expressed concern in relation to impact on their day to day life. The EIAR estimates 1200 journeys/day based on data from other greenways. Journey numbers are generally lower on weekdays and higher in weekends, lower in the winter months and higher in the summer months and on public holidays. Not all users will choose to take the route down O'Hanlon's Lane, they may choose to join at other locations along the route. When the proposed Sutton-Malahide Greenway comes into operation, the section of the Broadmeadow Way along Dublin Road and O'Hanlon's Lane is likely to become less trafficked, as users are more likely to make use of the well defined coastal route with direct connections into Malahide Village. In the future the Dublin Road and O'Hanlon's Lane sections would likely function more like a secondary spur off the main coastal route running from Sutton to Malahide, across the estuary to Donabate, and bypassing O'Hanlon's Lane entirely.
- **Lighting/Parking on the Lane** – There are no changes to on-street parking or lighting proposed as part of the Broadmeadow Way Greenway, however this will be reviewed by the Local Authority as part of its ongoing remit to achieve the highest standards of safety for all users of public space.
- **Emergency/Service Vehicle Access** - The proposed greenway will not impact on accessibility for fire tenders, ambulances, bin collection or deliveries. The access to both ends of the lane will only be improved by the proposed works.
- **Biodiversity** – Sheet 9 of the Fingal Development Plan does not indicate any protected trees along O'Hanlon's Lane. While it is noted that RPS:424 'Rosca and RPS:435 Sonas both bounded by O'Hanlon's Lane and R106 Dublin Road contain

mature trees, it is considered that matters relating to impact on Rosca and Sonas are dealt with within Section 13.4.7 -13.4.10 of EIAR. Pruning of hedgerows to the degree or areas proposed along O'Hanlon's Lane is not considered to be of significant impact on biodiversity.

Bisset's Strand/Bisset Strand Bridge

- **O'Hanlons Lane/Bisset Strand Junction** - The proposed junction layout at O'Hanlon's Lane/Bisset Strand is considered appropriate to balance the needs of all road users.
- **Parking Bisset's Strand** – Four new residential car park spaces are being provided on Bisset's Strand. The remainder of the car park spaces provided are replacing existing car parking spaces. As part of its safety remit Fingal County Council will review the greenway layout adjacent to the proposed parking to investigate the potential to provide a buffer strip between the greenway and the parking spaces.
- **Bisset's Strand Bridge**

A submission raised concern about proposed changes to Bisset Strand Bridge. The intent for the traffic signals at the Bisset's Strand Bridge is to provide a safe access for cyclists from Bisset's Strand to Malahide Village. At present pedestrians have reasonably safe access on a raised footway on the southern side of the bridge. The bridge is too narrow to accommodate two cars passing at one time and the system works well for vehicular traffic on a courtesy basis.

The proposed Broadmeadow Way in combination with the likely increase in modal shift to cycling, will give rise to an increase in volume of cyclists passing through the bridge at Bissets Strand. The proposed system would protect cyclists passing through the bridge in both directions. The design intent for the new traffic signals are,

- Lights flashing orange for vehicular traffic on both sides of the bridge at all times allowing the existing courtesy system to continue.
- Cyclists will have to option of an on call button, which will signal a red light for vehicles and allow the cyclist to pass under the bridge safely
- The traffic lights will revert to flashing orange when the cyclists have passed through.

Noise

It is predicted that the construction programme will create typical construction activity related noise across the study area for periods as the works progress. The day to day activities associated with the proposed development will not have a significant noise or vibration impact on sensitive receptors.

13. Theme 7 – Agricultural Lands Kilcrea

➤ Security/Accommodation Works

The security of the existing house and farm buildings were discussed historically with Mr. Sheehan during the development of the scheme. It had been agreed in principle that Fingal County Council would install a security fence (paladine or similar) on the inside of the boundary of the lands to ensure the security of the house and outbuildings. The installation of this fence would form part of the proposed accommodation works for the farm lands. Fingal County Council would be positively disposed to further engagement with the landowner with respect to accommodation works. It is proposed to include gates across the entrances from the farm to the lands to allow access at all times for farming to continue as normal albeit with some minor inconvenience.

➤ Compliance with 'HA' High Amenity Zoning Objective

The Planning Report appended in support of the proposed greenway to An Bord Pleanála and specifically Section 5.4 provides a comprehensive analysis of the proposed development in the context of compliance with the 'HA' High Amenity zoning objective of the lands at Kilcrea where such a use is open for consideration. The analysis concludes that the proposed greenway with the implementation of proposed mitigation measures as set out in the appended EIAR relating to landscape and biodiversity protection is considered to be a complementary use within these high amenity lands and will not affect its intrinsic character and its associated habitats and species. In this context, the proposed greenway is considered to be an acceptable use within these high amenity lands and in this regard, complies with the 'HA' zoning objective and vision for these lands as well as the provisions of the FDP 2017-2023 relating to landscape and biodiversity protection. It is further noted that a precedence has been established within the County for the development of greenway infrastructure within existing high amenity lands. In this regard, a 1.8 km greenway was approved by An Bord Pleanála in 2018 under reference ABP -300840-18 on the high amenity (HA) and open space (OS) zoned lands of Racecourse Park in the coastal corridor between Baldoyle North and Portmarnock South adjacent to Baldoyle Estuary and is currently at advanced stage of construction.

➤ Possibility for greenway to be considered as road with respect to potential Future Planning Consent Applications on Sheehan Farm

Section 2 'Interpretation' as set out in the Planning and Development Act 2000 (as amended) makes no reference to a greenway as road.

➤ **Severance**

A number of submissions raise concern in relation to severance at the farm in the ownership of Mr. Jack Sheehan. Section 11.2 of the EIAR relates to Agronomy and gives detailed information on severance. The potential agronomy impacts were examined throughout the length of the proposed greenway and impact is acknowledged on Mr. Sheehan's farm.

- Impact from landtake.
- Impact from severance.
- Impact on access to land parcels.
- Disturbance due to the construction and operation of the pedestrian and cycle greenway.
- Impact on farm structures (buildings/yards) etc.
- Mitigation measures to reduce impacts where appropriate.

The main potential types of impacts on farms during the construction and operational phases are:

- Loss of agricultural land due to the landtake requirements: A reduction in land area may reduce agricultural output and viability of farms.
- Severance of farms: increasing the segmentation of a farm increases the long-term fixed and variable costs associated with running the farm and reduces the viability of the farm. It increases the difficulty of operating a farm.
- Disturbance: During construction, the day-to-day operation of farms in the study area will be disrupted due to increased levels of construction traffic in the local road network and there will be construction activity adjoining agricultural land which may interrupt and disturb farming activities, cropping and livestock. Water and electricity supplies may be temporarily disrupted. There will be increased levels of noise and dust as result of construction traffic and works. Temporary impacts may occur to soil and land drainage during the construction works. During the operational phase there will be increase in pedestrian and cycle traffic long the proposed greenway and consequential potential for trespass, littering and disturbance caused by greenway users.
- The farm is a dry stock beef enterprise. The positioning of the greenway at the boundary between the farmstead and farm is clearly outlined throughout the project documentation.
- In the event of a grant of permission permanent land loss will commence when the proposed greenway is fenced off at the start of the construction phase. Additional land will be temporarily required along the length of the greenway to allow access for laying the surface of the proposed greenway, earthworks and fencing. The land will be unavailable for the duration of the construction works and thereafter will be reinstated and returned to the landowner.
- Severance will affect Mr. Sheehan's farm. This is acknowledged in the EIAR as a major adverse impact unless access can be maintained.
- The recommended mitigation measures are gate access points from the farm to the farmyard and maintenance of field access from the public road. These crossings are included in the submission drawings. Should permission be

granted Fingal County Council would be keen to engage further with the landowner to optimise permeability arrangements between the farm and the farm yard.

- With mitigation measures in place the impact is considered moderate adverse.
- Financial compensation will be payable to the landowner with respect to the Compulsory Purchase Order giving due regard to the impact of the proposed greenway on the farm land.

➤ **Fouling by Farm Animals**

Submissions raise concern in relation to fouling of the greenway by farm animals. This only arises with respect to Mr. Sheehan’s farm which is currently a dry stock farm. Fingal County Council would operate the proposed greenway and would carry out appropriate maintenance as required during the operation and maintenance phase of the proposed greenway.

14. Theme 8 – Greenway Design Width

A number of submissions raise concerns on greenway width. The majority of the greenway route is 4m in width including the crossing of the Malahide Estuary. Transport Infrastructure Ireland’s greenway design standard (TII document reference no. DN-GEO-03047) stipulates for high volume routes (i.e. >1,500 users per day), a minimum desirable width of 5m, with a one-step relaxation to 3m and a two-step relaxation to 2.5m. For low volume flows (i.e. <1,500 per day), a 3m width is required, dropping to 2m and 1.75m for one-step and two-step relaxations respectively. The average daily flow on the Broadmeadow Way is estimated to be 1200/day, so it is on the cusp of low and high given that higher volumes are possible at weekends for example. National Transport Authority frequency of use data on the Waterford Greenway is given below by way of example for an operational greenway.

Greenway	Daily Average (Weekday)	Daily Average (Weekend)	Peak Day	Daily Average
Waterford Greenway at Clonea Road	929	1221	3624	935

The 4m width is considered to meet/exceed the standard for a one-step relaxation for a high volume route, and the Standard states that “Relaxations are considered to conform to standards”. The proposed development therefore meets national greenway design standards.

15. Theme 9 – Malahide Estuary Crossing – Bridge and Greenway

Wall Height

A number of submissions raise concern in relation to the proposed 1.4m high wall proposed for the estuary crossing.

The installation of a waist high solid screen wall along the greenway on the causeway is a requirement of the National Parks and Wildlife Service and was requested during consultation meetings and correspondence with the Council to minimise the effect of the movement of the legs of pedestrians on the water birds in the estuary below. The proposed 1.4m high wall is based on the recommendation from the Sustrans Design Manual Chapter 8 which recommends that 'parapet height for new bridges is normally 1.15m high for pedestrians, 1.4m high for cyclists and 1.8m high for equestrians'. While the estuary crossing is only a bridge crossing for a section, the designers consider that this criteria should apply to the entire estuary crossing, particularly considering the very open character of the greenway as it crosses the Malahide Estuary, to protect all users of the greenway particularly during inclement weather.

In response to submissions made and following consultation with the bridge and greenway designers Fingal County Council propose to revise the solid wall height to 1.2m with a 0.2m high railing. This will maintain the requirement for the 1.4m barrier for safety reasons while lowering the wall height and maintaining a waist-high wall as required by NPWS. Drawing 12-160-007 is provided to show the new arrangement.

Bridge Aesthetic

The proposed greenway bridge located in the environmentally and visually sensitive Malahide Estuary, required a design that took careful account of the sensitive location and minimised its physical and aesthetic impact within that context. The proposed footbridge is located adjacent to the existing Railway viaduct within a predominantly horizontal landscape. A slender pre-cast concrete bridge deck solution was developed with an inclined front faced parapet to soften its appearance and blend as harmoniously as possible with the low lying maritime nature of the location. There will be a 0.2m rail on top of the 1.2m wall. The proposed retaining wall to the approach ramp will be clad in local stone to match the causeway walls. The bridge will be somewhat similar to the proximal M1 bridge in appearance.

16. Theme 10 – Boundary Treatment

In relation to the fencing on the greenway, particularly along the Kilcrea section, there is a requirement from Irish Rail to ensure that the security of the rail line is preserved at all times and this includes the installation of a 2.4m high security fence.

There is an environmental requirement to provide fencing on the north shore to ensure there is no connectivity between the north shore and the greenway. Drawing 120_160_008 shows proposed fencing at the north shore.

The inclusion of timber post and wire fence along the boundary of the Greenway is a requirement of the land owners and is to protect their land from access and also to ensure that animals and farm works do not impinge on the greenway at any time.

The use of pressure treated timber along the greenway has been assessed by the environmental consultant and will have no affect on the SPA/SAC.

17. Theme 11 – Lighting

A significant amount of detailed analysis has been carried on the proposed lighting system for the Broadmeadow Way (EIAR Volume 4C Appendix 6). The lighting for the proposed greenway has been designed to maximise the comfort of greenway users during darkness while minimising the effects of the design on the local wildlife, particularly in the SPA and SAC. In the design of the lighting for the proposed greenway there is a balance to be struck between the increased amenity and transportation value of the proposed greenway and the minimisation of disturbance to darkness. The balance is achievable by the use of controlled optics, new sources of illumination, careful placement of lighting equipment and design.

The proposed greenway design will ensure that artificial light is delivered to the point where it is required and nowhere else. Issues such as brightness, direction and context are considered in the proposed design to ensure that light pollution and light spill will be avoided.

18. Theme 12 – Flooding

A submission indicates that parts of the route are liable to future flooding and needs to be 2m above current peak tide. In response to the submission the issue of greenway levels with respect to flooding is comprehensively addressed in the Flood Risk Assessment Report included in EIAR Volume 4C Appendix 17.

19. Theme 13 – Compulsory Purchase Order (CPO)

Reason why Compulsory Purchase Order approach was used

Fingal County Council has engaged extensively with all landowners to be subject to CPO along the proposed greenway route and prioritise positive stakeholder engagement at all times. In designing the scheme, every effort was made to minimise the amount of land to be acquired and preliminary accommodation works drawings have been prepared and issued to each landowner in advance of Fingal County Council's CPO application to An Bord Pleanála. Fingal County Council uses the CPO mechanism for public infrastructure projects to proceed in a reasonable timeline for the common good. It is especially the case in instances such as this, where multiple plots of land are affected and planning approval is required under a separate procedure, that land acquisition by agreement would not be practicable. Accordingly, the use of CPO powers is considered the most appropriate mechanism.

Even in cases where all landowners agree to a prospective infrastructure project, issues such as inability to provide proof of title can delay projects for lengthy periods. Landowners have the right to object to the CPO, make representation, negotiate, refer to arbitrators and have their objections heard. Should the project get planning consent and move forward to construction, compensation will be payable to landowners and accommodation works will be agreed where applicable.

Fingal County Council is satisfied that it has acquired by compulsory purchase the land it requires for the performance of its function as a planning authority and that the acquisition of the said land (rather than any alternative process) meets the identified community need and the proposed greenway gives effect to, and is consistent with the Council's Development Plan.

Reason why more land was not Compulsorily Purchased

The question of more extensive use of Fingal County Council's powers to compulsorily acquire land in relation to the proposed development was raised. When assessing the appropriateness of using CPO powers, Fingal County Council's objective is to minimise land-take requirements. The plans for the proposed development, as currently shown, indicate that it is possible to construct a fit-for-purpose development in line with current design standards by acquiring the land included in the currently proposed CPO. The use of additional CPO powers is not, therefore, considered necessary or appropriate.

At Dublin Road, for example, where it has been suggested that additional land acquisition should have been taken, there would be significant impacts on the residential amenity of adjacent properties, on the heritage value of adjacent stone walls, impacts on adjacent trees and hedges and would create a wider visual envelope which could potentially induce higher vehicle speeds. Similarly, the use of CPO through the Casino Apartments would be a significant imposition on an existing, relatively self-contained private residential community and would be considered inappropriate given the presence of a public road (i.e. O'Hanlon's Lane) running parallel just a short distance to the west.

20. Statement on EIAR/NIS

The responses, clarifications and/or minor modifications proposed do not result in any changes, either on their own or in-combination, to the findings and assessments in the Environmental Impact Assessment Report and in the Natura Impact Statement submitted to An Bord Pleanála with the application for consent.