

Submission No.		278		
Organization Name or Name of Submitter		Shandon Mill Owners Management Company CLG (represented by O'Malley Associates)		
Item No.	Section Ref.	Page No.	Observation Statement	TII Response
Re: proposed "Temporary possession" of parts of Shandon Mill Development, Phibsborough, Dublin 7				
1	9. Observations:	3	a. Shandon Mill is only expressly referenced in the Fourth Schedule (for acquisition) and on the relevant maps, plans and drawings. It is not referenced by name in the Order, remainder of the schedules or in the other supporting documents. It is totally disregarded in the ENVIRONMENTAL impact assessment REPORT. Notwithstanding this it is implicit that Shandon Mill is intended to be a temporary alternative access /detour route for the four Coke Oven Cottages and adjacent Royal Canal Way.	TII acknowledge receipt of the report from O'Malley Associates on behalf of Shandon Mills Owners Management Co, and respond to the relevant observations raised in section 9 through to the conclusion of that report as follows. The property is not disregarded in the assessment presented in the EIAR. The MetroLink alignment passes close to thousands of properties along its alignment and as a result it is not possible to mention every property or development individually in each chapter. However please note that where specific properties or developments are potentially significantly impacted, they are mentioned in the relevant chapter. Chapter 13 has identified potential for significant effects on Shandon Mills in terms of Airborne Noise and Vibration arising during the construction phase during certain work phases. (Refer to Table 13.63 and Table 13.88). Furthermore, Appendix A13.7 and A13.8 also identify predicted noise levels at properties along the alignment including at Shandon Mills.
2	9. Observations:	3	b. The Fourth Schedule identifies three parcels of land at Shandon Mill in the ownership of the OMC as being required for part of the "Temporary Site" associated with the construction of the Glasnevin Station, i.e. i. ML45-T6, being /comprising: 1. part of the Private External Common Area at Shandon Mill, and is not "public open space". 2. 3nr private car parking spaces (no's 1, 2 and Visitor). 3. waste bin store. 4. high masonry boundary walls. 5. circulation area to provide access to /from unit no 1, the bin store and the parking spaces. ii. ML45-T7 and ML45-T8, being /comprising the sole entrance gateway and brick piers adjacent to the forecourt /circulation area referred to above. iii. These parcels of land are (135 +3+3 = 141 sq. metres). iv. The applicant cannot expect to be given exclusive temporary possession of the above parcels of land at any time as they are the sole means of access /egress for the residents and users of Shandon Mill.	It is not TII's intent to have exclusive use of this area once the bridge is commissioned crossing the Canal. It will facilitate access to Coke Oven Cottages. Access to Shandon Mills Cottages will be maintained.
3	9. Observations:	3	c. The above are part of External Common Area at Shandon Mill owned by the OMC. They are in constant use by the Shandon Mill residents as follows: i. entrance gateway is the sole entrance /exit from the development ii. 3nr private car parking spaces and waste bin store and iii. circulation area to provide access to /from unit no's 1 to 4 and the Bin Store. iv. access and circulation area required for access /egress to /from the 51 dwellings and car parking spaces.	The bin store and parking spaces will be relocated within land parcels ML45-T4 and ML45-T5 to facilitate the access to Coke Oven Cottages and reinstated upon completion.
4	9. Observations:	4	d. The Property map (Appendix G) also identifies parcels ML45-T4 and ML45-T5 on the adjacent SHD site that the applicant implies could facilitate three car spaces and a bin store if necessary on a temporary basis.	Please refer to response Item number (3) above.
5	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	4	c. Existing pavements and underground services probably not capable of supporting construction traffic associated with the construction and later removal of the temporary works, nor the temporary traffic to the cottages.	TII will ensure that the temporary works design or pavement alterations are to the correct standards to protect services through this location.

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6	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	4	d. Inadequate turning space and inadequate line of sight for proposed new traffic route. There is a significant difference between three cars occasionally manoeuvring in and out of 3 nr car spaces versus traffic coming in from the Canal Path at a higher speed.	TII recognise the constrained nature of this area and the design will be progressed by the Contractor to ensure the safety of this route. The detailed design of the bridge (and routing to and from) will be subject to swept path analysis to confirm that all requisite vehicles can transit through safely. The detailed design will consider visibility, speed restrictions and need for signalisation. Please note that this route will not be heavily trafficked.
7	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	4	e. Removal of a secure boundary wall.	The wall and gate post will be carefully removed, stored for protection and reinstated on completion.
8	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	f. Shandon Mill is a private residential development where the proposal would unduly interfere with the residents established quiet use and enjoyment of their homes, whereas most of the alternative routes would not interfere with any existing residential use and amenities.	As referenced in EIAR Appendix A9.5 Scheme Traffic Management Plan, Figure 7-26: Glasnevin Station Diversions - Royal Canal Way closure. The proposed detour only purpose is to maintain access along the Royal Canal for pedestrians and cyclists and access for residents at the Coke Over Cottages without impacting on local residents including those residents at Shandon Mills. This will only involve a limited traffic level increase and impact locally. Please also refer to response item number (19) below. The proposed diversion will remain in place while the northern canal path along the Royal Canal is closed to allow the completion of the main civil works along the Royal Canal for the MetroLink Station at Glasnevin. We respond to alternatives proposed on response items numbers (18) to (22) below.
9	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	g. The parcels of land sought are the sole means of access /egress for the residents and users of Shandon Mill. If the order is granted then it will not be possible for the applicant to have sole possession, access /control; it would be a joint possession, access /control. Such an arrangement could be totally unmanageable and inherently hazardous /dangerous.	Please refer to response items number (2) and (6) above. The route will be designed to the relevant standards to ensure the safety of the route, cyclists and the residents of Shandon Mill.
10	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	i. Refuse lorries, oil /other delivery trucks ready-mix concrete lorries emergency service vehicles would be unable to safely drive manoeuvre along the intended route.	The route will be designed to the relevant standards for access for all vehicles necessary.
11	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	j. Frequent pedestrian access by residents across this area is necessary to gain access to the entrance gateway, forecourt, Bin Store, apartment no 1 and to the 3nr car spaces.	Access will be maintained. Please note there are 4 Coke Oven Cottages and hence the use of this route is very limited compared to the 51 cottages in Shandon Mill. Pedestrian access across the route is less onerous than across exiting accesses in Shandon Mill. That said, the detailed design will consider the safety of all users.

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12	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	k. Road safety, pedestrian safety, resident safety. Increasing the risk of personal injuries that would be otherwise avoidable.	Please refer to response item number (9) above.
13	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	l. All pedestrians (including cyclists) would have to exit /enter crossing the temporary vehicular traffic route	Please refer to response item number (9) above.
14	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	m. Insufficient space to provide segregation of vehicles from cyclists and pedestrians.	Please refer to response item number (9) above.
15	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	n. All pedestrians accessing the entrance gateway /bin store require a safe means of access however it would not be possible to provide it. Too much congestion. Inadequate turning space/ turning area. Inadequate observation /line of sight distances.	Please refer to response item number (9) above.
16	12. Reasons why the temporary detour route through Shandon Mill is unsuitable	5	o. Adverse security /crime issues /problems if existing pedestrian, scooter and cycling users of Canal tow paths are given access into this private development.	The private development is not currently gated at the entrance / exit and hence is currently accessible via the public road network. TII will consider the security aspects noted in the detailed design.
17	13. Reasons to refuse the temporary acquisition of the parcel for the intended purpose of providing temporary access to /from Coke Oven Cottages	6	d. The proposed indirect route through Shandon Mill is not suitable. A more direct route would be better for emergency services, deliveries etc.	The proposed route is the most feasible available access route as maintenance of a 24 hr direct route through the construction site is not reasonably practicable.

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18	13. Reasons to refuse the temporary acquisition of the parcel for the intended purpose of providing temporary access to /from Coke Oven Cottages	6	e. Safer routes can be constructed along the south bank of the canal if necessary partly cantilevered over the canal to provide direct access for motor vehicles, cyclists and pedestrians.	This is not feasible / preferred because:- 1. extensive foundations would be required alongside the canal to facilitate a cantilevered access road for all proposed traffic. This would be unacceptable to Waterways Ireland and the installation would impact on both the heritage items and the community. 2. the canal basin between locks 5 and 6 is to be narrowed on the north side to allow the construction of the railway retaining walls and the southern part of the new MetroLink Station. Narrowing on both sides of the canal is unlikely to be consented by Waterways Ireland. The EIAR proposed route is safe and has a reduced environmental impact.
19	13. Reasons to refuse the temporary acquisition of the parcel for the intended purpose of providing temporary access to /from Coke Oven Cottages	6	f. There is no provision in the ENVIRONMENTAL IMPACT ASSESSMENT REPORT for such works and accordingly they should be refused and the Applicant restricted to using the southern canal tow path as per the ENVIRONMENTAL IMPACT ASSESSMENT REPORT page 100.	Please note that the re-routing of the small number of vehicle movements required to facilitate access and egress to Coke Oven Cottages is addressed in Chapter 9 of the EIAR (Refer to page 152-153 and Diagram 9.44). However due to the limited number of vehicle movements predicted, this is not considered as a significant impact in terms of traffic, impact on the local population, noise, or air quality in the relevant chapters.
20	13. Reasons to refuse the temporary acquisition of the parcel for the intended purpose of providing temporary access to /from Coke Oven Cottages	6	g. As the alternative routes largely appear to be over public land then no private residential land should be required or affected by this.	Please see specific response to item number (21) below
21	14. More suitable alternative routes to provide temporary access to /from Coke Oven Cottages	6	a. AR 1: Cross the Royal Canal (nearer to the Cottages) with a temporary bridge and temporary road exiting directly on to Shandon Gardens /Shandon Park (public roads).	This route is not preferred as it would require foundations and piers to be constructed on both sides of the canal. This would impact adversely on the canal structure, biodiversity in the area and to residents along this stretch due to the noise and vibration associated with these works. Please note that the proposed option utilizes existing piers and foundations eliminating these disruptive works. Furthermore, this route effectively puts the vehicles on to a similar network of streets but using Shandon Park increasing the diversion route and impacting more residents in the area.
22	14. More suitable alternative routes to provide temporary access to /from Coke Oven Cottages	6	b. AR 2: Construct a temporary route from the existing Royal Canal Way comprising temporary bridges over the existing Irish Rail track lines (GSWR and MGWR) and temporary roadways around the northern periphery of the Station Site passing through the car parks and exiting on to Prospect Road and or Dalcassian Downs to the Finglas Road.	This route is not available as it is through the proposed MetroLink construction site, which is already highly constrained with operational rail lines and local residents. Any routing through this area would be extremely complex to provide and invariably would extend the construction period assessed. This route would impact more residents.
23	14. More suitable alternative routes to provide temporary access to /from Coke Oven Cottages	6	c. AR 3: Cross the Royal Canal with a temporary bridge as proposed but to then turn East and proceed along the existing Southern bank of the Royal Canal exiting on to the Phibsborough Road. Where the existing tow path width may be insufficient it can be widened on the canal side by constructing a temporary cantilevered platform and/or widened on the Cross Guns SHD Site (1 13 Phibsborough Road) side by the temporary removal of the existing boundary wall /fencing and extending into the adjacent apron /former railway siding that is parallel to the Canal.	Please see specific response to item number (18) above.

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24	14. More suitable alternative routes to provide temporary access to /from Coke Oven Cottages	7	d. AR 4: Cross Royal Canal with a temporary bridge as proposed in to the SHD Site but exit south of the Shandon Mill Bin Store through the adjacent very large side garden of 43 Shandon Road' on to the laneway south of the Entrance to Shandon Mill leading to Shandon Park	TII are satisfied that the current design and route is appropriate.
25	Concluding remarks	7	17. We would respectfully request An Bord Pleanála to refuse /modify the order sought for this part of the application, i.e. The Applicant shall not take temporary possession of, or the use of any part of Shandon Mill..... Reason: The temporary use of parts of the Shandon Mill residential development would not be appropriate and should not be necessary as there are other more appropriate routes that will not interfere with the existing residential use. There are more appropriate alternative routes available that do not pass through Shandon Mill and will not require the acquisition of any part of the Shandon Mill development.	TII would not recommend such modifications are made.
26	Concluding remarks	8	18. Alternatively, in the event that An Bord Pleanála when granting the Railway Order, decide to grant the Order permitting the proposed temporary acquisition /use of Shandon Mill, then as a contingency without prejudice to the foregoing submission, we request that restrictions/conditions are imposed on the applicant so as to minimize /mitigate the effect /impact of the important issues identified in this submission. And importantly to reflect the fact that such temporary acquisition /use must be non-exclusive as the OMC must continue to use those lands for access egress and the day-to-day operation of the development. Suggested restrictions /conditions are listed in Appendix B to this report.	TII do not agree to any of the proposed conditions at this point in time.
27	Concluding remarks	8	In the event that the applicant, any other party, make submissions in response to this submission then I would request that same be furnished to us and that we /our client is given an opportunity to consider and respond to same prior to a final decision by An Bord Pleanála.	This is a matter for ABP.