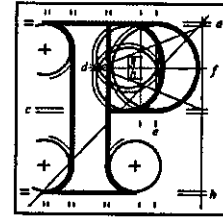


Our Case Number: ABP-314232-22

Your Reference: Musgrave Operating Partners Ireland Limited



**An
Bord
Pleanála**

Brock McClure
Planning & Development Consultants
63 York Road
Dun Laoghaire
Co. Dublin

Date: 18 November 2022

Re: DART+ West Railway Order - Dublin City to Maynooth and M3 Parkway
County Dublin, County Meath, County Kildare

Dear Sir / Madam,

An Bord Pleanála has received your recent submission and oral hearing request (including your fee of €50) in relation to the above-mentioned proposed Railway Order and will take it into consideration in its determination of the matter.

The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you on this matter in due course.

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 the relevant County Council(s) 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 the meantime, please contact the undersigned. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Niamh Thornton
Executive Officer
Direct Line: 01-8737247
RA05 (No Receipt to Issue)

Tell
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Láithreán Gréasáin
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Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

The Secretary
An Bord Pleanála
64 Marlborough Street,
Dublin 1

28th October 2022

AN BORD PLEANÁLA	
LDG-	<u>058623-22</u>
ABP-	
28 OCT 2022	
Fee: €	<u>50</u> Type: <u>Cheque</u>
Time:	<u>10.02</u> By: <u>Counsell</u>

Submission
Dart+ West Electrified Railway Order 2022

ABP Reg. Ref. 314232-22

Dear Sir/Madam,

We, Brock McClure Planning & Development Consultants, 63 York Road, Dún Laoghaire, Co. Dublin are instructed by our client, **Musgraves Operating Partners Ireland Limited, Musgrave House, Ballycureen, Airport Road, Cork, Co. Cork**, to lodge this submission in relation to the Draft Railway Order application for the Dart+ West Project submitted by Córas Iompair Éireann (CIÉ) to An Bord Pleanála under Reg. Ref. 314232-22.

We note that the relevant submission date is **28th October 2022** in this case and this response is lodged within this timeframe.

We enclose herewith the required statutory fee of €50 for the making of this observation in accordance with the Planning & Development Regulations 2001, as amended. We confirm that prior to lodging this third-party submission, we reviewed the public planning file online, including the applications reports and drawings.

Please find enclosed:

Item	Consultant	No. of Copies
Dart+ West – SuperValu Ashtown Draft Railway Order Submission	Transport Insights	1

As set out in Section 4.8.6 of Chapter 4 of the EIAR, the proposed development will consist of the following adjacent to the subject site:

"It is proposed to remove the level crossing at Ashtown. The design requires the re-routing of Ashtown Road west along the existing alignment of Mill Lane, which in turn will be diverted to the west. This road will then pass under both the railway and the canal and tie back into Ashtown Road to the north of the canal at the location of the existing roundabout. The diverted road will provide for a 6.5m wide carriageway with 1.5m rubbing strip on the western side of the road, and a 3.65m wide cycleway along the eastern side of the road.

South of the railway the realigned Ashtown Road will tie into the existing Ashtown Road approximately 60m south of the Martin Savage Park entrance. Approximately 40m from the tie in, a three-arm mini roundabout is proposed. The northern arm will tie into the existing Ashtown Road and provide access to the train station for vehicles, cyclists and pedestrians. The existing access to Martin Savage Park will be retained.



It is proposed that the realigned Ashtown Road will follow Mill Lane northwest from the mini roundabout and veer north approximately 160m along the road. Some existing properties on Mill Lane, namely Gowan Motors and the Ashtown Gate Office Complex, will be provided with direct access onto the realigned Ashtown Road. A new priority junction and roadway will be provided, off the realigned Ashtown Road, approximately 120 m from the mini roundabout to serve the Mill and Burke Brothers, Son and Co. Ltd. The access road will extend north and turn west, approximately 60 m from the junction, to provide access to the industrial yard and the Mill, each of which are currently accessed off Mill Lane. The proposed access road will be carried over the realigned Ashtown Road via a new two span bridge, the deck of which will be close to existing ground level. The proposed access road will accommodate the new cross section consisting of a 6.5 m carriageway with a 2 m footpath on the west side and a 0.5 m rubbing strip on the east side.

The 1.5 m rubbing strip along the west of the realigned Ashtown Road will be terminated at the entrance to Ashton House, a protected structure (RPS no. 0690). From the lodge to the northern tie in it is proposed to provide a 0.5 m rubbing strip to curtail the impact on the gate lodge and Ashton House demesne. It is necessary to take down the existing boundary wall along Mill Lane north and to reconstruct it with a new alignment, set back to permit widening of the road corridor to accommodate a shared pedestrian/cycle space along the east side of the road. This will also result in the removal of trees along this section of roadway. It is proposed to provide an uncontrolled pedestrian crossing at the entrance to Ashton House. On the southern side of the railway, a mini roundabout, set down area and disabled parking will be provided.

The length of the proposed road works along Ashtown Road is approximately 170 m north and 380 m south of the rail line. The proposed road would drop to an approximate level of 37.5 m OD under the railway which is at a level of 45.6 m OD at the bridging point."

The main objective of this submission is to highlight that whilst our client welcomes and supports the Dart+ West Scheme, there are several areas of concern relating to their lands at SuperValu, The Village, Ashtown Road, Dublin 15 and the specific details included in the Draft Railway Order. The full details are sets out in the enclosed submission prepared by Transport Insights; however the main points and planning considerations are noted below.

Client's Interest

Our client, Musgrave Operating Partners Ireland Ltd., is currently occupying c. 1,678 sqm of the premises at ground floor level at The Village Centre, Ashtown Road, Ashtown, Dublin 15 which also accommodates a pharmacy, take-away, gym and sports shop, all accessed from Ashtown Road. The Draft Railway Order works will have an impact on the subject site and in particular on the operation of the premises. Figure 1 below highlights the location of the subject site in relation to the works proposed by the Draft Railway Order. The site is located north of the Royal Canal and rail line and north west of the existing Ashtown Train Station.



Figure 1 – Proposed Works of Draft Railway Order with site outlined in Red (Source: CIÉ)

Zoning

The site is partially zoned 'Z1 – Sustainable Residential Neighbourhoods' with an objective "to protect, provide and improve residential amenities", 'Z3 – Neighbourhood Centres' with an objective "to provide for and improve neighbourhood facilities" and 'Z9 Amenity/Open Space Lands/Green Network' with an objective "to preserve, provide and improve recreational amenity, open space and ecosystem services" as per Figure 2 below. The southern portion of the site also lies within a Conservation Area.



Figure 2 – Extract Zoning Map from Draft Dublin City Council Development Plan 2022-2028

The site currently provides an anchor supermarket type development in one of the ground floor premises for the surrounding residential neighbourhood. It is submitted to An Bord Pleanála that the works proposed at this location will hinder the operation and servicing of the existing supermarket.

Impact on Supermarket Operation

Currently, the store is accessed by pedestrians through the main store entrance on Ashtown Road and an underground car park is located to the rear of the store accessible via a local road. All delivery vehicles service the SuperValu through the southern entrance at the existing link road. We refer to the accompanying report prepared by Transport Insights for the full details of this arrangement.

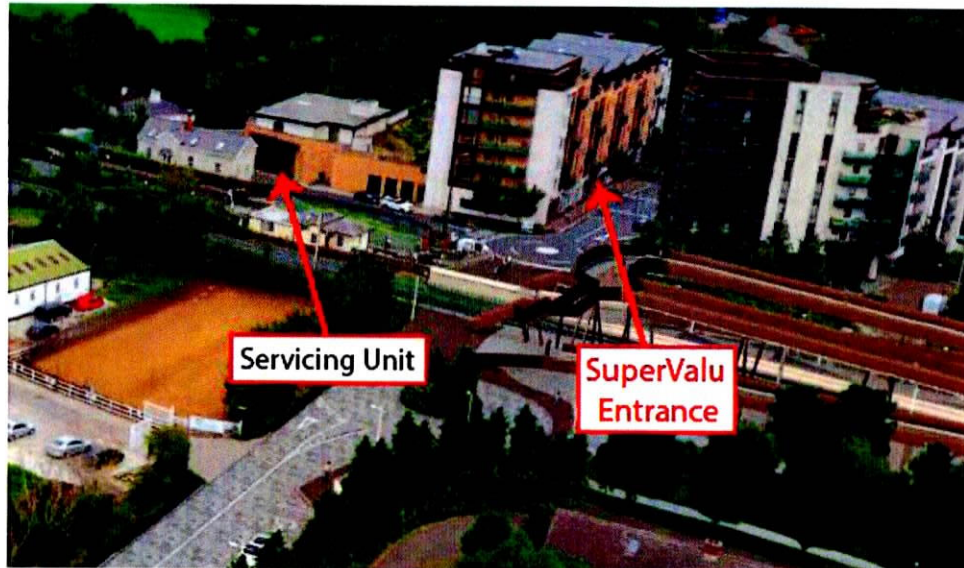


Figure 4 – CGI of proposed works showing location of servicing unit SuperValu pedestrian access point

Due to the works of the Draft Railway Order, the existing link road is proposed to be a cul-de-sac and it is understood that delivery vehicles will no longer be able to access the servicing unit from this road to the south. The Dart+ West team proposed to access the servicing unit via the existing egress which will pass over a footpath and two-way cycle lane (Figure 3 below). The proposed new access point through the existing service ramp has been reviewed and it has been concluded that this will not be a feasible solution due to the gradient of the ramp and associated traffic safety concerns. HGV's will not be able to reverse up this ramp into the servicing unit. It is also noted that it is not possible to service the supermarket from the front door access. It is essential that a revised layout at this location is provided to prevent disruptions to the supermarket. We refer to the submission prepared by Transport Insights for further details.



Figure 3 – CGI of proposed works showing location of servicing unit and road arrangement



If no revised layout is provided by CIÉ's Dart+ West Scheme, the impact will be profound detrimental to the current supermarket use at this location and also negatively impact on the future development potential and our client's ambitions for future expansion.

We urge An Bord Pleanála to request CIÉ's Dart+ West team to reconsider their approach on this issue. Our client would be willing to work with the Dart+ West team on the details of an appropriate servicing arrangement for the supermarket premises at The Village, Ashtown Road, Dublin 15.

Conclusion

We trust that An Bord Pleanála will consider these substantive points in their assessment of this application to ensure proper planning and sustainable development of the area. We now ask the Bord to refer to the enclosed submission by Transport Insight for further detail and further issues raised from an engineering perspective.

In conclusion we ask the Board to have regard to the following: the subject proposal will disrupt the current SuperValu operation by proposing an inadequate servicing arrangement. Our client, Musgrave Operating Partners Ireland Ltd., are keen to work with CIÉ to discuss alternatives and opportunities for an adequate arrangement for their supermarket and servicing unit. We refer the Board to Transport Insights for alternative traffic management arrangements proposed.

We wish to confirm that we will be monitoring this Draft Railway Order throughout the planning process, and we would welcome the opportunity to address matters with the applicant by way of an Oral Hearing.

We confirm that we act for Musgrave Operating Partners Ireland Limited and request that all future correspondence in relation to this matter be directed to this office. If you have any queries in relation to this matter, please contact me directly.

Yours sincerely,

Laura Brock
MRUP MIPI MRTPI
laura@brockmcclure.ie



An Bord Pleanála
64 Marlborough Street
Dublin 1, D01 V902

27 October 2022

Our Ref: DART+ West – SuperValu Ashtown Draft Railway Order Submission

Your Ref: DART+ West Electrified Railway Order 2022

Dear Sir or Madam,

On behalf of our Client, Musgrave Operating Partners Limited (Musgrave House, Ballycureen, Airport Road, Cork, Co. Cork), Transport Insights welcomes the opportunity to provide An Bord Pleanála with a Transport Submission in respect of the draft Railway Order for the development of DART+ West.

In light of the essential service provided by SuperValu Ashtown, and the substantial risk the proposals represent to the viability of the store, our Client trusts you will give detailed consideration to the contents of this Submission.

They look forward to constructively engaging with all stakeholders in relation to proposals contained within the draft Railway Order and the updated scheme as it is progressed in the months ahead.

SuperValu Ashtown

SuperValu Ashtown is a supermarket located on Ashtown Road, Dublin 15 in a development which also accommodates a pharmacy, take-away, gym and sports shop, all accessed from Ashtown Road. The supermarket, which extends to ca. 1,678 sqm, was established in 2006 and employs 38 staff in a variety of roles.

Pedestrian access to the store is via the main store entrance on Ashtown Road. An underground customer car park is located to the rear of the store, with access via a local road. The store is also serviced from the rear, with an enclosed service yard and bin store used by all tenants of the development. The service yard has a separate access (to the south) and egress (to the north) of the yard.

SuperValu receives ca. 10 no. main deliveries per week, the vast majority via 16.5-metre-long articulated trucks. An additional ca. 100-110 no. deliveries are accommodated each week via a variety of van and truck types including refuse waste vehicles.

The store is actively involved with the local community and is heavily engaged with the local GAA club Oliver Plunkett's, along with local retirement homes and schools through numerous initiatives.

The following Figure 1 illustrates the store's location and layout.

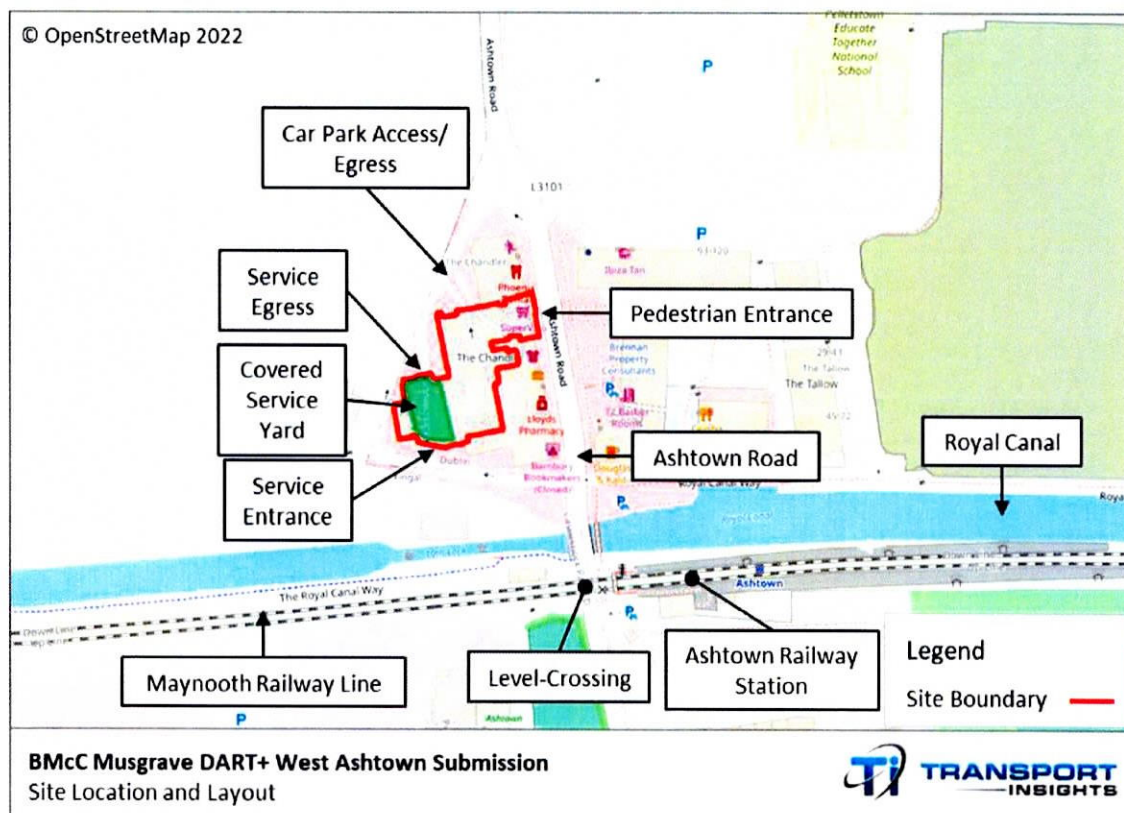
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Figure 1 SuperValu Ashtown Location and Layout



National, Regional and Local Planning Policy Background

As part of Project Ireland 2040 the *National Development Plan 2021-2030* sets out the Government's overarching investment strategy and budget for the period 2021-2030. According to the *Plan*, "The DART+ programme will be a cornerstone of rail investment within the lifetime of Project Ireland 2040 and represents the single biggest investment in the Irish rail network."

The *Greater Dublin Area Transport Strategy 2022-2042* provides a framework for the planning and delivery of transport infrastructure and services in the Greater Dublin Area between now and 2042. The DART+ programme is a major component of the *Transport Strategy* and includes electrification of the Maynooth line from Dublin City Centre to Maynooth, elimination of level crossings and new grade-separated pedestrian, cycle and vehicle crossings.

In terms of local planning policy the site is located within the Dublin City Council administrative area, however as the scheme (and the site) is directly adjacent to, and passes through, the Fingal County Council administrative area, policy relating to both administrative areas have been considered.

The *Draft Dublin City Development Plan 2022-2028* has not yet come into effect, however makes reference to the *Transport Strategy* where it states it "encourages higher-density development along public transport routes (i.e. Transit Oriented Development), a method of planning development around a main transport link. Adopting this approach recognises the opportunities presented by Metrolink, LUAS and DART+ proposals..."

The *Draft Fingal Development Plan 2023-2029* has also not yet come into effect, however it too makes reference to the *Transport Strategy* where it states it commits fully to the existing transformative public transport projects including DART+. The *Plan* states that significant investment is planned for Fingal and particularly as it relates to the corridor connecting Fingal and Dublin City Centre which includes... *"implementation of the DART Expansion Programme which proposes the provision of high frequency DART services including the electrification of the existing Maynooth and M3 Parkway rail lines and the northern rail line to Drogheda."*

Musgrave Operating Partners recognises and supports the role of DART+ West in achieving the ambitions of critical national, regional and local planning policy.

Receiving Environment

SuperValu Ashtown is located on L3101 Ashtown Road, a two-way local road which connects River Road/Dunsinea Lane to the north with R147 Navan Road to the south. In the vicinity of the site, Ashtown Road is ca. 6.5 metres wide, with footpaths located on both sides of the road. An at grade 'level crossing' provides access over the Maynooth Railway Line, located a short distance to the south of the site. Immediately to the north of the level crossing is a narrow bridge over the Royal Canal. Ashtown Road has a generally flat vertical alignment and a generally straight horizontal alignment. On-street car parking is provided on the eastern side of the road in the immediate vicinity of the site.

An unnamed local road is located directly to the west of SuperValu Ashtown and acts as local access only, connecting Ashtown Road to the immediate north of the site with Ashtown Road to the immediate south of the site. This road, which is ca. 6.0 metres wide, operates as a two-way road for the majority of its length, however the road is access only at the road's south eastern end. This road currently provides access to both the store's underground customer car park and the store's covered service yard.

DART+ West Proposals

DART+ West proposals involve electrification of the Maynooth railway line to accommodate a new frequent, high-capacity train service. To accommodate delivery of DART+ West, it is proposed to close the level crossing on Ashtown Road. The level crossing shall be replaced by a new road, running parallel to the previous level crossing, ca. 90 metres to the west. This road will run approximately 6.0 metres below the existing canal and railway line and connects Mill Lane to the south of the railway line/ canal with the local road to the rear of the SuperValu store.

As a result of the DART+ West proposals, pedestrian and vehicular traffic movements shall no longer be possible along Ashtown Road, in the vicinity of the existing level crossing with all road users required to use the new underpass.

The following Figure 3 illustrates the current DART+ West proposals in a strategic context, with Figure 4 illustrating the proposals in a local context.



Figure 3 DART+ West Proposals (Strategic)

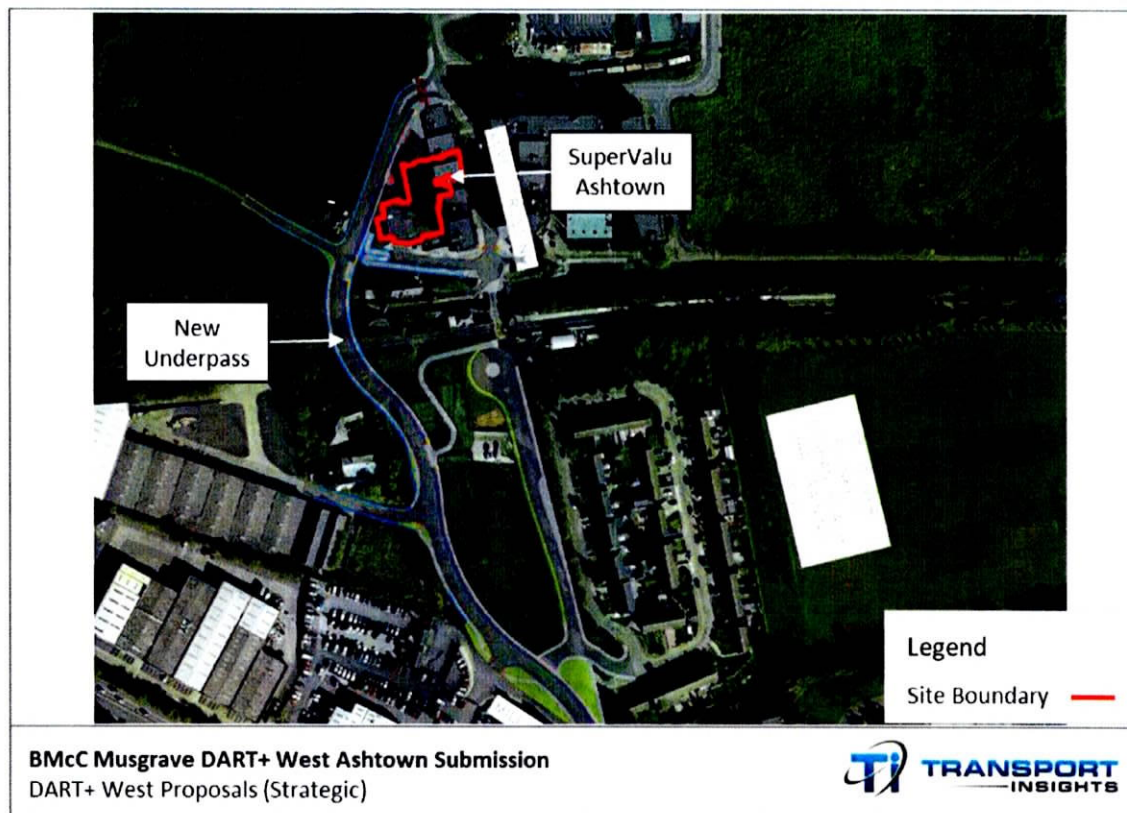
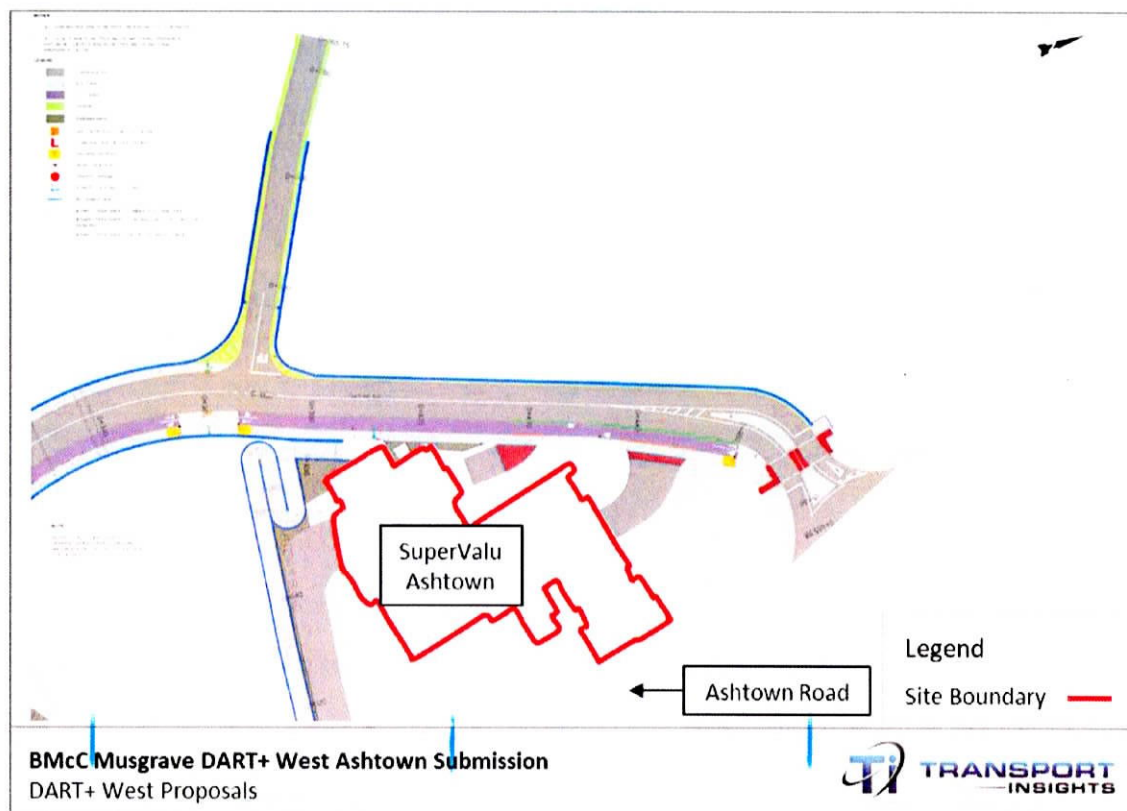


Figure 4 DART+ West Proposals (Local)



As can be seen from Figures 3 and 4 above, a new road shall be created to the west of the existing Ashtown Road and shall accommodate two-way vehicle, and cyclist and pedestrian movements in lieu of the existing Ashtown Road which shall terminate at either side of the railway line. Creation of this road shall involve realignment of the existing local road to the rear of the site, with a section of the local road to the south of the site (which historically provided access to the covered service yard) now becoming a cul-de-sac.

It is understood that proposals will result in HGVs no longer being able to access the covered service yard from the existing local road to the south and it is proposed to access the service yard via the existing egress to the service yard i.e. the service yard shall be accessed and egressed via the existing service yard egress. This new access/ egress shall now also pass over a footpath and a two-way cycle lane.

It is also understood that access to the underground car park shall be modified so that vehicles will now need to pass over the new footpath and two-way cycle lane.

There don't appear to be any changes to Ashtown Road in the direct vicinity of the supermarket as part of the scheme and therefore pedestrian access to the store shall remain as per the existing situation.

Draft Rail Order Identified Concerns

Whilst Musgrave Operating Partners are supportive of DART+ West and recognise the wider benefits it will bring, specific proposals contained within the draft Rail Order are concerning for the following reasons.

- **Current Operational Concerns – Closure of Existing Commercial Vehicle Access Ramp:** A local access road shall remain to the south of the site, however as noted above this shall become a cul-de-sac and it is understood HGV deliveries shall no longer be accommodated at this location, with deliveries to be accommodated via the existing service yard egress (i.e. access and egress via the same location). As set out above, SuperValu Ashtown accommodates ca. 10 no. main HGV movements and ca. 100-110 no. other deliveries each week. In addition to this, the shared covered service yard accepts deliveries for the pharmacy, take-away, gym and sports shop outline above.

Furthermore, the existing egress ramp from the shared service yard is very steep, and reversing up a steep ramp, across a two-way cycle track and a footpath from what will become a relatively busy road would not only be extremely difficult but would represent a traffic hazard and would unlikely be possible with the assistance of a banksman, which would not be feasible.

In addition, due to the layout of Ashtown Road with its pedestrian focus layout, lack of loading bays and having no obvious opportunity to introduce them, servicing directly from Ashtown Road is not deemed possible.

- **Future Store Development:** As set out above, SuperValu Ashtown currently extends to ca. 1,678 sqm (including stores, loading areas and staff areas), however the ground floor shop floor area extends to just 939.5 sqm. This would represent a relatively small store area for a full-size supermarket such as this. As such, the store is currently planning to expand its operations in order to provide a better service offering to its customers (subject to planning permission). The proposed DART+ West scheme jeopardises the store's plans to expand, in particular due to the impact of the proposals on the service arrangements on-site.

Furthermore, as the scheme surrounds the store on 3 sides, the development makes it difficult to make any small modifications to the store without impacting on the scheme area.

Summary and Outcome Sought

This Transport Submission has been prepared by Transport Insights, on behalf of the Musgrave Operating Partners Limited. It details potential points of consideration for An Bord Pleanála regarding the draft Railway Order. Prioritising sustainable travel and associated infrastructure is considered essential to achieving stated national, regional and local planning policy objectives.

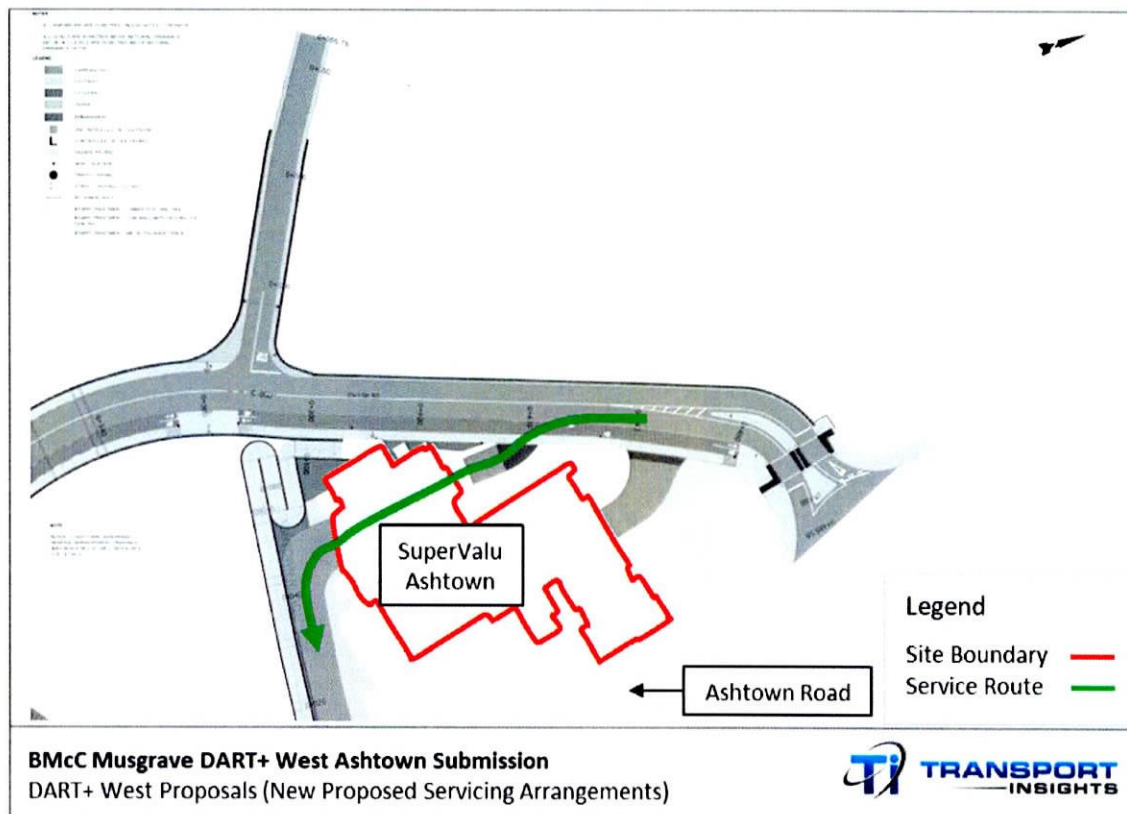
However, proposals contained within the draft Railway Order represent a significant risk to the on-going operation of SuperValu Ashtown. In particular, the removal of the existing commercial vehicle servicing access will result in an unacceptable impact to the supermarket, with highly undesirable road safety concerns resulting.

Musgrave Operating Partners believes that the aims of the DART+ West proposals can be achieved without the need to impact significantly on the operation of the supermarket. They request:

- Consultation with Musgrave Operating Partners in relation to further design of the scheme.
- Consideration of changes to the scheme to accommodate existing store requirements. Our Client is hopeful that with a collaborative approach, the scheme can be developed so that the fundamentals of the proposals can be delivered whilst allowing the store to continue to operate satisfactorily. Specifically, changes to traffic management arrangements to allow for separate access and egress routes to the service yard are requested. For instance, if the existing access and egress points are reversed i.e. service vehicles would access from the north and service would egress onto the cul-de-sac road to the south. This proposal is illustrated within Figure 5 overleaf.
- Consideration of Musgrave Operating Partners' ambitions for the store to ensure future store development is not curtailed by current DART+ West proposals. As set out above, the store's floor area is quite limited for a full-size supermarket and it is hoped that the store can be expanded in the near future in order to offer a better service experience for customers and a better range of products.

The above proposed suggestion to the scheme shows that Musgrave Operating Partners is willing and open to work with relevant stakeholders to support realisation of the DART+ West programme, however also allows for the supermarket to remain commercially and operationally viable and continue to provide a significant and notable contribution to the local community.

Figure 5 DART+ West Proposed Amendments



We trust you will give detailed consideration to the contents of this Submission. Musgrave Operating Partners and SuperValu Ashtown look forward to further engaging with relevant stakeholders in the months ahead as the DART+ West scheme is developed.

Yours sincerely,



Eoin Munn
Director