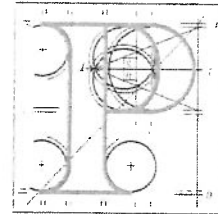


Our Case Number: ABP-320164-24

Your Reference: Johnny and Grainne Dunne - SID-OBS-0023



An
Bord
Pleanála

John Spain Associates
39 Fitzwilliam Place
Dublin 2
D02 ND61

Date: 30 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 be advised that as your client appears to be listed on the compulsory purchase order schedule which accompanied this application, a refund will be made to the credit/debit card used to make the online observation.

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

| | | |
|---------------------------|----------------|--|
| Tel | Tel | (01) 858 8100 |
| Glaó Áitiúil | LoCall | 1800 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 |

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1

Date: 18th October 2024
JSA Ref: 24239/IL

Dear Sir / Madam,

RE: SUBMISSION TO AN BORD PLEANÁLA IN RESPECT OF THE PROPOSED DART+ COASTAL NORTH RAILWAY ORDER 2024 – NORTHERN LINE BETWEEN DUBLIN CITY CENTRE & DROGHEDA INCLUDING THE HOWTH BRANCH IN RELATION TO PROPERTY AT NEWTOWN LODGE, MCGRATH'S LANE, DROGHEDA, COUNTY LOUTH

ABP REF: 320164-24 – RAILWAY ORDER

LAND REFERENCE PARCEL REFERENCES: DCN.5038.T.9(A); 5038.4T.9(A); 5038.6.23(A); 5038.6.24(A)

1. Introduction

- 1.1 On behalf of our client, Johnny and Grainne Dunne, Newtown Lodge, McGrath's Lane, Drogheda, County Louth, A92 DKV4, we wish to make a submission to the DART + Coastal North Railway Order 2024 - Northern Line between Dublin City Centre and Drogheda including the Howth Branch pending a decision with An Bord Pleanála under ABP Ref: 320164.
- 1.2 The application is being made pursuant to the provisions of Section 37 of the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) and constitutes a Strategic Infrastructure Development.
- 1.3 A €50 fee has been paid as part of this submission. We note that part of our client's lands (references above) is subject to a right of way acquisition and temporary acquisition as part of the draft Railway Order and therefore this fee may be waived on that basis. We would welcome the Board's consideration of this upon submission.
- 1.4 In summary, our client supports the principle of the development which will transform and vastly improve the connectivity between Drogheda and Dublin city.
- 1.5 However, as our client is a close neighbour to the east of Drogheda MacBride railway station and will be significantly impacted by the construction of the proposed development, there are a number of issues of concern which Mr. Dunne wishes to raise. These primarily relate to impacts on residential amenity as a result of the proposed works at McGrath's Lane and the large construction compound which entirely surrounds Newtown Lodge primarily during the construction period of the

Managing Director: J. Spain. Executive Directors: P. Turley | R. Kunz | S. Blair | B. Cregan | L. Wymer
Senior Associate Directors: M. Nolan | K. Kerrigan | B. Coughlan | I. Livingstone. Associate Director: T. Devlin
John Spain Associates Ltd. trading as John Spain Associates

Registered Address: 39 Fitzwilliam Place, Dublin 2 | Directors: A. Murphy | J. Brennan | J. Spain
CRO No. 396306 | VAT No. IE 6416306U

development which is anticipated to span a period of at least 3 years (as set out in Image 5-1 of the Construction Programme in the EIAR Non-Technical Summary).

1.6 It is understood that the works at Drogheda MacBride railway station and surrounds which has the potential to impact upon our client's property includes, *inter alia*:

- Replacement of overbridge carrying Railway Terrace (OBB80/80A/80B) to provide sufficient vertical clearance to install overhead line electrification.
- Realignment of McGrath's Lane (north of overbridge) to suit overbridge replacement works, including all necessary civils works. Temporary access to properties shall be via an access road from the R150,
- Establish a line wide works compound to support electrification, station, depot, substation, bridge rebuild and UTX works. The compound is not currently within CIE lands. Works will include fencing / hoarding, site offices, welfare facilities, storage facilities, workshops, parking and storage of certain construction plant and equipment storage required to carry out the works.
- Proposed railway electrification - includes railway signalling and communications infrastructure as well as installation of overhead electrification equipment.
- Electrification of railway line and provision of necessary infrastructure including diversion of existing telecommunication ducts.
- Installation of new underground 38kV voltage power line as a diversion to facilitate the removal of lines in 22.02.

1.7 The location of our client's property in respect of the proposals is identified (outlined yellow) in the extract of the submitted 'Works Layout Plan No. 23' below (D+WP56-ARP-P4-NL-RO-010023).

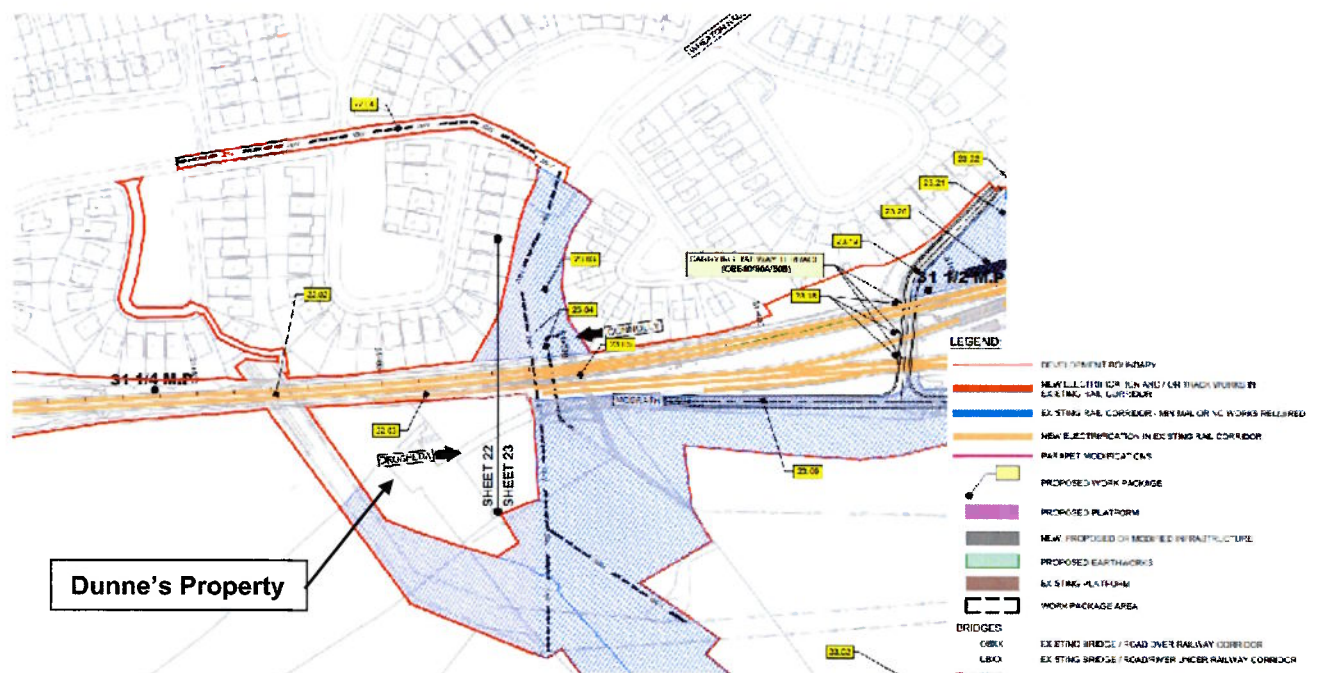


Figure 1: Location of Dunne's property in context of proposed works (Irish Rail)

1.8 Significantly, proposed works includes the demolition of the existing bridge spanning the railway line at Railway Terrace and its replacement with a larger bridge which provides a greater height clearance for trains and as a result, includes significant changes to local levels and new embankments on McGrath's Lane which will transform the road layout and our client's access to his property. This will entirely terminate our client's access to Drogheda railway station and town centre during the

construction period and will require our client to be rerouted via a new road (currently unopened to the public) linking completed housing development (Reg. Ref.: 17/387) at Newtown View, Marsh Road, Drogheda to the R150 to the north and subsequently west into Drogheda via a more congested route compared to present access via Railway Terrace and Dublin Road. This will terminate our client's current access to the railway station on foot (10-minute walk) replaced with a c. 20–25-minute drive via Drogheda town centre. Grainne Dunne works as a substitute teacher at St. Mary's School on Dublin Road and the proposed access arrangement for the duration of the minimum 3 year construction period would require her to walk to work and therefore become reliant solely on the private car. This is not considered to be a sustainable or acceptable arrangement.

- 1.9 Our client respectfully submits that vehicular and pedestrian access to the Dublin Road, which is currently in place through Drogheda railway station from an entry point on McGrath's Lane, can be used during the construction period to maintain convenient access to the town centre. At an absolute minimum, our client requests pedestrian access be maintained throughout the construction period which is a minimum period of 3 year. We note that Irish Rail permission ABP Ref.: PL54.123480 for the "*construction and operation of an arrow fleet train servicing centre, maintenance workshop, administration building and train wash*" at MacBride railway station included a condition which required vehicular access to be maintained throughout the construction period of the scheme. Our client now seeks a similar arrangement to be incorporated into the proposals and enforced by way of condition.
- 1.10 As detailed in the accompanying supporting document by ILTP Consulting Engineers, our client also requests a connection to the new estate road linking to the R150 Marsh Road from the rear of their dwelling or alternatively, the temporary access arrangement linking to this road during construction phase to be made permanent upon operation.
- 1.11 We note the extent of the construction compound and the railway line to the south surrounds Newtown Lodge, our client's property. This arrangement will be in place for an absolute minimum of 3 years under the draft railway order and will have a profound and unacceptable impact upon the daily life of our client and his family. Residential amenity will be severely encroached upon, and our client will be subject to sustained and continuous disturbance and nuisance through the works to be undertaken within the confines of the railway line, as well as the construction compound which is proposed to surround the property on three sides. This is highly unsatisfactory and should be revisited by Irish Rail to mitigate potential impacts on our client's property.
- 1.12 Part of our client's lands are also listed in the Book of Reference for temporary acquisition and permanent right of way in favour of Irish Rail. This further encroaches upon and diminishes our client's residential amenity and enjoyment of his property and is not acceptable to Mr. and Mrs. Dunne.
- 1.13 We note that the submitted EIAR provides insufficient details in relation to, *inter alia*, noise and vibration impact to our client's property, existing utilities and services to Newtown Lodge which are routed across the railway bridge, dust and air quality monitoring during construction and operational period, safety and security and depreciation of our client's property as a result of the proposed development.
- 1.14 It is also noted that Louth County Council refused planning permission for 68 no. dwellings at Marsh Road, Newtown, Drogheda under Reg. Ref.: 211333 on 11th November 2022 on greenfield land north of our client's property. The Planning Authority refused permission based on insufficient information regarding proposed

mitigation within the Natura Impact Statement during construction and operational phases to adequately treat/intercept suspended solids and pollutants as well as possible effects from noise and dust to demonstrate that the water quality and/or site integrity of the Boyne and River Blackwater SAC, Boyne Estuary SPA and Boyne Coast and Estuary SAC will not be affected, including ex-situ effects on protected bird species. An Bord Pleanála should be fully satisfied that the submitted documents adequately address these issues.

- 1.15 We set out relevant issues of concern for our client in respect of the proposed development as follows.

2. Site Location & Lands for Compulsory Purchase

- 2.1 Our client's home is located immediately north of the Drogheda railway station maintenance and service depot and bound by a high stone wall previously. The location of our client's property is shown below, outlined in red.

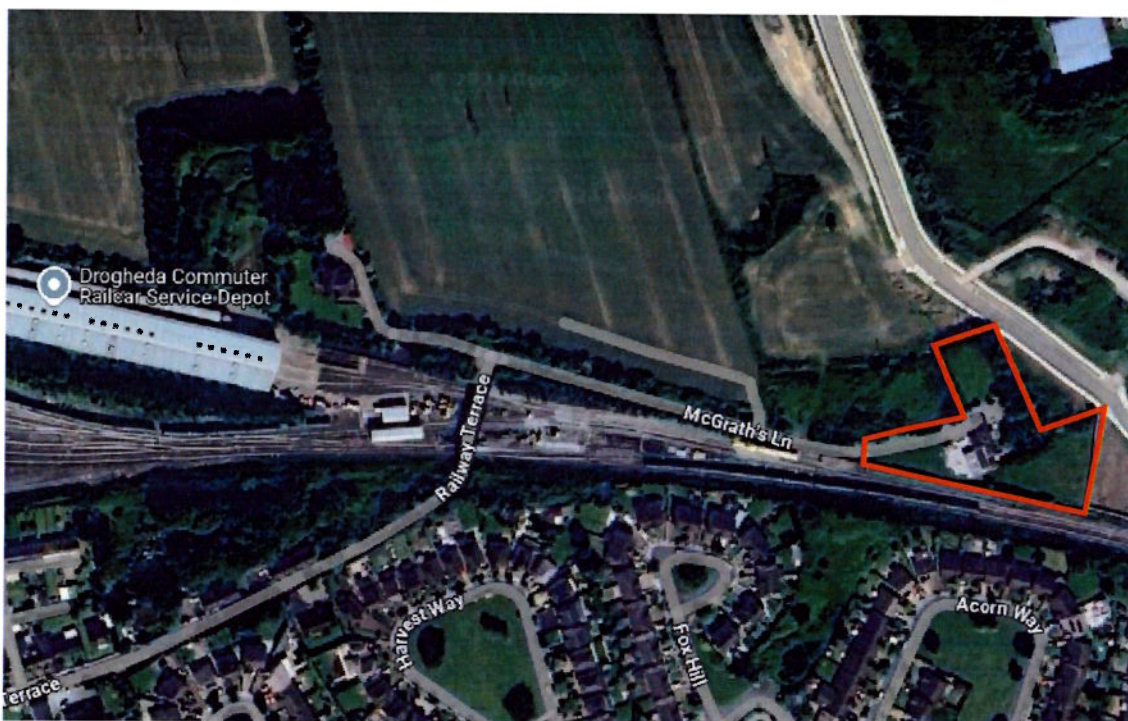


Figure 2: Approximate location of Newtown Lodge boundary (Google Maps)

- 2.2 Part of our client's lands are proposed for temporary acquisition and for provision of a permanent right of way as part of the Railway Order. The relevant extract from the 'PROPERTY PLAN NO. 38' is included below.
- 2.3 Land Parcel Reference DCN. 5038.T.9(A) is noted in the submitted Book of Reference as 'Land of which temporary possession may be taken'. Land Parcel Reference DCN 5038.4T.9(A) is noted in the submitted Book of Reference as 'Land over which Temporary Private Rights of Way or Other Easements may be acquired'. Other parts of our client's property are listed as 'Private Rights, including Private Rights of Way which may be extinguished or altered' in the Book of Reference.

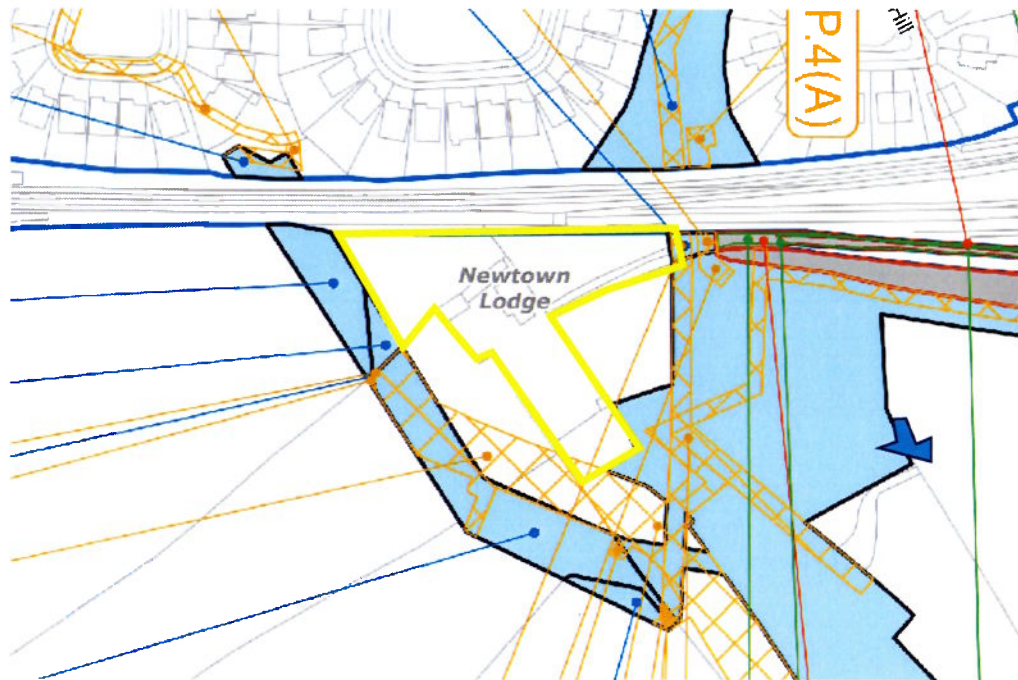


Figure 3: Extract of Property Plan No. 38 showing approximate location of our client's lands to be acquired / acquired as right of way (Irish Rail)

- 2.4 We also note the 'Right of Way to be Extinguished or Interrupted' in Figure 3 outlined in green which will have a direct impact on our client's ability to access McGrath's Lane and bridge which is proposed for demolition. The orange hatched areas denote the 'Rights of Way to be Acquired', includes part of our client's property and indicate the new access north of Newtown Lodge and the significant area of land raising and embankment required associated with proposed new railway bridge. This proposed temporary route links to the recently constructed link road serving Newtown View residential development and connecting this to the R150 Marsh Road.
- 2.5 In addition, the immediate area to the west and north of our client's lands have been identified for use as 'Temporary Construction Compound Areas' shown shaded pink in the drawing below. It is noted that the extent of the construction compound shown below differs from the Works Layout Plan No. 23 and requires clarification.

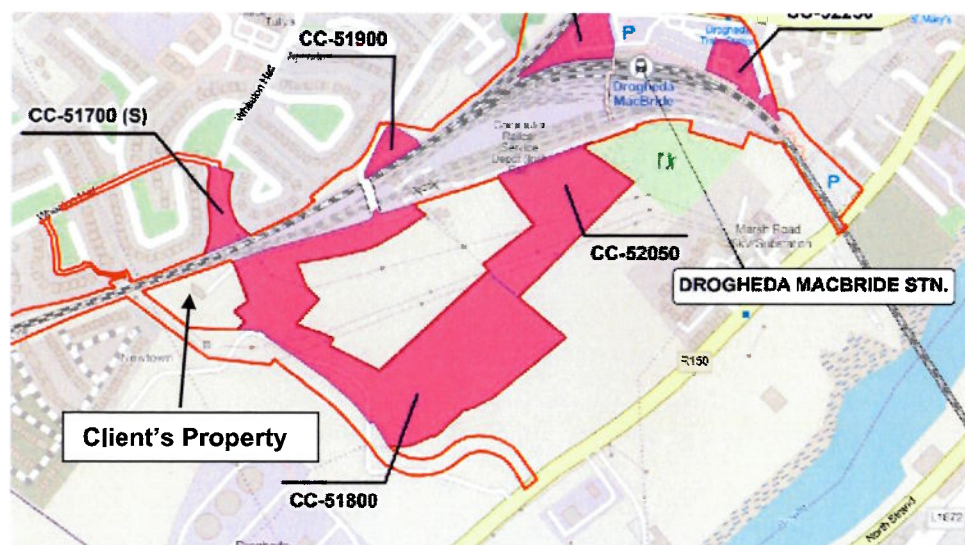


Figure 4: Location & Extent of Construction Compounds (Figure 5.2: Construction Compound Locations drawing no: D+WP56-ARP-ZZ-NL-DR-EVCO-100028)

- 2.6 It is important to note that the Planning Report enclosed with the application documents states:

“The majority of proposed works and interventions are expected to be carried out within the existing railway corridor boundary. Some works and interventions, however, will be required outside of IÉ land such as:

- *Bridge modifications/improvements to facilitate extended electrification;*
- *Construction of substations (to facilitate the provision of power to the line);*
- *Utility diversions; and*
- *Use of land for temporary construction/storage compounds.”*

- 2.7 Mr. and Mrs. Dunne's property will be subject to the majority of these additional works and interventions which are required outside Irish Rail owned lands to facilitate the development, with the substation located c. 370 metres west. This situation is not acceptable to our client, and it is respectfully submitted that the impacts upon our client's property and residential amenity, as well as accessibility, can be mitigated to some extent through the consideration of reasonable alternative solutions which can be accommodated through the management of the construction phase of development.

- 2.8 This situation will effectively result in our client residing in the middle of a construction compound site for the minimum c. 3 year period of the proposed works around Drogheda railway station. This will have a direct impact on quality of life arising from a number of factors including noise, vibration, anti-social working hours, light pollution, negotiating construction traffic and an inconvenient rerouting via an alternative access to Drogheda town centre and railway station along the R150, addressed in turn below.

3. Demolition of existing Railway Terrace bridge & access

- 3.1 We note the following proposed works set out in Schedule 1 of the Railway Order which lists proposed works at Drogheda MacBride railway station and surrounds relevant to the bridge at Railway Terrace:

- Replacement of overbridge carrying Railway Terrace (OBB80/80A/80B) to provide sufficient vertical clearance to install overhead line electrification.
- Realignment of McGrath's Lane (north of overbridge) to suit overbridge replacement works (see 23.18), including all necessary civils works. Temporary access to properties shall be via an access road from the R150, as per 23.01.

- 3.2 The location of our client's property in the context of proximity to Drogheda town centre is shown below in red with currently access route and proposed access route shown, highlighting the compromised situation as a result of the proposals.

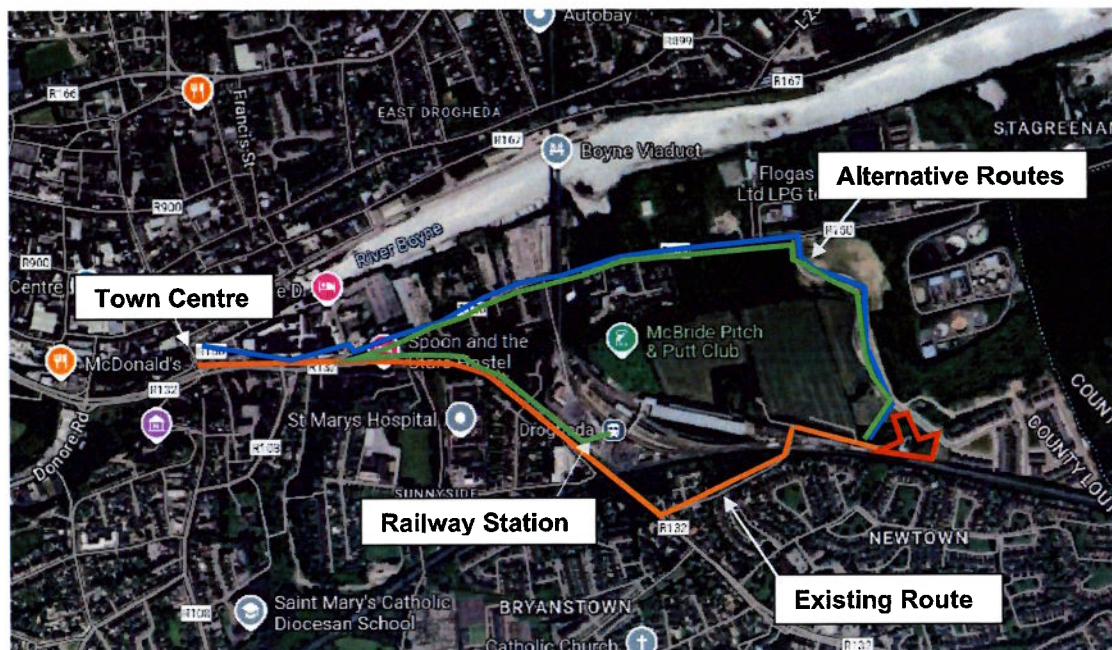


Figure 5: Location context in relation to Drogheda town centre (Google Maps)

- 3.3 The existing route used by our client to access Drogheda railway station and town centre via Railway Terrace and Dublin Road is shown in orange in Figure 5 above. This extends to c. 1.6km. It is noted that Drogheda railway station is 750 metres walking distance from Newtown Lodge and is accessed regularly by our client on foot to access Dublin by train. Mrs. Dunne is a substitute teacher at St. Mary's School on Dublin Road and will be required to travel to work by car for the duration of the construction period. This access will be terminated throughout the construction period of the DART+ proposals as they relate to Drogheda railway station and new bridge across the railway line.
- 3.4 The blue line indicates the proposed route which our client would be required to use via Marsh Road the R150 and extends to c. 1.9km. The green line represents the new route our client will be faced with to access Drogheda railway station and extends to c. 2.2km. These are routed along the northern part of our client's property linking to the new access road serving the completed (but unoccupied) residential development at Newtown View to the R150 Marsh Road to connect to Drogheda town centre.
- 3.5 The R150 Marsh Road is typically a highly congested route which will significantly add to our client's travel time to the town centre and the railway station and will require reliance on private car due to the length of the route. This is a substantial encroachment on our client's amenity and convenience to public transport and will result in prolonged travel times and a requirement for unsustainable travel by private car. Image 1-32 of the submitted Construction Traffic Management Plan (CTMP) sets out the alternative route.

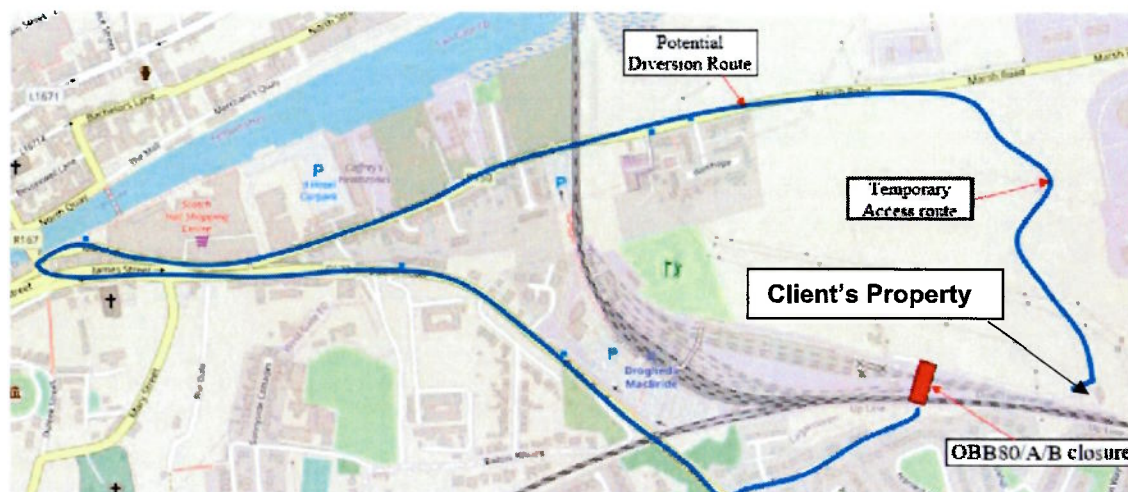


Figure 6: Potential traffic diversion during OBB80/80A/80B replacement works (Image 1-32 of submitted Construction Traffic Management Plan)

3.6 The accompanying text in the CTMP notes that:

“Railway Terrace / McGrath’s Lane, at Drogheda, will become a temporary cul-de-sac whilst the OBB80/80A80/B bridge is replaced. A temporary access road will be constructed to the north linking to Marsh Road (R150) to facilitate access for residents to properties on McGrath’s Lane, to support the northern Construction Compound and to provide road vehicular access to the bridge site”.

3.7 This results in several sustained negative impacts to our client’s daily life for a period of at least 3 years and significantly constrains access to family, neighbours and everyday facilities and amenities on Dublin Road including shops, medical facilities, church, public transport etc. and limit potential for social engagement. Our client’s ability to travel on foot or bicycle will be extinguished entirely, with private car becoming the only option to access Drogheda town centre and the railway station, contributing to increased costs, commuting times and carbon footprint. The potential alternative route via the construction compound north of McGrath’s Lane and the R150 Marsh Road will lead to inevitable delays and increased road safety concerns for our client. The works proposed in close proximity to our client’s property and the high frequency movements of construction traffic on the temporary access route to Newtown Lodge will inevitably deter visitors. From the submitted information, there is insufficient information and proposals in respect of the practicalities faced by our client during the construction stage such as waste management and bin collection points, post and deliveries and alternative modes of transport available to our client during this phase. Our client will be faced with negotiating construction traffic and a large construction compound immediately adjacent to Newtown Lodge which will have a direct impact upon the ability of Mr. and Mrs. Dunne and their family to safely access the property.

3.8 The proximity of the construction compound and extent of demolition and construction works associated with the bridge will also pose a safety hazard to our client’s family and restrict visiting due to the project. These are all real and valid concerns arising from the proposals which will have a direct impact upon the social and family life of our client and require a proportionate level of consideration by Irish Rail in these proposals.

3.9 Our client seeks an alternative to this diversion which is currently noted to be ‘potential’ by the CTMP.

- 3.10 It is noted that Irish Rail permission ABP Ref.: PL54.123480 for the “*construction and operation of an arrow fleet train servicing centre, maintenance workshop, administration building and train wash*” at MacBride railway station included a condition which required vehicular access to be maintained throughout the construction period of the scheme. Condition 6 of the permission is set out as follows:
- “Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority, a programme of works for the construction of the new arch at Newtown Bridge adjacent to McGrath’s Lane. Such a programme shall, after consultation with the occupants of the dwellinghouse ‘Newtown Lodge’ north of Newtown Bridge, include details of proposals for continued and unobstructed vehicular access to that dwellinghouse throughout the construction period. The access to the development site across Newtown Bridge from McGrath’s Lane shall be restricted to that for emergency services vehicles only”.*
- 3.11 The developer’s response to Condition 6 submitted on 22nd October 2002 confirmed:
- “We will maintain vehicular access for cars and light vehicles across the bridge and have arrangements in place for emergency services to access Newtown Lane via the station and site areas should they require alternative access”.* (JSA emphasis)
- 3.12 As stated in the submitted documents and noted in the quote above, Irish Rail currently gain secondary vehicular access to their maintenance depot via an entrance on McGrath’s Lane. This provides a route through the existing railway station linking Dublin Road to McGrath’s Lane. The application notes that this route will remain operational during the construction phase of the development.
- 3.13 **It is respectfully requested that our client’s vehicular and pedestrian access to the Dublin Road is maintained during the construction phase of development via the existing Irish Rail maintenance depot entrance from McGrath’s Lane and route through the railway station. At the very least, pedestrian access to Dublin Road should be maintained.**
- 3.14 This will negate the need for our client to negotiate a route through the proposed construction compound adjacent to Newtown Lodge on a busy route which will accommodate high frequency movements of construction vehicles working on the demolition and replacement of the Railway Terrace bridge, groundworks and new alignment of McGrath’s Lane north of the railway line. This would also ensure that a shorter and more convenient pedestrian route to the railway station which our client utilises on a high frequency basis.
- 3.15 This proposed access route can be incorporated into a Construction Traffic Management Plan for the construction phase of the development which will be required by condition of any grant and generally prepared by a main works contractor. The draft Railway Order can be altered sufficiently to include a safe pedestrian route along the proposed temporary road north of the bridge works and reconfiguration of McGrath’s Lane and to provide our client with access to the railway station via the existing route used by Irish Rail.
- 3.16 Our client now seeks a similar arrangement to be incorporated into the proposals, via the existing route through Drogheda MacBride railway station connecting to Dublin Road. Mr. Dunne welcomes the opportunity to engage and discuss this proposal further with Irish Rail, as a clear precedent exists in this respect relating to Irish Rail developments.

- 3.17 In addition to the provision of pedestrian access to the railway station as noted above, our client seeks the provision of a permanent connection from the rear of his property at Newtown Lodge to the recently completed but not yet operational road serving Newtown View and linking to Marsh Road (R150).
- 3.18 As noted in Table 21.10 of the EIAR, Newtown Lodge is extant on the first OS map for the area and possesses 'Regional, Medium sensitivity'. An historic entrance to the dwelling was accessed from the northeast corner, with gate remnants still intact at the perimeter of the dwelling. The photograph included below illustrates the close proximity of the historic entrance to the recently completed link road which connects to the R150 Marsh Road.



Figure 7: Photograph looking north from historic entrance to Newtown Lodge

- 3.19 **As an alternative option to our client utilising the temporary compound construction traffic route to the west of Newtown Lodge and north through the adjacent field, it is respectfully submitted that the Railway Order is amended to provide Mr. & Mrs. Dunne direct access to the completed road to the northeast which serves the unoccupied residential development at Newtown View.**
- 3.20 This arrangement could be easily facilitated owing to the c. 10 metre separation distance between the location of the historic entrance to Newtown Lodge and the completed link road. The implementation of this short connection would mitigate the impact of our client's residential amenity and negate the daily experience of navigating through the large construction compound adjacent. The proposed route would also reintroduce an historic entrance to the property and provide a conservation gain in this respect, having regard to the dwelling's identification as an Architectural Heritage Feature by the EIAR and its regional significance. This solution would reduce the requirement for Irish Rail construction traffic to mix with private vehicles within the

construction compound and should be given serious consideration by the applicant and An Bord Pleanála.

- 3.21 We refer the Board to the accompanying supporting document appended to this submission by ITLP Consulting in respect of access arrangements.
- 3.22 The location of the potential connection to the rear of Newtown Lodge is illustrated below, outlined in red.



Figure 8: Potential connection to rear of Newtown Lodge

4. Compulsory Purchase of Land & Temporary Construction Compound

4.1 As set out in the Schedule of Works and submitted 'Proposed Works Layout No. 23', a large Construction Compound is proposed on lands surrounding Newtown Lodge to the west, north and east. This will be facilitated by the temporary acquisition of part of our client's property and permanent rights of way to be acquired by Irish Rail at the expense of our client.

4.2 A list of the parcels of land under ownership of our client which will directly impacted by the draft Railway Order and as set out in the Book of Reference are as follows:

- 5038.T.9(A)
- 5038.4T.9(A)
- 5038.6.11(A)
- 5038.6.12(A)
- 5038.6.16(A)
- 5038.6.19(A)
- 5038.6.23(A)
- 5038.6.24(A)

- 4.3 The list of land parcels demonstrates the extent to which our client's property will be encroached upon by the proposed works. The referenced land parcels are shaded yellow in the extract below.

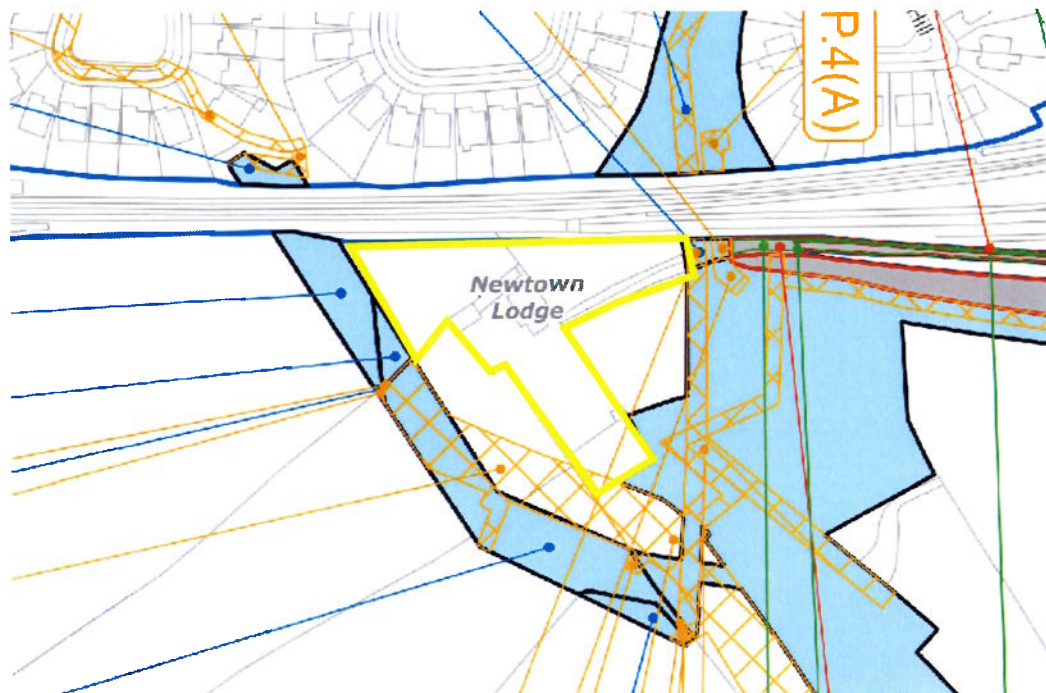


Figure 9: Extract of Property Plan No. 38 showing approximate location of our client's lands to be acquired / acquired as right of way / right of way expired (Irish Rail)

- 4.4 Effectively, the proposed land acquisition will dilute and impact upon our client's landholding to an unacceptable extent and clearly demonstrates the potential for disturbance and disruption by both the construction and operational phases of the Railway Order works. This is not acceptable to Mr. & Mrs. Dunne and will have a serious and long term impact upon the daily life of him and his family and the propensity to enjoy the privacy and amenity of their home. This should not be permitted given the architectural heritage of Newtown Lodge and its established residential use. It is noted that a recently completed residential development exists to the east at Newtown View, with little impact upon these dwellings and their curtilages in comparison to Newtown Lodge which will surrounding on all sides by Irish Rail works, transport routes and the railway line itself. This is not a satisfaction situation for our client, and it is respectfully submitted that Irish Rail are required to review the draft Railway Order to minimise the significant and, in some instances, profound, impacts anticipated at the property as set out in the submitted EIAR and discussed further in section 5 below.
- 4.5 Our client acknowledges the requirement of Irish Rail to replace the existing bridge at Railway Terrace and undertake works within the confines of the Irish Rail line in relation to decommission of existing infrastructure and the implementation of new infrastructure to facilitate the electrification of the line. However, our client should not be punished by way of encirclement by Irish Rail property, temporary infrastructure and a large construction compound which will have an undeniable and unacceptable impact on quality of life.
- 4.6 **It is respectfully submitted that the Book of References in draft Railway Order is reviewed and amended to minimise impact on our client's landholding at Newtown Lodge in order to mitigate the direct impact on privacy and**

residential amenity during the construction and operational phases of the proposed development.

- 4.7 As set out above, our client would seek an alternative bespoke connection to the recently completed road linking Newtown View residential development to the R150 Marsh Road by way of a new access road from the rear of Newtown Lodge. This would consist of a small stretch of roadway linking to the southern edge of the new road and would negate the requirement for a section of the northern part of our client's lands to be acquired by Irish Rail for temporary access and permanent rights of way. This is considered a logical and viable alternative which can be facilitated by a minor amendment to the draft plans.

5. Noise, Vibration & Air Quality

- 5.1 Our client is greatly concerned about the potential impact on his property and residential amenity arising from the proposed development during the construction phase given the proximity of the works proposed on McGrath's Lane and within the confines of the railway line.
- 5.2 Page 43 of EIAR Chapter 14 notes that the construction period of the proposed replacement Railway Terrace bridge will *"take place over an approximately 18-month period"*. However, this is estimated to be approximately 104 weeks as set out in Table 1-7 of the submitted Construction Environmental Management Plan within the Appendices. Our client seeks clarification on the duration of construction works and the closure of Railway Terrace as this provide the primary and most time-efficient route to the railway station and Drogheda town centre.
- 5.3 Chapter 14 acknowledges that *"given the location of the bridge, much of the work will need to be done during track possessions. It is expected that these will be a combination of weekend and night-time possessions"*. Table 14-31 sets out the impact distance from the Railway Terrace Bridge as set out below:

| Activity | Distance where the Predicted Noise Level L_{Aeq} (dB) in the unscreened case is equal to a moderate or major impact | | | |
|----------------------------------|---|-----------------|--------------|-----------------|
| | Day | | Night | |
| | Major impact | Moderate impact | Major impact | Moderate impact |
| Bridge demolition | <130m | 130m - 231m | <410m | 410m - 729m |
| Foundations, piers and abutments | <64m | 64m - 113m | <201m | 201m - 357m |
| All other works | <45m | 45m - 80m | <143m | 143m - 254m |

Figure 10: Extract of Table 14-31 of EIAR Chapter 14 (Irish Rail)

- 5.4 Our client's dwelling is located within 100 metres of all works associated with the bridge replacement and based on Table 14-31, will experience both a 'major impact' and 'moderate impact' at both day and nighttime during works. This is of significant concern to our client as the EIAR confirms that:

"The effect at these receptors is likely to be negative, significant to very significant, or very significant to profound, and short-term".

- 5.5 Accompanying text anticipates *"moderate or major impact"* at approximately 110 existing residential properties in proximity of the bridge works. Concerningly, the EIAR proceeds to note possible *"profound"* at dwellings close to the depot.

- 5.6 The cumulative effect of other works being undertaken in the decommissioning of existing 38kv lines, installation of new underground 38kv line and electrification of sidings and installation of railway overhead electrification equipment and associated infrastructure (including piling) adjacent to our client's property will result in an unacceptable level of disruption and disturbance and ultimately an untenable living environment. In respect of the construction of the substation, Chapter 14 notes that: *"The works at this location will result in a moderate or major impact at 2 residential properties on McGrath's Way. The effect at these receptors is likely to be negative, moderate to significant / significant to very significant, and short-term"*.
- 5.7 Newtown Lodge is identified as one of two dwellings on McGrath's Way and will therefore experience significant effects arising from its construction.
- 5.8 Significant vibration effects will be encountered as a result of piling to install overhead line equipment, with Table 14-13 of the EIAR demonstrating that due to the proximity of Newtown Lodge to the piling works, a 'major impact' will be experienced as a result. The accompanying text notes that *"Due to the temporary nature of the works, the impact is considered negative, moderate to profound and temporary"*. Such intense construction works have the potential to impact negatively upon the structural integrity of our client's dwelling. This must be avoided through an appropriate approach to construction and comprehensive mitigation measures.
- 5.9 Furthermore, Section 12.7.1 of the EIAR Air Quality chapter notes that:
"Consistent implementation of good dust minimisation practices will ensure that the likely effects from construction dust is short-term, localised, reversible and not significant when considered with respect to the EPA description of effects (EPA 2022)".
- 5.10 It is noted that limited mitigation measures in relation to air quality and dust monitoring are included in the EIAR Chapter 12 and submitted Construction Environmental Management Plan. **Our client requests that owing to the scale and volume of works proposed to be undertaken in close proximity to his property, an air quality and dust monitoring station be placed within the boundary to continuously and remotely monitor levels.**
- 5.11 This situation is highly concerning for our client who resides in one of the closest properties to the bridge and is guaranteed to have amenity disrupted to a significant / profound level at during predominately anti-social hours during nighttime and weekends.
- 5.12 It is noted that mitigation measures are set out at Section 14.6.1 of the EIAR chapter which include a community liaison officer notifying residents of planned works, submission of a noise management plan to the local authority, prioritise daytime works, using screens, limit deliveries and timings and take advantage of natural barriers.
- 5.13 While the intentions of the mitigation measures are noted in this respect, these are considered insufficient and disproportionate to the 'significant' effects which will be experienced by our client's property in respect of noise and vibration.
- 5.14 It is respectfully requested that Irish Rail revisit the mitigation measures proposed to fully address the exceptional cumulative impacts predicted to be experienced at Newtown Lodge having regard to the proximity of the dwelling to the demolition and construction of the Railway Terrace bridge, the removal and decommissioning of

existing 38kv line and electrification of the railway on lands directly to the south and the large construction compound immediately adjacent to the north, west and east.

- 5.15 Additional mitigation should require the provision of noise and vibration monitoring stations to be set up at Newtown Lodge in addition to those located within the railway station. These should be remotely monitored to ensure significant effects are restricted to the greatest extent possible and profound effects are avoided entirely where possible. Permanent mitigation measures should also be considered such as enhanced glazing and additional screening to the property where possible.
- 5.16 Our client is highly concerned about the likely detrimental impact the prolonged construction phase of at least 3 years will have on the quality of life experienced at the property. **It is therefore respectfully requested that Irish Rail seriously review and reconsider the proposed mitigation measures at Section 14.6.1 of the EIAR which are entirely inadequate having regard to the nature, scale and cumulative impact of the works being proposed in respect of our client's property.**

6. Built Heritage / Conservation

- 6.1 Our client also wishes to highlight the historic importance of the existing Railway Terrace bridge. A recent photograph of the structure is included below, noting its heritage character emanating from its stone construction.



Figure 11: Appearance of Railway Terrace bridge looking south

- 6.2 It is noted that Chapter 21 Architectural Heritage of the EIAR identifies Newtown Bridges at McGrath's Lane (Ref: BH-141) to be of '*Regional, Medium sensitivity*' and noted to be "*of architectural heritage interest as they are noted on historic maps*". Section 21.6.2.1 of chapter 21 notes that "*The potential Construction Phase impact is Direct, Negative, Significant, Long term*".

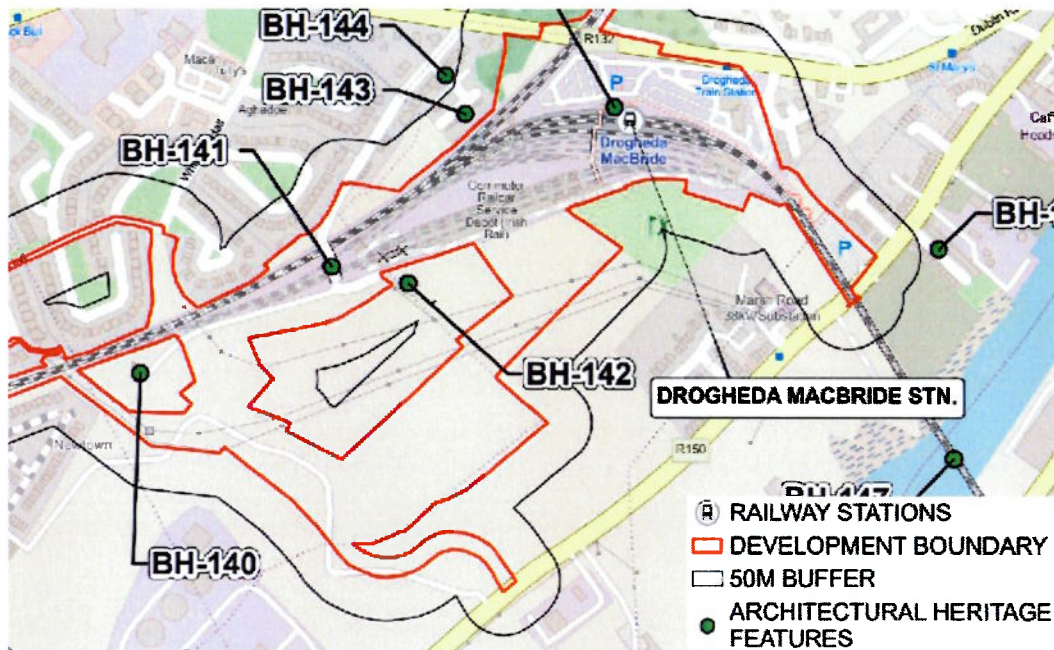


Figure 12: Extract of FIGURE 21.1: ARCHITECTURAL HERITAGE FEATURES (Irish Rail)

- 6.3 The location of the bridge Ref: BH-141 is shown in the image above, alongside our client's property Ref: BH-140.
- 6.4 While our client recognises the requirement for the replacement of the bridge to facilitate additional overhead heights and clearance for trains, it is considered that the design and finish of the proposed bridge be considered in the context of the heritage feature that it is replacing.

It is recommended that the proposed bridge incorporates the material from the existing Railway Terrace bridge into its construction to retain an element of architectural value at the location and to benefit the character and setting of the location.

7. Depreciation of Property Value

- 7.1 Mr. Dunne is concerned that the proposed Railway Order and the prolonged extent of the construction period will have a detriment impact upon the value of his property at Newtown Lodge. It is reasonable to expect that the value that could be sought for the property prior to any grant of permission by An Bord Pleanála in respect of the proposals would be significantly greater in comparison to that value during the c. 3 year construction period of the development and beyond, subject to programme slippage.
- 7.2 We note the provisions of Section 184 of the Planning & Development Act 2000, as amended, in this respect and the relevant second schedule setting out the rules for the determination of the amount of compensation:

"1. The reduction in value shall, subject to the other provisions of this Schedule, be determined by reference to the difference between the antecedent and subsequent values of the land, where—
(a) the antecedent value of the land is the amount which the land, if sold in the open market by a willing seller immediately prior to the relevant decision under Part III (and

assuming that the relevant application for permission had not been made), might have been expected to realise, and
(b) the subsequent value of the land is the amount which the land, if sold in the open market by a willing seller immediately after that decision, might be expected to realise."

- 7.3 In this respect, our client reserves the right to seek compensation in the event of any depreciation in value of his property as a result of the proposed development.

8. Summary & Recommendations

- 8.1 In summary, our client supports the principle of the development which will transform and vastly improve the connectivity between Drogheda and Dublin city. Our client is a close neighbour to the east of Drogheda MacBride and immediately north of the railway line.

- 8.2 The submission herein raises a number of issues which Mr. Dunne considers can be resolved through alterations to the approach and management of the construction phase of the proposed development which would reduce the significant negative effects of the scheme upon his property and quality of life over this minimum c. 3 year period.

- 8.3 The recommendation included in the text above are now listed as follows for the convenience of the Board.

- 8.4 We trust these will be taken into consideration in the assessment of the application in due course and our client is open to liaising with Irish Rail in respect of any of these issues. Primary concerns and requests of our client are in bold below.

- ***It is respectfully requested that our client's vehicular and pedestrian access to the Dublin Road is maintained during the construction phase of development via the existing Irish Rail maintenance depot entrance from McGrath's Lane and route through the railway station. At the very least, pedestrian access to Dublin Road should be maintained.***
- ***As an alternative option to our client utilising the temporary compound construction traffic route to the west of Newtown Lodge and north through the adjacent field, it is respectfully submitted that the Railway Order is amended to provide Mr. & Mrs. Dunne direct access to the completed road to the northeast which serves the unoccupied residential development at Newtown View.***
- *It is respectfully submitted that the Book of References in draft Railway Order is reviewed and amended to minimise impact on our client's landholding at Newtown Lodge in order to mitigate the direct impact on privacy and residential amenity during the construction and operational phases of the proposed development.*
- *Our client requests that owing to the scale and volume of works proposed to be undertaken in close proximity to his property, an air quality and dust monitoring station be placed within the boundary to continuously and remotely monitor levels.*
- *It is therefore respectfully requested that Irish Rail seriously review and reconsider the proposed mitigation measures at Section 14.6.1 of the EIAR*

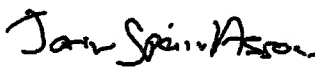
which are entirely inadequate having regard to the nature, scale and cumulative impact of the works being proposed in respect of our client's property.

- *It is recommended that the proposed bridge incorporates the material from the existing Railway Terrace bridge into its construction to retain an element of architectural value at the location and to benefit the character and setting of the location.*

9. Conclusions

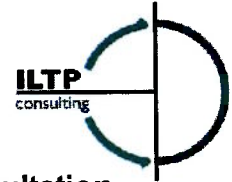
- 9.1 On behalf of our client, Mr. Johnny & Mrs. Grainne Dunne, Newtown Lodge, McGrath's Lane, Drogheda, County Louth, we hereby make a submission to the DART + Coastal North Railway Order 2024 - Northern Line between Dublin City Centre and Drogheda including the Howth Branch pending a decision with An Bord Pleanála under ABP Ref: 320164.
- 9.2 The application is being made pursuant to the provisions of Section 37 of the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) and constitutes a Strategic Infrastructure Development.
- 9.3 As detailed above, our client has concerns regarding restricted access from his property to Drogheda town centre and railway station during the construction phase of development, the nature, scale and proximity of the construction compound adjacent to Newtown Lodge, the immediacy of the proposed works to the railway line, in addition to shortcomings within the applicant's EIAR having regard to noise, vibration and air quality.
- 9.4 Each of these issues will undoubtedly have significant negative effects upon our client's quality of life and propensity to enjoy the amenity of his property as a result of the proposed development. Equally, each of these can be addressed to some extent through the recommendations set out in this submission.
- 9.5 Our client seeks an oral hearing in respect of the proposals.
- 9.6 Our client respectfully requests that An Bord Pleanála takes the above submission into account in assessing the Railway Order application Ref: 320164.

Yours faithfully,



John Spain
Managing Director John Spain Associates Ltd.

Appendix 1
ILTP Consulting Submission



DART+ Coastal North Railway Order Application - Statutory Consultation

Date:

15th October 2024

Distribution:

Conor and Fiona Rock
Johnny Dunne
John Spain Associates
An Bord Pleanála

Author:

Ben Waite

Approved By:

Christy O'Sullivan

ILTP Project Code & Reference:

DART+CRock

1 INTRODUCTION

1.1 Purpose of Report

1.1.1 This report should be read in conjunction and as an Appendix to the JSA submission on the Dart+ Coastal North Railway Order 2024, proposed scheme.

1.1.2 Our Clients, Conor and Fiona Rock, live at a property known as Chanticleer, McGrath's Lane, Drogheda, Co. Louth. Johnny and Grainne Dunne live at a property known as Newtown Lodge, McGrath's Lane, Drogheda, Co. Louth.

1.1.3 Our clients are generally supportive of the scheme but they also have a number of concerns and are seeking changes to some aspects and clarification on other aspects of the scheme. Of particular importance to our clients is the scheme's impact on their property and particularly in respect to access arrangements to same both during and post the construction of the Dart+ Coastal North scheme.

1.1.4 Our clients are seeking to meet with the National Transport Authority (NTA) and Irish Rail (CIE) to seek to resolve these concerns in advance on an Oral Hearing on the proposed scheme and to hopefully present an agreed outcome to the Board in respect of same.

1.2 Site Location and Zoning

1.2.1 Our client's dwellings and lands are immediately adjacent to the existing rail station. Figure 1.1 shows the subject sites in the context of the Louth County Development Plan 2021-2027 (CDP).

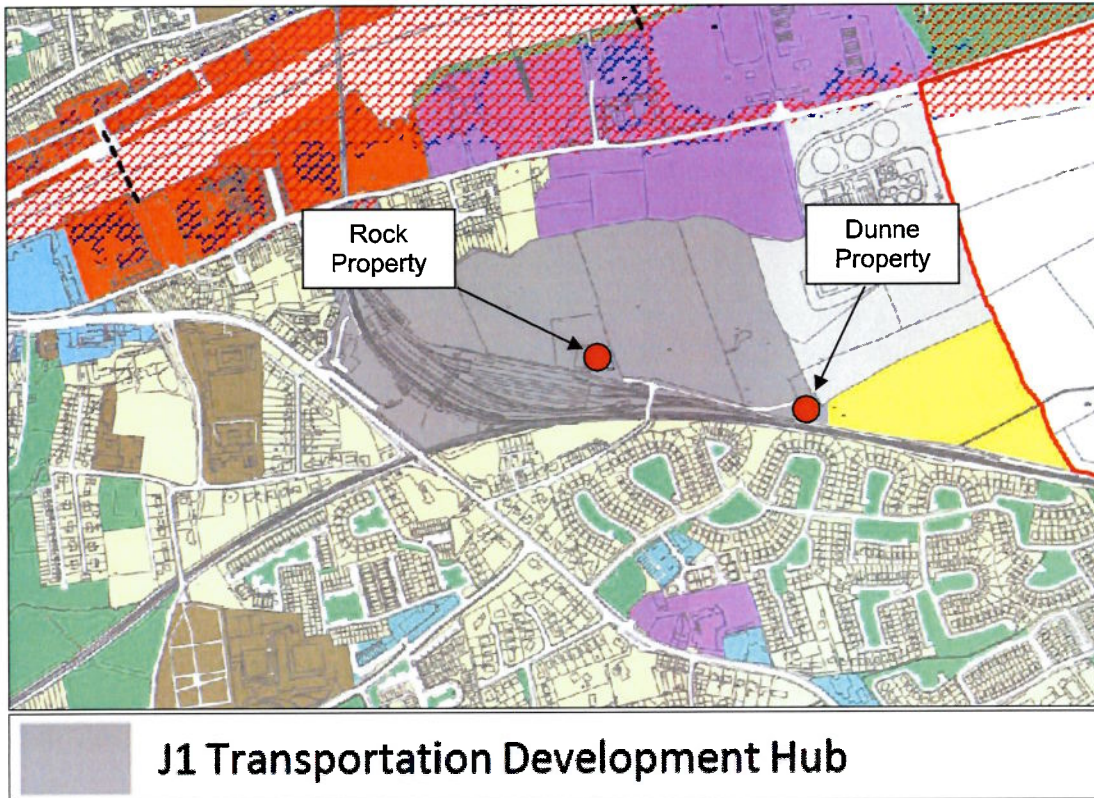


Figure 1.1: Extract from County Development Plan Zoning Map

1.2.2 The subject site is zoned “J1 – *Transportation Development Hub*”, the CDP states the following in regard to this zoning:

Objective:

To support the provision of mixed-use development commensurate with a transportation hub.

Guidance:

This zoning will facilitate the development of a public transport hub and is suitable for other land uses including high-density residential development and retail and office uses.”

1.2.3 There are also a wide range of other permitted uses: “*B&B/ Guest House, Coffee Shop/Tea Room, Car Park, Childcare Facility, Cinema, Community Facility, Conference/Event Centre, Funeral Home/Mortuary, Healthcare Practitioner, Home Based Economic Activities, Industry Light, Multi Storey Car Park, Nightclub, Nursing Home, Offices, Park/Playgrounds, Park and Ride Facilities, Plant and Tool Hire, Public Transport Infrastructure (Rail/Bus), Recreational/Sports Facility, Retail Warehouse, Research and Development, Retirement Village, Shop (Convenience), Taxi Office, Telecommunications Structures, Training Centre, Veterinary Surgery.*”

- 1.2.4 In addition, the following uses are also open for consideration: “Advertisements and Advertising Structures, Amusement Arcade, Bring Banks, Business Enterprise Centre, Drive thru Restaurant, Garden Centre, Industry General, Recycling Facility (Waste), Residential, Restaurant, Shop ≤200m² Takeaway/Fast Food Outlet, Traveller Accommodation, Utilities, Vehicle Sales Outlet.”
- 1.2.5 Clearly the subject lands are located within an area zoned for a development around a key rail interurban rail station. The development of such land for high density development is supported by policy at all levels including the Climate Action Plan 2023 and the Compact Settlement Guidelines 2024.
- 1.2.6 As the proposed development of the MacBride Station is clearly in keeping with these same policy objectives it is both appropriate and in line with sustainable planning practice that the redevelopment of the rail station is undertaken in a manner that also promotes the optimal development of the adjacent zoned lands, as set out in the CDP.

1.3 Site Visit

- 1.3.1 ILTP visited the site in September 2024 and also met with the client. It is noted that McGrath’s Lane currently serves as an access to both our client’s lands and one other landholding.
- 1.3.2 The key locations relating to this site visit are shown in Figure 1.2. A number of photographs taken during the site visit are also shown in Figures 1.3 to 1.6.

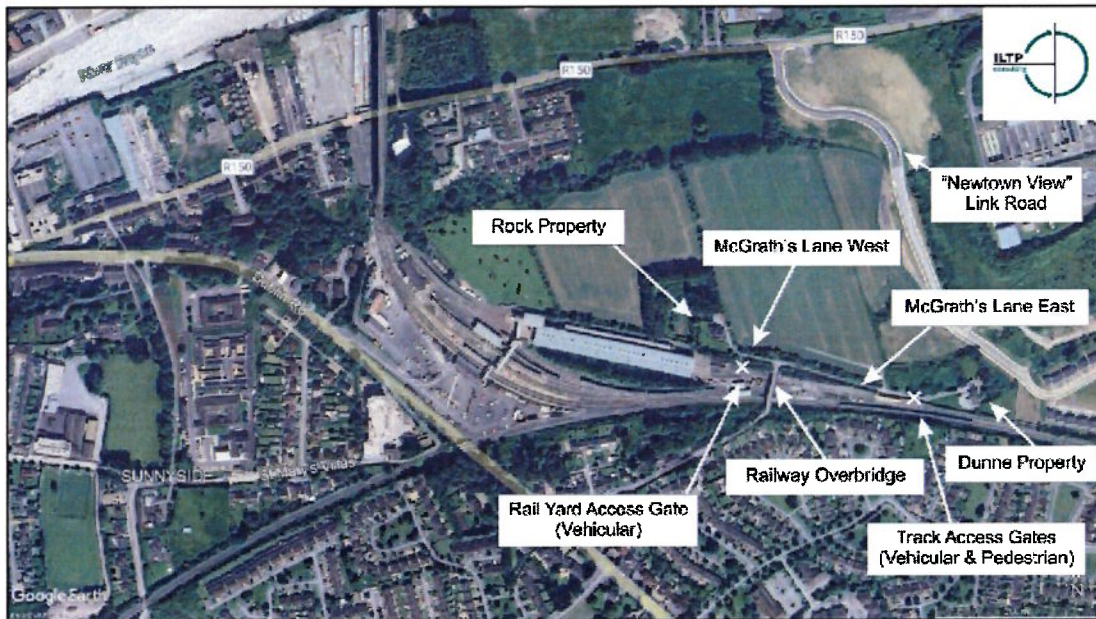


Figure 1.2: Key Locations

1.3.3 The existing bridge connecting Railway Terrace to McGrath's Lane is illustrated in Figure 1.3.



Figure 1.3: Existing Overbridge – Looking South

- 1.3.4 The bridge provides a direct link to Railway Terrace and the existing Rail station. The bridge provides access for all travel modes, (car, walk and cycle) and is also used as an amenity for local residents. The bridge is also very attractive design and provides views of the rail station and track systems which is a popular local attraction. The bridge is used daily by our clients to access the wider road network, town centre and railway station (which they use on a very regular basis). Service vehicles too our client's properties also use the existing bridge as this is the sole access to our client's lands.
- 1.3.5 On the west side of McGrath's Lane there is gated access to existing tracks as illustrated in Figure 1.4. This access is currently used on a regular basis for presumable track maintenance purposes. Clarification is sought on whether this access to the tracks is required with the scheme in place.



Figure 1.4: Existing McGrath's Lane (East) Looking West toward Bridge

1.3.6 The view of Mr. and Mrs. Rock's access from the bridge is illustrated in Figure 1.5. This is a very attractive tree lined access to our client's home and clearly they are concerned as to the amenity loss that will arise as a result of the proposed development, during and post construction phases.



Figure 1.5: McGrath's Lane (West) View toward the Rock Property from Bridge

1.3.7 To the left of the access road to the Rock property there is an emergency access route provided to the rail maintenance shed and station. The emergency access is illustrated in Figure 1.5.



Figure 1.6: Existing Rail Yard Emergency Access off Access to Mc Grath's Lane

- 1.3.8 This emergency access appears to be used quite regularly by service vehicles and could also potentially provide access to the station for our client's during the construction phase of the project. This is set out in more detail in the next chapter.

2 SCHEME IMPACT ON CLIENT LANDS

2.1 Introduction

2.1.1 It is proposed that the existing rail overbridge will be closed for a considerable period of time during the construction phase in order for it to be demolished and a new bridge constructed. The proposed new rail overbridge will be of an increased height and will also have significantly higher parapet walls compared to that which exists at present.

2.1.2 The closure of the existing access to our client lands will have a significant impact on our client during the construction stage. It will also have a potential long term impact of the amenity of our client’s property as the proposed access arrangements will be significantly diminished.

2.2 DART+ Costal North Railway Order – Proposed Overbridge Assessment

2.2.1 Extracts form the DART+ Costal North Railway Order are reproduced as Figures 2.1, 2.2 and 2.3. These drawings show the proposed horizontal alignments for McGrath’s Lane and the proposed new overbridge. Vertical profiles showing the existing and proposed road levels are also shown.

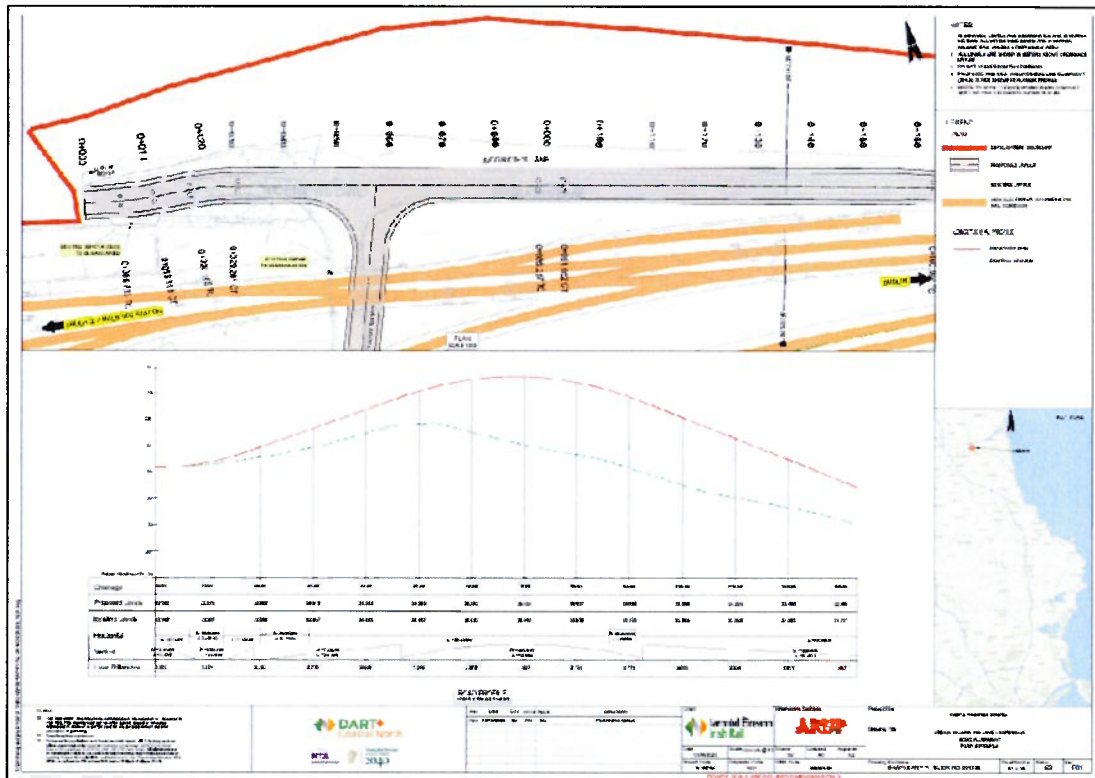


Figure 2.1: McGrath’s Lane Plan and Profile Drawing– Existing and Proposed (Source: DART+ Costal North Railway Order)

2.2.2 Figure 1.6 shows that there is a considerable difference in height between the existing and proposed road levels on McGrath’s Lane to the east of the overbridge (approximately 3m). This will result in a significant gradient change along the access to our client’s property. There is also a 7.2% gradient proposed to the west of the overbridge.

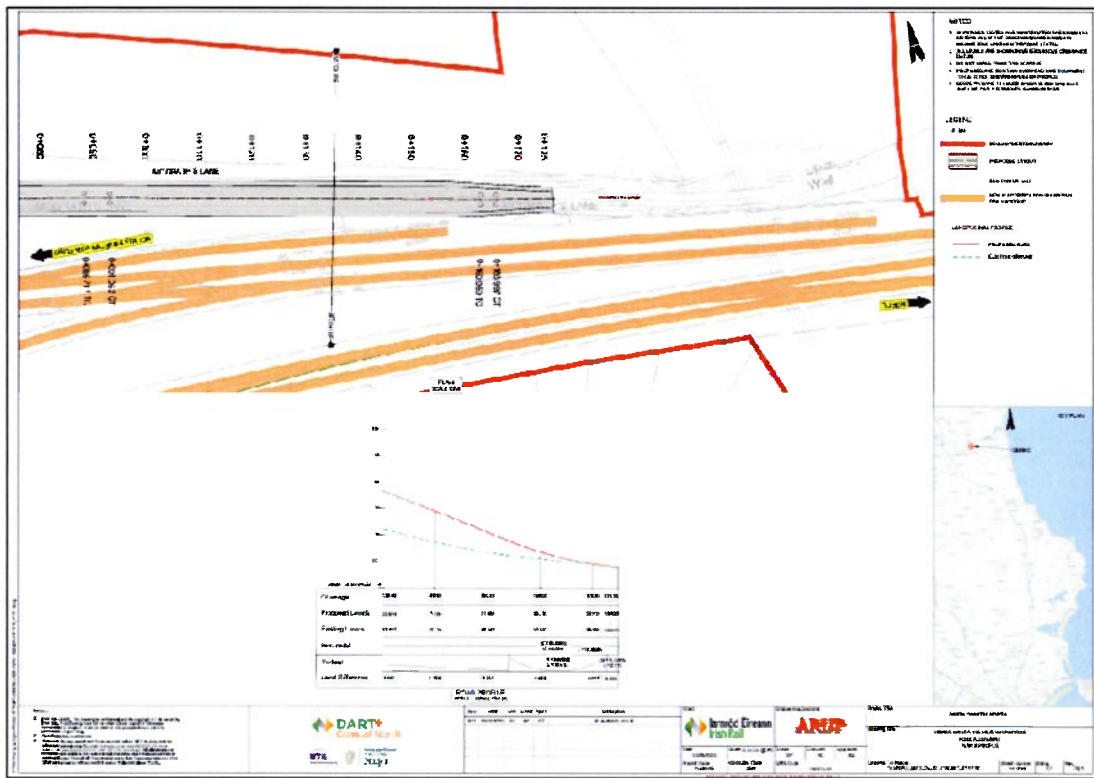


Figure 2.2: McGrath's Lane Plan and Profile Drawing– Existing and Proposed
(Source: DART+ Costal North Railway Order)

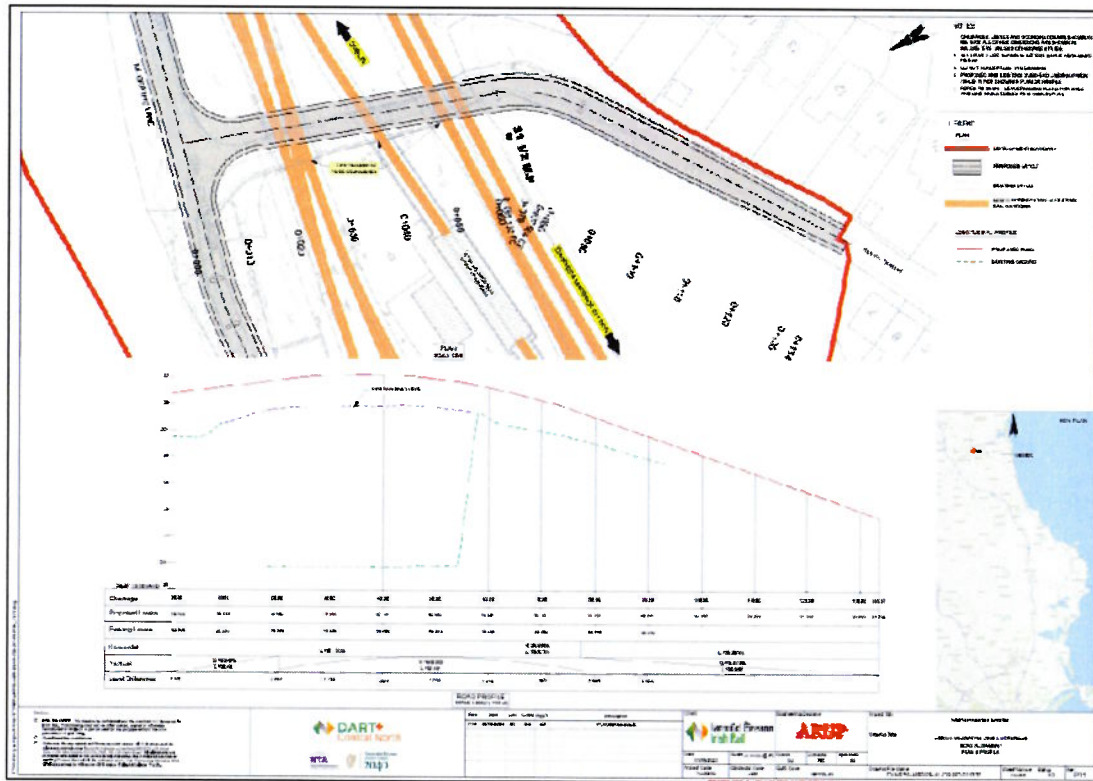


Figure 2.3: McGrath's Lane Overbridge Plan and Profile Drawing– Existing and Proposed (Source: DART+ Costal North Railway Order)

2.2.3 Figure 2.3 shows that the proposed road level is approximately 1.1m above the existing level at the centre of the overbridge. The road level is approximately 1.3m above the existing road level where the overbridge meets the proposed realigned McGrath's Lane.

2.3 Proposed New Bridge & Parapets

2.3.1 Figure 2.4 shows a cross section of the proposed overbridge, including a proposed parapet level of 1.8m. This is considerably higher than the existing parapet level, which will reduce views from the bridge and also give a more confined feel to pedestrian and cyclists using the new bridge, thereby reducing the amenity value of same.

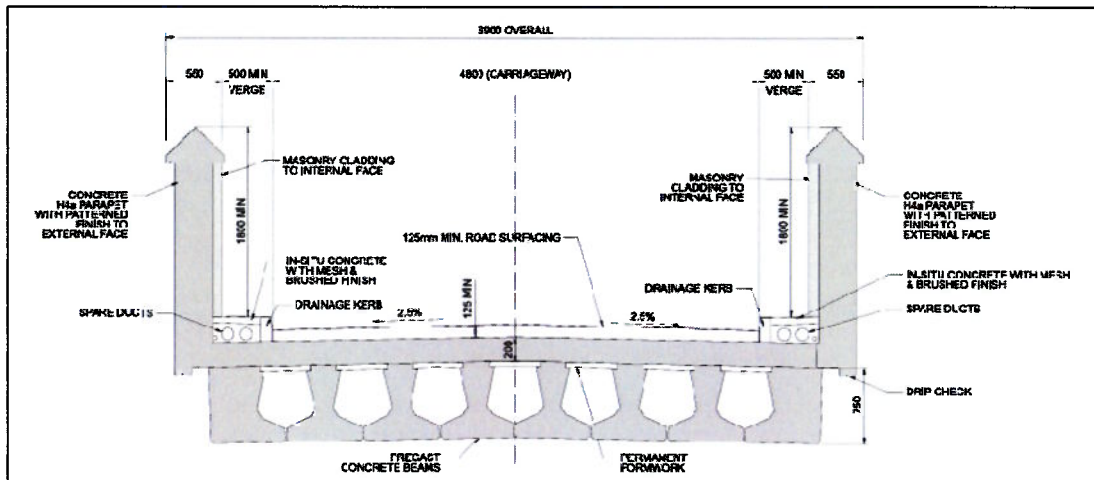


Figure 2.4: Proposed Overbridge – Cross Section

2.4 Walking Route to Drogheda MacBride Railway Station

2.4.1 Figure 1.9 shows the existing walking route used by our client to access Drogheda MacBride Railway Station. It is noted that our client regularly uses this route to access Dublin via train for work. The proposed temporary route is also shown in Figure 2.5. This temporary route is approximately 3 times as long as the existing route.

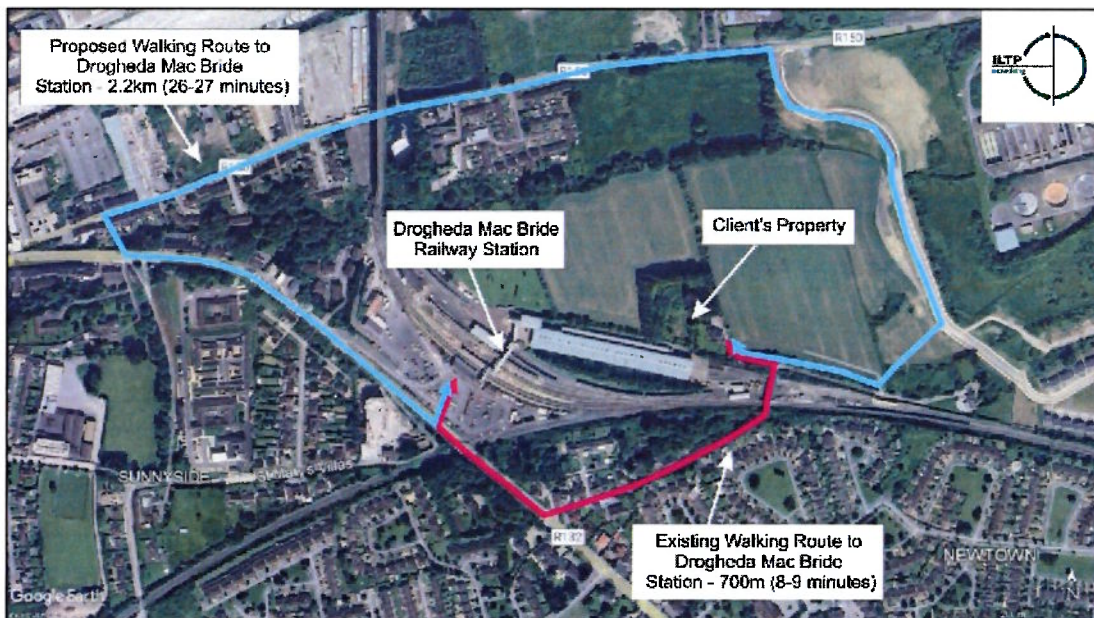


Figure 2.5: Walking Routes from Mr. Rock’s Property to Drogheda MacBride Railway Station

2.4.2 The alternative walking route to the station during the construction phase is well outside a reasonable walk distance of our client’s property. Mr. Rock regularly walks to and from the existing

rail station as part of his daily commute, therefore this represents a significant negation of our client during the construction stage.

- 2.4.3 The alternative is that our client will now be required to drive to the rail station each day, which will add significantly to his overall journey time in addition to the additional car parking costs.
- 2.4.4 Figure 2.6 shows the walking routes to and from the Dunne property, exiting and during the proposed construction phase. It shows that the walking route to and from Drogheda MacBride Railway Station from the Dunne property is also almost 3 times as long as the existing route.

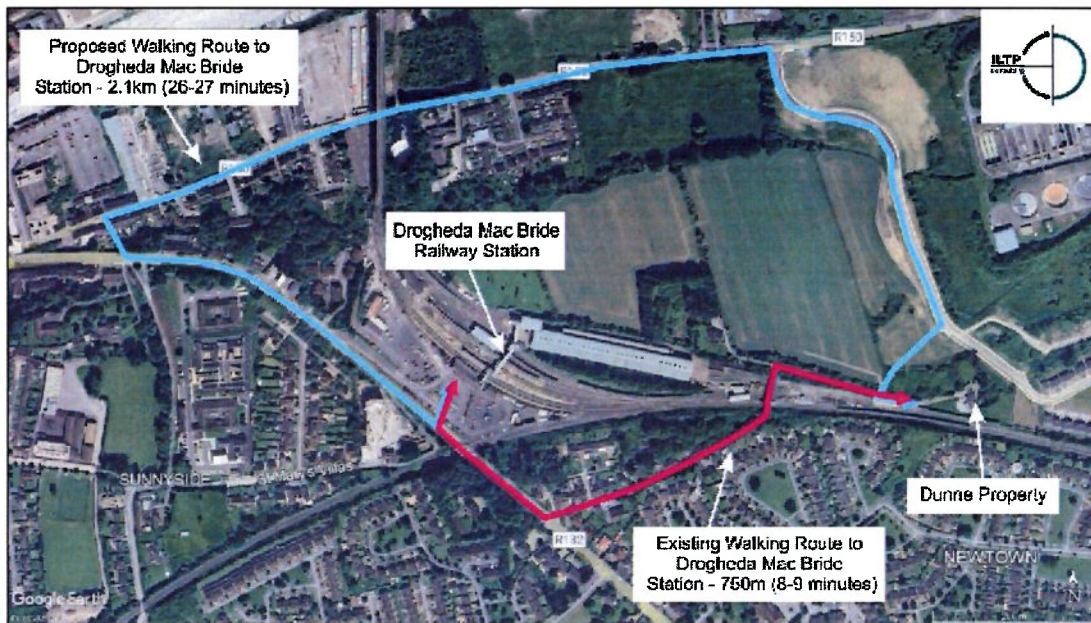


Figure 2.6: Walking Routes from Dunne Property to Drogheda MacBride Railway Station

2.5 Possible Alternative Access Routes During Construction Phase

- 2.5.1 There is an existing access route from the existing station car park to the rail maintenance shed adjacent to our client's property, which also has a gated link on to McGraths Lane east as outlined earlier. These routes are indicated in Figure 2.7.

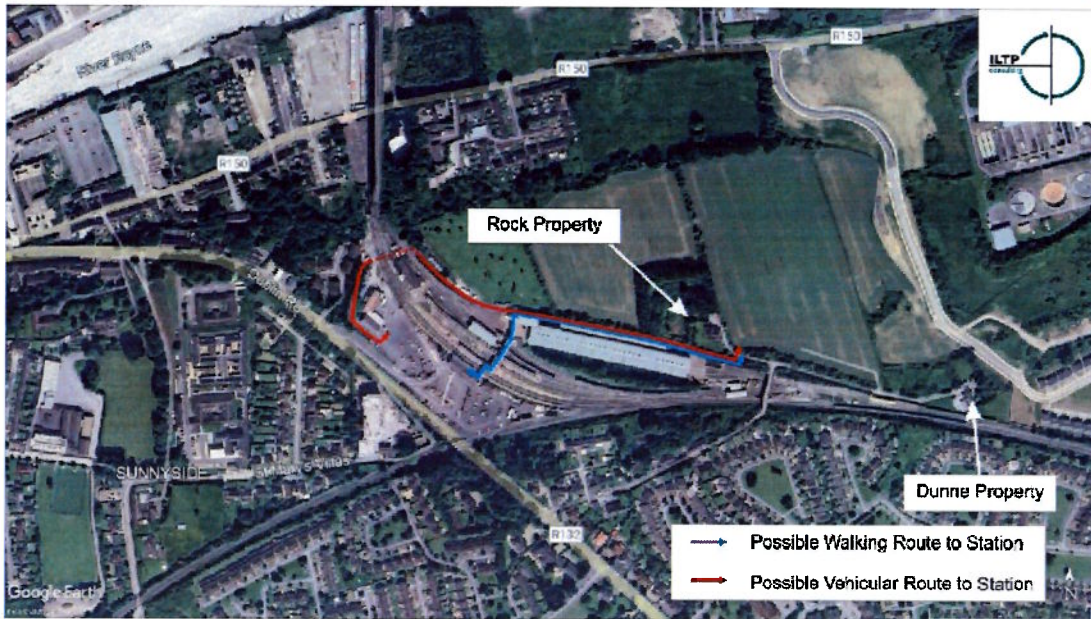


Figure 2.7: Vehicle and Pedestrian Access Route from Rail Station to Rail Maintenance Shed and McGrath’s Lane

- 2.5.2 Service vehicles and pedestrian currently access the Irish Rail maintenance shed from the rail station. This area can also be accessed from McGrath’s Lane as outlined earlier.
- 2.5.3 Making this route available for our client during the construction phase would significantly reduce the adverse and significant impact of the proposed development construction phase on our client.
- 2.6 Retention of Temporary Access Route from McGrath’s Lane to R150**
- 2.6.1 A temporary access route is proposed to provide access to our client’s property during the construction phase, which is intended to be shared by construction access also. The location of the route is illustrated in Figure 2.8.



Figure 2.8: Extract from EIAR – Construction and Public Temporary Access

- 2.6.2 The proposals involve the relocation of McGrath Lane and the construction of a temporary access to our client lands for the construction stage. The proposed temporary access is summarised in Figure 2.9.
- 2.6.3 We note there are no detail provided as to the design of this temporary access route in term of cross section and alignment and our client would request detail of same to be provided.
- 2.6.4 Rather than simply remove the temporary access route ILTP are proposing that same be retained post the completion of the DART+ scheme as this would give an alternative access route to our client and neighbouring zoned lands. It would also provide improved cycle and walking access from the new residential development to the rail station.

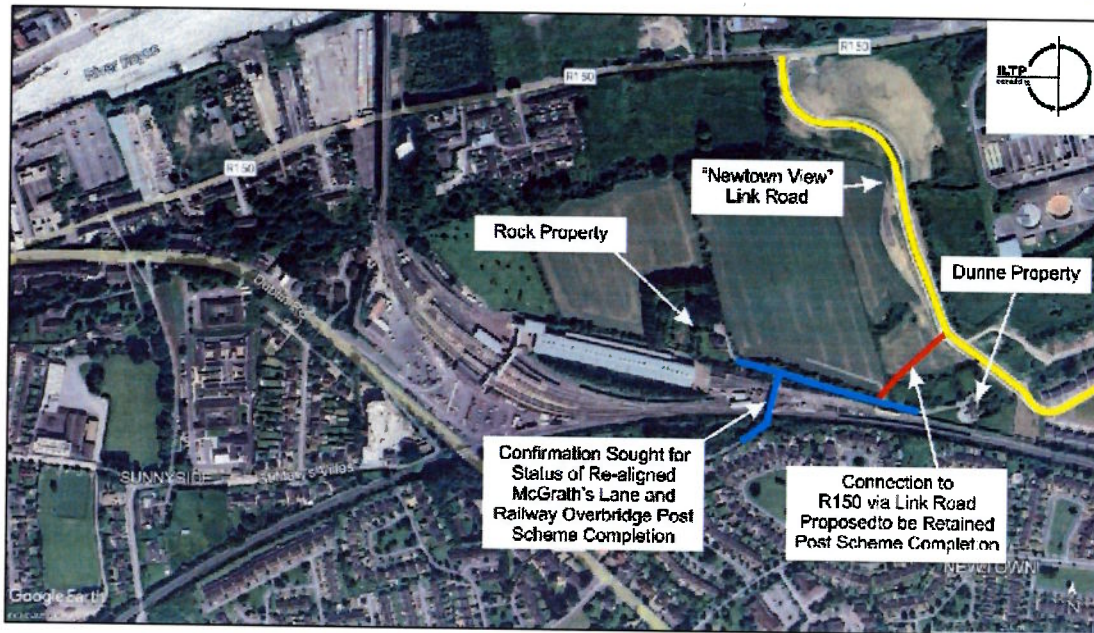


Figure 2.9: Proposed Retention of Temporary Access Post Construction

2.6.5 The provision of improved access to zoned land and the creation of improved pedestrian and cycle connectivity between the nearby new residential development and the rail station accords with sustainable transport practices.



3 SUMMARY AND CONCLUSIONS

- 3.1.1 ILTP was commissioned to provide input that forms part of a submission to the DART+ Coastal North Railway Order Application statutory consultation. This report should be read in conjunction with the JSA report enclosed as part of the submission.
- 3.1.2 Our Clients, Conor and Fiona Rock, live at a property known as Chanticleer, McGrath's Lane, Drogheda, Co. Louth. Johnny and Grainne Dunne live at a property known as Newtown Lodge, McGrath's Lane, Drogheda, Co. Louth.
- 3.1.3 Our clients are generally supportive of the scheme but they also have a number of concerns and are seeking changes to some aspects and clarification on other aspects of the scheme. Of particular importance to our clients is the scheme's impact on their property and particularly in respect to access arrangements to same both during and post the construction of the Dart+ Costal North scheme.
- 3.1.4 Our clients are seeking to meet with Irish Rail (CIE) to seek to resolve these concerns in advance on an Oral Hearing on the proposed scheme and to hopefully present an agreed outcome to the Board in respect of same.