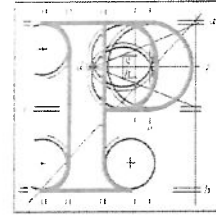


Our Case Number: ABP-320164-24

Planning Authority Reference Number:



**An
Bord
Pleanála**

Development Applications Unit
Department of Housing, Local Government & Heritage
Government Offices
Newtown Road
Co. Wexford
Y35 AP90

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.

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

Teil	Tel	(01) 858 8100
Glaos Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Aisling Reilly

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Sent: Wednesday 23 October 2024 12:43
To: LAPS
Subject: Your Ref: ABP-320164-24 Our Ref: SID-LO-2024-024 Re: DART+ Coastal North Project
Attachments: ABP-320164-24.pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A Chara,

Attached please find the archaeological and nature conservation observations/recommendations of the Department in relation to the aforementioned Strategic Infrastructure Development Planning Application.

Can you please confirm receipt of same?

Kind Regards,
Sinéad

—
Sinéad O' Brien
Executive Officer

—
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigi an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman Y35 AP90
Newtown Road, Wexford, County Wexford Y35 AP90
—



Your Ref: **ABP-320164-24**
Our Ref: **SID-LO-2024-024**
(Please quote in all related correspondence)

23 October 2024

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Via email to laps@pleanala.ie

Re: Notification under Section 37(1) of the Transport (Railway Infrastructure) Act 2001.

Proposed Strategic Infrastructure Development (SID): The DART+ Coastal North Project will provide an extension of the existing electrified rail network from Malahide to Drogheda MacBride stations and will provide the infrastructure to facilitate an increase to the rail capacity on the Northern Line between Dublin City Centre and Drogheda MacBride Station, including the Howth Branch.

A Chara

I refer to correspondence received in connection with the above.

Outlined below are heritage-related observations/recommendations of the Department under the stated headings.

Archaeology

It is noted that the Environmental Impact Assessment Report (EIAR) submitted as part of the planning application incorporates a desk-based Archaeological Impact Assessment (AIA) which was carried out in relation to the proposed development by Courtney Deery Heritage Consultancy Ltd (EIAR Chapter 20; date July 2024).

In addition to a walkover survey, it is noted that the AIA has been informed by the results of Advance Archaeological Geophysical Survey and Archaeological Monitoring of Advance Site Investigation Works.

Therefore, the Department advises that the following should be included as a condition of any grant of permission. Note these recommended conditions align with Sample Conditions C4 and C5 as set out in the *OPR Practice Note PN03: Planning Conditions* (October 2022),



with appropriate site-specific additions/adaptations based on the particular characteristics of this development and informed by the findings of the EIAR.

Archaeological Requirements:

1. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 20 of the EIAR (Courtney Deery Heritage Consultancy Ltd; date July 2024) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.
2. A Project Archaeologist shall be appointed to oversee and advise on all aspects of the scheme from design, through inception to completion.
 - a. The Project Archaeologist shall liaise with the Department and the Planning Authority to agree in advance an overall strategy for archaeological works to be carried out both in advance of and in parallel with construction of the development.
 - b. This shall include the scope of any Advance Test Excavation and Archaeological Monitoring as well as any additional mitigation measures that may be required to protect archaeological heritage.
 - c. This shall include the location, extent and method of demarcation for any Exclusion Zones around the external-most elements of vulnerable Heritage Assets that are to be preserved in situ (as identified in Chapter 20 of the EIAR or by any subsequent investigations associated with the project).
3. The Construction Environmental Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 20 of the EIAR (Courtney Deery Heritage Consultancy Ltd; date July 2024) and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
4. The Planning Authority and the Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason:

To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.



Nature Conservation

Previously, in June 2023, at the second public consultation in relation to the presently proposed project the Department made a submission concerning its potential effects on flora, fauna and ecologically significant habitats. In that submission the Department drew attention to the possibility that the implementation of the DART+ Coastal North Project might result in the increased mortality of otters where they appear to be regularly crossing the Malahide to Drogheda railway line at Kilcrea near Donabate. At the location where the Turvey/Pill Stream enters the Outer Malahide Estuary through a culvert under the railway embankment, a sluice gate prevents otters moving directly from the estuary into this stream. A member of staff of the National Parks and Wildlife Service (NPWS) of this Department had noted on several visits over the past decade that an otter sprainting site on the stonework supporting the sluice gate and an 'up-and-over' trail through the vegetation on the railway embankment indicated that otters were instead ascending the embankment and crossing the railway tracks to move between the estuary and the Turvey/Pill Stream. With the increase in the frequency of trains planned from the implementation of the DART+ Coastal North Project it was consequently feared that there might be an increase in otter casualties on the railway line at Kilcrea if they continued to attempt to use this obviously traditional otter trail from the Outer Malahide Estuary to and from the Turvey/Pill Stream, and the Department recommended that an otter tunnel should be installed under the railway line adjacent to the stream culvert as part of the project works to allow safe movements by otters from estuary to the stream here in future together with the erection of otter proof fencing to guide the otters into the tunnel. The Department also recommended that the design of the otter tunnel should take account of the Malahide to Newbridge House Greenway for which planning permission had already been granted and which was to be constructed along the western (inland) base of the railway embankment in the Kilcrea area. This greenway is now under construction.

Though survey work using trap cameras carried out in August and September 2023 in connection with the preparation of the Environmental Impact Assessment Report (EIAR) on the DART+ Coastal North Project failed to find evidence of otters crossing the railway line at Kilcrea to and from the estuary to the Turvey/Pill Stream, nevertheless the EIAR states in Section 8.9.2.3.3 that an otter tunnel will be installed at Kilcrea near the sluice gate as part of this project as the Department recommended. The Department very much welcomes the proposed provision of the otter tunnel at Kilcrea, as otter field signs on the ground strongly suggest that otters are continuing to divert around the sluice gate over the railway embankment there to move between the Outer Malahide Estuary and the Turvey/Pill Stream. On the 19.10.2024 otter spraint was noted by a NPWS staff member near the top of the stone buttress on the southern side of the sluice gate and a probable otter trail leading up through vegetation on the railway embankment to the railway tracks several metres further south again. Otters may also be ascending the embankment directly above the sluice gate where a strip of ballast has been displaced downslope from the rail line towards the gate.

However, it does not appear from the plan of the otter tunnel at Kilcrea set out in Drawing File D+ WP56-ARP-P4-NL-DR-RO-000520 included in Railway Order Book 3 submitted in



support of the application for the Railway Order for the DART+ Coastal North Project that the tunnel's design has in fact taken account that the Malahide to Newbridge Greenway is to be laid out along the inland base of the railway embankment at Kilcrea and so no provision has been made to extend the tunnel under the greenway. Ideally the otter tunnel at Kilcrea should be installed in a position in the railway embankment adjacent to the sluice gate so that it would open out to landward under the bridge that is to be built on the western inland side of the embankment to convey the greenway over the Turvey/Pill Stream. If this is not feasible the tunnel should be designed to extend under the proposed greenway carriageway so as to exit to landward as close as possible to the one or other bank of the Turvey/Pill Stream. Planting of suitable shrubs to obscure the exits from the otter tunnel should in addition be provided for in its design.

Recommendation

In light of the above the Department therefore recommends that An Bord Pleanála should request as Further Information from the applicant an amended design for the proposed otter tunnel to be installed as part of the project proposed in the railway embankment at Kilcrea, Donabate, adjacent to the sluice gate through which the Turvey/Pill stream discharges into the Outer Malahide Estuary; the amended design to provide for access from the otter tunnel on its landward side under the Malahide to Newbridge House Greenway to the Turvey/Pill Stream.

Reason:

To ensure that the otter tunnel at Kilcrea will provide a satisfactory route for otter, a species subject to a system of strict protection under the Habitats Directive (92/43/EEC), to continue to move in future without danger forward and back from the Outer Malahide Estuary to the Turvey/Pill Stream under the upgraded Malahide to Drogheda railway line.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie, or to the following address:

The Manager, Development Applications Unit (DAU), Government Offices, Newtown Road, Wexford, Y35 AP90

Is mise, le meas

A handwritten signature in blue ink, appearing to read 'Julie Sullivan', is written above a horizontal line.

Julie Sullivan
Assistant Principal
Development Applications Unit
Administration