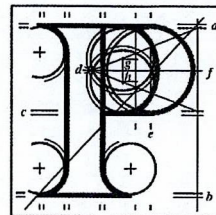


Our Case Number: ABP-310286-21

Your Ref: Daniel Lucey



**An
Bord
Pleanála**

Frank Ross
Blossom Hill
Kilcornan
Co. Limerick

Date: 21st July 2021

Re: Railway works and all works necessary to eliminate and, where necessary, upgrade seven numbered level crossings and carry out all associated and ancillary works along a 24-kilometre section of the Dublin to Cork Railway Line.
Fantstown, Thomastown, Ballyhay, Newtown, Ballycoskery (Ballyhea Village), Shinanagh and Buttevant, Co. Cork and Co. Limerick.

Dear Sir,

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 copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of Cork County Council and Limerick City and County Council and at the offices of An Bord Pleanála when they have been processed by the Board.

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.

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

RA03

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

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

LOG-041789-21.

Frank ROSS

B.Eng. MCIOB Reg. Building Surveyor
CONSULTING ENGINEER

*Blossom Hill,
Kilcor nan,
Co. LIMERICK.*

Mob: 086 8128228

E-mail: frankrosseng@gmail.com

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

06-07-2021

RE: An Bord Pleanála Case reference: NA04.310286

"Description: Railway works and all works necessary to eliminate and, where necessary, upgrade seven numbered level crossings and carry out all associated and ancillary works along a 24-kilometre section of the Dublin to Cork Railway Line".

Dear Sir/ Madam,

Please find attached submission in relation to An Bord Pleanála Case reference: NA04.310286.

The Appellant (Daniel Lucey) is person whose lands maybe acquired under the order and therefore fee is not applicable.

Regards,

Dan Lucey

Daniel Lucey (The Appellant)

Frank Ross

Frank Ross B.Eng.MCIOB Reg. Building Surveyor (The Agent)

| | |
|------------------|-----------------|
| AN BORD PLEANALA | |
| LDG- _____ | |
| ABP- _____ | |
| 08 JUL 2021 | |
| Fee: € _____ | Type: _____ |
| Time: _____ | By: <i>post</i> |

Frank ROSS

B.Eng. MCIOB Reg. Building Surveyor
CONSULTING ENGINEER

*Blossom Hill,
Kilcornan,
Co. LIMERICK.*
Mob: 086 8128228
E-mail: frankrosseng@gmail.com

The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dublin 1
D01 V902

Date: 06-07-2021

1.1 NAME OF THE APPELLANT:

Daniel Lucey (person whose lands maybe acquired under the order)

1.2 ADDRESS OF THE APPELLANT:

Station Road, Buttevant, Co. Cork (Folio CK26597F)

1.3 APPELLANT'S AGENT

Frank Ross B.Eng. MCIOB Reg. Building Surveyor Consultant Engineer

2.0 SUBJECT MATTER OF APPEAL:

An Bord Pleanala Case reference: NA04.310286

"Description: Railway works and all works necessary to eliminate and, where necessary, upgrade seven numbered level crossings and carry out all associated and ancillary works along a 24-kilometre section of the Dublin to Cork Railway Line".

3.0 GENERAL INFORMATION

I, Frank Ross Engineer (the Agent), was retained by Daniel Lucey the Appellant, to prepare a submission at consultation stage (Folio CK26597F). Now, I have been retained by the Appellant to prepare a follow on submission to An Bord Pleanala at planning stage as total cognisance was not taken of the previous submission at consultation stage.

The Appellant is now directly impacted by the new proposal for the new development site.

The Applicant did not fully address any issues raised in the previous submission made at consultation stage.

The lands in question (Folio CK26597F) have road frontage along the entire Buttevant-Newcastle West Road that would have allowed future development to be carried out for all types of developments.

4.0 NEW DEVELOPMENT - GROUNDS OF APPEAL AND THE REASONS, CONSIDERATIONS AND ARGUMENTS ON WHICH THEY ARE BASED:

4.1 FOLLOW ON TO THE SUBMISSION AT CONSULTATION STAGE

Note: The previous submission at consultation stage is shown in "*Italic*" where applicable.

See Appendix A showing submission prepared at consultation stage.

1. *"Existing access on the north east corner of the field Folio CK26597F (owned by Daniel Lucey) is not catered for in relation to reduction of sight lines and road safety."*

If this application is granted at its present format without a link to the existing road to the north, future development options for the Appellant's lands will be eliminated, unless adequate space is provided for the entrance with adequate sight lines in accordance latest roads guidelines. The entrance width should be min. 10.5m to accommodate a 6.5m wide road with 2m wide footpath at either side with junction radii not less than 10m. Surely, this entrance will be required at construction stage to cater for temporary land acquisition as shown on Plan 3A XC219 – Buttevant and left in situ for any future development for the Appellant's lands.

2. *"Access on the northwest corner of the field Folio CK26597F (owned by Daniel Lucey) is not provided."*

The access is still not provided by way of underpass to the existing road.

3. *"Folio CK26597F (owned by Daniel Lucey) is divided with no link access under proposed road".*

You might note that CIE has catered for an access for themselves, but there is no access still provided for the Appellant in the latest drawings. It is a safer option to provide access onto the existing road.

4. *"The short spur road also divides Folio CK26597F (owned by Daniel Lucey)."*

Still applicable to this submission.

5. *"The proposed new road as designed would landlock these lands from further development and will greatly reduce capacity for future developments of the lands Folio CK26597F (owned by Daniel Lucey)"*

The new road design in its present format without a link denies access to the majority of the holding owned by the Appellant in relation to the future development.

6. *"The new road will deny Folio CK26597F (owned by Daniel Lucey), in its present format, to gain access for any new type of the development including developments in relation to farming."*
Still applicable to this submission.
7. *"Compromise will be required prior to formalising the design."*
No proper compromises were made in relation to the link and access to the existing road from the southern portion of the holding owned by the Appellant prior to formalising the design.
8. *"Has RSA approved speed limit change from 80kph to 50kph?"*
Still applicable to this submission.
9. *"To satisfy the needs of the holding, the design would need an access to the north-west part of the lands by providing an underpass under the proposed road next to the western boundary where adequate headroom can be achieved. It would also need a new access onto the old road with adequate sight lines and safe stopping distances"*
Still applicable to this submission.
10. *"While the holding is small, the reduction in area reduces greatly the viability of the holding with reduced stocking rates."*
Still applicable to this submission.

4.2 OTHER CONSIDERATIONS

1. Drawings presented to the Appellant on A3 sheets are not to correct scale and therefore it is difficult to analyse.
2. There are no proper details for the construction stages.
3. The size of the underpass to join the subdivided Appellant's lands by the proposed development needs to be of adequate widths and heights to cater for future development.
4. The Appellant advises that field was previously zoned for development.
5. There is connectivity between the town of Buttevant and the Appellant's lands by way of public lighting and footpaths as far as the railway station.
6. The proximity of the new proposed Limerick - Cork corridor route (pink) should be reviewed in relation to this application submission.

5.0 LINKS WITH INFORMATION PROVIDED BY THE APPLICANT

See Appendix B.

6.0 CONCLUSIONS

(Should be read in conjunction with the information above).

Item 4.1 & 4.2 above need to be addressed.

Proper entrances need to be installed to both parcel of lands divided by the proposed development onto the old existing road and the proposed new road to allow for future works and development.

Dan Lucey

Daniel Lucey (The Appellant)

Frank Ross

Frank Ross B.Eng.MCIOB Reg. Building Surveyor (The Agent)

APPENDIX A
SUBMISSION PREPARED AT CONSULTATION STAGE

Frank ROSS

B.Eng. MCIOB Reg. Building Surveyor
CONSULTING ENGINEER

Blossom Hill,

Kilcornan,

Co.LIMERICK.

Mob: 086 8128228

E-mail: frankrosseng@gmail.com

Date: 14-01-2020

REPORT

(Private and confidential for legal advisors and clients only)

NOTE: *For the purpose of this report Daniel Lucey, the owner of Folio No. CK26597F, will be referred to as DL*

| | |
|---------------------------|--|
| Property: | Station Road, Buttevant, Co.Cork |
| Folio Number: | CK26597F |
| Requested by: | Daniel Lucey |
| Prepared by: | Frank Ross B.Eng.MCIOB Reg.Building Surveyor |
| Inspection Dates: | 14th January 2019 |
| Purpose of Report: | To examine and investigate the impact of proposed Cork line level crossing |

INDEX

- 1.0. GENERAL DETAILS
- 2.0. EXCLUSIONS
- 3.0. INFORMATION SUPPLIED BY CIE.
- 4.0. OBSERVATIONS
- 5.0. CONCLUSIONS

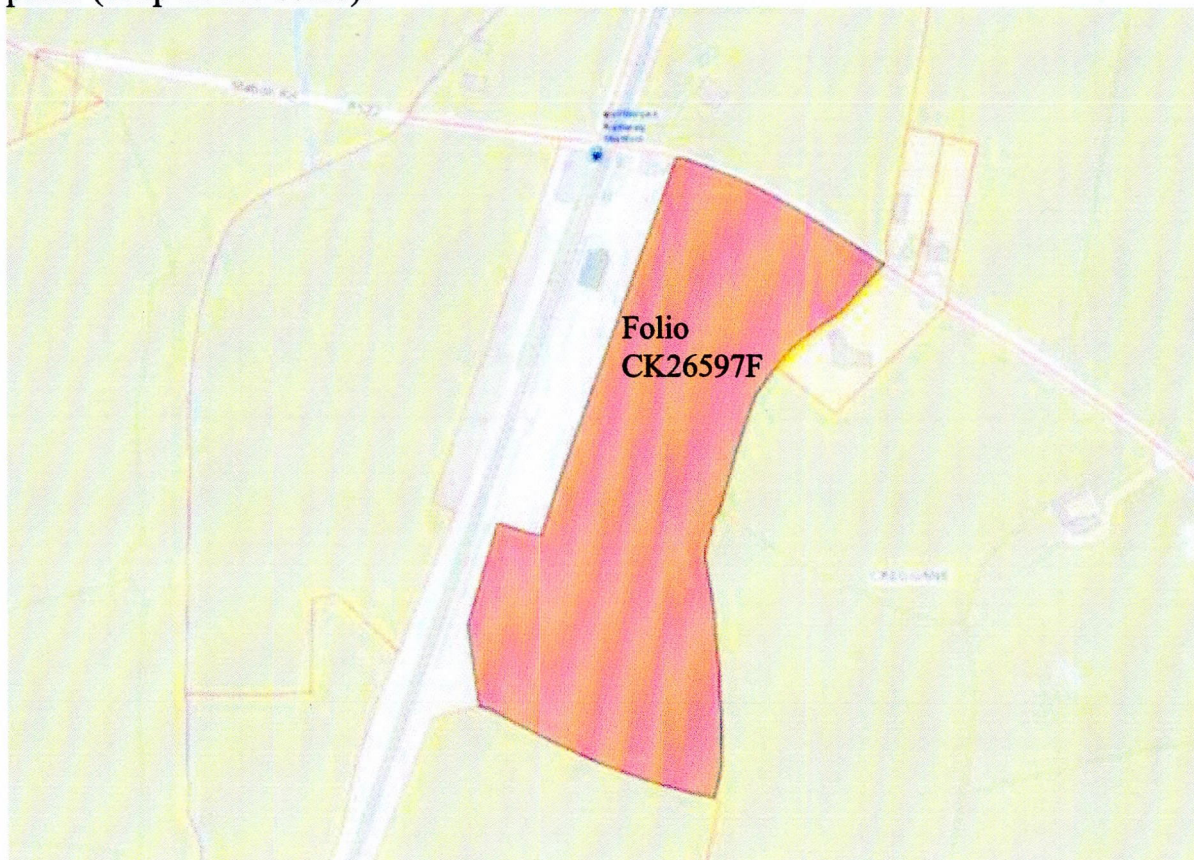
1.0 GENERAL DETAILS

DL owns Folio CK26597F being part of the Townland of Creggane shaded pink on the Land Registry website screenshot map attached below.

DL purchased the lands (Folio CK26597F) in 1981. The lands are used for farming, grazing and silage. The lands abut the main Buttevant – Liscarroll road.

The present access to the lands is through the farm entrance gate on the north-east corner (see photograph 1 in Appendix A). This is the only access to the lands. The adjoining main road is a busy road.

Map 1- Screenshot from Land Registry website showing Folio CK26597F shaded pink. (Map not to scale).



Ordnance Survey Ireland Licence No. EN0080620 (c) Ordnance Survey Ireland/Government of Ireland

2.0 EXCLUSIONS

Inspection was limited for the following reasons:

- Inspection was of a preliminary/superficial nature to examine and investigate the impact of proposed Cork line level crossing
- DL did not get exact details of the road ie. levels, width, is the road in-cut or fill, at this stage.
- The information in this report is based on the maps supplied to the general public by the design team.

3.0 INFORMATION SUPPLIED BY CIE IARNROD EIREANN INFRASTRUCTURE

Map 2- Cork line level crossings map prepared by CIE Iarnrod Eireann Infrastructure with Folio CK26597F outlined in red superimposed on the map. (Map not to scale).



4.0 OBSERVATIONS

- 11.Existing access on the north east corner of the field Folio CK26597F (owned by Daniel Lucey) is not catered for in relation to reduction of sight lines and road safety.
- 12.Access on the northwest corner of the field Folio CK26597F (owned by Daniel Lucey) is not provided.
- 13.Folio CK26597F (owned by Daniel Lucey) is divided with no link access under proposed road.
- 14.The short spur road also divides Folio CK26597F (owned by Daniel Lucey).
- 15.The proposed new road as designed would landlock these lands from further development and ill greatly reduces capacity for future developments of the lands Folio CK26597F (owned by Daniel Lucey).
- 16.The new road will deny the Folio CK26597F (owned by Daniel Lucey), in its present format, to gain access for any new type of the development including developments in relation to farming.
- 17.Compromise will be required prior to formalising the design.
- 18.Has RSA approved speed limit change from 80kph to 50kph?
- 19.To satisfy the needs of the holding, the design would need an access to the north-west part of the lands by providing a culvert under the proposed road next to the western boundary where adequate headroom can be achieved. It would also need a new access onto the old road with adequate sight lines and safe stopping distances.
- 20.While the holding is small, the reduction in area reduces greatly the viability of the holding with reduced stocking rates.


Frank Ross B.Eng. MCIOB Reg. Building Surveyor

APPENDIX A

Photograph 1- Entrance gate to the lands (Folio CK26597F).



APPENDIX B

LINKS WITH INFORMATION PROVIDED BY THE APPLICANT

<https://www.pleanala.ie/en-ie/cases?description=cork%20line%20level%20crossings&lodgedto=2021-07-02>

<https://www.irishrail.ie/en-ie/about-us/iarnrod-eireann-projects-and-investments/cork-line-level-crossings-project>

<https://www.irishrail.ie/en-ie/about-us/iarnrod-eireann-projects-and-investments/cork-line-level-crossings-project/railway-order>

Maps:

<https://drive.google.com/drive/folders/1k9W2Gr4ZvYWDZJvQx3tfFHaEBvCkyAdO?usp=sharing>

<https://drive.google.com/drive/folders/1yCyiDj7MOhunjsbCCBa2rmAQpLusB4IL?usp=sharing>