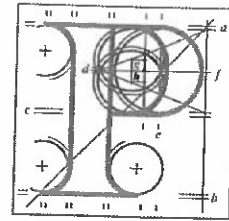


**Our Case Number:** ABP-316119-23

**Planning Authority Reference Number:**



**An  
Bord  
Pleanála**

The Gables Flat Management Ltd  
45 Backnamullagh Road  
Dromore  
BT25 1QT

**Date:** 26 May 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 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.

The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you on this matter in due course.

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](http://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,

**PP Em**

Eimear Reilly  
Executive Officer  
Direct Line: 01-8737184

Tell  
Glaó Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel (01) 858 8100  
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Website [www.pleanala.ie](http://www.pleanala.ie)  
Email [bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

**From:** SIDS  
**Sent:** Tuesday 16 May 2023 15:14  
**To:** Eimear Reilly  
**Subject:** FW: DART + South West Electrified Heavy Railway Order [2023]  
**Attachments:** 25 GFML Finalised Submission 16.05.23.docx

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**From:** gerryfarrington@btinternet.com <gerryfarrington@btinternet.com>  
**Sent:** Tuesday, May 16, 2023 12:30 PM  
**To:** SIDS <sids@pleanala.ie>  
**Subject:** DART + South West Electrified Heavy Railway Order [2023]

45 Backnamullagh Road,  
Dromore, County Down BT25 1QT  
048 92 693 223  
Tuesday 16 May 2023

DART + South West Railway Order application

Strategic Infrastructure Developments

An Bord Pleanála

64 Marlborough Street

DUBLIN 1

D01 V902

Dear Inspector / Board Member,

**DART + South West Electrified Heavy Railway Order [2023]**

**Submission to An Bord Pleanála by Gables Flat Management Limited \***

Please find enclosed herewith observations for consideration by the Board as part of its examination of the DART + South West Project.

As the Gables is a potentially impacted property, we have been given to understand that we are exempt from paying a fee.

Please note the inclusion of Appendix 1.6 listing issues that we wish investigated or explained during the processing of the Railway Order. It is the only change to the hard copy submission that accompanied our letter of Friday 12 May.

Please let us know if you require any additional information.

Yours faithfully,

Gerry Farrington

Secretary,

Gables Flat Management Ltd.

\* The Gables Flat Management Company represents the interests of the owners and occupiers of Flats 1-4, The Gables, 78 Old Cabra Road, Dublin 7.

## **DART + South West Electrified Heavy Railway Order [2023]**

### **GABLES FLAT MANAGEMENT COMPANY'S SUBMISSION TO AN BORD PLEANÁLA \***

If due compensation is provided fairly and promptly for any damage to the property, including the expense of alternative accommodation during any rebuilding and repairs, and for any other financial loss or expense to the owners and occupiers arising from the construction works and operation and maintenance of the railway, the Company is unopposed in principle to the DART + South West project as currently proposed. (See Appendix 1).

However, the Company reserves the rights of the owners and occupiers to avail of the statutory protections available under existing environmental protection legislation, reinforced, where necessary, by conditions attached to the railway order consent aimed at managing noise, dust, air pollution, vibration, and glare. (See also Appendix 2)

In addition, since the drilling of soil anchors is very noisy, the Company requests that this work be restricted to normal daytime working hours.

Also, since drilling into the embankment beside the Gables will take six to eight weeks and drilling into the opposite embankment will also take six to eight weeks the Company submits that, in order to reduce the duration of the annoyance to affected properties, these works should be scheduled to run concurrently.

Finally, nothing in this submission must affect the rights of the individual owners and occupiers to seek protection and redress for their properties and homes from any damage and any financial loss or expense caused by soil anchorage works undertaken in connection with the project.

\* The Gables Flat Management Company represents the interests of the owners and occupiers of Flats 1-4, The Gables, 78 Old Cabra Road, Dublin 7.

## **APPENDIX 1 Relevant extracts from the documents and plans and a note of a meeting held on 21<sup>st</sup> November 2022.**

### **Appendix 1.1**

#### **PROJECT OBJECTIVES Section 2.3 of the Planning Report (Extract)**

2.3. The primary objective for the DART+ South West Project focuses on the target to increase the carrying capacity on the Project route corridor between Hazelhatch to Heuston and Glasnevin from the current peak capacity of approximately 5,000 passengers per hour per direction to approximately 20,000 passengers per hour per direction. Sub-objectives of the DART+ South West Project include:

- To deliver higher frequency, higher capacity, electrified rail service along the Project route corridor to enable the extension of the DART service to Hazelhatch & Celbridge Station.
- To deliver solutions to meet the Train Service Specification.
- To separate Intercity and fast regional services from the future DART service by providing additional tracks between Park West & Cherry Orchard Station and Heuston Station.
- To tie-in the Cork Mainline with the wider DART+ Programme using the recently opened rail link and existing connector tunnel through the Phoenix Park.
- To identify sustainable cost-effective solutions from a capital, operations, and maintenance perspective.
- To minimise adverse impacts on the natural and built environment during construction, operation and maintenance.
- To minimise impacts on existing rail services, road users and landowners during construction.
- To deliver a sustainable, low carbon and climate resilient design solution including making use of existing infrastructure where possible with targeted improvement works.
- To deliver an improved customer experience and service for customers along the Project route corridors. The delivery of DART+ South West Project and the enhancement of the heavy rail network between

Hazelhatch & Celbridge Station and Dublin City Centre will clearly assist in meeting the DART+ Programme objectives to create a full metropolitan DART network with all lines linked and connected, and with frequency and capacity of services significantly enhanced.

## **Appendix 1.2**

### **ARTICLE 12 of the Draft Railway Order (Extract)**

#### **Strengthening and underpinning of structures or buildings**

(1) The Railway Undertaking may, in accordance with section 48 of the Principal Act, enter on any land and underpin or otherwise strengthen any house, building or structure affected or likely to be affected by the authorised works or the railway and may do on such land all such other things as are, in the opinion of the Railway Undertaking, ancillary to or reasonably necessary for such purposes.

(2) Where any house, building, or other structure has been underpinned or strengthened in accordance with section 48 of the Principal Act and this Article, the Railway Undertaking may from time to time thereafter, in accordance with that section and this Article, re-enter on the land and do such further underpinning or strengthening or monitoring or other activity reasonably necessary for the purposes aforesaid as the Railway Undertaking deems necessary or expedient.

## **Appendix 1.3**

### **Environmental Impact Assessment Report (Extract)**

4.6.4. Retaining Walls and Soil Anchors New retaining walls are required at various sections along both sides of the rail corridor, specifically the section north of the Phoenix Park Tunnel to Glasnevin Junction. These are required to retain the slopes of the two-track corridor within the existing cutting, only in the areas where track modifications are proposed. The retaining walls will be located at the toe of the slopes adjacent to the tracks and will typically consist of gabion basket and king post walls with heights typically ranging from 0.5 to 1.5 m in height.



Additional soil anchors will be installed on the slopes above the new retaining wall locations to complement the existing soil nails previously installed, to provide greater stability of the cutting slopes and to ensure the long-term safety and stability of the rail operations. The new soil nails and mesh facing system, will extend along the entire slope face and will typically extend 10 to 15m into the slopes. In some instances, the soil anchors will extend beyond the CIÉ property boundary and under third party properties.

## **Appendix 1.4**

### **Railway Works Plan No. 16 (Reference)**

This plan shows the areas in the vicinity of Old Cabra Road Bridge proposed for retaining wall anchors / soil nailing coloured purple.

<https://www.dartplus.ie/getmedia/7d775f14-e7bd-4c8c-9299-cd4792a984c8/Book-1-Railway-Works-Plan.pdf?ext=.pdf>

## **Appendix 1.5**

### **Note of “virtual” MEETING held 21<sup>st</sup> November 2022**

#### **Participating for CIE:**

**David Dineen** Chartered Surveyor with CIE Group Property Abbey St, Dublin 1

**Darragh Breen**, Chartered Engineer, Atkins Consulting Engineers

**Rachel Cummins**, Consultant Communications, \* using MS TEAMS software.

#### **Others participating:**

**Gerry Farrington** for Gables Flat Management Company

**Val Mindrescu**, residential occupier of Flat 4

**Ferdia Murphy** for Thomasina Farrington, owner of Flat 4

CIE explained the significance of the DART+ Southwest project as an extension of the existing DART network, in particular the electrified DART connection proposed between Connolly and Heuston via the existing railway corridor / tunnel under Phoenix Park.

Given the nature of the project, Iarnród Éireann is to submit a Railway Order to An Bord Pleanála shortly. The Railway Order and accompanying Environmental Impact Assessment Report will be subject of statutory consultation. An Bord may hold an oral hearing into the application, a process that could take 12-18 months. Subject to the Railway Order being

granted and funding approved, construction could commence in 2026 and would last some 4 years to complete.

It was explained that the Railway Order would authorise CIE, if necessary, compulsorily to acquire adjacent land, to carry out works on such lands and to obtain temporary rights of way. During the design process it became apparent that the existing retaining walls to the bridge carrying the Old Cabra Road require to be extended and strengthened with the installation of soil anchors in the form of steel rods extending under adjoining property, including the Gables. Given the "heaven to hell" principle of property ownership, the ground below is included in such property and CIE have to obtain the right to carry out the necessary works.

The owners and occupiers of the properties affected would have entitlement to compensation (under several headings). They would receive notification of the Order; so would the Gables Flat Management, given its interest in the common areas. There would be independent surveys of the property before and after the works to assess any damage requiring compensation. The railway itself provides a corridor for access for the carrying out of works. There is no intention to seek vehicular or pedestrian access to the railway corridor via the Gables.

The process for making the Railway Order would commence in January '23 and take 12 to 18 months to complete. The planning lead time would extend another year before work starts.

As advice and in response to questions we were provided the following details of the DART project and its implications for the Gables.

- There will be no need for additional tracks for the upgrade to DART.
- There are eight existing bridges along the route and to "squeeze in" the electric lines for electrification will require headroom adjustment. This will necessitate excavation of the railway bed and the lowering of the tracks along this section of the railway some 300 - 400mm. Lowering will not exceed 500mm elsewhere along the route.
- These works require stabilisation of the embankments on either side of the railway corridor before the works to excavate commence. The stabilisation involves the insertion of a matrix of soil anchors into each of the embankments. The anchors will consist of steel rods drilled into the banks at a downward angle, thereby compacting and stabilising the soil. When installed, the rod ends will be capped off with concrete.
- The steel rods will be 12-13 metres long and will cross the boundary of the Gables and extend into ground beneath the Gables apartments building.
- The rod ends will be 8-10 metres below ground and there will be no visible evidence of the rods on the surface.
- The drilling will be carried out using a flexible-arm digger(s) operating within the railway corridor.
- This method of stabilisation has been used in the construction of the LUAS, the M50 orbital motorway around Dublin and widely throughout the UK.
- The drilling of the soil anchors is very noisy and therefore would be restricted to day-time hours. Less noisy works may take place at night-time.
- The drilling into the embankment beside the Gables will take 6 to 8 weeks. The drilling into the opposite embankment would also take 6 to 8 weeks. It would be possible to request both embankments are drilled at the same time.



- Electrification will be achieved by the erection of 8-metre-high cantilever poles from which to string the electric lines.
- Services along the line will be passenger and goods and there will be no intervening stations between Connolly and Heuston.
- There will be tree felling and the clearance of other vegetation as required within the railway corridor. This issue has been assessed as part of the Environmental Impact Assessment EIA.
- The soil investigation that involved inconclusive approaches to GFML re-drilling at the Gables has been completed.

The meeting closed with the advice that in January the owners, the occupiers and Gables flat management would be notified of the public consultation and provided with information packs explaining the Railway Order with a summary of the EIA report and the means of access / linkage to the document itself.

## **Appendix 1.6**

### **Issues Gables Flat Management Ltd wish investigated or explained during processing of the Railway Order**

1. Have steel rod soil anchors been used to stabilise beneath similar properties – i.e., traditional brick built pitched roof 2-storey buildings?
2. Are there alternative methods of stabilising railway embankments?
3. If so, are they likely to cause less damage to 2-storey brick built residential properties such as the Gables?
4. Are they viable here?
5. What locations were soil tested in the vicinity of the Gables and what were the findings?
6. Can we have details in writing of arrangements proposed for *independent before and after* surveys, as these are still not clear to us.
7. What are the categories of compensation as they also are still not clear to us?
8. Would GFML owners be compensated for any increased cost of insuring the building and common areas due to the proposed works?
9. Are nos. 76 (long established neighbour) and 79A Old Cabra Road (one of our owners) affected by the soil stabilisation proposals? It appears that they might be from the Railway Works Plan.

## **Appendix 2: Issues raised by Mr and Mrs V Mindrescu, Flat 4 The Gables.**

Since 2015 Mr and Mrs Mindrescu have occupied Flat 4 The Gables as its registered tenants. Flat 4 is a 2-bedroom apartment on the first floor of the Gables flats complex. The living room and kitchen windows face the railway corridor. These are the principal windows of the dwelling; and they are in clear line of sight of the corridor and the railway embankment opposite. This will make Mr and Mrs Mindrescu particularly vulnerable to the nuisance likely to affect properties close to Old Cabra Road railway bridge caused by noise, vibration, dust emission, lighting glare and the sleep disturbance associated with such nuisance during the construction phase of the DART + Southwest project. They would also be affected adversely by any additional noise nuisance and sleep disturbance caused by the intensification and increased frequency (some doubling) of passing railway traffic resulting from the works upgrading the railway line.

Mr and Mrs Mindrescu are anxious that their particular vulnerability is taken fully into account by An Bord Pleanála when considering what conditions should be attached to the planning permission in order that the impact of the project may be satisfactorily mitigated. Matters and issues that they wish in particular to be considered by the Board are as follows:

- The arrangements, including planning conditions, to monitor and control the noise and disturbance caused by the proposed construction works, including effective restrictions on weekend and night-time working.
- During the drilling and inserting of the soil anchors the levels of vibration should be measured and satisfactory steps taken to protect the Gables building and ensure the safety of the residents. These should include any arrangements necessary for the provision and financing of temporary alternative off-site residential accommodation.
- Planning conditions should be included to ensure the monitoring and mitigation of any dust and air pollution occurring during the construction phase.

- Planning conditions should be included to ensure the monitoring and mitigation of night-time glare occurring during the construction phase.
- The role, if any is practicable and helpful, for acoustic screening for the mitigation of noise and disturbance in both the construction and operational phases.

Mr and Mrs Mindrescu (and the Gables Flat Management Company) would welcome the opportunity to explore these issues further with the DART+ Southwest team so that the key issues can be drawn to the attention of the Inspector at the Oral Hearing for reporting to the Board.