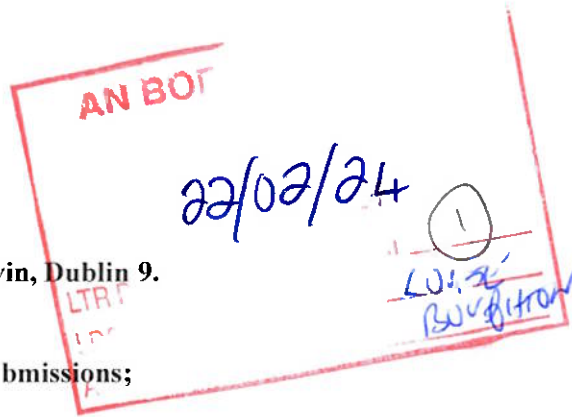


**Louise Boughton & Glenn Sharpe**

**The White House, 114 Ballymun Road, Glasnevin, Dublin 9.**

**Response to the applicant's responses to our Submissions;**



1. TII say that our house is not directly above the tunnel and that it is circa 25 metres away from the tunnel central line. We agree that the house may be 25 metres away from the tunnel central line however, the location plan (already handed in) shows the extent of the proposed acquisition of substratum land which suggests the proximity to our house is circa 1-2 metres. If the diagram provided by Jacobs Idom is correct then we cannot see how the property with reference B-145 falls into the “negligible” category when talking about damage.

We note that because the house is a protected structure we will have a further Phase 3 assessment by the Contractor taking into account final design and methodology. We ask that such assessment is based on the correct information to begin with ie. that the impact could never be described as negligible given the actual proximity of the substratum land take to the house. We have to say that we find TII's response to our point concerning and slightly disingenuous in its content. The drawing clearly indicates the land take and its proximity to the house.

2. We note that a conservation architect will oversee structural and condition surveys of cultural heritage structures. Again TII categorise erroneously our house as falling within the “negligible” category but suggest that our property will be the subject of a survey by a PCA. We ask that the inspector ensures that the survey is based on the correct information to begin with; ie that the

impact could never be described as negligible given the actual proximity of the substratum land take to the house.

3. As above.
4. We note our eligibility for the Property Owners Protection Scheme in addition to existing legal rights of property owners. We note that critically TII have stated if damage exceeds the sum of €45,000 a normal claims process will apply. We assume that the first €45,000 of damage is dealt with by the Property Owners Protection Scheme and anything above that if applicable forms the subject of the normal claims process. We would be obliged if that could be confirmed. We assume the applicant is responsible for any additional legal costs incurred by the home owners.
5. **TII's responses - Collective observations and submissions.**

**Preliminary remarks – if the Intervention Shaft goes ahead in the proposed location being the SW corner of ACP our house will be the closest home to the shaft. We note that the noise measurement for construction stage is measured at 70dc and is in the moderate to significant category. The best noise barriers in the world will still mean noise on a daily basis for 6 days a week for up to 11 hours a day Monday to Friday. Our house has single pane glazing which had to be maintained per the planning permission we obtained when we restored our windows. We have grave concerns about the ability of single pane glazing to withstand the vibration associated with constructing the shaft. We already know from living in the property that single pane glazing does not protect against noise. We want the Inspector to note these two issues in particular as we outline are responses in relation to concern 5 and TII's response.**

Due cognisance has not been taken of the protected status of our property.

The provision of a PCA is with respect not due cognisance. In our respectful submission consideration ought to have been given to locating a station in Albert College Park which avoids a need for an intervention shaft. As stated our house, a protected structure, will be the closest property to the shaft if it goes ahead in its proposed location. The windows in our house are single pane glazing and we are very concerned that the construction of the shaft has the potential to damage the house in particular the windows. In addition the noise and vibration of the shaft construction will have a very significant impact on the house and in particular the windows. The windows were the focus of a conservation and restoration project over the course of two and half years carried out by specialist metal experts and overseen by the conservation department of Dublin City Council. We cannot overstate the potential damage to the glazing that can be caused by the construction of the shaft in the south west corner of ACP. So the provision of a PCA does not alleviate our concerns. If the Inspector was to consider the construction of station in the midway section of ACP this would we believe afford protection to the house and the windows as the station's proposed location is slightly further away from the house and meters matter. The house is a protected structure for a reason – let's protect it.

We maintain our view that the intervention shaft has been poorly planned. TII's response misses the point entirely. We object to a shaft at this location. TII seem to think that because they decided to construct a shaft in the South West corner of the park and paid lip service to a consultation process about the shaft that they can now say that they have complied with their duty in the context of the intervention shaft. The park is not the appropriate location for

the shaft. When the shaft was originally proposed for Na Fianna its location faced fierce opposition and anyone on the island of Ireland who kicks a football or hit a sliotar signed a petition opposing the shaft's location in Na Fianna. Regrettably Albert College Park does not have access to the GAA fraternity to oppose the shaft's location in the South West corner of Albert College Park. That however does not mean that the shaft should be constructed there.

The Albert College Park is more properly called Hampstead Park which takes its name from Hampstead House which was shown on the Ballymun Road on the map of Dublin from 1760 by John Rocque with fields around it which are the park today. The house was named this because of its position towards Dublin being similar to that of Hampstead Heath towards London, each is situated on high ground to the North commanding an extensive view of the city. The Albert College began as the Glasnevin Institution based at Cuilín House in 1838 and became known as the Model Farm for Agricultural Teaching. After a visit by Prince Albert, Queen Victoria's Consort in 1853 it was called The Albert College. By 1900 it was a National Centre of Excellence in Agricultural Education, The Albert National Trainee Institution. By 1926 it was an important centre of University College Dublin. In 1927 Professor Paul A Murphy put the Albert on the world map when he discovered the cause of the Potato Famine, the Potato Blight Fungus. The Albert was the Training and Research Centre for Horticulture, Plant Pathology, Plant Breeding, Animal Breeding and Botany in Ireland. Cuilín House was the residence of the College Director. The grounds of the park contain many fine specimen trees which date from that era. Many local residents recall the extensive orchards there. UCD departed the Albert in 1978 for the new Bellfield Campus and Dublin Corporation developed the Albert into Hampstead Park with new planting and recreational grounds. The

park is a quiet sheltered oasis on the busy Ballymun Road. It is the headquarters for DCC Park Staff serving the North West area situated in the former cottages stable and classrooms. It is 15 hectares in area. The park has many amenities. Ecological surveys carried out at the park show that it is used by a variety of garden birds. Today the Albert College Park is ideally situated for students, faculty and visitors to Dublin City University and the Helix Theatre popular entertainment venue. The original building Cuilín House now a protected structure survives in the heart of the park and it is hoped to redevelop the building for use in the future. Some of the original cottages have been redeveloped for an Artist in Residence Program by DCC. National supporting and charity events take place here annually as do tennis courses. The many facilities provided by the park include the following: parkland walks, playing pitches for soccer and GAA, playground for 0 to 12 years, carpark, boulescourt, Tennis Ireland National Centre, Slí Na Sláinte trail for Dublin City a joint initiative for Dublin City Council and Dublin City University with the Irish Heart Foundation which links the park and the DCU campus in a 3.5km exercise route and Artists in Residence at Albert College.

TII have failed to grasp the nettle here. If the Albert College Park community to include Hampstead residents, Ballymun Road residents and various residents' groups to include ACRA and GADRA and Our Lady of Victories have to endure the level of disruption for the construction of an intervention shaft we say we want a station instead. **We want the inspector to consider a review of the proposed route from Griffith Park Station to Collins Avenue Station.**

TII say that the intervention shaft has to be in the South West corner of Albert College Park or in a residential area south of Hampstead Avenue. We want the inspector to consider no shaft in this section of the route and a station

instead in the midway section of Albert College Park which obviates the need for a shaft given the distances between stations.

We reiterate that TII are simply not getting it. We don't want a shaft which is a totally inappropriate structure for a park of this significance. We want a station instead. We feel that TII's consultation process is really stretching the definition of consultation. TII decided on the shaft location and then consulted with residents about aspects of the shaft like access and egress and visual appearance. The Albert College Park community wanted consultation about why a shaft could not be located further along the route. We wanted consultation about having a station in the park. None of that consultation ever took place. The location of the intervention shaft was presented as a fait accompli by TII. The development plan for this area has categorised the park as Z9 which is defined at paragraph 14.7.9 as amenities/open space lands/green network. The objective of land use zoning categorised as Z9 is to preserve, provide and improve recreational amenity, open space and ecosystem services. TII in their response have relied on the definition of permissible uses. Permissible uses include allotments, cemeteries, club house associated with a primary Z9 objective, municipal golf course, open space, *public service installation*. With the greatest of respect an intervention shaft in the South West corner of Albert College Park can never be described as a public service installation. A station however in the midway section of the park might meet this definition. A station in the midway section of the park obviates the need for an intervention shaft in the South West corner of Albert College Park.

**We again ask the inspector to consider a review of the preferred route from Griffith Park Station to Collins Avenue Station.** There are more suitable places for an intervention shaft for instance north of Collins Avenue

station, where a beautiful and significant park will not be left with an intervention shaft that is a very complex structure to construct and build and yields nothing to the park community when operational.

We reiterate our point that we were not properly consulted in relation to the proposition that an intervention shaft should not be in the south west corner of Albert College Park but somewhere else along the route. The location of Our Lady of Victories station is going to present significant and enormous challenges for the school community, traffic generally and vulnerable people as well as the church. There will be significant upheaval if Our Lady of Victories station goes ahead in its current location. We say that the construction of a station in the midway section of Albert College Park as opposed to a shaft allows for flexibility in terms of the Lady of Victories station. **This is another reason as to why we urge the inspector to review the route from Griffith Park station to Collins Avenue station.**

Thousands of people will be affected by the construction of the intervention shaft in the south west corner. The time taken to construct this very difficult and complex shaft is estimated at 63 months. We say that if the local community are to be denied the amenity of the park and exposed to noise, dust, vibration and generally intolerable conditions for that length of time that at the end of that period we are entitled to a station. If the station is located in the midway section of the park it is further away from Hampstead Avenue and indeed 114 Ballymun Road. It is a matter of metres but in the context of this development metres count.

We are conscious that we are just one property and we are grateful to An Bord Pleanála for listening to us today. We accept that things have to change and the Metro is a benefit to society. I will finish with the words of Ruth Bader

Ginsburg who said **fight for the things that you care about but do it in a way that will lead others to join you. Whatever you chose to do *leave tracks*. That means don't just do it for yourself.** We are not here today to just do it for ourselves. We are trying to save Albert College Park for the thousands of others who enjoy the amenity of this very special place.

**Louise Boughton & Glenn Sharpe**

**114 Ballymun Road**

**22.02.24**