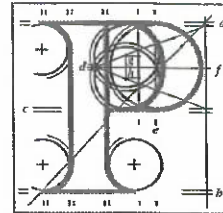


**Our Case Number:** ABP-314724-22

**Your Reference:** Esprit Investments Limited



**An  
Bord  
Pleanála**

John Spain Associates  
39 Fitzwilliam Place  
Dublin 2  
D02 ND61

**Date:**

**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 and oral hearing request (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 cheque refund of €50 is enclosed.

The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you on this matter in due course.

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.

**Teil**  
**Glaó Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

**Tel** (01) 858 8100  
**LoCall** 1800 275 175  
**Fax** (01) 872 2684  
**Website** [www.pleanala.ie](http://www.pleanala.ie)  
**Email** [bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

Yours faithfully,

PP EM

Niamh Thornton  
Executive Officer  
Direct Line: 01-8737247

Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1800 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

The Secretary  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1

<b>AN BORD PLEANÁLA</b>	
LDG-	<u>060389-23</u>
ABP-	
11 JAN 2023	
Fee: €	<u>50</u> Type: <u>degree</u>
Time: <u>16.23</u>	By: <u>hand</u>

Date: 11/01/2023  
Our Ref: BC 19187

Dear Sir or Madam,

**RE: SUBMISSION ON THE METROLINK ON BEHALF OF ESPRIT INVESTMENTS LIMITED IN RELATION TO PROPERTY AT TOWNSEND STREET AND SHAW STREET, 32-33 PEARSE STREET, AND 36-37 PEARSE STREET, DUBLIN 2.**

ABP Ref. NA29N.314724

**Description - MetroLink Railway Order – Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin**

**Submission on behalf of:** Esprit Investments Limited, 83 Pembroke Road, Dublin 4

## Introduction

Our client, Esprit Investments Limited, welcomes the opportunity to make a submission on the Railway Order for the MetroLink line.

Our client has a number of observations and concerns in relation to the Railway Order. This submission is broken down under the following headings:

1. Site and Impacts of Metrolink
2. Planning policy
3. Engineering considerations
4. Concluding comments

Please find enclosed the statutory fee of €50 for a submission on the Railway Order to the Board and a Technical Note prepared by Arup Consulting Engineers.

## Site and Impacts of Metrolink

The site is located at Townsend Street and Shaw Street, Dublin 2, with additional property at 32-33 Pearse Street and 36-37 Pearse Street (all within the ownership of our client). The Townsend Street and Shaw Street site currently has an extant planning permission under Reg. Ref. 4778/19 as amended by Reg. Ref. 2877/21. There are no current permissions

advanced by our client for the Pearse Street properties, however it is envisaged that planning applications for these properties will be progressed in due course, and have therefore been included as part of the overall site this submission relates to. As part of obtaining the two permissions for the Townsend Street and Shaw Street site, our client through the project engineers, Arup have engaged with TII over the past several years. Construction and implementation of the permissions has commenced. Piles have been constructed and their design and as built details have been provided to TII.

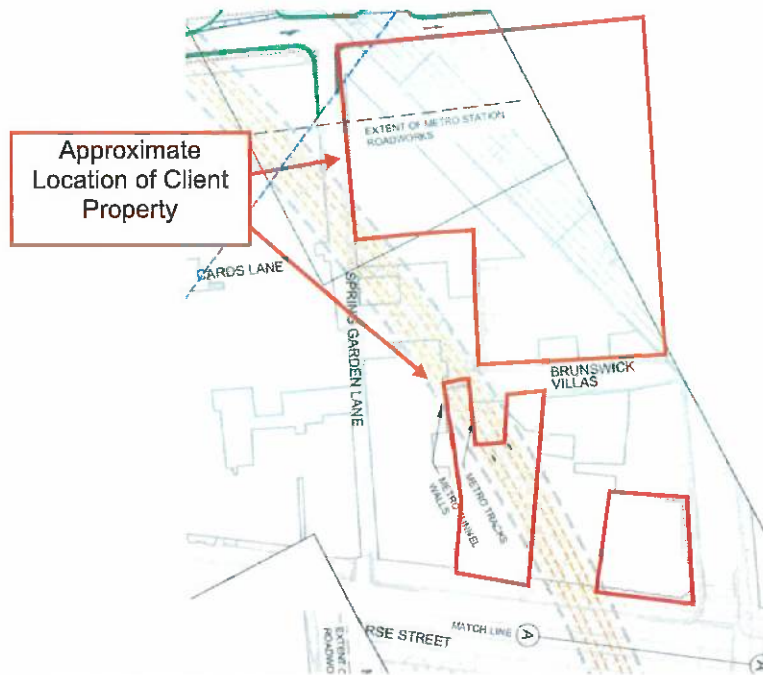


**Property Location (in red) in Dublin 2.**

The property is located in the city centre, Dublin 2, and therefore benefits from excellent access to existing public transport and services. It is acknowledged that the city centre location of the site necessarily means that there may be ongoing construction activity in the area at any given time.

However, our client has serious concerns in relation to the identified noise and associated disruption contained with the Railway Order documentation. A “Significant<sup>1</sup>” residual impact is identified to a neighbouring building (Dublin Fire Brigade HQ – located to the west on Townsend Street). Whilst this impact is noted as being temporary, there is no clarity or estimate provided beyond this in relation to the duration of these works.

<sup>1</sup> Table 14.49 of the EIAR titled “Summary of Residual Impacts during Tunnel Boring in AZ4”



***Proposed alignment in relation to our client's property (alignment drawing rotated for ease of comparison)***

Our client also has a concern in relation to the assessment and quantification of the impacts contained within the submitted documentation, as our client's property (and the permitted and future buildings to be constructed thereon) has not been specifically assessed, only a neighbouring building. This is especially concerning given that the proposed alignment runs directly under our client's property.

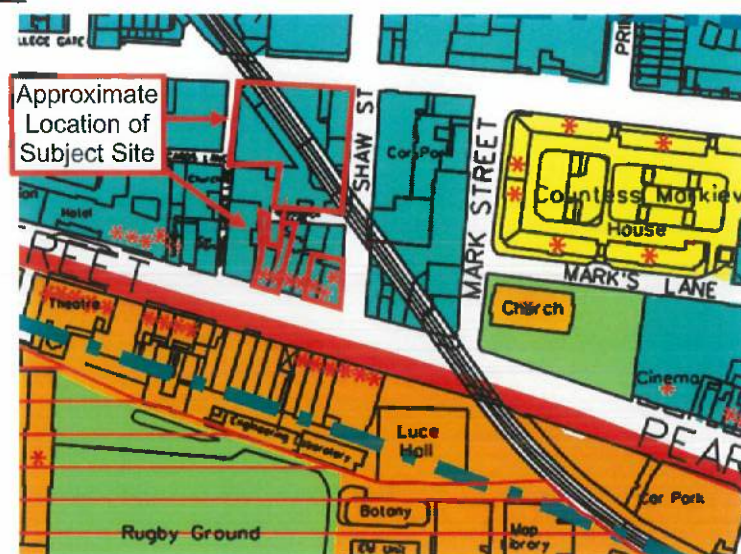
The Railway Order applies for a vertical deviation of 5 metres. Whilst it is understood a deviation may be required due to detailed design or conditions encountered, the result of such a deviation in relation to the subject property is potential clashes with substructure and increased impacts arising in relation to noise, vibration and associated building damage.

### **Planning Policy**

The Dublin City Development Plan 2022-2028 has recently been adopted and will be the operational development plan for the area from the 14<sup>th</sup> December 2022. The proposed Railway Order application will therefore be decided under the planning policy of the 2022-2028 Dublin City Development Plan.



## Land use Zoning



**Land Use Zoning of Site – Extract Zoning Map E (Dublin City Development Plan 2022-2028) – Approximate Outline of Subject Property in Red**

The property is zoned Z5 'City Centre' under the 2022-2028 Development Plan, with an objective *"To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity."* The Draft Development Plan further states in relation to Z5 lands that *"The strategy is to provide a dynamic mix of uses which interact with each other, help create a sense of community and which sustain the vitality of the inner city both by day and night."*

The subject property will be occupied by mixed-use buildings including retail and office uses, one of which has been granted permission under Reg. Ref. 4778/19 and 2877/21, and is therefore achieving the zoning objective for the property. It is important that any proposed construction works under the building are minimally disruptive and cause no damage to the structure.

## Engineering Considerations

The proposed works have been reviewed by our client's engineer, Arup Consulting Engineers. This submission is accompanied by a Technical Note prepared by Arup that reviews the proposed construction works and requests that the Railway Order is structured so as to ensure future buildings are protected in this location. Of note in this report is that the piles to be constructed beneath the basement come within the 5m vertical upward deviation applied for as part of the Railway Order.

The accompanying Report by Arup requests:

*"We expect that the requirement of deviation of the underground tunnel to be clarified by TII/Metrolink technical team at the location underside of our building, whether this is only for a possible grout injection works that would require. As part of the previous agreements, TII/Metrolink is expected to confirm that the tunnelling works should be cognisant of the as constructed underground structures."*

## Concluding Comments

Our client welcomes the submission of the Railway Order and the sustainable transport benefits which would be delivered; however, construction and operational impacts should

be carefully managed to minimise the effects on the landholdings in the vicinity of the proposed metro. The upward vertical deviation of 5 metres applied for in the Railway Order, if utilised would conflict with constructed piles underneath our client's property.

Our client reserves the right to elaborate further on these issues as necessary should the Board decide to hold an oral hearing or require any clarification and would welcome any responses from the applicant. Our client also reserves the right to maximise the development potential above and below ground of the lands in question. The assessment of compensation would not be limited to the content of this submission.

We trust this submission will be taken into consideration in assessing the proposals.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "John Spain". The signature is fluid and cursive, with the first name "John" and last name "Spain" clearly distinguishable.

---

**John Spain Associates**

**Appendix – ARUP Technical Note**



## File Note

Project title	Townsend Street Development
Job number	266326-00
File reference	266326-00/KP
cc	
Prepared by	Kerem Pencereci
Date	18 November 2022
Subject	Technical Comments re:Metrolink railway order

50 Ringsend Road Dublin 4 D04 T6X0 Ireland  
t +353 1 233 4455  
[arup.com](http://arup.com)

---

### 1. Introduction

This note includes a review of draft railway order by TII/Metrolink, its impact to substratum lands located at Townsend Street and Shaw Street, Dublin 2, with additional property at 32-33 Pearse Street and 36-37 Pearse Street. The note provides a summary of the correspondence during planning and construction stage of Townsend Street Development.

### 2. Review of Railway Order impact

Arup, on behalf of Esprit Investment Ltd, liaised with NTA/TII/Metrolink during the pre-planning, post planning and construction stage for the proposed building development at 155 Townsend Street, Dublin 2 (Planning Ref:4778/19). This development is currently under construction, and most of the underground piling works are completed.

During the planning application, TII/Metrolink has been informed that the piled foundations could go down to 15m below ground level (-11.6mOD), leaving circa 2m to proposed crown level at c.-13.6mOD (16.5~17m BGL). Related correspondence, technical report, and NTA letter is enclosed in the attachment of this note.

Piled foundations at site is constructed in 2021. As part of the continuous liaison with TII/Metrolink, final design details and as-built pile logs are submitted to TII/Metrolink. Lowest depth of the constructed piles (pile toe levels) are recorded on pile logs. According to the pile logs, lowest toe level for the piles at site are at -9.6mOD (13mBGL). This leaves circa 3.5-4m to proposed tunnel crown level. Acknowledgement email received from TII for the same is enclosed.

Metrolink draft railway order section 6 defines “deviation” to proposed underground tunnel as:

- i. “Deviate laterally by any distance not exceeding 15 metres from the lines or situations shown on the plans
- ii. Deviate vertically by any distance not exceeding 5 metres upwards from the levels shown on the plans
- iii. Deviate vertically by any distance not exceeding 10 metres downwards from the levels shown on the plans”

Job number

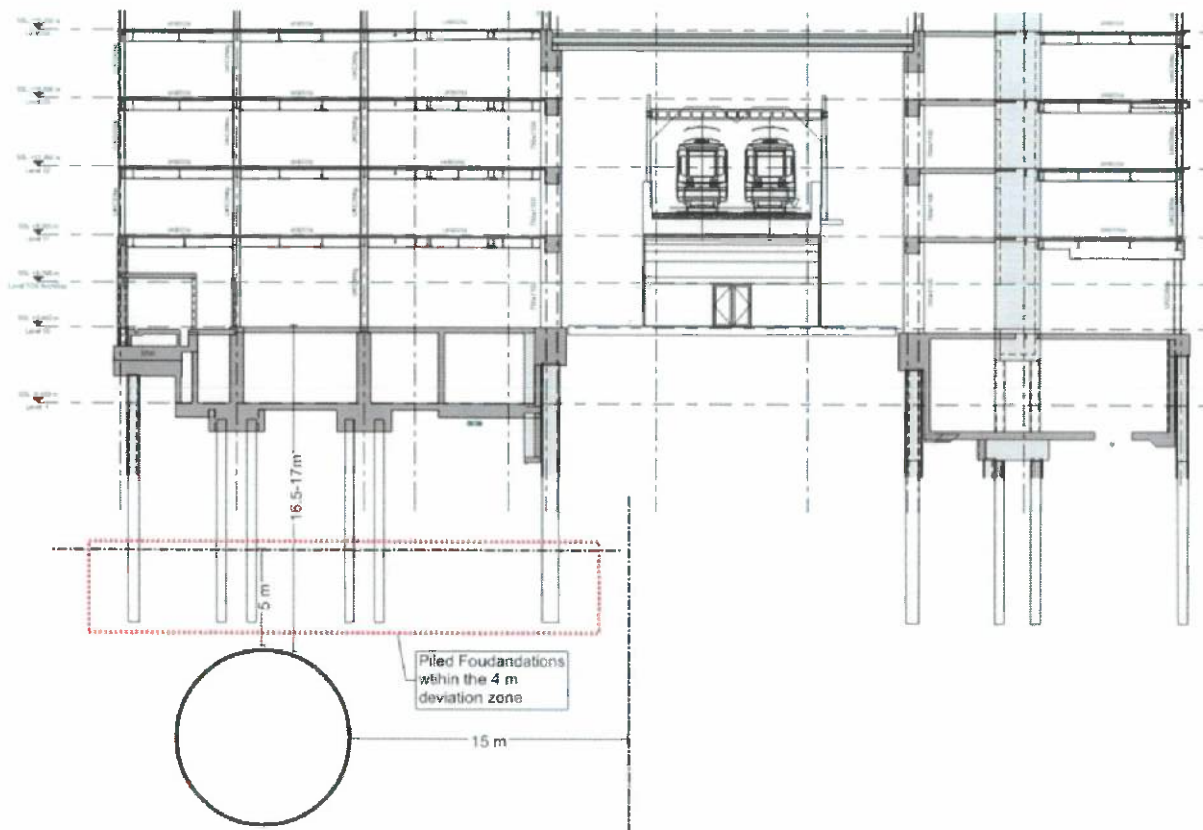
266326-00

Date

18 November 2022

We note that 15m plan deviation or 10 metres downward deviation will not have significant impact to the constructed basement works and the project.

However, a deviation of 5m upwards would clash with the constructed piled foundations at ML60-U26. See Figure 1.



**Figure 1 Section View**

In relation to properties at 32-33 Pearse Street and 36-37 Pearse Street, there are no current permissions advanced by our client for the same, however it is envisaged that planning applications for these properties will be progressed in due course. We can confirm that the given the similar soil conditions, we expect that the pile depths will be similar for the future development at this location.

### 3. Requests and Conclusions

We expect that the requirement of deviation of the underground tunnel to be clarified by TII/Metrolink technical team at the location underside of our building, whether this is only for a possible grout injection works that would require. As part of the previous agreements, TII/Metrolink is expected to confirm that the tunnelling works should be cognisant of the as-constructed underground structures.

## Kerem Pencereci

---

**From:** van Vuuren Rory <Rory.vanVuuren@tii.ie>  
**Sent:** Monday 31 January 2022 13:29  
**To:** Kerem Pencereci  
**Subject:** RE: Townsend Street Development - Piling works [Filed 04 Feb 2022 09:10]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Kerem,

Further to Engin's email could you please provide your Clients name, on whose behalf you are acting on this development.

I'm tabling a formal response to the NTA.

Kind regards

Rory van Vuuren  
Architect

Email: [Rory.vanvuuren@tii.ie](mailto:Rory.vanvuuren@tii.ie)

Transport Infrastructure Ireland

Address: [Parkgate Business Centre, Parkgate Place, Parkgate Street, Dublin 8, Ireland, D08 DK10](#)



---

**From:** Sinopluoglu Engin <Engin.Sinopluoglu@tii.ie>  
**Sent:** 28 January 2022 16:43  
**To:** Kerem Pencereci <kerem.pencereci@arup.com>  
**Cc:** Michael MacAree <michael.macaree@nationaltransport.ie>; David Clements <David.Clements@nationaltransport.ie>; John Flaherty <John.Flaherty@arup.com>; Gerry Doyle <gdoyle@smithkennedy.ie>; van Vuuren Rory <Rory.vanVuuren@tii.ie>; Bennett Peter <Peter.Bennett@tii.ie>  
**Subject:** RE: Townsend Street Development - Piling works

Dear Kerem,

My apologies for my late response.

Further to our review of the documents you have provided, I can confirm that TII has no further observation in this regard, however, please note our acceptance is conditional on your continued engagement with us. For instance, should there be any changes to the foundations and / or loading on the structure that requires reassessment of the structural arrangement which may have an impact on MetroLink Project, TII needs to be informed of such changes as soon as possible for reassessment.

Have a nice weekend.

Kind Regards,

Engin Sinopluoglu – CEng MIEI  
MetroLink Project Manager  
TII - Transport Infrastructure Ireland  
Parkgate Business Centre, Parkgate Street  
Dublin 8, D08 DK10

mob +353 (86) 770 4358  
desk +353 (01) 646 3857  
E mail [engin.sinopluoglu@tii.ie](mailto:engin.sinopluoglu@tii.ie)

We will be advising the NTA accordingly.

---

**From:** Kerem Pencereci <[kerem.pencereci@arup.com](mailto:kerem.pencereci@arup.com)>  
**Sent:** Thursday 13 January 2022 15:45  
**To:** Sinopluoglu Engin <[Engin.Sinopluoglu@tii.ie](mailto:Engin.Sinopluoglu@tii.ie)>  
**Cc:** Michael MacAree <[michael.macaree@nationaltransport.ie](mailto:michael.macaree@nationaltransport.ie)>; David Clements <[David.Clements@nationaltransport.ie](mailto:David.Clements@nationaltransport.ie)>; John Flaherty <[John.Flaherty@arup.com](mailto:John.Flaherty@arup.com)>; Gerry Doyle <[gdoyle@smithkennedy.ie](mailto:gdoyle@smithkennedy.ie)>; van Vuuren Rory <[Rory.vanVuuren@tii.ie](mailto:Rory.vanVuuren@tii.ie)>; Bennett Peter <[Peter.Bennett@tii.ie](mailto:Peter.Bennett@tii.ie)>  
**Subject:** Townsend Street Development - Piling works

CAUTION: This email originated from outside of TII. Do not click links or open attachments unless you recognise the sender and are sure that the content is safe.

Dear Engin,

I hope you are well and I wish you a happy new year.  
I am contacting you to provide further information in relation to the Townsend Street Development, as requested by NTA/MetroLink in the observation letter.

Please find below link for the information pack that includes final design loadings for the building, detailed pile design report and associated drawings prepared by the specialist piling designer (Byrne Looby).

 [20220113 Info Pack for TII Metrolink](#)

To provide a brief summary:

- In the concept stage we have stated that pile toe levels were to be less than 2m into rock i.e 13-15 BGL. The piling specification set out a 2m limit into bedrock for any pile toe levels for Plot A.
- Specialist pile designer has carried out detailed pile design taking account this requirement as per piling performance specification and latest geotechnical site investigation data.
- Proposed tunnel traverses under the West part of the site (Plot A) with depths at 16.5-17m BGL (-13.2mOD)
- The reports and drawings are provided for perimeter Secant Pile Wall (600mm hard – 900mm firm) and 600 mm Foundation Piles separately.
- As can be seen from the pile sections, pile toe levels are designed with a maximum 0.5m embedment into rock. (i.e 13m BGL, -9.5mOD)
- Piles are installed at site with CFA method. From pile logs the pile lengths ranges from 8m to 12.5m for the piles installed above the proposed tunnel route which conforms to toe levels previously mentioned.

#### Issue List

TOW-ARUP-00-ZZ-DR-S-0505 Pile loading layout  
TOW-ARUP-00-B1-DR-S-1000 Basement Layout  
TOW-ARUP-00-ZZ-DR-S-2007 Building Section  
B100.761\_GEO\_R002\_01\_Townsend\_Secant Pile Wall Design Report Plot A Rev 01  
B100.761\_GEO\_R003\_03 Foundation Pile Geotechnical Design Report Rev 03  
B100.761-1100\_Rev03 Plot A Secant Pile wall layout plan  
B100.761-1101\_Rev01 Pile sections  
B100.761-1102\_Rev01 Pile sections  
B100.761-1103\_Rev01 Pile sections  
B100.761-1104\_Rev01 Pile sections  
B100.761-2000\_Rev04 Foundation Pile layout plan  
B100.761-2001\_Rev03 Foundation Pile Sections and Details  
B100.761-4000\_Rev01 Plot A Crane base pile

I trust the above information is satisfactory for Metrolink team for consideration during tunnel design/construction.

Should you have any comments and questions please do not hesitate to contact me,

Kind Regards

**Kerem Pencereci**

Senior Project Engineer, Msc

**Arup**

50 Ringsend Road

Dublin 4, D04 T6X0, Ireland

t +353 1 233 4455 d:+353 1 233 4486

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De réir pholasáí BIÉ An Ceart gan a bheith Ceangailte, má tá an ríomhphost seo á fháil agat lasmuigh de na gnáthuaireanta oibre, nílím ag súil le freagra ná le gníomh uait lasmuigh de do ghnáthuaireanta oibre féin mura bhfuil sé ráite go soiléir go bhfuil gá gníomhú go práinneach.

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Mr Kerem Pencereci  
Senior Structural Engineer  
Arup,  
50 Ringsend Road,  
Dublin 4



28<sup>th</sup> April 2020

**RE: Planning Application 4778/19**

Dear Mr Pencereci,

In relation to the above, and after assessment of the "Metrolink Interface Preliminary Study" and accompanying drawings provided, the NTA considers that the proposed foundations for the development are compatible with the future construction of the Metrolink substratum alignment at the Townsend Street site. The development, as proposed, will therefore not impact on the delivery of this scheme. It should be noted, however, that due to the proximity of the piles to the Metrolink tunnel, more detailed consideration of potential loading on the tunnel should be checked (at the detailed design stage/prior to tendering / prior to commencement of construction) by the Metrolink project team based on final design loadings from the building designer and during the actual piling works that are in close proximity to the MetroLink Tunnel alignment.

The NTA reserves our rights as a prescribed body under the Planning Acts to submit observations on other aspects of the proposed development.

Yours sincerely,



---

Michael MacAree,  
Head of Strategic Planning