

An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1,  
D01 V902

28 October 2022

**RE: DART+ WEST ELECTRIFIED RAILWAY ORDER (REF. NO. 314232)**  
**FORMAL SUBMISSION**

Dear Sir / Madam,

We, Stephen Little & Associates, Chartered Town Planners and Development Consultants, 26/27 Upper Pembroke Street, Dublin 2 D02 X361 have been instructed by our client, Propmaster Ventures limited, Unit 8, Slaney Road, Dublin Industrial Estate, Dublin 11, D11 E285, to respond to An Bord Pleanála's invitation for public submissions on the Railway Order (Ref. No. 314232) for the DART+ West project lodged by Coras Iompair Éireann (CIÉ), holding company for Iarnród Éireann (Maynooth Rail Line) Infrastructural project. A payment of €50.00 has been made to An Bord Pleanála to cover the statutory fee of this observation.

This Observation is being made within the appropriate period, which ends on 28 October 2022. We note that the period for making a submission to An Bord Pleanála in relation to the DART + West Railway Order was extended by An Bord Pleanála from the 30 September 2022 to the 28 October 2022, as published in the Irish Independent on Monday 19 September 2022.

The DART+ West project is seeking to significantly increase rail capacity on the Maynooth & M3 Parkway rail lines. Propmaster Ventures limited is fully supportive of this strategically significant investment in public transport infrastructure for this area. From a review of the material forming the application, this will be achieved by changing from diesel powered trains to electrified, high-capacity DART trains and increasing the frequency of trains from 6 to 12 trains per hour per direction. The hourly passenger capacity will increase from 5,000 to 13,200. The project will involve the electrification of approximately 40 km of railway line (or the permanent way) from the Dublin City Centre to west of Maynooth, and to M3 Parkway Station and all associated supporting infrastructure. The electrification of the rail line is located predominantly within the existing railway corridor within Iarnród Éireann / CIÉ owned lands however some works will involve the acquisition of private lands to facilitate the project. Of particular note in this instance is the requirement to erect columns / poles and overhead wires either side of the rail alignment which transmit the electricity to the trains.

## Subject Lands

Propmaster Ventures limited owns a property at the rear of No. 31 Lower Drumcondra Road – Nos. 1 – 6 Fitzroy Avenue, Drumcondra, Dublin 9. The site in question is subject of an extant planning permission (Dublin City Council Reg. Ref. 4513/17 refers), granted on 28 March 2018 for the construction of: -

*“2 no. two-storey, two-bedroom mono-pitched dwellings. Each dwelling will be provided with rooflights and photovoltaic panels on the mono-pitched roof, together with private amenity space comprising rear garden/patio and first floor level terrace to front (north) elevation. Application also includes alteration to existing boundary wall to existing dwellings No. 1-6 Fitzroy Avenue to provide for larger gardens to these dwellings, replacement gates to existing entrance on Drumcondra Road Lower; bin storage and bicycle parking area; landscaping; SuDS drainage and all ancillary works necessary to facilitate the development.”*

The permission is noted on the Planning Authority website as expiring on 11 May 2023.



**Figure 1:** Extract from Proposed Site Layout Plan as submitted with DCC Reg. Ref. 4513/17.

In summary, the extant planning permission includes: -

- The construction of 2 no. two-storey, two-bedroom mono-pitched dwellings.
- Private amenity space in the form of rear garden / patio and first floor level terrace to the front (north) elevation.



- Alteration to existing boundary wall bordering Nos. 1 – 6 Fitzroy Avenue.
- Replacement gates to existing entrance on Drumcondra Road Lower.
- Bin storage.
- Bicycle parking area.
- Landscaping
- SuDS drainage
- Any other ancillary works necessary to facilitate the development.

Our client is progressing with the proposal for development on lands adjoining the rail line in Drumcondra and wishes that fact to be clear to An Bord Pleanála as part of their consideration of the DART+ West proposals.

### Planning Context

The subject lands pertaining to the proposed development by our clients are zoned 'Z1' for residential development in both the Dublin City Plan 2016-2022 and the Dublin City Development Plan 2022 - 2028, being the statutory Development Plans for the area.

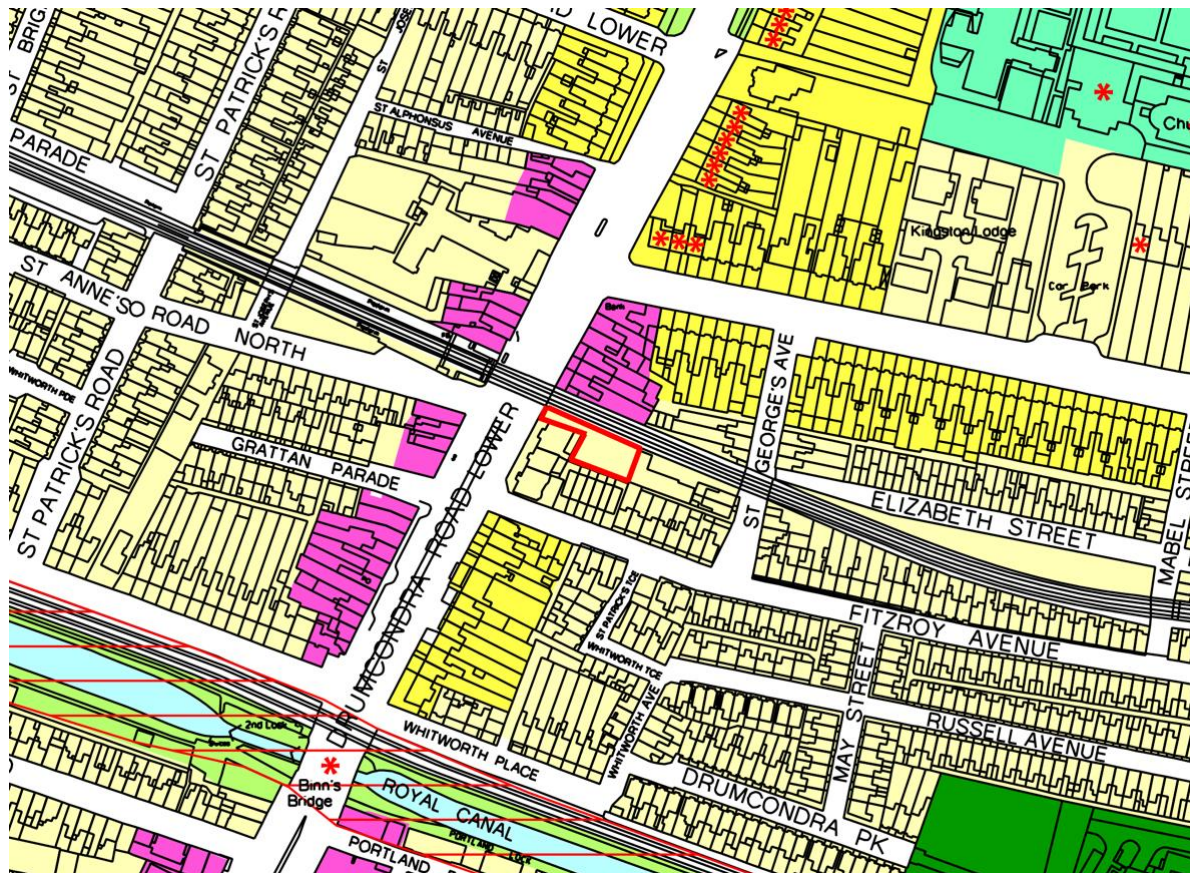


Figure 2: Zoning Map, extract from Dublin City Plan 2016-2022, with lands identified in red (SLA overlay)

### Dart+ West Electrified Railway Order – Impact on Property in Question

It is noted that CIE / Irish Rail will require a right of way for construction, operation, inspection and maintenance of the railway over the section of the site bordering the railway shown on the map below. As well as the installation of a pole on the property that will be attached to the existing railway viaduct wall shown on the map below.



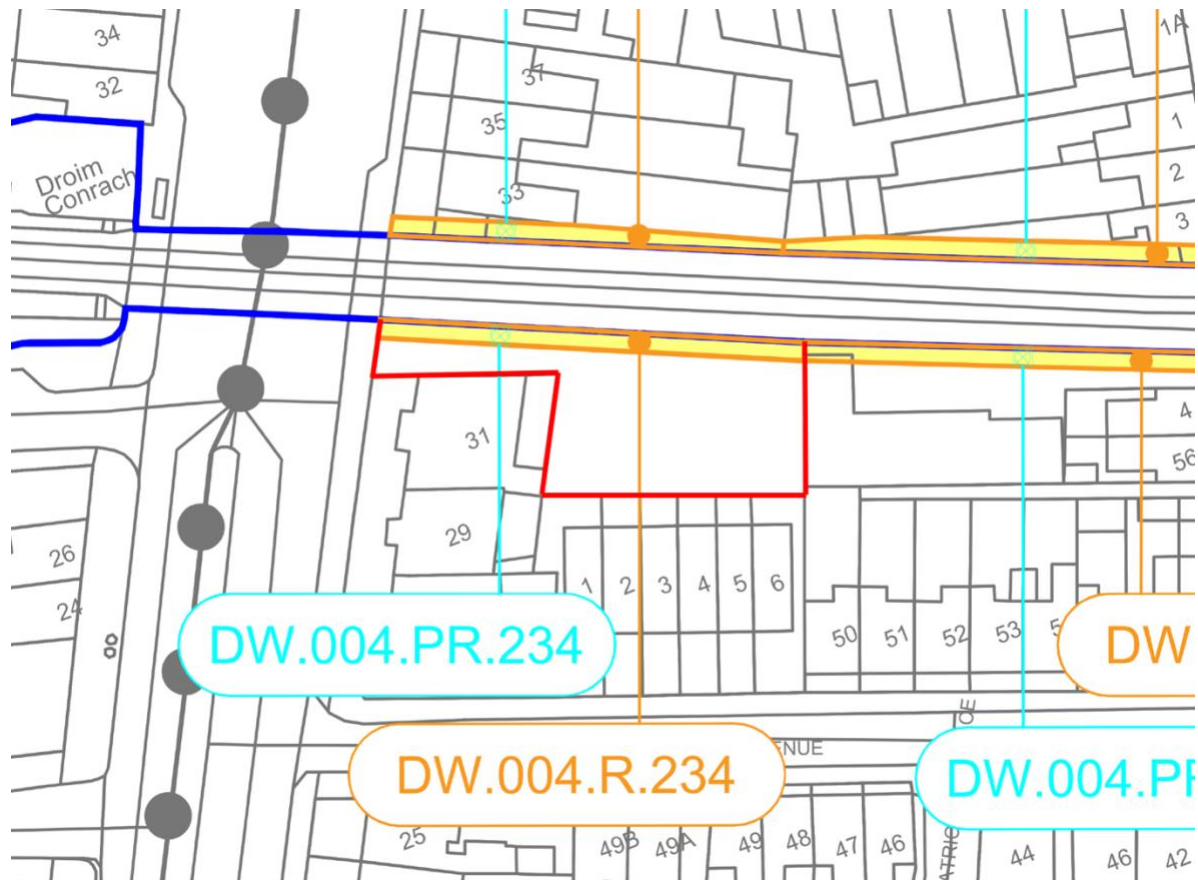
**Figure 3:** Map showing location of section of the site bordering the railway (Highlighted in red) and the pole that will be attached to the existing railway viaduct wall (Highlighted with a blue dot), approximate landholding location shown with orange hatch.

The exact nature and extent of the right of way is listed in the Rail Order application material as the following:

*“The right for CIE its successors, assigns, servants, agents, licensees, invitees, tenants and undertenants and others to utilise the right of way for the construction, operation, inspection and maintenance of the railway.”*

The right of way is noted in the CIE documents as extending to 33 sq. m, and is shown as the section of the property which borders the railway show below (highlighted in yellow) for the construction, operation, inspection and maintenance of the new pole which will be installed on the property along the railway line viaduct wall. The new pole is to be attached to the existing CIE railway line viaduct wall, this is further expanded upon in the following section.



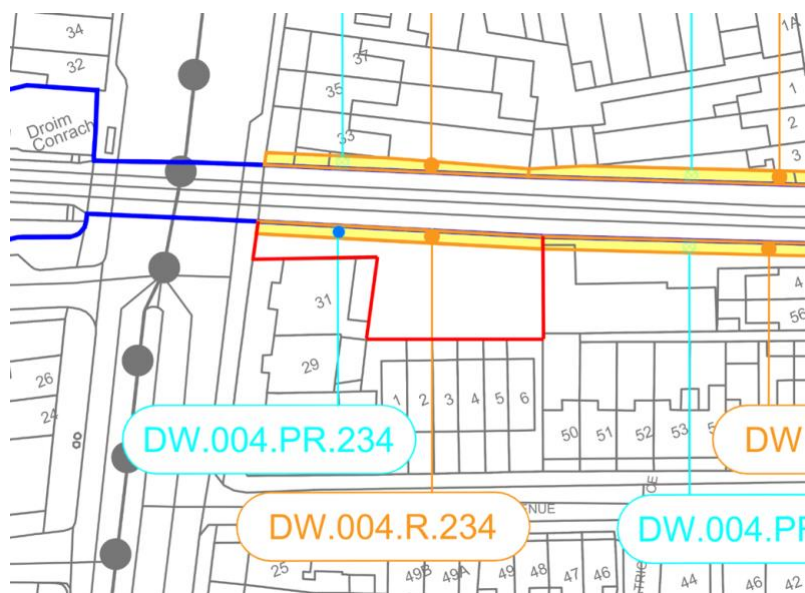


**Figure 4:** Extract from Drawing Number 004 "Property Plan No. DW004" of the Railway Order Application showing extent of proposed right of way in yellow (Site boundary added in red line by SLA).

The proposed pole is described in the list of Structures to which Bracket(s), Cable(s), Wire(s), Pole(s) or Other Fixtures May be Attached as:

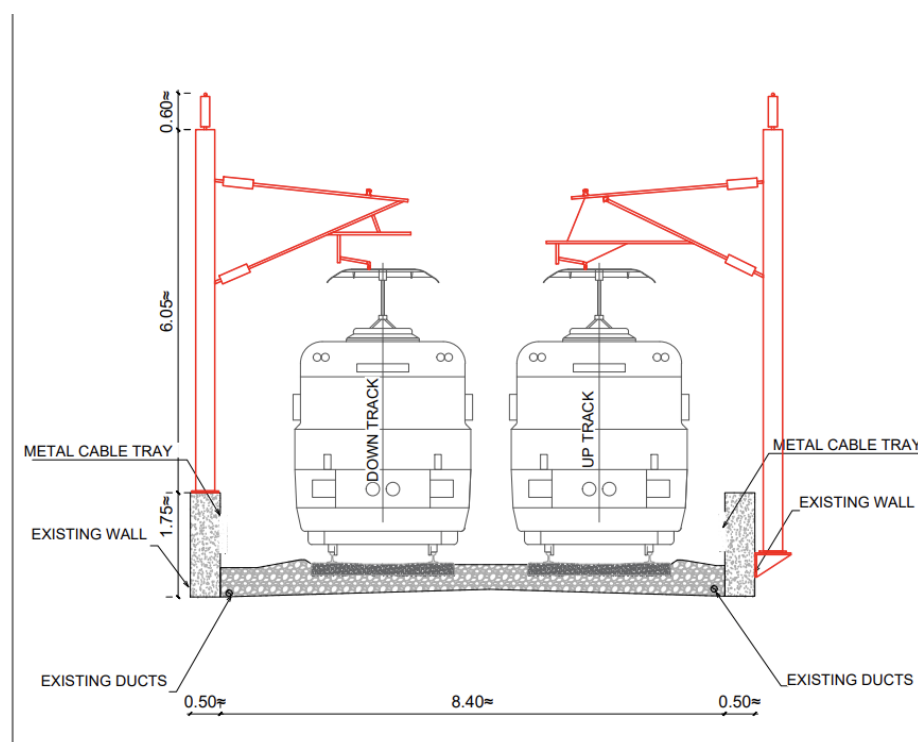
*"Pole to be attached to existing CIE railway line viaduct wall"*

As such, CIE will attach a pole in the approximate location shown (highlighted with a blue circle and labelled DW.004.PR.234) below on the existing railway line viaduct wall within the property curtilage: -



**Figure 4:** Extract from Drawing Number 004 "Property Plan No. DW004" of the Railway Order Application showing location of proposed pole (Site boundary added in red line and location of pole added shown as blue dot added by SLA).

It is not clear what the precise nature / configuration of the proposed pole will be or the dimensions of same due to the nature of the CIE drawings (which are not location specific). However, Figure 5 below would appear to be the most probable configuration following review of the Railway Order documentation. We would ask that An Bord Pleanála give due consideration is given to the potential impact of these works the accessibility of the lane to our Client's site at time of construction or operation. The design of any pole must not prejudice the ability of our Client to implement the extant permission or impact the future accessibility of potential owners of the 2no. properties to be developed.



**Figure 5:** Extract from General Arrangement Drawing showing track cross section with poles.

**Propmaster Ventures limited would like to clarify the following matters in relation to their property:**

1. Propmaster Ventures limited would like clarity on whether it is necessary for the right of way (marked in red on Figure 3 above) to **extend for the full depth of the site at any stage** of the construction or whether it will be limited to the 33 sq. m section of the property which borders the railway shown highlighted in yellow on Figure 4 above.
2. Propmaster Ventures limited would like more clarity on the precise location, specification, dimensions and nature of the proposed railway pole which will be constructed along the existing railway line viaduct wall within the property curtilage. The Railway Order plans and drawings do not provide sufficient detail on this matter. The details in regard to the location, specification, dimensions and nature of the proposed railway pole are **not immediately clear** as to what the precise nature / configuration of the proposed pole will be.

In summary of this point can you please provide clarity as to the precise details of the proposed railway pole such as the **precise location, specification, dimensions and nature of the pole** and how it will integrate with the existing railway line viaduct wall, for example will viaduct flare at ground level or will the railway end up overhanging the property in question.

3. Propmaster Ventures limited would like clarity as to whether the right of way and construction of the railway pole will interfere in any way with the construction of the granted planning permission on the property in **substantial** compliance. For example the granted permission on the site includes a landscaped area within the 33 sq. m section of the property which is marked under right of way (highlighted in yellow on Figure 4 above). Will the right of way **interfere with the development of this landscaped area** or the following condition for the granted permission on the site: -

**Condition no. 7:** "Development shall not commence until a landscape scheme prepared by a suitably qualified person comprising full details of the size, species and location of all trees and shrubs to be planted and the treatment of all external ground surfaces, has been submitted to and agreed in writing by the Planning Authority and implemented in the first planting season following completion of the development, and any trees and shrubs which die or are removed within 3 years of planting shall be replaced in the following planting season. (The landscaping scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, available from the Parks and Landscape Services Division). Reason: In the interests of amenity, ecology and sustainable development."

4. Propmaster Ventures limited would like clarity in terms on **any compensation to be ascertained for the acquisition of right of way by CIE to construct, operate, inspect and maintain the railway** as well as the potential future issue of having a serviced road way for the proposed two dwellings with the granted permission to be ascertained.
5. Propmaster Ventures limited would like clarity as to whether the right of way consisting of the 33 sq. m section of the property (highlighted in yellow on Figure 4 above) **would include vehicles in any way or just be for people/workers.**

We would be grateful for a written acknowledgement of this Formal Observation for our files in due course. We confirm that all future correspondence should be issued to this office.

Yours faithfully,



Conor Auld  
**STEPHEN LITTLE & ASSOCIATES**  
28 October 2022