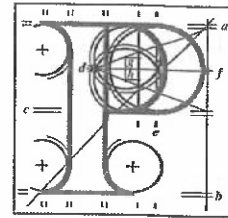


Our Case Number: ABP-314724-22

Your Reference: IPUT plc. and Irish Life Assurance plc.



**An
Bord
Pleanála**

John Spain Associates
39 Fitzwilliam Place
Dublin 2
D02 ND61

Date:

Re: Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]
Metrolink. Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to
Charlemont, Co. Dublin

Dear Sir / Madam,

An Bord Pleanála has received your recent submission and oral hearing request (including your fee of €100) in relation to the above-mentioned proposed Railway Order and will take it into consideration in its determination of the matter.

The Board will revert to you in due course with regard to the matter.

Please be advised, there is no fee for an affected landowner, listed on the schedule, to make an observation on this case. Further note, there is also no fee required to request an oral hearing, therefore, a cheque refund of €100 is enclosed.

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.

Teil	Tel	(01) 858 8100
Gíao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
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64 Sráid Maoilbhríde
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64 Marlborough Street
Dublin 1
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Yours faithfully,



Niamh Thornton
Executive Officer
Direct Line: 01-8737247

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The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902

AN BORD PLEANÁLA
060418-23
12 JAN 2023
Fee: € 100 Type: cheque
Time: 16.16 By: hand

Date: 12th January 2023
Our Ref: LW JN 18090

RAILWAY (METROLINK-ESTUARY TO CHARLEMONT VIA DUBLIN AIRPORT)
ORDER 2022

RE: SUBMISSION ON THE METROLINK RAILWAY ORDER APPLICATION IN
RELATION TO AIRSIDE RETAIL PARK, SWORDS, CO. DUBLIN

AN BORD PLEANÁLA REFERENCE: NA29N.314724

INTRODUCTION

On behalf of our client, IPUT plc, 47-49, St Stephen's Green, Dublin 2, and Irish Life Assurance plc, Irish Life Centre, Lower Abbey street, Dublin 1 (the joint owners of Phase 1 Airside Retail Park), we John Spain Associates, 39 Fitzwilliam Place, Dublin 2, wish to make this submission on the application for a Railway Order for the MetroLink project.

The application for a Railway Order was submitted on the 30th of September 2022. The Board's reference number for the application is ABP Ref.: NA29N.314724.

Our clients welcome the opportunity to participate in the Railway Order application process. While our clients support the delivery of MetroLink as an important piece of transport infrastructure, there is further information required, and some concerns in relation to several aspects of the project as it relates to our clients' property. This is set out in further detail below.

As set out below, our clients wish to request an Oral Hearing on the Railway Order application.

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPi
Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPi Rory Kunz BA (MOD) MScERM MATRCP Dip EIA Mgmt. MIPi
Stephen Blair BA (Mod) MRUP MIPi MRTPI Blaine Cregan B Eng BSc MSc
Senior Associate Directors: Luke Wymer BA MRUP Dip Plg & Env Law Dip PM Prof Cert Env Mgmt MIPi
Meadhbh Nolan BA MRUP MRTPI Kate Kerrigan BA MSc MRTPI
Associate Director: Ian Livingstone MA (Hons) Town & Regional Planning, MSc. Spatial Regeneration. MRTPI
John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
Registered in Ireland No. 396306. Registered Office: 39, Fitzwilliam Place, Dublin 2 D02 ND61. VAT No. IE 6416306U

We enclose the fee of €50.00 in respect of this submission (although we note that no fee is payable for landowners affected) a further fee of €50.00 in respect of the Oral Hearing request is also enclosed.

The MetroLink project subject of the current Railway Order application to An Bord Pleanála involves the construction of a new metro railway line through the westmost part of the retail park lands at Airside, and additionally the provision of a new station (Fosterstown Station) immediately to the northwest of and on lands adjoining the existing Airside Retail Park.

The proposed development subject of the Railway Order application involves the permanent acquisition and demolition of an existing unit (currently occupied by Smyths Toys and Starbucks Coffee) at Phase 1 of the Airside Retail Park.



Figure 1: Aerial image indicating the location of Phase 1 Airside Retail Park

The permanent land take currently indicated on the application drawings includes the full extent of the unit to be demolished, adjoining lands (including service areas to the rear), and an area comprising a junction serving the existing car park (located to the south of the unit within the retail park).

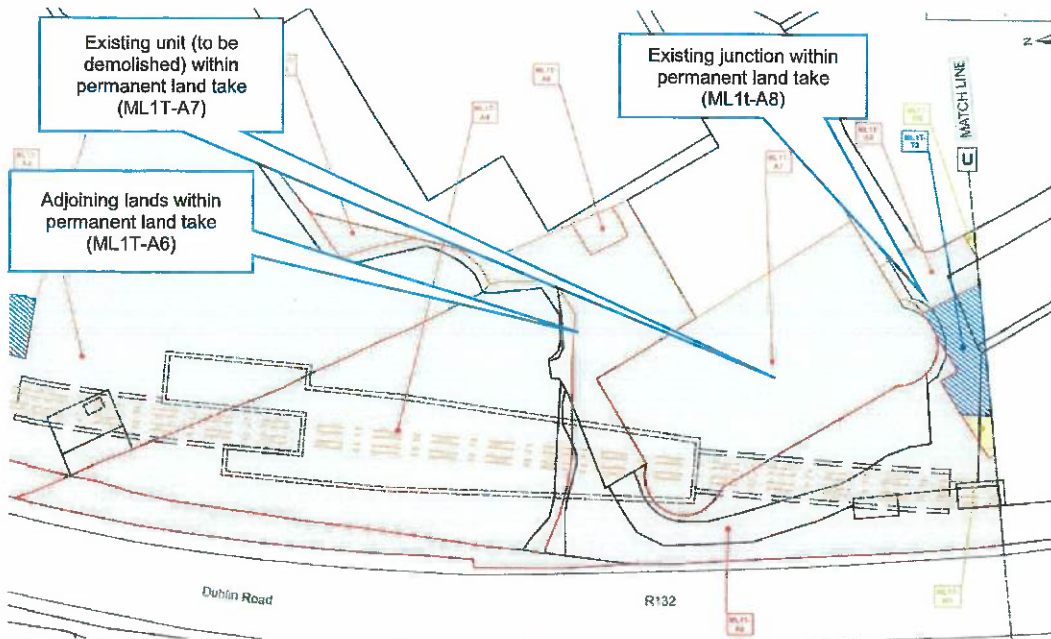


Figure 2: Extract from drawing 'Railway Works MetroLink – Property Details Airside Shopping Centre (Sheet 1 of 2)' – permanent land take in grey, temporary land take in blue, and proposed wayleaves in yellow

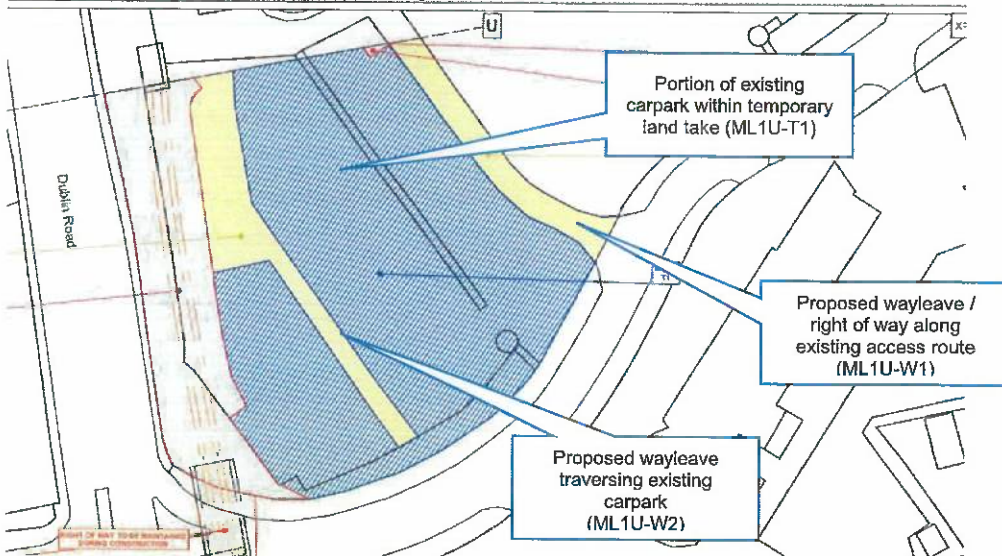


Figure 3: Extract from drawing 'Railway Works MetroLink – Property Details Airside Shopping Centre (Sheet 2 of 2)' – permanent land take in grey, temporary land take in blue, and proposed wayleaves in yellow

The temporary land take indicated includes areas within and adjoining the existing Airside car park.

Wayleaves are also indicated traversing the existing car park, and along an existing access road serving the retail park.

The demolition of Unit 1 (an anchor unit currently occupied by Smyths Toys and Starbucks), and the temporary and permanent loss of car parking associated with the MetroLink project will impact on the operation of the Airside Retail Park (and Phase 1 in our clients' ownership in particular).

Our clients also have a number of specific concerns in relation to the proposed Railway Order application to An Bord Pleanála and they request that these be addressed by making amendments to the project and Railway Order as set out below.

The key grounds of submission relate to the following:

1. The extent of permanent land acquisition
2. Extent, alignment and beneficiaries of the proposed wayleaves and rights of way
3. Maintaining access to Airside Retail Park during construction works and associated traffic management measures
4. Signage during construction and post construction, and fencing
5. Façade treatment following demolition of Unit 1

These grounds of submission are dealt with in further detail below.

GROUND OF SUBMISSION

1. Permanent Land Acquisition

As summarised below, an extensive area of our clients' lands at Phase 1, Airside Retail Park is proposed as permanent land take in the Railway Order application including Unit 1 (occupied by Smyth's Toys and Starbucks) (Land Take Reference No. ML1T-A7) as well as part of the car park (including a junction accessing the car park) and service area of the retail park (Land Take Reference No. ML1T-A6).

The Order application also includes the permanent acquisition of an area in front of Unit 1 (Land Take Reference No. ML1T-A8), comprising of the northern end of the main access road to this portion of the Retail Park from Nevinstown Land. This area is indicated on Figure 2 above and in greater detail in Figure 4 below.

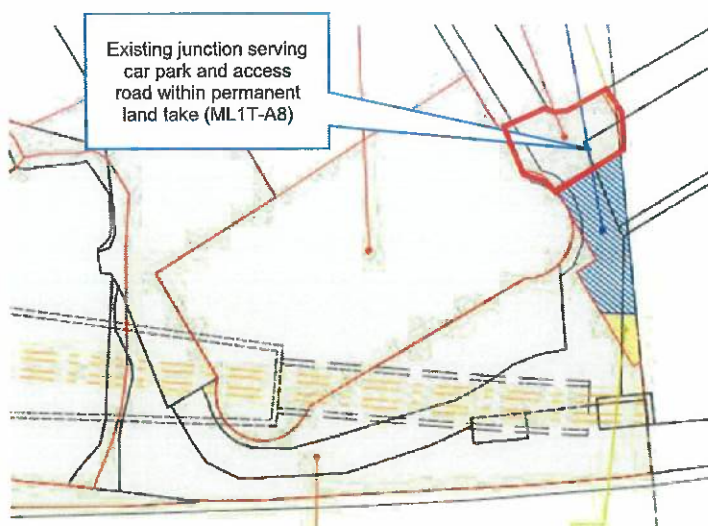


Figure 4: Extract from drawing 'Railway Works MetroLink – Property Details Airside Shopping Centre (Sheet 1 of 2)'

Our clients have concerns in relation to the permanent acquisition of this area of land (ML1T-A8). It is not clear why it is proposed to acquire this area permanently and respectfully requested that this should be omitted from the permanent land take in any approved Railway Order. This area of land (illustrated in Figure 4 above) poses a critical part of the existing infrastructure of the retail park as it is located on the main access route into this area of the retail park and serves a significant existing car park at this location.

This parcel of land should remain in the ownership and control of the owners of Phase 1, Airside Retail Park i.e. IPUT and Irish Life Assurance plc. It is considered that this area of land is not required for the operation of the Metro and that this matter is best addressed extending the right of way/wayleave along the access road into and through this parcel of land leading to the proposed Fosterstown station.

Secondly, it is noted that it is proposed to acquire a portion of land to the rear of Unit 1 and Unit 2 (ML1T-A6) and a portion of the land resulting from the demolition of Unit 1 (ML1T-A7) for landscaping purposes as part of the permanent land take for the project (see Figure 5 below). It is understood that this area of land is not required for the permanent and ongoing operation of the MetroLink project post construction. Therefore, it is also requested that it is agreed that this area of land shall be acquired on a temporary basis only if necessary and returned after the completion of construction to its current owners IPUT and Irish Life Assurance plc. It is important for the ongoing operation management and maintenance of the retail park that this area remains permanently in the ownership of our clients, the owners of Phase 1 of Airside Retail Park.

The extent of lands which are currently shown for permanent acquisition / land take, but which it is submitted should be re-designated as temporary land-take only are indicated approximately on Figure 6 and 7 below.

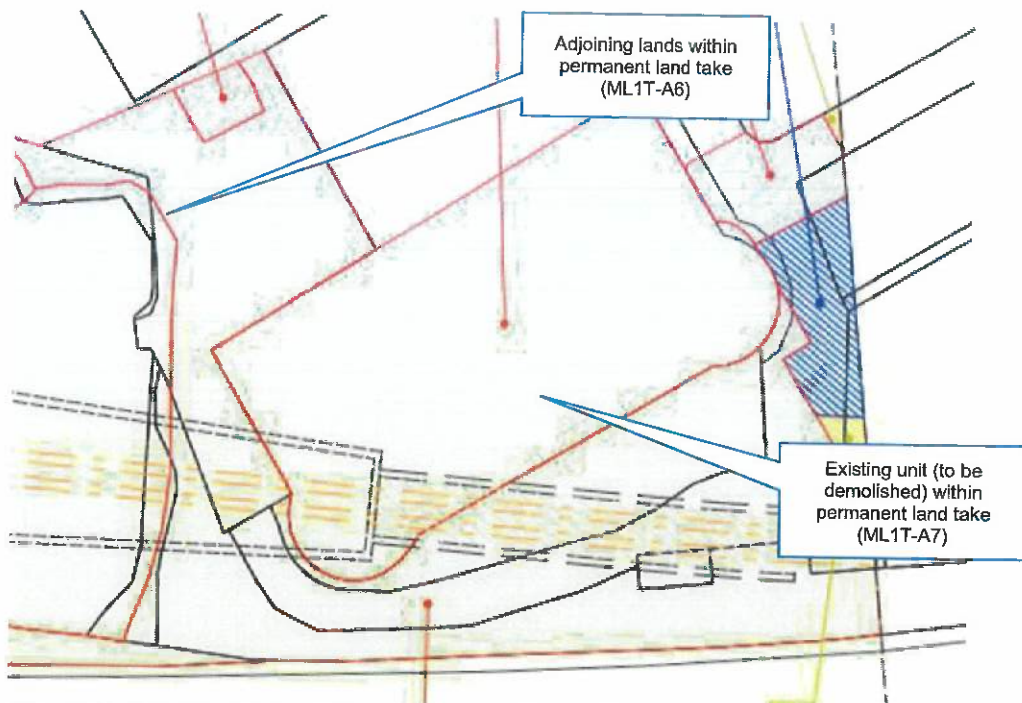


Figure 5: Extract from drawing 'Railway Works MetroLink – Property Details Airside Shopping Centre (Sheet 1 of 2)'

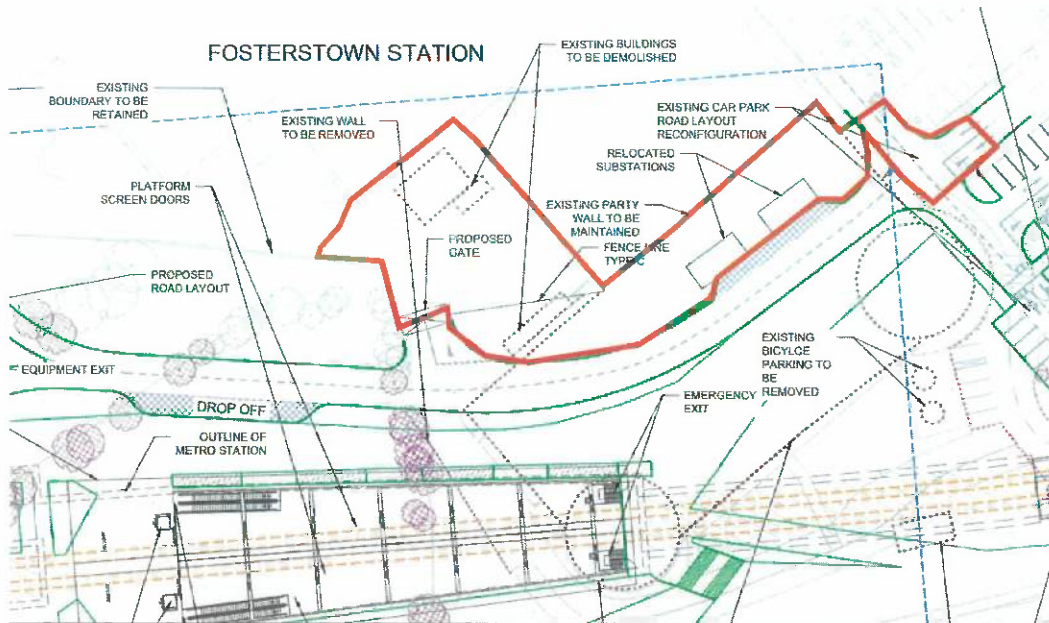


Figure 6: Approximate extent of lands which should be returned to our clients post-construction (in red) – extract from route layout plan

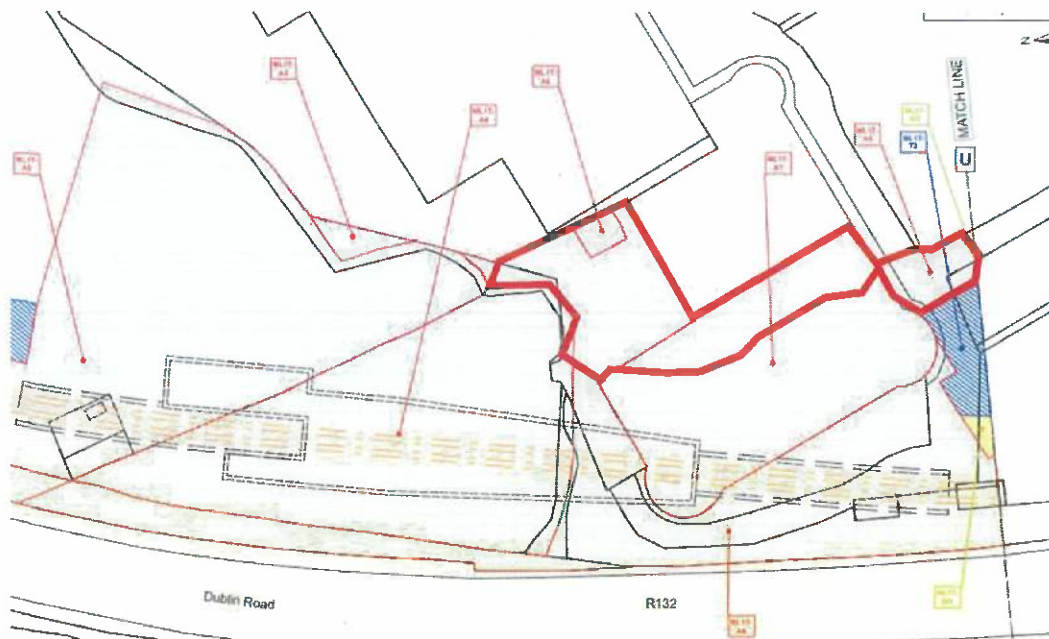


Figure 7: Approximate extent of lands which should be returned to our clients post-construction (in red) – extract from land acquisition drawing

2. Right of Way/Wayleaves

Confirmation is requested that TII and users / passengers of MetroLink only will have the benefit of the rights of way / wayleaves which are proposed at Airside Retail Park (Reference nos. ML1U-W1 and ML1U-W2). It is noted that the two proposed wayleaves include the existing access into the retail park and a further wayleave traversing the existing car park to

the south of Unit 1. It is important that it is confirmed that the proposed right of way is restricted to TII / MetroLink Passenger use only and is not for the benefit of any other party including adjoining landowners.

Further clarification is required in relation to the likely extent of the use of the existing access into the retail park for which the wayleaves/right way of way is sought (ML1U-W1), as this could have a potential impact on the operation of the retail park.

Additionally, as noted the further proposed right of way / wayleave (which it is understood is intended to facilitate below-ground services and periodic access for works) proposed through the centre of the existing car park adjacent to Unit 1 (ML1U-W2) will effectively bisect this area of car parking instead of following the boundary of the existing car park. It is requested that this alignment of wayleaves/right of way is realigned parallel to the metro alignment as proposed in order to minimise it's potential impact for future disruption to the carpark. This option should be fully investigated by TII.

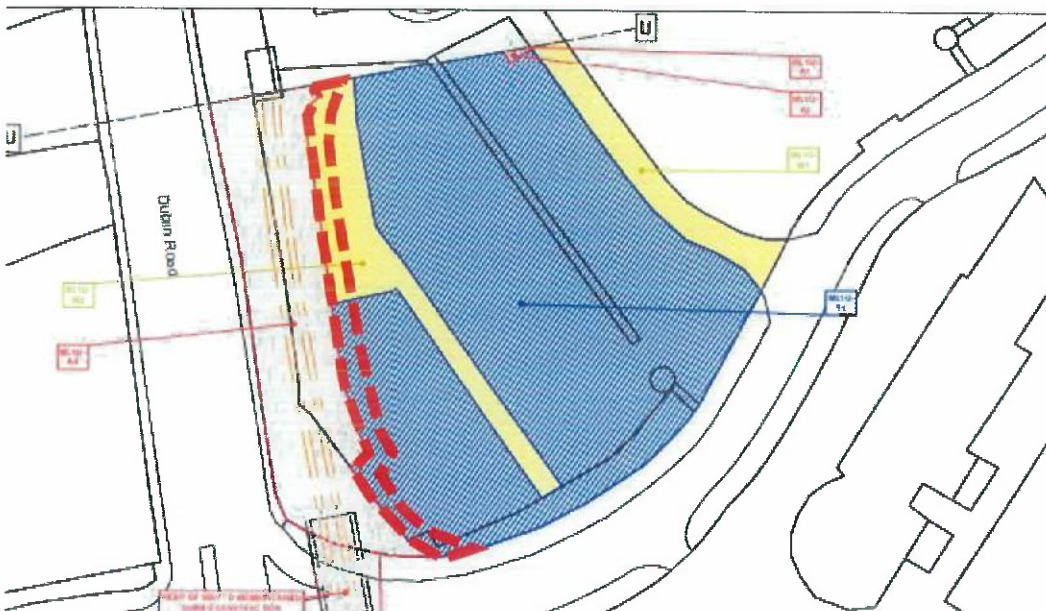


Figure 8: Potential alternate route for wayleave Ref. No. ML1U-W2 in red dashed line

In addition to the foregoing, it is submitted that provision should be made for the relocation and alteration of easements (rights of way / wayleaves) in future if required by the co-owners (IPUT and ILA or its successors in title) subject to agreement, at the cost of the beneficiary of the easement.

3. Access to Airside Retail Park Through Construction and Traffic Management

It is proposed at the existing main access to Airside Retail Park off the R132 Dublin Road will be closed for traffic for a period of 21 months or possibly longer. It is also noted that there will be a very limited temporary junction put in place during construction for traffic to exit onto the R132 Dublin Road heading in a southbound direction only during the construction process.

IPUT and Irish Life Assurance plc are extremely concerned that this lengthy closure period of this access will cause severe disruption to the retail park and the retail park's customers and retailers.

It is noted that the alternate access route (via the L2305 / Nevinstown Lane and the R125 onto the R132) will also traverse a roundabout which is due to be subject to significant construction works during the implementation of MetroLink. This gives rise to a risk of the access to Airside Retail Park being curtailed for a significant period.

It is requested that revised temporary access arrangements are prepared and proposed which will ensure that access in both directions will be maintained at all times from the Dublin Road / R132 to Airside Retail Park. This should be feasible through appropriate temporary arrangements and phasing arrangements for the construction of this section of the project. Our client's consulting engineers, Roughan O'Donovan, have set out further details in this respect attached to this submission as Appendix 1.

4. Signage, Fencing and Associated Matters

Finally, the Railway Order application is lacking in necessary information and detail in respect of the temporary and permanent provision of and positioning of signage for the retail park in the vicinity of the Dublin Road / R132, Nevinstown Lane junction during construction and post-construction.

It is submitted that it is essential that this detail is included as part of the Railway Order. Signage is critical to the commercial operations of the retail park and for wayfinding and to clearly identify the retail park both during and post-construction.

There are two existing signs (a totem sign and a lower level sign) along the frontage of the retail park to the R132, in the absence of a clear strategy for the provision of replacement signage both during construction and post-construction, the removal or relocation of these signs could impact negatively on the operation of the retail park.



Figures 9 and 10: Existing signs along the R132 frontage

Therefore, it is important that both temporary and permanent signage arrangements be included within the Railway Order to ensure that appropriate signage will be put in place at all times during and post construction.

In addition, our client requires further information on the perimeter fencing proposed during construction and post-construction and boundary demarcation.

5. Façade treatment following demolition of Unit 1

As noted previously, the alignment and layout of the MetroLink development gives rise to the requirement for the demolition of Unit 1 within Phase 1 of the Airside Retail Park (currently occupied by Smyths Toys and Starbucks).

This will result in the dividing wall with the next-door unit being exposed. It is noted that the resulting exposed wall will be highly visible from the R132, the Retail Park, and from the proposed MetroLink station. Therefore it will be required to provide for high-quality façade treatment to this frontage. The provision of high quality façade treatments at this location should form part of the MetroLink project and should be conditioned as part of any Railway Order granted for the project.

Conclusion

There may be other detailed matters which will require further clarification and information from TII as they relate to the interface of the project with the operation of Airside Retail Park. Our clients wish to reserve their position in this respect.

Our clients also wish to request that an Oral Hearing is held in respect of the Railway Order application so that the points raised within this submission can be further clarified and addressed at the hearing for the benefit of all parties.

We enclose the fee of €50.00 in respect of this submission (although we note that no fee is payable for landowners affected) a further fee of €50.00 in respect of the Oral Hearing request is also enclosed.

We respectfully request An Bord Pleanála to consider this submission and to make appropriate amendments to the Railway Order to address the points set out above.

Yours Faithfully



John Spain Associates

**APPENDIX 1: ROUGHAN & O'DONOVAN CONSULTING ENGINEERS TECHNICAL
NOTE ON ACCESS**



Consulting Engineers
Civil - Structural - Transportation - Environmental

Arena House, Arena Road, Sandymount, Dublin 18, D18 V8P6.
Tel: +353 1 294 0800
Fax: +353 1 294 0820
e-mail: info@rod.ie
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RAILWAY (METROLINK–ESTUARY TO CHARLEMONT VIA DUBLIN AIRPORT) ORDER 2022

SUBMISSION ON THE METROLINK RAILWAY ORDER APPLICATION IN RELATION TO AIRSIDE RETAIL PARK, SWORDS, CO. DUBLIN

AN BORD PLEANÁLA REFERENCE: NA29N.314724

CONSTRUCTION TRAFFIC MANAGEMENT PLAN TECHNICAL NOTE – 23/11/2022

Roughan and O'Donovan have been appointed by IPUT plc and Irish Life Assurance plc to undertake a technical review of the Construction Traffic Management Plan prepared for the Metrolink Project. A particular interest of IPUT plc and Irish Life Assurance plc relates to the traffic and transportation impacts and the accessibility impediments to Airside Retail Park during the construction phase of the scheme.

1. General Comments

The traffic analysis and traffic modelling have been undertaken based on junction turning count surveys during the AM and PM peak hours where the weekday network-wide transport demand is highest. The transport demand on the network surrounding Airside may be highest during mid-day weekend periods when the demand generated by Airside Retail Park is highest. More detailed localised traffic analysis should be carried out using weekend traffic data at the junctions surrounding Airside Retail Park to ensure that the temporary traffic management proposals can accommodate the peak traffic volumes.

2. Nevinstown Signalised Junction

Phase 1 of the main works temporary traffic management at Nevinstown Signalised Junction will be in place for approximately two years. This involves reducing Nevinstown Lane to a single one-way traffic lane on approach to the junction with only a left-out movement permit onto R132 Dublin Road.

- a. The traffic assessment for the traffic management plan at the Nevinstown Signalised Junction states that there will be severe residual impacts on general traffic and local access, as described in Scheme Traffic Management Plan, Table 5-84 and Table 5-85, which is copied below.

Table 5-84: Nevinstown Signalised Junction Stage 2 Assessment General Traffic and HGV Summary

Road User	Criteria	TTM Design	Stage 2 Impact Assessment Rating	Residual / Comment
General Traffic	Increase in traffic flow (PCUs)	Closure of L2305 arm. Existing 4 arm junction reduced to a 3-arm junction with a left out slip onto R132 southbound, south of the junction.	Severe	Residual Impact
	Increase in Driver Delay (seconds)		Slight	
HGV	Increase in HGV flows	No proposed TTM	Moderate	Residual Impact

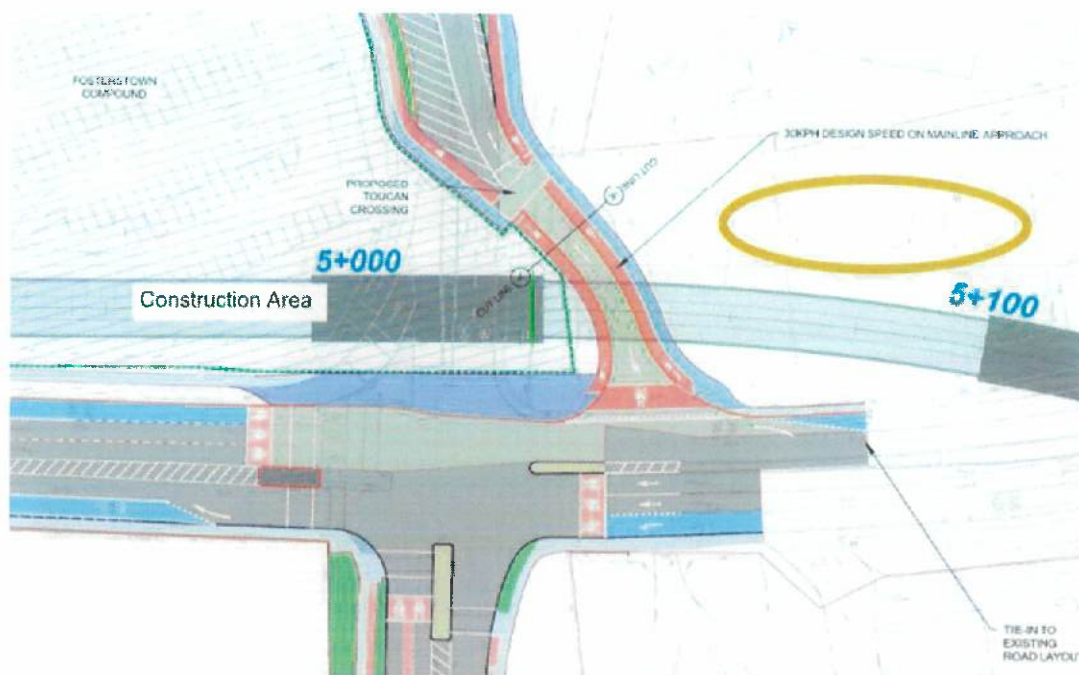
Table 5-85 Nevinstown Signalised Junction Stage 2 Assessment Local Access Summary

Road User	Criteria	TTM Design	Stage 2 Impact Assessment Rating	Residual / Comment
General Traffic	Diversion for local access	Closure of L2305 causing approx. 1.4 km diversion to Pinnockhill Junction/ Airside Roundabout.	Severe	Residual impact

Residual impacts are described in the report as impacts which cannot be further reduced or remediated. Severe residual traffic impacts of this magnitude for an extended period would be of concern, as they could impact on the operation of Airside Retail Park, which is dependent on vehicular access for trade.

Further reduction of impacts or remedial actions are considered feasible. Potential solutions that should be investigated include:

- i. Split phase 1 of the Nevinstown Signalised Junction Traffic Management Plan into several phases, allowing the cut and cover section of the Nevinstown Lane crossing to be completed in two or more parts, while maintaining two-way traffic between Nevinstown Lane and R132 Dublin Road.
- ii. Use the area for the Nevinstown Lane Construction Compound (circled below) to provide a two-way access road and a full movement three-arm signalised junction with the R132 Dublin Road, i.e. creating a staggered crossroads.
- iii. Reduce the size of the Fosterstown Compound to provide a two-way access road and a full movement three-arm signalised junction with the R132 Dublin Road.



- b. Phase 2 of the main works traffic management plan at Nevinstown Signalised Junction restricts turning movements onto Nevinstown Lane with traffic likely to divert onto R132 Dublin Road and R125 Pinnockhill. The cumulative impacts on accessibility to Airside Retail Park from the restricted turning movements at Nevinstown Signalised Junction and the additional traffic loading from diverted traffic onto Pinnock Hill Junction and R125 and L2305 Junction have not been adequately addressed in the Construction Traffic Management Plan. These impacts are likely to be severe as the Pinnock Hill Junction and the R125 Pinnockhill / L2305 Junction are currently at or exceeding capacity at peak times, and any significant diversion of traffic onto these junctions without mitigation measures will result in gridlock.

3. Pinnock Hill Junction

BusConnects, which is expected to be completed before the MetroLink construction phases, will modify the Pinnock Hill Roundabout into a signalised junction with one lane of general traffic and one bus lane in both directions along the R132 Dublin Road.

Phase 2 of the main works temporary traffic management at Pinnock Hill Junction will be in place for approximately eighteen months. This involves closing the R125 southern arm for general traffic for up to nine months with controlled access being maintained for local access only.

- a. The traffic management plan at the Pinnock Hill Junction has severe residual impacts on general traffic and local access as described in Scheme Traffic Management Plan, Table 5-78 and Table 5-79, which is copied below.

Table 5-78: Pinnockhill Signalised junction Stage 2 Assessment General Traffic and HGV Summary

Road User	Criteria	TTM Design	Stage 2 Impact Assessment Rating	Residual / Comment
General Traffic	Increase in traffic flow (PCUs)	Full closure of the R125 south arm during main works. Reduced general traffic lane on R132 southbound on approach to junction and R132 northbound on approach to junction.	Severe	Residual Impact
	Increase in Driver Delay (seconds)		Severe	Residual Impact
HGV	Increase in HGV flows	No proposed TTM	Moderate	Residual Impact

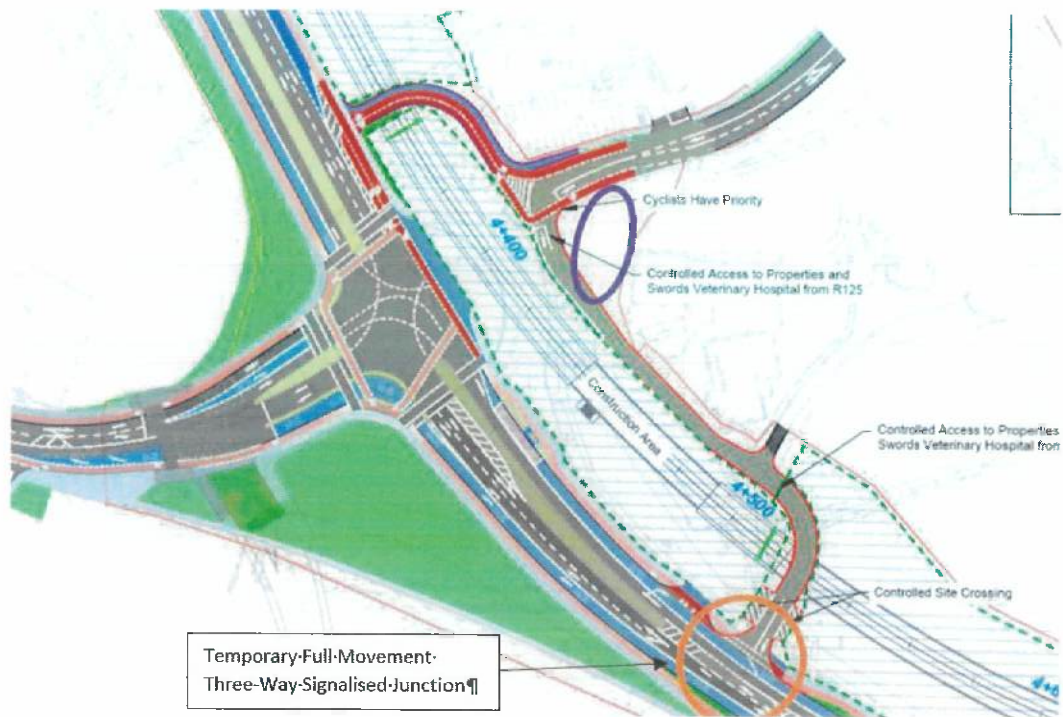
Table 5-79: Pinnockhill Signalised junction Stage 2 Assessment Local Access Summary

Road User	Criteria	TTM Design	Stage 2 Impact Assessment Rating	Residual / Comment
General Traffic	Diversion for local access	Diversions, of approx. 1.5km due to R125 south closure	Severe	Residual impact

Severe residual traffic impacts of this magnitude for an extended period would be of concern, as they could impact on the operation of Airside Retail Park, which is dependent on vehicular access for trade.

Further reduction in traffic impacts or remedial actions are considered achievable. Potential solutions which should be investigated including:

- a. Split Phase 2 of the Pinnock Hill Junction traffic management plan into several phases, allowing the cut and cover section of the R125 crossing to be completed in two or more parts. An additional phase could be added which provides a temporary full access signalised junction where the left in and left out is currently proposed while the cut and fill across the R125 south arm is constructed. The area within the red line boundary circled in purple in the image below could be used to connect the temporary two-way access to the R125. A second additional phase could reinstate the permanent signalised junction layout while the remaining cut and cover or cut and retain sections of the metro are constructed.



- b. The closure of the R125 southern arm during phase two of the traffic management plan will divert traffic to the Nevinstown Signalised Junction. The cumulative accessibility impacts to Airside Retail Park considering the severed connection at Pinnock Hill Junction and the additional congestion at the Nevinstown Signalised Junction have not been adequately addressed. The Nevinstown Signalised Junction is currently at capacity and additional loading from diverted traffic is likely to have severe effects on accessibility to Airside Retail Park.

4. Construction Sequence

It is crucial to Airside Retail Park accessibility that the construction activities at Nevinstown Lane (Airside Junction) and Pinnock Hill Lane Junction do not overlap as per the proposed construction sequence outlined in the Scheme Traffic Management Plan, Figure 5-3, which is copied below.

Section 5.1.1 and section 5.1.2 of the Scheme Traffic Management Plan describes that the R132 Connectivity Project and BusConnects should be completed before the MetroLink construction phases commence. Any delay to these projects should be coordinated with MetroLink as an overlap in construction activities and the associated traffic management could result in gridlock on the surrounding road network and at Airside Retail Park.

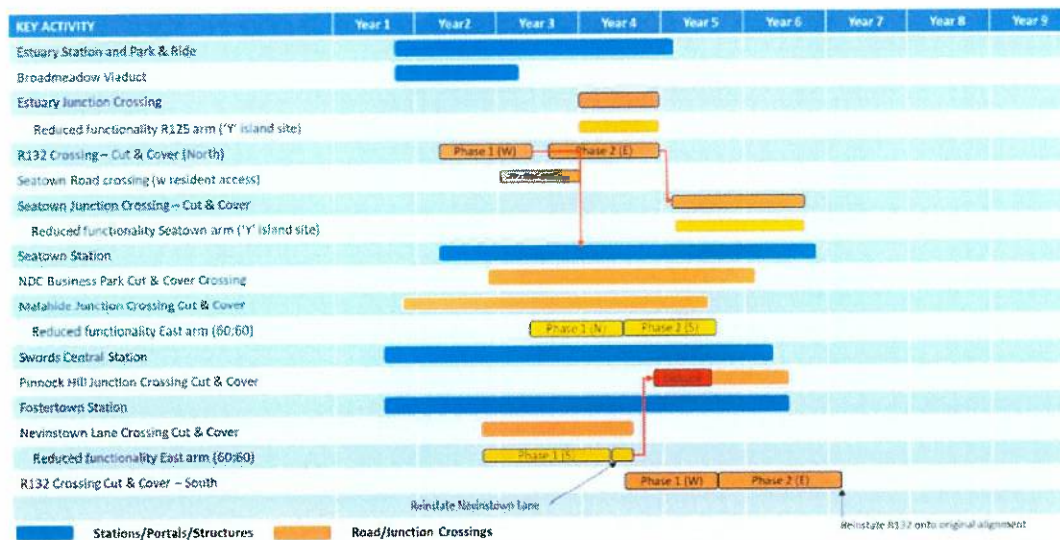


Figure 5-3: Construction Sequencing in the North section