

AN BORD PLEANALA METROLINK ORAL HEARING ABP-314724-22

RAILWAY(METROLINK -ESTUARY TO CHARLEMONT VIA DUBLIN AIRPORT) ORDER  
APPLICATION

MODULE 1

1)TUNNELLING AND EXCAVATION RELATED ISSUES(GROUNDBORNE NOISE AND  
VIBRATION,HYDROGEOLOGICAL AND SOILS IMPACTS,SETTLEMENT,PROPERTY  
DAMAGE ETC)

2)AIRBORNE NOISE AND VIBRATION

WRITTEN NARRATIVE OF ORAL SUBMISSION MADE BY THE BOARD OF THE COURT  
MANAGEMENT COMPANY CLG ON THIS MODULE, IN RELATION TO THE  
CONSTRUCTION OF GLASNEVIN STATION AND ANCILLARY WORKS INCLUDING  
TUNNEL EXCAVATION.

DATE OF SUBMISSION TUESDAY 27<sup>TH</sup> FEBRUARY 2024

## OPENING REMARKS

Hello everybody and thank you for the opportunity to address this hearing.

My name is Charlie Lowe and I am a Director of the Court Management Company CLG, which is the Management Company charged with overseeing the common areas at the apartment complex known as the Court, Dalcassian Downs, which is located near the Royal Canal in Phibsboro, Dublin 7 and which also immediately adjoins the proposed location of the proposed Glasnevin Metrolink Station.

Our development, which is 34 years old, will be severely impacted by the construction of Glasnevin Station and ancillary works on and adjacent to our property and I will expand further on this shortly.

Before doing so however, we would like it noted that that we are aware that there has been substantial new information submitted by the applicant on Day 1 of the hearing, much of which represents information that that was missing or inadequately referenced in the EIAR and/or represented the subject of specific requests for information from the applicant that went unanswered. We will not be responding to this new information today as we have not yet had a reasonable time period to consider it in detail, before making our oral submission. We would expect that sufficient time will be allocated by the Inspector, at the end of the hearing, for observers responses to this new information, to be heard.

I want to start by stating that our submission today will be comprised only of a response to TII's written observations on the submission made by the Court Management Company CLG to An Bord Pleanala on the 22<sup>nd</sup> November 2022 and covered by this Module. This complies with the advisory document circulated by An Bord Pleanala.

## GLASNEVIN STATION-IMPACT ON RESIDENTIAL COMMUNITY

In our submission of the 22<sup>nd</sup> November 2022, we outlined 9 separate categories of impact on our development, that are covered by this Module, as follows:

- (a) health impact on residents, particularly young children and elderly people
- (b) stress and anxiety leading up to and during construction
- (c) sleep disturbance.

- (d)noise and vibration
- (e)dust and fumes
- (f)reduction in natural light
- (g)potential damage to properties
- (h)vermin disturbance and encroachment
- (i)impact on quality of life

TII have acknowledged that the direct impact on our development will last for a minimum period of 6 /7 years, which means that a large building site will adjoin our development, for that period.

In our particular case at the Court,Dalcassian Downs, many residents are over 75 years old and they have expressed a fear of spending their final years living directly adjacent to an extensive building site and penned in by a tall hoarding and being deprived of natural light and the use of a well maintained open space.

Some of our residents have expressed a view that this is a denial of natural justice.

In their response, TII refer to their Construction Environment Management Plan(CEMP) and the Environmental Impact Assessment Report(EIAR).They also refer to the appointment of an Employers Representative to monitor compliance with the CEMP together with the establishment of a Freephone number helpline service that will be provided during the construction phase ,to deal with enquiries and concerns from the general public, although a complaints and dispute resolution process is not mentioned.

Our concern would be that those manning the phones ,will not be equipped to handle adequately the genuine complaints regarding noise,vibration ,dust and fumes and would simply act as a referral tool ,especially if work is being carried out on all stretches of the line simultaneously, thus attracting a large volume of calls.

TII also go on to say in Chapter 5 Section 5 of the EIAR that a Public Liaison Officer will be appointed and that a Stakeholder and Community Engagement Plan will be prepared..

However to the best of our knowledge, no draft document on this subject has been provided to the public for discussion and comment, nor has one been included in the Railway Order documentation.

It is also stated that “regulatory and statutory bodies may undertake site visits to monitor compliance with legislative and regulatory requirements”;

The names of these organisations are not included, nor is any reference made to what sanctions will be applied by TII or the regulatory bodies, for breaches of the CEMP or the EIAR.

TII have already stated that “the construction of the proposed Project has been optimised to minimise the duration of the construction phase in order to lessen the duration of potential environmental impacts”;

That is all very well but if the oversight of the Project by the statutory agencies is inadequate, then compliance with conditions set out in any Railway Order approval will be compromised,

For example, I have severe doubts that Dublin City Council will have the capacity or staff resources to become involved in any aspect of the oversight exercise in circumstances where TII have clearly stated that “work will run concurrently at all Metrolink site locations to ensure that the Project is delivered in an effective and timely manner”.

The CEMP and EIAR may be comprehensive in content but if no proper oversight is applied, then they are entirely worthless documents.

Furthermore, it is the view of the Court Management Company CLG that the objective of concurrent working will prolong the impacts on our development, as it is difficult to see how efficient and productive work can be carried out coterminously at 16 separate stations and on the linked ancillary works, for an 18.5 kilometre route, having regard to logistical requirements and the size of the workforce that would be required.

In addition, concurrent working on stations in Dublin 7, 9 and 11 at the Mater, Glasnevin and Griffith Park will have severe noise, vibration, air quality and traffic impacts on the general area, as these stations are a short distance apart, in particular the stations at Glasnevin and Griffith Park.

#### GLASNEVIN STATION-CONSTRUCTION RELATED TRAFFIC ISSUES

With reference to the traffic impacts reference in our submission, which TII did not comment on directly, it has been stated by them previously that there will be approx. 100 truck movements per day at peak, as a result of excavation and other construction work on Glasnevin Station and the adjoining area. Access from the work site will be directly onto Prospect Road, which is approx. 100 metres from a major traffic junction at Whitworth Road/Phibsboro Road.

No matter how detailed any Traffic Management Plan devised for this area is, it is obvious that local and commuter traffic will be severely impacted and occasionally stalled for indefinite periods and this will lead to an exacerbation of airborne pollution in the general area.

It is also the case that between now and any work commencing on the Metrolink, work on the soon to be approved Core Bus Corridors Project is likely to have been completed and this Project promises a reduction in bus journey times of 40/50% with a greatly enhanced frequency of bus "arrivals"

Prolonged construction activity at Glasnevin Station and the adjoining area will severely impact on the efficiency of the Core Bus Corridors initiative and thus will compromise the overall NTA objective of public transport service provision enhancement.

It would make more sense in our view therefore ,if work started and proceeded on a sequential basis on each Metrolink station to achieve sectional completion,in tandem with the tunnelling exercise,which,in itself we believe will last a number of years.Our proposal would achieve an overall reduction in the 6/7 year time period of continuous severe impact on our development and on other station locations potentially.

Indeed we understand that TII have already committed to an expedited 3 year construction period for the station at Griffith Park ,which demonstrates that our proposal is feasible.

In our view,tender documents could reflect the thrust of what we require.

On the same theme,TII have repeatedly stated that they are anxious to minimise disruption to communities.

In our view, it is the likely DURATION of the disruption that is causing the most fear and trepidation among communities,so anything that can be set down in the work programme ,to reduce the timelines of station construction ,would be most beneficial.

#### MITIGATION MEASURES-ROLE OF AN BORD PLEANALA

To summarise therefore, we ask that the Board lay down conditions as follows in relation to the aforementioned issues:

(a)that a dedicated panel of expert staff be provided by TII,with a Freephone number,to respond expeditiously to any complaint or query from residents at our complex in relation to noise,vibration or dust generation.

(b) that a comprehensive draft stakeholder engagement plan be prepared and circulated by TII in advance of any construction commencing.

(c) that the Management Company at the Court Dalcassian Downs be given the opportunity ,prior to construction commencing,to have input into the design of effective engagement processes and procedures for proper community liaison,with a particular objective of achieving agreement on specific items This to avoid a process being imposed on us and to ensure meaningful engagement on an ongoing basis.

(d)that the Management Company at The Court,or its representatives, be given real time access to monitoring data on noise ,vibration . and air quality ,that will be gathered by TII,during the construction phase.This to ensure maximum transparency

(e)) that Metrolink stations and ancillary works be constructed on a phased basis ie each station started and sectional completion achieved ,before moving to the next one ,in order to reduce the 6 /7 year timespan of continuous severe impact on our development and indeed on other communities along the line.

#### POTENTIAL PROPERTY DAMAGE

I now wish to turn to the proposed Property Owners Protection Scheme(POPS)

There are 3 separate apartment buildings at The Court ,consisting of 48 apartments in total and each apartment is a private individual residence .A Management Company structure oversees and has legal responsibility for the common areas in the development including the main structures.

Apartment owners have received individual letters from TII inviting them to sign up to a POPS scheme.However as stated above ,responsibility for the structures lies with the Management Company but no bespoke scheme has yet been formally offered to our Board of Directors ,to cater for our particular situation, despite representations being made to TII.

We request that a condition be imposed ,which will require an appropriate POPS arrangement be put in place by TII,to cater for the particular situation that prevails at the Court,Dalcassian Downs.

## CONCLUDING REMARKS

The proposed Metrolink Project is the biggest infrastructural project ever undertaken in Ireland.

Its potential benefits are undeniable but its impacts on communities during construction will be immense..

It is extremely important that in making their determination on the Railway Order application ,An Bord Pleanala have regard to the genuine concerns expressed at this Oral Hearing and set down conditions that will be concise, meaningful and effective, so as to help to reduce impacts on communities along the route of the line.

In conclusion,I would like to again thank the Inspector and his staff for facilitating us with our submission today.

ENDS