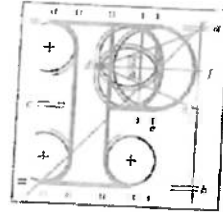


Our Case Number: ABP-316119-23

Planning Authority Reference Number:



An
Bord
Pleanála

Kate Joyce
220 Kilmainham Square
Kilmainham
Dublin 8
D08 K665

Date: 01 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 (including your fee of €50) 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 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.

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

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An Bord Pleanála
64 Marlborough Street
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D01V902

15 May 2023

RE: DART+ South West Railway Order: Concerns regarding the impact of the proposed development on residential properties immediately adjoining the site.

Dear Sirs,

I wish to make a submission in respect of the draft Railway Order for the Dart+ South West.

I am an owner occupier of an apartment in Kilmainham Square (also known as The Old Chocolate Factory), Kilmainham, Dublin 8. My home is a dual aspect 2nd floor apartment, immediately adjoining the identified site. Two bedrooms and an office of my apartment directly overlook the railway line. I will be directly and adversely impacted by the proposed development, both during construction and operation. See attached photographs (Appendix 1) for reference.

I have carefully reviewed the draft Railway Order and there are several issues of concern. I have set these out below:

Noise Levels

As shown in Appendix 1, our homes are located very close to the railway line and the impact of the construction works will be significant. Noise testing has been carried out at 3rd floor and 9th floor apartments. The noise testing was carried out during a period in early January 2022 and reported night-time noise levels of 59.1L Aeq and 65.4L Aeq.

However, despite being offered, Irish Rail did not include lower-level apartments (ground, 1st, 2nd floor), where the noise level would obviously be higher. It is hard to understand why a 9th floor

apartment was chosen over a ground, 1st floor or 2nd floor apartment – other than to deliberately receive a lower reading?

Also, despite being requested to do so, Irish Rail did not undertake these noise level assessments during a period of night-time maintenance works on the railway line. As residents, we are used to an element of night-time maintenance works. When they occur, they are disruptive and can be clearly heard from within the apartments (despite triple glazing).

Therefore, the fact that a significant proportion of the proposed construction will take place during night-time hours is a considerable concern. However, what is of greater concern is that the EIAR has not properly assessed the impact on residents. The EIAR should have provided for sampling during a period of night-time maintenance works for a realistic comparable and included a greater noise testing sampling from lower-level apartments.

Regardless, it is still noted that the existing night-time results of 59.1L Aeq and 65.4L Aeq are above recommended WHO guidelines; and as the EIAR states itself *'during the construction phase, there is potential for very significant and profound negative residual effects at a small number of locations'*. Kilmainham Square is one such location and we do not believe that the EIAR has fully and wholly accounted for this.

Vibration Testing

Existing vibration is felt throughout the development, including in south facing apartments, and therefore we do not believe that the EIAR sampling of just three apartments is wholly reflective of the impact. Notwithstanding that, the EIAR still notes that a 'moderate' vibration impact was reported in a 3rd floor apartment. Over a longer period of time, the results would demonstrate that this is more significant. Therefore, I do not accept the statement that *'there will be no significant vibration arising from the proposed Project in the operational phase and therefore no mitigation measures are proposed'*. This is not the reality of our current experience and therefore we cannot accept that vibration impact be discounted as such.

Impact on Internet Connection/ Fibre Optic Cabling

A number of occupants in Kilmainham Square are now working from home during the day. Since 2020, I have noted a regular (daily) internet disruption as trains pass the building – this manifests as the signal dropping or screen freezing and can last up to 10 seconds as the train goes by. I have been anecdotally advised by my service provider and IT professionals that this is likely a result of the fibre optic cables being impacted by vibrations of passing trains. This is a concern and will likely only deteriorate with additional line traffic unless it is addressed.

Public Consultation/ Resident Engagement

The draft Railway Order states *'throughout 2022, ongoing consultation and engagement was carried out by Iarnrod Eireann and the TTA Consultancy team undertaking the scheme design and environmental assessment. This included additional pro-active measures to engage with landowners/ occupiers who would be affected by the project'*. This did not take place.

Following the previous formal consultation period, my last communication with Irish Rail was in November 2021 (when I volunteered my home for vibration and noise testing). This was through their dedicated community liaison function. I also attended a webinar in November 2021. Since then, I followed up on a number of occasions by phone and email regarding the noise and vibration testing. I did not receive any response or engagement from Irish Rail again until 22 March 2023 (over 15 months later), when I received email notification of lodgement of the Railway Order. There was no consultation with residents in Kilmainham Square during 2022.

It is noted that public consultation will be a requirement during construction phase. However, our experience of this to date has been poor. Also, it must be noted that Irish Rail cannot rely on an Owner's Management Company as form of public consultation – engagement must be directly with residents and owner occupiers, and there needs to be meaningful efforts by Irish Rail (and the future contractor) to ensure this occurs.

Mitigation Measures / Sound Barriers

The Railway Order does not provide sufficient detail or comfort to residents regarding mitigation from noise, vibration and air pollution during both the construction and operational phase of the project. In earlier stages of community consultation (early 2021), the possibility of an overhead canopy (tunnel) was suggested for the area of the line that immediately adjoins Kilmainham Square, extending from South Circular Road bridge. This would be akin to practice in European countries within high density residential neighbourhoods. This design solution should be given further consideration.

Further mitigation measures such as sound / vibration proof barrier on the retaining wall along the length of the development, anti-vibration mats, anti-vibration blanket, silent track tuned rail dampers should be incorporated in detailed design.

There is also opportunity for an extended / additional tree barrier on land immediately adjacent to railway line, along the length of the building.

Building Damage Mitigation

It is noted that ground movement impact has not been incorporated within the draft Railway Order submission. Given the proximity of Kilmainham Square to the proposed construction, we need to ensure that there is no damage to the boundary wall or to Kilmainham Square buildings itself, including our windows and building façade. Pre and post building surveys must be undertaken and a detailed management and cost plan in the event of any damage.

Other Matters

- *Air pollution* – it is already not feasible to leave bedroom windows open for any length of time due to the rapid accumulation of dust and dirt particles. The air quality management plan must address the fact that bedrooms are located in very close proximity to the proposed construction; and therefore consultation with local residents must be included. Green solutions should be considered.

- *Biodiversity loss* - Kilmainham Square is one of the closest (if not the closest) residential developments along the railway corridor. Not only will we be suffering from significantly increased noise and air pollution, but an existing green embankment which we currently overlook will be removed as part of the construction. This loss of green space (and biodiversity impact) could be addressed through the design of a canopy/ tunnel above the railway corridor (extending from the South Circular Road junction), which could be planted.
- *Electrified lines* – if there is a genuine concern about noise and vibration levels, the detailed design should ensure that the electrified lines are those located closest to the residential areas.

Kilmainham Square is a development of over 200 properties, with 87 properties directly facing the railway line. The development comprises many long-term owner-occupiers, who have been living here for many years and these are our homes. The lack of any proposals or detailed design to mitigate against noise, vibration and air pollution (both during the construction period and during long-term operation) is concerning.

I fully appreciate that major infrastructure projects of this nature are necessary and important, particularly in the context of our Climate Action objectives. Furthermore, I fully support an integrated modern and fit-for-purpose railway network.

However, the concerns of the local residents and the surrounding environment must be taken into account. It is critical that accurate, comprehensive and ongoing impact assessments are carried out to ensure that the project can be properly designed to mitigate against long term disruption.

I trust An Bord Pleanála will take these concerns seriously.

Yours sincerely,

By Email

Kate Joyce

Phone: [REDACTED]

Email: [REDACTED]

Appendix 1 – Proximity of Railway Line (220 Kilmainham Square, D08K665)

