

Submission No.			265	
Organisation Name or Name of Submitter			RGRE Burlington Limited and RGRE Harcourt Terrace Limited (represented by John Spain Associates)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
RE: Submission on the Metrolink on Behalf of RGRE Burlington Limited (Freehold) and RGRE Harcourt Terrace Limited (Leasehold) regarding a site at 6 & 7 Harcourt Terrace, Dublin2 (D02 P0210 & D02 FH73)				
1	Introduction	3	The Metrolink line is proposed to run down Harcourt Terrace and encroaches under the front of the site at 6 & 7 Harcourt Terrace. It is acknowledged that the construction of the proposed Metrolink will have a certain amount of impact on the subject site. However, our client has serious concerns in relation to the identified noise and associated disruption contained with the Railway Order documentation. A “Significant 1” residual impact is identified to a neighbouring building (9 Harcourt Terrace). Whilst this impact is noted as being temporary, there is no clarity or estimate provided beyond this in relation to the duration of these works.	The temporary disturbance referred to is due to the passing of the Tunnel Boring Machine (TBM). Unfortunately it is not possible to mitigate noise generated through the ground by the passage of the TBM at source. This noise will occur for a very limited period of up to 2 weeks. TII will communicate well in advance the forecasted time the TBM will pass to assist impacted individuals in managing the temporary impact of the disturbance.
2	Engineering Considerations	3	<p></p> <p><i>"The owners of 6-7 Harcourt Terrace confirm that they are proposing to redevelop this site in the future which will include the provision of a lower ground floor and basement below existing ground level.</i></p> <p><i>We note the proposed crown of the proposed tunnel works for the Metrolink transit is at a datum of -17.3m which is at a considerable depth below the site and located in bedrock. The buildings currently on site are commercial and it would be hoped to redevelop to a height of 6+ floors.</i></p> <p><i>Therefore, the proposal to redevelop, which will include a reinforced concrete raft slab foundation supported on the underlying rock, will ensure load spread over the rock strata to minimise local future loading on the underground tunnel.</i></p> <p><i>We would request that this proposal is acceptable and can be catered for in the future. Please confirm that no vent shafts or the like to service the underground tunnels are to be located on our site as this would be problematic both now and for future development."</i></p>	<p>MetroLink will be a catalyst for and provide opportunity for future development and regeneration. While the MetroLink Railway Order does not include for future neighbouring or overhead development, the tunnels and stations are designed to support appropriate future imposed loads.</p> <p>TII will require future developers to make submissions in relation to planning applications for proposed future developments on or adjacent to MetroLink and there will necessarily be some engineering constraints (such as permissible loadings) required. However MetroLink is committed to engaging with known development proposals and new development proposals as they emerge with the intent of facilitating such developments as they emerge to the maximum extent consistent with the safe operation of the proposed Project.</p> <p>Again in common with other existing rail and tunnel projects, following the granting of the Railway Order and development of detailed design, TII will produce “Guidance Note for Developers” that will be the subject of bye-laws following the granting of the Railway Order and which is designed to facilitate future adjacent or over-site development while protecting the integrity and safety of the MetroLink works and operations. It is inappropriate and unworkable to produce this policy at this stage because it would have to be in broad terms that deal not only with the current RO proposal and any contingencies that might arise from the Board seeking revised designs or new conditionality as part of the RO application process.</p> <p>Therefore at this stage TII is dealing with known development proposals on a case by case basis, TII will work with parties in the future to assist with the wider development of sites over and above stations and tunnels. In this context TII has successfully engaged with a number of developers over the last two years to accommodate development over and in proximity to the alignment and there have been no material restrictions on development subject to the implementation of agreed design and mitigation measures and it is not anticipated that MetroLink will have a material impact on the development potential of sites above and in proximity to the alignment in future.</p>
3	Development Potential	4	<p>The subject site is located along Harcourt Terrace, c. 150m from the Luas Stop at Charlemont which is served by the Luas Green Line. The site is located in a prominent location within Dublin City, adjacent to the Grand Canal, close to all necessary services and facilities, including the Green Luas Line Stop at Charlemont and numerous bus stops. The site is therefore considered to be suitable for redevelopment which would see the further densification of the site, in line with national, regional and local policy guidance which encourages the redevelopment of brownfield sites in close proximity to public transport hubs.</p> <p>The redevelopment of the subject site for a building of greater height would be compliant with planning policy guidance which encourages compact growth and would promote the concept of a 15-minute city. The site currently provides for a 4 no. storey commercial building, however, it is our client’s intentions to provide for a building of increased height in line with recent surrounding developments such as Zendesk located less than 100m to the east and Two Grand Parade which is located a similar distance to the south.</p> <p>The surrounding area has seen significant redevelopment in recent years to provide for both commercial and residential developments. It is considered appropriate for the subject site to provide for a similar redevelopment in line with the emerging context surrounding the Charlemont Luas Stop. It is therefore the development potential of the subject site is not hindered by the proposed Metrolink.</p>	Please refer to response (2) above.
4	Concluding Comments	4	Our client welcomes the opportunity to make a submission on the Metrolink Railway Order and the sustainable transport benefits which would be delivered. Our client acknowledges that a scheme of this scale will result in impacts, however, these should be carefully managed to minimise the effects on the surrounding landholdings.	TII have reviewed the submission and responded to the observations raised. The EIAR submitted as part of the Railway Order application provides a detailed and comprehensive assessment of the potential construction and operational environmental impacts of MetroLink, and the mitigation measures that will be implemented to reduce construction phase environmental impacts to acceptable residual levels wherever practicable, and all operational impacts to acceptable residual levels.

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5	Concluding Comments	4	Our client also reserves the right to ensure that the development potential above and below ground of the lands in question are not compromised by the Metrolink proposal.	Please refer to response (2) above.
6	Concluding Comments	4	The assessment of compensation would not be limited to the content of this submission.	Where substratum land is to be acquired, Rule 17, section 48 of the Planning and Development (Strategic Infrastructure) Act 2006 will apply. The substratum value for deep tunnel projects is that it has no value in the market due to its depth below the surface and property values should therefore not be impacted. For further information on compensation please see <a href="https://www.metrolink.cpoguideline_final_september-2022.pdf">https://www.metrolink.cpoguideline_final_september-2022.pdf</a>
7	Appended letter from CS CONSULTING GROUP to Ronan Group Real Estate	5	<p>The owners of 6-7 Harcourt Terrace confirm that they are proposing to redevelop this site in the future which will include the provision of a lower ground floor and basement below existing ground level.</p> <p>We note that the proposed crown of the proposed tunnel works for the Metrolink transit is at a datum of -17.3m which is at a considerable depth below the site and located in bedrock. The buildings currently on site are commercial and it would be hoped to redevelop to a height of 6 + floors.</p> <p>Therefore, the proposal to redevelop, which will include a reinforced concrete raft slab foundation supported on the underlying rock, will ensure load spread over the rock strata to minimise local future loading on the underground tunnel.</p> <p>We would request that this proposal is acceptable and can be catered for in the future. Please confirm that no vent shafts or the like to service the underground tunnels are to be located on our site as this would be problematic both now and for future development.</p>	Please refer to response (2) above.
8	Appended letter from CS CONSULTING GROUP to Ronan Group Real Estate	5	The Railway order section 6. Deviations, (d) ii. states, “deviate vertically by any distance not exceeding 5 metres upwards from the levels show on the plans” as we proposed to construct a double level basement which will be supported on the underlying rock, due to the level of the crown of the tunnel and the formation level of our concrete raft foundation, the above section 6.(d) ii. would not be acceptable, in which we would request that writing confirmation is needs to be provided by our client before on any deviations from the current -17.4 metre level below existing ground as indicated on the current sections.	<p>The design includes for a limit of deviation which is required to allow for unforeseen obstructions and construction tolerances which may necessitate a change to the alignment. In the highly unlikely event that this were to occur, any resulting environmental impacts will comply with the limits set by the enforceable Railway Order.</p> <p>TII has carried out a comprehensive set of ground investigations in accordance with relevant guidelines and best practice. It has a high confidence that MetroLink can be constructed along the proposed alignment without requiring vertical or horizontal adjustment. However, in order to guard against rare and undetectable subterranean conditions that might interfere with construction, the Railway Order provides for limits of deviation (as have other railway authorisation since at least the 1840s). The impacts of potential changes within the Limits of Deviation are considered in the Wider Effects Report (Appendix A5.19).</p>
9	Appended letter from CS CONSULTING GROUP to Ronan Group Real Estate	6	Also we seek writing confirmation from the NTA and TII that the MetroLink will not impede our ability to construct or maintain/operate our building/basement in the future.	Please refer to response (2) regards over site development above or adjacent to MetroLink infrastructure.