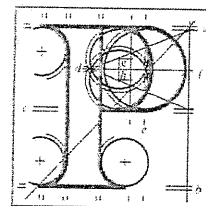


**Our Case Number:** ABP-314724-22



**An  
Bord  
Pleanála**

John Conway and Orlaith McCarthy  
15 Dartmouth Square West  
Ranelagh  
Dublin 6  
D06 R998

**Date:** 30 September 2024

**Re:** Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]  
Metrolink. Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to  
Charlemont, Co. Dublin

Dear Sir / Madam,

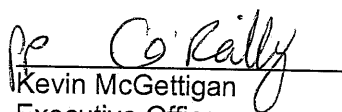
An Bord Pleanála has received your recent submission in relation to the above mentioned case. The contents of your submission have been noted.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: [www.pleanala.ie](http://www.pleanala.ie).

If you have any queries in relation to the matter please contact the undersigned officer of the Board at [laps@pleanala.ie](mailto:laps@pleanala.ie)

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Kevin McGettigan  
Executive Officer  
Direct Line: 01-8737263

RA03

Teil  
Glao Áitiúil  
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[bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

**Attachments:**

ABP Receipt 16.01.23.pdf; ABP-314724-22 Submission on MetroLink Terminus.docx;  
TII Drawing - Charlemont D Wall and Piling.pdf; LDG-060498-23-Generic Letter-  
John Conway and Orlaith McCarthy (1).pdf

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**From:** [johnconway0103@gmail.com](mailto:johnconway0103@gmail.com) <[johnconway0103@gmail.com](mailto:johnconway0103@gmail.com)>

**Sent:** Saturday, September 28, 2024 11:47 AM

**To:** Bord <[bord@pleanala.ie](mailto:bord@pleanala.ie)>

**Subject:** ABP-314724-22 MetroLink - Submission - deadline 8 October

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

I have tried to submit the attached observation online.

But I can't see how to do this without incurring the Eur 50 fee.

I am an affected landowner as I live in 15 Dartmouth Square, D06 R998.

See attached the receipt I received from ABP when I made my original submission in Jan 2023.

I have subsequently made 2 oral presentations to the Oral Hearing in the Gresham Hotel in March 2024.

Arising out of the new information which was presented at that OH and subsequently, I am now making a further submission ahead of the 8 October deadline.

My submission consists on a word doc and a PDF slide / drawing. I can't make these into one document as the website requires.

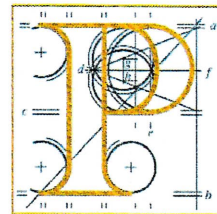
I would appreciate if you can show me how to upload this submission online without incurring the fee.

Many thanks for your help

John Conway

087 650 4489

**Our Case Number:** ABP-314724-22



An  
Bord  
Pleanála

John Conway and Orlaith McCarthy  
15 Dartmouth Square West  
Ranelagh  
Dublin 6  
D06 R998

**Date:** 16 January 2023

**Re:** Railway (Metrolink - Estuary to Charlemont via Dublin Airport) Order [2022]  
Metrolink. Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to  
Charlemont, Co. Dublin

Dear Sir / Madam,

An Bord Pleanála has received your recent submission (including your fee of €50) in relation to the above-mentioned proposed Railway Order and will take it into consideration in its determination of the matter.

The Board will revert to you in due course with regard to the matter.

Please be advised, there is no fee for an affected landowner, listed on the schedule, to make an observation on this case, therefore, a refund of €50 will be made to the credit/debit card used to make the online observation.

Please be advised that copies of all submissions/observations received in relation to the application will be made available for public inspection at the offices of the relevant County Council(s) and at the offices of An Bord Pleanála when they have been processed by the Board.

More detailed information in relation to strategic infrastructure development can be viewed on the Board's website: [www.pleanala.ie](http://www.pleanala.ie).

If you have any queries in the meantime, please contact the undersigned. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

pp EM

Niamh Thornton  
Executive Officer  
Direct Line: 01-8737247

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

**Reference: ABP-314724-22**

## **METROLINK TERMINUS at CHARLEMONT**

**Submission deadline: 8 October 2024**

**Reference # 149: John Conway & Orlaith McCarthy,  
15 Dartmouth Square West, Ranelagh, D06 R998**

My name is John Conway. My wife Orlaith McCarthy and I have lived at 15 Dartmouth Square West for 42 years. We made a written SID Observation to An Bord Pleanála (ABP) on 12 Jan 2024 (received on 16 Jan 24) and I made 2 separate presentations to the Oral Hearing (OH) in the Gresham Hotel on 5 March 2024 and 26 March 2024. We are reference number 149 in TII's responses to our submissions.

We now wish to make a further written submission to ABP to highlight our concern about important matters which came to light during that OH.

During the course of the day's proceedings at the OH on 26 March 2024, TII presented data on airborne noise level predictions and claimed that the numbers were partly based on a survey which they had carried out at # 15 Dartmouth Square. When challenged by me as the owner of the property that no such survey had been carried out, TII retracted that statement. They agreed that no survey had been carried out at our property. While this could be interpreted as an honest mistake, it does fit a pattern where TII have been caught out in presenting inaccurate and untruthful information to the OH. To say the least, it undermines our confidence and that of our neighbours that TII are acting honestly and in good faith with regard to the terminus at Charlemont.

### **Terminus v Interchange**

Throughout the OH, TII kept insisting that Charlemont was not a terminus – but an interchange. While this could be considered to be mere semantics, their motive was to stress the interconnectivity with other forms of public transport. However, the claim of bus superior connectivity at Charlemont rang very hollow to our ears – as the nearest bus stop on Ranelagh Road is about 90 metres distant from the Metro terminus and the bus stop on Leeson St Upper is about 150 metres away. In both cases, the journey from Metro to bus stop involves an arduous journey up a number of escalators and along narrow and uneven footpaths. These disadvantages were highlighted at the OH, as were the considerable difficulties in drop-off and pick-up by taxis and private cars.

### **Noise Barrier**

TII revealed at the OH a plan to build a 7-metre high noise barrier as an airborne noise mitigation measure along the eastern side of the site. This barrier will border on the Back Lane which runs behind the terrace of homes # 1 – 17 on the west side of the Square. The proposed height of this noise barrier varied during the course of the OH – but my understanding is that it has now settled at 7 metres. As residents of the west side of the Square my wife & I and our neighbours have a lived experience over a number of years of the effectiveness of noise barriers, since Hines, the developers of the Carrolls Grand Parade building, put a noise barrier in place in exactly the same position as that proposed by TII. In our view, such noise barriers are

ineffective. Our concern here is that the (unmitigated) EIAR predicted airborne noise values are well above the threshold level in all 6 phases of the 8 ½ year construction period. These are TII's own numbers – so a mitigation failure of the noise barrier will expose us and our neighbours to many years of constant exposure to very uncomfortable levels of noise.

### **POPS**

In response to criticism from all sides about the POPS system as proposed, TII made a number of revisions to the terms during the course of the OH. However, the maximum pay-out levels in the event of structural damage to our homes will be wholly inadequate. Our terrace was built in the 1890s without foundations (as was the practice of the time), and our homes are Protected Structures which will be at risk to serious damage from the effects of ground settlement. TII's own contour maps for predicted ground settlement will result in such substantial damage as cracks to masonry and walls, misalignment of windows & window frames, doors & door frames, cracks in chimney stacks and roof alignment leading to rainwater ingress, and even collapsing ceilings as these ceilings are not 'tied' (again as was the practice of the time). The cost of remedial works of this order will run to numbers considerably in excess of the maximum under POPS.

We are therefore seeking a guarantee and indemnification from TII as a Government body that homeowners will have direct recourse to TII itself and not to an insurance company in the event of such structural damage to our homes.

### **Red Wall**

Immediately following my presentation to the OH on 26 March 2024, TII was invited to respond. What I heard has given me cause for very grave concern. This relates to the method of construction to be used in the building of the 'red wall' in the attached drawing which has been prepared by TII.

The drawing shows the walls of the terminus in various colours including, red, yellow, green and brown. The 'red wall' is a 30 x 30 metre trench at the northeastern corner of the site which is very close to our home # 15 Dartmouth Square and is also close our neighbours' homes at # 16 and 17. In fact, at its nearest point it is closer to # 15 than it is to any other home on the terrace. Consequently, I have a particular interest in understanding the risks of damage to our home involved in the construction of this wall.

TII's drawing indicates that secant piling will be used for the 'red wall' while the diaphragm wall construction method will be used for the other terminus walls. I went into some detail about this in my presentation to the OH on 26 March 2024.

In my presentation, I argued that if planning permission were to be granted for the terminus at Charlemont, the ABP should make it a condition of the permission that the D wall (diaphragm wall) construction method be used in the construction of this 'red wall'. I outlined how I and other neighbours had met with senior members of the TII team (including James Maloney, Ronan Hallisley and Aiden Foley) in the basement of the Gresham Hotel on 12 March 2024. This meeting took place 'after hours' at the OH. James Maloney provided a detailed and technical description of the D wall construction method which my neighbours and I understood would be used in the construction of the 'red wall'. He explained the difference between this construction method and the secant piling method.

However, at the conclusion of my presentation to the inspectors at the OH on 26 March 2024, James Maloney insisted that this commitment had not been given and that TII did not want its

hands tied in the specification of the construction method to be employed for the 'red wall' in the contract tender.

I considered this a shocking 'volte face'. But rather than argue this point on the floor of the OH, I suggested that it should be taken 'off-site' and I subsequently responded to an invitation from Suzanne Angley of TII to meet with her colleagues and provide an agenda. I suggested that neighbours Denis McLoughlin (#9) and Leo Crehan (#11) should also attend, and I highlighted a desire to focus on the construction of the 'red wall'. This meeting took place on 11 September in the Clayton Hotel and was attended by James Maloney, Ronan Hallsley and Michael Horan (among others) from TII.

At that meeting the TII accepted that the D wall construction method was more efficient than the secant piling method in excluding water ingress which could cause ground settlement and in turn could result in damage to our homes which were protected structures. James Maloney confirmed that most of the terminus would be constructed by the D Wall construction method – and that the 'red wall' was the exception.

We made a strong case that if the D wall construction method was the favoured construction method elsewhere on the site, then it should also be specified for the 'red wall'. TII owed the same duty of care to all the homeowners along the terrace on the west side of the Square. If the D wall construction method is acknowledged to be 'more efficient' in excluding water ingress, and therefore poses a lower level of risk of ground settlement and damage to our homes, then it should be used in construction of the 'red wall'.

### **Conclusion**

Many arguments have been presented to ABP by me and others at the OH and in written observations highlighting that Charlemomnt is the wrong location for the city centre terminus. I believe that ABP would be making a grave error if it grants permission for the terminus in this location.

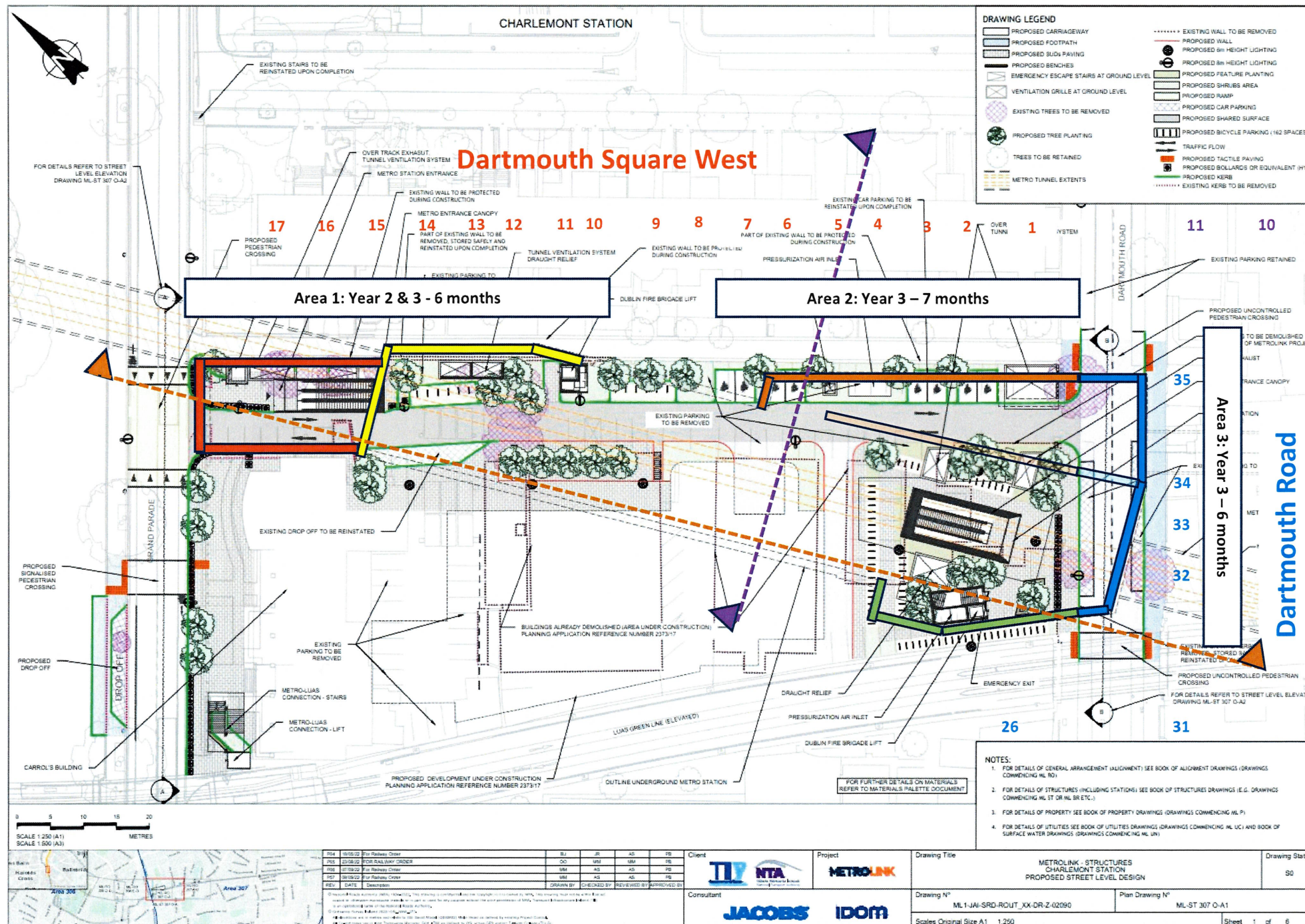
If however, ABP does grant permission, then I think that it is very important that the Bord make that permission **CONDITIONAL** on:

- The construction method of the 'red wall' – the 30 x 30 metre trench at the northeastern corner of the site - be specified as Diaphragm wall construction method.
- TII providing an indemnity and guarantee to pay for structural damage to homes 1 – 17 on the west side of Dartmouth Square as a result of the building works on the site.
- TII demonstrating to ABP the effectiveness of the noise barrier wall in mitigating the airborne noise emanating from the site.

John Conway  
28 Sept 2024



# Charlemont – D-Wall & Piling Phase



## Area 1 to 3 Scope Summary (Year 2 to 3 - 12 to 15 months):

### Diaphragm Walling and Piling - Area 1

- D-Wall @ Boundary
- Remaining D-Wall
- Secant @ Boundary
- Remaining Secant

### Diaphragm Walling - Area 2

- D-Wall - Southwest (Next to LUAS)
- D-Wall - Southeast @ Boundary

### Diaphragm Walling - Area 3 (Dartmouth Road)

- D-Wall under road closure