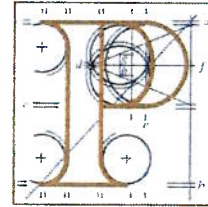


Our Case Number: ABP-320164-24



**An
Bord
Pleanála**

Howth Lodge Board of Management
c/o Leo Martin
1 Aspen Court
Cornelscourt Village
Dublin 18

Date: 24 October 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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22nd October 2024



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An Bord Pleanála: Statutory Consultation re Dart+ Coastal North Extension to Drogheda

Submission from Howth Lodge Board of Management Objecting to the Proposal

Summary

The Howth Lodge Board of Management, representing 55 residences, objects to the proposed railway order concerning the Dart+ Coastal North extension to Drogheda. We urge that the order be rejected until a full environmental and integrated traffic assessment is conducted, particularly in relation to the impact on Howth residents and Howth Lodge. The current proposal inadequately addresses the rights of way at level crossings (Howth Lodge, Sutton Station, Lauders Lane, and Baldoyle Road) and disregards reservations previously expressed by planners.

At a meeting with Irish Rail on 13th September 2024, it was acknowledged that their preferred option is a shuttle service between Howth Junction and Howth. However, no final timetable decisions have been made, which raises serious concerns. Despite Irish Rail's claims that the changes will improve service, they admit that the number of level crossing closures will double, exacerbating traffic congestion in Howth, where the population is projected to grow by at least 24%. Furthermore, elderly and disabled passengers may struggle to find seating when boarding at Howth Junction. This is not an improvement; it is a significant degradation of service that we find unacceptable. Irish Rail should be asked to reconsider.

1. Introduction

1.1. Any investment in improving the public service transport infrastructure should be welcomed. When the proposed investment has the direct consequence of significantly reducing the public transport service to Howth, there can be no welcome. The proposal is ill-considered and incomplete. Expanding the Dart service north of Malahide should be advanced but residents of Howth and Sutton should not pay the price.

1.2. The two public consultations organised by Irish Rail were set out solely to support a decision already taken. There has been no evidence of the concerns of

Howth and Sutton residents being taken into account. To consult on the infrastructure changes on their own is entirely disingenuous. Any consultation with integrity needs to spell out the consequences for the Dart timetable and the probability of the service between Howth Junction for some/all hours becoming a branch line offering only a shuttle service.

1.3. Irish Rail have proposed a shuttle-only service between Howth Junction and Howth. When asked for clarification, there is merely obfuscation. This is unacceptable. The citizens of Howth and Sutton deserve clarity, not the sound of a can being kicked down the track.

1.4. This submission therefore objects in the strongest possible terms to the premature extension of the Dart+ Coastal North service. Residents of Howth Lodge and immediate neighbours cannot accept access to be limited to c.28 non-consecutive minutes per operating hour. Indeed, the estimation of 28 minutes is highly optimistic. Additional level crossing times will greatly increase traffic congestion. Analysis by Irish Rail is partial and out of date. Reducing the service to Howth to a shuttle service will have a major negative impact on Howth at a time when it will be adjusting to a considerable population increase. To take two Darts to reach Howth from Dublin will also have a significant negative impact on the community's economy, which is much dependent on day tourism.

2. Site-Specific Issues

2.1. Howth Lodge is on Howth Road, accessed by a level crossing at Claremont. Erroneously, previous consultation documents referred to the road on the coastal side of the level crossing as a private road, inferring that the residents there were of no significance. This mistake was acknowledged but not rectified in print.

2.2. At present, during operating hours, there are normally three Darts in each direction per hour. The gates come down well before any Dart passes, and closure times per hour have been reported as in excess of 20 minutes. Irish Rail currently estimates that six Darts in each direction will mean closure of 32 non-consecutive minutes per hour. Regular users of this crossing maintain that this figure is a clear underestimate, and there is no proposal to upgrade or improve the barrier mechanisms. Being able to enter or leave for a minority of every operational hour is completely unacceptable. Irish Rail insist that their closure estimates have been measured. As there are not at present 12 DARTs an hour, this claim has no credibility.

2.3. Claremont level crossing is a legal right of way since a direct service to Howth was initiated in 1877. The proposed increased closure of Claremont level crossing would effectively reduce and limit this right of way and inevitably be subject to legal challenge.

2.4. The restriction on movement on Howth Road across Claremont crossing to the extent envisaged is a breach of residents/citizens' rights to freedom of movement as guaranteed in the Universal Declaration of Human Rights, reinforced in the 1992 Maastricht Treaty.

2.5. Restricted access is self-evidently even more of a problem when consideration is taken of access for emergency vehicles. For an elderly group of residents, urgent life or death access is a crucial and current issue.

2.6. With fewer minutes per hour for access across the level crossing, the potential for queuing on Howth Road for vehicles entering Claremont Crossing is a further source of traffic delay and congestion at a time when Howth traffic is increasing exponentially.

2.7. Irish Rail in a letter of 10th July agreed to a meeting to discuss these issues. After numerous requests, a meeting was held on 13th September. Irish Rail agreed that further research was required on the issue of rights of way. On 21st October, Irish Rail responded on the matter of rights of way to argue that the issue of the level crossings was not relevant to the statutory public consultation. This, Irish Rail contends, is because the way the crossing operates will be altered should the railway order be made. This is a prime example of disingenuous sophistry. The purpose of the Railway Order is to permit changes that will in due course lead to Howth operating as a shuttle service for some/all of operational hours and thus mean increased level crossing closures and infringement of the rights of way enshrined in law. The details of any subsequent timetable changes are highly germane to this Railway Order, and thus the Railway Order should be rejected until the details of the full impact of the changes are presented. Whether the increased restriction is reasonable/legal is a matter of law which should be decided now. It is unacceptable for Irish Rail to proceed with a view to making the matter a fait accompli if the Railway Order was granted.

2.8. Instead, Irish Rail have prevaricated and suggested that Howth MAY only have a shuttle service at peak hours and a direct service at other times. They go on to state, "These changes represent a substantial increase in both frequency and capacity. It should be noted that this is the maximum capacity the project will facilitate in future, not the timetable on completion." Which is it? A substantial increase or a maybe capacity? This is sophistry of the worst order, and the vagueness is completely unacceptable.

2.9. With regard to ambulance and other emergency access, Irish Rail state, "Every effort will be made as far as possible to facilitate ambulances in the case of medical emergencies at Howth Lodge." This is far from reassuring and, in line with the rest of the consultation, a further statement of their intention to go ahead despite objections and obstacles.

3. Traffic Congestion

3.1. Howth and Sutton are on a peninsula. Access for the in excess of 14,000 residents is through Sutton Cross. Howth's population will increase significantly over the next few years. Even the biased forecasts from developers in submissions to An Bord Pleanála acknowledge that Sutton Cross is at times over capacity before going on to assert that it can cope with the increase they are proposing. The efficiency of Sutton Cross is heavily dependent on the smooth flow of traffic across the level crossings at Sutton Station and on Baldoyle Road. The figures produced by Irish Rail for proposed increased closures are unrealistically optimistic and, even at their predicted level, will raise congestion at Sutton Cross to unsustainable levels.

3.2. Irish Rail acknowledge that under their proposals, the "performance of Kilbarrack (Baldoyle Road) Level Crossing will deteriorate depending on future timetable decisions." Irish Rail's own traffic impact recognises that, at peak times, queues on Baldoyle Road will only just be within the tolerances for the adjoining roads' capacity. Thus, it is clear that with population increase in Howth and data that was four years out of date, the road system around Sutton Cross and adjoining roads cannot cope with the amount of extra closures of the rights of way at Kilbarrack and Sutton station, which Irish Rail propose. No amount of obfuscation about "it depending on future timetables" can make it work. It is recognised that queues may "block back along in a northbound direction at Kilbarrack Level Crossing in the PM peak in some timetable scenarios." The citizens of Howth and Sutton deserve clarity. This is far from clear.

3.3. The additional closures at Sutton Station "will deteriorate slightly," according to Irish Rail, but again no clarity is offered as it depends on timetable choices made by Irish Rail. In other words, enable the changes in this railway order and allow Irish Rail the freedom to decide how much to inconvenience the residents of Howth and Sutton.

3.4. In addition to the fact that the data used by Irish Rail was four years out of date, no account has been taken of peak holiday/weekend traffic already close to unsustainable.

3.5. The introduction of journeying by Dart to Howth via a shuttle service for part or all of the schedule will decrease confidence in the Dart system and increase road use, particularly for the elderly and the school run. The experience of introducing resident permits and other parking controls has been to push casual parking a few streets out. Those who drive to Sutton or Howth to then take the Dart into Dublin are very likely to choose to drive part way into Dublin, i.e., Howth Junction or beyond, and then take the Dart in. A shuttle service (or partial shuttle service) is a significant reduction in public transport to Howth and Sutton and will result in unsustainable traffic congestion in and around Sutton Cross.

3.6. The proposals by Irish Rail and the overambitious housing developments in Howth combine to illustrate the shocking negligence of not commissioning an independent integrated traffic impact assessment on Sutton Cross.

4. Impact on Howth

4.1. The consultation period was launched by Irish Rail, announcing “a significant milestone for the communities served by this improved service.” It is not an improved service for Howth. At a time when Howth will be adjusting to a 24% population increase, an expectation of some assistance, some planning gain is a reasonable stance. Instead, to add to the pressure, the Dart service to Howth is being downgraded.

4.2. In the launch press release, the Chief Executive of Irish Rail said, “Today is a great day for the communities of Drogheda, East Meath and North County Dublin.” But not for Sutton or Howth!!! He went on to state, “The provision of Dart services will transform commuting for existing and new communities along the Drogheda/Howth to Dublin corridor.” This is a meaningless reference to Howth. There is no such “corridor.” From these proposals, the transformation for commuters on the Howth “branch” line will mean a less credible, indirect and less reliable service.

4.3. It is clearly the intention that some (or all?) Dart journeys from Howth to Dublin will involve a change at Howth Junction. Yet Irish Rail refuse to be unequivocal, hiding behind “it depends on timetable changes yet to be made.”

4.4. Not only is there no benefit to Howth, but there is no reference to the impact. Howth is ignored. Hard copies of the consultation document are available in most libraries in the area, but not in Howth. Reference is made to a range of benefits to all in the Greater Dublin Area, but not those in Howth. Howth is offered “a more frequent and reliable Dart service each way.” This is only the case if your destination is Howth Junction. No mention is made of the price to Howth of increased congestion and reduced freedom of movement across established rights of way. Any legitimate consultation response should list the downside. In this instance, it does not; after all, only the residents of Howth and Sutton are paying the price.

4.5. Howth Junction will be upgraded but will remain inconvenient and challenging for the elderly and school students, the two most regular Dart users. Transfer at Howth Junction will require a platform change on the inward journey and use of the existing footbridge on the return. Although Irish Rail have kept timetable proposals vague, it seems clear that only a shuttle service is intended at peak hours. Thus, Howth Junction will definitely be used for transfers when it is busiest. The restricted platform space, even after planned work, will be a risk to the old and young and unlikely to cope with holiday traffic and tourist visits—if, of course, tourists still choose the complicated journey to Howth rather than journey straightforwardly to

Malahide and points north as part of Irish Rail's "great day for the communities of Drogheda, East Meath and North County Dublin."

4.6. Howth makes many contributions to the Greater Dublin Area as a fishing port, area of natural beauty, and tourist destination. Around 1 million tourists/visitors come to Howth each year. The loss of a direct service to Howth would have a significant effect on the economy of the Greater Dublin Area and, of course, particularly on Howth businesses. There has been no financial impact assessment of these proposed Dart changes.

5. Conclusion

5.1. Any decision to upgrade the Dart infrastructure to Drogheda would be premature. The implications for Howth and Sutton have not been considered at all. The interests of residents have been ignored. In a reply, Fingal County Council supported the proposal but made no response to questions about the impact on Howth and Sutton. This consultation is flawed.

5.2. There has been no meaningful consultation with Howth and Sutton. Howth residents are being asked to pay the price for benefits elsewhere, and this is not even being acknowledged.

5.3. Specifically, residents in Howth Lodge and their immediate neighbours are having their movement restricted contrary to European law and contravening a century-old right of way agreement.

5.4. The rhetoric and rubric from Irish Rail is utterly misleading. This is a reduction in the service from Howth Junction to Howth. There is no benefit.

5.5. The changes will cause a damaging increase in road congestion through increased level crossing closures and loss of credibility in the direct Howth to Dublin Dart service.

5.6. All of the above is exacerbated by the complete lack of any sign of an integrated approach to transport, infrastructure, or housing development. Howth is a distinct and vibrant community with a clear sense of identity. Some support is a reasonable expectation as Howth adjusts to a sizeable population increase in the next few years. Instead, its public transport link is to be downgraded, and its road access clogged to unsustainable levels.

5.7. The railway order should be rejected until a full and honest set of proposals, including timetable changes, is published.

This submission is made on behalf of Howth Lodge Board of Management.

Leo Martin (Chairperson)
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Dublin 18