

Our Case Number: ABP-316119-23



An
Bord
Pleanála

Helen Fayne
2 Claremont Lawn
Glasnevin
Dublin 11

Date: 05 April 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 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.

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 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

RA05

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Tel
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(01) 858 8100
1800 275 175
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www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Dear Sir/Madam

AN BORD PLEANALA

LDG: _____

ABP: _____

04 APR 2024

Fee: € _____ Type: _____

me: _____ By: _____

I refer to my letter of 12th May 2023 and your letter to me dated 14 June 2023 regarding Dart + South west.

Your case number: ABP - 316119 - 23.

I am enclosing both letters.

The reason my submission was rejected was I had not enclosed the €50 fee, which I was unaware I needed to as I am living in the home directly effected. I had informed CIE to change the name of owner in March. The name CIE entered on the schedule was Breeda Fayne. Breeda is my mum and she passed away in february 2014. I moved into the home in 2015 and have lived here with my family since then.

I am enclosing an email I received from the Dart + South west project team informing me that they have submitted an updated Book of reference and have now included my name in the Book of reference.

I would be very grateful if you could now consider my submission to you dated 12 May 2023.

Yours sincerely
Helen Fayne

OG: _____

02 APR 2024

Fee: € _____ Type: _____

1.11.11 - B. 12st




Our Case Number: ABP-316119-23





**An
Bord
Pleanála**

Helen Fayne
2 Claremont Lawn
Glasnevin
Dublin 11

Date: 14 June 2023

**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 submission in relation to the above-mentioned proposed railway order.

Please be advised that any submission/observation shall be made to the Board within the specified period referred to in the public notice and shall state:

- the name of the person, authority or body making the submission or observation the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
- the subject matter of the submission or observations, and
- the reasons, considerations and arguments on which the submission or observations is or are based, and be accompanied by the fee of €50.

Please be advised that as your name does not appear to be listed on the compulsory purchase order schedule which accompanied this application, a fee of €50 should have accompanied your submission.

As your submission was not accompanied by the relevant fee it cannot be considered by the Board and is herewith returned.

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.

Tel
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Láithreán Gréasáin
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Email bord@pleanala.ie

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Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902




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

RA01

Tell
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An Bord Pleanála
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D01 V902

AN BORD PLEANÁLA	
LDG- 064281	
ABP- 316119	
12 MAY 2023	
Fee: €	Type:
Time: 09:46	By: <i>[Signature]</i>

**Re: Intended application for Railway Order
Dart + South West Electrified Heavy Railway order (2023)
CIE Ref: LO-224**

12th May 2023

Dear Sir/ Madam

I refer to a Railway Order submitted by CIE in respect of DART+ South West Project.

I received a letter dated 16th March 2023 informing me of the proposed works to the railway line behind my house, as I am directly affected by this.

My name is Helen Fayne and my address is 2 Claremont Lawn, Glasnevin, Dublin 11, D11 Y8PF.

My home is directly affected by this project and I wish to submit a SID observation in respect to this project.

My home backs onto the railway line so right behind my back garden is the rail way line where a number of the works will be taking place including the acquiring of Substratum land quantity 27.7 sq m.

I have severe reservations on this project and the effect it will have on myself and my family. I object to land being taken even if it is underground land. I object to the noise associated with this work.

My reservations as follows:

- I am concerned that 27.7 sq m is proposed to be taken from under my garden, and any impacts this has to my garden now and in future years to come. For example in ten years time, will the ground subside or cave in at any stage. Any guarantees that this will never happen and there will never be any associated risks.
- I am concerned on the noise levels and vibration levels. At the moment we have been told that the entire project is 4 years and minimum 5 weeks of this will be on the rail way line behind my home in order to insert pipes etc underneath the gardens. The noise from this will be severe – whether it be in the day time or night time it will be extremely difficult to maintain a normal life with working from home, sleeping, napping, enjoying the garden during the day & evenings, having family and friends over and have my children and their friends out playing in the garden.

- I have 8 year old twins and they play in the garden most days when the weather is good and when the works are going on this will hamper their enjoyment of the garden. We have pets who also spend a lot of time in the garden and the noise will terrify them and deter them from going out to the garden.
- There are 3 adults in the home who all work from home a number of days a week and the noise levels will hinder this and make it extremely difficult to work from home – concentration levels trying to work on our laptops and then we will prob be unable to take phone calls or attend virtual meetings with the noise levels.
- There is an extension in my garden (little granny flat) and it is rented out and I am concerned with the noise levels it could impact on keeping the current tenant and/or getting a new tenant so we may get reduced rent or no rent for length of time there is noise and disturbances
- Even when the works directly behind my home is finished, there will be works on the bridge leading into the cemetery and in the car park of the cemetery. The car park is to be used as a depot. We are two houses down from the car park and v near the bridge so the noise levels and disturbance from this will severely impact on us as I understand the works here will take a lot longer, although I don't have the time-frame. The works here will also impact on us working from home, sleeping, napping and enjoying our garden.
- In addition to the noise on the railway line and bridge, we will be affected by the additional vehicles, workers, machinery going into the cemetery to do works on the bridge – more traffic on our estate, workers will park on our estate – general increase in traffic up and down our little estate. Safety issue will arise for the kids on the estate when they are crossing the road to go to the green area.
- When the project is complete, we will now have darts operating on the railway line so the noise from this every 5 – 10 mins from early morning to late and over weekends will impact on us severely. Currently it is mainly goods trains and few commuter trains which use this line and are not that frequent and very infrequent over weekends so the amount of trains now using the lines will increase substantially 7 days a week from early to late, we will have the constant whizzing noise.
- Impact of rodent infestation – behind my garden on the banks of the railway line are hedging, bushes, trees, briars etc and are home to rats and mice so presumable some or all of this shrubbery will be removed during the project and presumably these rodents will infest our gardens and homes when the bushes etc are removed or even from the noise they will infest our gardens and homes for solace
- The value of my home will be impacted – presumably the home values will go down as nobody will want to purchase homes with railway works ongoing behind their garden and even when finished, there will always be concern that the underground under the garden is owned by CIE and possible concern over subsiding.

- Potential buyers will also be reluctant to buy property backing onto a busy railway line with constant noise and vibrations from darts all day long 7 days a week so we may never be able to sell the property, find it very hard to sell or get a low value on the sale because of this
- Lastly, I am concerned of possibility that the construction vibrations or vibrations from the darts could damage the structure of my property either at time of works or over time in years to come.

My alternative contact details are:

Yours sincerely


Helen Fayne

Ryan, Charles

From: helen fayne [REDACTED]
Sent: Friday 22 March 2024 11:00
To: Ryan, Charles
Subject: [External] Print x 2. Fw: Re. ^_Dart^_ south west railway order

--- Forwarded messa

From: "DARTSouthWest" <DARTSouthWest@irishrail.ie>
To: "helen fayne" [REDACTED]
Cc:
Sent: Mon, 4 Mar 2024 at 2:17 PM
Subject: Re: Re. ^_Dart^_ south west railway order
Dear Helen,

We refer to your email dated 3 October 2023 in relation to the Railway Order application for the proposed DART+ South West project.

At the time on our previous response in November 2023, we were anticipating that An Bord Pleanála would hold an Oral Hearing on the application.

An Bord Pleanála notified us recently (February 2024) that they had decided not to hold an Oral Hearing on the project, and will instead consider the case by means of written procedure.

An Bord Pleanála has also requested Iarnród Éireann/ Coras Impair Éireann to submit an updated Book of Reference. The Book of Reference indicates the identity of the owners and occupiers of lands described in the plans. This updated Book of Reference has been submitted to An Bord Pleanála on 4 March 2024. I confirm that your name is now included in the Book of Reference Schedule entry for 2 Claremont Lawns, Glasnevin, Dublin 11.

You may wish to re-contact An Bord Pleanála at this point in relation to your submission. The An Bord Pleanála reference for the project is: DART+ South West Railway Order – ABP Ref: 316119-23.

Please do not hesitate to get back in touch if you require any further clarification.

Kind regards,

Rachel

For and on behalf of the DART+ South West project team

From: DARTSouthWest <DARTSouthWest@irishrail.ie>
Sent: Wednesday, November 1, 2023 5:10 PM
To: helen fayne [REDACTED]
Subject: Re: Re. ^_Dart^_ south west railway order

Dear Helen,

Further to your mail of the 3rd October 2023 in order to resolve this issue we intend to add your name to the Schedule of Land Owners and Occupiers, at the oral hearing, which will entitle you to as a matter of right to make a submission to the proposed railway order which is currently being considered by the Bord. The procedures furthermore will allow you in such circumstances to participate in the Environmental Impact Assessment and raise any issues of concern that you might have in respect of the proposed development.

Even where your property was not directly affected you would be entitled to make an application to the Bord at the Oral Hearing/Public Enquiry that the Bord would convene and Irish Rail would support any such application and would fully engage with and respond to any submission made.

We would be very happy further to clarify any issues of concern and would be available to meet with you to endeavour to address any concerns you might have but without prejudice of course to your right to fully participate in the hearing if you are still concerned at the end of the consultation process.

We would suggest that if convenient you might contact the project team at this email or on 01 284 1029 who will be in a position to provide you with any initial clarification you will require and thereafter meet and see whether any outstanding issues can be resolved. You might just confirm that you are agreeable to the matter being resolved in the manner referred to above.

Kind regards,
Rachel
For and on behalf of the DART+ South West Project Team

From: helen fayne <[REDACTED]>
Sent: Tuesday, October 3, 2023 6:43 PM
To: DARTSouthWest <DARTSouthWest@irishrail.ie>
Subject: Re: Re. ^_Dart^_ south west railway order

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Rachel

Thank you for your email below.

I note you mention due to the fact that your application was submitted to the Board after my meeting with your colleagues, the names could not be amended.

I am disappointed that as I am "lay person" - i have no understanding of these applications, dealings with The board, putting in observations/ objections etc, i was relying on your good selves and your 3 colleagues who met me to inform me of these matters.

When i specifically asked the three people who met me if i needed to pay the 50euro, i was told no. Surely one of them would have known what you stated below - once you submit the application to the board the names cannot be changed.

That really disappoints me.

I am also disappointed that you will not approach The Board to amend the Book of Reference and you are waiting for an oral hearing which may or may not happen.

When i spoke to An Bord Pleanala, i was informed that you could contact them and make an amendment to the schedule of names. I was not informed this could only be done if an oral hearing takes place

I would be very grateful if you could please confirm whether the Book of Reference can be amended without an oral hearing and Dart South West project team have made the decision to not amend this schedule?

Or please confirm if it is the Board who will not let you amend the Book of Reference until such time an Oral hearing takes place?

I would be grateful if you could let me know what happens to the updated book of reference if there is no Oral hearing

Apologies for all the questions but this is very important to my family and i and we are very concerned about all this.

Many thanks
Helen

From: "DARTSouthWest" <DARTSouthWest@irishrail.ie>
To: "helen fayne" [REDACTED]
Cc:
Sent: Wed, 30 Aug 2023 at 2:59 PM
Subject: Re: Re. ^_Dart^_ south west railway order
Dear Helen

Firstly, please accept our sincere apologies for not being able to get back to you sooner.

We acknowledge that the DART+ South West Project Team members met with you and your husband at your home at your request on 2nd May 2023, when you advised that while the property remains in your mother's name on the Property Register Authority of Ireland (PRAI.ie), she is deceased and your family live there now. The project property records have since been updated and the project team will correspond with yourself going forward regarding 2 Claremont Lawn, Glasnevin, Dublin 11.

The meeting with you was requested and held after the application for a Railway Order was submitted to An Bord Pleanála ("the Board"). The information provided to the Board could not be adjusted after the application was submitted.

The decision on whether or not to accept your submission was a matter for the Board.

We anticipate that an oral hearing will be held on the project, although the decision on whether or not to hold a hearing is for the Board.

If an oral hearing takes place, Córas Iompair Éireann intends to submit an updated "Book of Reference" to the Board, which will include any relevant property updates including yours.

We understand that you will be able to attend the oral hearing and can request to make a submission at that point. It is a decision for the Board as to whether to accept your submission at the hearing.

For our part, Córas Iompair Éireann has no objection whatsoever to your submission being admitted and we will inform the Board of that position. We will also be happy to formally respond to your concerns at that point.

Yours sincerely,
Rachel

For and on behalf of the DART+ South West Project Team

From: helen fayne [REDACTED]
Sent: Wednesday, August 23, 2023 11:28 AM
To: DARTSouthWest <DARTSouthWest@irishrail.ie>
Subject: Fw: Re. ^_Dart^_ south west railway order

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Good morning

I refer to my two emails below, which I have not yet received a response

I would be very grateful for a response to this matter.

I am anxious to get this sorted so I can get my observations accepted by An Bord Pleanála.

When you respond to me, can you also confirm the situation with An Bord Pleanála and them accepting my observation

Kind regards
Helen

— Forwarded message —

From: "helen fayne" [REDACTED]
To: "DARTSouthWest@irishrail.ie" <DARTSouthWest@irishrail.ie>
Cc:
Sent: Fri, 30 Jun 2023 at 2:15 PM
Subject: Fw: Re. ^_Dart^_ south west railway order
Good afternoon.

I refer to my email below.

I am wondering do you have an update on this?

Kind regards
Helen

— Forwarded message —

From: "helen fayne" [REDACTED]
To: "DARTSouthWest@irishrail.ie" <DARTSouthWest@irishrail.ie>
Cc:
Sent: Mon, 19 Jun 2023 at 12:54 PM
Subject: Re. Dart south west railway order
Dear Sir/ Madam.

My name is Helen Fayne and I am residing at 2 Claremont Lawn, Glasnevin, Dublin 11. D11Y8PF

My deceased mum Breeda Fayne received a letter dated 16th March 2023 regarding CIEs intent to submit an application to An Bord Pleanala for a railway order in respect of this project. Reference on letter LO-224

Breeda Fayne passed away in 2014 and I moved into this residence in 2015 with my husband and twin girls.

I submitted an observation to An Bord Pleanala prior to the 16th May deadline. I did not submit the 50euro fee as I was informed that due to me and my residence being directly affected that I did not need to submit this fee.

I received a letter last week from An Bord Pleanala informing me that my submission cannot be considered and has been returned to me due to the fact that I did not enclose the 50e and my name is not on the schedule they received from you.

On 2nd May this year, 3 representatives from your office called to my residence at address above to meet with myself and my husband.

We requested this meeting to discuss our concerns about the works and about fact that part of underground of our garden is needed for these works.

I did not get their names but it was two men and a woman. One of the men was an engineer and the other man was on the CPO side. The woman done most of the speaking with us and she was the person who told me to send my observation submission to An Bord Pleanala and that I did not need to enclose the 50euro fee with my submission as my property was directly effected by these works.

I mentioned to these three individuals that my mum Breeda is deceased and i gave my name Helen Fayne and I also gave my husbands name Charles Ryan as currently residing here. One of the individuals wrote this into a notebook.

None of these three individuals indicated to me that there would be any issue with me submitted my observation to An Bord Pleanala and I am now very disappointed that An Bord Pleanala have rejected my submission due to the incorrect name in the schedule

I have today spoken to Eimear Reilly in An Bord Pleanala. Eimear has informed me that the schedule needs to be amended by yourselves to refer to my name instead of my deceased mum Breeda. Then the amended schedule needs to be re-submitted to Eimear and I may then be able to re-submit my observation.

I would be grateful if you could get back to me and let me know if this can be done as soon as possible.

I am at this email address or mobile
[REDACTED]

Thank you
Kind regards
Helen Fayne

Sent from Yahoo Mail on Android