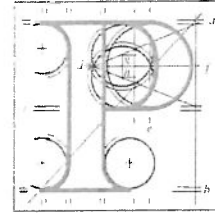


Our Case Number: ABP-320164-24

Planning Authority Reference Number:



**An
Bord
Pleanála**

Barry and Jean Crowley
10 Howth Lodge
Claremont Road
Howth
Dublin 13
D13 EN25

Date: 06 November 2024

Re: DART + Coastal North Railway Order 2024 - Northern Line between Dublin City Centre and Drogheda including the Howth Branch
Dublin City Centre and Drogheda, located in counties Dublin, Meath and Louth

Dear Sir / Madam,


An Bord Pleanála has received your recent letter in relation to the above mentioned case. The contents of your letter have been noted. Please accept this letter as a receipt for the fee of €50 that you have paid.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: www.pleanala.ie.

If you have any queries in relation to the matter please contact the undersigned officer of the Board at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Aisling Reilly
Executive Officer
Direct Line: 01-8737131

RA03

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64 Sráid Maoilbhríde Baile Átha Cliath 1 D01 V902	64 Marlborough Street Dublin 1 D01 V902
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10 Howth Lodge
Claremont Road
Howth D13 EN25
Co. Dublin

22 October 2024

The Secretary
An Bord Pleanála
Marlborough Street
Dublin 1

Re: **ABP Case Reference NA26N.320164**
Dart and Coastal North Railway Order 2024

Dear Secretary,

Having reviewed the Irish Rail submission we believe it to be seriously flawed and we wish to register our objection to their proposals and detail our concerns for your consideration in your review of the above Case.

In the sections of the submission dealing with the proposed changes to the existing Howth - Dublin Dart services there is no examination of the socio-economic impact arising from those changes on the businesses and citizens of the Howth Peninsula and those using the Dart service on the section of route between Howth Junction and Howth.

The original Consultation document contained errors of fact, which were brought to the attention of Irish Rail, acknowledged in correspondence, yet repeated in the Phase Two Consultation documentation and in their final submission to ABP.

In the documentation provided by Irish Rail in the Phase One Consultation process, Section 2.2 Level Crossings, they stated:

"Claremont Crossing (913) allows for access to a small residential development on a private road and providing exclusive access to the area for motor vehicles."

This is incorrect and trivialises the issues faced by the 200 plus residents of the 55 apartments in Howth Lodge, the 9 private houses and 6 townhouses located on and served by this public road. This is either careless "cut and paste", or a deliberate attempt to downplay the effect of the increased closure times at the Claremont Crossing.

The timings used by Irish Rail in calculating the closure times at the four level crossings do not reflect reality, are not supported by actual lived experience, and have not been tested. Actual times vary, but average 3 - 3.5 minutes per closure, at best, with closures frequently exceeding 5 minutes.

The 100% increase (from 6 to 12) in level crossing closures per hour would have a serious impact on traffic flows at all four Crossing locations, most notably at the Claremont Crossing where for residents, schoolgoers, workers, service providers, caregivers, emergency services - the available crossing time would be reduced, at best, to between 18 and 24 **non consecutive** ! minutes in every hour.

The effect upon traffic flows will be catastrophic and potentially very dangerous, encouraging "Grand Prix" style starts to get across the line in the available time gaps. Traffic on the main Howth Road - coming from both the Sutton and Howth directions - waiting to cross the rail line and enter Claremont Road will be queued, blocking the traffic flows in both directions

The road traffic data used by Irish Rail in assessing the impact of the **100% increase** in level crossing closure times is merely an estimate based on measurements taken midweek, 3 and 4 years ago. They are either unaware of, or are ignoring the multiple developments, completed, underway and in planning for Baldoyle, Sutton and Howth and the forecast (National Census) 24% increase in local population. Crucially, they make no allowance for the significantly increased traffic volumes that occur at weekends causing bumper to bumper tailbacks between Howth, Sutton, Baldoyle, Howth Road Junction, and beyond.

A legal **Right of Way** has existed at all four Crossings - Baldoyle Road, Station Road, Cosh and Claremont since the direct rail service to Howth was initiated in the 1870s. The Irish Rail proposal would effectively reduce, limit and partially extinguish the existing established right of way. This would be a significant restriction on our freedom of movement, reducing our ability to access social services, public transport, shopping, schooling, banking, sporting and social activities, medical and emergency services,

Our right to such freedom of movement is enshrined in Article 13 of the **UN Universal Declaration of Human Rights** (1948), the **Treaty of Maastricht** (1992) the **Lisbon Treaty** (2009) in the general provisions on the area of **Freedom, Security and Justice, Article 21 of the Treaty on the Functioning of the European Union, Article 45 of the EU Charter of Fundamental Rights**. The conditions for the exercise of the right of free movement within the territories of the Member States are set out in the **Free Movement Directive 2004/38/EC**. where the Common barriers to free movement include difficulties accessing services.

The question of whether such a level of restriction is either reasonable, or legal is a matter for the Courts to decide and a decision that **must be made before** any finding can be made on the aspects of the Irish Rail proposals that affect the operation of the existing Howth / Dublin Dart service.

Irish Rail contend that the changes proposed for the Dart service to / from Howth (*Howth would become a "branch line" with a "shuttle" service operating to and from Howth Junction where passengers would transfer to mainline services*) represent an improvement in the present service, which is currently a +/- 30 minute journey, with no transfers and no capacity issues other than occasionally at the peak hours.

Under the Irish Rail proposal journeys between Howth and Dublin would entail A platform change at Howth Junction, a wait of indeterminate length to transfer to the next “mainline” service, with no guarantee of any space availability on that service, which would ..eventually ..deliver you to Dublin city centre.

On the return journey to Howth the transfer at Howth Junction, would entail not just a platform change, but a crossing of the tracks using the existing footbridge and again a wait for the next “shuttle” service to Howth.

On both journeys - to Dublin and on return - during the transfer passengers would be exposed to the prevailing weather conditions. Any elderly or infirm passengers, anyone traveling with small children, would be particularly disadvantaged by the proposed changes.

The restricted platform space at Howth Junction would pose a safety risk particularly on holiday weekends, or summer periods and the outline proposals for improvement to the facilities would not remove these concerns. Howth Junction has no escalators, a poor serviceability record for the lifts and no public facilities.

The proposed changes would definitely not be an improvement in the present service for anybody using DART services from Howth, Sutton, Bayside, and Howth Junction to travel to/ from Dublin and would instead represent a most significant deterioration in current service standards and entail increased safety risks passengers who are elderly, infirm, travelling with children, and unaccompanied minors (schoolchildren).

That Irish Rail should want to improve and expand existing services is of course laudable, but such improvements must be real, based on a proper, fact based evaluation and be respectful of all affected groups.

However, the Irish Rail documentation contains a number of statements, which, at best, can only be described as “misleading” and which therefore do nothing to create confidence in the validity and viability of the Irish Rail proposals in respect of the proposed changes to the Howth/Dublin Dart service

“ The removal of crossing conflicts at Howth Junction will also result in a more frequent and reliable Howth DART service at every ten minutes each way, with a change at Howth Junction to access the Northern Line.”

(Executive Summary”, page 4 and repeated on page 12)

This is blatantly misleading. The “*..more frequent and reliable Howth DART service at every 10 minutes each way ..*” would apply only to travel between Howth and Howth Junction. It does not provide a direct service - let alone an enhanced service - to / from Dublin. The “choke point” for mainline traffic- according to Irish Rail - occurs not at Howth Junction, but at Connolly Station, where improvements to allow for increased traffic from the Dart West expansion could - and should - surely include provision for any Dart North traffic increases.

“Customers will experience the same enhanced levels of service in both AM and PM peaks, and in both southbound and northbound directions.”

(Executive Summary”, page 5)

Again a blatantly misleading statement. The “...*enhanced levels of service...*” would apply only to services serving stations on the main south bound and northbound routes. Passengers coming from Howth, or traveling to Howth would be faced with the transfer operation at Howth Junction, which could hardly be described as an “..*enhanced level of service...*”.

“Maintain provision for through running from Connolly to the Howth Branch Line”

(Stated as one of the CAF (Common Appraisal Framework) review considerations, Pre-Selection Option Report, section 3.3, page 15)

Whether deliberate or not, this is again misleading. There would be through running from Connolly to Howth Junction, the proposed transfer point for the proposed Howth “shuttle” service, but there would not be a through service from Connolly to Howth as there is at present.

“...as a shuttle service, Howth Branch trains will be almost fully insulated from delays on other parts of the DART and IÉ network.”

(Annexe 3.7 Technical Optioneering Report, section 3, page 8)

Indeed they should be! These shuttle services would operate only between Howth and Howth Junction. Wonderful if you want to travel backwards and forwards on this stretch, but utterly meaningless if you want to travel further than Howth Junction !

We ask that you refuse the request from Irish Rail, in its current form, on any, or all of the following grounds which are expanded upon in the following pages.

- No research completed into the effect on commercial businesses in Howth
- as a result of the proposed changes to the existing direct Howth Dart service

- No research completed into the potential effect upon the significant volume of tourist visits to Howth as a result of the proposed changes to the existing direct Howth Dart service

- No consideration given to the serious and potentially dangerous restriction of the Constitutionally guaranteed freedom of movement for residents on certain sections of the Dart route, notably those using the Claremont level crossing.

- No research completed into, or consideration given to the effect of the proposed changes to the existing direct Howth Dart service upon the long established Rights of Way at the four level crossings on the Dart route to Howth

- No research completed into the effect of the proposed changes to the existing direct Howth Dart service on current road traffic patterns to / from Howth

- No research completed into, or consideration given to the road safety aspects arising from the forced changes in road traffic patterns to / from Howth as a result of the proposed changes to the existing direct Howth Dart service
- No recognition by Irish Rail of the fact that the replacement of a 170+ year old direct Howth / Dublin rail (subsequently Dart) service with a shuttle service requiring a transfer at Howth Junction would downgrade - not improve - the level of existing services to Howth
- No clarity in a number of the statements made by Irish Rail in their documentation
- No apparent consideration given to the construction of additional track capacity along the Dublin to Drogheda route, as was achieved recently on other routes in the country although a study into such a solution is currently underway and Irish Rail have recently announced plans to provide four tracks between Connolly Station and Malahide to facilitate the separation of commuter and intercity services. These plans provide a viable alternative to the Irish Rail proposal to cease the direct DART services from Howth, to Dublin and it is difficult to understand why Irish Rail are not considering this option.

We apologise for the length of our submission, but there were in fairness several different issues that had to be addressed, and I trust that you will give them your fair and full attention.

We ask that in considering the Irish Rail submission, aside from any other relevant considerations, ABP make the grant of any approval conditional upon the retention at current level of service of the long established direct rail service between Howth and Dublin.

Yours sincerely,

Barry Crowley

Jean Crowley