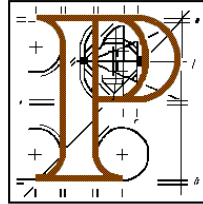


An Bord Pleanála



RAILWAY ORDER

TRANSPORT (RAILWAY INFRASTRUCTURE) ACT 2001 - 2011

**DART UNDERGROUND ELECTRIFIED HEAVY
RAILWAY ORDER 2011**

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PREAMBLE
(Including reasons and considerations)

AN BORD PLEANÁLA (hereinafter also referred to as the “Board”) in exercise of the powers conferred on it by section 43 of the Transport (Railway Infrastructure) Act 2001 (as amended and substituted) (hereinafter also referred to as “the 2001 Act”)

HAVING HAD REGARD TO:

- (a) the application for a Railway Order made on the 30th day of June 2010 by Córas Iompair Éireann;
- (b) the Draft Railway Order and documents submitted with the application, including the content of the Environmental Impact Statement (EIS);
- (c) the submissions made to the Board in writing under section 40(3) of the 2001 Act;
- (d) the submissions made to the Board in writing by the authorities and persons referred to in section 40(1)(c) of the 2001 Act;
- (e) national policy as contained in the provisions of *Transport 21* which contains a main objective to construct the Suburban Rail Interconnector providing a tunnelled link between Heuston Station and the Docklands, via St. Stephen’s Green and linking with the Northern line, and the provisions of the *National Development Plan 2007-2013* which contains an objective to commence the Heuston Docklands Interconnector;
- (f) the provisions of “Smarter Travel: A Sustainable Transport Future - A New Transport Policy for Ireland 2009 – 2020” which sets out how the vision of a sustainable travel and transport system can be achieved;
- (g) regional policy contained in the provisions of ‘A Platform for Change – Dublin Transportation Office Strategy 2000-2016’ and the Regional Planning Guidelines for the Greater Dublin Area 2010-2022;
- (h) the provisions of the Dublin City Development Plan 2011-2017, the Dublin Docklands Area Master Plan 2008, the Docklands North Lotts Planning Scheme 2002 and the Liberties Local Area Plan 2009;
- (i) the written and oral submissions made by the observers and the responses by the applicant at the oral hearing held into the Railway Order application (which took place between November 2010 and April 2011);
- (j) the agreement between the applicant and Dublin City Council, which is incorporated into the schedules of this Order;

- (k) the Construction Stage Scheme Traffic Management Plan which aims to minimise traffic disruption for road users during the scheme construction, in co-operation with the road authority (Dublin City Council), An Garda Síochána and other stakeholders;
- (l) the likely consequences for proper planning and sustainable development in the area in which it is proposed to carry out the Dart Underground works and for the environment of the works; and,
- (m) the reports of the Board's Inspector and the specialist advisors (including the report of the oral hearing).

AND WHEREAS:

The Board completed an environmental impact assessment of the proposed scheme, which considered *inter alia*:

- the environmental impact statement submitted with the application,
- the further submissions made by the applicant at the oral hearing,
- the environmental aspects raised in writing and at the oral hearing by observers, and
- the reports, assessment and conclusions of the Inspector (and the reports of the Board's specialist advisors) in relation to the environmental impacts of the scheme, the conclusions of which were broadly accepted by the Board.

The Board considered that the environmental impacts of the scheme are acceptable and, subject to compliance with the mitigation measures set out in the EIS, as modified at the oral hearing and as conditioned by the Board, the scheme would not have unacceptable adverse effects on the environment.

IT IS THEREFORE CONSIDERED THAT:

Subject to compliance with the conditions set out below, the development of the Dart Underground Electrified Heavy Railway from Inchicore to East Wall via the city centre:

- (a) would provide strategic interconnection between existing and future public transportation systems thereby supporting improved integrated public transport in the wider Dublin region;
- (b) would address the disjointed nature of the national rail network converging on Dublin, enabling more efficient functioning of regional rail services;
- (c) would provide planning benefits and urban regeneration opportunities at the locations of new stations and in areas served by the alignment;
- (d) would not have unacceptable impacts on the environment from construction or operation;

- (e) would not have an unacceptable impact on traffic safety or congestion;
- (f) would not be prejudicial to human health;
- (g) would not adversely affect the character or setting of any protected structure or National Monument; and,
- (h) would be consistent with the proper planning and sustainable development of the area.

FURTHERMORE, in relation to construction impacts:

The Board acknowledged that the construction phase of the proposed development would result in localised negative impacts at the major works sites (that is at East Wall and Inchicore, and at the locations of stations and intervention shafts along the alignment) during the construction period. However it was considered that such impacts are an inevitable consequence of the scale and nature of the project, and that the applicant had demonstrated comprehensive mitigation measures would be employed to alleviate impacts. The Board accepted that the long term benefits of the scheme would outweigh the short term impacts due to construction.

AND THEREFORE:

The Board, being of the opinion that the said application should be **GRANTED** and that the acquisition of the land and any substratum of land specified in this Order and of the rights in over or under public roads specified in this Order (with, in the case of a national road, the consent of the Minister, and in the case of any other public road, the consent of the Minister for the Environment, Community and Local Government), is necessary for giving effect to this Order,

HEREBY AUTHORISES:

The applicant to construct, maintain, improve and operate the railway or the railway works specified herein or any part thereof, in such manner and subject to such conditions, modifications, restrictions and requirements (and on such other terms) as the Board thinks proper and specifies herein.

AND the Board hereby **ORDERS** as follows: