

Submission No.			029	
Organisation Name or Name of Submitter			Brian McGrath (16 Glenmore Road)	
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Observation on Dublin Central Site 2 and Metrolink'. Case reference: NA29N.314724 Estuary through Swords, Dublin Airport, Ballymun, Glasnevin and City Centre to Charlemont, Co. Dublin (Metrolink), by Brian McGrath, 16 Glenmore Road, Dublin 7				
1	Introduction	1,2	<p>The Dublin Central application for site servicing plan states that to facilitate the Metrolink plan for (2035) - A structural box (120m length, 26m width, 34.5m depth) beneath the ground floor level has been designed to accommodate the independent construction and operation of the planned O'Connell Street MetroLink Station by Transport Infrastructure Ireland, including provision of the structural envelope and co-ordinated voids to accommodate station entrances, ventilation and fire escape shafts through this part of the Dublin Central proposed development.</p> <p>This, according to the application, is to ensure that the Dublin Central proposed development is structurally independent of, and not prejudicial to, the MetroLink project. The MetroLink project will be the subject of this separate railway order for planning approval to be made by Transport Infrastructure Ireland. This part of the Dublin Central proposed development is referred to as the MetroLink Enabling Works.</p> <p>The proposed rail station is to be constructed under "site 2" of the Dublin Central site. The timeline is 15 years as the application makes it clear that the development is dependent on Metrolink proceeding immediately. If the metro does not proceed, neither can the development in its current form.</p> <p>Since the timeline in relation to Metrolink is unknown, and that this is acknowledged by state agencies, why is a fresh application for site 2 enabling works being pushed through at this time? And since the real timeline is 15 years, why is this not stated on the application page? And why have the developers placed the metro at Upper O'Connell St. Terrace (Site 2), where its removal is necessary for the metro to proceed? Is this simply not to facilitate the development as several of the buildings are protected under Irish law?</p>	<p>The Metrolink Railway Order application is for the works that are required to construct the Metrolink project. The works set out in the Dublin Central planning applications, if granted, would allow the Metrolink supporting infrastructure to be constructed as part of the Dublin Central development, allowing the development to proceed should the Metrolink project not be ready to proceed itself under its own powers at that time.</p> <p>Following the granting of the Railway Order, the anticipated construction period for the Metrolink station at O'Connell Street as a standalone scheme independent of the Dublin Central development is 99 months. This is as set out in the Railway Order documentation, EIA Chapter 5, MetroLink Construction Phase Table 5.5.</p> <p>With the exception of the proposed O'Connell Street Station underground structure, the construction of Dublin Central is not part of the railway order works. However, Metrolink will work with Dublin Central to coordinate construction activity should construction periods align.</p>
2	Questions about Site 2 and the Upper O'Connell St. Terrace'	2	<p>This has a special relevance to heritage protection, if the Dublin Central applicants plan to proceed immediately with demolition of the protected structures listed in application 5126/22 and the three previous applications as part of Dublin Central? Also, is this the case with the O'Connell Street and Moore Street buildings listed as part of this and the Hammerson 2022 applications? The EIA Volume 2 report states that the windows are to be retained (where applicable) and that all parts of the protected structures are to be photographed.</p> <p>Demolition of a protected structure is illegal under Irish planning law, there is also the practical reason arises as to where all this material is to be located? The development is proceeding as the application makes clear on the basis that Metrolink will proceed in tandem with the development. That timeline is dubious, and Dublin Central / Metrolink is to proceed on the word of the Government, will this be mean that demolition of the protected structures on O'Connell and Moore Streets will proceed before both the larger Dublin Central and associated Metrolink developments are to proceed?</p> <p>Is this the intention of the developers (the Dublin Central applicant ((5126/22)) and today's railway order, (NA29N.3 14724 - 314724) submitted by Transport Infrastructure Ireland? The question must be asked, because the Dublin Central application and previous applications and this Metrolink application go to some trouble to knit the protected structures and the history of O'Connell and Moore streets into the development process.</p> <p>However, a later application (given the 15 year timeline), could simply alter the plan again, with the historic materials lost or disposed of (given the length of time involved), this is a distinct possibility.</p> <p>In fact, Metrolink was first promised in 2005 in the Transport 21 Plan. When revised plans were announced in 2018, it was scheduled to be operational by 2027. However, the plan will be delayed well beyond that time period or could be cancelled or scaled back at some future time.</p>	<p>While both applications (MetroLink & Dublin Central) are directly linked through the design integration of the O'Connell Street Station underground structure, as noted, Dublin Central developments proposals are subject to a separate application.</p> <p>In the case of MetroLink proceeding before the Dublin Central development at the proposed site for the O'Connell Street station, and in advance of any works commencing, the MetroLink appointed Project Conservation Architect (PCA) will undertake a full Structural and Condition Surveys of any built and cultural heritage items that will be subject to removal or protection within or close to the site.</p> <p>The Project Conservation Architect (PCA) surveys will identify any heritage materials to be removed to secure storage (followed by conservation and reinstatement) or protection in-situ if they are to be retained. The PCA will also prepare specifications for these works. A specialist Heritage Works Contractor will be appointed to remove, store and conserve any required elements.</p> <p>The Main Construction Works Contractors will appoint Consultant Conservation Architects to implement any required preservation in situ including the protection measures for buildings retained.</p> <p>Chapter 26: Architectural Heritage and specifically section 26.4.4.10.1 O'Connell Street Station lists the various buildings impacted at the proposed site as follows: - Protected Structures within the proposed site. - Important Buildings that lie close to the proposed site.</p>
3	Metro Timeline	2	<p>The Chief Executive of Transport Infrastructure Ireland (TII), Peter Walsh, told the Dail's Public Accounts Committee (PAC) last February 2022 that he hoped Government approval will be granted and that a submission would be made to An Bord Pleanála in the second half of the year. He said the planning process is out of the TII control and whether there is a judicial review challenge "will add a period of time that we cannot determine".</p>	<p>TII's position on this matter remains as outlined by P.Walsh (CEO).</p>

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4	Issues with the Dublin Central / Metrolink Proposal	2,3	As a result, there is a proposed Timeline of Completion in the 5126/22 application of 2034. (Baseline Programme 4.0 p.19.). There is to be a fresh application to be submitted in March 2023 with construction proposed to commence in August 2023. With Dublin Central clearly tied in to Metrolink, (for purposes of the present application) why is a planning application being tied so clearly together with a rail proposal whose timeline is so vague and unclear and why is it being proposed that a massive building development be allowed to proceed in the city centre for the next fifteen years?	The Metrolink station at O'Connell Street has been designed to take account of the plans to develop the Dublin Central project. That project's design and planning permission is independent of Metrolink other than consideration of how Metrolink can tie into the proposed development works. The development of the Dublin Central site can take place with or without Metrolink being in place.
5	Objection	3	I object to the proposed Metro link enabling works to be carried out by DCGP Ltd as part of its application of the Dublin Central Project once the proposed railway order has come into operation. This is to enable these preliminary works at Site 2 (Upper O'Connell Street Terrace) on O'Connell Street. This railway order is being proposed by Transport Infrastructure Ireland as part of the Dublin Central proposal. Given that this proposed preliminary construction is to be started in advance of the Metrolink project, (whose timeline is vague and uncertain), Dublin City Council are proposing to grant permission to demolish the Upper O'Connell Street terrace as that is where 'Site 2' is located. Dublin City Council (as part of its legal obligations under the Planning and Development Act 2000, maintains a list of protected structures in Dublin City with several of the Upper O'Connell Street terrace buildings included. The proposal to demolish and reconstruct the Upper Terrace is in direct contravention of the protected status of the buildings on O'Connell Street.	It should be noted that the submission is not correct to say that "This railway order is being proposed by Transport Infrastructure Ireland as part of the Dublin Central proposal". In actual fact, the Metrolink project has selected its O'Connell Street station following a site selection process that identified the proposed site, and is independent of any proposed development on the Dublin Central lands. Metrolink has been designed to allow both projects to take place and coordinate activity where necessary. Metrolink can be constructed with or without Dublin Central being permitted or constructed but has built in the flexibility to be constructed in either scenario. This includes demolition of any structures required to construct the Metrolink station on the proposed site. (See also response to item 6 below).
6	Objection	3,4	The buildings proposed for demolition as part of Site 2 on the Dublin Central site are as follows: 43, O'Connell St. Upper, Dublin 1 44 O'Connell St. Upper, Dublin 1 No. 45 Upper O'Connell Street 52-54 O'Connell St. Upper, Dublin 1 55-56 O'Connell St. Upper, Dublin 1 57 O'Connell St. Upper, Dublin 1 _Commented [BM1]: Make sure that the Byrne building is not No 58. 58 O'Connell St. Upper, Dublin 1 61 O'Connell St. Upper, Dublin 1 Removal and rebuilding constitutes destruction of these unique pieces of Dublin architecture, these date from the 18th century, to the rebuilding after the war of independence, to the art deco (Carlton) cinema of the 1930's. The 1916-22 street buildings are fine examples of architecture, and constitute not merely fine facades of cut stone and red and brown brick, but Portland stone on O'Connell Street. These buildings constitute a historic record of O'Connell Street's 18th century origins as well as its subsequent reconstruction post 1916 and 1922 and which were clearly carried out to a very high standard.	Please note, of the buildings listed in the submission, Property No. 61 O'Connell Street Upper is not part of MetroLink's proposed works and is not being acquired, either in whole, or in part by TII. The Planning and Development Act 2000 (as amended) requires all Local Authorities to maintain a Record of Protected Structures in their respective development plan 'for the purpose of protecting structures or parts of structures'. For the DCC administrative area, the Record of Protected Structures is contained within DCC Development Plan 2022-2028 (Volume 4). Of the properties listed in the submission, No.s 45 and 55-56 O'Connell Street Upper are not included in the DCC Record of Protected Structures. For properties No. 43, 44, 57 and 58 the protected structure status applies to the front facade of the buildings only (RPSs 6023-6027). For No. 52-54 (RPS 6025) the protected structure status applies to the upper front facade of the buildings only. Section 57 of the Planning and Development Act 2000 (as amended) does allow for demolition of Protected Structures in exceptional circumstances. However it is important to note that all of the elements of the buildings listed in the submission, that are afforded specific protection by means of inclusion in the Record of Protected Structures, are being proposed for retention in accordance with both the MetroLink Railway Order Application and Dublin Central Site 2 Planning Application.
7	Concluding Objection	4	Consequently, I object to the Railway order submitted by Transport Infrastructure Ireland as these works would involve the demolition of the Upper O'Connell Street terrace and that the idea of placing a subway station at this site is badly conceived and deserves reconsideration given the uncertain timeline of the Metrolink project.	The Metrolink Railway Order application is for the works that are required to construct the Metrolink project. That project's design and planning permission is independent of Metrolink, other than consideration of how Metrolink can tie into the proposed development works. With the exception of the proposed O'Connell Street Station underground structure, the construction of Dublin Central is not part of the Railway Order works.