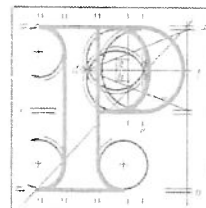


Our Case Number: ABP-314724-22

Your reference: OPW



An
Bord
Pleanála

Downey Planning
c/o Jonathen Murray
29 Merrion Square
Dublin 2
D02 RW64

Date: 04 April 2025

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 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.

If you have any queries in the meantime, please contact the undersigned officer of the Board at laps@pleanala.ie.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

RA05

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Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



Oifig na
nOibreacha Poiblí
Office of Public Works



27 March 2025

An Bord Pleanála
64 Marlborough Street
Dublin D01 V902

sent by email to laps@pleanala.ie

Re: Railway (Metrolink–Estuary to Charlemont via Dublin Airport) Order 2022

To whom it may concern,

The Commissioners of Public Works in Ireland (hereinafter, the Office of Public Works (OPW)) thank An Bord Pleanála for the invitation to make a submission, pursuant to §47D(1) of the *Transport (Railway Infrastructure) Act 2001 (as amended)*, in relation to the submission dated 31st January 2025 received by the Board from the applicant (Transport Infrastructure Ireland), which comprises the following:

- Response to Wild Ireland Defence (including information relating to a PFAS management strategy at Dublin Airport);
- Update to the Cumulative Impact Assessment;
- Post oral hearing Appropriate Assessment update.

The OPW has reviewed the above material and wishes to make comment on the updated Cumulative Impact Assessment (CIA).

The OPW wishes to express again its overall support for the MetroLink project, which will deliver economic, social and tourism benefits to the city of Dublin.

Updated Cumulative Impact Assessment (CIA)

It is noted that original CIA was undertaken as part of Chapter 30 in the Environmental Impact Assessment Report (EIAR) submitted in September 2022 as part of the MetroLink Railway Order application. A subsequent update to this CIA was presented on Day 7 of the Oral Hearing (February – March 2024). Transport Infrastructure Ireland (TII) have now undertaken a further updated assessment to this CIA, to include projects/planning applications up to 15th December 2024.



Four “new” OPW projects/planning applications have been identified in this updated CIA, listed below/overleaf:

1. 2381/24 (National Library of Ireland)
2. 4065/24 (National Concert Hall)
3. 4078/24 (Aquatic House Complex at the National Botanic Gardens)
4. 4107/24 (National Botanic Gardens – South Lodge and North Lodge)

In the case of project/planning application no. 4 above (4107/24). TII decided that ***Due to the nature of the development, no cumulative impacts are likely.***

For the other projects/planning applications above, TII decided that ***Due to scale and nature of the development, there is a potential for cumulative impact or Due to the proximity to the proposed Project, there is a potential for cumulative impacts.*** The OPW has therefore focused its review on the updated CIA of projects/planning applications DCC Reg. Refs 2381/24, 4065/24, & 4078/24.

It is noted that only the below categories of cumulative impact were identified as being relevant to projects/planning applications (2381/24, 4065/24 & 4078/24) by TII:

- Land take – Potential for cumulative impacts with other developments which fall within permanent or temporary land take boundaries, substratum land take and/or MetroLink exclusion and protection zones.
- Materials & Waste – Potential for cumulative impacts if the construction phases overlap, due to reduction in landfill capacity.
- Soils & Geology – Potential for cumulative impacts due to settlement and/or alteration of source-pathway receptor linkages relating to the infilled former quarry and settlement at the proposed Dublin Airport Station.
- Utilities & Infrastructure – Potential for cumulative impacts with other developments that are within proximity to Proposed project’s construction compounds that require utility works, should the construction phases overlap.



DCC Reg. Ref. 2381/24, National Library of Ireland

Regarding: Landtake Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	WEB2381/24	<p>The Commissioners of Public Works in Ireland</p> <p>The development will consist of works to the Main Reading Room (351 sqm) East lobby (13sqm), Reprographics Room (36 sqm) and gallery area (44sq m) to the first floor of the National Library of Ireland, Nos.7-8 Kildare Street, Dublin 2. Protected Structure (Reference RPS 4197).</p> <p>The National Library of Ireland, Nos.7-8 Kildare Street, Dublin 2</p>	<p>The MetroLink alignment passes through the eastern area of the development site in tunnel. The substratum landtake crosses the site from north north east to south south west. Portions of the development site will fall within the Metrolink exclusion and protection zones.</p> <p>No operational phase cumulative impacts are predicted.</p>	<p>TII is in the process of developing a "Guidance Note for Developers", which will be published following the potential grant of a Railway Order for MetroLink, and which may be the subject of bye-laws. The proposed guidance is designed to facilitate future adjacent or over-site development while protecting the integrity and safety of the MetroLink works and operations. This Guidance Note would define "exclusion" and "protection" zones, loading conditions and/or processes to help ensure that the MetroLink subsurface assets are protected from the impact of third-party development activities.</p>	None

This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that the proposed mitigation for this potential cumulative impact during the construction phase includes the production of a "Guidance Note for Developers". It is understood that this note is intended to facilitate future adjacent or over-site development while protecting the integrity and safety of the MetroLink works and operations. It is also understood that this note would define "exclusion" and "protection" zones to help ensure that the MetroLink subsurface assets are protected from the impact of third-party development activities.

The OPW requests to be provided with further detail in a timely manner on the updated "Guidance Note for Developers", particularly in relation the exclusion and protection zones where they relate to the project proposed under 2381/24 (National Library of Ireland, 7–8 Kildare Street). Further clarity regarding the defined boundaries of the exclusion and protection zones, and further understanding of the processes involved in protecting OPW interests from adjacent development activities is requested. It is considered that such clarity



would assist in preventing misunderstandings and would ultimately ensure avoidance of future disputes or unexpected obligations.

Regarding: Materials & Waste Management Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	WEB2381/24	<p>The Commissioners of Public Works in Ireland</p> <p>The development will consist of works to the Main Reading Room (351 sqm) East lobby (13sqm), Reprographics Room (36 sqm) and gallery area (44sq m) to the first floor of the National Library of Ireland, Nos.7-8 Kildare Street, Dublin 2. Protected Structure (Reference RPS 4197).</p> <p>The National Library of Ireland, Nos.7-8 Kildare Street, Dublin 2</p>	<p>Construction Phase: A potential significant effect of reduced landfill capacity was identified, should any of the Construction Phases for these developments occur at the same time as the Construction Phase of the proposed Project.</p> <p>Operational Phase: No other developments were deemed likely to result in a cumulative impact in relation to materials and waste management during the Operational Phase of the proposed Project.</p>	<p>Construction Phase: Mitigation measures have been proposed in Chapter 24. All materials consumed and waste generated by the proposed Project will be managed in accordance with circular economy principles and the waste hierarchy, with prevention, reuse, recycling, and other recovery methods favoured over disposal.</p> <p>Operational Phase: All wastes generated during the project will be managed in accordance with the waste hierarchy. Operational waste plans will be prepared by the Project operator in order to ensure that the aims of the Project Sustainability Plan are met. The assessment of any environmental impacts and effects associated with materials and waste during maintenance or any large-scale future renewal or improvement works, will be undertaken by the future Operator in accordance with all legal and other necessary requirements.</p>	<p>Construction Phase: A potential residual significant effect of reduced landfill capacity still exists following the implementation of the mitigation measures, should any of the Construction Phases for these developments occur at the same time as the Construction Phase of the proposed Project.</p> <p>Operational Phase: No other developments were deemed likely to result in residual cumulative impact in relation to materials and waste management during the Operational Phase of the proposed Project</p>

This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that notwithstanding the proposed mitigation for this potential cumulative impact during the construction phase, there is still potential for a residual significant effect of reduced landfill capacity, should the construction



phases of MetroLink overlap with the project proposed under 2381/24 (National Library of Ireland, 7–8 Kildare Street). It is considered appropriate to request TII to provide greater clarification and additional detail (e.g. staggered work schedules, contingency plans) to the OPW on how this potential outstanding issue will be addressed.

DCC Reg. Ref. 4065/24, National Concert Hall

Regarding: Infrastructure & Utilities Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	4065/24	Office of Public Works PROTECTED STRUCTURE The conservation, refurbishment and upgrade of the existing National Concert Hall (NCH) buildings including: the former University Building's Butler north-east and south-east wings and the central Butler main entrance block (c.1914); the former Exhibition Hall buildings (c.1865) including the south range, the main auditorium, the John Field and Carolan rooms; the former UCD Medical Library and north range. The total floor area of the existing buildings, subject of this planning application, is 16,560sqm. This application includes minor modifications to the former Pathology Building, previously permitted development (Reg. Ref 4975/23). National Concert Hall, National Concert Hall, Earlsfort Terrace, Dublin 2	Construction Phase: potential for cumulative impact on utilities if overlapping construction periods, given the proximity of the development to the proposed St Stephen's Green Station construction compound (around 170m to the north). Operation Phase: No cumulative impact predicted	Construction Phase: All utility diversions and new connections will be agreed with the relevant service providers. Designs for utility diversions have already been agreed in principle with the relevant utility providers and design refinement will be subject to further consultation. The duration of any service outages will be finalised with the relevant utility providers.	None

This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that the proposed mitigation for this potential cumulative impact during the construction phase includes reaching agreement on designs for utility diversions. TII state that any required design refinement will be subject to further consultation. The OPW requests to be provided with clear documentation from TII on these proposed utility diversions in a timely manner – with a particular focus



on any potential overlap with the project proposed under 4065/24 (National Concert Hall, Earlsfort Terrace). It is considered appropriate that this documentation should also address any potential overlapping construction periods, including detailed work schedules, contingency plans, and coordination of service outages should they occur.

Regarding: Landtake Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	4065/24	Office of Public Works PROTECTED STRUCTURE The conservation, refurbishment and upgrade of the existing National Concert Hall (NCH) buildings including: the former University Building's Butler north-east and south-east wings and the central Butler main entrance block (c.1914); the former Exhibition Hall buildings (c.1865) including the south range, the main auditorium, the John Field and Carolan rooms; the former UCD Medical Library and north range. The total floor area of the existing buildings, subject of this planning application, is 16,560sqm. This application includes minor modifications to the former Pathology Building, previously permitted development (Reg. Ref 4975/23). National Concert Hall, National Concert Hall, Earlsfort Terrace, Dublin 2	The MetroLink alignment passes through the eastern area of the development site in tunnel. The substratum landtake crosses the site from north to south. Portions of the development site will fall within the Metrolink exclusion and protection zones. No operational phase cumulative impacts are predicted.	TII is in the process of developing a "Guidance Note for Developers", which will be published following the potential grant of a Railway Order for MetroLink, and which may be the subject of bye-laws. The proposed guidance is designed to facilitate future adjacent or over-site development while protecting the integrity and safety of the MetroLink works and operations. This Guidance Note would define "exclusion" and "protection" zones, loading conditions and / or processes to help ensure that the MetroLink subsurface assets are protected from the impact of third-party development activities.	None

This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that the proposed mitigation for this potential cumulative impact during the construction phase includes the production of a "Guidance Note for Developers". It is understood that this note is intended to facilitate future adjacent or over-site development while protecting the integrity and safety of the MetroLink works and operations. It is also understood that this note would define "exclusion"



and “protection” zones to help ensure that the MetroLink subsurface assets are protected from the impact of third-party development activities.

The OPW requests to be provided with further detail in a timely manner on the updated “Guidance Note for Developers”, particularly in relation the exclusion and protection zones where they relate to the project proposed under 4065/24 (National Concert Hall, Earlsfort Terrace). Further clarity regarding the defined boundaries of the exclusion and protection zones, and further understanding of the processes involved in protecting the MetroLink assets from adjacent development activities is requested. It is considered that such clarity would assist in preventing misunderstandings and would ultimately ensure avoidance of future disputes or unexpected obligations.



Regarding: Materials & Waste Management Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	4065/24	Office of Public Works PROTECTED STRUCTURE The conservation, refurbishment and upgrade of the existing National Concert Hall (NCH) buildings including: the former University Building's Butler north-east and south-east wings and the central Butler main entrance block (c.1914); the former Exhibition Hall buildings (c.1865) including the south range, the main auditorium, the John Field and Carolan rooms; the former UCD Medical Library and north range. The total floor area of the existing buildings, subject of this planning application, is 16,560sqm. This application includes minor modifications to the former Pathology Building, previously permitted development (Reg. Ref 4975/23). National Concert Hall, Earlsfort Terrace, Dublin 2	<p>Construction Phase: A potential significant effect of reduced landfill capacity was identified, should any of the Construction Phases for these developments occur at the same time as the Construction Phase of the proposed Project.</p> <p>Operational Phase: No other developments were deemed likely to result in a cumulative impact in relation to materials and waste management during the Operation Phase of the proposed project</p>	<p>Construction Phase: Mitigation measures have been proposed in Chapter 24. All materials consumed and waste generated by the proposed Project will be managed in accordance with circular economy principles and the waste hierarchy, with prevention, reuse, recycling, and other recovery methods favoured over disposal.</p> <p>Operational Phase: All wastes generated during the project will be managed in accordance with the waste hierarchy. Operational waste plans will be prepared by the Project operator in order to ensure that the aims of the Project Sustainability Plan are met. The assessment of any environmental impacts and effects associated with materials and waste during maintenance or any large-scale future renewal or improvement works, will be undertaken by the future Operator in accordance with all legal and other necessary requirements.</p>	<p>Construction Phase: A potential residual significant effect of reduced landfill capacity still exists following the implementation of the mitigation measures, should any of the Construction Phases for these developments occur at the same time as the Construction Phase of the proposed Project.</p> <p>Operational Phase: No other developments were deemed likely to result in residual cumulative impact in relation to materials and waste management during the Operational Phase of the proposed Project.</p>



This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that notwithstanding the proposed mitigation for this potential cumulative impact during the construction phase, there is still potential for a residual significant effect of reduced landfill capacity, should the construction phases of MetroLink overlap with the project proposed under 4065/24 (National Concert Hall, Earlsfort Terrace). It is considered appropriate to request TII to provide greater clarification and additional detail (e.g. staggered work schedules, contingency plans) to the OPW on how this potential outstanding issue will be addressed.

Regarding: Soils & Geology Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	4065/24	Office of Public Works PROTECTED STRUCTURE The conservation, refurbishment and upgrade of the existing National Concert Hall (NCH) buildings including: the former University Building's Butler north-east and south-east wings and the central Butler main entrance block (c.1914); the former Exhibition Hall buildings (c.1865) including the south range, the main auditorium, the John Field and Carolan rooms; the former UCD Medical Library and north range. The total floor area of the existing buildings, subject of this planning application, is 16,560sqm. This application includes minor modifications to the former Pathology Building, previously permitted development (Reg. Ref 4975/23). National Concert Hall, National Concert Hall, Earlsfort Terrace, Dublin 2	Construction Phase: Construction near a tunnel section, potential for cumulative impact associated with settlement. Operational Phase: Unlikely to be cumulative impacts during operation.	Construction Phase: Proposed mitigation will include negotiation to ensure works are not undertaken concurrently. Operational Phase: None proposed	Construction Phase: Imperceptible to slight. Operational Phase: Imperceptible.

This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that the proposed mitigation for this potential cumulative impact during the construction phase will require negotiation between TII and the OPW to ensure works are not undertaken concurrently. It is considered appropriate that this proposed negotiation should be undertaken in a timely manner so as to



address any potential overlapping construction periods, including detailed work schedules.



DCC Reg. Ref. 4078/24, Aquatic House Complex, National Botanic Gardens

Regarding: Materials & Waste Management Cumulative Impact Assessment

Planning Authority	Application Reference	'Other Development' and Brief Description	Assessment of Cumulative Effect with Proposed Project	Proposed Mitigation	Residual Cumulative Effect
Dublin City Council	4078/24	<p>The Commissioners of Public Works of Ireland PROTECTED STRUCTURE: The development will consist of the demolition of the existing fern house and demolition of the ancillary lean to structures and demolition of a single storey masonry shed and removal of the external steps, to conservation and restoration the existing Waterlily House, Cactus House and connecting glazed structure. The construction of a new glasshouse on the site of the existing fern house, the extension of the existing lower ground floor level with new accommodation below the Waterlily House and the Cactus House to accommodate building services equipment, rainwater storage and store rooms, the replacement of a single storey masonry shed with new enclosure to accommodate building services equipment associated works will include a raised walkway, level changes to facilitate access including graded footpaths, external steps, hard and soft landscaping light, signage and all associated ancillary site works.</p> <p>The Aquatic House Complex, The National Botanic Gardens,</p> <p>Glasnevin, Dublin 9, D09 VY63</p>	<p>Construction Phase: A potential significant effect of reduced landfill capacity was identified, should any of the Construction Phases for these developments occur at the same time as the Construction Phase of the proposed Project.</p> <p>Operational Phase: No other developments were deemed likely to result in a cumulative impact in relation to materials and waste management during the Operational Phase of the proposed Project.</p>	<p>Construction Phase: Mitigation measures have been proposed in Chapter 24. All materials consumed and waste generated by the proposed Project will be managed in accordance with circular economy principles and the waste hierarchy, with prevention, reuse, recycling, and other recovery methods favoured over disposal.</p> <p>Operational Phase: All wastes generated during the project will be managed in accordance with the waste hierarchy. Operational waste plans will be prepared by the Project operator in order to ensure that the aims of the Project Sustainability Plan are met. The assessment of any environmental impacts and effects associated with materials and waste during maintenance or any large-scale future renewal or improvement works, will be undertaken by the future Operator in accordance with all legal and other necessary requirements.</p>	<p>Construction Phase: A potential residual significant effect of reduced landfill capacity still exists following the implementation of the mitigation measures, should any of the Construction Phases for these developments occur at the same time as the Construction Phase of the proposed Project.</p> <p>Operational Phase: No other developments were deemed likely to result in residual cumulative impact in relation to materials and waste management during the Operational Phase of the proposed Project.</p>



This table is extracted from: Post Oral Hearing Cumulative Impact Assessment_TII/JACOBS IDOM

The OPW notes that notwithstanding the proposed mitigation for this potential cumulative impact during the construction phase, there is still potential for a residual significant effect of reduced landfill capacity, should the construction phases of MetroLink overlap with the project proposed under 4078/24 (Aquatic House Complex, National Botanic Gardens). It is considered appropriate to request TII to provide greater clarification and additional detail (e.g. staggered work schedules, contingency plans) to the OPW on how this potential outstanding issue will be addressed.

Conclusion

The OPW requests that in the making of any Railway Order, the Board ensures that the routing of MetroLink would not limit the State's capacity to develop its property, vertically and/or horizontally. As has been illustrated from the Update to the Cumulative Impact Assessment, planning permission is in place for some extensive OPW developments. Thus, the OPW respectfully requests that the Board attach a condition to the Railway Order to acknowledge and mitigate any restrictions on future development of the subject properties.

In conclusion, the OPW reiterates its overall support for the Metrolink project and hopes that the contents of this letter are reflected in the Board's decision, should it decide to confirm the Railway Order.

Yours sincerely,

Cathleen Morrison

Cathleen Morrison
Assistant Secretary
Head of Estate Management