

Submission No.			297		
Organisation Name or Name of Submitter			Thomas Harty (3 and 3A Mobhi Road)		
Item No.	Section Ref.	Page No.	Observation Statement	TII Response	
Reference: Intended application by NRA [operating as Transport Infrastructure Ireland] for Railway [MetroLink- Estuary to Charlemont via Dublin Airport] Order [2022]					
1	Cover letter	2	Their application includes the acquisition of Substratum land beneath our property. While I support the proposed MetroLink, I have concerns in relation to the potential structural damages that may occur to our property during the construction stage.	<p>TII thank you for your support of the MetroLink Project. We note your concerns regarding potential structural damage to your property due to the construction of the Metrolink tunnel, and provide a summary of the EIAR assessment undertaken below that we hope assist with these concerns.</p> <p>An assessment of the effects of ground movements and potential impacts on existing buildings has been carried out as part of the Scheme Design. For the MetroLink Project, the approach to ground movement and building damage assessment is described in EIAR Chapter 5 (Metrolink Construction Phase) section 5.4.11.1, and follows the industry standard three-phased ground movement impact assessment process that is undertaken on tunnelling and underground projects around the world, that includes the Channel Tunnel Rail Link (CTRL), Dublin Port Tunnel, Crossrail and High Speed 2. The MetroLink tunnel has been assessed going under these properties at the depth and on the alignment proposed and TII are satisfied that the assessed movements will not lead to structural damage to your properties.</p> <p>EIAR Appendix A 5.17, Building Damage Report, covers the assessed impacts of construction generated ground movements and settlement on your property. Table 5-2 of this report shows that your building (B-163) has been assessed as falling within the "Negligible damage" category, an explanation for which can be found in Table 4-4 of the aforementioned report. This damage category refers to hairline cracks. The calculated settlement contours were used to undertake the building damage assessment and conclude that your building would not suffer any structural damage. The damage categories are described in section 4.3.2 and Table 4-4 of the Building Damage Report in EIAR Appendix A5.17.</p> <p>As your property is within the negligible category, no further assessment beyond the Phase 2a Building Damage Assessment is required.</p> <p>Appendix A5.17 Appendix C contains the predicted settlement contour drawings. Sheet 20 of 30, drawing ML1-JAI-EIA-Rout_XX-DR-T-21140 refers to the tunnel alignment relevant to your property.</p> <p>TII is committed to having a Property Owner Protection Scheme (POPS) in place prior to construction works commencing to provide protection to your property during the completion and commissioning of the works. Once you have registered it is intended that the scheme will provide protection for residential property owners such as yourselves that are located within 30m of the edge of the MetroLink alignment. Further details on the scheme can be found in Chapter 11 (Population and Land Use) section 11.6.1.1.</p> <p>The POPS comprises condition surveys of private properties and other selected properties along the route of the proposed Project. The purpose of the condition surveys would be to ascertain the condition of the properties before, during (if deemed necessary), and after the completion of the proposed Project to determine whether there has been any deterioration of any of the properties surveyed and whether the same may be attributable to the proposed Project and recommend repairs as appropriate. Condition survey data gathered pre and post construction, and possibly during construction, will be used to assist the property owner and TII in the swift and accurate verification of any property damage claims which may be received from property owners. The POPS will be introduced by TII through public consultation and will be formally advised to eligible property owners by the Public Relations Department.</p> <p>Useful information on POPS can also be found in the MetroLink Frequently Asked Questions document which can be found on-line at: https://www.metrolink.ie/assets/downloads/MetroLink_FAQ.pdf</p>	
2	Cover letter	2	<p>I would therefore request that TII indemnify us against and structural damage or any loss of Rental income that is caused as a direct result of this development being approved and going ahead.</p> <p>In the case of my wife's Healthcare business at 3a St. Mobhi Rd, any loss of income or disruption to her business as a direct result of this development been approved and going ahead I would request similar indemnity to be in in place.</p> <p>I am presently negotiating with potential purchasers for my property. I therefore do not want potential building works to compromise this sale.</p>	<p>During the construction phase and subject to registering for the Property Owners Protection Scheme (POPS) your property will be protected in accordance with the terms of th POPS. It is the property owners responsibility to notify their insurance company to any change in circumstances which may impact their policy, though as this is a substratum acquisition which is 9 metres below ground level, the impact to the above ground property is likely to be negligible. 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 its limited use, therefore property values should not be impacted. For further information on compensation, please see: https://www.metrolink.cpoguideline_final_september-2022.pdf. The proposed MetroLink works should not preclude owners proceeding with the sale of their property.</p>	

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3	Cover letter	3	If TII are not willing to indemnify us against any structural damage, loss of income, loss of sale of property due to this development been approved or work commencing. We therefore object to the project.	Please refer to response items (1) and (2) above