

5

Subject: Oral Hearing – Module 1 – 28th February 2024

Client: Greybitch Ltd

Subject: Properties at Tara Street – Oral Hearing Presentation

AN BORD PLEANÁLA	
28 FEB 2024	
LTR DATED _____	FROM <i>Grey Birch</i>
LDG- _____	
ABP- _____	

1.0 Introduction

- 1.1 My name is David Rehill and I am representing Greybitch Ltd. I am a Chartered Engineer with the Institute of Structural Engineers and Engineers Ireland.
- 1.2 Greybitch Ltd support the overall concept of the MetroLink and my Evidence and report is not intended as opposition to the principle of the project.
- 1.3 Greybitch Ltd are the property owners of 1, 3, 5, 7, 9, 11, 13 & 15 Tara Street plus 5, 6 & 7 George's Quay and 11 Poolbeg Street, Dublin 2. This is the corner site at the junction of Tara Street and George's Quay, extending to Poolbeg Street (ref Figure 1). The site is currently laid out with the Tara Building (co-working offices) and a number of small individual ground floor commercial units, with back-of-house space at first floor.
- 1.4 A grant of Planning Permission was issued by Dublin City Council on 9th August 2023 for a proposed Foodhall at the above referenced location (planning ref 5042/22). The subject lands also have the benefit of a Planning Permission for an eight storey hotel over basement (planning ref 3560/19). The Metrolink EIAR did not consider this permitted development at the Subject Site.

2.0 Engagement with TII on proposed Metrolink

- 2.1 A submission on the Railway Order was issued by ILTP Consulting to An Bord Pleanála on the 16th January 2023 on behalf of Greybitch Ltd. A response to the items raised was received from TII (reference Submission No. 109). The responses received do not provide sufficient detail to allay the concerns of Greybitch on the operation of the current commercial units, the delivery of the granted planning permissions at the subject site and the future development potential of the site.

2.2 A Technical Memo was issued to TII on the 7th February 2024 raising the concerns of Greybirtch relating to:

- **Short Terms Impacts;** which includes Noise, Dust, Vibrations, Construction Traffic, Building Damage Assessment and cumulative impacts.
- **Long Term Impacts;** which includes tunnel proximity to basement, tunnel proximity to foundations and potential for high rise at the subject site. Further details on this matter will be presented at Module 2 on 19th March

2.3 A subsequent meeting was held with representatives from Greybirtch and TII on the 23rd February 2024 to discuss the contents of the Technical Memo dated 7th February 2024.

3.0 **Short Term Impacts: Construction of Metrolink**

3.1 Noise, Dust and Vibration Impacts

We note from Appendix 5.1 of the EIAR "*Outline Construction Environmental Management Plan*" that the estimated construction programme for the Tara Station is 105 months. This nearly nine year construction programme on a significant open cut building site could potentially cause significant disruption to the efficient operation and use of the adjacent Tara Building Co-Working office space and retail units. Furthermore, considering the time frame associated with the Tara Station construction, there is a potential scenario where the permitted Hotel at the subject site could be constructed and operational. We note from the OCEMP Table 5.3 that some 7-day, 24-hour working will occur at the Tara Station. This could pose potential significant disruption to Hotel guests and detailed, site specific mitigation measures and limits to working hours need to be agreed as part of the Railway Order. We were informed at our meeting on 23rd February that 'surface level works' will be restricted to standard construction hours and we would like this clarified. We would like clarification as to the maximum permitted period of time that full closures would be required. We would also ask that ABP attach an appropriate

condition to any decision to grant the Railway Order that working hours are restricted to specific hours except for any agreed exceptions.

3.2 Noise - Airborne

Table 13.66 of the EIAR identifies Predicted Magnitude of Impacts of Noise levels at 10-15 Tara Street ranging from "*slight to moderate*" and "*moderate to significant*". Appendix A13.7 notes that during demolition of the buildings on Tara Street, the impacts at 10-15 Tara Street will be "*moderate to significant*" and "*significant to very significant*".

- 3.2.1 Table 13.85 of the EIAR refers to the Construction Site Hoarding and notes 4m high hoarding proposed at the Tara Station Compound on the west and southern boundaries only. We would respectively suggest that acoustic hoarding is provided on each boundary, to a suitable height and/or enclosure, to mitigate construction noise to acceptable levels at the subject site. We discussed this at our meeting with TII on 23rd February and we would ask for confirmation of this.

The current buildings and/or permitted Hotel building will require suitable works to windows/walls to mitigate the impacts. In addition, the buildings should be included in the "*Transport Infrastructure Ireland (TII) Airborne and Groundborne Noise Mitigation Policy*". Alert and Tigger levels need to be agreed prior to commencement of any works.

3.3 Noise - Groundborne

Table 14.29 of the EIAR identifies Predicted Groundborne noise during TBM passage. No analysis is provided for the subject site, but at the Irish Times building, the predicted level is 46dB (threshold is 45db), and the impact is noted as "*significant*" or "*noticeable to all and disturbing to some over a number of days*". This would significantly impact current tenants in the office buildings at the subject site, or hotel guests at the permitted hotel, and compensation for temporary re-housing and/or loss of revenue will need to be agreed.

3.4 Dust

Table 16.48 refers to a "high" dust risk at the Tara Station site. We have reviewed Appendix 16.2 "*Site Specific Potential for Construction Phase Dust Impacts*" and Appendix 16.4 "*Dust Mitigation Measures*" and find no tangible site specific measures to mitigate the nuisance and human health risks from the Construction Works at the subject site. Due to the close proximity of the subject site, the Dust Management Plan (DMP) shall specifically consider the subject site as a sensitive receptor and shall include specific mitigation and management measures. We would request that an appropriate condition be attached by ABP requiring same.

3.5 Construction Traffic

The subject site bounds Tara Street, Poolbeg Street and George's Quay and the commercial uses rely on unimpaired access to and from the adjoining streets for pedestrian and cyclist access, and servicing requirements. The businesses at the subject site utilise the existing Loading Bays at Poolbeg Street and Corn Exchange Place, and access to these dedicated areas is via a one-way traffic system from Luke Street or Tara Street (northbound).

- 3.5.1 Section 7.9.6.2 of the "Scheme Traffic Management Plan" (STMP) notes that "*construction of the (Tara Street) station will take place over approximately a seven-year period*"..... "*Luke Street, and sections of Poolbeg Street, will need to be closed during enabling works and main construction period*". This will impose significant restrictions on access and thereby operations at the subject site. We were informed from TII at our meeting on the 23rd February that access will be maintained throughout, and we request further details confirming this. We note that engagement and agreement has been reached with the development under construction at 2-16 Tara Street relating to access and set-down. We would request that ABP attach an appropriate condition to any grant that a similar agreement be put in place with Greybirch Ltd.
- 3.5.2 Firstly, as part of the Railway Order, we would request that Greybirch Ltd are afforded similar agreement as 2-16 Tara Street for access to the subject site for current operations, and any further development construction and operation.

3.5.3 Secondly, we would request that complete temporary road or footpath closures are not permitted, and that works progress at agreed out-of-hours periods. Furthermore, any proposals should be agreed with Greybircb as part of the Railway Order and prior to commencement of any works.

3.6 Building Damage Assessment

Chapter 5 of the EIAR "Metrolink Construction Phase" refers to an appendix A5.17 "Building Damage Report" (BDR). This report includes modelling that assess ground settlement contours from the tunnelling works, and identifies predefined risk categories and associated building behaviour. The report outlines a number of Phases of assessment based on model results, and a flow chart determining a requirement for further assessment etc.

3.6.1 We note that none of the Greybircb buildings at the subject site have been assessed in the BDR, which is surprising considering the subject site extends a 'city block' from George's Quay to Poolbeg Street, and is within c20m of the Tara Station construction. A review of the contour mapping would suggest a modelled settlement at the subject site of c50mm. Table 4-4 from the BDR would suggest a potential 'risk category' of 2, thereby requiring further analysis. Updated Settlement Contour Maps were uploaded on 26th February 2024 during the Oral Hearing suggesting a modelled settlement of 30mm. We would request that a thorough assessment is made at this stage as part of the Railway Order to clarify the potential settlement on the subject site and the impact this may have on the current and future buildings. We would also like to have the opportunity to respond further to any further information submitted by TII on this matter

3.7 Cumulative Impacts

As noted, the subject site has two live planning permissions:

- **Ref 3560/19:** Planning Permission granted on 24th October 2019 for demolition over the full subject site and the construction of a new 8-storey hotel over basement.

- **Ref 5042/22:** Planning Permission granted on 9th August 2023 for part demolition, façade retention and construction of a new two-storey foodhall over basement.

3.7.1 Chapter 30 of the EIAR "*Cumulative impacts of interaction between other projects and Metrolink*" assesses the impact of adjoining developments. It would be expected that the Hotel application (ref 3560/19) would be assessed as part of this cumulative impact exercise, however, this is not the case (Permission ref Ref 5042/22 was not granted during the development of the EIAR). The permitted Hotel scheme involves construction of a single level basement and eight storey building approximately 20m from the Tara Station site.

3.7.2 We note that significant construction is ongoing in the general area, with many planning applications granted for future development. As part of the Railway Order, Greybirch Ltd would request that construction traffic modelling incorporates construction traffic for the subject site, and also other construction developments in the local area. Furthermore, TII should also ensure issues such as utility diversions, street closures, compounds, noise/dust/vibration, cumulative settlement etc place no undue limitations or burdens on construction works at the subject site.

4.0 We would also like to have the opportunity to respond further to any further information submitted by TII on the items raised herein. In addition, a further submission will be made by Greybirch in Module 2 in relation to the high rise potential of the subject site.