

An Bord Pleanála,
64 Marlborough Street,
Dublin 1, D01 V902

Nelson Property Management Company
B1 Swords Enterprise Park
Feltrim Road
Co. Dublin Ireland

Dublin, 23 November 2022

SUBJECT: submission for Railway (Metrolink–Estuary to Charlemont via Dublin Airport) Order 2022

A Chara, We are Nelson Property Management Co. Limited, B1 Swords Enterprise Park, Feltrim Road, Co Dublin Ireland. Co reg number 373 166. Our company represents the Georgian properties of 9-10-11 Nelson Street. These three buildings form an apartment complex comprised of 19 Georgian apartments with a joint courtyard.

We are writing to you, as part of the planning process, to register our concerns and mitigation requests in relation to the impact on our properties and general living area during the construction and future operation of the Dublin MetroLink.

We carefully studied the draft Railway Order and the supporting documentation which was published on the project website (www.metrolinkro.ie) on 30 September 2022 when the Metrolink Railway Application was lodged. The documentation includes:

1. A draft of the proposed Railway Order, entitled "Railway (MetroLink–Estuary to Charlemont via Dublin Airport) Order [2022]"
2. A plan of the proposed railway works and the land requirements for the railway works;
3. A book of reference to the plan, indicating the identity of the owners and occupiers of the lands described in the plan;
4. An Environmental Impact Assessment Report (EIAR), providing a systematic analysis and assessment of the significant effects of a proposed project on the receiving environment;
5. A Natura Impact Statement.

We studied the submission on your Metrolink website and discussed it with the board of directors for Nelson Property Management Co. Limited and submitted a letter on 23 November 23

Let me first say that we very much welcome the scheme. Personally, I want to applaud the TII team for the clear and accessible information and their huge efforts to bring this major project to the point it is today. Having seen the Luas Cross City project up close I have full trust in the team that this will be a long, at times arduous journey but it will all be worth it for the city and the country and all the benefits it will bring.

From our perspective we want to work with An Bord Pleanála, TII, Dublin City Council and the contractors to get through the construction process collaboratively but also turn this into a once in a generation opportunity to upgrade the area as well as updating the general amenities.

We want to officially submit four requests for An Bord Pleanála to consider as part of their revision of overall planning application for Metrolink.

1 Request for inclusion in the property owners' protection scheme

2 Request for impact mitigation Noise, vibration, traffic mitigations

3 Upgrade of the local amenities on side streets of Eccles St. and Berkeley Road

4 Ban on construction traffic and rat running during construction

1. Request for inclusion in the property owners' protection scheme:

Based on points a to d below we want to make the case for inclusion of 9-10-11 Nelson Street in the TII property protection scheme:

a/ We refer to 4 extracts from Section 5.4.11 Ground Settlement Monitoring and Mitigation Works in the Metrolink Environmental Impact Assessment, Volume 2 – Book 1: Introduction and Project Description – Chapter 5: MetroLink Construction Phase. :

*Excavation for the tunnels and other below ground structures **could potentially lead to ground movements** at the surface and below ground. The amount of ground movement will depend on a number of factors including the nature of the construction depth and volume of works below ground, soil and groundwater conditions. The impact of any ground movement will depend on the proximity and nature of any building foundations/third party assets. In most cases this would have no material impact on property or third-party assets.*

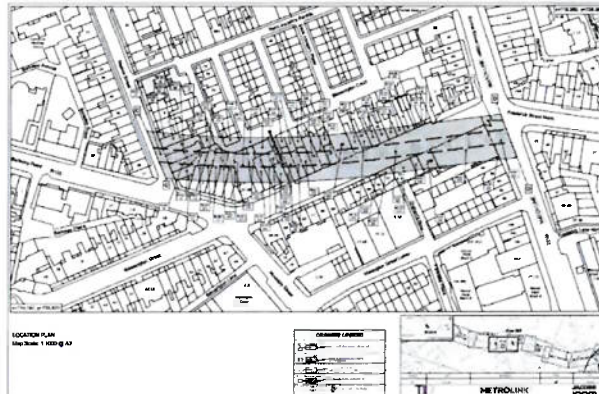
*... For the Phase 1 survey, **a zone of influence of the tunnel and other works was taken as 30m width on either side of the tunnel plus half the tunnel diameter. This is equivalent to a 45-degree influence line from the tunnel axis level at a depth of 30m***

A review of the alignment has been undertaken to identify buildings that could be affected by the tunnelling works. The Phase 1 preliminary assessment identified 219 no. 'representative' buildings within 30m either side of the proposed tunnel alignment for the Phase 2a building damage assessment works. Some of these buildings have been designated as 'special' due to their nature and will be taken through to Phase 2b/3 assessment regardless of their Phase 2a assessment results. The following criteria have been adopted to designate 'special' buildings:

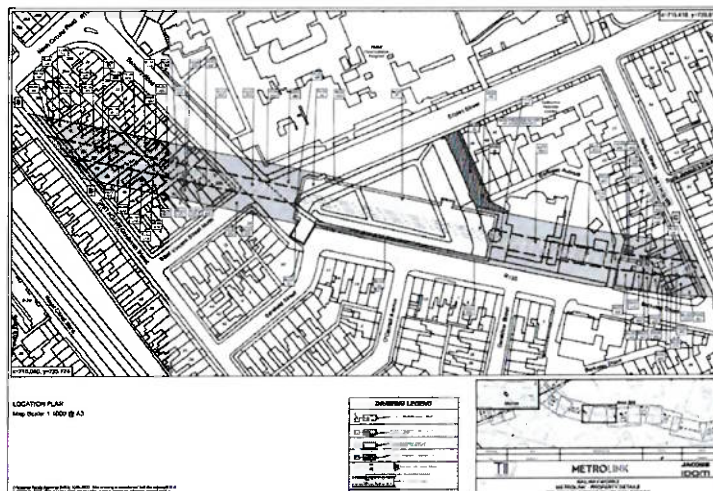
- **Listed buildings;**
- **Prominent buildings;**
- **Buildings in poor condition;**
- **Sensitive buildings;**
- **Prestigious buildings;**
- **Buildings with historical and cultural relevance; and**
- **Buildings with high value (public buildings or hospitals)**

b/ To mitigate and remedy ground settlement TII will execute condition surveys to eligible properties prior to the works starting and also guarantee cover of repairs should any structural damages occur. Under the The Property Owners' Protection Scheme October 2022 The brochure states: "Properties within thirty metres of the edge of the MetroLink alignment or fifty metres of a station are eligible for this scheme".

c/ We refer to the Railway order plans drawings in Property Details Book 2 of 2 Dublin City Council. Drawing relevant to our properties on can be found on pages 25 and 26 :



RAILWAY WORKS METROLINK - PROPERTY DETAILS NELSON STREET TO DORSET STREET UPPER - drawing nr ML1-JAI-BOR-ROUT_XX-DR-Y-01087 – plan nr - ML-P 305 C-D



RAILWAY WORKS METROLINK - PROPERTY DETAILS GOLDSMITH STREET TO NELSON STREET - drawing nr ML1-JAI-BOR-ROUT_XX-DR-Y-01086 – plan nr. ML-P 305 B-

When cross referencing the requirements to be eligible for the property owners' protection scheme with the Metrolink property drawings we noticed that part of the apartment complex could be outside of the 30-meter edge of the Metrolink zone of influence of the tunnel and other works. (*For ease of reference we included screenshot images of the drawings marked up in yellow at the bottom of this document)

d/ We refer to the Dublin City Development Plan 2016–2022 Record of Protected Structures which clearly lists our houses along with other houses in Nelson Street as protected structures.

Serial	RPS Ref No	Property No	Full Address	Post Code	Description
5778	5801	18	Nassau Street, Dublin 2	Dublin 2	Shop
5779	5802	19	Nassau Street, Dublin 2	Dublin 2	Shop
5780	5803	28	Nassau Street, Dublin 2	Dublin 2	Shopfront
5781	5804	29	Nassau Street, Dublin 2	Dublin 2	Shopfront
5782	5805	45-46	Nassau Street, Dublin 2	Dublin 2	Commercial premises
5783	5806	48-49	Nassau Street, Dublin 2	Dublin 2	Shop and offices
5784	5807	50	Nassau Street, Dublin 2	Dublin 2	Shop and offices
5785			Nassau Street, Dublin 2	Dublin 2	Railings with granite walls - see College Green: Trinity College
5786	5808		Navan Road, Dublin 7	Dublin 7	St. Vincent's Home, man convent building, church and stone gate lodge.
5787	5809	9	Nelson Street, Dublin 7	Dublin 7	House
5788	5810	10	Nelson Street, Dublin 7	Dublin 7	House
5789	5811	11	Nelson Street, Dublin 7	Dublin 7	House
5790	5812	12	Nelson Street, Dublin 7	Dublin 7	House
5791	5813	31	Nelson Street, Dublin 7	Dublin 7	House
5792	5814	32	Nelson Street, Dublin 7	Dublin 7	House
5793	5815	33	Nelson Street, Dublin 7	Dublin 7	House
5794	5816	34	Nelson Street, Dublin 7	Dublin 7	House
5795	5817	35	Nelson Street, Dublin 7	Dublin 7	House
5796	5818	36	Nelson Street, Dublin 7	Dublin 7	House

REQUEST 1 FROM NELSON PROPERTY MANAGEMENT CO:

Based on proximity to the tunnel route (which runs under 6 Nelson Street) , the fact that the three properties form one apartment complex and the evidence that our Company has acted as a proud and responsible guardian of North Inner City Georgian architecture for the last two decades we would like the Bord to consider this and help us in our endeavours by including all structures highlighted in the image above in the TII property Protection Scheme.

We take note of the TII response which refers to a public consultation that will take place at a later stage with letters that will be issued by the public relations department. However we would like to have a commitment referenced in the railway order that the full block 9-10-11 Nelson street is included in the property owner protection scheme for the very reasons we referenced in our letter namely

The buildings of historical and cultural character, the fact the the buildings are on the protected list. These structures date back to 1870, most likely the joists the buildings 9 and 10 have been joined into one building although you see 3 front doors into the next they were tenement houses that were not always cared for in the right way. We have basement flats and there are still coal cellar lids in the footpaths. so, we consider them 'fragile structures' of high value for the owners but also for the community.

2. Request for impact mitigation Noise, vibration, traffic mitigations

After studying the Metrolink Environmental Impact Assessment we make the case for noise, dust and vibration monitoring, secondary glazing, traffic restrictions and temporary rehousing for residents in the property to reduce the human impact of construction based on the points below.

a/ The indicative construction programme for the Mater stop in chapter 5.2.2 Construction Programme in the Metrolink Environmental Impact Assessment, Volume 2 – Book 1: Introduction and Project Description - Chapter 5: MetroLink Construction Phase shows a timeline of 10 years of construction which illustrated in the Diagram 5.4: Summary Construction Programme below. The human impact of constant construction for a period of at a decade will take its toll on the residents in our apartment complex.

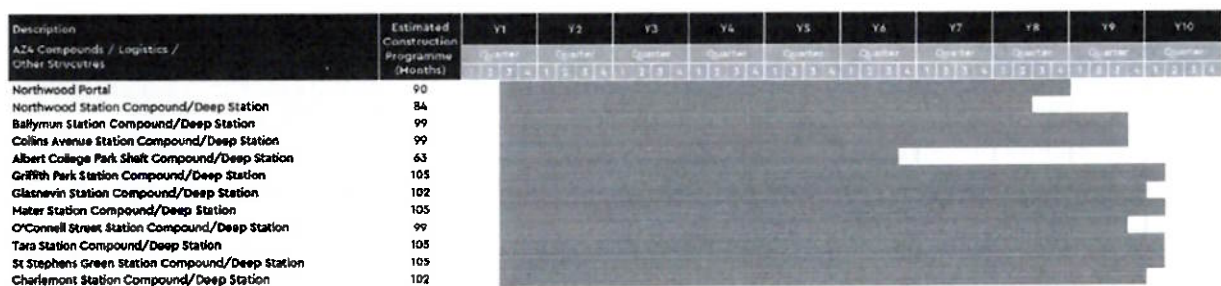


Diagram 5.4: Summary Construction Programme

b/ In the same document we quote an excerpt from section 5.2.4.2 Additional Working Hours

Most construction activities will be undertaken during the proposed standard working hours, as outlined above in Section 5.2.4.1, however there will be a number of activities that require working outside of these standard hours. These will include: • Tunnelling: the passage of the Tunnel Boring Machine (TBM) through the station and associated activities will be carried out on a 24 hour a day, seven days a week basis.

We anticipate that due to the nature of the underground construction, tunnel boring machines, special load deliveries, out of hours work, traffic gridlock. etc there will be many instances that require 24 or weekend working. Blasting will be required as part of the excavation for the underground works at Mater stop. Long term effects of construction activity, light pollution and reversing beepers from construction vehicles will also exacerbate the impact of the works and take their toll. Again, this will have a lasting impact on residents which can make them vulnerable due to the duration and impact of the works.

c/ We refer to the Airborne and Ground borne Noise Mitigation Policy September 2022 which sets out guidance around airborne and ground borne noise impacts for surrounding properties and offering mitigation measures such as noise insulation, temporary rehousing to affected parties and want Nelson Street to be included in the noise modelling predictions:

... EIAR airborne noise modelling predictions to reflect the planned construction methodology and timing of the works. Where the updated predicted airborne noise levels still exceed the trigger values as presented in Appendix A, the owner/occupier of properties in close proximity to the works will be contacted and advised that they are eligible to enter into discussions with TII in respect to further mitigation measures to be put in place.

To be eligible for support the owner/occupier must be in occupation of a private dwelling and the dwelling must be located where the predicted construction airborne noise is estimated to exceed the relevant criteria referred to in Appendix A for:

- *A period of 10 or more days in any 15 consecutive day or nights; or*
- *A total number of days exceeding 40 in any six consecutive months Further mitigation measures to be put in place, will depend on the level of threshold exceedance and specific circumstances.*

We anticipate that these thresholds will be exceeded due to the proximity of the site and the traffic noise and construction works, especially for the Georgian properties with single glazing or first generation double glazing which has no sound proofing.

REQUEST 2 FROM NELSON PROPERTY MANAGEMENT CO:

Based on proximity to construction site to 9-10- 11 Nelson Street we request the following environmental monitoring and mitigation measures

- Our properties to be included in noise and vibration modelling and updates
- Allow our owners to opt in for secondary glazing in the bedrooms and living rooms
- That noise and dust monitors be put on our buildings – We are happy to be representative of the area
- Get the windows cleaned from construction dust every 6 months during construction
- Be informed one month in advance of night works and abnormal working hours.
- Vulnerable residents to be considered for rehousing and assurances landlords will not be out of pocket.

Traffic is a major concern for us. We welcome the establishment of a Local community forum for the Mater Stop Area. We also take note of the TII response which refers to our street as less impacted by the construction works with an approximate duration of 2 weeks for the TBM to pass through our area. We understand that the impact of the actual construction will be less and that mitigation at source should be in place.

However we would like to **request a noise and vibration monitor for the duration of the 10 years** of construction to assess the ongoing noise impact of living in a construction zone for 10 years. Especially as we referenced already that there is single glazing and first-generation double glazing in our building and the noise will be more noticeable. This will help TII and the Nelson Street residents in number 9-10-11 assess, based on science rather than emotion, whether extra measures for example noise insulation or temporary rehousing is needed for vulnerable residents, owners and tenants. Our buildings are situate in the middle of the street, these readings can be representative for the entire Nelson street.

Traffic is a major concern for us. The street is currently often used as a rat run with people driving illegally in both directions in a one-way street which is a big safety hazard. We appreciate that there is a human element to this and would like to see enforcement of the ban of construction traffic which often begins before 7am and finishes late. This is not only about the numbers of traffic but also the duration of the works.

3. Upgrade of the local amenities on side streets of Eccles St. and Berkeley Road

The Section by Section Assessment chapter in the Metrolink Planning Report sets out a number of important points around the historical character of the area, the architectural features and residential amenities for the Nelson Street area and the Mater Stop adjoining side streets e.g. Joseph's Parade

4.5.10.1 Proposed Work: Mater Station will be located beneath the Four Masters Park, with the R135 Berkley Road adjoining the west side of the park and Eccles Street lying on the north side of the park. There will be 70 bicycle spaces provided at this station. The Mater Station urban realm will result in realignment of the Four Masters Memorial, rearranging the footpath to provide enough pedestrian space for the main entrance, reinstatement with enhanced planting of the Four Masters Park and its existing railing and replacement of existing trees. It is proposed to create a shared surface plaza to Eccles Street. In addition, there will be temporary construction compounds and associated utility diversions related work.

a/ Paragraph 4.5.11.2 Zoning between Mater Stop and O'Connell Street is applicable to the Nelson Street area.

This section of the alignment is in the functional area of DCC and passes under areas zoned in the current DCDP 2016-2022 and the Draft DCDP 2022-2028 as follows:

- Z2 - 'To protect and/ or improve the amenities of residential conservation areas';*
- Z1 - 'To protect, provide and improve residential amenities';*
- Z8 - 'To protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective';*
- Z4 - 'To provide for and improve mixed-services facilities';*
- Z9 - 'To preserve, provide and improve recreational amenity and open space and green networks'; and*
- Z5 - 'To consolidate and facilitate the development of the central area, and to identify, reinforce strengthen and protect its civic design character and dignity'.*

The affected zonings in the Draft DCDP 2022-2028 are unchanged from the current adopted plan, although zoning objective Z4 District Centres' changes to 'Z4 - Key Urban Villages / Urban Villages'.

b/ Paragraph 4.5.11.3 Map-Based and Other Objectives (Greater Dublin Area Cycle Network Plan - National Transport)

.... From the proposed cycle network in the GDACNP the proposed route will pass under the following cycling routes.

- *Nelson Street (Feeder);*
- *Dorset Street (2A);*
- *Parnell Street (4); and*
- *Frederick Street North (3).*

d/ We refer again to the Dublin City Development Plan 2016–2022 Record of Protected Structures which clearly lists our houses along with other houses in Nelson Street as protected structures. (See above image in point 1) We are keen to preserve the Georgian character of area and an upgrade of the street will help to achieve this.

The Eccles Street area is also important from a literary point of view with its links to James Joyce's Ulysses – one of the 20th century masterpieces in English literature.

Even though our buildings are not listed, they are protected and help to maintain the authentic and literary character and identity of the city which attracts tourists and business to the city. We request an upgrade of all utilities, renewal of road surface and

higher quality footpaths. The high volumes of traffic will deteriorate the road surface dramatically

REQUEST 3 FROM NELSON PROPERTY MANAGEMENT CO:

We see the arrival of the Metrolink and the Mater stop as an important boost for the area and want the overall master plan between TII and Dublin City Council to include betterment works and upgrades of 'forgotten side streets' like **Nelson Street and Joseph's Parade** –

The increased footfall in the area also warrants for bins to be installed on footpaths in the adjoining streets to keep the streets litter free during operations.

We need trees in the general Mater Stop area, including Nelson street, to make the north inner city a friendlier environment for people to live and thrive. Trees have a positive effect on an area from an aesthetic, anti-vandalism and ecological point of view. It makes people take better care of their neighbourhood and reduces aggression.

Nelson Street is marked as a Feeder street in the Greater Dublin Area Cycle Network Plan - National Transport – We want to see traffic reduction measures in the street. e.g. flower boxes or bollards to make the street more cycle and pedestrian friendly in the final road layout solution as part of the carbon reduction efforts of Dublin City Council.

I would like to sketch the current situation for you: Nelson street is currently not only used as a rate run but linked to a pattern has developed of a litter black spot from people driving through, dropping off refuse and driving on .

Also In light of the recent incidents in the north inner city close to this area, we can't emphasise enough how important local amenities and green spaces are and would like the TII and Council team to consider further upgrades to the adjoining streets.

Considering greening of the cities worldwide to reduce carbon footprint is important. The overall wellbeing treelined streets bring in the neighbourhood is also a factor to helps locals to cultivate a pride of place.

We refer therefore to the Metrolink Planning report

Metrolink Planning report Paragraph 4.5 10 and 4.5.11.2

Zoning between Mater Stop and O'Connell Street is applicable to the Nelson Street area.

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Z9 - 'To preserve, provide and improve recreational amenity and open space and green networks'; and

Z5 - 'To consolidate and facilitate the development of the central area, and to identify, reinforce strengthen and protect

its civic design character and dignity'.

We fully understand there are areas where the TII remit finishes and the city council takes over. However, we would like to pitch this broader point of regeneration and upgrading which goes hand in hand with these projects. Inclusion of this request into the railway order also brings a bigger return on investment. It needs to enhance Dublin's Unesco city of literature image and increase the footfall in the area as a destination and celebrate the literary heritage around one of the most famous streets in the world due to Joyce's Ulysses. Major projects should also help create an economic benefits also for SMEs and small shops and local cafes. Upgrading Joseph's Parade and Nelson Street will help bring this about.

4. Ban on construction traffic and rat running during construction

a/From the traffic modelling predictions in the Metrolink Environmental Impact Assessment - Volume 3 – Book 1: Population and Human Health, Traffic, Noise and Vibration and EMI/EMC Chapter 9: Traffic & Transport (see images below) we see that morning and evening peak traffic increases for the Mater stop area will increase by over 30%.



Diagram 9.26: **AM** Central Dublin Main Works 2028 Construction Scenario Flow Changes

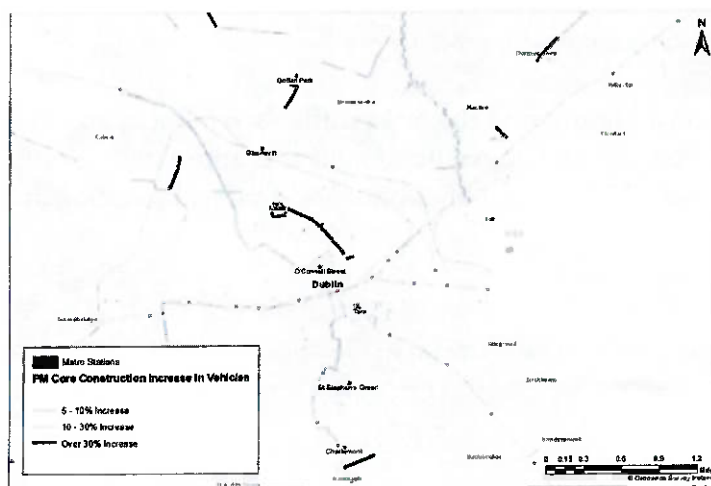
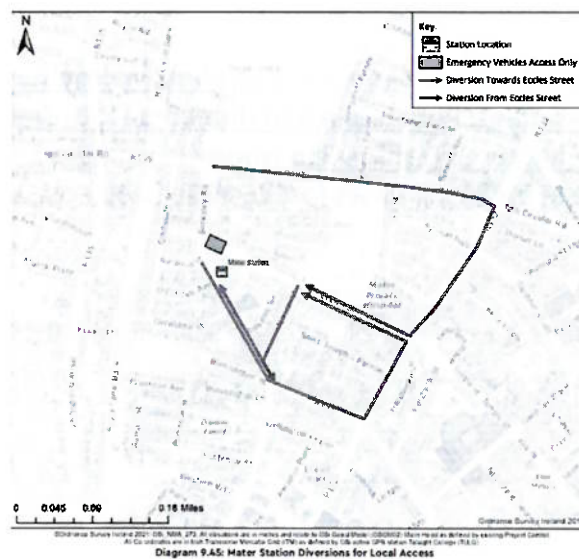


Diagram 9.28: **PM** Central Dublin Main Works 2028 Construction Scenario Flow Changes

b/ The Metrolink Environmental Impact Assessment - Volume 3 – Book 1: Population and Human Health, Traffic, Noise and Vibration and EMI/EMC Chapter 9: Traffic & Transport describes diversion routes during construction

*In terms of local access, during Phase 1 works no diversions will be in place, however during Phase 2 Eccles Street will be closed to all traffic except Emergency Vehicles. Vehicles seeking to route from Berkeley Road to Eccles Street will now have to divert and approach Eccles Street from the N1 via either North Circular Road or Blessington Street. Vehicles travelling away from Eccles Street will have to divert southbound along Nelson Street and from there can continue to travel along Berkeley Street, Mountjoy Street or Blessington Street. This diversion is approximately 1.3km long. **These diversions are illustrated below in Diagram 9.46***



c/ We refer to area 305 in the Book of Reference Twelfth Schedule - public roads which may be altered and note that the a very high number of streets will be altered:
 Eccles Street 2. Berkeley Street 3. Berkeley Road 4. St Vincent Street North 5. Sarsfield Street
 6. O'Connell Avenue 7. Geraldine Street 8. Moore Lane

We concluded that in addition to all the extra traffic (see point a) and diversions on Nelson Street (see point b), and abovementioned alterations and re-routing in side streets, this will cause a high impact of nuisance and safety reduction in our residential areas.

We are convinced that by its location in relation to the site, the Nelson Street (one way street) and Josephs Parade, Joseph's Place side streets will be used as rat runs. There is also concern around access to the Mater Hospital for emergency services during the works.

REQUEST 4 FROM NELSON PROPERTY MANAGEMENT CO:

To reduce impact of construction and other traffic we request that construction traffic and HGVs are banned from Nelson Street and Joseph's Parade

We also request that **local access** one way traffic policed strictly to avoid rat run Nelson Street and subsequent traffic incidents.

Emergency services travelling through Nelson Street need to be forbidden from using sirens between **8pm and 8am** on weekdays and **8pm and 10am** on weekends to allow residents peaceful enjoyment of their home environment.

This ties in with the point 2 we made earlier

We understand that the traffic will need to go somewhere but want to build in some guarantees to ensure that the street and the residents can cope. This is why I would like to reiterate the request that if people live with the pain for 10 years that

We want to thank you for considering this on behalf of all the owners and residents.

We look forward to hearing from you.

Best regards,

Nelson Property Management Company
B1 Swords Enterprise Park
Feltrim Road
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