

AN BORD PLEANÁLA	
(25)	
14: 37 th SEP 2022	
LTR DATED	FROM
LDG- NOEL	HANLEY
ABP-	

Submission to Oral Hearing

An Bord Pleanála

Case No.

NA04.310286

XC212 (Ballycoskery Level Crossing)

My Name is Michael O'Kelly. I am representing Noel Hanley and Margaret, both residents Ballyhea concerned with the proposed over-bridge development replacing level crossing XC-212 in Ballyhea village. Noel sends his apologies that he could not be here today as he has been detained by some business in the United Kingdom.

I shall provide a summary of an engineering report commissioned from Big Hill and Associates Ltd, 10 Gibson Close, Whiteley, Fareham, in the United Kingdom. The report was compiled by Jozef Mountain, BEng (hons), DIS Civil Engineering. We submit the Report in three copies to the Bord and have a number available for the public.

I would kindly ask the Inspector that the full report be included in the minutes for of this Oral Hearing for consideration by An Bord Pleanála when making a determination on this application.

The report asks a number of questions which need to be answered fully before any credible decision can be made.

- What will the impact of the proposed development be on the Adjacent residents/ School during the construction phase?
- Has the social impact of the final solution on the residents been fully considered?
- How has the use of the structure by less ambulant users been considered?
- How has safety been considered for users and what studies, if any, have been undertaken on this issue?
- Have we fully considered the Ecological / Environmental impact?
- What criteria has been used to reach the current solution?

In the report a number of Alternative solutions have been proposed and should be given due consideration and evaluated fully. Perhaps somewhat more than was the case in yesterday's submissions by the Applicant.

1. Existing solution – Why has it been determined that a change is needed, other than the efficiency of the line for high speed trains and some references to safety concerns.
2. Automate the existing solution. We can't say that it is not viable as it is the proposed solution for XC 209 approx 2km north of XC212 and for several other crossings both on the Cork/Dublin line and on other lines.
3. Segregated single lane underpass controlled by traffic lights.
4. Segregated Dual Lane underpass or combined underpass.
5. Redesign the current proposal. Move location of bridge, Separate underpass for pedestrians.

Conclusion

The obligation to outline, consider and explain the ruling in or out of alternatives has been hopelessly inadequate in respect to this section of the route.

Given the legal obligation on the developer to address alternatives, it is apparent that they have been either ignored, addressed inadequately or not at all.

The failures to address alternatives, and thereby resultant breach of the environmental assessment test required for such a proposal, ought to result in this proposal being rejected.

Once again, I ask that An Bord Pleanála consider all the questions raised and points made in the full report during their deliberations.

Thank You