

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
DUBLIN 1  
DO1 V9O2

26 October 2022

**Re: Submission to Railway Order, ABP Ref. NA29S.314232, DART+ West Electrified Railway Order 2022**

Dear Sir / Madam,

We, McCutcheon Halley, act on behalf of McGarrell Reilly, George's Court, 54-62 Townsend Street, Dublin, D02 R156 in respect of this submission to ABP Ref. NA29S.314232, DART+ West Electrified Railway Order 2022. The observation fee of €50 has been paid via debit card.

### Context

The Railway Order propose the temporary acquisition of lands at Bennettstown, Dunboyne which are in the ownership of McGarrell Reilly, as detailed in Table 1, and detailed on drawing references DW.023 and DW.024 (copies attached).

These lands are noted within the Railway Order documentation as being required to locate a construction compound within the M3 Parkway carpark.

Table 1: Railway Order – Temporary Acquisition of McGarrell Reilly Lands at Bennettstown

Reference	Area SQM	Current Use	Occupier
DW.023.T.132 (A)	342	Road	CIE / Meath County Council
DW.023.T.132 (B)	257	Verge / Footpath	CIE / Meath County Council
DW.023.T.132 (C)	3,412	Carpark	CIE
DW.023.T.132 (D)	3,486	Carpark	CIE
DW.024.T.132 (A)	213	Hardstanding / Greenfield	CIE

The folio references for the land to be temporarily required are MH68261F; MH3028 and MH67631F.

It is noted that there is no intention to temporarily acquire the access road to the M3 Parkway carpark. However, all construction traffic accessing the construction compound will use this access road, which is in the ownership of McGarrell Reilly (folio no. MH3028 refers).

## Submission Request

McGarrell Reilly welcome the proposed Railway Order to deliver the DART+ West project and have no objection in principle to the temporary acquisition of its lands, subject to:

1. Access to McGarrell Reilly's remaining land holding to the south and east remaining open at all times.
2. A condition survey of the access road (which is in the ownership of McGarrell Reilly) being carried out before and after construction works commence and remediation of any deterioration in the road condition (including surface water drainage/gullies), footpaths and boundaries, after works have been completed. Immediate remediation works should be carried out if the road poses a Health and Safety risk at any point during the construction process.

## Rationale

McGarrell Reilly are landowners of land immediately adjoining the M3 Parkway carpark (under lease to CIE) and access roads, as indicated in Figure 1. Under the lease agreement, CIE has use of the carpark and right of access via the road off the R157.

The existing road will provide access to future development lands to the south and east under the ownership of McGarrell Reilly. These lands form part of a wider strategic planning area (MP22) and are zoned for development in the Meath County Development Plan 2021-2027. The zoning objectives which apply to McGarrell Reilly lands are 'A2 – New Residential' and 'B1 – Commercial Town or Village Centre'. The residential zoned lands are part of Meath County Council's 'Tier 1 / Tier 2' land zoning provisions, and as such are expected to deliver housing within the lifetime of the current development plan, i.e., by the end of 2027.

McGarrell Reilly are actively developing proposals for the development of their land holding at Bennettstown and intend to submit a planning application within the short to medium term. It is likely that McGarrell Reilly will submit a planning application during the construction phase of the DART+ West project. To facilitate future development proposals and to support the policy objectives of the Meath County Development Plan, it will be necessary to ensure consistent access to McGarrell Reilly's remaining landholding at Bennettstown.

As noted, the access road from the R157 to the M3 Parkway carpark is in the ownership of McGarrell Reilly. The location of a construction compound with the carpark will result in HGV construction traffic using the access road over an extended period. The impact of HGV traffic may result in deterioration of the road surface (including surface water drainage/gullies), footpaths, and boundaries. It is appropriate that any deterioration in the condition of the road and ancillary areas caused by the DART+ West construction process is remediated on completion of the works.

It is therefore requested that a condition be applied to the Railway Order requiring a condition survey of the access road to the M3 Parkway carpark and ancillary areas is undertaken before and after construction works commence, and any deterioration in condition remediated on completion of the works.



Figure 1: McGarrell Reilly Lands proximate to construction compound

## Summary

This submission to Railway Order application reference NA295.314232 is made on behalf of McGarrell Reilly.

The Railway Order proposes the temporary acquisition of lands to facilitate the construction of the proposed DART+ West project. These lands are required to provide a construction compound within the M3 Parkway carpark.

McGarrell Reilly has no objection in principle to the proposed temporary land acquisition, subject to:

1. Access to its adjoining land holding (as identified in Figure 1) remaining open at all times. This is required to facilitate the future development of these lands in line with the planning policy objectives of the Meath County Development Plan 2021 to 2027.
2. A condition survey of the access road (which is in the ownership of McGarrell Reilly) being carried out before and after construction works commence and remediation of any deterioration in the road condition (including surface water drainage/gullies), footpaths and boundaries, after works have been completed. This is required to address any damage / deterioration to the road as a result of the DART+ West construction related traffic. Immediate remediation works should be carried out if the road poses a Health and Safety risk at any point during the construction process.

Thank you for your consideration of this submission. Please do not hesitate to contact me if you require any further information.

Yours faithfully

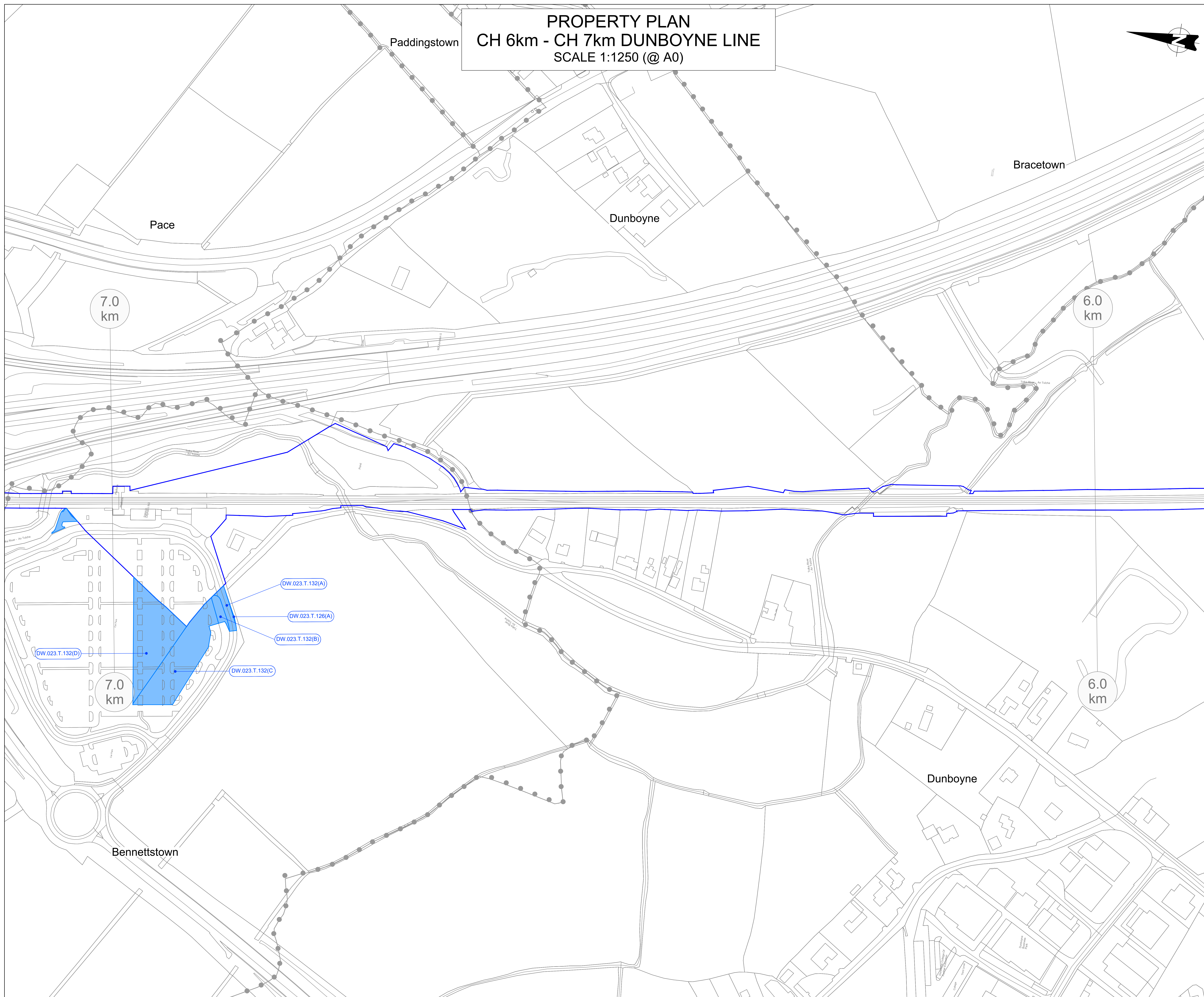
*Màiri Henderson*

Màiri Henderson  
McCutcheon Halley

**Enclosures**

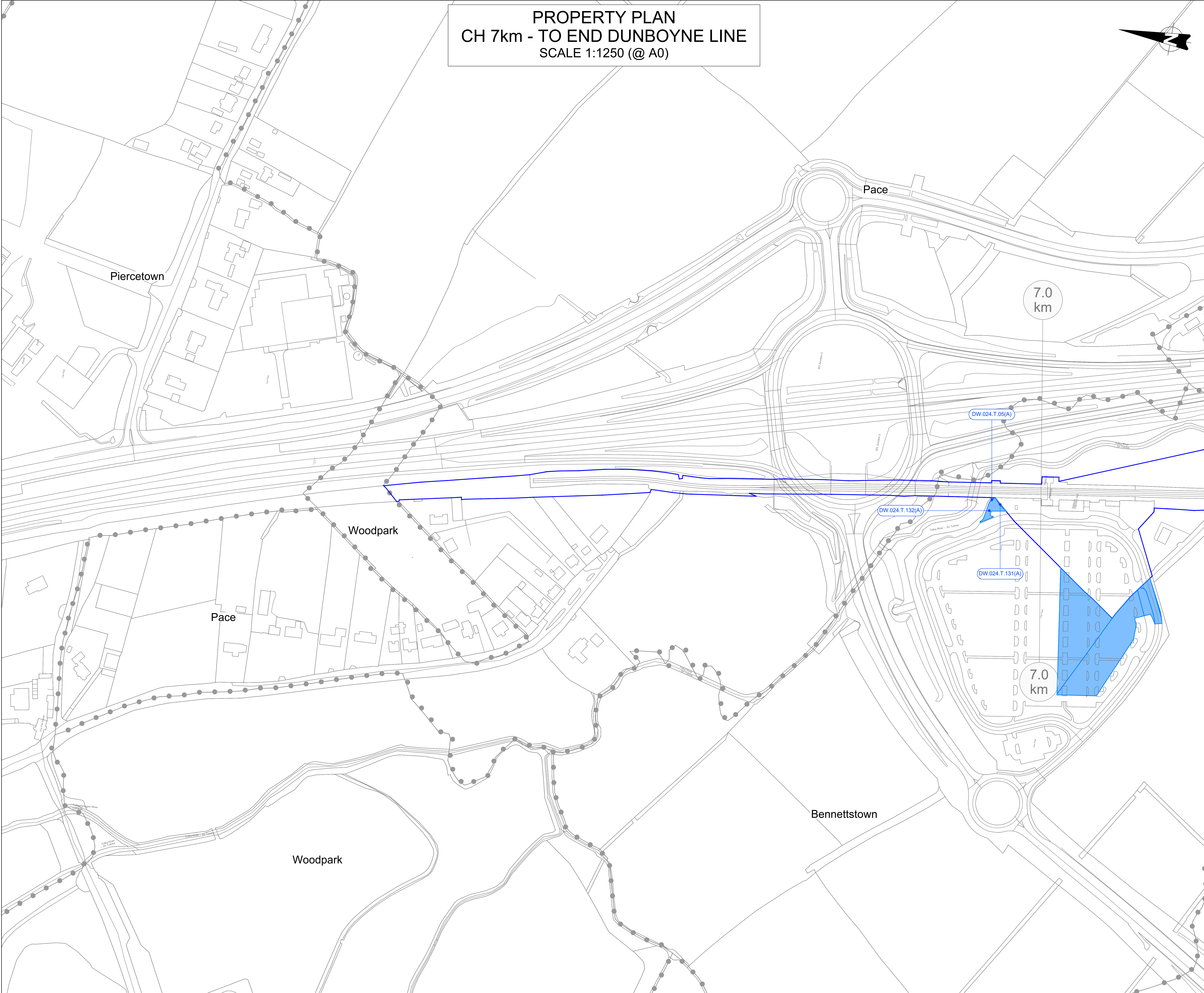
1. Railway Order Drawing: Property Pan No. DW.023
2. Railway Order Drawing: Property Pan No. DW.024





<b>NOTES</b>			
<ol style="list-style-type: none"> <li><b>THIS PLAN MUST BE READ IN CONJUNCTION WITH THE DRAFT RAILWAY ORDER SCHEDULES, THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT AND THE WORKS LOCATION PLANS</b></li> <li><b>PROJECT CHANGE IS IN KILOMETRES (km)</b></li> </ol>			
<b>LEGEND</b>			
<p>C.I.E. LAND OWNERSHIP TOWNLAND BOUNDARY</p>			
<p>PROPERTY REFERENCES ARE SHOWN IN A CAPSULE CONTAINING A SPECIFIC ALPHA NUMERIC REFERENCE FOR EACH PLOT OF LAND. (SEE BELOW.)</p> <ul style="list-style-type: none"> <li><b>RED CAPSULES - INDICATING PERMANENT LAND ACQUISITION</b></li> <li><b>CYAN CAPSULES - INDICATING PRIVATE POLE LOCATIONS</b></li> <li><b>PURPLE CAPSULES - INDICATING PUBLIC POLE LOCATIONS</b></li> <li><b>BROWN CAPSULES - INDICATING SUBSTRATUM LAND ACQUISITION</b></li> <li><b>BLUE CAPSULES - INDICATING TEMPORARY LAND ACQUISITION</b></li> <li><b>ORANGE CAPSULES - INDICATING RIGHTS OF WAY TO BE ACQUIRED</b></li> <li><b>GREEN CAPSULES - INDICATING RIGHTS OF WAY TO BE EXTINGUISHED OR INTERRUPTED</b></li> </ul> <p>FURTHER DETAILS ON THE OWNERSHIP OF LAND OR RIGHTS OF WAY ARE PROVIDED IN THE SCHEDULES TO THE DRAFT LEGAL ORDER.</p>			
<b>PERMANENT LAND ACQUISITION REFERENCE</b>			
<p>DW_005_P.01(A)</p> <p>REF. NO. P-PERMANENT LANDTAKE PROPERTY PLAN NO. PROJECT REF. - DART+ WEST</p> <p>EXTENT OF PROPOSED PERMANENT ACQUISITION AS ALSO IDENTIFIED IN SCHEDULE 1 OF THE DRAFT LEGAL ORDER</p>			
<p>DW_005_P.01(B)</p> <p>REF. NO. P-PERMANENT LANDTAKE PROPERTY PLAN NO. PROJECT REF. - DART+ WEST</p> <p>EXTENT OF PROPOSED PERMANENT AIR RIGHTS ACQUISITION AS ALSO IDENTIFIED IN SCHEDULE 3 (PART 4) OF THE DRAFT LEGAL ORDER</p>			
<p>DW_005_PR.01</p> <p>PROPOSED LOCATION OF POLES FIXED TO WALL ON PRIVATE PROPERTY IDENTIFIED IN SCHEDULE 2 (PART 7) OF THE DRAFT LEGAL ORDER</p>			
<p>DW_005_PG.01</p> <p>PROPOSED LOCATION OF POLES PLACED ON PRIVATE PROPERTY IDENTIFIED IN SCHEDULE 2 (PART 3) OF THE DRAFT LEGAL ORDER</p>			
<p>DW_005_PU.01</p> <p>PROPOSED LOCATION OF POLES FIXED TO WALL ON PUBLIC PROPERTY IDENTIFIED IN SCHEDULE 2 (PART 2) OF THE DRAFT LEGAL ORDER</p>			
<b>SUBSTRATUM LAND ACQUISITION REFERENCE</b>			
<p>DW_005_S.01(A)</p> <p>REF. NO. S-SUBSTRATUM LANDTAKE PROPERTY PLAN NO. PROJECT REF. - DART+ WEST</p> <p>EXTENT OF PROPOSED SUBSTRATUM ACQUISITION IDENTIFIED IN SCHEDULE 3 OF THE DRAFT LEGAL ORDER</p>			
<b>TEMPORARY LAND ACQUISITION REFERENCE</b>			
<p>DW_005_T.01(A)</p> <p>REF. NO. T-TEMPORARY LANDTAKE PROPERTY PLAN NO. PROJECT REF. - DART+ WEST</p> <p>EXTENT OF PROPOSED TEMPORARY ACQUISITION AND EASEMENTS AS ALSO IDENTIFIED IN SCHEDULE 4 OF THE DRAFT LEGAL ORDER</p>			
<b>RIGHTS OF WAY TO BE ACQUIRED</b>			
<p>DW_005_R.01</p> <p>REF. NO. R-RIGHT OF WAY TO BE ACQUIRED PROPERTY PLAN NO. PROJECT REF. - DART+ WEST</p> <p>INFORMATION ON RIGHTS OF WAY TO BE ACQUIRED IS PROVIDED IN SCHEDULES 5 OF THE DRAFT LEGAL ORDER</p>			
<b>RIGHTS OF WAY TO BE EXTINGUISHED OR INTERRUPTED REFERENCE</b>			
<p>DW_005_.01</p> <p>REF. NO. B-PUBLIC RIGHT OF WAY TO BE EXTINGUISHED E-PRIVATE RIGHT OF WAY TO BE EXTINGUISHED WI-RIGHT OF WAY TO BE INTERRUPTED PROPERTY PLAN NO. PROJECT REF. - DART+ WEST</p> <p>INFORMATION ON RIGHTS OF WAY TO BE EXTINGUISHED OR INTERRUPTED IS PROVIDED IN SCHEDULES 6, 7 &amp; 8 OF THE DRAFT LEGAL ORDER</p>			
<p>© Irish Rail (2021). This drawing is confidential and the copyright in it is owned by Irish Rail. This drawing must not be either loaned, copied or otherwise reproduced in whole or in part or used for any purpose without the prior permission of Irish Rail.</p> <p>© Ordnance Survey Ireland and Government of Ireland. All O.S. data used for plans are printed under "Copyright Ordnance Survey Ireland".</p> <p>Survey No. 009273 (OS Aerial Data or OS LIDAR Data) &amp; Survey No. 0020506_AIML (OS GPS Vector Data).</p> <p>All elevations are in metres and relate to OS (Geoid Model (OSGM20)) Mean Sea Level as defined by existing Project Control.</p> <p>All Co-ordinates are in Irish Transverse Mercator Grid (ITM) as defined by OSI active GPS station Tallaght College (TLGL).</p>			
<b>KEY PLAN</b>			
<p><b>Client:</b> <b>Iarnród Éireann</b> <b>Irish Rail</b></p>			
<p><b>Project:</b> </p>			
<b>Drawn By:</b> LA		<b>Checked By:</b> MH	
<b>Scale:</b> 1:1250 (@ A0)		<b>Date:</b> May 2022	
<b>Approved By:</b> MH			
<b>Issue No:</b> 023		<b>Plan No:</b> PROPERTY PLAN NO: DW.023	





PROPERTY PLAN  
CH 7km - TO END DUNBOYNE LINE  
SCALE 1:1250 (@ A0)

NOTES

1. THIS PLAN MUST BE READ IN CONJUNCTION WITH THE DRAFT RAILWAY ORDER SCHEDULES, THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT AND THE WORKS LAYOUT PLANS

2. PROJECT CHAINAGE IS IN KILOMETRES (km)

LEGEND

C.I.E. LAND OWNERSHIP

TOWNLAND BOUNDARY

PROPERTY REFERENCES ARE SHOWN IN A CAPSULE CONTAINING A SPECIFIC ALPHA NUMERIC REFERENCE FOR EACH PLOT OF LAND - (SEE BELOW).

1. RED CAPSULES - INDICATING PERMANENT LAND ACQUISITION

2. CYAN CAPSULES - INDICATING PRIVATE POLE LOCATIONS

3. PURPLE CAPSULES - INDICATING PUBLIC POLE LOCATIONS

4. BROWN CAPSULES - INDICATING SUBSTRATUM LAND ACQUISITION

5. BLUE CAPSULES - INDICATING TEMPORARY LAND ACQUISITION

7. ORANGE CAPSULES - INDICATING RIGHTS OF WAY TO BE ACQUIRED

8. GREEN CAPSULES - INDICATING RIGHTS OF WAY TO BE EXTINGUISHED OR INTERRUPTED

FURTHER DETAILS ON THE OWNERSHIP OF LAND OR RIGHTS OF WAY ARE PROVIDED IN THE SCHEDULES TO THE DRAFT LEGAL ORDER

PERMANENT LAND ACQUISITION REFERENCE

DW\_005\_P\_01(A)

EXTENT OF PROPOSED PERMANENT ACQUISITION AS ALSO IDENTIFIED IN SCHEDULE 2 (PART 1) OF THE DRAFT LEGAL ORDER

REF. NO. - P=PERMANENT LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

DW\_005\_P\_01(B)

EXTENT OF PROPOSED PERMANENT AIR RIGHTS ACQUISITION AS ALSO IDENTIFIED IN SCHEDULE 2 (PART 4) OF THE DRAFT LEGAL ORDER

REF. NO. - P=PERMANENT LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

DW\_005\_PR\_01

PROPOSED LOCATION OF POLES FIXED TO WALL ON PRIVATE PROPERTY IDENTIFIED IN SCHEDULE 2 (PART 2) OF THE DRAFT LEGAL ORDER

REF. NO. - P=PERMANENT LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

DW\_005\_PG\_01

PROPOSED LOCATION OF POLES PLACED ON PRIVATE PROPERTY IDENTIFIED IN SCHEDULE 2 (PART 3) OF THE DRAFT LEGAL ORDER

REF. NO. - P=PERMANENT LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

DW\_005\_PU\_01

PROPOSED LOCATION OF POLES FIXED TO WALL ON PUBLIC PROPERTY IDENTIFIED IN SCHEDULE 2 (PART 2) OF THE DRAFT LEGAL ORDER

REF. NO. - P=PERMANENT LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

SUBSTRATUM LAND ACQUISITION REFERENCE

DW\_005\_S\_01(A)

EXTENT OF PROPOSED SUBSTRATUM ACQUISITION IDENTIFIED IN SCHEDULE 3 OF THE DRAFT LEGAL ORDER

REF. NO. - S=SUBSTRATUM LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

TEMPORARY LAND ACQUISITION REFERENCE

DW\_005\_T\_01(A)

EXTENT OF PROPOSED TEMPORARY ACQUISITION AND EASEMENTS AS ALSO IDENTIFIED IN SCHEDULE 4 OF THE DRAFT LEGAL ORDER

REF. NO. - T=TEMPORARY LANDTAKE

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

RIGHTS OF WAY TO BE ACQUIRED

DW\_005\_R\_01

INFORMATION ON RIGHTS OF WAY TO BE ACQUIRED IS PROVIDED IN SCHEDULES 5 OF THE DRAFT LEGAL ORDER

REF. NO. - R=RIGHT OF WAY TO BE ACQUIRED

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

RIGHTS OF WAY TO BE EXTINGUISHED OR INTERRUPTED REFERENCE

DW\_005\_I\_01

INFORMATION ON RIGHTS OF WAY TO BE EXTINGUISHED OR INTERRUPTED IS PROVIDED IN SCHEDULES 6, 7 & 8 OF THE DRAFT LEGAL ORDER

REF. NO. - I=PRIVATE RIGHT OF WAY TO BE EXTINGUISHED

PROPERTY PLAN NO.

PROJECT REF. - DART+ WEST

KEY PLAN

42

Client

CIE

Iarnród Éireann

Irish Rail

Project

DART+

West

Drawn By

LA

Checked By

MH

Approved By

MH

Scale:

1:1250 (@ A0)

Date:

May 2022

Area No:

024

Plan No:

PROPERTY PLAN NO: DW.024