

An  
Bord  
Pleanála

## Observation on a Strategic Infrastructure Development Application

### Observer's details

#### 1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

(a) Observer's name

Kenneth Pierce

(b) Observer's postal address

6 Northbrook Terrace, North Strand, Dublin 3  
D03HY68

### Agent's details

#### 2. Agent's details (if applicable)

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

(b) Agent's postal address

Click or tap here to enter text.

## Postal address for letters

3. During the process to decide the application, we will post information and items to you or to your agent. For this **current application**, who should we write to? (Please tick ✓ one box only)

**You (the observer) at the postal address in Part 1**

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**The agent at the postal address in Part 2**

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## Details about the proposed development

4. Please provide details about the **current application** you wish to make an observation.

- (a) **An Bord Pleanála case number for the current application (if available)**  
(for example: 300000)

Click or tap here to enter text.

- (b) **Name or description of proposed development**

**DART+ West Railway Order Application**

- (c) **Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Of concern: 6 and 7A Northbrook Terrace and adjacent section of railway line

## Observation details

### 5. Grounds

Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below. There is **no word** limit as the box expands to fit what you write.

You can also insert photographs or images in this box. (See part 6 – Supporting materials for more information).

#### Introduction

I wish to make a number of observations regarding Dart West which will directly impact the enjoyment of my property at 6 Northbrook Terrace, North Strand, Dublin 3, D03HY68. I set out below my observations under six related headings; **(i) Proximity, (ii) Privacy, (iii) Sound and Vibrations (iv) Value (v) Mitigation and Remedies (vi) Additional Relevant Information**

#### Terminology

For the purpose of these observations I will refer to the railway line which currently runs to the docks and will run to Spencer Dock as '**the Spencer Dock line**', being the line that is most proximate to my property. I will refer to the railway line which currently has the commuter trains running to Connolly from Drumcondra as '**the Connolly line**'. This line splits just before coming to my property from Drumcondra direction and currently goes to the docklands (freight only) and Connolly currently (commuter) respectively.

#### Correspondence

I have received no direct correspondence from Dart West or Irish Rail in relation to this development despite being a resident that will be significantly affected and this is one of the reasons for which I make these observations.

#### Attachments

Map 1: Satellite View 6 Northbrook Terrace

Map 2: Satellite View of Green area between lines adjacent to 6 Northbrook Terrace and the railway bridge at North Strand Road

Photo 1: Proximity of Spencer Dock Line to house

Photo 2: Proximity of Spencer Dock Line to house

Photo 3: Proximity of Spencer Dock Line to house

Photo 4: View of trees obscuring Connolly Train

Photo 5: View of trees obscuring Connolly Train

Photo 6: View from house kitchen to Spencer Dock Retaining Wall

## 5. Grounds

Photo 7: View of proximity of extent of house (bedroom and kitchen) to the Spencer Dock retaining wall

### (i) Proximity

My property is highlighted in the Google Satellite view (**Map 1**). You will see that my property adjoins the Spencer Dock Line with a small laneway in between (the entrance to 7A Northbrook Terrace, a plot of land behind No.s 1-7 Northbrook Terrace and Northbrook Avenue, with a number of disused industrial buildings).

### Spencer Dock Line

At its nearest point the living spaces of our house, including windows are only 2.6 m from the retaining wall of the Spencer Dock Line..

### *Current use*

This line currently has infrequent freight trains (usually 4 per day) going to the docks which does not have passengers and therefore causes no significant overlooking and very infrequent disturbance.

I direct you to **Photos 1-3** to see the proximity of the freight trains to my house. As you will see the trains run high above the ground and wall and are completely visible from the upstairs of my house.

My kitchen and a bedroom are to the rear of the house and face directly onto the retaining wall and Spencer Dock line, see **Photos 6 & 7**

### *Frequency*

It appears from Table 14.40 that between 07.00 am and 9.00 pm 71 passenger trains will travel from Spencer Dock to Glasnevin, presumably proportionality higher at commuting times, with same number travelling from Glasnevin to Spencer Dock (71).

On average, this will be 5 trains per hour in each direction. **Meaning a train every 12 minutes in each direction during these hours on average, one train passing every six minutes on average on this line alone.**

There is also a figure from Spencer Dock to North Strand Junction being 43 over the same time period. This number equates to 3 trains per hour in each direction on average. Which is **1 train every 20 minutes**. This would be in addition to the figure above.

I understand that the current freight trains would continue to run on this line as well.

## 5. Grounds

I can see on the map that trains on the Spencer Dock Line will have to pause at the signal before continuing into Spencer Dock Station as it changes to a single line. If the Spencer Dock line trains have to also stop or pause (as the Connolly train must)

I would ask that serious consideration is given to the trains stopping down the line where houses are not overlooked to minimise disturbance, otherwise the trains will be directly overlooking Northbrook Terrace, including my home.

As is clear from the above, the increase in trains going directly by my home is increasing a significant amount. Currently there are at most three trains on the Spencer Dock line per day with containers, with some other infrequent engines passing. No passenger trains at all use this line.

### (ii) Privacy

#### *Spencer Dock Line*

Of significant concern for me in light of the above expected number of trains is the impact on the amenity and environment of my home and my privacy with frequent Darts coming by which will be completely visible to me, as will I be to the passengers, passing my windows.

The Spencer Dock train line sits high so the windows of the dart will be above the wall and I will have passengers' faces within metres of my living room. While I appreciate window dressings are of course an option, it would not be my preference to not be able to see out my windows on an almost permanent basis when I now enjoy an uninterrupted and un-overlooked view.

While I do not expect the whole project to be halted due to my privacy concerns, I expect this intrusion on my privacy to be considered seriously and for there to be at least a minimal level of engagement from Dart West.

In the Environmental Impact Assessment it states at 7.4 "After the implementation of mitigation measures during the construction and operation phases no significant negative effects will occur to the population. There is likely to significant positive residual and cumulative effects as a result of the proposed development".

I do not think it is correct to state that there will be no significant negative effects – I will be considerably and constantly overlooked, with increased noise and vibrations.

#### *Connolly Line*

The train that goes to Connolly on the Connolly line is at more of a distance. While I can see it quite clearly, there is enough of a distance that I cannot make out faces and I do not feel overlooked. I note that Chapter 5 of Volume 2 of the EIA at 5.3.2 it states that some trees and vegetation will need removing. Currently there are a

## 5. Grounds

significant number of large trees between the two lines directly in my view line. Please see **Photo 4 and 5 and Map 2** with green circling. These trees are extremely important, one from an environmental biodiversity point of view (you will be aware that this part of the city as one of the lowest rates of trees per capita and density in the country<sup>1</sup>) but they are also a significant privacy (and potentially sound) shield from the commuter trains. I ask that serious consideration be given to retaining these trees and if anything, added to, during and after the works.

There are also a number of mature trees on 7A which I hope will be retained and the objective will be retain as many trees and as much vegetation as possible.

### (iii) Sound and Vibrations

I inquired of Dart West about the impact on my home and enjoyment of my home by the increased sound and vibrations. I was told that the DART+ West project is seeking to change from diesel powered trains to electrified high-capacity trains. I was informed that the details relating to the rolling stock/fleet type can be found in Section 4.5.3 *Rolling Stock*, Chapter 4 Description of the Proposed Development of the Environmental Impact Assessment Report (EIAR).

I was further informed that Chapter 12 Air Quality, of Volume 2 of the Environmental Impact Assessment Report (EIAR) assesses the impact of the DART+ West project on air quality during the construction and operation phase and that details on the Operational Rail Impacts can be found in Section 12.5.2.

Further, I was directed to Chapter 14 Noise and Vibration, of Volume 2 of the Environmental Impact Assessment Report (EIAR) assesses the impact of the DART+ West project on Airborne Noise and Vibration during the construction phase and operational phase. My home is located between N05 and N06. It is noted that the Report appears to state at 14.5.4.6.3 that the noise will be below the day and night rate of significance which I find surprising. N05 and N06 appear to have been short term vibrations surveys and they do not appear in the 'do something' table so I have found it difficult to assess what impact was measured for the stretch of rail closest to my house.

Since the glasses on my kitchen shelves rattle when the freight train goes by, the increased frequency of trains on this line will cause significantly more frequent vibrations which gives me great cause for concern for the structural integrity of my house. While I am not aware of the historical use of the Spencer Dock line, my house has only been subjected to the passing of the infrequent freight trains in recent years.

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<sup>1</sup> I direct you to Figure 4.2 in the *Mapping Green Dublin: Strategic Pathways to Community-led Greening* (2018-SE-MS-13) EPA Research Report Prepared for the Environmental Protection Agency which shows the **tree density in East Wall/ North Dock to be Very Low/ Low** [https://www.epa.ie/publications/research/environment--health/Research\\_Report\\_399.pdf](https://www.epa.ie/publications/research/environment--health/Research_Report_399.pdf) [ accessed 22 October 2022].

## 5. Grounds

The significant increase in passing trains must be assessed in relation to my house.

### (iv) Home Value

Of additional significant concern, in addition to all of the above, is the effect of Dart West on the value of my property. I do not live close to either of the stations closest (Spencer Dock or Drumcondra) for it to be really of benefit or add value; the overlooking, however, could have a substantial impact on the value of my home as the overlooking by passing Darts will be significant. Again, the lack of engagement with the community, even with those specifically mentioned in the Schedule, appears to have been very minimal (and none at all with me).

### (v) Mitigation and Remedies

#### *a. Pre-works Survey*

Due to the proximity of my home to the Spencer Dock Line and the significant increase in the number of trains that will be passing, I am requesting a pre-works building and structural survey be carried by a surveyor of my choice, to assess and report on the structural soundness of my home prior to the works commencing, the costs of which to be borne by Irish Rail/Dart West. I have just completed an extensive renovation on my home and wish to ensure that there is no structural damage done to my house caused by increased vibrations and frequency of trains both during the construction phase and once operational.

#### *b. Irish Rail/ Dart West to discuss and explore possible mitigating measures to reduce impact on privacy*

I would welcome exploration of options that might reduce the sense of being overlooked such as planting, mirrored glass, film or triple glazing.

I am not seeking reduction of my light by way of raising the height of the wall, or any sort of fence or barrier which would make my living room feel enclosed, reduce my light and restrict my view.

I am requesting that all reasonable efforts are made to lower the track on the Spencer Dock line behind our terrace with the aim of reducing the sightline from a seat on the new DART carriages below the wall height as soon as physically possible on the descent. In support of this effort, and noise reduction, I request that the track is laid on a silent, solid support, such as the Edilon)(Sedra ERS project on the Moerdijk bridge in the The Netherlands and that this is implemented entirely from the bridge at North Strand Road (circled on **Map 2**) until the track reaches natural ground level on the descent to Spencer Dock. This should be a minimum requirement for all raised railway tracks on densely serviced commuter lines within built-up residential areas of a city.

## 5. Grounds

Additionally, we request that no trains stop behind our terrace while waiting for signals and that all track is continuously welded to reduce the noise and vibrations from trains as they transit through our neighbourhood. The possibility of adding noise reducing materials to the insides of the retaining walls in order to reduce motor and carriage noise should also be investigated and implemented where there is any demonstrable benefit to be gained.

### (vi) Additional Relevant Information

#### *a. Access and right of way*

As per Schedule 2, Part 2, 7A Northbrook Terrace is listed (J&T Maguire) as being a structure to which brackets, cables, wires, poles or other fixtures maybe attached. I also note that 7A is listed in Schedule 5 as land over which Rights of Way or other Easements may be acquired. The laneway leading into the larger part of 7A runs alongside my home and two ground floor windows (bathroom and bedroom) and my rear yard (see **Photo 6** looking back up the laneway towards the entrance) look directly onto the laneway. I wish to ensure no damage is done to my house by accessing the railway by this narrow route. This is another reason for a pre-works survey that can document the current condition of the house and will also protect Irish Rail. If there is vehicular access these vehicles will have to be extremely small to ensure no damage.

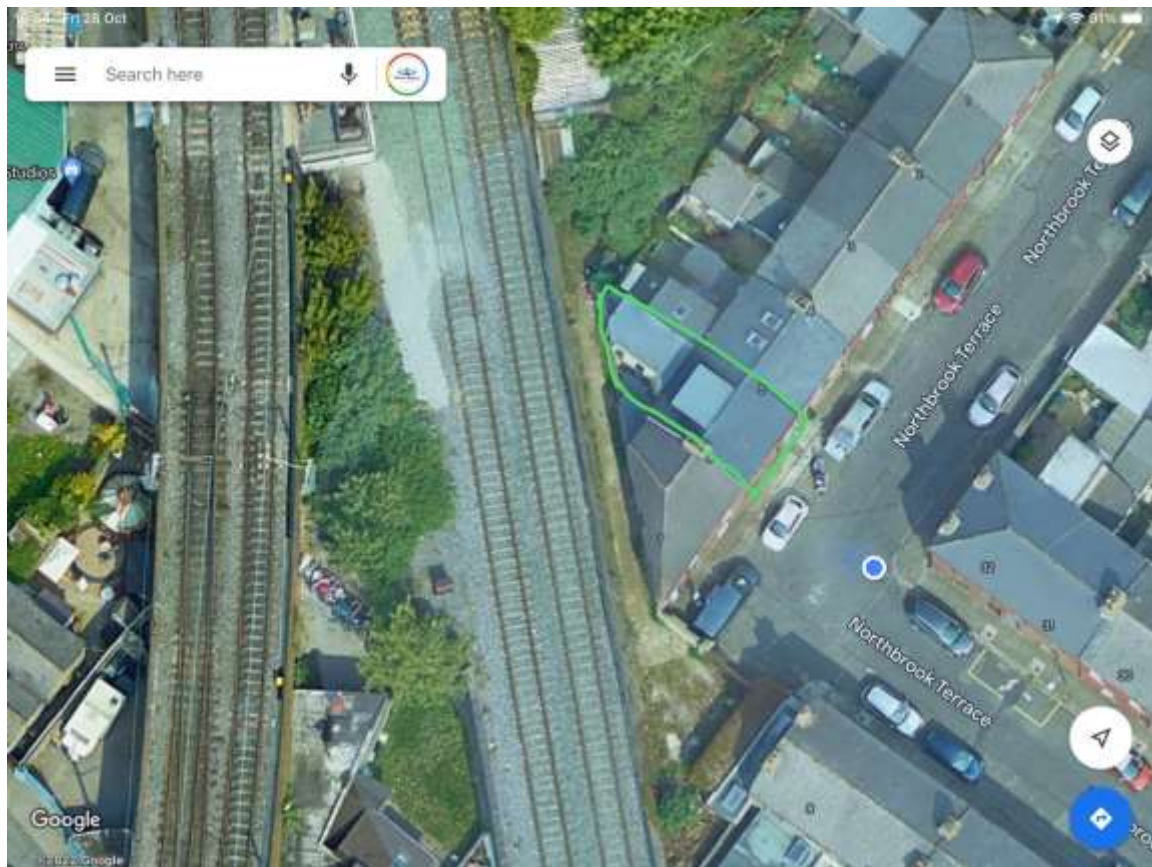
As per the original lease to my house, I understand that I retain a right of way over this laneway and I will retain a right of way for maintenance of my house even in the event a further right of way is acquired. According to the lease, Great Southern and Western Railway also retain a right of way at all times over this laneway and along the embankment wall.

I respectfully make the above observations on this development and ask that they be taken into consideration.

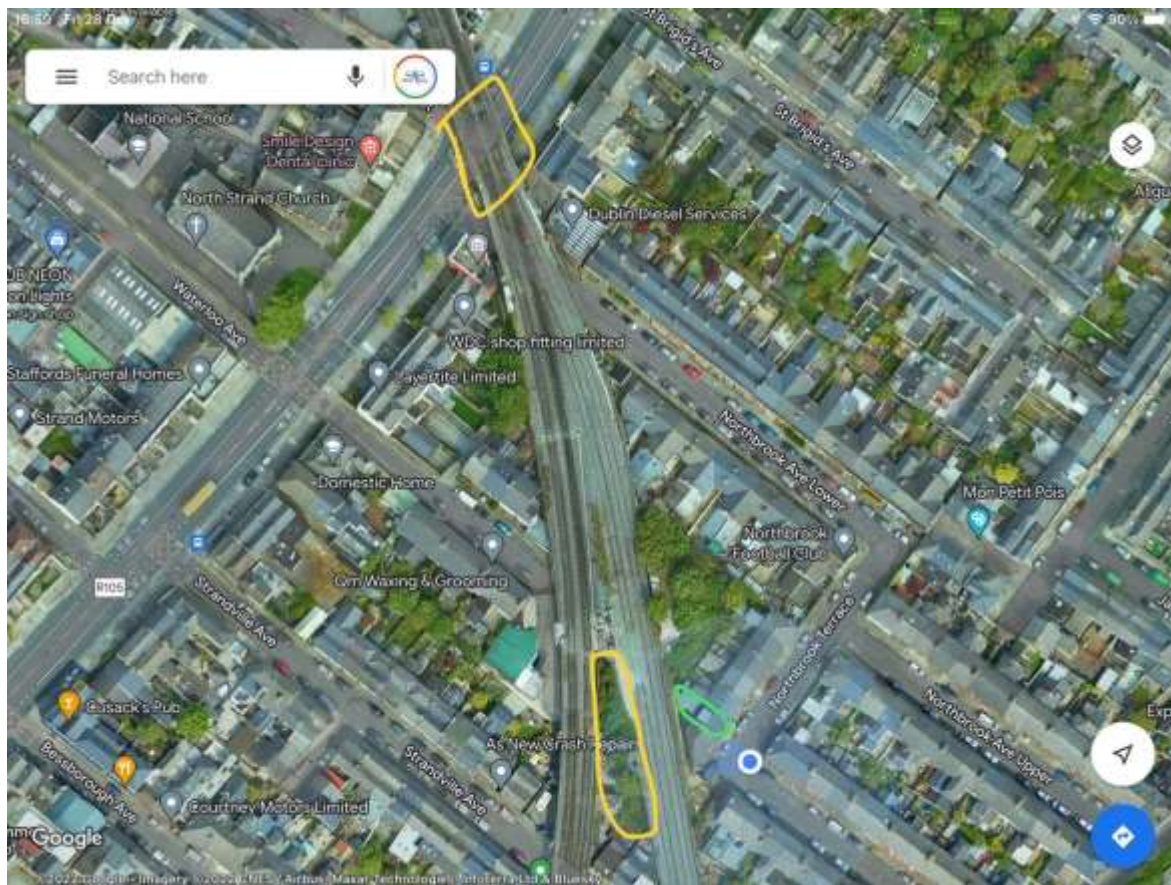
Photos and Maps are set out below.

## MAPS

### MAP 1



## MAP 2



## PHOTOS

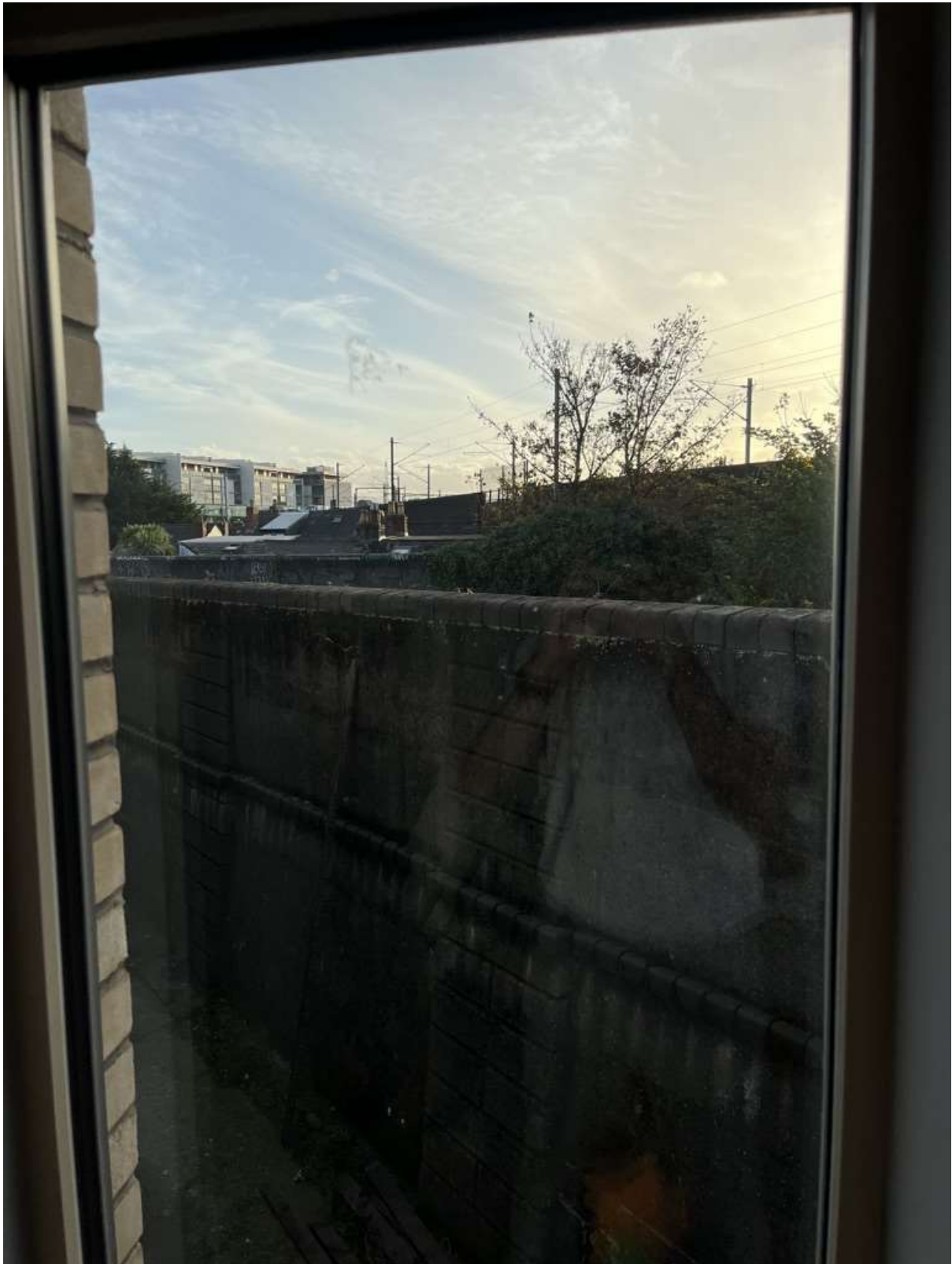
### PHOTO 1



**PHOTO 2**



**PHOTO 3**



**PHOTO 4**



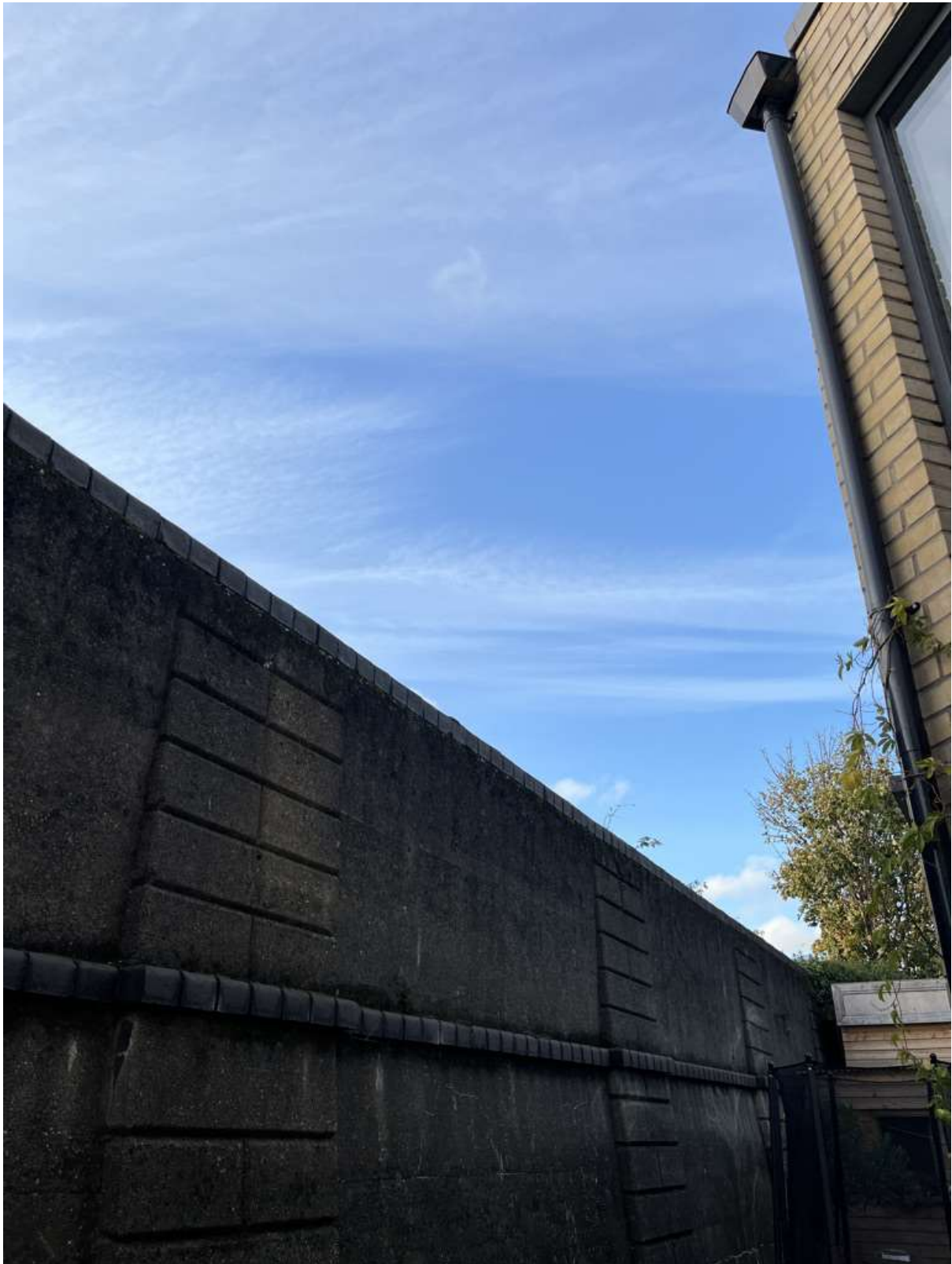
**PHOTO 5**



**PHOTO 6**



**PHOTO 7**



## Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

You can insert photographs and similar items in your observation details: grounds (part 5 of this form).

If your supporting materials are physical objects, you must send them together with your observation by post or deliver it in person to our office. You cannot use the online uploader facility.

## Fee

7. You **must** make sure that the correct fee is included with your observation.

**Observers (except prescribed bodies)**

- strategic infrastructure observation is €50.
- there is no fee for an oral hearing request

## Oral hearing request

8. If you wish to [request the Board to hold an oral hearing](#), please tick the “Yes, I wish to request an oral hearing” box below.

You can find information on how to make this request on [our website](#) or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

**Yes, I wish to request an oral hearing**

☐

**No, I do not wish to request an oral hearing**

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## Final steps before you send us your observations

9. If you are sending us your observation using **the online uploader facility**, remember to save this document as a Microsoft word or PDF and title it with:

- the case number and your name, or
- the name and location of the development and your name.

This also applies to prescribed bodies sending an observation by email.

If you are sending your observation to us by post or delivering in person, remember to print off all the pages of this document and send it to us.

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**For Office Use Only**

| <b>FEM – Received</b> |  | <b>SIDS – Processed</b> |  |
|-----------------------|--|-------------------------|--|
| Initials              |  | Initials                |  |
| Date                  |  | Date                    |  |

**Notes**