

<b>Submission No.</b>			<b>125</b>	
<b>Organisation Name or Name of Submitter</b>			<b>IPUT plc and Irish Life Assurance plc (represented by John Spain Associates Planning Consultants)</b>	
<b>Item No.</b>	<b>Section Ref.</b>	<b>Page No.</b>	<b>Observation Statement</b>	<b>TII Response</b>
<b>RE: RAILWAY (METROLINK-ESTUARY TO CHARLEMONT VIA DUBLIN AIRPORT) ORDER 2022, SUBMISSION ON THE METROLINK RAILWAY ORDER APPLICATION IN RELATION TO AIRSIDE RETAIL PARK, SWORDS, CO. DUBLIN</b>				
1	Introduction	1	Our clients wish to request an Oral Hearing on the Railway Order application.	<p>While acknowledging your request, TII advise that the oral hearing process is managed by An Bord Pleanála. An overview of the Oral Hearing process is provided in the EIAR Chapter 8.9.2. An Bord Pleanála have confirmed to TII that an oral hearing on the Railway Order application will be held.</p> <p>The purpose of the oral hearing will be to allow issues relevant to an application for approval be examined. The oral hearing can be attended by anyone, but only those that have made a written application may make an oral submission at the oral hearing.</p>
2	Introduction (page 4 of the Submission)	7	The demolition of Unit 1 (an anchor unit currently occupied by Smyths Toys and Starbucks), and the temporary and permanent loss of car parking associated with the MetroLink project will impact on the operation of the Airside Retail Park (and Phase 1 in our clients' ownership in particular).	<p>The demolition of Unit 1 and loss of car parking are noted as being significant impacts but necessary for the construction of Fosterstown Station which will bring wider benefits to the area as detailed within the EIAR. TII carefully examined the Fosterstown station site alternatives as part of the preliminary design development. In this sense, other station locations and alignment options at this location have been considered to determine whether other feasible options (in terms of station location and alignment) could be adopted that would mitigate the impact on the Airside Retail Park and in particular identify design solutions that would avoid demolition of the end of terrace retail warehouse unit. In each case, a station stop location moved either north or south of the present location that coincides with the end of terrace retail unit, with the associated track alignment moved west resulted in significant impact on the R132, requiring its permanent realignment and further consequential impacts to residential properties to the west of the R132.</p> <p>These factors were considered amongst others in the multi-criteria analysis (two stage) undertaken to identify the optimal location for the Fosterstown Station which concluded that the current proposed option for the MetroLink alignment and the Fosterstown station location past Airside is the most suitable option. It was adopted for the Preliminary Design, and forms part of the Railway Order documentation. The full results of station location alternatives assessment are presented in Section 7.7.10.4 Fosterstown of the EIAR Chapter 7 (Consideration of Alternatives) and EIAR Appendix A7.1 Fosterstown Station Options Report.</p> <p>TII will offer compensation to property owners for land that is deemed to be acquired land in accordance with the general compulsory purchase code. In addition, a Land Acquisition Strategy has been prepared by TII which sets out the arrangements proposed for the provision of information and assistance to the residential owners / occupiers of land and property subject to compulsory purchase for the delivery of MetroLink. For details related to the compensation for compulsory purchase and land acquisition strategy, please refer to EIAR Chapter 21 (Land Take), section 21.6.1.2 Compensation for Compulsory Purchase.</p>
3	Key grounds of submission (page 4 of the Submission)	7	<p>Our clients also have a number of specific concerns in relation to the proposed Railway Order application to An Bord Pleanála and they request that these be addressed by making amendments to the project and Railway Order as set out below.</p> <p>The key grounds of submission relate to the following:</p> <ol style="list-style-type: none"> <li>1. The extent of permanent land acquisition</li> <li>2. Extent, alignment and beneficiaries of the proposed wayleaves and rights of way</li> <li>3. Maintaining access to Airside Retail Park during construction works and associated traffic management measures</li> <li>4. Signage during construction and post construction, and fencing</li> <li>5. Facade treatment following demolition of Unit 1</li> </ol>	Thank you for your submission. TII have reviewed your concerns/observations to the project and provided responses in detail below.

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4	Grounds of submission, 1. Permanent Land Acquisition (page 5 of the Submission)	9	<p>Our clients have concerns in relation to the permanent acquisition of this area of land (ML1T-A8). It is not clear why it is proposed to acquire this area permanently and respectfully requested that this should be omitted from the permanent land take in any approved Railway Order. This area of land (illustrated in Figure 4 above) poses a critical part of the existing infrastructure of the retail park as it is located on the main access route into this area of the retail park and serves a significant existing car park at this location.</p> <p>This parcel of land should remain in the ownership and control of the owners of Phase 1, Airside Retail Park i.e. IPUT and Irish Life Assurance pic. It is considered that this area of land is not required for the operation of the Metro and that this matter is best addressed extending the right of way/wayleave along the access road into and through this parcel of land leading to the proposed Fosterstown station.</p>	<p>The location for Fosterstown Station will require the realignment of the internal road network within Airside Retail Park. The realigned internal road network will also be used to provide access to the station, associated drop-off and relocated Airside Retail Park substations and telecommunications mast. The road alignment takes into consideration BusConnects plans for the provision of a core bus corridor along this section of the R132, with a new bus stop on both sides of the R132 carriageway close to the station. To reduce community severance on the east side of the R132, a new walkway on the east side of the alignment will connect the station with the Airside Retail Park.</p> <p>The general arrangement drawings within the area of Airside Shopping Centre (please refer to drawings no. ML1-JAI-ARD-ROUT_XX-DR-Y-03023 and ML1-JAI-ARD-ROUT_XX-DR-Y-03024) have been enclosed to the Notification letter issued on 20th of September 2022 to property owners.</p> <p>The subject lands (ML1T-A8, A7, A5, A4 &amp; A3) is required to support the realignment of the internal road network within Airside Retail Park, locate power substations, provide access to the completed station and lands at the rear of the station, including maintaining access to the rear of Airside Shopping as exists and landscaping around the completed station. Please refer to landscape drawing ML1-JAI-ARL-SC03_XX-DR-Y-00006 (Sheet 2 of 2) Swords Central - Fosterstown Landscape Layout - Railway Order Plans\Drawings Landscaping Drawings (Sheet 8 of 13).</p> <p>The acquisition of subject lands (ML1T-A8, A7, A5, A4 &amp; A3) has been considered as permanent land acquisition, with TII interests for this land as outlined above. Subject to agreement with the landowner TII will provide surface level access through this location during and after construction completion (via a wayleave) and return the unused land following construction completion.</p>
5	Grounds of submission, 1. Permanent Land Acquisition (page 5 of the Submission)	9	<p>Secondly, it is noted that it is proposed to acquire a portion of land to the rear of Unit 1 and Unit 2 (ML1T-A6) and a portion of the land resulting from the demolition of Unit 1 (ML1T-A7) for landscaping purposes as part of the permanent land take for the project (see Figure 5 below). It is understood that this area of land is not required for the permanent and ongoing operation of the MetroLink project post construction. Therefore, it is also requested that it is agreed that this area of land shall be acquired on a temporary basis only if necessary and returned after the completion of construction to its current owners IPUT and Irish Life Assurance pic. It is important for the ongoing operation management and maintenance of the retail park that this area remains permanently in the ownership of our clients, the owners of Phase 1 of Airside Retail Park.</p>	<p>Please refer to response item (4) above in relation to the land take at this location.</p>
6	Grounds of submission, 1. Permanent Land Acquisition (page 5 of the Submission)	9	<p>The extent of lands which are currently shown for permanent acquisition / land take, but which it is submitted should be re-designated as temporary land-take only are indicated approximately on Figure 6 and 7 below.</p>	<p>Please refer to response item (4) above in relation to the land take at this location.</p>
7	Grounds of submission, 2. Right of Way/Wayleaves (page 6 and 7 of the Submission)	11&13	<p>Confirmation is requested that TII and users / passengers of MetroLink only will have the benefit of the rights of way/wayleaves which are proposed at Airside Retail Park (Reference nos. ML1U-W1 and ML1U-W2). It is noted that the two proposed wayleaves include the existing access into the retail park and a further wayleave traversing the existing car park to the south of Unit 1. It is important that it is confirmed that the proposed right of way is restricted to TII / MetroLink Passenger use only and is not for the benefit of any other party including adjoining landowners.</p>	<p>As shown on EIAR Figure 5.1, Sheet 6, both strips of land (ML1U-W1 and ML1U-W2) are required to remain as permanent easement for MetroLink purposes to allow access to the future station and to provide for utility infrastructure routes to the station. Further easements through to the station and rear of the retail centre on CPO subject lands (ML1T-A8, A7, A5, A4 &amp; A3) to be agreed with the landowner.</p> <p>The permanent easements will include a permanent right for TII and its contactors, sub-contractors operators, servants, agents or any other party authorised by it to enter upon and use the relevant part of the Permanent Lands for all purposes in connection with the design, construction, operation etc. including access and egress to and from the station by passengers. The adjoining third party Landowner will be required to agree his owns term directly with Irish Life/IPUT</p>

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8	Grounds of submission, 2. Right of Way/Wayleaves (page 7 of the Submission)	13	Further clarification is required in relation to the likely extent of the use of the existing access into the retail park for which the wayleaves/right way of way is sought (ML1U-W1), as this could have a potential impact on the operation of the retail park.	Please refer to response item (7) above in relation to wayleaves.
9	Grounds of submission, 2. Right of Way/Wayleaves (page 7 of the Submission)	13	Additionally, as noted the further proposed right of way / wayleave (which it is understood is intended to facilitate below-ground services and periodic access for works) proposed through the centre of the existing car park adjacent to Unit 1 (ML1U-W2) will effectively bisect this area of car parking instead of following the boundary of the existing car park. It is requested that this alignment of wayleaves/right of way is realigned parallel to the metro alignment as proposed in order to minimise its potential impact for future disruption to the carpark. This option should be fully investigated by TII.	TII confirm that this proposed wayleave ML1U-W2 is a requirement for right of access for utilities into the MetroLink station. Any change to the proposed route would require agreement with the utility provider.
10	Grounds of submission, 2. Right of Way/Wayleaves (page 7 of the Submission)	13	In addition to the foregoing, it is submitted that provision should be made for the relocation and alteration of easements (rights of way / wayleaves) in future if required by the co-owners (IPUT and ILA or its successors in title) subject to agreement, at the cost of the beneficiary of the easement.	TII will consider these on a case by case basis as they arise.
11	Grounds of submission, 3. Access to Airside Retail Park Through Construction and Traffic Management (page 7 of the Submission)	13	It is proposed at the existing main access to Airside Retail Park off the R132 Dublin Road will be closed for traffic for a period of 21 months or possibly longer. It is also noted that there will be a very limited temporary junction put in place during construction for traffic to exit onto the R132 Dublin Road heading in a southbound direction only during the construction process. IPUT and Irish Life Assurance plc are extremely concerned that this lengthy closure period of this access will cause severe disruption to the retail park and the retail park's customers and retailers.	Appendix A9.5 Scheme Traffic Management Plan illustrates the proposed diversion route to accommodate the partial closure of the R125 at Airside Retail Park. The proposed diversion will route traffic via the Nevinstown signalised junction and Airside roundabout. At its longest distance the diversion will be approximately 1.5km. For vehicles routing from the north or north-east of this area, there is also the option to use Mountgorry Way as an alternative diversion. Commercial and retail delivery vehicles will be subject to the same diversions, however access to the retail park for both customers and retailers will be maintained throughout the construction works.  As outlined in Appendix A5.1 Outline CEMP, prior to the commencement of the construction phase, a comprehensive publicity and information campaign will take place to ensure all members of the public are informed of the upcoming traffic management measures. A Project Construction Traffic Forum will be established with representatives from key stakeholders, including those from FCC, who can raise any concerns from Airside Retail Park if necessary. The public will be provided with advanced warning of any proposed diversions and disruption through signage on site and continuous updates on construction progress on the project website.
12	Grounds of submission, 3. Access to Airside Retail Park Through Construction and Traffic Management (page 8 of the Submission)	15	It is noted that the alternate access route (via the L2305   Nevinstown Lane and the R125 onto the R132) will also traverse a roundabout which is due to be subject to significant construction works during the implementation of MetroLink. This gives rise to a risk of the access to Airside Retail Park being curtailed for a significant period.  It is requested that revised temporary access arrangements are prepared and proposed which will ensure that access in both directions will be maintained at all times from the Dublin Road / R132 to Airside Retail Park. This should be feasible through appropriate temporary arrangements and phasing arrangements for the construction of this section of the project. Our client's consulting engineers, Roughan O'Donovan, have set out further details in this respect attached to this submission as Appendix 1.	Please refer to response item (11) above in relation to the proposed traffic management at Airside Retail Park.

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13	Grounds of submission, 4. Signage, Fencing and Associated Matters (page 8 of the Submission)	15	<p>Finally, the Railway Order application is lacking in necessary information and detail in respect of the temporary and permanent provision of and positioning of signage for the retail park in the vicinity of the Dublin Road / R132, Nevinstown Lane junction during construction and post-construction.</p> <p>It is submitted that it is essential that this detail is included as part of the Railway Order. Signage is critical to the commercial operations of the retail park and for wayfinding and to clearly identify the retail park both during and post-construction.</p> <p>There are two existing signs (a totem sign and a lower level sign) along the frontage of the retail park to the R132, in the absence of a clear strategy for the provision of replacement signage both during construction and post-construction, the removal or relocation of these signs could impact negatively on the operation of the retail park.</p> <p>Therefore, it is important that both temporary and permanent signage arrangements be included within the Railway Order to ensure that appropriate signage will be put in place at all times during and post construction.</p>	<p>Through consultation with the submitter, TII agree that there a requirement for such signage to be provided. Temporary and permanent positioning of signage for the retail park in the vicinity of the Dublin Road / R132, Nevinstown Lane junction will be developed with the appointed contractor at the detailed design and construction stage.</p>
14	Grounds of submission, 4. Signage, Fencing and Associated Matters (page 8 of the Submission)	15	<p>In addition, our client requires further information on the perimeter fencing proposed during construction and post- construction and boundary demarcation.</p>	<p>As presented in Section 5.4.5 of the EIA Chapter 5 (MetroLink Construction Phase), site hoarding/fencing (2.4m in height as a minimum) and gates to ensure that the sites are secure will be installed at each of the construction compounds, including Fosterstown Station Compound.</p> <p>To meet the security requirements, a 600mm high concrete parapet will be provided along the retained cut sections of the MetroLink route to act as the vehicle restraint system with a 1200mm Meshweld fence on top of the parapet. This will result in an overall fence height of 1800mm. This arrangement is proposed where the fence is outside the vehicle restraint system clear zone of a road but there is still a potential risk from errant vehicles.</p> <p>Further information on the permanent fencing and boundary treatments can be found in EIA Chapter 4 (Description of the MetroLink Project), Section 4.12.9. As presented in the EIA Chapter 4, Table 4.8, 1.8m high boundary wall with H4a containment will be permanently provided along the retained cut section from Fosterstown to the L2305 into the Airside Retail Park. Suitable finishes will be adopted for the barrier. The precise details of the façade will be determined at the next design stage.</p> <p>Other details on fencing and boundary treatments applicable to Fosterstown to DANP section, including Airside Retail Park, are presented in Table 4.8 of the EIA Chapter 4 (Description of the MetroLink Project).</p>
15	Grounds of submission, 5. Façade treatment following demolition of Unit 1 (page 9 of the Submission)	17	<p>As noted previously, the alignment and layout of the MetroLink development gives rise to the requirement for the demolition of Unit 1 within Phase 1 of the Airside Retail Park (currently occupied by Smyths Toys and Starbucks).</p> <p>This will result in the dividing wall with the next-door unit being exposed. It is noted that the resulting exposed wall will be highly visible from the R132, the Retail Park, and from the proposed MetroLink station. Therefore it will be required to provide for high-quality façade treatment to this frontage. The provision of high quality façade treatments at this location should form part of the MetroLink project and should be conditioned as part of any Railway Order granted for the project.</p>	<p>TII confirm façade treatments will be provided at this location to match the existing building fabric finish.</p>

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16	Conclusion (page 9 of the Submission)	17	<p>There may be other detailed matters which will require further clarification and information from TII as they relate to the interface of the project with the operation of Airside Retail Park. Our clients wish to reserve their position in this respect.</p> <p>Our clients also wish to request that an Oral Hearing is held in respect of the Railway Order application so that the points raised within this submission can be further clarified and addressed at the hearing for the benefit of all parties.</p>	Please refer to the response to Item (1) above in relation to the Oral Hearing process.
17	Appendix 1, General Comments (page 1 of Technical Note on Access)	21	More detailed localised traffic analysis should be carried out using weekend traffic data at the junctions surrounding Airside Retail Park to ensure that the temporary traffic management proposals can accommodate the peak traffic volumes.	Weekend traffic volumes are expected to be similar to those recorded at the PM peak and so no further analysis is deemed necessary. Traffic modelling of the traffic management proposals during the construction phase has assessed both the AM and PM peaks. The assessment also utilises the busiest year for the construction generally being the period of peak bulk excavations for the stations. Therefore, traffic modelling presented in Appendix A9.5 Scheme Traffic Management Plan presents a worst-case scenario assessment of impacts.
18	Appendix 1, Nevinstown Signalised Junction (page 2 of Technical Note on Access)	22	<p>Residual impacts are described in the report as impacts which cannot be further reduced or remediated. Severe residual traffic impacts of this magnitude for an extended period would be of concern, as they could impact on the operation of Airside Retail Park, which is dependent on vehicular access for trade.</p> <p>Further reduction of impacts or remedial actions are considered feasible. Potential solutions that should be investigated include:</p> <p>i. Split phase 1 of the Nevinstown Signalised Junction Traffic Management Plan into several phases, allowing the cut and cover section of the Nevinstown Lane crossing to be completed in two or more parts, while maintaining two-way traffic between Nevinstown Lane and R132 Dublin Road.</p> <p>ii. Use the area for the Nevinstown Lane Construction Compound (circled below) to provide a two-way access road and a full movement three-arm signalised junction with the R132 Dublin Road, i.e. creating a staggered crossroads.</p> <p>iii. Reduce the size of the Fosterstown Compound to provide a two-way access road and a full movement three-arm signalised junction with the R132 Dublin Road.</p>	Full access is consistently maintained to Airside due to the staggering of construction at Nevinstown and Pinnockhill junctions with the longest diversion at Nevinstown Junction found to be 1.5km, Section 5.5.6.2.3.2 of Appendix A9.5 Scheme Traffic Management Plan. Please refer to response item (11) above in relation to the proposed diversion and the proposed mitigation measures to reduce the severity of the impact.
19	Appendix 1, Nevinstown Signalised Junction (page 3 of Technical Note on Access)	23	<p>b. Phase 2 of the main works traffic management plan at Nevinstown Signalised Junction restricts turning movements onto Nevinstown Lane with traffic likely to divert onto R132 Dublin Road and R125 Pinnockhill. The cumulative impacts on accessibility to Airside Retail Park from the restricted turning movements at Nevinstown Signalised Junction and the additional traffic loading from diverted traffic onto Pinnock Hill Junction and R125 and L2305 Junction have not been adequately addressed in the Construction Traffic Management Plan. These impacts are likely to be severe as the Pinnock Hill Junction and the R125 Pinnockhill / L2305 Junction are currently at or exceeding capacity at peak times, and any significant diversion of traffic onto these junctions without mitigation measures will result in gridlock.</p>	<p>TII to do not agree that "cumulative impacts on accessibility to Airside Retail Park from the restricted turning movements at Nevinstown Signalised Junction and the additional traffic loading from diverted traffic onto Pinnock Hill Junction and R125 and L2305 Junction have not been adequately addressed". The full assessment of impacts to traffic in and around the Airside Retail Park as a consequence of the MetroLink Project proposal on the Nevinstown Signalised Junction are set out in section 5.5.6.2.2. of Appendix A9.5, Phase 2 TTM (Temporary Traffic Management).</p> <p>The plans detailed and assessed recognise severe impacts to general traffic access, if unmitigated. However, it is proposed that these impacts are mitigated through a short diversions to Pinnock Hill Roundabout, resulting in a diversion of approximately 1.5km. Moderate impacts on commercial/parking and public transport are also acknowledged, however access to businesses and properties will be maintained throughout the works. Any impact to public transport services will be mitigated through TII coordination of requirements with Bus Eireann and Dublin Bus for route diversions. As such, accessibility to and from Airside Retail Park has been thoroughly assessed, with access maintained throughout the construction works for all road users.</p> <p>The Nevinstown Signalised junction will be returned to its existing state with full access reinstated on completion of the MetroLink Works.</p>

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20	Appendix 1, Pinnock Hill Junction (page 4 of Technical Note on Access)	24	<p>Severe residual traffic impacts of this magnitude for an extended period would be of concern, as they could impact on the operation of Airside Retail Park, which is dependent on vehicular access for trade.</p> <p>Further reduction in traffic impacts or remedial actions are considered achievable. Potential solutions which should be investigated including:</p> <p>a. Split Phase 2 of the Pinnock Hill Junction traffic management plan into several phases, allowing the cut and cover section of the R125 crossing to be completed in two or more parts. An additional phase could be added which provides a temporary full access signalised junction where the left in and left out is currently proposed while the cut and fill across the R125 south arm is constructed. The area within the red line boundary circled in purple in the image below could be used to connect the temporary two-way access to the R125. A second additional phase could reinstate the permanent signalised junction layout while the remaining cut and cover or cut and retain sections of the metro are constructed.</p>	<p>Please refer to response item (11) above in relation to the maintenance of access to and from Airside Retail Park, and the proposed diversions for general traffic and commercial access. Response item (11) also details the proposed mitigation measures to reduce the severity of the impacts. As set out in section 5.5.6.2.2. of Appendix A9.5, Phase 2 TTM (Temporary Traffic Management) of Nevinstown Signalised junction will return the junction to its existing state with full access reinstated.</p>
21	Appendix 1, Pinnock Hill Junction (page 5 of Technical Note on Access)	25	<p>b. The closure of the R125 southern arm during phase two of the traffic management plan will divert traffic to the Nevinstown Signalised Junction. The cumulative accessibility impacts to Airside Retail Park considering the severed connection at Pinnock Hill Junction and the additional congestion at the Nevinstown Signalised Junction have not been adequately addressed. The Nevinstown Signalised Junction is currently at capacity and additional loading from diverted traffic is likely to have severe effects on accessibility to Airside Retail Park.</p>	<p>Impacts of the closure of the R125 Southern Arm on the wider network have been assessed and presented in Figure E-141 to E-144 of Appendix A9.5 showing that impact will be greatest on the R132, with impact to L2305 directly serving airside park being minimal with reductions in delay found to occur for vehicles travelling eastbound on L2305. Please refer to response item (11) in relation to the maintenance of access to and from Airside Retail Park, and the proposed diversions for general traffic and commercial access.</p>
22	Appendix 1, Construction Sequence (page 5 of Technical Note on Access)	25	<p>It is crucial to Airside Retail Park accessibility that the construction activities at Nevinstown Lane (Airside Junction) and Pinnock Hill Lane Junction do not overlap as per the proposed construction sequence outlined in the Scheme Traffic Management Plan, Figure 5-3, which is copied below.</p> <p>Section 5.1.1 and section 5.1.2 of the Scheme Traffic Management Plan describes that the R132 Connectivity Project and BusConnects should be completed before the MetroLink construction phases commence. Any delay to these projects should be coordinated with MetroLink as an overlap in construction activities and the associated traffic management could result in gridlock on the surrounding road network and at Airside Retail Park.</p>	<p>Any delays in the MetroLink programme or other relevant projects will be monitored throughout the project.</p> <p>As noted in Appendix A9.5 Scheme Traffic Management Plan, all construction works in the north section have been developed and phased with the aim of avoiding simultaneous road diversions and/or closures at the four major junctions along the R132 Swords Bypass.</p> <p>As outlined in EIAR Appendix A5.1 Outline CEMP, a Project Construction Traffic Forum will be established with representatives from key stakeholders to maintain engagement throughout the construction phase and monitor the ongoing impacts.</p>