

Oral Hearing Statement

In respect of

Dart+ West Electrified
Railway Order 2022



An Bord Pleanála Reg. Ref. 314232-22

On behalf of

Sherwood Homes Limited

October 2023



**Brock
McClure**

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1 Introduction

Brock McClure Planning & Development Consultants and DBFL Consulting Engineers have been instructed to represent Sherwood Homes Ltd (SHL) in respect of the Dart + West Draft Railway Order and to prepare this written statement for the Oral Hearing.

This statement is read by Laura Brock, a Founding Partner in Brock McClure Planning & Development Consultants. I am a Chartered Town Planner with a Masters in Regional and Urban Planning and BSc. (Surveying) and a Diploma in Property Economics. I am a member of both the Irish Planning Institute and Royal Town Planning Institute.

SHL control approx. 38 ha of land at Newtown on the western side of Maynooth. These lands immediately adjoin the railway line and SHL are therefore directly affected by the works proposed in the Dart + West Railway Order. For this reason, SHL made a submission to the Dart + West Railway Order on the 28th October 2022. SHL have also continued to engage with CIE in a number of online meetings since making that submission on dates noted as 18th July and 8 September 2023.

We are aware of the Inspector's request to not repeat details of the original submission and so for this reason this statement will comprise briefly of the following:-

- 1) SHL wish to restate its support for the DART + West Railway Order, but also wish to convey their frustration with the Railway Order Process (as set out in Section 2 of this statement).
- 2) To update the Inspector with regards to negotiations with CIE on maintaining agricultural access to SHL lands off the L5041 (as set out in section 3 of this statement).
- 3) To get clarification on a number of issues that were raised by SHL in its original submission to the Dart + West Railway Order (on the 28th October 2022) and which have still not been adequately addressed in CIE's Response document (Section 3.34 Ref. No.36 – LO 090 – Sherwood Homes Limited). Specifically, the points we wish to raise relate to the following:
 - a) Does the proposed Draft Railway Order preclude the delivery of Statutory Objectives TR02¹ and TMO66 and the subsequent delivery of the Maynooth Outer Orbital Route (MOOR) and the 'Maynooth to Leixlip N4 Scheme'.
 - b) Will the proposed works preclude the delivery of the second train station at Maynooth (as indicated in the Maynooth pre-draft public consultation LAP issues paper).
 - c) Clarification on issues relating to impacts on SHL lands as stated under the EIAR and reference to an existing access from the east.
 - d) Other minor issues.

These matters are further set out in Section 4 of this statement.

Before getting into the detail of this statement, it is important to highlight the fact that in January 2023, Kildare County Council adopted its County Development Plan (2023-2029). We specifically refer the Inspector to Road Objective TM O66² of that Development Plan which seeks the implementation of the MOOR and to maintain corridors free from development to facilitate such schemes. It is also anticipated that the Draft Maynooth Local Area Plan will be forthcoming over Quarter 4 of this year. We would therefore respectfully request that the Inspector be mindful of these recent and forthcoming changes within the policy landscape when deliberating this application for the DART+ West Railway Project.

¹ TRO 2

It is an objective of the Council to facilitate the future construction of the following roads and in the interim protect these routes from development: ...

(e) Between Kilcock Road (F) and the Rathcoffey Road (G)

(f) Between Rathcoffey Road (G) and the Straffan Road (A)...

² TM O66

Secure the implementation of the Priority Road and Bridge Projects and the Regional Roads Identified for Improvement (Table 5.4 and 5.5, refer) and maintain corridors free from development to facilitate future roads, cycle facilities and other transport infrastructure improvement identified within this Plan and Local Area Plans.





2 SHL Support for the DART + West Railway Order / SHL Frustration with the Process

SHL fully supports the DART + West Railway Order insofar as this significant infrastructure project represents integrated transport planning; supports sustainable development; and supports positive climate action.

SHL are acutely aware of the strategic importance of its lands and the requirement to work collaboratively with stakeholders to deliver integrated and joined up transport infrastructure (by way of the MOOR) and rail infrastructure (by way of the current Railway Order and also KCC's aspirations to provide a second railway station on the western side of Maynooth). It is for this reason that SHL have continuously expressed their eagerness to work collaboratively with KCC and CIE and have sought to engage proactively in all public consultations.

It is unfortunate however that throughout this process, CIE have not engaged with SHL in a way that acknowledges it as a key stakeholder in the Maynooth area. CIE's lack of regard for the strategic importance of SHL lands is reiterated in their response (**Item 6 of CIE Response submission**) where CIE continues to refer to the current agricultural zoning of SHL lands and fails to acknowledge that this is a key landbank located immediately adjacent to the urban edge of Maynooth and which lies within the development boundary of the forthcoming Draft Maynooth LAP. CIE have also failed to acknowledge the importance of these lands insofar as they relate to a number of future transportation projects, (including the MOOR, the DART+ West Scheme, the Maynooth to Leixlip N4 project and the proposed second train station for Maynooth).

Like many of the other observers to this Railway Order, SHL have found engagement with CIE challenging. At no point in the consultation process has SHL felt that it had any agency with regards to the emerging design as it impacts on their lands.

We would respectfully suggest that CIE have determined its plans with no meaningful consideration of plans, policies and investments. **We have an over-riding concern that CIE are of the view that the Railway Order has a primacy, and all other policy, even that with a statutory basis, should align with the Order.**

In meetings with CIE, SHL have continuously reiterated its concerns that the proposed works will impact on:-

- a) The Delivery of the MOOR;
- b) The Delivery of a second railway station west of Maynooth;
- c) The future development potential of SHL lands.

CIE's response to these concerns has always been, that these issues are either a) outside the scope of the Railway Order or b) cost prohibitive, and as a result all discussions relating to these issues are continuously shut down. For this reason, the only item that SHL have been able to successfully negotiate with CIE, has related to the maintenance of its existing agricultural access off the L5041 (which will be discussed in more detail under Section 3 below). However, with regards to items (a)-(c) referred to above, SHL continue to have significant concerns. It is hoped that by way of this Oral Hearing, that clarification can be sought on a number of matters, which will in turn ensure that this Railway Order does not set a dangerous precedent for similar infrastructural projects in precluding statutory local objectives. These issues will be discussed in more detail under Section 4 below.

As a final point, we would like to take this opportunity to point out to the Board that, as observers, SHL was not formally made aware (as part of this Railway Order Process) that CIE had prepared a response to submissions and that revised access arrangements had been designed for its lands. Like many other observers, SHL found out indirectly about these submissions and had to source this additional information via the CIE DART + West Portal.



3 Negotiations with CIE with to maintain the existing agricultural access to SHL Lands

As the Inspector will be aware, part of SHL's original submission raised concerns with regards to the permanent severance of the only existing agricultural access to its lands (off the L5041) and the impact that this would have on the continued operation of these lands for agricultural use. This was raised under **Item 3 of CIE Response submission**. CIE's response to this Item is deemed to be inadequate and provides no clarity.

CLÉ's response stated that "access to the L5041 is proposed via a new agricultural access that will replace the existing agricultural access to the south of Jackson's Bridge. The access from the east will remain unaffected."

As raised with the DART+ West Team previously, and reiterated now, it is unclear from the material provided by CIÉ in the draft Railway Order what or where the “existing access to the east” refers to, as it is at no point shown or clearly described.

We wish to reiterate once again, for the record, that there is no access from the east to the subject lands.

That is to say that the Castledawson Housing estate (immediately adjoining SHL lands to the east) are controlled by a third party and the existing farmhouse access (off Newtown Road) which is controlled by SHL, serves 4 No. existing residences (namely Newtown House and Apts 1-3 at Newtown House). To this end, we refer the Inspector to Section 3.2 of the DBFL report which was submitted in October 2022 on behalf of SHL which discusses this issue relating access from the east in greater detail.

With regards to the new agricultural access (referred to by CIE in its response), we can confirm to the Board, that SHL has engaged in numerous meetings with CIE at every opportunity available both prior to our initial submission and in recent months. At this stage in the proceedings, it has managed to negotiate a compensatory access arrangement which is submitted to the Board as part of this statement (Figure 1 below refers).

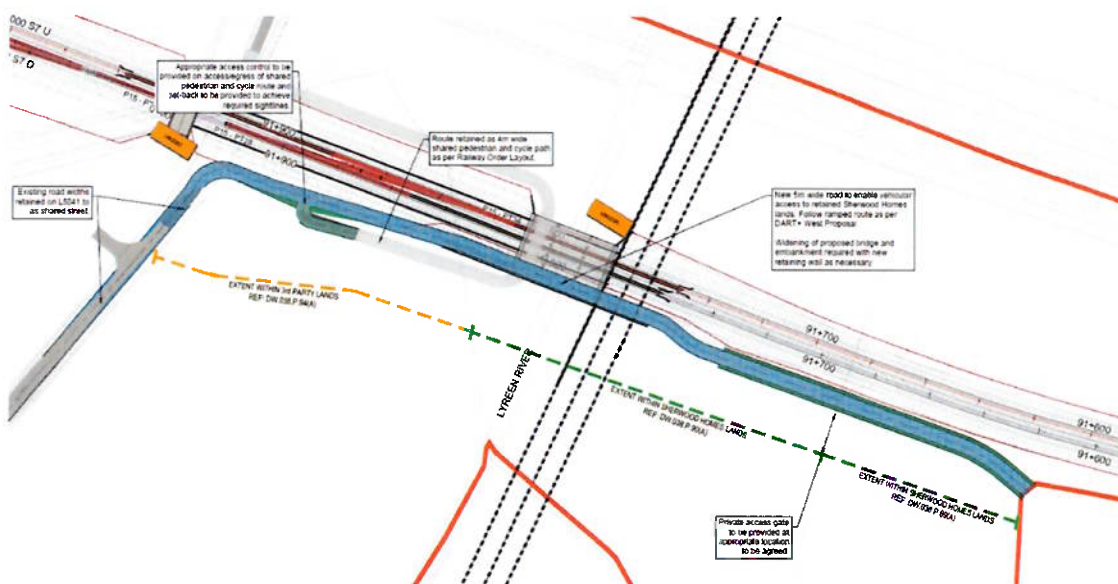


Figure 1 – Extract of proposed access arrangement from drawing 220139-DBFL-RD-DR-C-0201



This potential alternative access arrangement has been developed by DBFL Consulting Engineers, whereby vehicular traffic would be able to continue along the L5041 before turning eastwards parallel to the proposed rail line. The design parameters of same were discussed with the DART+ West Team within a meeting on September 8th, 2023, so that there was a clear understanding on what arrangement would work holistically.

A 5m wide vehicular road would deviate from the L5041, then slope upwards and continue across the bridge deck already proposed within the draft Railway Order as UBG22A (with the bridge deck widening accordingly), before sloping down and continuing to the boundary of SHL retained lands. A private access gate would need to be provided at an agreed location.

At an appropriate location, the pedestrian and cyclist route would connect to / from the roadway (ensuring sightlines are achieved and access control is provided), continuing to the underpass as described in the Railway Order.

This proposed arrangement takes cognisance of the currently proposed embankments and flood alleviation zones and seeks to achieve a compensatory access to SHL lands without significantly altering the DART+ West proposals.

An extract of the proposed arrangement is shown in Figure 1, with new road connection shown in blue, and revised pedestrian / cyclist connection shown in green. The full drawing has been appended to this written statement on drawing no. 220139-DBFL-RD-DR-C-0201 prepared by DBFL Consulting Engineers.

It is submitted that such an arrangement (or reasonable and acceptable alternative) must be considered for inclusion in the DART+ West Railway Order as a compensatory access to SHL's retained lands, with details of same to be developed further in the overall design.





4 Clarification Still Required

While the Applicants response to SHL's submission is noted, many aspects of its response are inadequate, and for this reason further clarification is required. For convenience these issues are grouped under four headings for the purpose of this section: -

- a) The delivery of statutory road objective TRo 2 of the current Maynooth LAP, which seeks to deliver the Maynooth Outer Orbital Route (the MOOR) and subsequent delivery of the Maynooth to Leixlip N4 Scheme; and TMO 66 of the Kildare County Development Plan 2023-2029, which seeks the implementation of the MOOR and to maintain corridors free from development to facilitate such scheme.
- b) The delivery of a second train station at Maynooth (as indicated in the Maynooth pre-draft public consultation LAP issues paper).
- c) Clarification on the assessment of Impacts as stated in the EIAR.
- d) Other Minor Issues.

A. Does the proposed Draft Railway Order preclude the delivery of Statutory Objectives TRo 2 and TMO 66 and the subsequent delivery of the Maynooth Outer Orbital Route (MOOR) and the 'Maynooth to Leixlip N4 Scheme'?

Items 2, 4 and 5 of CIE Response submission refers.

The MOOR

The statement by CIE that the MOOR Road objectives are only "indicative" and that "the project team on MOOR will therefore need to be cognisant of the DART+ West, and incorporate the design of the project, where appropriate" is not accepted. It is unfortunate that CIE's response to the issues raised in our submission have been so lacking and that the delivery of statutory local roads objectives remain jeopardised. Having had regard to CIE's response we wish to state the following:

- Road Objective TRO 2 has been a statutory objective of the Maynooth LAP since 2013. While the location of the road may be indicative on the LAP Road Objectives map, the fact that the delivery of the MOOR is dependent on a daisy-chain of road objectives being delivered (i.e. TRO 2 (a) – (h)), there is a clear requirement for these road objectives to be able to join up such that cumulatively they can facilitate the delivery of the MOOR.
- Road Objective TM O66 (as per the recently adopted Kildare County Development Plan 2023-20) also seeks the implementation of the MOOR and to maintain corridors free from development to facilitate such schemes.
- The reason for not facilitating the crossing of the MOOR (as explained to SHL by the Dart+ West Team in online meetings) would appear to relate to the fact that the height required to bridge the railway at this location is cost prohibitive and this combined with the flood risk issues, means that it is not feasible. While we note that there are naturally occurring flood lands within SHL lands, many of the proposed storage areas on the drawings are referred to as new "engineered" storage. We are therefore querying if it is these new engineered storage areas that are precluding the delivery of the MOOR?
- We are also curious to know if KCC and CIE have at any time in their communications, looked at alternative options for facilitating the crossing of the MOOR at this location. We note that as part of this Railway Order, CIE are proposing to bridge the line further east at the new Depot site. We would therefore like to pose the question - if the crossing of the MOOR at Jacksons Bridge (as indicatively shown on the LAP Roads Objective Map) is to be precluded due to engineering or cost constraints, is there anything prohibiting the L5041 diversion and new bridge at the new CIE Depot forming part of the MOOR?





The Maynooth to Leixlip N4 Project

With respect to CIÉ's response on the N4 Maynooth to Leixlip Project, CIE claim that this route is confined to the existing N4/M4 road corridor and therefore outside of the development boundary of the DART+ West project. It is respectfully submitted that this has not been reviewed appropriately by CIÉ.

The route option at Junction 7 is dependent upon the realisation of the MOOR through SHL lands.

Planning on a first come, first served basis

While it is understood that CIÉ are heavily relying on a 'first come, first served' basis, it is considered that such an approach does not comply with the principles of integrated transportation planning.

That is to say that just because the preparation of the Dart+ West Railway Order has happened in advance of the planning stages for the MOOR and the Maynooth to Leixlip N4 Schemes, that this Railway Order can quash all prior work relating to these projects and preclude the delivery of statutory roads objectives.

We therefore respectfully request that the Inspector in their final assessment considers the following:-

- a) Does the proposed draft Railway Order through the subject lands represent a missed opportunity to facilitate the coordinated delivery of the MOOR and the Maynooth to Leixlip N4 Scheme and to create a robust, sustainable transport network around and through Maynooth?
- b) If the delivery of the proposed new off-line alignment, south of the existing track, in the vicinity of Jacksons Bridge seems to be precluding the delivery of Statutory Road Objective TRO 2 and TM 066, should CIE be asked to consider alternatives?
- c) Would the granting of the proposed Draft Railway Order (as it is currently proposed) set a dangerous precedent whereby large infrastructural projects (such as this one) are allowed to preclude statutory roads objectives?

B. Will the proposed works preclude the delivery of the second train station at Maynooth (as indicated in the Maynooth pre-draft public consultation LAP issues paper).

Item 7 of CIE Response submission refers.

SHL's original submission contended that the proposed railway works will obstruct the delivery of a second train station on the western side of Maynooth due to the closure of all public road accesses at this area. CIE's response on this Item has been inadequate.

CIÉ considers that it does not preclude the second train station as the location earmarked on our client's lands is indicative only within the Pre-Draft Issues Paper of the Maynooth and Environs Joint LAP 2024-2030.

CIE have failed to address how this second railway station might be accessed given that the Draft Railway Order seeks to a) close Jacksons Bridge to vehicular traffic and b) jeopardise the delivery of the MOOR at this location on the premise that the bridging of the planned MOOR over the railway line is outside the remit of the Railway Order and is also proving to be cost prohibitive. We again invite CIE to consider how access to any future railway station west of Maynooth might be achieved given that the proposed Draft Railway Order will have such a detrimental impact on the existing and planned road network in this area.

We also wish to refer to again the issue relating to flooding that CIE have raised with us in our meetings. We are querying whether the proposed new "engineered" storage areas might, in fact, be precluding the delivery of the second station at this location?





C. Clarification on the assessment of impacts as stated in the EIAR

Item 2 of CIE Response submission refers

It is considered that CIÉ's response to this item (which raised concerns with regards to the assessment of impact on the non-agricultural property per Chapter 17 of the EIAR) is inadequate.

Firstly, despite the lands being zoned for 'Agricultural uses' (as CIÉ noted themselves in their response to Items no. 1 and 2), the site was assessed as a 'Non-Agricultural Property' within Chapter 17 as opposed to an Agricultural Property within Chapter 16.

It is questioned why the lands were assessed as non-agricultural given the zoning and current agricultural use.

As regards to the significance of impact being deemed as 'Moderate', it is not considered to be an appropriate evaluation and CIÉ has not had any regard to SHL's submission relating to this matter.

The subject lands are zoned and therefore under the baseline rating criteria should have been noted as 'High'.

Item 9 of CIE Response submission refers

CIÉ's response states that: "The Magnitude of Impact for this property is deemed to be Medium (as per Table 17-3 of the EIAR) which is defined as "An impact on the property where the use of the property can continue". The Medium Magnitude of Impact is deemed appropriate for development lands with access from the east."

As raised previously, it is unclear from the material provided by CIÉ in the Railway Order what these "existing accesses to the east" relate to as it has at no point been shown or clearly described. We therefore deem this response by CIÉ to be inadequate and request further clarification.

Item 11 of CIE Response submission refers

CIÉ's response notes that the calculation and assessment errors within the Traffic Impact Statement for the 2.5 km diversion at Jackson's Bridge shall be addressed at Oral Hearing stage, and we await such explanations.

D. Other Minor Issues

Item 1 of CIE Response submission refers

It is questioned as to why CIÉ have decided to only benignly respond to the statement that "the majority of the lands lie within the development boundary of Maynooth and are zoned for agricultural uses, under the current Maynooth LAP."

No issue or concern was raised in this statement rather it was describing the location and statutory context of the lands.

We just wish to point this out to the Inspector and to note that this is an inadequate response by CIÉ to this item.





5 Conclusion

We wish to reiterate that SHL supports the general principles and intentions of the proposed Railway Order. However, as demonstrated in this written statement, SHL require clarification on a number of issues that were not adequately addressed by CIE in its response to submissions.

We would like to thank the Board for offering us the opportunity to read this statement today and very much appreciate the Inspector considering and getting clarification on the issues raised which not only affect our clients but also the wider community at Maynooth.

We trust the Board will have regard to submitted material and we are available to address any queries that may arise over the course of the Hearing.

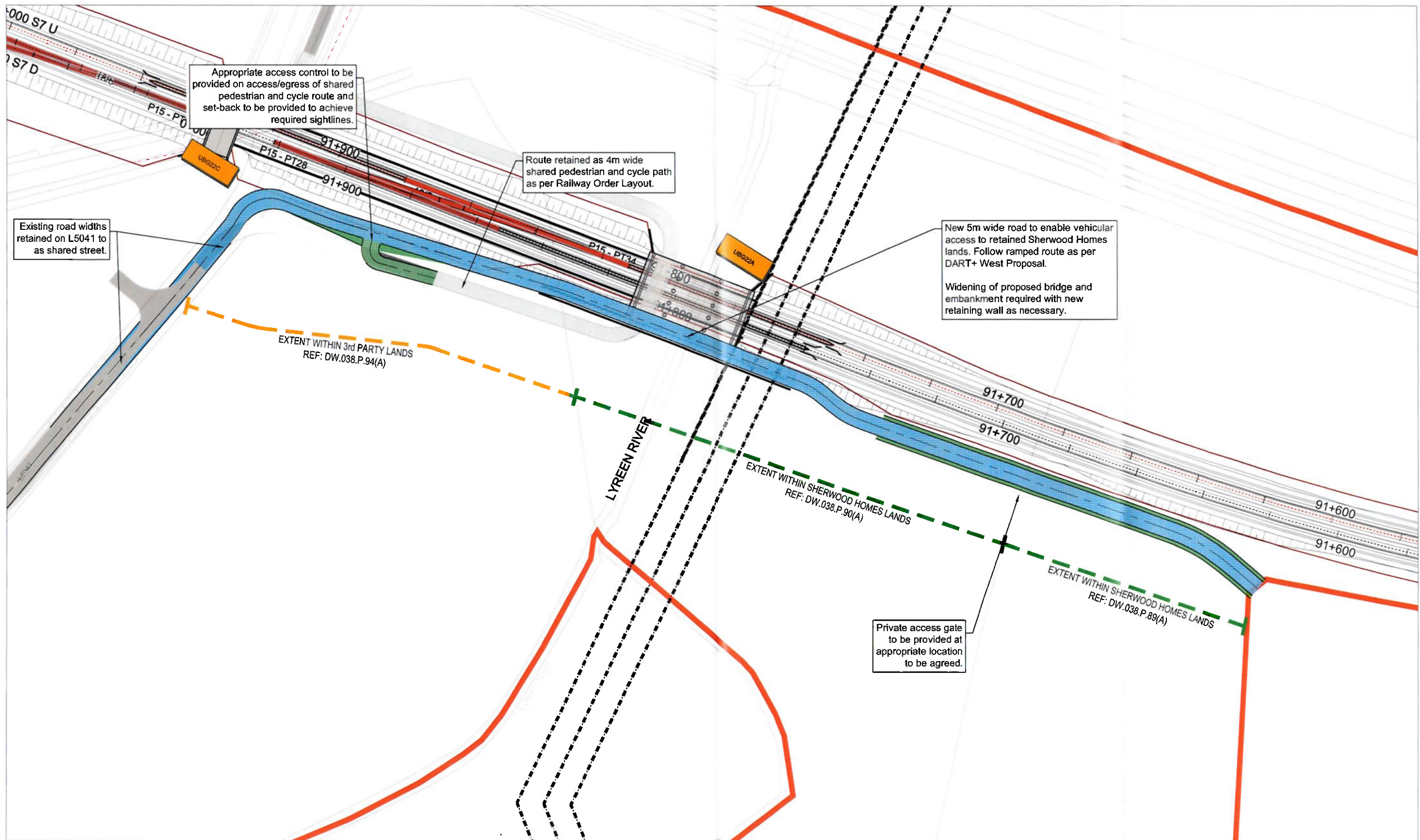




6 Appendix

1. DBFL Drawing No. 220139-DBFL-RD-DR-C-0201
2. CIE Response to Submissions Document – Extract





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0	28-09-23	Oral Hearing Issue	DPH	DPH
rev	date	description	by	chkd.
		A - Approved		
client approval		B - Approved with comments		
		C - Do not use		
suitability		issue purpose		
S2 - INFORMATION		Information		

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project ref.

SUBMISSION ON DART+ WEST DRAFT RAILWAY ORDER

drawing title

SHERWOOD ACCESS ROAD POTENTIAL ARRANGEMENT

client

SHERWOOD HOMES LIMITED

designed by	author	scale	sheet size
DPH	DPH	1:1000	A3
drawing no.			revision
220139-DBFL-RD-DR-C-0201			P01

3.34 Ref. No.36 – LO090 – Sherwood Homes Limited

Representative – Suzanne McClure of Brock McClure Planning & Development Consultants

3.34.1 Submission, Location – depot

Issues raised in submission are addressed with their responses below.

3.34.2 Response to submission

1. Summary of issue raised - The majority of the lands lie within the development boundary of Maynooth and are zoned for agricultural uses, under the current Maynooth LAP 2013-2019.

Response to issue raised

The proposed development is located within sections of lands zoned for agriculture within the Maynooth Local Area Plan 2013-2019 (Amendment No.1). The use of these lands by the project is required to construct a new offline track alignment leading into the proposed depot. Due to the existing track being below the 1:1000 flood level at Jackson's Bridge and to reduce significant impacts on the protected structure Jackson Bridge itself the preferred option at this location is to realign the tracks offline through these agricultural lands and to raise the level of the tracks above the 1:1000-year flood level. The land use zoning does not preclude the development of transport infrastructure on agricultural lands.

2. Summary of issue raised - any consideration of the impact of the proposed RO on the clients lands must consider (a) current use and operation of these lands, (b) the impact on the delivery of critical planned road Infrastructure (MOOR and N4 Scheme) within these lands, and (c) the potential future development of these lands having regard to KCCs population targets for Maynooth and desire to provide a second train station in this area to serve the Western side of Maynooth.

Response to issue raised

The impact of the DART+ West project on this property has been considered and assessed within Section 17 Material Assets: Non-agricultural property of the EIAR. The assessment of the property impact has been assessed and the significance of this impact is deemed to be 'Moderate'. This assessment has considered the area of temporary and permanent land take, the lands being zoned for agricultural use under the Maynooth Local Area Plan 2013-2019 and the current agricultural land use.

As identified on Map 1 in the Maynooth Local Area Plan 2013-2019 (Amendment No.1) the location of map based Road Objective (i) – (vii) which cumulatively form the Maynooth Outer Orbital Road (MOOR) are 'indicative only'. At the time of preparation of the draft Railway Order application for the DART+ West project, the planning stage of the MOOR had not commenced (i.e. there is no options or preferred option to consider). The project team on MOOR will therefore need to be cognisant of the DART+ West, and incorporate the design of the project, where appropriate.

The Constraints and Options non statutory public consultation for the N4 Maynooth to Leixlip Project was held in September 2022, after the draft Railway Order application for the DART+ West was submitted. According to the information on display at the public consultation, the options considered are mainly confined to the existing N4 /M4 road corridor, and therefore this project outside of the development boundary of the DART+ West project.

See 2.7.14 of this report in relation to the second train station for Maynooth.

3. Summary of issue raised - The proposed works will result in permanent severance of the only existing agricultural access to these lands with no suitable compensatory access arrangement being provided to allow for the continued uninterrupted operation of these lands for agricultural uses and will effectively render the entire remainder of the client's lands unusable.

Response to issue raised

The existing lands along the L5041 are zoned as agricultural lands. Access to the L5041 is proposed via a new agricultural access that will replace the existing agricultural access to the south of Jackson's Bridge. The existing access is shown below. The access from the east will remain unaffected.



Existing Access to Lands South of Jackson's Bridge (Google Street View)

4. **Summary of issue raised** - The proposed works will impact on delivery of the MOOR. There has been no reference to KCCs aspirations for the MOOR as set out in statutory planning policy.

Response to issue raised

As identified in the Maynooth Local Area Plan 2013-2019 (Amendment No.1), the location of map based Road Objective (i) – (vii) on Map 1 which cumulatively form the Maynooth Outer Orbital Road (MOOR) are 'indicative only'. At the time of preparation of the Railway Order application for the DART+ West project, the planning stage of the MOOR had not commenced. The project team on MOOR will therefore need to be cognisant of the DART+ West, and incorporate the design of the project, where appropriate.

5. **Summary of issue raised** - The proposed works will impact and undermine the delivery of the Maynooth to Leixlip N4 Scheme.

Response to issue raised

The Constraints and Options non statutory public consultation for the N4 Maynooth to Leixlip Project was held in September 2022, after the draft Railway Order application for the DART+ West was submitted. According to the information on display at the public consultation, the options considered are mainly confined to the existing N4 /M4 road corridor, and therefore this project outside of the development boundary of the DART+ West project.

6. **Summary of issue raised** - The proposed works will impact on the future development potential of the strategically located lands on the western side of Maynooth.

Response to issue raised

Under the Maynooth Local Area Plan 2013-2019 (Amendment No.1), lands west of Maynooth are currently zoned for agriculture, the purpose of which is to "*ensure the retention of agricultural uses and protect them from urban sprawl and ribbon development*".

7. Summary of issue raised - As per the Maynooth LAP Issues Paper, the proposed works will obstruct the delivery of a second train station due to the closure of all public road accesses at this area.

Response to issue raised

See 2.7.14 of this report in relation to the second train station for Maynooth.

8. Summary of issue raised - The RO conflicts with the Maynooth LAP objective TRO 2 and the Kildare County Development Plan objective M 06 and Section 17.2.8 of the Development Management Standards. It jeopardises the future developmental potential of Maynooth and the subject lands. The RO is premature as it has no regard to KCCs planned development aspirations for Maynooth as set out in the Maynooth and Environs Joint LAP Issues Paper 2024-2030.

Response to issue raised

The proposed development does not preclude the development of other planning policies. Maynooth Local Area Plan, 'TRO 2: TRO 2: To facilitate the future construction of the following roads and in the interim protect these routes from development:

(a) (e) Between the Kilcock Road (F) and the Rathcoffey Road (G)

(f) Between the Rathcoffey Road (G) and the Straffan Road (A)....".

There is no design information available for these projects. The proposed development does not preclude the future delivery of any future road projects, however future projects will have to be cognisant of the DART+ West project. IE will continue to work with Kildare County Council as appropriate.

The Kildare County Development Plan 2017-2023 M 06 states 'Improve safety and capacity at the M4 Maynooth Interchange (Junction 7) and to investigate the provision of a future improved connection to the M4, at this location or elsewhere near Maynooth.' IE have been in discussions with Kildare County Council roads department and are aware of the development of this project which is at design stage and has not been submitted for planning. The proposed development does not preclude the achievement of this roads objectives and supports the development of safety and capacity improvements as it relates to the rail infrastructure.

Section 17.2.8 Development standards relates to, "Access to Land" and states, Development should be designed in such a fashion that it will not prejudice the provision of vehicular or pedestrian access, or key infrastructural services in adjoining lands. Development should also be designed so as to ensure 'ransom strips' will not inhibit future development." As already stated the proposed development has been designed as far as practicable online however as part of the options assessment process, offline interventions are required in certain locations such as at Jackson bridge.

The Pre-draft consultation Issues Paper to inform the preparation of the Joint Maynooth and Environs Local Area Plan (LAP) 2024-2030 was issued for consultation by Kildare and Meath County Councils in September 2022, after the draft Railway Order application for this proposed development was submitted to An Bord Pleanála. Having reviewed the Issues Paper the DART+ West project supports a spatial framework for guiding the future development of Maynooth and its environs based on sustainable high quality integrated rail based transportation services for existing and future housing, retail, heritage, employment, and social and community infrastructure in Maynooth. It does not preclude any future concepts presented in the issues paper including a station to the West of Maynooth or roads objectives all of which will be subject to further studies and appropriate assessments.

9. Summary of issue raised - Inaccuracy in EIAR: Assessment of impact on the client's land under Chapter 17 does not appear to comply with the EIAR's own stated methodology as stated under Section 17.3-2.1 (Refer to Section 4.3 of the accompanying Infrastructure Report by DBFL).

Response to issue raised

The impact of the proposed development on this property has been considered and assessed within Section 17 Material Assets: Non-agricultural property of the EIAR. The assessment of the property

impact has been assessed and the significance of this impact is deemed to be 'Moderate'. This assessment has considered the area of temporary and permanent land take, the lands being zoned for agricultural use under the Maynooth Local Area Plan 2013-2019 and the current agricultural land use.

The methodology for determining the significance of the impact on this property is set out in Section 17.3.2.1 and is based on the assigned baseline rating together with the Magnitude of Impact on the property. The baseline rating for this property is deemed to be Medium (as per Table 17-2 of the EIAR) which is defined as "Land / site that is not zoned and / or planning permission does not exist for development". Under the Maynooth LAP 2013-2019 this property is within the LAP boundary and is Zoned Agricultural. This status is considered comparable with the definition for Medium in Table 17-2 given the lands are not zoned for development.

The Railway Order for the proposed development will involve permanent landtake from ID 89 of 3.8771ha agricultural lands and temporary landtake of 0.0859ha agricultural lands as well as permanent landtake of 2.7488ha agricultural lands and 0.0191ha public road. The Magnitude of Impact for this property is deemed to be Medium (as per Table 17-3 of the EIAR) which is defined as "An impact on the property where the use of the property can continue". The Medium Magnitude of Impact is deemed appropriate for development lands with access from the east. The Significance of Impact for this property is deemed to be Moderate (as per Table 17-4 of the EIAR) based on a Medium Baseline Rating and a Medium Magnitude of Impact.

Section 17.6 of the EIAR outlines measures to mitigate the impact of the proposed development on property. These include the reinstatement of temporarily acquired lands, the replacement of property boundaries on a like for like basis and the maintenance of access during construction and operation phase.

Where the property to be considered an agricultural property and an impact assessment carried out per Chapter 16 of the EIAR, the significance of the residual agricultural impact would be Moderate. The significance of the impact (as per Table 16-4 of the EIAR) is determined by a medium baseline rating and a medium Magnitude of Impact. The Residual Impact would have considered the implementation of mitigation measures including the restoration of agricultural access. In the absence of agricultural access being restored the significance of the residual impact would be Very Significant (as per Table 16-4 of the EIAR).

10. **Summary of issue raised** - CIÉ noted that bridging MOOR at this location is cost prohibitive due to span and height of bridge that would be required.

Response to issue raised

The MOOR is not part of the DART+ West project however the indicative location of the MOOR would need to take account the level and road constraints with regard to flooding, proposed new rail levels, existing development and the existing road levels of the R148 to the north of the rail line. The proposed DART+ West does not preclude the delivery of the MOOR.

11. **Summary of issue raised** - Highlights inaccuracy in EIAR: Calculation and assessment errors within the Traffic Impact Assessment.

Response to issue raised

The impact on vehicular traffic was assessed based on distance and journey time criteria. The impact on the Jackson's bridge was assessed correctly as negative moderate as stated in section 6.5.2.5 of the EIAR, however the 2.5km diversion at Jackson's Bridge was not included in the results in Table 6-15. The maximum % change in journey time in AM and PM peak periods should be between 95% and 94% respectively for this route. This will be addressed at Oral Hearing stage.

3.35 Ref. No.37 – LO090 – Sherwood Homes Limited

Representative – Tom Phillips and Associates

3.35.1 Submission, Location – depot

Submission relates to the non-consideration of Sherwood Homes Ltd lands at Newtown, Maynooth, questioning how access could be provided to facilitate, expedite and integrate the DART+ West project with delivery of the Maynooth Outer Orbital Route.

3.35.2 Response to submission

Responses to points raised in this submission are provided in above in Section 3.34 of this report.

3.36 Ref. No.38 – LO093 – St. Patrick's College Maynooth

Representative – John Spain Associates

3.36.1 Submission, Location – depot

Issues raised in submission are addressed with their responses below.

3.36.2 Response to submission

1. Summary of issue raised - the level of population growth identified in Maynooth will have significant impacts on the existing and planned upgrades to the Maynooth railway line and suggests that a new DART station to the west of the town, where most new housing is likely to be developed, should now be actively planned for as part of the DART + West proposals.

Response to issue raised

The existing project includes modifications to Maynooth train station to allow for the planned increases in capacity. This project does not preclude the provision of a new train station and or park-and-ride facility which can be progressed as part of a separate application at a later date.

Section 7.5.4 of Chapter 7 Population of the EIAR, the increased frequency of train services will have a significant positive long-term effect on rail passenger travel, accessibility to employment and will promote sustainable travel patterns and future development opportunities across the study area and beyond. Furthermore, the proposed development will likely have positive, significant and long-term residual effect on the existing and emerging land use trends which support population growth and zoned development.

The now adopted Transport Strategy for the Greater Dublin Area 2022-2042 recognises that 'As the commuter rail network is electrified under DART+, the benefits in terms of improved and more uniform train speeds and frequencies along these lines can facilitate additional stops.'

The provision of the new station is not included in the DART+ West scope- however, any future station will be considered as a separate project, taking the DART+ West project proposals into consideration.

2. Summary of issue raised - The RO application has not adequately addressed a new and emerging planning policy framework, namely the draft Transport Strategy for the GDA 2022-2042 and the draft Kildare CDP 2023-2029 and the issues paper on the new Joint Maynooth Local Area.

Response to issue raised

The EIAR, specifically Chapter 2 Policy Context and Need for the Project; and the Planning Report submitted with the Railway Order application have considered the existing and emerging planning