

# Chief Executive Report

Dún Laoghaire Rathdown County Council

October 2024

5217648DG0074

# BLACKROCK DART TO PARK ACTIVE TRAVEL SCHEME

# Notice

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Report submitted in accordance with Part XI, Section 179(3) of the Planning and Development Acts, 2000 (as amended), Part 8 of the Planning and Development Regulations, 2001 (as amended), and Section 138 of the Local Government Act 2001 (as amended).

This Report has been prepared by AtkinsRéalis together with Dún Laoghaire Rathdown County Council who managed the public consultation for the Blackrock DART to Park Active Travel Scheme. AtkinsRéalis have been commissioned by Dún Laoghaire Rathdown County Council to lead a multidisciplinary team on the design and development of the Blackrock DART to Park Active Travel Scheme.

## Document history

Document title: Chief Executive Report

Document reference: 5217648DG0074

Revision	Purpose description	Originated	Checked	Reviewed	Authorised	Date
Rev 0	DRAFT	OO	JMC	UOH	UOH	Aug 24
Rev 1	DRAFT	OO	JMC	UOH	UOH	Aug 24
Rev 2	DRAFT	OO	JMC	UOH	UOH	Aug 24
Rev 3	DRAFT	OO	JMC	UOH	UOH	Sep 24
Rev 4	DRAFT	OO	JMC	UOH	UOH	Oct 24
Rev 5	DRAFT	OO	JMC	UOH	UOH	Oct 24
Rev 6	DRAFT	OO	JMC	UOH	UOH	Oct 24
Rev 7	DRAFT	OO	JMC	UOH	UOH	Oct 24
Rev 8	Final	OO	JMC	UOH	UOH	Oct 24

## Client signoff

<b>Client</b>	Dún Laoghaire Rathdown County Council
<b>Project</b>	BLACKROCK DART TO PARK ACTIVE TRAVEL SCHEME
<b>Job number</b>	5217648

**Client  
signature/date**



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# 1. Structure of Report

This Part 8 Chief Executive's Report begins with an overview of the background to the scheme, the nature and extent of the proposed development, details on Environmental Impact Assessment Screening Report, Appropriate Assessment Screening Report, and Internal Reports.

The report provides a summary of issues raised from submissions and observations received during the statutory consultation process together with the Chief Executive's Response. A full list of the persons, statutory bodies, and organisations who made submissions and/or observations during the statutory consultation process is included in Appendix A to this report.

The report concludes with a final recommendation on the scheme.



## 2. Planning Reference Number PC/IC/01/24

In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001 (as amended), Dún Laoghaire-Rathdown County Council (the Council) gave notice of the proposed development, Blackrock DART to Park Active Travel Scheme, in the Irish Times newspaper on the Friday 28th June 2024. Plans and particulars of the proposed development were made available for inspection from the Council at the Planning Department, County Hall, Marine Road, Dún Laoghaire, at the Council Offices, Dundrum and on the DLR Consultation Hub on the Council's website [www.dlrcoco.ie](http://www.dlrcoco.ie). A site notice was erected at each end of the proposed route. The plans and particulars of the proposed development were made available for inspection up to and including Thursday 25th July 2024. Submissions and observations with regards to the proposed development could be made on or before 5pm on Friday 9th August 2024.

# 3. Blackrock DART To Park Active Travel Scheme

The overall scheme aims to deliver the following objectives which are based on multi criteria requirements outlined by the Department of Transport in their report 'Common Appraisal Framework for Transport Projects and Programmes (March 2016, updated October 2021)' (CAF). The objectives are as follows:

- Safety: To reduce the potential for conflict between all users along the route through the provision of a facility which is in line with the current standards. The Scheme will seek to:
  - Improve safety for all users and provide a better environment for all users within the study area.
- Physical Activity: Provide improved opportunities for pedestrians and cyclists, thereby promoting physical activity, through improvements to footpaths and the provision of new cycling facilities.
- Environment: To minimise impacts on the receiving environment.
- Accessibility & Social Inclusion: To improve accessibility for all users and bring social inclusion benefits to the wider community.
- Integration: To support the strategies set out in national and regional policies and guidelines.
- Economy: To provide an investment that offers good value for money.

Additional to the above CAF objectives, the following localised objectives are applicable:

- The route should be designed to provide a high Quality of Service (QoS) level, as per the Cycle Design Manual.
- Improve local movement capabilities including the inter-connectivity of Blackrock DART Station and Blackrock Park.
- Provide a consistent and coherent standard of cycle facilities into the suburb of Blackrock.
- Improve pavement quality and width, increasing comfort for cyclists and pedestrians, allowing for inclusive mobility by increasing accessibility for wheelchairs/buggies/mobility impaired users.

## 4. Site Location

The proposed development is located immediately to the west of Blackrock DART Station between Bath Place and Blackrock Park. The scheme boundary extent is shown in Figure 4-1.



**Figure 4-1 - Scheme Location**

For a full description of the proposed development refer to Section 6 of this report.





The proposed scheme is situated within lands designated as Zoning Objectives A, DC and F. The proposed scheme incorporates an active recreational amenity and so the scheme is considered to align with the zoning objectives of the County Development Plan. The scheme is situated along a public right of way connecting Blackrock Park to the station and footbridge at Bath Place, Blackrock. It is noteworthy that the scheme is near two protected structures identified in the County Development Plan: the Blackrock Railway Station (RPS 106) and Deepwell (RPS 110).

The County Development Plan mapping highlights two symbols related to tree protection: areas designated to protect and preserve trees and woodlands, and areas subject to full protection under Tree Preservation Orders. Although there are no Tree Preservation Orders within the proposed development, nearby regions have been identified with the designation to protect and preserve trees and woodlands. This commitment to protect and preserve trees and woodlands is in line with the written policy, as outlined below;

- **Policy Objective OSR7:** It is a Policy Objective to implement the objectives and policies of the Tree Policy and the forthcoming Tree Strategy 2024-2030 for the County, to ensure that the tree cover in the County is managed, and developed to optimise the environmental, climatic, and educational benefits, which derive from an 'urban forest', and include a holistic 'urban forestry' approach.

The Dún Laoghaire Rathdown County Development Plan (2022-2028) includes specific policy objectives that are pertinent to the current scheme:

- **Policy Objective PHP2:** Sustainable Neighbourhood Infrastructure: It is a Policy Objective to Protect and improve existing sustainable neighbourhood infrastructure as appropriate. Facilitate the provision of new sustainable neighbourhood infrastructure that is accessible and inclusive for a range of users consistent with RPO 9.13 and RPO 9.14 of the RSES (Regional Spatial and Economic Strategy). Encourage the provision of multi-functional facilities, space, and lands in the delivery and/or improvement of sustainable neighbourhood infrastructure.
- **Policy Objective T5:** Public Transport Improvements: It is a Policy Objective to expand attractive public transport alternatives to car transport as set out in 'Smarter Travel, A Sustainable Transport Future' and subsequent updates; the NTA's 'Transport strategy for the Greater Dublin Area 2016-2035' and the NTAs 'Integrated Implementation Plan 2019-2024' and subsequent updates by optimising existing or proposed transport corridors, interchanges, developing new park and rides, taxi ranks and cycling network facilities at appropriate locations.
- **Policy Objective T11:** Walking and Cycling: It is a Policy Objective to secure the development of a high quality, fully connected and inclusive walking and cycling network across the County and the integration of walking, cycling and physical activity with placemaking including public realm permeability improvements. (Consistent with NPO 27 and 64 of the NPF and RPO 5.2 of the RSES)
- **Policy Objective T12:** Footways and Pedestrian Routes: It is a Policy Objective to maintain and expand the footway and pedestrian route network to provide for accessible, safe pedestrian routes within the County in accordance with best accessibility practice. (Consistent with NPO 27 and 64 of the NPF and RPO 5.3 of the RSES)
- **Policy Objective T13:** County Cycle Network: It is a Policy Objective to secure improvements to the County Cycle Network in accordance with the Dún Laoghaire-Rathdown Cycle Network Review whilst supporting the NTA on the development and implementation.
- **Policy Objective T14:** Coastal Cycling Infrastructure Objective: It is a Policy Objective of the Council to promote the development of the Sutton to Sandycove Promenade and Cycleway, as a component part of the National East Coast Trail Cycle Route and the Dublin Bay Trail from the boundary with Dublin City to Wicklow County.
- **Policy Objective T23:** Roads and Streets: It is a Policy Objective, in conjunction and co-operation with other transport bodies and authorities such as the TII and the NTA, to secure improvements to the County road network – including improved pedestrian and cycle facilities, subject to the outcome of environmental assessment (SEA, EIA and AA), flood risk assessment and the planning process (RPO 8.10, RPO 8.16)

- **Policy Objective T30:** Street Lighting: It is a Policy Objective to provide and maintain street lighting on the public road/footway/ cycleways throughout the County in accordance with commonly accepted best practice, the Council's public lighting masterplan and the upgrade of sodium lights to LEDs.
- **Policy Objective T31:** Accessibility: It is a Policy Objective to support suitable access for people with disabilities, including improvements to transport, streets, and public spaces. Accessibility primarily concerns people with reduced mobility, persons with disabilities, older persons, and children. (Consistent with RPO 9.1 and 9.10 of the RSES)
- **Policy Objective T32:** Personal Safety: It is a Policy Objective to provide and support initiatives that will promote the personal safety of women and vulnerable users who are using all forms of public transport as well as motorists, cyclists, and pedestrians. This would include all Luas, DART and bus stops, carparks, cycle parking facilities, laneways, and other areas of common use. Initiatives could include well-lit surroundings, use of CCTV. There would also be an emphasis on placing entrances/exits to public transport and cycle facilities close to busy built-up areas.
- **Policy Objective GIB8:** Coastline Parks and Harbours: It is a Policy Objective to continue to upgrade recreational and tourism-related amenities in the public parks and harbours along the coastline, including improved accessibility by the public.
- **Policy Objective GIB14:** Public Rights-of-Way: It is a Policy Objective to:
  - i. Preserve, protect, promote, and improve for the common good all existing public rights of-way which contribute to general amenity.
  - ii. Extend or enhance existing rights-of-way either by agreement with landowners or using compulsory powers in the interest of ensuring access to amenities, including the coast, upland areas, riverbanks, heritage sites, geological sites, and National Monuments.
  - iii. Prohibit development and keep free from obstruction existing rights-of-way, and to take legal action, if necessary, to prevent any attempt to close them off.
  - iv. Prohibit development which would prejudice public access to existing rights of-way, unless the level of amenity is maintained by the right of way, footpath, or bridleway being diverted by the minimum practical distance and the route continues to be segregated from vehicular traffic.
  - v. Consider favourably planning applications which include proposals to improve the condition and appearance of existing rights of-way.
- **Policy Objective GIB15:** Recreation Access Routes: It is a Policy Objective to preserve all Recreation Access Routes, which contribute to general amenity.
- **Policy Objective MFC3:** Placemaking in our Towns and Villages: It is a Policy Objective of the Council to support proposals for development in towns and villages that provide for a framework for renewal where relevant and ensure the creation of a high-quality public realm and sense of place. Proposals should also enhance the unique character of the County's Main streets where relevant.
- **Policy Objective OSR8:** Greenways and Blueways Network: It is a Policy Objective to develop a comprehensive network of County Greenways linking parks and public open spaces and to liaise with adjoining local authorities and other stakeholders to achieve and improve wider external linkages and corridors, to enable enhanced connectivity to wider strategic networks, and to allow for the long-term strategic expansion of urban areas (consistent with NPO 62 of the NPF).
- **Policy Objective OSR9:** Sports and Recreational Facilities: It is a Policy Objective to promote the provision, and management of high-quality sporting, and recreational infrastructure throughout the County, in accordance with the National Sports Policy 2018-2027, and dlr Space to Play: a new approach to Sports Facilities Strategy', 2017-2022, to ensure that the needs of different groups are incorporated into the planning and design of new facilities.
- **Policy Objective SLO9:** To encourage the redevelopment of the area encompassing Blackrock Baths, Bath Place and Blackrock DART Station, including the provision of improved pedestrian/cycle access to Blackrock Park. Any redevelopment of the Blackrock Baths shall include a substantial swimming pool(s) for public use.
- **Policy Objective SLO12:** To develop Blackrock Park in accordance with a Masterplan approved by the Council.

- **Policy Objective SLO18:** To promote the development of the Sutton to Sandycove Promenade and Cycleway as a component part of the National East Coast Trail Cycle Route and the Dublin Bay trail from the boundary with Dublin City up to the boundary with Co. Wicklow. Any development proposal will protect and enhance public access to the coast where feasible. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SACs, SPAs, and pNHA(s) in Dublin Bay and the surrounding area.
- **Policy Objective SLO129:** To provide for the development of the publicly owned lands at Bath Place, Blackrock for primarily public uses, in conjunction with the community of Blackrock during the lifetime of this Plan.

## 5.1.2 Blackrock Local Area Plan 2015-2021 (ext. to 2025)

The Blackrock Local Area Plan was adopted by the Council in March 2015. In 2020, the life of the Plan was extended for a further five years to March 2025.

The following policy objectives have relevance:

- **Policy Objective DW1:** It is an objective of the Council to improve the existing access from Blackrock Park to Blackrock Station. This will necessitate the setting back and rebuilding of the granite wall which forms the boundary of Deepwell. The wall will be rebuilt reusing the existing materials and replicating the traditional coursing, mortar mix and pointing style (Drawing 4 Public Realm and Map 13A & B Transport Network Strategy)
- **Policy Objective NHC1:** It is an objective of the Council to ensure the protection and preservation of the ecological integrity of the designated SPA, SAC and pNHA within and abutting the Blackrock LAP boundary in the consideration and implementation of development proposals within the Plan area. Any relevant development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the European Communities (Birds & Natural Habitats) Regulations 2011 (SI.477 of 2011).
- **Policy Objective PR7:** It is an objective of the Council to improve the pedestrian / cycle route between Blackrock Park and Blackrock DART Station in accordance with Chapter 4, Section 4.3 'Pedestrian and Cycling Connectivity and Permeability', Objective PC1 and Map 13A 'Transport Network Strategy'.
- **Policy Objective PC1:** It is an objective of the Council to provide an improved combined pedestrian and cycle path from Blackrock DART Station to Blackrock Park in line with Map 13A - Transport Network Strategy and Objective PR7, 'Public Realm Strategy'.
- **Policy Objective PC5:** It is an objective of the Council to provide improved pedestrian and cyclist access to Blackrock Park, including a new entrance, at Rock Hill in accordance with Objective BP1 Section 9.2 'Open Space, Recreation and Green Infrastructure' and Objective PR11 of Section 3.6 'Public Realm Strategy'.
- **Policy Objective BP5:** It is an objective of the Council to provide improved access and circulation to and around Blackrock Park.
  - Internal Routes: The existing greenway (Cycle path) linking Booterstown and Blackrock DART stations will be maintained. Localised improvements to the internal path system will be introduced to facilitate improved access and circulation within the park and to enhance its linkages to the external pedestrian system.
  - New Entrance at Rock Hill: A new plaza opposite Blackrock Shopping Centre will 'face' the entrance to the village core. This high-quality entrance will open the park and visually connect it to Blackrock by removing sections of the existing boundary wall/railing and providing for new railings and piers sympathetic to existing boundary elements. An integrated deck / pedestrian bridge will reinforce this connection. Existing access at Rock Hill will also be retained.
  - Improved access from the DART Station: Improved cycle and pedestrian linkages between Blackrock Park and the DART station to rear of Private - to include increased width of the existing corridor and upgrading of the entrance to Blackrock Park at the location of the existing bridge and adjoining stream area in accordance with Objective PC1, Chapter 4.
- **Policy Objective SF1:** It is an objective of the Council to improve access to and recreational amenity facilities at the seafront at Blackrock, in accordance with Objective PR1 and PR2 Section 3.6 Public Realm Strategy. Any



development proposals shall take into account and provide for the possible future construction of the S2S project and shall be subject to Appropriate Assessment Screening in accordance with the requirements of the European Communities (Birds & Natural Habitats) Regulations 2011 (SI.477 of 2011) to ensure the protection and preservation of all designated SPAs, SACs, and pNHAs of Dublin Bay and the surrounding area.

- **Policy Objective SF2:** It is an objective of the Council to promote the development of the Sutton to Sandycove (S2S) Promenade and Cycleway in accordance with the objectives of the County Development Plan 2010-2016. It should be noted that this coastal route will be subject to a feasibility study, including an assessment of route options. Any development proposals shall be subject to Appropriate Assessment Screening in accordance with the requirements of the EU Habitats Directive to ensure the protection and preservation of all designated SPAs, SACs, and pNHAs of Dublin Bay and the surrounding area.
- **Policy Objective GR1:** It is an objective of the Council to provide and enhance where appropriate the provision of Green Routes including Urban Greenways and Cycle Network routes to both connect open spaces in Blackrock to cater for pedestrians and cyclists and provide recreational opportunities, in accordance with Map 16 'Open Space Strategy'.

## 5.2 Regional and Local Policies

### 5.2.1 Regional Spatial and Economic Strategy for the Eastern and Midland Region, 2019

The Strategy promotes cycling and walking as environmentally friendly, fuel efficient and healthy modes of transport to work, school, shopping and for recreational purposes. There are several Regional Policy Objectives (RPO) specifically promote the development of greenways in both urban and rural areas, as follows:

- **RPO 5.7:** 'Co-ordinate across local authority boundaries to identify, manage, develop and protect regional Green Infrastructure, to enhance strategic connections and develop a Green Infrastructure policy in the Dublin Metropolitan Area.
- **RPO 5.8:** Support the promotion and development of greenway infrastructure and facilities in the Dublin metropolitan area and to support the expansion and connections between key strategic cycle routes and greenways as set out in the NTA Greater Dublin Area Cycle Network Plan';.
- **RPO 7.24:** 'Promote the development of a sustainable Strategic Greenway Network of national and regional routes, with a number of high-capacity flagship routes that can be extended and /or linked with local greenways and other cycling and walking infrastructure, notwithstanding that capacity of a greenway is limited to what is ecologically sustainable';.
- **RPO 7.25:** Support local authorities and state agencies in the delivery of sustainable strategic greenways, blueways, and peatways projects in the Region under the Strategy for the Future Development of National and Regional Greenways';.

The following is defined as a growth enabler for the eastern and midland regions: 'Support rural areas by harnessing natural resources to develop renewables, recreation and tourism opportunities including green infrastructure planning and the development of an integrated network of greenways, blueways and peatways.'

### 5.2.2 Dún Laoghaire-Rathdown County Biodiversity Action Plan 2021-2025

The scheme falls within a DLR park area, on the edge of the Fernhill to Booterstown corridor as can be seen in the figure below.



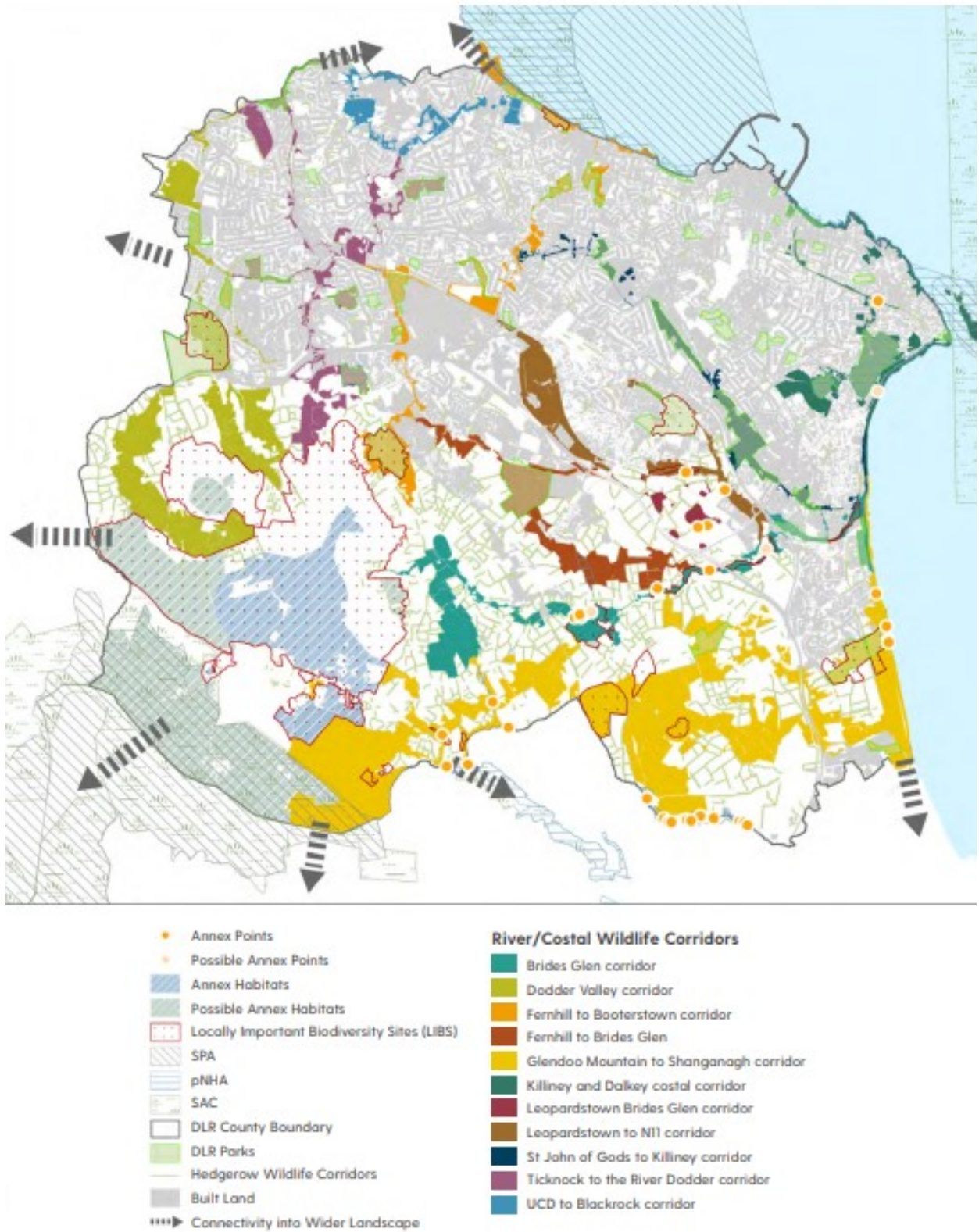


Figure 5-2 - Extract from Dún Laoghaire-Rathdown Biodiversity Plan 2021-2025

The BAP aims to promote and enhance the biodiversity within the County and as such the Plan includes for the following objectives;

- Conserve protected areas and other high-quality habitats and species.
- Develop ecologically resilient and varied landscapes.
- Integrate adaptation and mitigation measures into management, planning and decision-making.

The BAP calls for actions that involve placing biodiversity into project decision-making and design processes with importance being placed on protecting and restoring ecological networks across the County. Dún Laoghaire Rathdown (DLR) recognises this importance, and it is also included in the DLR County Development Plan.

The BAP includes the following aim regarding protecting and enhancing local biodiversity;

- To inform decision-making in relation to planning and development and to connect biodiversity to allow for areas that will not be impacted severely by human activity.

The BAP further details; *‘There are many opportunities for DLR County Council... to contribute to our ecological network by adding biodiversity to their areas, such as green areas, planting trees, creating wetlands or ponds, restoring areas for biodiversity’... ‘Therefore, any proposal for development will undergo an Ecological Impact Assessment and a Screening for Appropriate Assessment, as a minimum. The creation of links to the wildlife corridor however should be part of any future development, such as the planting of hedgerows or creation of other wildlife areas.’*

In line with Dún Laoghaire Rathdown County Biodiversity Action Plan (BAP) 2021-2025 to *‘develop ecologically resilient and varied landscapes and integrate adaptation and mitigation measures into management, planning and decision-making’*, a landscaping design will be developed at the detailed design phase of the proposed scheme. In addition to this an Ecological Impact Assessment and a Screening for Appropriate Assessment has been prepared and is included in the Part 8 documentation pack.

### 5.2.3 Dún Laoghaire-Rathdown County Council Climate Change Action Plan (CCAP) 2024-2029

The Dún Laoghaire-Rathdown County Council Climate Change Action Plan (CCAP) 2024-2029 outlines the council's strategy and actions to address climate change in the region over the next five years. The key focus areas of the plan include reducing greenhouse gas emissions, increasing energy efficiency, promoting sustainable transport, enhancing biodiversity, and adapting to the impacts of climate change.

The Climate Action Plan outlines a series of targeted actions that aim to achieve the following ambitious goals by 2030.

To ensure the successful attainment of these targets, the plan is grounded in a solid evidence base that supports the implementation of integrated, local-level climate actions. This evidence base includes a thorough examination of the policy context, an assessment of climate change risks and impacts, and the development of a county-wide emissions profile.

The scheme complies with the current budgeted actions;

- **Budgeted Action T5:** Develop and expand the County walking network.
- **Budgeted Action T7:** Develop and extend cycle network.
- **Budgeted Action T8:** Support the Greater Dublin Cycle Plan

## 5.3 National Policies

The scheme has also been considered in the context of the following:

- National Planning Framework (Project 2040)
- National Development Plan 2021-2030
- National Investment Framework for Transport Ireland
- National Sustainable Mobility Policy
- Climate Action Plan 2024 - 2029
- Healthy Ireland Strategic Action Plan 2021 – 2025
- NTA Cycle Network Plan (Greater Dublin Area) 2022
- National Cycle Policy Framework (NCPF) 2009 – 2020
- Get Ireland Active, 2016
- NTA Greater Dublin Area Transport Strategy 2022 – 2042



## 6. Nature and Extent of Proposed Development

The proposed development commences at Bath Place (in the location of Blackrock DART Station) passing through the grounds of the existing Deepwell (protected structure: RPS No. 110). It includes the provision of 130m of a two-way cycle track varying in width from 3m to 3.65m, a 2m wide footpath and associated 1m and 3m grass verges, linking into the existing pedestrian and cycle path facilities in Blackrock Park by means of a new prefabricated bridge over the Priory Stream which is proposed to replace the existing narrow pedestrian bridge. A new sustainable urban drainage system will collect surface water run-off from the proposed development and will regulate discharge into the Priory Stream. The proposed development includes for a new public lighting system and landscaping which will be located within the proposed grass verges. The proposed development includes the retention of the existing masonry wall along the northern boundary and its extension at both ends to close off access to the existing laneway, whilst removing two sections of the existing wall to form openings for the proposed route. Where required, the height of the existing masonry wall will be raised to maintain a minimum height of 2.0m in relation to the finished scheme levels. The southern boundary of the proposed development includes the construction of a new boundary wall which will replicate the style of the existing boundary wall to the north and will be constructed at a height of 3.0m above the proposed back of verge level or existing private garden level, whichever is higher. Landscaping will be included as part of the route which will be inclusive of 2 No. pillars located at the Bath Place entrance of the scheme. Ancillary works include but are not limited to landscaping and removal for future relocation of the existing folly.

## 7. Appropriate Assessment (AA)

Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora, known as the ‘Habitats Directive’ provides legal protection for habitats and species of European importance. Article 2 of the Directive requires the maintenance or restoration of habitats and species of European Community interest, at a favourable conservation status. Articles 3 – 9 provide the legislative means to protect habitats and species of Community interest through the establishment and conservations of an EU-wide network of sites known as European sites. European sites are Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Conservation of Wild Birds Directive (79/409/EEC).

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans or projects that could potentially affect European sites.

In accordance with the Habitats Directive (92/43/EEC) and the Birds Directive (79/409/EEC), DLRCC commissioned an Appropriate Assessment (AA) Screening Report prepared by AtkinsRéalis.

The AA Screening Report has concluded that with the absence of any mitigation measures, the proposed Blackrock DART to Park Active Travel Scheme, either alone or in-combination with other plans or projects, will not result in significant effects on South Dublin Bay SAC or South Dublin Bay and River Tolka Estuary SPA or any other European site.

Taking account of the findings of the AA Screening Report, DLRCC, as the competent authority, has determined that the proposed development will not result in likely significant effects on designated European sites, alone or in combination with other plans or projects. Consequently, a Stage 2 Appropriate Assessment - Natura Impact Statement (NIS) is not required for the project.

More detail can be found in the AA Screening Report which is included in the Part 8 documentation pack and in the AA Screening Determination which can be found in Appendix B.

In conclusion, an Appropriate Assessment is not required, and a Natura Impact Statement shall not be prepared in respect of the proposed development.

## 8. Environmental Impact Assessment (EIA)

An Environmental Impact Assessment (EIA) screening report has been carried out for the proposed development in accordance with the Planning and Development Regulations 2001 as amended (which give effect to the provisions of EU Directive 2014/52/EU). The purpose of an EIA Screening Report is to determine whether the project requires the preparation of an Environmental Impact Assessment Report (EIAR). Based on all available information, and taking account of the scale, nature and location of the proposed development it was concluded that the preparation of an EIAR is not a mandatory requirement (under Schedule 5, Part 1 and 2 of the Planning and Development Regulations 2001 as amended). Notwithstanding this, in order to demonstrate that the proposed development will not result in significant effects on the environment, a sub-threshold EIA Screening Report has been prepared to determine whether there are likely significant environmental effects from the proposed development on the receiving environment with regard to Schedule 7 of the Regulations. The key findings of the EIA Screening Report are summarised as follows;

- Due to the limited nature of the works it is considered that there will be no significant cumulative impacts with other developments in the general area;
- Limited noise, vibration and dust emissions may be generated during construction; however, this is anticipated to be minimal in effect and will cause no significant impacts;
- There will be no significant impact on biodiversity, groundwater, surface water or traffic; and,
- There will be no significant impacts on recorded monuments or historic features.

Taking account of the findings of the EIA Screening Report, DLRCC, as competent authority has determined, that the proposed development, is not likely to have significant effects on the environment and accordingly that an Environmental Impact Assessment and associated EIAR is not required.

More detail can be found in the EIA Screening Report which is included in the Part 8 documentation pack and in the EIA Screening Determination which can be found in Appendix C.

In conclusion, an Environmental Impact is not required, and an Environmental Impact Assessment Report shall not be prepared in respect of the proposed development.

## 9. Implications of the Proposed Development for the Proper Planning and Sustainable Development of The Area

The proposed scheme has been evaluated in relation to European, national, regional, and local planning and transport policy, with a primary focus on the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and the Blackrock Local Area Plan 2015-2021 (ext. to 2025), as referenced in Section 2.2 of the Blackrock DART to Park Part 8 Report. The scheme is consistent with the relevant policy objectives outlined in these planning documents and aligns with the goals of the Blackrock Park Masterplan 2020.

The scheme, located within the Dún Laoghaire-Rathdown jurisdiction and adhering to the Dún Laoghaire-Rathdown County Development Plan 2022-2028, is primarily situated in the Blackrock Local Area Plan zone. It includes zoning areas for residential development (Objective A), mixed-use district centre facilities (Objective DC), and open space with recreational amenities (Objective F). The proposal respects Policy Objective OSR7 by prioritizing tree protection and supports Policy Objectives PHP2, T5, T11, T12, and T13 for sustainable infrastructure and walking and cycling networks. It also aligns with Policy Objectives T14 and GIB8 to enhance recreational access and the Sutton to Sandycove Promenade and Cycleway. Additionally, it upholds Policy Objectives SLO7, SLO8, and SLO9 for connectivity and redevelopment in Blackrock, and complies with Policy Objective SLO18 by contributing to the national coastal cycle trail and protecting natural areas. Overall, the scheme enhances sustainability, accessibility, and recreational amenities.

The scheme also aligns with the Blackrock Local Area Plan, supporting Policy Objective DW1 by enhancing access from Blackrock Park to Blackrock Station and prioritizing ecological integrity per Policy Objective NHC1. It improves pedestrian and cycle connectivity (Policy Objectives PR7 and PC1) and access to Blackrock Park (Policy Objective PC5), while optimizing circulation within the park (Policy Objective BP5).

Nationally, the scheme aligns with the National Transport Policy, Project Ireland 2040, and the National Development Plan 2021-2030, focusing on liveable urban spaces, safe walking and cycling access, and improved air quality. Regionally, it supports the Eastern and Midland Region's greenway infrastructure strategy. Locally, it aligns with the Dún Laoghaire-Rathdown County Development Plan 2022-2028, enhancing public transport, walking, and cycling networks.

The Appropriate Assessment (AA) Screening Report has determined that the proposed Blackrock DART to Park Active Travel Scheme will not significantly affect South Dublin Bay SAC or South Dublin Bay and River Tolka Estuary SPA, thereby eliminating the need for a Stage 2 Appropriate Assessment - Natura Impact Statement (NIS). The AA Screening Determination is included in Appendix B.

An Environmental Impact Assessment (EIA) Screening Report has been conducted according to the Planning and Development Regulations 2001 (as amended) and EU Directive 2014/52/EU. This report concluded that the proposal is unlikely to significantly impact the environment, so an Environmental Impact Assessment and Environmental Impact Report (EiAR) are not required. The EIA Screening Determination is provided in Appendix C.

A Stage 1 & 2 Flood Risk Assessment (FRA) has been prepared for the proposed development and is included in the Part 8 documentation pack. The Stage 2 FRA Report deemed the scheme 'water compatible development', as per the planning guidelines and as the proposed development levels are above the 1 in 100 year flood event, no further justification test is required. The drainage proposals include swales which is a Sustainable Urban Drainage System (SUDS), which will help manage surface runoff and prevent flooding.



In summary, the proposed scheme meets the requirements of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the Blackrock Local Area Plan 2015-2021 (ext. to 2025), and other relevant national, regional, and local policies, supporting the planning and sustainable development of the area. Its compliance with local objectives contributes to the enhancement of public transport, walking, cycling, and sustainability in Blackrock.



# 10. Internal Reports

## 10.1 Forward Planning Infrastructure

No comments or objection to the proposed Part 8.

## 10.2 Housing Department

No comments or objection to the proposed Part 8.

## 10.3 Planning Department

A response was provided by the Planning Department stating that this Department has no objection to the proposed scheme progressing to Part 8.

## 10.4 Capital Projects

No comments or objection to the proposed Part 8.

## 10.5 Property Management

A response was provided by the Property Management section stating that this Section has no objection to the proposed scheme progressing to Part 8.

## 10.6 Transportation Planning

No comments or objection to the proposed Part 8.

## 10.7 Climate Action Officer

A response was provided by the Climate Action Co-ordinator stating no objection to the proposed scheme progressing to Part 8.

## 10.8 Drainage Planning

A response was provided by Water & Drainage Department stating that this Department has no objection to the proposed scheme progressing to Part 8.

A request was made that detailed design drawings, plan and cross sections with dimensions, of the proposed swale are provided to Drainage Planning for review and agreement prior to commencement of development. The swale is required to be designed in line with the requirements of The SUDS Manual (CIRIA C753).



## 10.9 Parks

A response was provided by the Parks Department stating that this Department has no objection to the proposed scheme progressing to Part 8.

A request was made for the retention of any metalwork associated with the project. Comments were made regarding material finishes and surfacing to be agreed at detailed design stage in consultation with the Parks Department.

## 10.10 Road Maintenance, Public Lighting & Cleansing

A response was provided by Roads Maintenance stating that this Department has no objection to the proposed scheme progressing to Part 8.

A request was made for liaison at detailed design stage with respect to surface reinstatement and lighting requirements.

## 10.11 Traffic and Road Safety

No comments or objection to the proposed Part 8.

## 10.12 Biodiversity Officer

No comments or objection to the proposed Part 8.

## 10.13 Active Travel

A response was provided by Active Travel stating that this Section has no objection to the proposed scheme progressing to Part 8.

## 10.14 Architects

A response was provided by the Architects Department stating that this Department has no objection to the proposed scheme progressing to Part 8.

A request was made for further details regarding material finishes to be provided at detailed design stage.

## 10.15 Community and Cultural Development

A response was provided by the Community and Cultural Department stating that this Department has no objection to the proposed scheme progressing to Part 8.

# 11. Statutory Bodies/Organisations

This scheme was circulated to the following prescribed Statutory Bodies:

- An Taisce
- Córas Iompair Éireann
- Environmental Protection Agency
- Uisce Éireann
- Dept. of the Environment, Climate Change & Communication
- Dept. of Housing, Local Government & Heritage
- Dept. of Tourism, Culture, Arts, Gaeltacht, Sport and Media
- Health Service Executive
- Fáilte Ireland
- Eastern & Midland Regional Assembly
- Dept. of Agriculture, Food and the Marine
- Inland Fisheries Ireland
- National Transport Authority

Submissions were received from the following Statutory Bodies:

- Uisce Éireann
- Department of the Environment, Climate & Communications – Geological Survey Ireland

The key issues they raised are summarised below together with the Chief Executive's Response.

## 11.1 Uisce Éireann

This submission noted the presence of an existing 225mm foul sewer at the location of the existing route. It noted that Uisce Éireann's Standards and Codes of Practice must be adhered to regarding separation distances. It noted that engagement with UEs diversions team is required to assess feasibility of build over/near UE assets.

### Response

Further consultation with Uisce Éireann will be carried out during the detailed design phase to address impacts that the proposed development may have on their asset.

## 11.2 Geological Survey Ireland

This submission highlighted and raised awareness to the various GSI datasets and mapping tools that are available and should be referenced and given cognisance to as part of this scheme. It also made reference to Stone Built Ireland as a useful resource related to this scheme.

The use of GSI groundwater vulnerability mapping was welcomed.





It was noted that there is a County Geological Site (CGS) in the vicinity of the scheme known as Blackrock Breccia (GR 321405, 229641). While it was noted that there are no envisaged impacts on the integrity of the CGS, a request was made that the design considers the inclusion of information panels to highlight the significance of the nearby CGS.

GSI also requested a copy of any site investigations carried out as part of the scheme so that they could be included in the GSI national database of site investigation boreholes.

**Response**

A detailed ground investigation will be undertaken as part of the detailed design phase in conjunction with the referencing of all relevant datasets and sources of information to inform the geotechnical design.

The presence of the Blackrock Breccia CGS is noted. The project team will refer the request for inclusion of public information panels for the CGS to the DLRCC Heritage Officer and DLRCC Parks Department where it can be further considered as part of the Blackrock Park Masterplan.

# 12. Submissions/Observations

Section 12 of this report contains an overview of key issues raised in submissions received through the public consultation process together with the Chief Executive's Response. AtkinsRéalis were contracted to complete a thorough evaluation of submissions received as presented in this section.

## 12.1 Statutory Public Consultation

### 12.1.1 Statutory Consultation Overview

Dún Laoghaire-Rathdown County Council carried out a Part 8 statutory consultation from Friday 28th June 2024 to Friday 9th August 2024 (6 weeks). In accordance with Part 8, Article 81 of the Planning and Development Regulations, 2001 (as amended), Dún Laoghaire-Rathdown County Council (the Council) gave notice of the proposed development, in the Irish Times newspaper on the 28th June 2024. Submissions and observations with regards to the proposed development could be made up to and including Friday 9th August 2024.

A site notice in the prescribed format was erected and maintained in place for the prescribed period at each end of the proposed route.

The list of persons/bodies who made submissions/observations is set out in Appendix A. These submissions have been noted and the issues raised summarised and responded to.

Individuals, organisations, or community groups could make submissions / observations on the scheme via a number of methods.

- Via online portal, Citizen Space, at [www.dlrcoco.ie](http://www.dlrcoco.ie) which enabled them to also include attachments (e.g. reports, or images) with their submission (See Appendix A).
- By e-mail to [capitalprojects@DLRCOCO.ie](mailto:capitalprojects@DLRCOCO.ie)
- As a written submission by post or in person to Dún Laoghaire-Rathdown County Council, clearly marked Blackrock DART to Park Active Travel Scheme.

## 12.2 Data Integrity

On analysis:

- two duplicate responses were found to be submitted. These responses were sent via two consultation platforms (by email and via the online portal) but the detail of the submissions were found to be identical. The total submission number was reduced by two to account for this duplication.
- five persons made two submissions via the online portal the content of which was not identical but was however very similar. The total submission number was reduced by five to account for this duplication.

Four submissions received via the online portal contained no observation/comment and could not be deemed either supportive or non-supportive of the scheme.

## 12.3 Submissions

- 328 submissions were received within the stipulated time period. Allowing for seven duplicate submissions received, and to avoid double counting a submission, this figure has been adjusted downwards to a revised total of 321 submissions (328 minus 7 duplicated submissions).
- 309 submissions were made via the online portal. One of the submissions had content from which meaning could not be extrapolated. A further three submissions, while providing names and email addresses, contained no content. Two of the submissions were duplications of submissions received via email. Five submissions were duplicate online submissions from the same person. The figure for online submissions has therefore been reduced by seven to 302 to avoid double counting the duplicated submissions.
- 19 submissions were received via email. Two of these submissions were duplications of submissions received via the online portal.
- No submissions were received via post.

Please see Appendix A for table listing persons/bodies who made submissions.

- 81% of submissions (260 no.) said Yes, they support the scheme in its current format
- 15% of submissions (49 no.) stated Yes, they support the scheme but with certain changes
- 2% of submissions (6 no.) said No, they did not support the scheme.
- 2% of submissions (6 no.) were deemed unclear in their preference. These submissions were either blank or related to issues geographically remote from the scheme

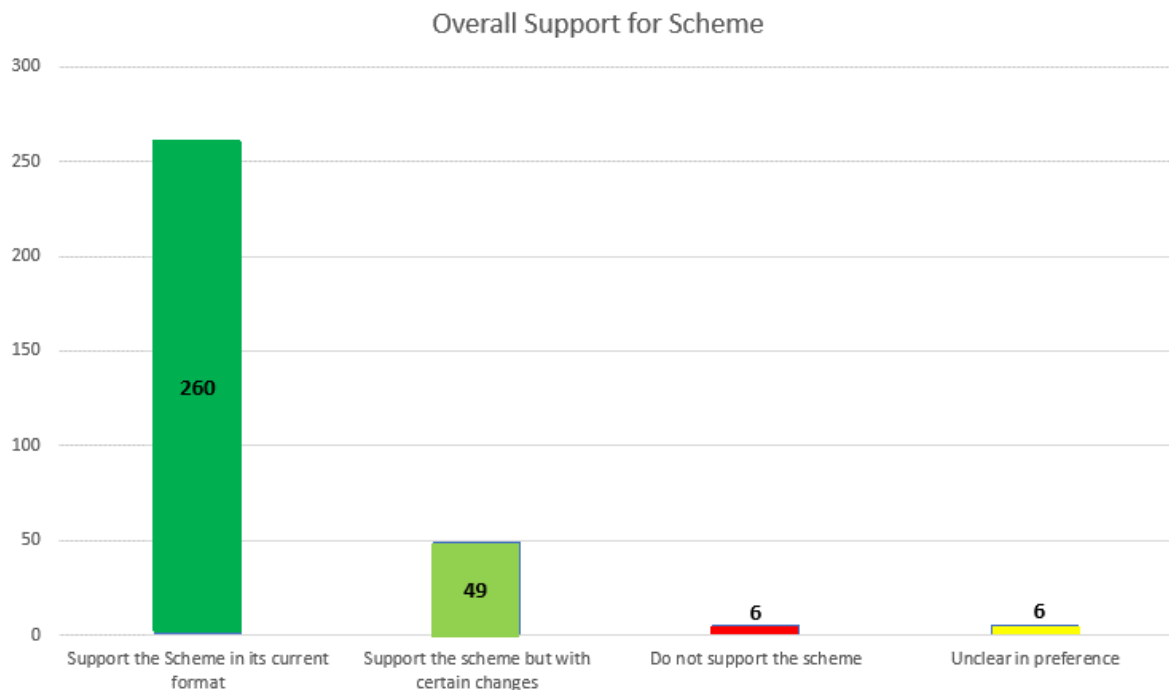


Figure 12-1 - Overall Support for the Scheme

## 12.4 Summary of Submissions

As illustrated previously, submission responses indicate that the majority (81%) of the submissions are supportive of the proposed scheme proceeding without changes, and 15% are supportive of the scheme with certain changes.

Combined, these submissions accounted for 96% of submissions. Many such submissions took the opportunity to explain their support for the Blackrock DART to Park Active Travel Scheme - commenting on why they felt the scheme was necessary, what they hoped it would bring to Blackrock, and the positive impact it would have on their lives, and on the community at large. Submissions and observations were reviewed in detail. This section outlines common themes that emerged in this positive feedback and sets out the number of times each particular item was raised within the submissions. A particular submission may appear across a number of themes where more than one item was raised within the submission.

### ***‘The existing laneway is currently unsafe and not fit for purpose’***

- A large number of submissions highlighted the current “not fit for purpose” laneway which they commented is “too narrow”, “difficult to navigate”, “impassable” and “lacks sufficient space” for different modes (104 no.).
- Route described as “dark”, “dangerous” or “unsafe” (47 no.)
- The route was referred to as a “bottleneck”, “pinch point” and obstruction to the coastal path (43 no.)
- Submissions noted: the laneways unsuitability for those with mobility issues (22 no.), those with buggies (46 no.), those using various types of bikes (47 no.), vulnerable users (21 no.), and pedestrians/runners/dog walkers (26 no.); stated it was a barrier to active travel and those wishing to use the park (4 no.); noted a perceived lack of safety for women (4 no.).
- Submissions (55 no.) noted the conflict for users when passing or for bi-directional travel along the route.
- Submissions (32 no.) stated they currently take alternate routes along Rock Road or through Blackrock village in order to avoid this existing laneway which is “too narrow” and “not fit for purpose”.

### ***‘Improved quality of life’***

- The project’s potential to improve the usability and comfort of the route. (49 no.)
- The positive impact the project will have on safety particularly mentioning women and vulnerable users. (53 no.)
- The scheme will enhance the usage of the route and the park (27 no.).
- The scheme is in the public interest and will be of benefit to both the community and the common good (23 no.).
- The scheme would be transformative to Blackrock (9 no.).
- That the scheme would reduce anti-social behaviour (2 no.).

### ***‘Need and urgency for upgrade’***

- Submissions noted the scheme was an essential link which is badly needed, long overdue and noted their appreciation that it was finally progressing (85 no.).
- Request that the new scheme be expedited and urged that it progress to construction as soon as possible (35 no.).

### ***‘Connectivity’***

- The importance of the scheme for permeability and to link with existing park and cycle routes, public transport, Blackrock seafront and the coastal mobility route (44 no.).
- That the scheme would take bikes off the main road and improve transport times (8 no.).

### ***‘Accessibility’***

- The positive impact the project will have on improving accessibility for all (17 no.) but especially those with mobility issues (5 no.).
- The benefits of separating cyclists from pedestrians (2 no.).



### ***‘Environmental, climate action and health benefits’***

- Scheme would provide environmental and climate action related improvements (5 no.).
- Scheme would encourage active travel, reduce car dependency and lead to health improvements (21 no.).
- Submissions noted the improved access to the DART and public transport (8 no.).

### ***‘Support for design’***

- Support for the design features including SUDS (2 no.), wider bridge (2 no.), entrance pillars (2 no.), maintaining existing masonry wall (3 no.), replicating style of existing wall for proposed new wall, providing better lighting (5 no.), improved visibility at Bath Place, landscaping and planting details (3 no.). The overall width proposed for the route was commended.

### ***‘Support for general DLRCC active travel/parks upgrade works’***

- Appreciation for the positive impact resulting from the general efforts made by DLRCC to improve active travel infrastructure and encourage a modal shift (13 no.).
- Appreciation for upgrades to Blackrock/other DLRCC parks (3 no.).

### **Other Comments**

- Respondents noted the impact of the scheme on a private garden and their appreciation to the landowner for facilitating the scheme, should it progress. (13 no.)

## **12.5 Key Issues and Chief Executive’s Response**

This section delves further into key issues raised.

### **12.5.1 Scheme Design**

- **Treatment of Existing Laneway (15 no.):** Comments on proposals for closing off the existing laneway including: the potential for dumping; the potential for anti-social behaviour; loss of passive surveillance/risk to rail commuters; uncertainty over maintenance obligations; creation of an ecologically negative space. Alternate suggestions included: roof the laneway; keep the laneway open at one end for maintenance; incorporate the laneway into the scheme to make it wider/provide more greenspace.
- **Scheme Extents (9 no.):** Observations on the proposed widths of the scheme as follows: those seeking an overall increase; those seeking an overall decrease; those seeking a re-allocation of space between the footpath and cycleway dimensions shown.
- **Street Furniture (9 no):** the provision of waste bins and dog waste bag and bin facilities; provision of seating; provision of water fountain; provision of shaded/covered area for wet days.
- **Boundary Treatments (6 no.):** Comments on the proposed boundary treatments including: perception that high walls could create an uninviting alley; avoid raising the existing wall height as this could reduce the feeling of safety for users; to replicate the screening provided by the existing wall; risk of graffiti; potential to incorporate a natural barrier in lieu of a wall/fence between the existing wall and bridge/stream; lack of sea views.
- **Passive Surveillance (5 no.):** Comments on the lack of passive surveillance and visual permeability. Suggestions included: reducing the height of the boundary wall to allow passive surveillance and sea views; the use of creative design solutions to allow sight lines between the rail platform and the scheme.

- **Safety & Security (5 no.):** Ensure adequate sight lines through design to enhance perceived user safety with some respondents placing an emphasis on women's safety specifically; concern that trees/street furniture/signage/bridge parapet would represent a security risk to adjoining properties.
- **Entrance Pillars (5 no.):** Request for reduced size pillars - concern they may attract graffiti.
- **Pedestrian/Cyclist/Vehicular Interaction (4 no.):** Suggestions included: include measures to minimise potential conflict between pedestrians and other users; reverse the orientation of the footpath and cycleway to reduce the risk of conflict between pedestrians from the DART crossing cyclists; include a cross over either along the route or at the Booterstown/park end of the scheme where better sightlines and the absence of vehicular movements were noted.
- **Cycle Parking (3 no.):** Request for: additional cycle parking; weather protected parking; larger adaptive bike parking.
- **Proposed Bridge (2 no.):** Request for bridge parapet detailed design which allows for improved sight lines; query whether new bridge is designed for emergency vehicles/park maintenance vehicles

### Response

The existing wall will be extended at both ends to close off access to the existing alleyway. The existing alleyway will remain visible to users of the northbound platform and to Iarnród Éireann (IÉ) staff. Maintenance access requirements to be agreed with IÉ during the detailed design phase. To alleviate concerns regarding dumping and anti-social behaviour a review will be undertaken at detailed design stage to consider additional passive surveillance elements that can be incorporated into the proposed development to improve visibility and safety.

The suggested proposal to incorporate the existing laneway into the proposed development would not facilitate Córas Iompair Éireann potential future plans associated with the extension of the Northbound Platform at Blackrock DART Station.

The proposed development has been designed to meet standards current at the time of the options selection preliminary design stage, ensuring optimal widths for pedestrians and cyclists whilst also incorporating sufficient green space to enhance the overall aesthetics of the scheme and the accommodation of ancillary elements such as public lighting, drainage, utilities and landscaping. The drainage proposals include Sustainable Urban Drainage Systems (SUDS) which will help manage surface runoff and prevent flooding.

The arrangement of the pedestrian and cyclist facilities has been proposed, to align with the tie in of the proposed development into the existing pedestrian and cyclist facilities in Blackrock Park. Following feedback during the consultation we acknowledge the concerns with the proposed layout in terms of legibility. We propose as part of the detailed design phase that the arrangement of the footpath and cycle facility could be reversed to provide a continuous footpath facility on the DART Station side. This will aim to reduce conflict in this area. The footpath will crossover the cycle facility to reintegrate with the existing park facilities. The pedestrian route will be prioritised (like the crossover further along the park).

The points regarding the proposed entrance pillars are noted. It is proposed to reduce the pillars in scale and mass as part of the detailed design phase.

Additional street furniture such as bins, seating, bicycle parking will be considered during the detailed design phase. Due to spatial constraints within the scheme extents it is not considered feasible to incorporate a water fountain nor a shaded/cover area into the proposed development.

The detailed design for extensions to the existing boundary wall and proposed boundary wall will take into account the recommendations of the Architectural Heritage Impact Assessment carried out for the proposed development. The assessment includes recommendations including proposed conservation works which are considered to be in keeping with the conservation and heritage objectives of the DLRCC County Development Plan.

The proposed design incorporates sufficient widths of green space to negate the perception of a tunnel effect whilst also serving to accommodate landscaping to enhance the overall aesthetics of the scheme.

To address safety and visibility concerns, a review will be undertaken at detailed design stage to consider additional passive surveillance elements that can be incorporated into the scheme.

Additional bicycle parking to accommodate different types of cycle vehicles will be considered during the detailed design phase.

The preliminary design of the bridge is based on relevant Eurocode requirements, ensuring compliance with regulatory standards which includes the needs for future maintenance and operational requirements. The bridge design, proposed bridge parapets and finishes and their tie-in to existing and proposed boundary walls and fencing will be considered during the detailed design phase taking into account visibility splays.

## 12.5.2 Accessibility & Wayfinding

- **Segregation (16 no.):** Segregation of walking and cycling facilities. Suggestions included: vertical separation/kerbing; vegetated/grass margin. Reference made to the Cycle Design Manual and guide dog requirements. Concern regarding interaction of e-scooters and vulnerable users.
- **Bollards: (6 no.):** Inclusion a potential safety risk for those of limited mobility and visually impaired; may impede access for larger bikes/trishaws.
- **Signage & Wayfinding (6 no.):** Suggestions included: incorporation of signage and markings for pedestrians, cyclists and motorists; use of raised beds as an environmentally friendly mechanism to provide enhanced orientation for visually impaired; incorporation of enhanced wayfinding linking the scheme to the coastal mobility route. Query if removal of sections of existing wall may impact wayfinding.
- **Universal Design (9 no.):**
  - Concern design does not incorporate Universal Design principles.
  - Ensure the scheme is accessible to adapted cycles including cargo bikes, cycling without age trishaws.
  - That universal design is implemented in all aspects including surface finishes, tactile paving and dished kerbing to facilitate all users.
  - Request for a detailed plan for accommodating those with disabilities.

### Response

The issues raised regarding segregation measures to be incorporated between the proposed cycling and walking facilities are noted and will be further considered during the detailed design phase. The bollards have been incorporated into the proposed development to regulate access to the proposed development. However, a review will be carried out during the detailed design phase regarding alternative options to the use of bollards and the subsequent spacing of the bollards.



In accordance with the Road Traffic and Roads Act 2023, e-scooters are not permitted to be used on footpaths or pedestrianised areas. However, e-scooters are permitted to use cycle lanes within the specified rules and any alteration to such legislation is outside the scope of this proposed development. The scheme's design will include appropriate signage and wayfinding during the detailed design phase. All signage and wayfinding, where appropriate, will be legible, coherent and strategically located to avoid confusion and signage clutter. A landscape design will be prepared during the detailed design phase and enhancements to assist wayfinding for the visually impaired and other users will be considered. The proposed horizontal alignment and extents of the scheme necessitates the removal of sections of the existing wall to facilitate the proposed continuous boundary treatment along the length of the scheme. Therefore, the removal of sections of the existing wall is not considered to impact future wayfinding to other active travel routes within the wider area.

The proposed development has been designed to meet standards current at the time of the options selection preliminary design stage, ensuring that the pedestrian and cycle facilities can be used by all users and all forms of cycle vehicles including mobility scooters and wheelchairs. Measures such as tactile paving and dished kerbs will be developed further along with an accessibility audit during the detail design phase to assist with the safe movement of all (including visually impaired persons).

### 12.5.3 Ecology, Environment & Biodiversity

- **Trees & Vegetation (15 no.)**
  - Existing Trees: Comments included opposition to the removal of mature trees and request to retain; request for method statement for the trees proposed to be retained; request for a tree replacement plan; query regarding the arborists report and the number of trees to be removed; loss of screening to the adjoining railway platform provided by existing mature trees noted.
  - Existing shrubs/ornamental planting: Query why hedges/shrubs were not surveyed or recorded and whether the impacts of their loss was considered; the presence of heritage roses/ornamental planting was noted and a request made for their preservation including relocation if possible.
  - Proposed Planting: Concern that the proposed planting scheme will not adequately compensate for the ecological loss.
- **Lighting (9 no.):** Comments included: impact of light pollution; impact on pollinators; request for reduced height lighting columns; inclusion of extra lighting for enhanced safety with some placing an emphasis on women's safety specifically; inclusion of varied height lighting; inclusion of tree uplighters; use of low wattage/LED/solar/sustainable lighting.
- **Drainage & Flood Risk (4 no.):** The impact of loss of vegetation on flood risk; if the scheme would need to be raised to account for flooding; that the new boundary be constructed to flood defence standards.
- **Documentation & Further Studies (3 no.):** Details in the ecology and arborist report were queried including a question over the number of trees to be removed/retained. Request for a wind assessment to maintain the protection of the microclimate.

#### Response

As outlined in the Part 8 documentation, the loss of trees, shrubs and ornamental planting within the scheme will be compensated by new plantings and where feasible the transplantation of existing flora of local interest within the proposed development and within the Blackrock Park area. An Ecological Impact Assessment has been prepared for the proposed development and is included in the Part 8 documentation pack with recommendations to be considered during the detailed design phase. In collaboration with DLRCC Parks Department, a landscape design will be prepared during the detailed design phase which will outline specimen trees and shrubs suitable for



a coastal location, appropriate herbaceous ground cover and specimen trees within a grass verge bordering the new cycleway and footpath.

The proposed development incorporates public street lighting along its length. Ecologically and energy efficient street lighting in line with current best practice and design guidance will be considered during the detailed design phase taking into account the safety and security of all users throughout a 24 hour period. The positioning and elevation of public street lighting will be considered during the detailed design phase in consultation with DLRC Public Lighting section.

A Stage 1 & 2 Flood Risk Assessment (FRA) has been prepared for the proposed development and is included in the Part 8 documentation pack. The Stage 2 FRA Report deemed the scheme 'water compatible development', as per the planning guidelines and as the proposed development levels are above the 1 in 100 year flood event, no further justification test is required. It is important to note that the proposed development is not a flood relief scheme. The drainage proposals include swales which is a Sustainable Urban Drainage System (SUDS), which will help manage surface runoff and prevent flooding. The drainage proposals will be developed during the detailed design phase.

## 12.5.4 Shared Space/Bath Place

- **Interaction between users (2 no.):** Potential conflict at the shared space due to the crossover of different users.
- **Vehicular Movements (5 no.):** Potential conflict between pedestrians, cyclists and vehicles due to driver behaviour at Bath Place including drop offs; bus movements and vehicular movements associated with existing private access gates.
- **Illegal Parking (2 no.):** Request to prevent illegal parking at Bath Place/DART side of route which would block access to the scheme.

### Response

Following feedback during the consultation we acknowledge the concerns with the proposed layout in terms of legibility. We propose as part of the detailed design phase that the arrangement of the footpath and cycle facility could be reversed to provide a continuous footpath facility on the DART Station side. The footpath will crossover the cycle facility to reintegrate with the existing park facilities. The pedestrian route will be prioritised (like the crossover further along the park).

The proposed removal of the shared space area as outlined above will not impact the existing vehicular access arrangements and will reduce conflict in this area.

The proposed development has maintained the width of the existing Private rear access entrance and vehicular access to the property from Bath Place and access will be retained on a 24-hour basis. Signage and road markings will be developed further during the detailed design phase which will identify measures such as double yellow lines and no parking signage to reduce the risk of illegal parking. The enforcement of illegal parking is outside the scope of this development.

## 12.5.5 Heritage and Conservation

- **Existing Boundary Wall (3 no.):** Opposition to the removal of the existing wall; support for the removal of existing wall; suggestion that the existing wall be disassembled and reassembled at the new boundary.
- **Formal Garden (3 no.):** Reduce scheme width to minimise impact on formal garden; concern the scheme would impact on the curtilage of the adjoining property.
  - That the detailed design of new boundary wall meets the recommendations of the heritage report.
  - Opposition to the removal of the existing Victorian footbridge.
  - That the works respect the surrounding environment and private garden.

### Response

The proposed horizontal alignment and extent of the scheme necessitates the removal of sections of the existing wall to facilitate the extent of the proposed development. An Architectural Heritage Impact Assessment was commissioned to evaluate the potential impacts on the existing wall. The assessment includes recommendations including proposed conservation works that will be taken into account during the development of the detailed design for both the existing wall and the proposed wall and are considered to be in keeping with the conservation and heritage objectives of the DLRCC County Development Plan.

The proposed development has been designed to meet standards current at the time of the options selection preliminary design stage, ensuring optimal widths for pedestrians and cyclists whilst also incorporating sufficient green space to enhance the overall aesthetics of the scheme and the accommodation of ancillary elements such as public lighting, drainage, utilities and landscaping.

An Architectural Heritage Impact Assessment was commissioned to evaluate the potential impacts on the private curtilage, its surrounding area, and Blackrock Park Bridge. The assessment includes recommendations, all of which are part of the Part 8 documentation pack and will be further developed during the detailed design phase.

In collaboration with DLRCC Parks Department, a landscape design will be prepared during the detailed design phase which will outline specimen trees and shrubs suitable for a coastal location, appropriate herbaceous ground cover and specimen trees within a grass verge bordering the new cycleway and footpath.

## 12.5.6 Cyclist behaviour

- **Concern regarding cyclist speeds along a 130m linear route;** potential risk for pedestrians; include measures to reduce cyclist speeds such as speed bumps/curves/landscaping or other design solutions; signage to mitigate against inappropriate speeds.

### Response

Following feedback during the consultation we propose to consider the introduction of horizontal deflection and/or further segregation within the extents of the scheme which will assist with reducing cyclist speeds along its length. We propose as part of the detailed design phase that the arrangement of the footpath and cycle facility could be reversed to provide a continuous footpath facility on the DART Station side. The footpath will crossover the cycle facility to reintegrate with the existing park facilities.

The scheme's design will include appropriate signage during the detailed design phase. All signage, where appropriate, will be legible, coherent and strategically located to avoid confusion and signage clutter.

## 12.5.7 Project Consultation

- **Engagement (4 no.)** Request for ongoing engagement with residents/community/public; dissatisfaction with level of engagement.
- **Part 8 Documentation (3 no.):** dissatisfaction with format of consultation for the Part 8; accuracy of the graphics/visualisations; lack of inclusion of Road Safety Audit.

### Response

Further engagement with key stakeholders will be carried out during the detailed design phase. The visualisations of the proposed scheme are graphical images that have been prepared to assist the public to see how the current schemes design will look and how it will fit in with its surroundings.

The public consultation process for this Part 8 followed the procedures set out in Part XI, Section 179 of the Planning and Development Act 2000 (as amended) and Part 8, Articles 80, 81, 82 and 83 of the Planning and Development Regulations 2001 (as amended) and Part 8, Articles 80, 81, 82 and 83 of the Planning and Development Regulations 2001 (as amended). The project team are satisfied that we have met our obligations under Planning legislation.

A Road Safety Audit Stage 1 for the proposed development has been completed and all observations made have been addressed by the Design Team and incorporated into the proposed development.

## 12.5.8 Project rationale/justification

- **Cost/Cost Benefit (2 no.):** Publication of cost estimate and cost benefit analysis.
  - That a cyclist first perspective should have been adopted.
  - That a linear park in this location was unnecessary.

### Response

The cost estimates for the scheme have been carried out in accordance with the NTA Project Appraisal and Cost Management Guidelines. These are commercially sensitive and are not published as part of the Part 8 application. Within the options assessment exercise a multi criteria analysis was carried out that considers cost as one element. Cost benefit analysis are not required for this type of scheme as per the Department of Transport publication, Common Appraisal Framework (CAF) for Transport Projects and Programmes

The Design Manual for Urban Roads and Streets has established the user hierarchy and a 'cyclists first' approach is not appropriate in that context.

A walking and cycling route along the coast of DLRCC has long been established in policy and this project is one of the last remaining sections. It is necessary to deliver this route.

## 12.5.9 Construction, Management & Operation

- Request to limit working hours to mitigate against construction noise.
- Mechanism to monitor, evaluate and report on the schemes' achievements, including the environmental benefits, once implemented.
- Monitoring and management of air quality, water quality and biodiversity.
- Observation regarding the management and maintenance of vegetation.

### Response

An outline Construction and Environmental Management Plan (CEMP) has been prepared for the proposed development and is included in the Part 8 documentation pack. The purpose of the CEMP is to provide recommended measures to avoid, minimise and control adverse environmental impacts associated with the construction of the proposed development. The CEMP includes requirements for Environmental Control Plans related to elements such, air quality control, noise and vibration control, ecological control plan and water resources and energy use control plans. A landscape design will be prepared as part of the detailed design phase which will identify tree root protection zones and the measures required to protect the roots during the construction stage.

The outline CEMP will be developed by a Contractor to produce a detailed CEMP in advance of construction works commencing.

The Common Appraisal Framework assesses projects under a number of sub criteria including Operational Impacts. As part of normal operations DLRCC assess the effectiveness of projects post installation.

## 12.5.10 Out of scope issues

A number of submissions were received which made observations considered outside the scope of this scheme or not relevant to the content of the scheme.

# 13. Summary

Following analysis of the feedback received during the statutory public consultation process it is evident that the 81% of submissions support the scheme as proposed. A further 15% support the scheme with changes.

Following consideration of suggestions/observations made during the public consultation we will undertake the following as part of the detailed design:


- Complete an independent accessibility audit to include the location of signage, wayfinding and street furniture.
- Consider revering the arrangement of the path and cycle facility to provide a continuous path facility on the Dart Station side. This would remove the need for a shared space, maintain pedestrian priority and reduce conflict at Bath Place. This would necessitate the introduction of a crossover before the Priory Stream Bridge. A Road Safety Audit and Accessibility Audit would inform the design of this proposed change.
- Consider the introduction of segregation measures between the proposed cycling and walking facilities.
- Develop a landscape design in collaboration with DLRCC Parks Department taking into account the recommendations of the Ecological Impact Assessment.
- Incorporate the recommendations of the Architectural Heritage Impact Assessment.
- Further develop the sustainable drainage proposals in consultation with DLRCC Drainage Department.
- Review any alternate options to the use of bollards.
- Review the feasibility of incorporating additional street furniture such as bins, seating, bicycle parking.
- Reduce the entrance pillars in scale and mass.
- Investigate if additional passive surveillance elements that can be incorporated into the proposed development to improve visibility and safety.
- Consider the bridge design details, proposed bridge parapets and finishes and their tie into existing and proposed boundary walls and fencing taking into account the recommendations of the Architectural Heritage Impact Assessment and visibility splays.
- Incorporate appropriate signage and wayfinding. All signage and wayfinding, where appropriate, will be legible, coherent and strategically located to avoid confusion and signage clutter.
- Incorporate ecologically and energy efficient street lighting in line with current best practice and design guidance taking into account the safety and security of all users throughout a 24 hour period.
- Prepare a site specific Construction Environment Management Plan in advance of construction activities.

## 14. Recommendation

The proposed development is considered to be in accordance with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028, Blackrock Local Area Plan 2015-2021 (ext. to 2025) and with the proper planning and sustainable development of the area. In accordance with the legislation, the proposed development may be carried out as recommended in the Chief Executive's Report, unless the Council, by resolution, decides to vary or modify the development otherwise than as recommended, or decides not to proceed with the development.

Subject to the above, members are hereby notified in accordance with Section 138 of the Local Government Act 2001, as amended, of the intention to proceed with the proposed development subject to the following conditions:

- That the above items outlined in Section 13 will be considered as part of the detailed design;
- and to any such minor or immaterial alterations to the plans and particulars of the development



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Paul Kennedy, Director of Infrastructure, Climate Change & Municipal Services

# APPENDICES

# Appendix A. Submissions Received





## List of respondents

1	Aaron Moore	88	David Lowry	175	John Martin	262	Paul Price and Eilis McDonnell
2	Adam Kane	89	David Martin - BVRAG	176	John Nolan	263	Paul Waldron
3	Aideen Sheehan	90	David O'Mahony	177	John O'Brien	264	Paula O'Connor
4	Aileen Flynn	91	David O'Flynn	178	John O'Sullivan	265	Peter Branigan
5	Ailish Young	92	Declan O'Shanahan	179	John Redahan	266	Peter Charles Lynch
6	ALEXANDER GARVEY	93	Deirdre cooney	180	Johnny Carroll	267	Peter Robbins
7	Allison Phillips	94	Deirdre Gleeson	181	Justin Ward	268	Philip Smyth
8	Amanda O'Laoidhe	95	Denis Kelleher	182	Karen Fields	269	Raymond McDermott
9	Andrew Griffin MRAI	96	Derek Killeen	183	Karina Carroll	270	Raymond Tutty
10	Andrew Hastings	97	Dermot Casey	184	Karl o connor	271	Richard Collumb
11	Andrew mckay	98	Dermot Penston	185	Kate Hurley	272	Robbie Mc Guinness
12	Andrew Mitchell	99	Des Dockery	186	Kate Murphy	273	Robert
13	Anita Redahan	100	Des Powell	187	Kate O'hanlon	274	Robert Collins
14	Anna Dcutly	101	Don Sheahan	188	Katherine Gavin	275	Robert Power
15	Annamarie Burns	102	Donal Cassidy	189	Katherine McClatchie	276	Roderick Condon
16	Anne McCann	103	Donal Murphy	190	Kathryn McNeil	277	Ronan
17	Anne O'leary	104	Dónal O Broin	191	Kathy Looney	278	Rónán Hickey
18	Anne Suriar	105	Dr. Mark Gleeson	192	Keith Byrne	279	Ronan Murray
19	Anne Tobin	106	Dr. Michael McKillen	193	Keith Mangan	280	Rory Burke
20	Ann-Marie Lynch	107	Dr. Robert Sinnott, Voice of Vision Impairment.	194	Kevin Coffey	281	Ros McFeely
21	Anthony O'NEILL	108	Dublin Commuter Coalition	195	Kevin Hamilton	282	Rosemary Head -McAuley
22	Aoife Caffrey	109	Eadaoin Murphy	196	Kevin Mangan	283	Ross McCarthy
23	Aoife Cahill	110	Eamon O'Callaghan	197	Kieran Buckley	284	Ruth Sheridan
24	Aoife Coll	111	Eamon Price	198	Lauren Keane	285	Ryan Kavanagh
25	Aoife Connaughton	112	Eimear Cowhey	199	Lean Doody	286	Ryan O'Hagan
26	Aoife McLysaght	113	Emma Cahill	200	Leda Connaughton-Deeny	287	Sam
27	Aoife Sheehan	114	Enrique Marenco Jimenez	201	Leigh Dolan	288	Sarah Duffy
28	Ashling Keogh	115	Eoghan Clogher	202	Leonie Clarke	289	Sarah O'Donnell
29	Bairbre MacHale	116	Eoin Ahern	203	Liam Cahill	290	Sarah Rock
30	Barry Cahill	117	Eoin Brennan	204	Liam Kennedy	291	Seamus o boyle
31	Barry Moran	118	Eoin Dorgan	205	Lisa Dolan	292	Sean Barry
32	Barry O'Neill	119	Eoin Farrell	206	Liz Barry	293	Seán Osborne
33	Barry Ward	120	Eoin Matthew Brennan	207	Lochlan Gallahger	294	Shane Duffy
34	Bébhinn Murphy	121	Eoin Smith	208	Lorcain Cameron	295	Shane Grogan
35	Blanaith Brennan	122	Eric Conroy	209	Lorcan Lyons	296	Shane Mitchell
36	Brendan D Griffin	123	Evan Fanning	210	Lorcan O'Sullivan	297	Sheena cheyne
37	Brian Costello	124	Evan Hunt	211	Lorraine D'Arcy	298	Sheila Hollingsworth
38	Brian Dunphy	125	Fergal McCluskey	212	Louise	299	Sheila O'Regan
39	Brian Malone	126	Fiona McDonnell	213	Lynn Redahan	300	Síle Ginnane
40	Cariona Neary	127	Fran O'Callaghan	214	Maeve Kearney	301	Simon Brown
41	Carolyn McGovern	128	Frank Gleeson	215	Mairead Boland	302	Simon Hoffman
42	Casey Devlin	129	Frank Miller	216	Margaret Redahan	303	Sonya Dixon
43	Cathal Mac Coille	130	Gareth Little	217	Marie Cahill	304	Stephen Boyd
44	Catherine Conton	131	Gerry Burke	218	Marie Therese, (Terri) Broderick	305	Stephen Keenan
45	Catherine Curran	132	Gill Marmelstein	219	Marilisa Quarti	306	Stephen Kenny
46	Celine Sorohan	133	Gillian Machugh	220	Marion Fenton	307	Stephen Lawler
47	Chris Doherty	134	Gillian Madden	221	Marita Kenrick	308	Stephen McManus
48	Christopher Maher	135	Gillian Ridgway	222	Mark George	309	Steve Brennan
49	Cian Brennan	136	Gordon Naughton	223	Mark Kane	310	Stuart McCabe
50	Cian Hyland	137	Gwendoline Deslyper	224	Mark Lande	311	Susan
51	Cian O Byrne	138	Hannah Gibson	225	Mark Murphy	312	Susan Spain
52	Cian Prendergast	139	Heather King	226	Markham Nolan	313	Tara O'Meara
53	Ciara Eustace	140	Helen Collins	227	Martin Conlon	314	Ted Halligan
54	Ciara O'Shea	141	Helena	228	Matt Brennan	315	Tom Feeney*
55	Ciarán Holahan	142	Helena Sheehan	229	Meriel McClatchie	316	Tony Randles
56	Ciaran McMahan	143	Hilary Dowdall	230	Michael Conway	317	Tony Roe
57	Ciaran O'Mara	144	Hilary Wheeler	231	Michael Walshe	318	Trevor Jobling
58	Ciaran Tannam	145	Holly Furlong	232	Miriam Corboy	319	Vladimir Rusinov
59	CJ Drury	146	Hugo Mills	233	Miriam Hand	320	William McClatchie
60	Claire & John O'Reilly	147	Ian connaughton	234	Miriam oMeara	321	Zsofia Puszta-McIntyre
61	Claire Curtis	148	Ian O'Mara	235	Moninne Creaney		
62	Claire Nicholl	149	Ian Richardson	236	Niamh L'Estrange		
63	Claire Valente	150	Iseult Gallagher Mangan	237	Niamh Ni Chonghaile		
64	Clara Clark, Cycling without Age	151	Isobel	238	Nicholas Royle		
65	Clayton Love	152	James Fahey	239	Nicholas Scroxtan Cummins		
66	Colin Corcoran	153	James Joseph Bergin	240	Niels Warburton		
67	colin fulcher	154	James Owen Lewis	241	Nikki Darling		
68	Colm O hEigearthaigh	155	Jamie kennedy	242	Nuala O'Hagan		
69	Colm O'Neill	156	Jane Doyle	243	Nuala Quinn		
70	Colm Ryder, Dublin Cycling Campaign	157	Jane Murray	244	Nuala Waldron		
71	Colm Walsh	158	Janet Casey	245	Oisín O'Neill		<b>Prescribed Bodies</b>
72	Colum Clissmann	159	Jc cusack	246	Oonagh McCutcheon	1	Uisce Éireann
73	Conor Dowling	160	Jean Andrews	247	Orla Ryan	2	Luke Thompson - GSI Ireland
74	Conor Kelly	161	Jen O Dwyer	248	Ossian Smyth		
75	Conor mcgowan	162	Jenny Quigley	249	Pablo Delgado		
76	Conor O'Malley	163	Jeremy Bruce-Smith	250	Pam Kennedy		
77	Conor Sweeney	164	Joanna Marsden	251	Pat boyle		
78	Cormac Macgearait	165	John Collins	252	Pat Finnegan		
79	Cristiano Conte	166	John Curtin	253	Patricia Forde		
80	Cyril Treacy	167	John Fennelly	254	patrick byrne		
81	Damian Hanley	168	John Foody	255	Patrick Haugh		
82	Daniel Walsh	169	John Geraghty JR	256	Patrick Murray		
83	Daragh Moore	170	John Ging	257	Paul Clinch		
84	Darran Lovely	171	John Glover	258	Paul McClatchie		
85	Darren Keane	172	John Kearney	259	Paul Murphy		
86	David Browne	173	John Lohan	260	Paul O'Hara		
87	David Fox	174	John Lyons	261	Paul Power		

# Appendix B. AA Screening Determination



**Appropriate Assessment Screening Determination under the  
European Communities (Birds and Natural Habitats) Regulations, 2011 (as amended)  
(For Proposed Local Authority Development)**

**Project Title:** Blackrock DART to Park Active Travel Scheme

**Description of the Proposed Development:**

Dún Laoghaire-Rathdown County Council, in conjunction with the National Transport Authority, is proposing to develop the pedestrian and cycle link between the Blackrock DART Station and Blackrock Park, Blackrock. Co. Dublin.

The proposed scheme extends for approximately 130m between Blackrock Dart Station (Bath Place) and Blackrock Park. The proposal involves the construction of a footpath and two-way cycle track to tie into the existing pedestrian and cycle facilities within Blackrock Park to the west of the scheme and Bath Place to the east of the Scheme. The project includes for a bridge over the Priory Stream to replace the existing narrow pedestrian/cyclist bridge. The proposal would replace the existing narrow laneway connecting Bath Place to Blackrock Park.

The scheme proposals consist of the following:

- Provision of 130m of a two-way cycle track varying in width from 3m to 3.65m
- Provision of a 2m wide footpath and associated 1m and 3m grass verges
- Provision of a new prefabricated bridge over the Priory Stream which is proposed to replace the existing narrow pedestrian bridge
- Provision of a sustainable urban drainage system will collect surface water run-off from the proposed development and will regulate discharge into the Priory Stream
- Provision of a public lighting system and landscaping
- Retention of the existing masonry wall along the northern boundary and its extension at both ends to close off access to the existing laneway
- Construction of a new boundary wall which will replicate the style of the existing boundary wall
- Accommodation works within private lands to facilitate the proposed development including but not limited to landscaping and the relocation of the existing folly

**Legislative Context:**

This determination has considered the relevant legislative context as set out at section 2.1 of the AA screening report entitled 'AA Screening Report June 2024' including, but not limited to:

- o The European Habitats Directive (Council Directive 92/43/EEC of 21 May 1992)
- o The European Birds Directive (Council Directive 79/409/EEC)

**AA Screening Report:**

The Capital Projects Office, Infrastructure and Climate Change Department of Dún Laoghaire-Rathdown County Council (DLRCC) commissioned Arkins Ireland Ltd. (Atkins) to prepare an AA Screening Report entitled 'AA Screening Report June 2024'.

The AASR has been examined and evaluated by Miguel Sarabia, Planning Department and is satisfied that the AA Screening Report gives full consideration to the relevant Directives and legislation and agrees with the contents and conclusion set out in the AASR and the reasons therein.

This Appropriate Assessment Screening Report has considered potential effects which may arise during the construction and operational phases as a result of the implementation of the proposed Blackrock DART to Park Active Travel Scheme through an assessment of the potential sources and potential pathways for

significant effects; an evaluation of the project characteristics; taking account of the processes involved and the distance of separation from European sites.

Given the nature and scale of the proposed works the zone of influence (ZOI) was taken as the Priory Stream at the works location and for 200m downstream and the immediate environs of the outfall of the stream to Dublin Bay.

The Appropriate Assessment screening report concluded that:

*"Works are proposed within 20m of South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA. There is indirect connectivity from the scheme Site to the SAC and SPA via the Priory Stream. Given the location, duration and scale of the works and the nature and scale any construction related impacts that the proposed scheme could potentially generate, it is concluded that the proposed scheme will not result in negative effects to the water quality of the Priory Stream. As the Priory Stream provides the only pathway to South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA and given negative effects to the water quality of the Priory Stream are not anticipated, there will be no likely significant effects to the qualifying interest habitats and species of the SAC/SPA in view of their conservation objectives.*

*The proposed scheme will be screened from the SPA shoreline and also the greenfield areas of Blackrock Park during the construction phase by means of hoarding. Given that the construction activities are of relatively short duration and as there will be hoarding around the scheme site there will be no likely significant disturbance or displacement effects to SPA birds accommodated within South Dublin Bay and River Tolka Estuary SPA or ex-situ SPA birds that may be in Blackrock Park. Similarly during the operational phase, the scheme is screened from the SPA by walls and the Dart Station and is screened from Blackrock Park by walls and vegetation. As such the usage of the scheme by cyclists and pedestrians will not result in likely significant disturbance or displacement effects to SPA birds.*

*On the basis of objective information and in view of best scientific knowledge and applying a precautionary principle, it is concluded by the authors of this report that with the absence of any mitigation measures the proposed Blackrock Dart-Park Active Travel Scheme, either alone or in-combination with other plans or projects, will not result in likely significant effects on South Dublin Bay SAC or South Dublin Bay and River Tolka Estuary SPA or any other European site. Thus, it is recommended that it is not necessary for the scheme to proceed to Appropriate Assessment.*

*Should the scope, nature or extent of the proposed scheme change, a new assessment (AA Screening Report or AA Screening Addendum Report) would be required."*


#### **Determination:**


Having regard to the foregoing, on the basis of objective information and in view of best scientific knowledge and applying the precautionary principle, for the reasons set out above and in the AA Screening Report, it has been concluded that the proposed development (Blackrock DART to Park Active Travel Scheme), individually or in combination with other plans or projects<sup>1</sup>, without relying on any mitigation measures, will not have a significant effect on any European Sites, in view of the sites' conservation objectives, and that there is no reasonable scientific doubt in relation to this conclusion.

Consequently, a Stage Two AA and a Natura Impact Statement (NIS) is not required.

<sup>1</sup> Except as provided for in Article 6(4) of the Habitats Directive, viz. There must be:

- a) No alternative solution available,
- b) Imperative reasons of overriding public interest for the plan to proceed; and
- c) Adequate compensatory measures in place.

Signature:  MIGUEL SARBIA PLANNING + ECONOMIC  
Name Position / Department

Signatory (Approved Officer):  AIDAN BLIGHE DIRECTOR OF SERVICE PLANNING + ECONOMIC  
Name Position / Department DEVELOPMENT

Delegation No. 2515

Date: 20/06/24

The proposed Blackrock DART to Park Active Travel Scheme is being promoted by Capital Projects Office, Infrastructure and Climate Change Department. This Appropriate Assessment Screening Determination in respect of the proposed Blackrock DART to Park Active Travel Scheme has been made by Aidan Blighe, Director of Services of the Planning and Economic Department to apply appropriate functional separation in the carrying out of a Screening Determination for Appropriate Assessment.



# Appendix C. EIA Screening Determination





## Environmental Impact Assessment (EIA) Screening Determination (For Proposed Local Authority Development)

<b>Project Title:</b>	<b>Blackrock DART to Park Active Travel Scheme</b>
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**Description of the Proposed Development:**

Dún Laoghaire-Rathdown County Council, in conjunction with the National Transport Authority, is proposing to develop the pedestrian and cycle link between the Blackrock DART Station and Blackrock Park, Blackrock. Co. Dublin.

The proposed scheme extends for approximately 130m between Blackrock Dart Station (Bath Place) and Blackrock Park. The proposal involves the construction of a footpath and two-way cycle track to tie into the existing pedestrian and cycle facilities within Blackrock Park to the west of the scheme and Bath Place to the east of the Scheme. The project includes for a bridge over the Priory Stream to replace the existing narrow pedestrian/cyclist bridge. The proposal would replace the existing narrow laneway connecting Bath Place to Blackrock Park.

The scheme proposals consist of the following:

- Provision of 130m of a two-way cycle track varying in width from 3m to 3.65m
- Provision of a 2m wide footpath and associated 1m and 3m grass verges
- Provision of a new prefabricated bridge over the Priory Stream which is proposed to replace the existing narrow pedestrian bridge
- Provision of a sustainable urban drainage system will collect surface water run-off from the proposed development and will regulate discharge into the Priory Stream
- Provision of a public lighting system and landscaping
- Retention of the existing masonry wall along the northern boundary and its extension at both ends to close off access to the existing laneway
- Construction of a new boundary wall which will replicate the style of the existing boundary wall
- Accommodation works within private lands to facilitate the proposed development including but not limited to landscaping and the relocation of the existing folly

**Legislative Context:**

This determination has considered the relevant legislative context as set out at section 1 of the EIA Screening Report entitled 'Environmental impact Assessment Screening June 2024' including, but not limited to:

- Directive 2011/92/EU as amended by Directive 2014/52/EU (known as the EIA Directive) on the assessment of the effects of certain public and private projects on the environment.
- The Planning and Development Acts 2000, as amended.
- The Planning and Development Regulations 2001, as amended (S.I. 600/2001)
- European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018) (S.I. 296/2018)

**EIA Screening Report:**

The Capital Projects Office, Infrastructure and Climate Change Department of Dún Laoghaire-Rathdown County Council (DLRCC) commissioned Atkins Ireland Ltd. (Atkins) to prepare an Environmental Impact Assessment Screening Report (EIASR) to determine whether the proposed development may have potential to give rise to significant environmental effects and whether an EIA is required for the Proposed Development. The EIASR details the characteristics of the Proposed Development and its likely significant effects (if any) on the environment.

The EIASR has been considered and evaluated by Miguel Sarabia, Planning Department and is satisfied that the EIASR gives full consideration to the relevant legislative context; sets out the requirements for mandatory and sub-threshold EIA; and agrees with the contents and conclusion set out in the EIASR.

The proposed development does not fall within any of the classes of projects identified in Annex I of the EIA Directive and listed in Part 1 of Schedule 5 of the 2001 Regulations which require a mandatory EIA.

Furthermore, the proposed development does not meet or exceed the thresholds set out in Part 2 of Schedule 5 of the 2001 Regulations for any classes of projects identified in Annex II of the EIA Directive (as transposed in Part 2 of the Regulations).

Therefore, the proposed development does not trigger the need for a mandatory EIA.

The proposed Active Travel Scheme by DLRCC falls into Class 10(b)(iv) of Annex II to the EIA Directive, as transposed in Part 2 of Schedule 5 to the 2001 Regulations and does not exceed the relevant threshold of 2 hectares. Therefore, the proposed active travel improvements are considered "sub-threshold development".

EIASR concludes:

*"Based on all available information, and taking account of the scale, nature and location of the Proposed Development it is our opinion that the preparation of an EIAR is not a mandatory requirement (under Schedule 5, Part 1 and 2 of the Planning and Development Regulations 2001 - 2023)." The "sub-threshold EIA Screening Report has been prepared to determine whether there are likely significant environmental effects from the Proposed Development on the receiving environment with regard to Schedule 7 of the Regulations."*

The EIASR concludes stating that *"the proposed Blackrock Dart - Park Active Travel Scheme by itself or in combination with other projects is not likely to have significant effects on the environment and therefore an EIAR is not required to be prepared."*

The reasons for this conclusion as set out in the EIASR include *inter alia* the following -

- In the absence of any mitigation measures, the proposed scheme, either alone or in combination with other plans or projects, will not result in likely significant effects on South Dublin Bay SAC or South Dublin Bay and River Tolka Estuary SPA or any other European site.
- Due to the limited nature of the works it is considered that there will be no significant cumulative impacts with other developments in the general area;
- Limited noise, vibration and dust emissions may be generated during construction; however, this is anticipated to be minimal in effect and will cause no significant impacts;
- There will be no significant impact on biodiversity, groundwater, surface water or traffic;
- There will be no significant impacts on recorded monuments or historic features.

**Determination:**

Having regard to the foregoing, the proposed Blackrock DART to Park Active Travel Scheme does not trigger a mandatory EIA under the EIA Directive 2011/92/EU as amended or the Planning and Development Regulations 2001, as amended. Further, the Council (as


Competent Authority) determine, for the reasons set out above and in the EIA Screening Report, that the proposed development, is not likely to have significant effects on the environment due to the nature, scale or location of the proposed development relevant to areas of environmental sensitivity and the types and characteristics of potential impacts, cumulation of effects with those arising from other existing and/or proposed projects and measures to avoid or prevent what might otherwise have been significant adverse effects on the environment.


The Council determines that no significant impacts on the environment will arise from the construction or operation of the proposed Blackrock DART to Park Active Travel Scheme and that an EIA is therefore not required and an EIAR is not required to be prepared.

Therefore, it has been concluded, for the reasons set out above and in the EIA Screening Report, that the proposed development, by itself or in combination with other projects, is not likely to have a significant effect on the environment and accordingly that an Environmental Impact Assessment is not required. An EIAR is therefore not required.

No real likelihood of significant effects on the environment	✓	EIA is not required
Real likelihood of significant effects on the environment		EIA is required

The proposed Blackrock DART to Park Active Travel Scheme is being promoted by the Capital Projects Office, Infrastructure and Climate Change Department. This screening determination has been made by Aidan Blighe, Director of Services of the Planning and Economic Department to apply appropriate functional separation in the carrying out of a Screening Determination for Appropriate Assessment which is an appropriate functional separation in accordance with Article 9a of the EIA Directive.

Signature:  MIGUEZ SARABIA T/SENIOR PLANNER  
 Name Position / Department

Signatory (Approved Officer):  AIDAN BLIGHE DIRECTOR OF SERVICE PLANNING + ECONOMIC DEVELOPMENT  
 Name Position / Department

Delegation No. 2515

Date: 20/06/24



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