

Submission No.			188	
Organisation Name or Name of Submitter			(Hughes Planning & Development Consultants on behalf of) Maureen O'Scanaill (Milton Fields, Pinnock hill, Swords, Co Dublin)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Letter Re: ABP Ref. No. NA29N.314724 Railway (MetroLink - Estuary to Charlemont via Dublin Airport) Order				
1	1.0 Introduction 7.0 Conclusion	1, 8	...this submission requests that An Bord Pleanála duly consider the negative implications arising on our client’s residence. It is strongly contended that the proposed development has had no regard to our client’s property, specifically access to and from her home. The proposed railway has been designed without due regard to our client’s existing residential amenity at her dwelling at Pinnock Hill Roundabout. The impact of the proposed route on our client’s lands would be detrimental to the amenity and would be a traffic hazard. Our client is also concerned about the impacts on the viability of the O’Scanaill Veterinary Clinic to the north of her dwelling which is run by her family.	TII thank you for your input and responses are provided below.
2	2.0 Site Description	1	Access to the property is provided from the north and northwest via an exit from the Pinnock hill roundabout. The access is used both by members and visitors to the dwelling, as well as by members of the public who avail of the services provided by the veterinary clinic. The proposal will disrupt access to the site during construction and operational stages which will impact on our client’s property and family’s veterinary practice (Swords Veterinary Clinic).	TII recognise the disruption likely to be caused to land, property and business owners along the route as a consequence of the delivery of MetroLink. As will be the case with all third party landowners/business, and in agreement with the respondent, TII and their appointed Contractors will maintain access to this business to ensure its ongoing viability during the course of the construction work and to minimise any further impacts that could affect the amenity of the location. See EIAR Appendix 9.5 Scheme Traffic Management Plan, Section 2.1.
3	2.0 Site Description	2	Our client is committed to its future in Fingal but are of the strong belief that an alternative location will have to be sourced for the family enterprise should the Railway Order be approved and subsequently carried out. It is requested that An Bord Pleanála note that... the impacts on viability of this business are considered (...the O’Scanaill Veterinary Clinic has been part of the Fingal commercial community for over seventy years, generating employment and revenue for the Fingal Area, providing an essential service to animal and pet owners in Swords and surrounding area and, in turn, supporting the region’s growth...).	Please refer to response number (2) above.
4	2.0 Site Description	2	Additionally, our client had lived in the area for a number of years, since 1954 when the dwelling was first built and the proposal will gravely reduce the amenity which she has benefitted from in her time living here.	Refer to response number (2) and (3) above.
5	3.0 Proposed Railway Order Figure 5.0	4	...the extent of our client’s premises which will be subject of acquisition. The blue hatch indicated lands to be temporarily acquired. As is shown, a large proportion of lands relating to the lands will be lost. This includes access to our client’s home, as well as lands associated with the veterinary practice. As indicated above (in Figure 5.0) the proposal directly interferes with our clients' premises and the operational requirements of the family-run veterinary clinic.	The details of the proposed temporary and permanent landtake around this property are detailed in the following document within the Railway Order: Property Drawings - Property Details Book 1 of 2 Fingal County Council: Sheet 24 of 66, detail 301 ML-P-301 S-T. These details are also presented in the respondents correspondence figure 9.0. TII confirm that the area of temporary landtake shown on this document is the minimum area needed to provide the room necessary to maintain access into the business while the construction works are progressed.
6	5.0 Planning Policy	4	The relevant development plan against which any planning application at our client’s premises would be assessed against is the Fingal Council Development Plan 2017-2023. We note, as per the provisions of the Fingal County Development Plan 2017-2023, that the subject site is subject to the ‘HT - High Technology’ zoning objective. The purpose of which is to ‘Provide for office development and high technology/ high technology manufacturing type employment in a high quality built and landscaped environment’	MetroLink is fully compliant with all relevant development plans as is outlined in the Planning Report submitted as part of the Railway Order application. In particular section 3.6.1.2 of this document addresses the FCC Development Plan 2017-2023 and MetroLinks compliance with same.
7	6.0 Concerns on Submitted Application	6, 7	The application is a clear infringement on the existing standard of access as it will be significantly impacted at construction and operational stages of the development, if approved.	Refer to response number (2) and (3) above.

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8	6.0 Concerns on Submitted Application	7	The full impact of the proposal on our client’s premises has not been adequately demonstrated in the submitted documentation. Our client’s access routes and gates will be the subject of temporary acquisition during the constructional stage of development. While these lands are stated to be temporarily acquired, no finite amount of time has been provided, creating an uncertainty on the length of time our clients will suffer from the loss of their lands. As stated, construction is anticipated to take upwards of 5 years along this specific area and this would impact the amenity afforded to our client's dwelling, as well as having severe implications on the existing business,	<p>TII acknowledge that the landtake, both temporary and permanent, proposed for the MetroLink Works will have an impact on this business, particularly maintaining access. Please refer to response numbers (2) and (3) above.</p> <p>Where landtake is of a temporary nature, its primary function is to provide room to facilitate access to the business and property as well as to install hoarding and site demarcation. TII will agree the details of the full treatment for reinstatement with the owners on completion of the works.</p> <p>We understand that the duration of any disruption during the construction phase is a matter of concern for your business. We acknowledge that the current anticipated timeline for the impact may appear excessive. However, TII want to assure you that we are fully committed to minimising this duration to the best of our ability. See EIAR Chapter 5, MetroLink Construcion Phase, section 5.2.2.</p>
9	6.0 Concerns on Submitted Application	7	As demonstrated in the following image, the access to our client’s dwelling will completely be impacted by the proposed route. It is indicated that the existing entrance will be ‘reinstated’ for use by the owners, staff and clients of the veterinary clinic. However, this access will entail traversing the railway line to the premises which is quite a hazard. This issue is further worsened by the frequency of the route, with the Planning Report submitted by the Applicant noting that the trains will be operating 19 hours per day, 365 days a year; with 20 no. trains operating per hour at a frequency of three minutes in the opening year operations between trains. The trains are expected to be 64m long trains running up to every 100 seconds at peak demand. This will cause unsurmountable levels of disruptions and to accessing and existing the site and may result in clientele of the veterinary clinic seeking alternative veterinary practices, thus damaging the viability and vitality of the premises. This impact has been neglected by the planning application.	Access to and from the Surgery are to be reinstated. As this section of railway is below ground and in a cut and cover structure (and thus grade separated from the entrance road) and finished with an appropriate vehicle restraint barrier, there is no hazard nor conflict between the Veterinary practice entrance and MetroLink operations. See Plan Drawing No. ML-RO-301 S-T where hatched lines indicate below ground (tunnel) sections including across the property entrance.

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10	6.0 Concerns on Submitted Application	8	Our client is also concerned with the extent of works located along the northern boundary of the veterinary clinic lands, including any required excavations, tunnelling and rail laying that will occur. Such works will have significant disturbances on our clients’ property including by way of, for example, noise, vibration and dust generation.	<p>Chapter 13 Airborne Noise and Vibration includes an assessment of airborne noise and vibration from the construction of the project. Chapter 13 presents the potential significant airborne noise impacts, with Table 13.44 summarising potential significant noise impacts during construction of the cut and cover and retained cut sections of the route. The predicted magnitude of impact at this location is Significant to Very Significant, prior to the consideration of any noise mitigation (included below).</p> <p>In order to mitigate airborne noise, an outline Construction Environmental Management Plan (CEMP) has been prepared and is included as Appendix A5.1. This is a working document that will be updated by the contractor prior to commencement of construction and regularly as the project progresses.</p> <p>The key principals for mitigation measures for airborne noise & vibration impacts are as follows:</p> <ul style="list-style-type: none">- Noise control at Source: Selection of quiet plant, site layout, attenuation at source, operational control (hours and periods);- Noise Control along Pathway: Localised screening to plant items on site, enclosures, site buildings, site hoarding and noise barriers; and- Noise Control at Receiver: Noise Insulation (NI)- Hoarding is proposed at this location with a height of 4m.- Prior to the commencement of the construction works at each compound, the Contractor will conduct an individual site assessment to verify the height and position of screening to control noise impacts based on the most up to date construction methodologies and input data.- An outline CEMP was prepared as part of the EIAR and it will continue as a live document for the appointed contractor to use throughout the construction of the project. <p>Chapter 14 Groundborne Noise and Vibration considers the assessment of groundborne noise and vibration from the construction and operation of the project. Groundborne vibration from piling along this section of the route is discussed in Section 14.4.1.1 which concludes that there will be no significant vibration from works at any buildings, including at this location.</p> <p>As provided in the Outline Construction Environmental Management Plan (CEMP) within Volume 5 Appendix 5.1, standard working hours will apply at this location.</p> <p>In preparation for the construction phase, the appointed contractor will prepare their Construction Environmental Management Plan (CEMP) in accordance with the requirements set out in the outline CEMP in EIAR Appendix A5.1 addressing all construction environmental issues such as noise and dust generation. The contractors CEMP will include a Construction Noise & Vibration Management Plan (CNVMP). The contractor will consult with and obtain the approval of the CEMP from Fingal County Council prior to commencing the works.</p> <p>TII will utilise best practice techniques to curtail dust generation including: hoarded compounds, wheel wash facilities and dust suppression for all areas prone to dust (damping down, water misters / sprays, local extraction and filtering). Public health impacts are not anticipated as the dust levels on site will be controlled to strict levels for protection of the workforce in accordance with statutory health and safety legislation.</p>