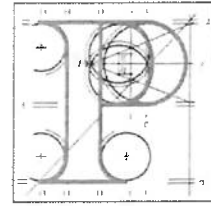


Our Case Number: ABP-316119-23



**An
Bord
Pleanála**

Transport Infrastructure Ireland
C/O Tara Spain, Land Use Planning Unit
Parkgate Business centre
Parkgate Street
Dublin 8

Date: 12 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
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Lauren Griffin

From: Lauren Griffin
Sent: Monday 11 March 2024 14:29
To: LandUsePlanning@tii.ie
Subject: RE: TII submission to DART+ South West Electrified Heavy Railway Order, Ref. NA06S.316119

A Chara,

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

Kind regards,

Lauren

From: Landuse Planning <LandUsePlanning@tii.ie>
Sent: Monday 11 March 2024 2:00 pm
To: Bord <bord@pleanala.ie>
Subject: TII submission to DART+ South West Electrified Heavy Railway Order, Ref. NA06S.316119

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.

Dear Sir/Madam,

Please find attached a copy of TII's invited observation on the Observations Report submitted in respect of the above railway order application.

Please acknowledge receipt of this submission.

Acknowledgements can be forwarded to landuseplanning@tii.ie.

Thanks and regards,

Cliona Ryan
Land Use Planner
Transport Infrastructure Ireland
Phone: +353 (0)1 646 0000
Land Use Planning Email: landuseplanning@tii.ie
Address: [Parkgate Business Centre, Parkgate Place, Parkgate Street, Dublin 8, Ireland, D08 DK10](#)



In accordance with TII's Right to Disconnect policy, if you are receiving this email outside of normal working hours, I do not expect a response or action outside of your own working hours unless it is clearly noted as requiring urgent

attention.

De réir pholasáí BIÉ An Ceart gan a bheith Ceangailte, má tá an ríomhphost seo á fháil agat lasmuigh de na gnáthuaireanta oibre, nílim ag súil le freagra ná le gníomh uait lasmuigh de do ghnáthuaireanta oibre féin mura bhfuil sé ráite go soiléir go bhfuil gá gníomhú go práinneach.

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Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag <https://www.tii.ie/about/about-tii/Data-Protection/?set-lang=ga>

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Córas r-phoist BIE: Tá an ríomhphost seo agus aon chomhaid a tharchuirtear leis faoi rún agus beartaithe lena n-úsáid ag an duine aonair nó ag an eintiteas a bhfuil siad dírithe chuige/chuici amháin. Más rud é go bhfuair tú an ríomhphost seo trí bhotún, cuir sin in iúil do postmaster@tii.ie, le do thoil, agus scríos an ríomhphost bunaidh agus aon cheangaltáin.

An Bord Pleanála
64 Marlborough Street
Dublin 1
D01V902

By email: bord@pleanala.ie

Dáta|Date 11 March 2024

Ár dTag|Our Ref. TII23-122375

Do dTag|Your Ref. NA06S.316119

Re: **DART+ South West Electrified Railway Order 2022**

Review of DART+ South West Submission on Observations to Draft Railway Order Application Report, September 2023

Dear Sir/Madam,

Transport Infrastructure Ireland (TII) acknowledges receipt of your letter dated 6th February 2024 in respect of the DART+ South West Railway Order application (Hazelhatch & Celbridge Station to Heuston Station, and Heuston Station to Glasnevin) by Córas Iompair Éireann. Your letter included invitation to make further submission on *Submission on Observations to Draft Railway Order Application Report* prepared for and by Córas Iompair Éireann / Iarnród Éireann (CIE / IE), September 2023.

TII made original submission to the application, An Bord Pleanála ref. NA06S.316119, by letter dated 10th May 2023 (TII ref. TII23-12275) which was promptly acknowledged the same day. TII's submissions seek to address the safety, capacity and strategic function of the national road network and Luas in accordance with TII's statutory functions and the provisions of official policy. The matters raised in TII's original submission of May 2023, remains the position of the authority.

TII has undertaken a review of *DART+ South West Submission on Observations to Draft Railway Order Application Report*, September 2023 [hereinafter referred to as the *Observations Report*]. The TII submission is specifically considered at section 4.4 of the *Observations Report* where it has been assigned Ref. 116. The *Submissions Report* identifies 8 no. issues raised, provides a summary of each of the issues followed by a response. TII acknowledges that the summary of the issues raised generally follows the order and content of the TII submission to the Railway Order Application.

TII is of the opinion that the consideration and responses to the original TII submission in the *Observations Report* do not appear to fully reflect the matters raised in the TII's submission such that, critically, the Report does not appear to have resulted in enunciated, traceable commitments to mitigation of potential national road and light rail network impacts identified in the TII submission which is a concern.

TII reiterates that there are direct and indirect construction and operational interfaces with the national roads and light rail networks arising from this development that should and must be undertaken in a manner that identifies and mitigates any potential negative impact on these strategic assets their associated under and over ground infrastructure.

In this regard, TII reminds:-

- The national road network includes its interchanges and structures. It therefore consists of built assets and associated infrastructure such as drainage, energy supply for lighting and traffic management and lighting and signage gantries. In addition, elements of the national road network are operated and managed by a combination of (Public Private Partnerships) PPP Concessions, Motorway Maintenance and Renewal Contracts (MMaRC) and local road authorities in association with TII. Any works on, over or under the national road network, including by or on under or over pass will require prior consultation with TII and compliance with all relevant TII standards as detailed within the TII Publications website www.tiipublications.ie.
- The light rail network includes fixed track tramways, overhead lines, fixings and associated under and over ground services infrastructure, including trackbed and surfaces, which are complex and costly to alter. Any works on, over, under or adjacent to Luas will require prior consultation with TII and compliance with TII's *Code of engineering practice for works on, near, or adjacent the Luas light rail system* which may include requirements for Permit under in accordance with the Light Railway (Regulation of Works) Byelaws 2004 (S.I. number 101 of 2004).

The original TII submission to the Railway Order Application was confined to the information submitted as part of the application. In this regard, TII's submission concluded that it is appropriate that commitments to the maintenance of the safe and efficient operation of the national road and light rail networks during the construction and operation phases of the proposed development are captured as appropriate in Chapter 27 *Summary of Mitigation and Monitoring Measures* and / or the CEMP at Appendix 5.1 of that EIAR.

Having regard to the content of the application, the original TII submission and the reiteration and making of commitments to agree certain matters with TII, including the Construction Environmental Management Plan (CEMP) in the *Observations Report*, TII recommend that such commitments are formalised to form part of the development permitted under this Order to ensure development proceed and operate in accordance with relevant national road and light rail technical standards, guidance and codes of practice.

TII observations at this juncture are as follows:-

1. National Roads Network considerations

TII remains of the view that the proposed order includes works proposed to be carried out on, and in close proximity to the national road network, which includes structures and associated services such as drainage that must be subject to co-ordination with and the prior approval of TII. The mitigation of potential negative impacts on the national road network have not been resolved in the *Observations Report*.

TII continues to strongly recommend the conditions below should be considered to form part of the Order in the event of its approval in the interests of the protection of the safety, capacity, and efficiency of the national road network.

1. Development shall be undertaken in accordance with TII Publications. Prior to commencement of development, plans and details of works on, or in the vicinity of the national road network required under TII Publications shall be submitted for the written agreement of the planning authorities in consultation with TII.
2. Prior to commencement of development, the Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authorities subject to the written agreement of TII. The CEMP will reflect mitigation and monitoring for the national road network.
3. Prior to commencement of development, a construction traffic management plan including access to services, shall be submitted for the written agreement of the planning authorities subject to the written agreement of TII and shall:-

- a) demonstrate consultation with the M50 PPP Contractor, via TII and the relevant road authorities, and
- b) include detailed information on traffic management, including signage (static and VMS) to ensure the strategic function of the national road network is protected.

2. Luas Technical considerations

Having regard to the proposed development including works adjacent to, and under Luas that have the potential to directly or indirectly impact Luas including potential electromagnetic compatibility (EMC), TII remains of the view that the proposed Order includes works to be carried out on, and in close proximity to Luas infrastructure that may necessitate alteration and relocation of Luas infrastructure, which includes underground services that must be subject to the prior approval of TII.

The *Observations Report* does not appear to identify that works part of the proposed development include works under and adjacent to Luas. As such, the proposed conditions are necessary for the protection of the Luas strategic light railway asset during construction and operation of the Order works.

Any works adjacent to, or interfacing with Luas infrastructure shall be carried out in accordance with *Code of engineering practice for works on, near, or adjacent the Luas light rail system*. There is a requirement to obtain a permit from the Luas operator in accordance with the Light Railway (Regulation of Works) Byelaws 2004 (S.I. number 101 of 2004) for works, including temporary works such as hoarding, at Luas infrastructure interface. For the avoidance of doubt; Luas infrastructure includes both the fixed line and the Overhead Conductor System (OCS).

TII continues to strongly recommend that the conditions below should be considered to form part of the Order in the event of its approval in the interests of sustainable development, and the promotion of an integrated approach to land use and transportation planning.

1. Overhead Conductor System (OCS) poles are located on / or adjacent to the proposed scheme. Prior to commencement of development, the following plans and details shall be submitted for the written agreement of the planning authority subject to the written agreement of TII:
 - (i) OCS pole protection and safety distances, and / or
 - (ii) Existing, temporary, and subsequent permanent fixings. The developer shall be liable for all costs associated with the removal and reinstatement of the Luas related infrastructure.
2. Prior to commencement of development, the Construction Environmental Management Plan (CEMP) shall be submitted for the written agreement of the planning authorities subject to the written agreement of TII. The CEMP will contain a method statement to resolve all Luas interface issues that shall:-
 - (i) identify all Luas alignment interfaces,
 - (ii) contain a risk assessment for works associated with the interfaces, including all electrification fault scenarios and
 - (iii) contain mitigation measures for unacceptably high risks, including electromagnetic interference (EMI) and vibration and settlement monitoring regime if necessary.

The method statement shall be in accordance with TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system."

3. All works associated with removal, temporary and final installation of Luas infrastructure are to be undertaken outside of Luas operational hours, under system shutdown and Overhead Conductor System isolation with prior agreement with TII and the Luas Operator as required.
4. Prior to commencement of development, a Construction Traffic Management Plan including access to services, shall be submitted for the written agreement of the planning authorities subject to the written agreement of TII. The Construction Traffic Management Plan shall include identification of mitigation measures to protect operational Luas infrastructure.
5. The Luas operator/TII will require 24hr access to Luas infrastructure. Prior to the commencement of development, the developer shall enter into an access and maintenance agreement with TII.
6. The developer or contractor will be required to apply for a works permit from the Luas Operator by virtue of the Light Railway (Regulation of Works) Byelaws 2004 (S.I. number 101 of 2004) which

regulates works occurring close to the Luas infrastructure in accordance with TII's "*Code of engineering practice for works on, near, or adjacent the Luas light rail system*". The developer shall be liable for all of TII's costs associated with the removal and reinstatement of Luas related building fixings and infrastructure. The permit application will require prior consultation, facilitated by the Luas operator, Transdev.

Conclusion

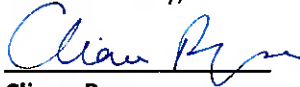
The proposed Order includes works to be carried out on, and in close proximity to national road and Luas infrastructure that may necessitate works, alteration and relocation of those assets that must be subject to the prior coordination and approval of TII.

The *Observations Report* of September 2023 does not appear to fully reflect the matters raised in TII's original submission of May 2023. The matters raised in the original TII submission that arise from identification of interfaces of the proposed works with national road and light rail networks remain unresolved in the *Observations Report*. The original TII submission outlined the potential impacts of the identified interfaces and set out appropriate mitigation measure to ensure the complimentary progression of the proposed Railway Order with the maintenance of the safe and efficient operation of the national road and light rail networks.

Therefore, TII remain of the strong opinion that the conditions recommended to form part of the Order in the event of approval of the proposal as set out in the original submission and this communication are necessary and in the interests of sustainable development, and the promotion of an integrated approach to land use and transportation planning.

In this regard, TII note that the Railway Order Application includes a *Draft Railway Order*, February 2023 that further includes Articles that will form part of the Order. It is suggested that the conditions below are suitable for inclusion at Part II of that Order.

Yours faithfully,



Cliona Ryan

Land Use Planner