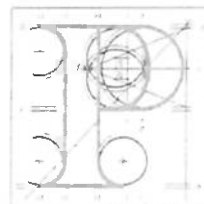


Our Case Number: ABP-316119-23



An
Bord
Pleanála

Development Applications Unit
Government Offices
Newtown Road
Co. Wexford
Y35 AP90

Date: 08 March 2024

Re: DART+ South West Electrified Heavy Railway Order - Hazelhatch & Celbridge Station to Heuston Station, and Hesuton Station to Glasnevin
County Dublin and County Kildare

Dear Sir / Madam,

An Bord Pleanála has received your recent letter in relation to the above mentioned case. The contents of your letter have been noted.

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 relation to the matter 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,

Lauren Griffin
Executive Officer
Direct Line: 01-8737244

RA03

Teil
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64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Lauren Griffin

From: Lauren Griffin
Sent: Friday 8 March 2024 15:43
To: Manager.DAU@npws.gov.ie
Subject: RE: ABP-316119-23

A Chara,

The Board acknowledges receipt of your email, official acknowledgement will issue in due course.

Kind regards,

Lauren

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Sent: Friday, March 8, 2024 12:22 PM
To: LAPS <laps@pleanala.ie>
Subject: ABP-316119-23

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

A chara

Attached please find the archaeological and nature conservation observations/recommendations of the Department in relation to the aforementioned Railway Order Application.

Please can you confirm receipt of same.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at: referrals@npws.gov.ie

Kind regards,

David O'Connor
Executive Officer

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
Department of Housing, Local Government and Heritage
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

—
David.oconnor@npws.gov.ie
Manager.DAU@npws.gov.ie



Your Ref: ABP-316119-23

Our Ref: SID-ABP-2023-009

(Please quote in all related correspondence)

08 March 2024

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

Via email laps@pleanala.ie

Re: Notification under Section 37 (1) of the Transport (Railway Infrastructure) Act 2001 (as amended and substituted).

Development: Proposed Strategic Infrastructure Development (SID): Railway Order application for a Railway Order for the DART+ South West Electrified Heavy Railway Order 2023. Subject to approval, the Railway Order will authorise CIÉ to carry out railway works and all works necessary to enable the construction, operation, maintenance and improvement from Hazelhatch and Celbridge Station (County Kildare) to Heuston Station Dublin (circa 16km) on the Cork Mainline

A Chara,

I refer to correspondence received in connection with the above.

Outlined below are heritage-related observations/recommendations of the Department coordinated by the Development Applications Unit under the stated heading:

Archaeology

This Department has reviewed the applicant's *Submission on Observations to Draft Railway Order Application* (dated September 2023). We note that in their response to our original observation of 16 May 2023—Ref 035, Points 1 and 2 of the *Submission on Observations*—that the applicant has committed to:

- Inclusion of requested information and protection measures for archaeology and cultural heritage within the CEMP and the maintenance of this as a live document during the lifecycle of the construction project
- Appointment of a Project Archaeologist to oversee any required archaeological works



- Submission of a Final Archaeological Report to this department in compliance with all requirements of any licences or consents that may be issued for archaeological works relating to the development

Our original observations to An Bord Pleanála on 16 May 2023 included a recommended set of conditions for the protection of archaeological heritage. It is the Department's advice that should the Board decide to grant permission for the above-proposed development those conditions—as set out below—should be attached to any such grant. Note these recommended conditions align with Sample Conditions C5 and C6 as set out in *OPR Practice Note PN03: Planning Conditions* (October 2022), with appropriate site-specific additions/adaptations based on the particular characteristics of this development and informed by the findings of the EIAR.

Archaeological Requirements:

1. All mitigation measures in relation to archaeology and cultural heritage as set out in Chapter 20 of the EIAR (Courtney Deery Heritage Consultancy; date February 2023) shall be implemented in full, except as may otherwise be required in order to comply with the conditions of this Order.
2. The Construction Environment Management Plan (CEMP) shall include the location of any and all archaeological or cultural heritage constraints relevant to the proposed development as set out in Chapter 20 of the EIAR and by any subsequent archaeological investigations associated with the project. The CEMP shall clearly describe all identified likely archaeological impacts, both direct and indirect, and all mitigation measures to be employed to protect the archaeological or cultural heritage environment during all phases of site preparation and construction activity.
3. The planning authority and this Department shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

Nature Conservation

The Department wishes to comment on a number of points the Applicant, Iarnród Éireann, made in its response to various recommendations concerning nature conservation issues included in the Department's original submission to the Board. These points are commented



on in sequence following the numbering system used by the applicant in the relevant section of its response, namely section 4. Response to Public & Prescribed Bodies 4.1 Ref. 035- Department of Housing, Planning and Local Government.

Re. Point 3: The Department welcomes CIÉ/IE's commitment to the inclusion of oil separation on the attenuation tanks to be installed in Inchicore and Heuston Stations which are to outfall to the Liffey as part of the new drainage systems for these areas. It does not seem from the wording of the applicant's response however that it is committed to installing an oil separator or other filtration device on the outfall to the Liffey from the proposed modernised drainage system for the Phoenix Park Tunnel. The Department is concerned, as stated in its' original submission, that following the precautionary principal some form of filtration device should be installed on the tunnel's drainage system before it outfalls to the Liffey as well as on the attenuation tank drainage systems, in order that any potential pollution to the river which might arise from the operation of an increased number of trains through the Phoenix Park Tunnel shall be minimised as far as possible so as to avoid adverse effects on aquatic biota.

Re. Point 4: The Department also welcomes the Applicant's clarification that the mature trees on the banks of the Liffey at Heuston Station will be retained during the construction and operational phases of DART+ South West.

Re. Point 5: The Department is satisfied with the details set out by the Applicant in its response with regards to the otter survey work which is to be undertaken along the Royal Canal in advance of the commencement of construction works, and its statement that any additional mitigation requirements resulting from this otter survey work can be implemented through the Construction Environmental Management Plan (CEMP).

Re. Point 6: A small patch of calcareous grassland with a number of species characteristic of such habitats including pyramidal orchid occurring in it was identified in the summer of 2023 adjacent to the Royal Canal towpath just west and outside the boundary fence at the top of the Phoenix Park Tunnel Branch Line cutting, and there remains the possibility that calcareous grassland may still be present within the cutting itself in this area. The record of yellow-wort in the *Flora of Inner Dublin* referring to the railway embankment near St. Attracta Road more certainly suggests that this plant species may occur within the Applicant's property near the Phoenix Park Branch Line. It remains the Department's advice that prior to the commencement of works on DART+ South West the railway embankments along the Phoenix Park Tunnel Branch Line in the vicinity of the Royal Canal and St. Attracta's Road should be resurveyed at an appropriate time of the year to check if any areas of calcareous grassland still survive in these areas, any calcareous grassland areas identified in the course



of these surveys should be preserved from disturbance during the proposed works and incorporated into the scheme's landscaping.

Re. Point 7: Unfortunately due to a significant typing error/omission in the Department's original submission with regards to the Railway Order application, our recommendation concerning the use of 'wildflower' seed mixtures in the landscaping of the proposed railway works was not clearly set out. Having referred to the All-Ireland Pollinator Plan's advice against planting 'wildflower' seeds outside of garden settings, the submission should have read "The Department agrees that wildflower seed mixes can be harmful to existing wildflower biodiversity and advises *that the planting of such seed mixes* should not be carried out in the case of this development." (words omitted in original submission set out in italics).

It is consequently not clear either what the Applicant was accepting as an alternative to the use of native Irish seed mixes in its response. The Department wishes to re-iterate its advice that no 'wildflower' seed mixtures should be used in the landscaping of the proposed railway works, whether of Irish or any other origin. Rather, any area of embankment from which vegetation is removed in the course of the proposed works should be allowed to re-vegetate spontaneously from the existing soil seed bank and natural seed dispersal. The presence of the species referred to in Point 6 above and other species occurring near the Royal Canal and St. Attracta's road is of considerable biodiversity significance in a Dublin City context- and it would be desirable to give these locally occurring species the opportunity to colonise any embankment areas newly cleared of vegetation without competition from plants from 'wildflower' seed mixes, whose presence would also obscure which species were growing on the embankments naturally and which are of seed packet origin. Spread of plant species derived from 'wildflower' seed mixtures could also threaten the genetic integrity of the local populations of the same species occurring within the Royal Canal proposed Natural Heritage Area (pNHA).

The proposed project which is the subject of the present application involves the electrification of the Cork Mainline from Hazelhatch and Celbridge Station to Heuston Station and the Phoenix Park Tunnel Branch Line from Heuston Station to Glasnevin Junction. It also encompasses the four-tracking of the mainline from Park West and Cherry Orchard Station to Heuston Station and the construction of a new Heuston West Station. The drainage systems serving sections of these rail lines will also be upgraded including the installation of attenuation tanks at Inchicore and Heuston Station.



However this Department notes from the documentation supporting the present application it appears that no oil separators or other filtration devices are to be installed on the inflows to the attenuation tanks which are to be constructed in Inchicore and Heuston Station and which will then outfall to the Liffey as part of the new drainage system serving the DART+ South West project. Similarly though the Phoenix Park Tunnel drainage system is to be modernised as part of DART+ South West, no oil separator or other filtration device is proposed to be installed on the system's outfall to the Liffey which is to be retained in its present format. This Department considers that on the precautionary principal oil interceptors or other filtration devices should be installed on the above mentioned drainage systems out-falling to the Liffey so as to avoid any increased contamination of runoff with hydrocarbons during the operational phase of DART+ South West due to the planned higher number of train movements it is to cater for. Such an approach should assist in maintaining water quality in the Liffey to sustain all the biota living in or dependent on it including SCI species, and also river lamprey, salmon, and otter which are species included in Annex I of the Habitats Directive (92/43/EEC).

In the Environmental Impact Assessment Report supporting this application the results of surveys for potential bat roosts and bat activity surveys undertaken to enable assessment of the potential effects on bat species of the DART+ South West project occurring along its route. Based on these surveys the minimisation of light pollution and the installation of artificial bat roosts at various locations is proposed to reduce the impacts of the project on bat species. These mitigation measures proposed in general appear satisfactory and likely to succeed in reducing the effects on bat species of DART+ South West. However, it is not clear from the EIAR whether any bat roost survey was carried out of the mature trees present at Heuston Station on the banks of the Liffey which it seems are to be removed to facilitate the construction of the new Heuston West Station. If such a survey has not been undertaken, it should be carried out as soon as possible. Landscaping of this area should also take account of the need to maintain /restore a mature tree belt along the Liffey in this area to minimise light spill onto the river and therefore sustain its usage by bat species and particularly the light sensitive Daubenton's bat which is usually restricted to feeding over water bodies.

The EIAR states no evidence of the occurrence of otter was identified during the course of field surveys of the DART+ South West project route but this species' presence on the route is assumed. In fact recent survey work carried out on the Royal Canal in connection with the proposed development of the Royal Canal Greenway by Dublin City Council has identified an otter holt in the vicinity of where works are to be undertaken as part of the presently proposed project on the Phoenix Park Branch Line as it runs under the Royal Canal Twin Arch Bridge. Works on the DART+ South West project in that area will have to take account of the presence of this holt and should be co-ordinated with the works on other transport



infrastructure projects planned for this area including the Royal Canal Greenway and DART+ West.

The approach to minimising the effects of DART+ South West on bird species set out in the EIAR by avoiding the clearance of vegetation during the bird nesting season is satisfactory.

The vegetation survey work carried out along the DART+ South West route enabling the identification of the habitats present is in general also satisfactory, and as is the approach which is to be implemented of retaining as much of the semi-natural present along this route as possible in the proposed landscaping. But in the 1980s three orchid species, namely the common spotted, fragrant and pyramidal orchid and other relatively rare calcicole plant species were recorded on railway embankments near the Royal Canal west of Cross Guns Bridge during survey work for *The Flora of Inner Dublin* Peter Wyse Jackson and Micheline Sheehy Skeffington (1984). Yellow-wort was also recorded during this survey work on a "railway embankment near Attracta Road". It is not clear from the records in the above publication if these species were growing at that time on embankments of Phoenix Park Tunnel Branch Line and have since been suppressed as a result of succession or whether they were actually growing on the embankments of one of the other rail lines in this area. But it would be desirable to have the situation with regards to the occurrence these species clarified and if they are still present on the Phoenix Park Tunnel Line provision made for their retention in its landscaping.

It is noted that in the EIAR it is stated that a native flower seed mix is to be sown along the DART+ South West Route as part of its proposed landscaping. However, the All-Ireland Pollinator Plan advises against planting wildflower seed outside a garden setting. The Department agrees that wildflower seed mixes can be harmful to existing wildflower biodiversity and advises it should not be carried out in the case of this development.

To clarify, the following points are taken from the Position Paper by the Dublin Naturalists' Field Club entitled '*The case against 'Wildflower' seed mixtures*' which is endorsed by the All-Ireland Pollinator Plan and reproduced on their website

- Seeds of non-local origin – even if the species are native – introduce new genetic strains which may displace or compromise the local, naturally-occurring flora.
- Local, native species do not need to be sown. Native plants colonise suitable habitats by natural means.



- Seeds which are commercially produced and deliberately sown cannot, by definition, be wild and introducing them to the natural environment does not contribute to addressing biodiversity loss.

The genetic integrity of what remains of our rare and ecologically significant native species is, therefore, threatened by the introduction of seed from external sources. Pollen from these geographical insertions and intrusions cannot be prevented from fertilising the local native stock of the same species or causing hybridisation with other closely related species.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at referrals@npws.gov.ie, where used, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise, le meas

David O'Connor
Development Applications Unit
Administration