

Kieran Smyth and Margaret McDonnell and others
121 Ballymun Road
Dublin 9

Date: 07 December 2022

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 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.

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,



Niamh Thornton
Executive Officer
Direct Line: 01-8737247

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AN BORD PLEANÁLA	
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Fee: €	<u>5000</u> Type: <u>caud</u>
Time:	<u>12.16</u> By: <u>hand</u>

22 November 2022

Re. Application by Transport Infrastructure Ireland (TII) to An Bord Pleanála for the Railway (MetroLink Estuary to Charlemont via Dublin Airport) Order 2022.

Dear Madam/Sir,

We wish to make the following observations on the above statutory planning application:

1. While very supportive of the scheme overall, and its objectives as detailed in the application we would like to comment on certain of the details of the proposals, which raise concerns for us. Before doing so, we would like to take the opportunity of acknowledging and complimenting TII on its stakeholder engagement, and in particular its engagement of an independent engineering expert, RINA Consulting, to support residential stakeholders likely to be affected by the MetroLink works, which not only upholds the letter, but also the spirit of applicable Irish and EU law.

2. Albert College Park: Intervention Shaft- Protection and Preservation of the Park and Scale of Design Footprint.

Albert College Park is an essential community resource and everything possible should be done to fully protect and preserve it. Ideally, the Metrolink project would not impact the Park in any way, and certainly not in any permanent way (as seems to be the approach to parks and green spaces, where emergency shafts are employed, in other underground systems, for example, the newly constructed Elizabeth Line in London).

It seems, however, based on the current Metrolink proposals and the applicable recommended standards that an Intervention Shaft (IS) is required between the Collins Avenue and Griffith Park Stations as they are more than one kilometre apart. Based on this approach Albert College Park (ACP) would appear to represent the optimal location for such an Intervention Shaft (IS). (Just to note that whatever about an IS it is clear that the placement of a Metrolink Station within the ACP, were this to be proposed, would be a disaster for the continued functioning of the park and would very severely impact its amenity).

In our view the size and scale of the design of the IS proposed in ACP will negatively impact not only the visual but the general amenity of the park by reducing the area of the park that is available for walking, and sports etc.

3. We would therefore ask that an alternative to the current IS design, that would reduce its overall footprint, be fully considered. From some preliminary discussions with experts we understand that a suitable and effective IS could possibly be devised which would reduce its footprint using the kind of approach employed in the London Underground e.g. the new Elizabeth Line and Italian underground systems (see the red and yellow markings on the extract from the TII drawing of the IS **attached**-which illustrates in broad outline what the redesign and considerably reduced footprint of the IS might involve). Key issues to be considered here are:

- reducing the number of parking places and placing the ones that remain onto a grass verge at the edge of the Ballymun Road as a new emergency vehicle only layby,
- moving the Air Intake/Exhaust Ventilation structure to the main building structure for the stairs and lift: while it would make that building a little larger it would significantly reduce the 'technical footprint' of the site overall (as long as the equipment rooms below ground as currently designed remain as is and perhaps are grassed over).

Another issue to be examined in terms of reducing the footprint of the IS might be to limit it to a shaft head and the subsurface buildings with a clear paved road from the revised IS to the main road in a straight line. That would omit the parking area in particular(and having both an access and an exit road).This would be done on the basis of the Ballymun Road being closed in the event of an emergency, which we understand would be a recognised approach successfully used in the London Underground system.

4. While these are technical matters which would require detailed expert consideration we have seen no convincing analysis and rationale from TII for the proposed scale of the IS footprint in the ACP. We would ask that An Bord Pleanala as a preliminary matter in advance of the finalisation of the Railway Order require TII to give further consideration, in consultation with other relevant bodies, with a view to reducing the design of the IS in the ACP to the minimum necessary for a suitable and effective IS in order to better protect the amenity of the ACP.

5. Albert College Park Intervention Shaft - Construction Issues.

We would ask that very careful consideration be given to the Metrolink application, and in particular the Environmental Impact Assessment undertaken, to ensure that the proposals adequately protect the amenity of the houses and other premises in the environs of the ACP, during the construction phase of the IS and that the inevitable disruption from the construction of the IS is kept to a minimum.

We would seek in this context that in the event of the Metrolink being approved by An Bord Pleanala that such approval be subject to specific conditions to ensure:

- that the noise and vibration as a result of the construction works(including blasting for shaft sinking and tunnelling) is kept to within tightly prescribed limits and

monitored on an ongoing basis with a staffed 24 hour contact telephone line available should any issue of concern arise;

-that the proposed Construction Community Relations Officer have an adequate and dedicated support team in place to liaise in a timely and comprehensive way in order to update residents on a regular basis of developments and to deal with any issues or problems that may arise;

- the design of the Shaft Ventilation system be such as to minimise any noise or vibration arising in order to protect the amenity of the area;

- that the use of lorries and other vehicles to transport materials and staff to and from the IS in the ACP be minimised insofar as possible and in particular that out of hours working especially between 8pm and 7am (and at weekends) be avoided or at the very least severely restricted with a requirement to keep residents apprised in advance of any such planned out of hours working;

- that appropriate traffic management plans be employed, including ones that take full account of the Bus Connects Ballymun/Finglas to City Centre proposals, in the event these are approved by An Bord Pleanála and proceed. (Just to note that it is understood that it is proposed that work on Metrolink and Bus Connects Ballymun/Finglas will be undertaken at the same time); and,

-that satisfactory and appropriate mitigation strategies are employed to ensure that any risks, such as that of local flooding and rodent displacement (from construction work) are fully addressed.

6 Collins Avenue Station and Tunnelling- Construction Issues.

We would ask that very careful consideration be given to the Metrolink application, and in particular the Environmental Impact Assessment undertaken, to ensure that the proposals adequately protect the amenity of the houses and other premises in the environs, during the construction phase, of the Collins Avenue Station and the Tunnelling work and in particular that the inevitable disruption during the construction phase is kept to a minimum. We would ask that in the event of An Bord Pleanála approving the Metrolink application that it be done subject to detailed conditions along similar lines to those proposed for the IS in the ACPIS- Construction Issues section above.

7 Property Owners Protection Scheme (POPS)

We would like to welcome the proposal by TII for a POPS scheme. However, we have some concerns about some of the details of the scheme, including that the system put in place by TII for compensation awards for damage to houses arising as a result of the Metrolink's construction, is a streamlined one, that allows for the prompt payment of such awards.

-Given the rate of inflation, and in particular building inflation, we are concerned that the proposed limit of Euro 45,000, non inclusive of VAT, for an individual award

may not adequately cover the cost of damage to houses as a result of Metrolink's construction in light of the fact that such occurrences may only come to pass over ten years from now (assuming that the Metrolink gets the required approvals and proceeds as planned). TII should be required to commit to increasing the maximum level of award at least in line with building or general inflation, whichever is the higher. As an additional safeguard it should also be required to obtain expert advice on the adequacy of the maximum quantum of award to ensure house owners are fully compensated for damage arising as a result of the Metrolink works, *in respect of the time the scheme becomes operational*, and to act on that advice. Interested parties should be able to make submissions for consideration by the expert concerned within this context.

-Furthermore, we are concerned that the proposed time limit of one year from the end of the Metrolink construction phase for awards to be valid under the scheme is too short as the consequence of problems, such as ground settlement, may not be identified within such a short timescale. The normal statutory time limits, were such a matter to be taken to court, should apply.

-Residents in addition to opting for one of the three TII contracted experts should be able to choose to use their own expert and be compensated up to an agreed set maximum amount.

- A dispute resolution process for any disputes arising under the POPS scheme should be put in place. Indeed, a dispute resolution process should be in place for all significant impacts arising from the Metrolink project construction and operational phases, which should encompass a comprehensive complaints' procedure.

- The above changes should be made to the POPS in advance of the start of the Metrolink construction phase and made a specific condition of any approval by An Bord Pleanála for the Project to proceed.

8 Other Issues

We welcome the fact that TII has committed to discussing the issue of the implications for home insurance arising from the construction of the Metrolink with a view to protecting the interests of the stakeholders concerned and look forward to full updates and consultation on these ongoing discussions.

We also welcome the commitment of TII to a programme of public engagement, during the operational phase, to provide, inter alia, information on measures to manage anti-social behaviour. We think the issue of crime and anti-social behaviour is a key one for communities.

Much more detail and engagement is needed on these issues not just during the operational phase but also in advance of and during the construction phase. The use of closed circuit television, employment of dedicated security personnel by TII and multi-agency forums with the full participation of residents' groups, Gardai, local authorities etc are all key issues to be considered. Failure to address such issues

satisfactorily will negatively impact communities, and indeed, the positive reputation and "brand" that the Metrolink Project should have.

The required Euro 50 fee has been paid.

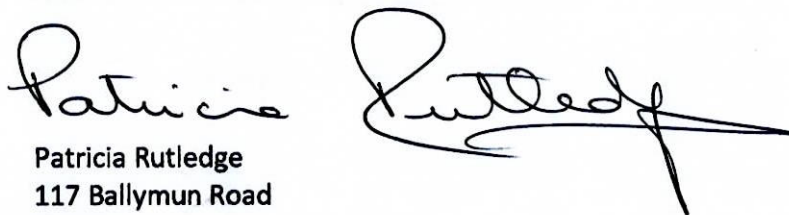
Yours faithfully,

Handwritten signatures of Kieran Smyth and Margaret McDonnell in black ink.

Kieran Smyth & Margaret McDonnell
121 Ballymun Road
Dublin 9.

Handwritten signatures of John Ryan and Chizuru Ryan in black ink.

John Ryan & Chizuru Ryan
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Handwritten signatures of Patricia Rutledge in black ink.

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