

FOURTEENTH SCHEDULE

CONDITIONS IMPOSED BY AN BORD PLEANÁLA

Modifications to the Railway Order

1. The Railway Order is granted from the Estuary Stop in Swords to St Stephen's Green. The following components of the proposed development shall not be carried out in accordance with the submitted Railway Order application drawings and documentation:
 - (a) The depot, stop and strategic park and ride facility at Belinstown;
 - (b) The disposal of waste material at Belinstown;
 - (c) The stop at Lissenhall;
 - (d) The rail line or ancillary works north of chainage 2300.

Consequent on this modification the following requirements are set out:

An application for a Railway Order shall be made to An Bord Pleanála for the following:

- (i) A re-located depot (and associated infrastructure) which shall be situated in the general vicinity of Dardistown, that is between the M50 motorway and Dublin Airport. The revised proposal shall consider possible synergies with the proposed Metro West light rail order, which it is proposed would tie-in with Metro North at this location.
- (ii) A revised scheme for the management of spoil from the construction phase, which scheme shall take into account the policies of the regional waste management plan in relation to beneficial use of spoil. Consideration may be given to a temporary storage location for spoil, or a solution in co-operation with the aggregates industry. (Alternative authorisation for this aspect could be sought by means of an application submitted to An Bord Pleanála in accordance with the provisions of section 37E of the Planning and Development Act 2000, as amended).

With the exception of enabling works (such as heritage protection and utility diversions) work shall not commence on the scheme until approval of such application has been granted.

Reason: In the interest of sustainable long term transport development and environmental protection, and as per the reasons and considerations set out in the Preamble of this Railway Order.

Environmental Mitigation

2. The development shall be carried out in accordance with all mitigation measures contained in the environmental impact statement and the scheme traffic management plan except in accordance with the requirements of the conditions set out below.

Reason: To limit the environmental impact of the development.

Environmental Risk Management

3. The applicant shall retain responsibility for overseeing, updating and enforcing the environmental risk management programme throughout the development of the railway works.

Reason: In the interest of orderly development, and to achieve a high standard of construction, to provide a clear responsibility for the management of risk, and to ensure mitigation measures are fully implemented.

4. The applicant shall update the environmental risk management programme to take into account additional geotechnical information being made available through the application by Iarnród Éireann for a Railway Order for the 'Dart Underground' project, in particular in relation to St. Stephen's Green.

Reason: To ensure that the environmental risk management programme takes account of all relevant ground investigation information.

Construction Method through Ballymun

5. The comparative analysis of tunnelling options through Ballymun presented by the applicant in the 'further information' response (received by An Bord Pleanála on the 1st day of October 2009) shall be updated. The applicant shall require the selected contractor to prepare an assessment of the option of constructing the Ballymun section of the alignment (from Albert College Park northward through Ballymun to the general vicinity of the M50 motorway) by means of a bored tunnel, based on additional site investigation information along this section of the route, and taking into account the implications for utility diversions. Having regard to the results of this assessment, an application to amend this Railway Order shall be made to An Bord Pleanála should the bored tunnel option be indicated.

Reason: Notwithstanding the acceptability of the proposed cut and cover construction method, it is considered appropriate to provide the flexibility for this element of the railway works to be varied should it prove preferable, and subject to environmental assessment.

Metro North Stop Locations and Design

6. (1) The proposed **Seatown Stop** shall be omitted from the Railway Order.

Reason: It is considered that the permitted stops serving Swords (at Fosterstown, Swords, and Estuary) provide an adequate level of service to the town without compromising the service levels of Metro North or future development of the town.

- (2) At the **Swords Stop**, access to the Stop at ground level across the carriageways of the R132 regional road shall not be permitted and the proposed signalised pedestrian crossings of the R132 regional road shall be omitted. Access to the Stop shall be via the proposed 'metro plaza' above the R132 regional road linking both sides of the road to the median at an elevated level. Alternatively, pending delivery of the proposed elevated plaza, the Stop shall be served by pedestrian bridges linking to each side of the dual carriageway, subject to an application for an amendment to this Railway Order. The Stop shall not come into operation until the elevated access is in place, and satisfactory arrangements are made for access to the Stop for any users of any proposed bus and car interchanges.

Reason: In the interest of pedestrian safety and free flow of traffic on this busy dual carriageway.

- (3) The detailed design of the **Drumcondra Station**, in particular the design of the eastern elevation on Drumcondra Road Lower, shall be agreed in writing with the planning authority prior to commencement of development of this element of the Railway Order. The eastern elevation shall achieve a high standard of architectural design and shall employ high quality and durable materials. The entrance to the station shall be set back from the public footpath to provide an appropriate interface with the street given the importance of the station and the likely high patronage of the station during events at Croke Park.

Reason: In the interest of visual amenity and public safety.

- (4) For the **O'Connell Street Stop**, the design of the South Box of the Stop shall be reviewed (employing a range of scenarios for potential patronage, distribution of pedestrian traffic, and peak demand patterns) to re-assess whether adequate access and egress from this Stop is provided to the south of the River Liffey, or whether additional escalators, or an additional access point from another footpath to the Stop's South Box would be beneficial and appropriate. Any resulting revisions to the Stop design shall be subject to an application for an amendment to this Railway Order.

Reason: In the interest of pedestrian safety and free-flow at this important transport node.

- (5) Subject to compliance with parts (2) to (4) of this condition, the detailed design of each of the Stops/Station within the administrative area of Fingal County Council and Dublin City Council shall be submitted to the appropriate planning authority for written agreement. The number of bicycle parking spaces to be provided and their layout shall be agreed for each Stop in order to adequately provide for orderly cycle parking. In default of any agreement, the matter may be referred to An Bord Pleanála for determination.

Reason: To provide for a high standard of structure design, in the interest of visual amenity and sustainable travel patterns.

Public Information Strategy

7. Prior to the commencement of construction, the applicant shall devise a pro-active public information strategy to function during the construction phase of the development in order to inform the public about the project and to update the public on construction progress. This shall be prepared following consultation with Dublin City Council and Fingal County Council. The strategy shall include the provision and manning of a central and accessible project information centre in the city centre to inform the general public on construction methodologies, the development's progress, and the scheme's aims and objectives. In addition, the strategy's other public information initiatives shall include project information panels and progress updates presented at major work sites.

Reason: In order to maintain good communication about the project for the benefit of the general public and visitors to the city.

Property Owners Protection Scheme

8. (1) The applicant shall retain responsibility for the management and operation of the Property Owners Protection Scheme throughout its life.
- (2) As well as providing for impacts arising from ground settlement due to tunnelling works and the construction of underground stops, the Property Owners Protection Scheme shall be extended to cover other types of construction work, including deep excavation, soil compaction, pile driving, temporary works and enabling/utility works. Details of the revised scheme shall be submitted to Dublin City Council and Fingal County Council for written agreement prior to the commencement of the utilities works, or in default of agreement on the scheme, the matter shall be referred to An Bord Pleanála for determination.

- (3) A scheme of risk assessment, building survey and monitoring, similar to the Property Owners Protection Scheme for residential properties, shall be developed and implemented for non-residential buildings. Details of this scheme shall be submitted to Dublin City Council and Fingal County Council for written agreement prior to the commencement of the utilities works, or in default of agreement on the scheme, the matter shall be referred to An Bord Pleanála for determination.

Reason: In the interest of orderly development, to minimise structural damage to residential properties, and to make adequate provisions for non-residential properties susceptible to structural damage from the construction works, the Property Owners Protection Scheme having been presented to the oral hearing as an important mitigation measure during scheme construction.

Response to Building Damage/Environmental Risk Management

9. With respect to the building damage classification methodology to be employed (as presented by the applicant to the oral hearing):
 - (a) In the event that structural damage is noted to any structure while construction works are in progress and this damage corresponds with Damage Category 2 or greater, the contractor shall cease works at that location and construction methods and/or equipment shall be modified/reviewed to avoid further such damage.
 - (b) The Property Owners Protection Scheme shall provide for an intermediate building inspection/survey to be carried out when damage corresponding to Damage Category 2 or greater is noted. The survey/inspection shall document the extent of damage and appropriate mitigation shall be provided by the applicant to eliminate further risk of such damage, inclusive of modification of construction methods.

Reason: In the interest of orderly development, to minimise structural damage to properties, and to ensure a timely and effective response to any building damage problems during construction.

Impact on Buildings and Structures of Architectural and Historical Merit

10. The Fusiliers Arch at the entrance to St. Stephen's Green may, as an alternative to the current revised proposal, be relocated temporarily as part of the utility diversion works for the construction period of the St. Stephen's Green Stop, generally in accordance with the original proposal for the Fusiliers Arch submitted to An Bord Pleanála and in accordance with the mitigation measures set out in the environmental impact statement.

Reason: To provide an alternative to in-situ preservation of the arch during construction, if necessary to adequately protect this important feature of architectural and heritage merit.

11. With respect to the building damage classification methodology to be employed (as presented by the applicant to the oral hearing) and having regard to the environmental risk management strategy:

(a) Any impacts due to ground movement shall not exceed Category 1 – “very slight” impact for all buildings that are protected structures along the alignment.

(b) A schedule of protected structures shall be automatically progressed to Stage 3 Assessment by the contractor. This schedule shall be agreed in writing with Dublin City Council prior to the commencement of the main works and shall automatically include - St. Stephen’s Green Hibernian Club, Kildare Street and University Club, The Gaiety Theatre, St. Teresa’ Church at Johnson’s Court, Regent House, Bank of Ireland College Green, Numbers 18-21, 23-25, 35-41 Westmoreland Street, O’Connell Bridge, the River Liffey Quay walls in the vicinity of O’Connell Bridge, the General Post Office, the Gate Theatre, the Ambassador Cinema, Numbers 1-6 and 9 Cavendish Row, Numbers 4-14 Parnell Square East, and St. Alphonsus Chapel, Drumcondra.

(c) The Stage 3 Assessments, along with detailed ground condition surveys, shall be undertaken prior to commencement of any main works in the vicinity of each structure. Appropriate mitigation to be applied shall be agreed in writing with the planning authority.

(d) Monitoring of all scheduled buildings shall be undertaken and shall incorporate special observation systems, including crack monitoring in walls and ceilings.

Reason: To protect structures of significant architectural, historic and heritage value.

Vibration Impacts

12. When assessing the effects of vibrations on buildings and their occupants to identify environmental risks throughout the development of the railway works, the guideline values in DIN 4150 (Parts 2 and 3) shall be applied in accordance with the concepts and measurement procedures set out in the German Standard.

Reason: To apply rigorous, verifiable and accepted standards in order to minimise environmental risks.

13. During the operational phase, groundborne noise at night time shall not exceed 35 dB LAmax,S in any residence.

Reason: To protect residential amenity and to ensure the railway works complies with international best practice.

Airborne Noise

14. All noise monitoring locations for the utilities and main construction works phases shall be agreed in writing with the planning authorities prior to the commencement of the utilities works.

Reason: To provide for a comprehensive system of airborne noise monitoring throughout the construction works phase.

15. Unless otherwise agreed in writing with the planning authorities, the following construction noise limits shall be adhered to during all phases of construction:

(a) Construction Noise Level Criteria at any Façade of a Normal Residence:

Day	Period & Limit (dB)	Notes
Monday to Friday	75 LAeq 0700-1900 Hours 65 LAeq 1900-2200 Hours 45 LAeq 1Hr (2200-0700 Hours)*	*Non tonal, non impulsive
Saturdays	70 LAeq 0800-1630 Hours 55 LAeq 1630-2200 Hours 45 LAeq 1Hr (2200-0800 Hours)*	*Non tonal, non impulsive
Sundays, Bank and Public Holidays	60 LAeq 0800-1630 Hours 50 LAeq 1630-2200 Hours 45 LAeq 1Hr (2200-0800 Hours)*	*Non tonal, non impulsive

(b) Construction Noise Criteria at any Façade of any School or Church:

Day	Period & Limit (dB)	Notes
Monday to Saturday	65 LAeq 0700-1900 Hours* 60 LAeq 1Hr (1900-2200 Hours)	*For Schools during class times
Sundays, Bank and Public Holidays	60 LAeq 0800-1630 Hours 50 LAeq 1630-2200 Hours	

(c) Construction Noise Criteria at any Façade of any Theatre or Cinema:

Day	Period & Limit (dB)	Notes
Monday to Friday	75 LAeq Daytime Hours 60 LAeq 1900-2200 Hours	(Venue Working Hours)
Saturdays	70 LAeq 0800-1400 Hours 60 LAeq 1Hr (1400-2200 Hours)*	To allow for Matinees
Sundays, Bank and Public Holidays	60 LAeq 6 Hr (0800-1400 Hours) 50 LAeq 1Hr (1400-2200 Hours)*	To allow for Matinees

(d) Construction Noise at any Façade of any Hotel or Guesthouse:

Day	Period & Limit (dB)	Notes
Monday to Friday	70 LAeq 0700-0800 Hours 75 LAeq 0800-1900 Hours 65 LAeq 1900-2200 Hours 45 LAeq 1Hr (2200-0700 Hours)*	*Non tonal, non impulsive
Saturdays	70 LAeq 0800-1630 Hours 60 LAeq 1630-2200 Hours 45 LAeq 1Hr (2200-0800 Hours)*	*Non tonal, non impulsive
Sundays, Bank and Public Holidays	60 LAeq 0800-1630 Hours 50 LAeq 1630-2200 Hours 45 LAeq 1Hr (2200-0800 Hours)*	*Non tonal, non impulsive

(e) Construction Noise Criteria in the case of Percussive Tools (such as Rock Breakers, Jackhammers (manual or mechanical), and Poker Vibrators) at Sensitive Receptors:

Day	Period & Limit (dB)	Notes
Monday to Friday	85 LA _{MaxFast} 0700-1900 Hours 75 LA _{MaxFast} 1900-2200 Hours	No usage of percussive tools, which are audible at any noise sensitive receptor, between 2200-0800 Hours unless agreed in advance with the planning authority.
Saturdays	80 LA _{MaxFast} 0800-1630 Hours 65 LA _{MaxFast} 1630-2200 Hours	As above
Sundays, Bank and Public Holidays	No usage of percussive tools, which are audible at any noise sensitive receptor, unless agreed in advance with the planning authority.	As above

Reason: To protect the amenity of neighbouring properties.

16. (1) During the operational phase, the façade noise level at residential properties from all combined permanent trackside/depot/stop equipment, including electrical equipment and any regular running ventilation fans which are on at night (2200-0700 hours), shall not exceed the lower of 45 dB LAeq_{15Mins} or the lowest recurring ambient level LA90_{15Min}.
- (2) Night noise shall be non-tonal and non-impulsive.

Reason: To protect the amenity of neighbouring properties.

Construction Mitigation at specific work sites (Dublin City University Stop, Drumcondra Station, and Mater Stop)

17. Prior to commencement of construction works at the following locations:

Dublin City University Stop: Albert College Lawn, Albert College Grove, and Albert College Drive;

Drumcondra Station: St. Alphonsus Avenue and St. Joseph's Avenue;

Mater Stop: Leo Street;

the applicant shall present a site-specific scheme of mitigation measures for the nearby affected residents, which shall be agreed in writing with Dublin City Council, and which shall include the following:

- (a) A programme of works outlining the phasing of various stages of construction and likely impacts of same in terms of noise, vibration and disturbance;
- (b) The limits of significant impact on residential amenity to be applied and when such limits would reasonably be expected to be exceeded for relevant properties;
- (c) The range of mitigation measures that would be available to the residents in such circumstances, and how these could be accessed.

Reason: In the interest of residential amenity having regard to the location of dwellings in very close proximity to these major longer term construction sites.

Traffic and Transportation

18. In addition to the specified mitigation measures to be applied under the scheme traffic management plan, the Metro North Traffic Forum shall provide mitigation measures for construction traffic management for the following:

- Leeson Street Lower,
- St. Canice's Road area, Ballymun,
- Bus lanes to operate over a 24 hour day along Ballymun Road,
- A Heavy Goods Vehicle management plan for Swords, and
- Reducing impacts on the 33 and 33A bus services in Swords.

Reason: To minimise traffic congestion arising from the main construction works.

19. Prior to commencement of operation of the park and ride facilities, and subject to consultation with the National Roads Authority, a variable messaging system shall be provided on the approach road networks to the facilities to inform users of the quantity of car parking spaces available. Details shall be submitted to Fingal County Council for written agreement. Such variable messaging system shall be implemented as part of the railway works.

Reason: In the interest of traffic safety and convenience.

Water and Drainage

20. Water supply and drainage arrangements, including disposal of surface water, shall comply with the requirements of the planning authorities for such works and services within their administrative areas. Such arrangements shall be implemented as part of the railway works.

Reason: In the interest of environmental protection and orderly development.