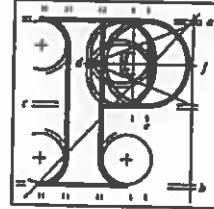


Our Case Number: ABP-307652-20



An  
Bord  
Pleanála

Date: 31st May 2022

Re: Construction of the Boyne Greenway, pedestrian and cycleway linking Drogheda Town in Co. Louth to Mornington Village in Co. Meath  
Townlands at Ship Street in Drogheda, Co. Louth to Mornington Village in Co. Meath

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

Please note that the proposed development shall not be carried out unless the Board has approved it with or without modifications.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board.

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

Yours faithfully,

  
Kieran Somers  
Executive Officer  
Direct Line: 01-8737250

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<b>AN BORD PLEANÁLA</b>	
LDG-	_____
ABP-	_____
20 MAY 2022	
Fee: €	_____ Type: _____
Time:	12:45 By: HANA

20/05/2022

An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

## Construction of the Boyne Greenway Drogheda to Mornington, Co. Meath & Co. Louth (APB-307652-20)

To Whom it may concern,

### 1. Overview

- 1.1. At the request of An Board Pleanála (ABP) (dated 13<sup>th</sup> November 2020), MCC was requested to provide Further Information (FI) on an extensive number of points in relation to the effects on the environment of the proposed development. MCC submitted their FI documentation in March 2022, a year and 4 months after ABP's request. We would note, this latest public consultation period (25 April to 20<sup>th</sup> May 2022) provides the public with a considerably smaller timeframe in which to review and response to the FI documentation.
- 1.2. We provided a well-informed and detailed submission noting our observations / concerns to the first public consultation (July to September 2020) on the proposed Greenway. Having considered the FI documentation, we would strongly content MCC has not addressed our original observations/ concerns (nor have they adequately addressed ABP requests – in our opinion) and the proposed Greenway proposal has not materially changed as a result of the detail provided as part of the FI documentation.
- 1.3. We would like to remind ABP that the proposed Greenway application (including the FI documentation) should be considered in view of our original observations/ concerns as well as additional observations/ concerns detailed below.
- 1.4. Please also note, my late husband, [REDACTED], submitted observations and concerns during the original public consultation – this Submission echoes many of those concerns and we would respectfully request his submission is still considered in light of the FI documentation. For reference, I have attached his original submission to this document.
- 1.5. I am a resident of Tower Rd Mornington (East Meath) and my family have lived in this area for over 100 years. I have seen the old historic village of Mornington change from a rural agricultural townland to its present dormitory/commuter setting. In the last 10/15 years

there has been a dramatic increase in the number of housing estates built in the locality (e.g. adjacent to Coney Hall, Donacarney) the majority of which are not directly served by the proposed Greenway route. In particular, the R151 (chainage 5070 to 5330 & Tower Road) has remained rural low density in nature and the proposal to route the Greenway along this section of the R151 is not justified by the existing or potential demand for such infrastructure – it would be more advantageous for the local community (and more likely to encourage sustainable travel) to alter the route of the proposed Greenway to serve existing and future planned growth areas (e.g. Doacarney, Gara Road).

## 2. Key Observations/ Concerns

2.1. As noted, we would content the FI documentation has not materially changed the Greenway proposal and hence has not addressed in any meaningful manner our original observations/ concerns from the first round of public consultation. In addition, key observations/ concerns are set out below with more detailed commentary provided in later sections of this submission.

**2.1.1. Adverse Effects on European Sites** - The routing and construction of a Greenway through a European designated site should be avoided as it will have an adverse effect (as acknowledged in the Natura Impact Statement (NIS) Stage 2) on the integrity of the designated site.

**2.1.2. Insufficient Assessment of Potential Traffic Impacts** – No detailed Traffic and Transport Assessment has been provided. The full impacts of the proposed Greenway and its associated traffic generation (for all modes) has not been correctly considered.

**2.1.3. Parking Provision (and lack thereof)** – The Greenway proposal does not provide any parking facilities along the route or at either end. This will lead to indiscriminating and un safe parking, negatively impacting the European Sites and local residents and businesses.

**2.1.4. Lack of Amenities/ Facilities** - There is a distinct lack of public facilities along the proposed route - no dedicated amenities/facilities/no rest/seating areas and no toilet facilities are provided (nor do Meath County Council intend providing same). Nor would any amenities be provided at either end of the scheme. This puts the health and safety of users at risk.

**2.1.5. Unnecessary footpath widening opposite our property (chainage 5180-5240)** – the existing footpath on the southern side of the carriageway is at most 1.2-metres wide and only serves two dwellings. The Greenway proposal seeks to widen this footpath to 2-metres. A 2-metre wide footpath (in this location) is unnecessary and excessive given there is no desire line here. It also negatively impacts our property as more land is required to facilitate the widening.

## 3. Observation/ Concerns regarding FI Documentation

3.1. The remaining sections of this submission provides fresh observations/ concerns regarding the FI documentation. For ease of reference, this submission has been structured in a similar manner (i.e. by item) to the *Request for Further Information Report* completed by DBFL Consulting Engineers (March 2022). In addition, where necessary, our original observations/ concerns are reiterated within this submission.

## Item 1 - Mapping

- 3.2. Regarding Item 1 (ii), the FI mapping now shows the proposed scheme extent stopping just short of the Special Area of Conservation (SAC) boundary, on Tower Road. From a mapping presentation point of view, this takes the Greenway route outside of the SAC. However, in practical terms (i.e. when operational) this reduction in scheme extent of ca. 25-metres does not materially change the potential impact users of the Greenway could have on the SAC. Further comment is provided regarding the potential impact on the SAC throughout this submission.
- 3.3. Regarding Item (iii) the FI response notes the greenway *"will terminate at Mornington Road (R151)/ Tower Road and link with future proposed pedestrian/ cycle facilities along Morning Road to Bettystown"*. Terminating the greenway at the junction, which is in the vicinity of the SAC, does not satisfactorily address the potential for negative impacts on the SAC. The sheer presence of the Greenway (including the proposed 'Shared Surface' treatment of Tower Road) will encourage users to interact with the SAC increasing indiscriminate car parking, trampling of the dunes, increased litter etc.

## Item 2 – Roads/ Traffic

- 3.4. The FI response to Item 2 (i) states *"in MCC's view the Boyne Greenway scheme does not require/ warrant a Traffic Impact Assessment as it does not meet the criteria/ threshold outlined in the Traffic and Transport Assessment Guidelines"*. We do not agree with MCC's approach and would continue (as detailed in our original submission) to have grave concerns with the lack of a detailed assessment undertaken/ presented by MCC in relation to the impact of the Greenway and its related traffic generation (by all travel modes) on the local networks. While the proposed Greenway may not meet the criteria set out in Table 2.1 or 2.2 of the Traffic and Transport Assessment Guidelines, sub-thresholds set out in Table 2.3 should be considered applicable to the Greenway proposal. The Greenway is part of incremental development of potential national cycle routes, concerns over potential effects on road safety (i.e. numerous private entrances in quick succession directly onto the Greenway, lack of cycle infrastructure at either end) and the potential for the Greenway to cause congestion as a result of increased tourism in the locality. MCC's FI response for Item 2 (i) is inadequate and ABP should insist on a full and proper assessment or refuse the proposal.
- 3.5. The FI response to Item 2 (i) goes on to note, no car parking is to be provided and it is envisaged most users will come by train or bus. This response does not materially change the proposal as no car parking was and still isn't proposed along the route or at its end/ beginning. We previously raised many concerns with the lack of car parking facilities and the impacts this would have on the existing road network along the route, e.g. indiscriminate and unsafe parking, blocked emergency access, diminished the intention of the 'Shared Space' on Tower Road etc. We would also note in relation to Item 2 (i):
- 3.5.1. Provision of no car parking assumes (incorrectly) a low level of car usage for Greenway users which likely does not reflect the potential vehicular traffic generation

characteristic of such tourist infrastructure or has the evidence base been satisfactorily provided to support this low level car usage assumption.

- 3.5.2. No assessment of the capacity or suitability of the existing bus services in the locality has been undertaken to ensure the service can accommodate Greenway users and their cycling equipment. The buses serving the D1 and D2 routes are not designed to carry bicycles – how is a family with young children expected to take all their bikes on board the bus, especially during busy periods.
- 3.5.3. The Greenway route does not directly connect with any train services. While it is accepted Drogheda train station is in close proximity, access to the proposed Greenway from the train station would be either via an excessively high staircase (to Marsh Road) or indirectly via the R132.
- 3.5.4. Further comment is provided later in this Submission in relation to lack of car parking facilities in response to other Items.
- 3.6. The Road Safety Audit has been provided as part of the FI documentation and is noted to have been updated to reflect changes in scheme design since 2018. The audit undertaken is for Stage 1. We would content, a Stage 2 audit should also be undertaken as part of the application to ABP. The scope of a Stage 1 audit is too limited and further detail of the design should be considered at this preliminary stage due to the potential impact of the proposal/ route on the local road network, road safety issues, proposed junction alterations, numerous private accesses/ entrances impacted. In relation to the Road Safety Audit Stage 1 report, we would like to note the following:
- 3.6.1. Problem 3.3 notes the lack of continuation of the Greenway at the Drogheda end and that the R150 is a *“busy regional road and appears to have a relatively high proportion of HGVs... increase the likelihood of a collision”* as Greenway users increase. The recommendation is to extent the Greenway and also provide car parking facilities. The proposed Greenway does not address this problem, only noting a separate scheme (with no indication of delivery date) will look at this. This response is inadequate as the lack of cycle infrastructure along this section is a fundamental consideration which should not be pushed out till detail design stage.
- 3.6.2. Expanding on the problem raised in 3.3 of a lack of cycling infrastructure for the Greenway to connect to, we would content this is an issue which should also have been considered at a number of other locations along the route. Such as at the Mill Road junction, Church Road junction and Tower Road junction. Pedestrian/ cycle facilities are proposed at the junctions themself, but they do not connect with and other facilities due to the lack of such infrastructure at these locations.
- 3.6.3. Problem 3.6 notes cyclists may utilise the train to get to the Greenway and recommends more cycle parking. The Road Safety Audit fails to consider how a cyclists may actually access the Greenway after arriving at the train station. The potential access routes between the station and the Greenway (both in Drogheda and Laytown) should be assessed as part of the audit.
- 3.6.4. Problem 3.9 recommends setting back the zebra crossing or signalling the junction, however MCC response is to downgrade this to an uncontrolled crossing point – demoting pedestrians/ cyclists and giving priority to vehicles. As noted in our original submission, the proposed facilities at this junction raise safety concerns due to the limited footpath width to accommodate mixed user types on Church Road and the lack of connection to pedestrian/ cycle facilities beyond the junction.

- 3.6.5. On review of the Appendix A *List of Material Supplied for this Stage 1 Road Safety Audit* it does not appear that the auditor was supplied with any information in relation to Greenway traffic generation, predicted greenway users or any general traffic flows along the route. This information would provide context for the auditor and should have been provided.
- 3.7. Item 2 (ii) requested detailed on predicted number so people used the Greenway. The indication of a potential number of Greenway users in the FI documentation is noted. However, no quantitative assessment has been undertaken to assess the impact(s) of predicated Greenway users on local public transport services or impacts of associated vehicle traffic for Greenway users. As noted, the lack of a full and proper assessment of Greenway user impacts is concerning.
- 3.8. The FI response to Item 2 (iii) notes the Greenway would not 'trigger' a Traffic Impact Assessment. As set out in preceding paragraph 3.4 of this submission we believe a detailed Traffic and Transport Assessment of the proposed Greenway impacts should be undertaken by MCC and presented to ABP for review as part of this application. Otherwise, if not forthcoming ABP should be minded to refuse the proposal.
- 3.9. Item 2 (iv) relates to universal accessibility of the Greenway. The FI response notes this would be considered at detail design. However, universal accessibility of such facilities should be treated as a fundamental design consideration and adequately addressed now as part of this application to ABP. A full Accessibility and Mobility Audit should be provided to ABP. If such documentation is not provided, ABP should be minded to refuse the proposal.
- 3.10. Item 2 (vi) requests details on safety measures for access to local businesses and properties along the proposed route. The FI documentation includes a new set of drawings 'Accommodation Works – Local Access' which do not present any new significant detail on proposed access treatments. No additional safety measures are presented in the drawings. We would note the following
- 3.10.1. As previously noted in our original submission, the design of the greenway along the 500m section to the west of Tower Road is likely to encourage /allow for cyclist speeds higher than 10kph – design speed assumed for cyclist visibility. The design has not given proper regard to this possibility and as it currently stands is unsafe.
- 3.10.2. We draw particular attention to a proposed 2-metre wide footpath on the southern side of the carriageway between chainage 5180-5240 (Sheet 5 - Accommodation Works – Local Access drawing), directly opposite our property. The existing footpath here is 1.2-metres wide and sufficiently wide to serve the two dwellings. There is no desire line here (either existing or future after construction of a Greenway) that would justify a 2-metre wide footpath. Providing a 2-metre wide footpath here as proposed negatively and unfairly effects our property. Significant land take is proposed along our property boundary for the 4-metre wide Greenway. Providing a 2-metre wide footpath opposite results in an unnecessary additional land take from our property. The design of this section should be revised and the existing footpath width maintained – resulting in reduced land take form our property.

- 3.11. Item 2 (vii) requests MCC provided detail of parking facilities at either end of the proposed Greenway and in relation to access to the dunes at Mornington. The FI response notes no parking is proposed *“as it is not intended to encourage Greenway users into the dunes”* and that the scheme extent has been reduced to stop just short of the SAC. The potential for the Greenway route to link with future cycle schemes along the R151 (as set out in the Laytown and Bettystown Walking and Cycling Study) is put forwards by the FI response as a possible solution to potential parking problems. As set out in our original submission and noted again in previous points of this Submission, the lack of car parking facilities along the route and at either end is of serious concern. As is the potential impact of the proposed route and its associated users on the SAC. The FI documentation does not propose any material change to the previous proposals. The FI documentation, in our view, has not address ABP’s request.
- 3.12. Item 2 (vii) relates to the use of the Irish Rail car park off the Marsh Road. The car park serves Drogheda train station. The proposed improvement of services under the DART+ Coastal North Project would likely lead to increased use of this car park. Given it is an Irish Rail car park, no guarantee is provided as part of the FI documentation that usage by Greenway users will always be possible yet the FI response suggests users may park there. Again, this approach indicates a lack of proper assessment of the impacts of the proposed Greenway and its associated car parking demands.

#### 4. Item 3 – Construction Issues

- 4.1. The FI documentation provides a revised Outline Construction Methodology Report. On review of this revised document, it is our opinion it has not adequately addressed ABP’s request. Nor has it addressed some observations/ concerns raised in our original submission. We would note the following:
- 4.1.1. Still no compound(s) have been identified beyond the limited description of local authority yards – no context or location is given to how far these are from the proposed Greenway route.
- 4.1.2. Construction staff are expected to park at the “main compound only”, presumably sharing the compound for material storage, construction waste, structures etc.
- 4.1.3. Given the proposed development is approx. 5.9km in length, materials and people will have to be moved between the compound and individual sites. No impact assessment of these movements on the local road network has been provided.
- 4.1.4. A commitment to monitoring is detailed in the Outline document. This commitment does not go far enough, nor does it provide for any means of input from the actual users of the development, i.e. the public. The development is part of the wider National / GDA Cycle Network which will take several years to construct and become operational. The proposed monitoring period post construction of 3 years is an insufficient amount of time to properly monitor the cumulative impacts of usage, especially if the development integrates with the wider cycle network route and usage increases.

## 5. Item 7 – Biodiversity – Ecological Impact Assessment

5.1. Item 7 of the report notes ABP's requests for further information on the ecological impacts of the proposed route. We would note the following general comments:

- 5.1.1. Construction of the proposed Greenway will see the removal of hedgerows and trees. Removal of trees in Grammar school area will have detrimental impact to natural amenity of the area. The loss of the unique shaded environment from the existing trees along this stretch of road, which has evolved over hundreds of years, will decimate the existing natural environment and impact the amenity value for local residents and general population who traverse this stretch of road. If the trees are removed, it would be impossible to replace or recreate a similar environment. This enclosed canopy of trees along the Grammar school are hundreds of years old and the whole enclosed nature of the trees in that area is very special and irreplaceable. Removal of trees and hedgerows will be detrimental to the natural habitats and the existing ecological corridors used by existing fauna populations. This will cause habitat fragmentation, threaten existing natural habitats and create isolated species populations, resulting in detrimental impact to existing animal population. The function of the ecological corridor to facilitate the dispersal of fauna within their natural environment will be severely impacted.
- 5.1.2. It is noted from the Arboricultural Report submitted with the FI documentation that construction of the Greenway will have considerable impact on woody vegetation, circa 54.7% of woody vegetation in proximity of the works on the northern side of the R150/151 would be impacted. Most of the trees are classified as category C but we would contend this does not take into account their ecological value or their role in screening the SPA and SAC. The loss of these trees will only be partly compensated for in the medium to long term by the proposed planting of native woody species.
- 5.1.3. In the residential area of Mornington, existing /well maintained garden hedges/trees will be removed. This will result in loss of existing natural habitats and eco systems and will result in a significant loss of biodiversity. Furthermore, the amenity value and natural heritage environment of local residents is damaged and impacted on. Replacement landscape planting will take a long time before the existing populations and natural habitats can be brought back to the current status. Proposals from MCC includes the removal of existing populations and precious environments which is in contravention to the vision of MCC's recently adopted County Development Plan to conserve and reserve Biodiversity.
- 5.1.4. No replanting or new landscape planting will compensate for the inevitable and irreversible loss of biodiversity resulting from the construction of the proposed Greenway. One questions the merit of decimating the existing natural habitats/environments evolved over hundreds of years to replace and create a new Greenway.
- 5.1.5. Climate change is likely to become the main driver of further loss. Rising temperatures, rising seas, human behaviours/activities will also contribute significantly to climate change. The location of the proposed greenway in a flood zone, it's alignment through SAC and SPA designated E.U sites does little to mitigate future effects of climate change



- 5.1.6. Item 7 (v) notes ABP's request to MCC as to *"how the provisions of Objective 1 of the National Biodiversity Action Plan 2017-2021 as they relate to biodiversity loss in particular are addressed"*. The vision for biodiversity as set out in above document notes biodiversity and ecosystems are conserved and reserved and that Ireland contributes to efforts to halt the loss of biodiversity and the degradation of ecosystems in the E.U and globally. The proposed Greenway fails to halt the loss of biodiversity and ecosystems and proposed mitigation measures are inadequate to mitigate for biodiversity and ecosystem loss.

## 6. Item 8 – Other Issues

- 6.1. Item 8 (ii) requests information on amenities/ facilities are to be provided. MCC's response notes no amenities/ facilities are proposed for the route. We would note serious concerns with this approach as there is a distinct lack of public infrastructure along the proposed route. There are no dedicated amenities/facilities/no rest/seating areas and no toilet facilities proposed (or existing for that matter). Nor would any amenities be provided at either end of the scheme. This puts the health and safety of users at risk and will undoubtedly lead to increased litter and human waste being discarded along the route. ABP should be minded to refuse this proposal due the severe lack of facilities/ amenities available.
- 6.2. Item 8 (iii) requests FI on connectivity of the proposed Greenway with other Greenway proposals or cycle routes in proximity or the wider area. In response, MCC provided the Laytown and Bettystown Walking and Cycling Study to outline potential future connections. This document identifies a number of possible connection routes but provides no concrete delivery timescales. In effect, the proposed Greenway if granted approval will be delivered in isolation and would operate as a 'white elephant infrastructure project' for many many years to come. Proper consideration of connectivity at either end has not been undertaken. We would note the Road Safety Audit identified (problem 3.3) the lack of connectivity and cycling infrastructure at the ends of the Greenway route as a problem leading to an unsafe environment for cyclists. While the Walking and Cycling Study provides indicative indication of potential future connections, it does not provide an adequate response to ABP's request (in our view).

## 7. Item 9 – Impact on European Sites

- 7.1. Our observations and concerns on the negative impacts the proposed Greenway route will have on European Site are set out within this Submission and also within our original submission. We would also note, other well-informed submission from members of the public and interest groups as part of the original public consultation also raised serious concerns with impacts on the European Sites.
- 7.2. ABP have indicated they will judge this application on the likely effects on the environment and the noting the legal test for Appropriate Assessment is not the exclusion of significant effects but the exclusion of adverse effects on site integrity. In view of this threshold set by ABP and the acknowledgment of adverse effects in the NIS, MCC's response to the adverse effects on the SPA and SAC is to suggest potential mitigation measures – this is not an appropriate response. ABP should be minded to refuse the proposed Greenway due to the adverse effects it will have on European Site.

## 8. Summary

**8.1. The observations and concerns raised in the preceding sections are intended to help inform ABP in its responsibility to consider this application regarding the three points set out in Section 177 AE guidance document. A foot/cycleway, carefully considered, fully assessed and appropriately designed, could provide benefits for residents of Drogheda Southern Environs / East Meath and visitors alike. However, as detailed in each section and our original submission, the submitted documentation including the FI documentation has not provided sufficient detail or resolved serious concerns. Nor has the FI documentation indicated any material change in the Greenway proposal, in our view the application should be refused permission by ABP.**

**Yours sincerely,**

A large rectangular area of the document is redacted with a grey box, obscuring the signature and name of the sender.