

Submission No.			242		
Organisation Name or Name of Submitter			O'Scanaill Veterinary Hospital (represented by Hughes Planning & Dev Consultants)		
Item No.	Section Ref.	Page No.	Observation Statement	TII Response	
RE: Planning Observation, ABP Reference No. NA29N 314724, Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order					
1	1.0 Introduction (page 1 of submission)	1	From the outset, this submission requests that An Bord Pleanála duly consider the negative implications arising on our clients' business. It is strongly contended that the proposed development has had no regard to the viability of our client's business at O'Scanaill Veterinary Hospital, Milton Fields, Pinnockhill, Swords, nor has regard been had to the future development of our client's lands. The lands in question also accommodate our client's family home and would thus be subject to significant disruption.	We have reviewed the submission and provided detailed responses for the issues and concerns raised below.	
2	2.0 Site Description (page 1 of submission)	1	The proposal will disrupt access to the site during construction and operational stages which will impact on our client's property and business.	We acknowledge the significant impact that the MetroLink scheme will have on access to the business, and we understand the concerns raised by the respondent. TII will maintain access to the business at all times during the construction and operation of MetroLink (See for example Plan Drawing No. ML-RO-301 S-T showing the entrance maintained as the metro is underground here).	
3	2.0 Site Description (page 1 and 2 of submission)	1&2	<p>Our clients are committed to its future in Fingal but are of the strong belief that an alternative location will have to be sourced for their enterprise should the Railway Order be approved and subsequently carried out. It is requested that An Bord Pleanála note that 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 and that the impacts on viability of this business are considered.</p> <p>Our clients have also lived in the area for a number of years with the family home being located south of the veterinary clinic which was originally built in 1954 and has accommodated generations of the family.</p>	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/businesses, 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.	
4	4.0 Proposed Railway Order (page 7 of submission)	7	As indicated above the proposal directly interferes with our clients' premises and operational requirements.	Please refer to responses to Item nos. (2) and (3) above	
5	5.1 Fingal County Development Plan 2017 - 2023 (page 7 of submission)	7	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.	The MetroLink Project has been assessed against the Fingal Development Plan 2017 – 2023 as shown in the Planning Report. However a new Fingal Development Plan 2023-2028 is set to come into effect from the 5 th of April 2023 and so this has also been considered. An Bord Pleanála's legal obligation is to have regard to the the Fingal Development Plan 2023-2028 (including any variations in force at the date of its decision on the Railway Order) and disregard the Fingal Development Plan 2017-2023.	
6	5.1.2 Relevant Policies (page 8 of submission)	8	The proposal is considered to put our client's existing business at risk due to uncertainty arising on functionality. This is not considered to be justifiable. Whilst it is our client's intention to continue operations at this site of the veterinary service, it is also a concern that the proposal may hinder any development potential at the site and may hinder development of high quality employment schemes, thus is inconsistent with the zoning objective.	<p>The zoning objective of the land is HT – High Technology in both the current Fingal Development Plan 2017-2023 and in the new Fingal Development Plan 2023-2029.</p> <p>The vision of this objective is to "facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development-based employment within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high quality, value added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity."</p> <p>The Proposed Project aligns with the HT zoning as it improves access to these lands and facilitates the vision of the objective.</p>	

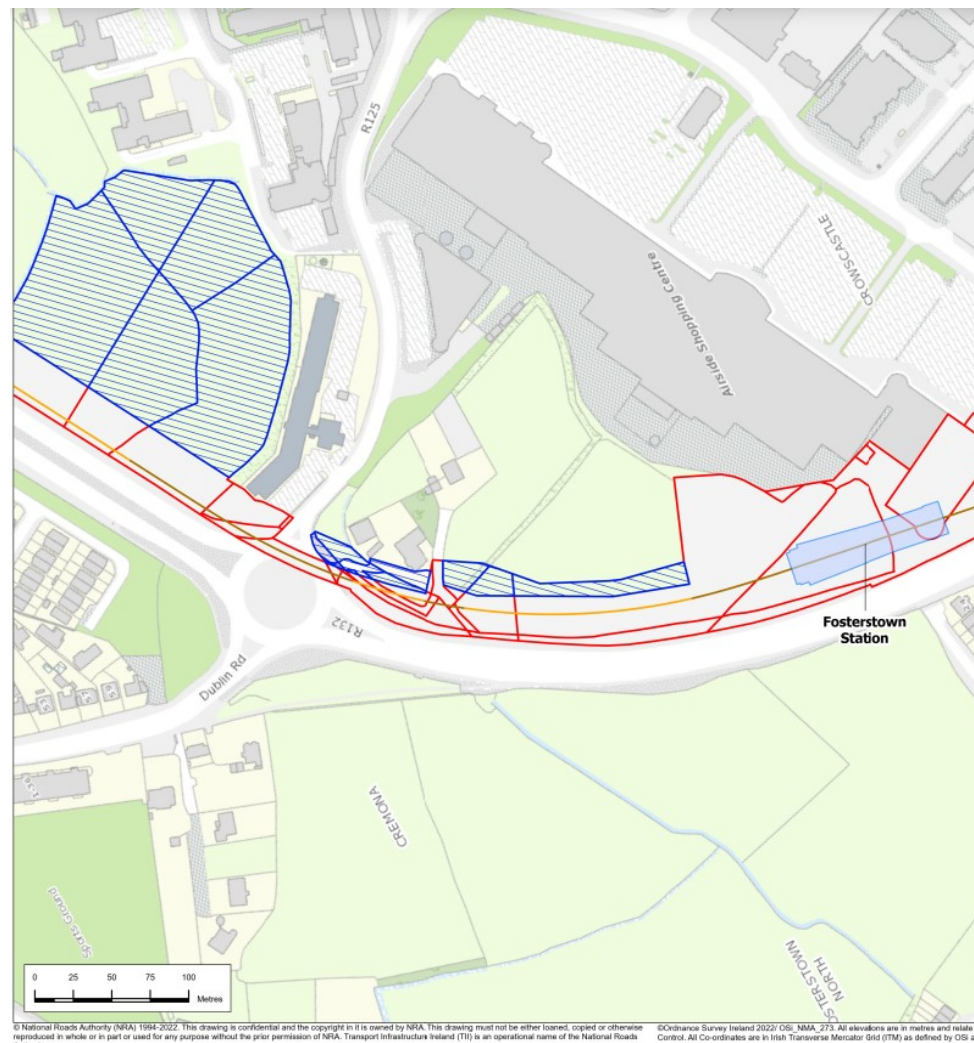
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7	6.0 Concerns on Submitted Application (page 9 of submission)	9	As stated throughout this submission, the principal concern of our clients arising from the proposed railway order application relates to functionality and viability of our clients’ business which has operated on site for a large number of years. The application as submitted, is to be located along both existing vehicular access points to the business. Due to the nature of the business, it is essential that access to the site is kept clear and safe. The Veterinary Service requires regular and safe accessibility for staff and clients who come and go from the premises on a continued basis throughout the day. 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 Item no. (2) and (3) above and (12) below.
8	6.0 Concerns on Submitted Application (page 10 of submission)	10	Construction of the MetroLink is anticipated to commence in 2025 based on the outcome of the planning and procurement processes. Plans are underway to make the project operational in the early 2030s. More specifically, construction works along our client's northern boundary will be ongoing for at least five years with potential to be increased due to unforeseen delays resulting in longer construction times.	The timescales are outlined within the EIAR and RO application and as noted are estimated at approximately 5 years in this location. The EIAR considers the reasonable worst case scenario in relation to these timelines. To minimise impact on this business, it is the intention of TII to complete the construction and reinstatement works for MetroLink around this business in the shortest possible time . The time needed to undertake the works are influenced by the need to maintain access to this business as well as considering other external matters, such as local traffic management and utility diversions.
9	6.0 Concerns on Submitted Application (page 10 of submission)	10	The full impact of the proposal on our clients’ premises has not been adequately demonstrated in the submitted documentation as it does not include an aerial overlay of the scheme. Such a drawing would have made it more evident to An Bord Pleanála that the scheme directly interferes with the operations of the business. The submitted drawings do not make this clear. The railway and associated works will unduly impact a number of land parcels associated with the O'Scanaill premises.	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. Further details (overhead plan view) of the scheme intent in this area are found on Alignment Drawing 301 ML-RO 301 S-T. Also the EIAR Section 5 Chapter 27 section 27.1 Photomontages V07.2 and V07.3 provide further visual aids of the impact on this property. 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. Permanent landtake is required where permanent works are needed (such as the construction of the new entrance. Temporary landtake is required to facilitate temporary needs such as construction access and will be returned to the owner in the same condition it was received.
10	6.0 Concerns on Submitted Application (page 10 of submission)	10	As acknowledged in the Planning Report submitted with the Railway Order Application, our client’s premises will be subject of temporary acquisition during the constructional stage of development, as well as a number of permanent lands which may be acquired. The temporary acquisition includes a significant proportion of lands, comprising of plots of ground / footpath; entrances; laneway and a plot of land accommodating the house/grounds/building lands. 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 have severe implications on our client’s business, as well as amenity afforded to the family dwelling.	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. When the land is temporarily acquired (for a period of approximately 5 years), its primary purpose is to create space for installing hoarding and site demarcation, while also ensuring continued access to the business and property. Taking into consideration the concerns expressed during several meetings, TII has made revisions to the construction hoarding line, aiming to minimize its impact on accesses, footpaths, and parking areas. These adjustments are intended to facilitate the smooth day-to-day operation of the aforementioned business
11	6.0 Concerns on Submitted Application (page 10 of submission)	10	In terms of lands to be acquired, our client’s lands afflicted consist of entrances, plots of ground, a laneway and a field. Our clients are currently using the entirety of the landholding for the business operations and the family dwelling. The loss of land, both temporarily and on a permanent nature will be of grave impact on our client, as well as hindering future growth of the business.	See response to item (10) regarding landtake requirements for MetroLink.

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12	6.0 Concerns on Submitted Application (page 11 of submission)	11	As demonstrated in the following image, the access to our client’s business 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 enter and exit 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 seeking alternative veterinary practices, thus damaging the viability and vitality of our client’s premises. This impact has been neglected by the planning application. It is noted that this impact will affect the business throughout the week as the premises operates 7 days a week, with full days provided Monday to Friday, half days on Saturdays and 2 hours on Sundays.	<p>The access to the property during the MetroLink operation phase will not entail traversing the railway line. The proposed railway line at that location will be situated below ground level. The track will be covered with a slab, and the metro will travel within a cut and cover structure.</p> <p>The Metro route and the route into the property are thus entirely separated and can work independently of each other. To ensure the safety and convenience of metro and clinic users, the open section will be equipped with a vehicle restraint system, effectively preventing any hazards or disruptions caused by MetroLink operations. Consequently, access to and from the Surgery will be fully reinstated and there will be no disruption to the property entrance during the operational phase.</p> <p>See Plan Drawing No. ML-RO-301 S-T where hatched lines indicate below ground (tunnel) sections including across the property entrance.</p>
13	6.0 Concerns on Submitted Application (page 11 of submission)	11	At present, the R125 which adjoins our client’s premises is considered to be highly utilised and has resulted in significant traffic congestion, particularly within and surrounding the Airside Business Park. This will be worsened by the Metrolink route and will have knock on impacts on the surrounding area, including our clients’ premises.	<p>During the construction phase, the R125 arm of Pinnock Hill Junction will be closed for a duration of six to nine months, causing traffic to redistribute to the south of the junction. Increases in traffic volumes will be seen on the surrounding roads in both the AM and PM peaks however traffic modelling has indicated that the associated delays will be moderate, with an average delay per vehicle of less than 5 minutes. To reduce the severity of the impact on the road network, diversions have been identified. The proposed diversion will route traffic via the Nevinstown signalised junction and Airside roundabout. At its longest distance the diversion will be approximately 1.5km. For vehicles routing from the north or north-east of this area, there is also the option to use Mountgorry Way as an alternative diversion. To mitigate this impact, alternative HGV routing has been identified for the Swords area and will be encouraged throughout the construction phase to potentially reduce the congestion seen in the construction modelling results by 30%. Following the completion of the construction phase, this impact will then be removed.</p> <p>Additionally, MetroLink have planned for construction logistics sites along the R132 to moderate construction traffic movements during the day and particularly at peak times. One such logistic site is immediately north of the Pinnock Hill Roundabout and the Veterinary Surgery.</p> <p>Whilst a drop-off facility is proposed at Fosterstown Station via the R125, during the operational phase it is anticipated that the Project will provide for improvements to the public transport network, resulting in decreases in car usage/trips (with the exception of trips to and from the Park and Ride Facility at Estuary). As detailed in Appendix A9.2-F (Fosterstown Station Traffic and Transportation Assessment), there will be a reduction of up to approximately 3,600 car trips to and from the zones in this location during the operational phase (over the 12hr period in 2065).</p>

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14	6.0 Concerns on Submitted Application (page 12 of submission)	12	Our clients are also concerned with the extent of works located along their boundary, 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.</p> <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 (see details 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. 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>

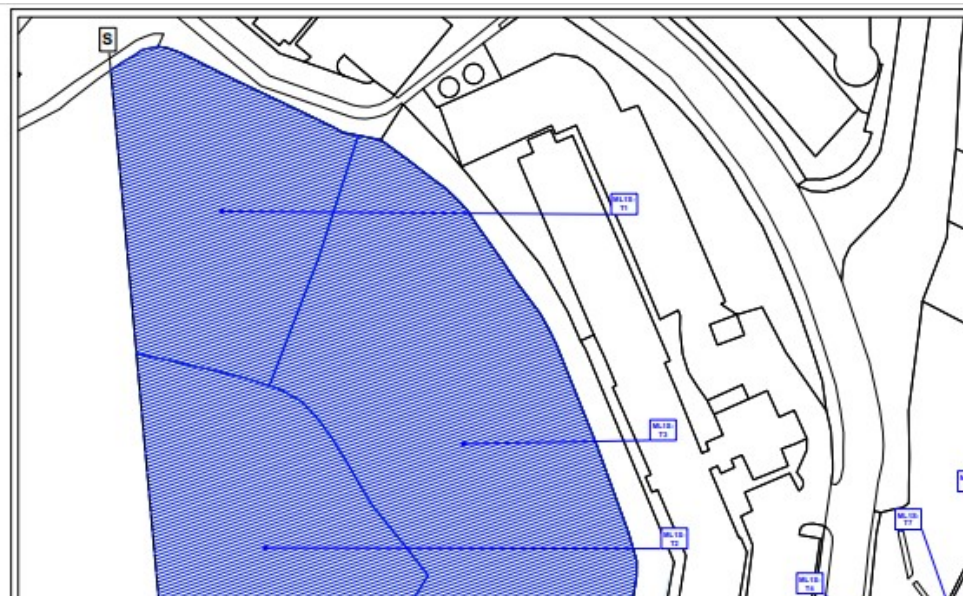
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15	6.0 Concerns on Submitted Application (page 12 of submission)	12	Two Road Counter Surveys have been commissioned by our clients and completed by IDASQ which provides detailed traffic counts to the site in November 2020 and August 2022. These show that the Swords Veterinary clinic experiences a very high proportion of traffic visiting the premises. These reports have been submitted as Appendix A and Appendix B of this submission and included under separate cover. We request that this submission is read in conjunction with the documentation. The reports show a very high level of traffic into the premises, highlighting the demand in the area. This may be jeopardised by the proposal.	<p>It is TII's intention to maintain full access to this business and engage and communicate in advance with the respondent on any local temporary traffic management changes that might impact on this business during the course of the MetroLink Works. TII and their appointed Contractors will also offer to support the respondent in communicating these changes to their customers.</p> <p>These commitments can be further developed with the respondent for their full agreement, with these commitments forming an essential part of the access, logistics communication and engagement requirements placed in the Contract with the Main Works Contractor procured to deliver the scheme while maintaining access to the respondents business</p> <p>Please refer to response item 13 in relation to predicted impacts to traffic during both the construction and operational phases.</p>
16	7.0 Conclusion (page 13 of submission)	13	The proposed railway has been designed without due regard to our client's existing veterinary practice located at Pinnock Hill Roundabout, along the route. Our client's practice has existed for over 30 years and serves a large area, providing essential care to clients in the immediate Swords area, while also having a collection area extending further. The premises operates 7 days a week, with full days provided Monday to Friday, half days on Saturdays and 2 hours on Sundays. Thus, there is constant traffic to the premises throughout the week. The proposal, as per the submitted drawings, is considered to give rise to a loss of space associated with our clients' business premises, including temporary and permanent acquisitions of lands, entrances and additional property, resulting in unmeasurable impacts on the operation of the business. The impact of the proposed route on our client's lands would be detrimental to the viability of the O'Scanaill Veterinary Clinic and would raise uncertainty of the group's capability of functioning at the site. The route also reduces residential amenity afforded to the residents who currently reside in the family home which is also located within the lands.	TII accept that the MetroLink Scheme will have an impact on the business, in the short term during the construction phase. These impacts have been assessed and can be mitigated such that they are reduced from significant to moderate [See EIAR Chapter 23, Table 23.17 LO7.PR1]. TII recognise that further discussion is required to allow the business to influence mitigation measures to maintain its operation without disruption during construction

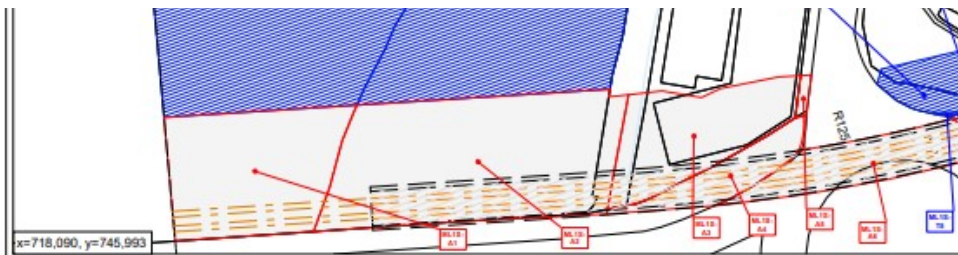
Landtake



Landtake 301 ML-P-301 S-T (Taken Property Drawings - Property Del

[Property Details Book 1 of 2 Fingal County Council.pdf \(metrolink.ie\)](#)





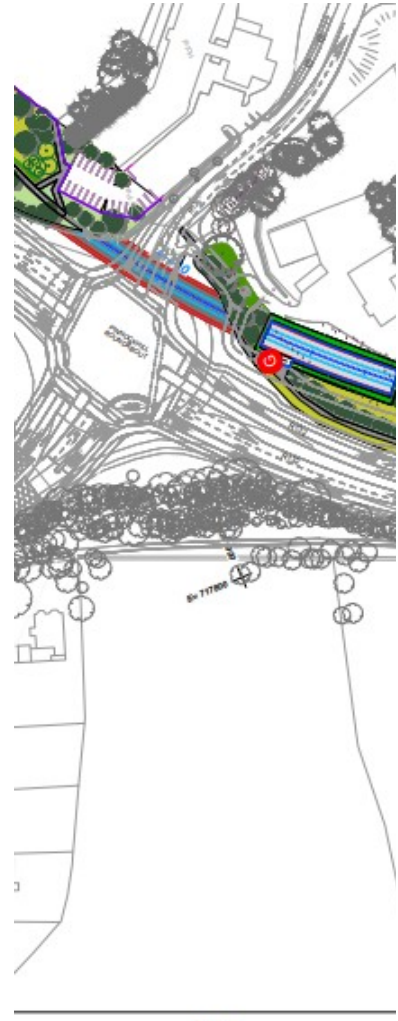
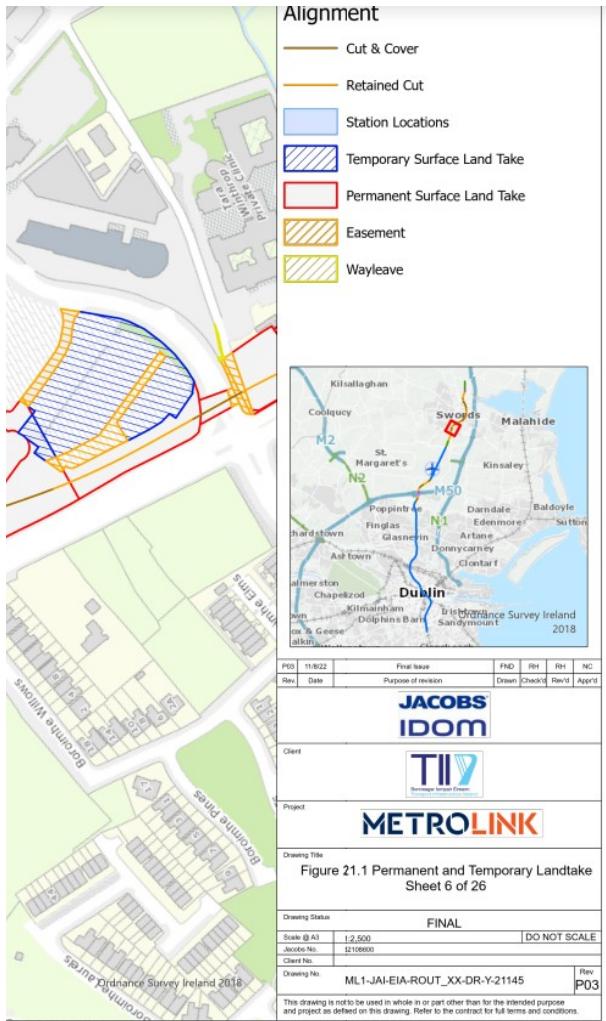
LOCATION PLAN

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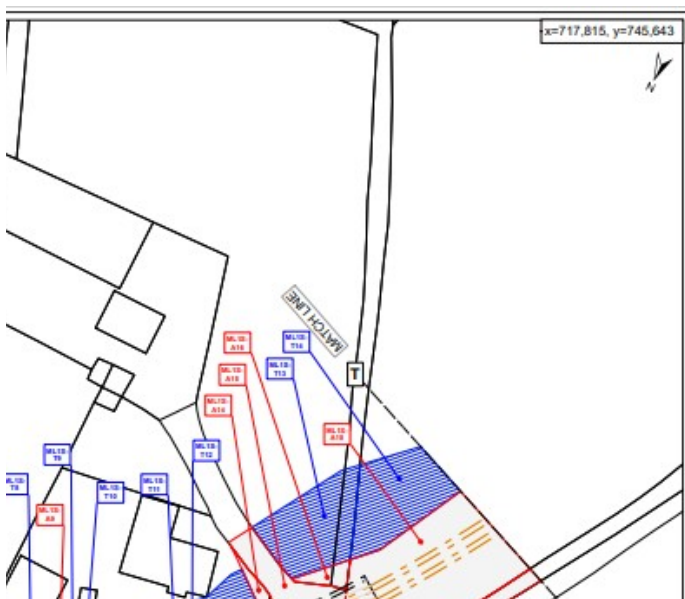
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© BlueSky International Ltd. © Ordnance Survey Ireland 2022: OSI_NIMA_273. All elevations are in metres and relate to OGI Geoid Model (OSG832) Mean Head as defined by existing Project Control. All Co-ordinates are in Irish Transverse Mercator Grid (ITM) as defined by OGI active GPS station Tallaght College (TLLG).

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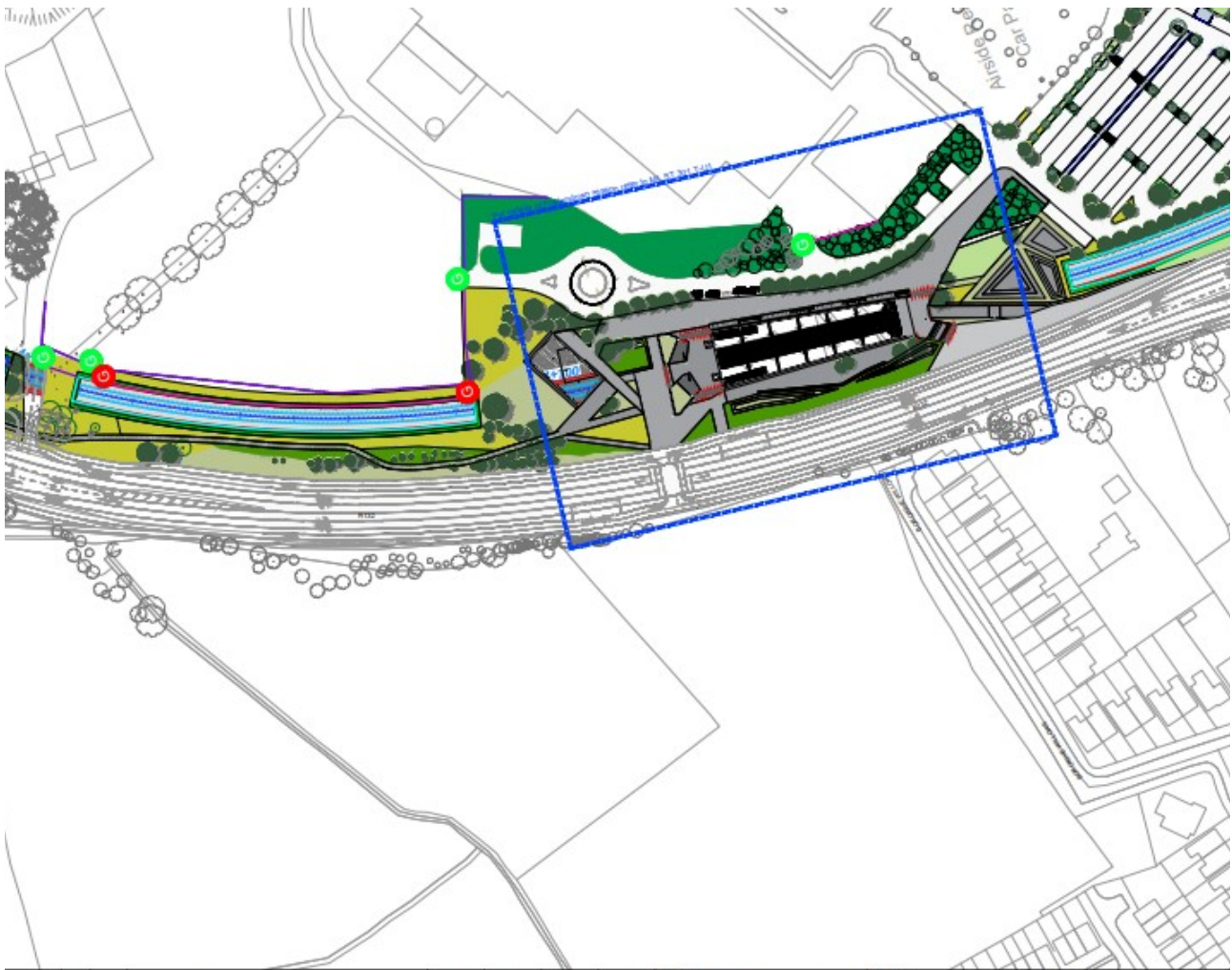






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Landscape : Drawing ML1-JAI-ARL-SC03_XX-DR-Y-00006



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