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Dáta | Date: 1 March 2024      Ár dTag | Our Ref. CAP\_ML\_L0327      Bhur dTag | Your Ref.

**Re: Railway (MetroLink – Estuary to Charlemont via Dublin Airport) Order application**

Dear Matthew McAleese

As you know, Transport Infrastructure Ireland and Fingal County Council have engaged in respect of the Railway (MetroLink – Estuary to Charlemont via Dublin Airport) Order application with a view to reaching agreement on conditions which are proposed to be attached to the Railway Order, if granted by An Bord Pleanála.

Following constructive engagement between them, Transport Infrastructure Ireland and Fingal County Council have agreed that the following conditions should be included in the Railway Order. The draft conditions have been prepared in light of the application documentation, including the Environmental Impact Assessment Report and Natura Impact Statement, and, in respect of some conditions, look to further clarify the manner in which the mitigation measures specified therein are to be implemented.

Yours sincerely



Aidan Foley  
Project Director, MetroLink

I hereby confirm the agreement of Fingal County Council to the attached schedule of conditions.



Matthew McAleese  
Director of Services, Fingal County Council

## TII Metrolink

### Conditions for the Railway Order as agreed with Fingal County Council

1. The development shall be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application, as updated by information and particulars lodged with the oral hearing save as may be required by the other conditions attached hereto,
2. Prior to commencement of any railway works in the vicinity of Santry Lodge, TII will agree with Fingal County Council the detail of the enhanced landscaping proposals at Santry Lodge which landscaping proposals will reflect the sensitivity of the location and setting of a protected structure within Santry Lodge. TII will include with such proposals a proposed treatment of the front boundary and entrance, the rebuilding of the gate pier and sweep walls to the relocated entrance, an enhanced design of the entrance gates and finish of the new boundary wall, together with new planting, and details of the proposed colour and design of any protective fencing, all of which works shall be in accordance with the drawing appended hereto.
3. TII commits, as part of its procurement processes, to ensure that its duly appointed contractors will be required to work productively with all established Community Groups, through the local community liaison offices along the route, to identify projects at a local level that would involve the Community in the delivery of MetroLink and its legacy. Such projects could include: A local school learning programme, enhancement of community amenity within agreed funding limits and engagement with final landscape and finishing options. TII's contractors will also be appropriately incentivised to create opportunities to engage with such Community Groups.

Prior to commencement of development, a community liaison committee shall be established to liaise between TII and the local community.

The membership of this committee shall reflect membership of the local communities of Swords, Santry and Northwood and shall include representatives from Fingal County Council and TII. Full details of the committee shall be agreed in writing between Fingal County Council and TII prior to the commencement of development.

4. The following conditions shall be applied in respect of landscaping:

(a) Prior to the commencement of construction works on site, a meeting with the Site Foremen, the appointed Arborist and the Parks Officer from the Parks & Green Infrastructure Division shall take place on site to discuss tree protection measures with details of the arrangements for the

5. Prior to commencement of development, a detailed Construction Management Plan and a Construction Traffic Management Plan shall be agreed in writing with Fingal County Council in accordance with the EIAR. This shall address, inter alia:

- (a) All details regarding safety issues including the appropriate signage and traffic management (as required)
- (b) All HGV activity associated with the works shall have suitable access to the sites that will avoid the potential for queuing of HGV's on the public road.
- (c) Measures to mitigate the impact of the proposed works on the public road network. All works shall be carried out at the expense of the developer and to the specifications and conditions of the Planning Authority
- (d) The working hours as set out in the EIAR shall be applied through the road opening licence process where deemed necessary.
- (e) All relevant road opening licences setting out lane closures, road closures etc. shall be obtained within the appropriate time periods prior to the commencement of construction works for the development.
- (f) Where works are required on the property of third parties TII shall submit written evidence that it has all the legal consent/rights of way to undertake the works

6. Prior to commencement of the development, a detailed construction and demolition Resource Waste Management Plan as detailed in the EIAR shall be submitted to and agreed in writing with Fingal County Council. This shall be prepared in accordance with Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects 2021. This Plan shall include details of the various waste streams and expected tonnages which will be generated during site clearance, demolition and construction phases and any proposed exportation or importation of soil and stone material including destination/source locations, quantities and if any material will be assessed under By-Product notification. The Resource Waste Management Plan shall also include specific proposals as to how the Resource Waste Management Plan will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed Resource Waste Management Plan shall be made available for inspection at the site office at all times.



implementation, supervision and monitoring of works in accordance with the EIAR. TII will work collaboratively with Fingal County Council, to agree additional landscaping and planting, sharing of replacement plans and method statements for Fingal County Council approval.

(b) All measures outlined in the Arboricultural Method Statement by Dr Philip Blackstock, the Project Consultant Arborist shall be adhered to.

(c) A tree and hedgerow bond of an appropriate amount shall be lodged with Fingal County Council prior to the commencement of development in order to ensure that the trees and hedgerows along the route of the proposed underground service are protected and maintained in good condition throughout the course of development. This bond shall be held by Fingal County Council for a period of two years post construction which may be extended in the event of a possible construction related defects period.

(d) For the tree and hedgerow bond to be released, a post construction report on the condition of the trees and hedgerows to be retained shall be undertaken by the project Arborist and all recommendations made within this report shall be carried out. On completion of this, the report and a Certificate of Effective Completion signed by the project Arborist shall be provided to Fingal County Council.

(e) Any trees or hedgerows that require removal to facilitate the development shall be replaced. Full details of all proposed tree and hedgerow planting shall be submitted to and agreed in writing with Fingal County Council prior to commissioning of the proposed development. This shall be quantified through mapping and include planting and maintenance specifications, including cross-section drawings, use of guards or

other protective measures and confirmation of location, species and sizes, nursery stock type. All tree planting shall be carried out in accordance with the agreed plans. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the development, shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

(f) All measures to safeguard existing trees and hedgerows, as detailed within the EIAR, shall be carried out.

(g) TII shall work collaboratively with Fingal County Council to quantify, through mapping, the tree & hedgerow loss and agree additional landscaping and planting, sharing of replacement plans and method statements for the written agreement of Fingal County Council prior to the commencement of development.

7. Where TII proposes to connect to a public water/waste network operated by Uisce Éireann, TII shall sign a connection agreement with Uisce Éireann, prior to the commencement of the development.

8. No development additional to that permitted under the Railway Order shall take place above roof parapet level, including air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas, or equipment, unless authorised by a further grant of planning permission, a Railway Order or an amendment to the Railway Order (as applicable).

9. The following conditions shall apply:

(a) If there is any occasion when works must be carried on outside daytime hours, the Environmental Health Department of Fingal County Council, local residents and businesses in areas which are likely to be affected by noise from the proposed works should be notified in advance e.g. in letter or leaflet or advertisement form, of:

- Name, address, and telephone number of the company carrying out works.
- Nature of and reason for works
- Likely duration and times of work

(b) During the construction phase all necessary steps as outlined in the EIAR shall be taken to contain dust and airborne pollutants arising from the site and to prevent nuisance to persons in the locality. This shall include i) covering skips, ii) covering slack heaps, iii) netting of scaffolding, iv) regular road and pavement damping and sweeping, v) use of water spray to suppress dust, vi) proper paved or hard stand access for trucks and vehicles to and from the site to prevent dirt and dust from the site being carried from the site

on to public roads etc. Where dust levels become excessive, steps shall be taken by TII to review the works and implement further mitigation measures.

10. All necessary measures shall be taken by TII to prevent the spillage or deposit of any materials including clay rubble or other debris on adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developers own expense.



TII shall be responsible for the full cost of repair in respect of any damage caused to the adjoining public road arising from the construction work and shall either make good any damage upon issue of such a requirement by the Fingal County Council.

11. . All public services to the proposed development including electrical, telephone cables and equipment shall be located underground throughout the entire site where possible.

12. The following shall be complied with in respect of surface water management:

(a) No surface water/ rainwater shall discharge into the foul water system, under any circumstances.

(b) The surface water drainage arrangements shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 FCC April 2006.

13. In accordance with the EIAR, the following requirements shall be complied with:

(a) The Developer shall engage the services of a suitable qualified, experienced and licence eligible archaeologist to carry out archaeological monitoring of all groundworks at the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.

(b) The archaeologist shall notify the Department of Culture, Heritage and the Gaeltacht in writing at least four weeks prior to the commencement of site preparations.

(c) Where archaeological material is shown to be present, avoidance, preservation in situ, or preservation by record (excavation) may be required. Works may be halted pending receipt of advice from the National Monuments Service, Department of Culture, Heritage and the Gaeltacht which will advise the Applicant/Developer with regard to these matters.

(d) On completion of monitoring of groundworks, the archaeologist shall submit a written report to the Planning Authority and to the Department of Culture, Heritage and the Gaeltacht for consideration.

14. At the detail design stage and prior to commencement of the development, details of materials, finishes, fixed furniture, bicycle parking, lighting, wayfinding, paving and any ancillary matters relative to the proposed public spaces in front and around the proposed Stations to be constructed pursuant to the Railway Order shall be provided for written agreement of Fingal County Council.

Particular attention shall be paid to the design of the approach the Stations including the treatment of the exclusion zones around the structures supporting the overhead canopy as well as the overall functionality of the public spaces that are well connected to the surrounding context.

15. Prior to commencement of development, TII will seek and obtain Fingal County Council's approval for the details of the surface treatment and landscaping proposals at the Airport Station near Church of Our Lady Queen of Heaven (RPS No. 864) as outlined in the EIAR. In particular, the landscaping proposals will reflect the sensitivity of the location and setting of the protected structure at this location.

#### APPENDIX

Drawing (Condition 2)



