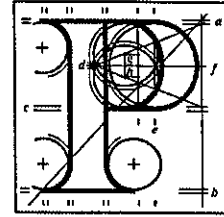


Our Case Number: ABP-314724-22

Planning Authority Reference Number:

Your Reference: Gerhard and Rosemary Mayrhuber



**An
Bord
Pleanála**

Ciarán Sudway & Associates LTD Chartered Surveyors
9 Fitzwilliam Square
Dublin 2

Date: 13 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 and oral hearing request 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.


The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you on this matter in due course.

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

Tel	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
25 NOV 2022	
Fee: €	Type: _____
Time: <u>09.55</u>	By: <u>hand</u>

22nd November 2022

Re.: Metro Link Railway Order – Gerhard and Rosemary Mayrhuber – College Gate Apartments

Dear Sir/Madam,

I am instructed on behalf of the above named claimant to lodge the within objection to the Making of the above Railway Order for the following reasons:

1. The Railway Order should not be approved until such time as the Bord is satisfied that there is an urgent need for the Scheme and that TII have the funding to complete the Scheme expeditiously if the Railway Order is approved.
2. The Railway Order should not be approved until such time as TII have provided drawings to an appropriate scale and my client has had an opportunity to consider same.
3. My clients have been invited to participate in a voluntary Discretionary Scheme by TII. This Scheme is vague at best and does not alleviate my clients concerns, that the uncertainty caused by the Making of a Railway Order in the absence of a commencement and completion date for the Scheme works, will have a detrimental impact on the value of thier property under the definition of Rule 2 of the Acquisition of Land (Assessment of Compensation) Act 1919. You will note that any negative impact on the value of my clients property arising out of the Making of the Railway Order can not be addressed by the Property Arbitrator, as he has no jurisdiction to deal with the question of sterilisation caused by the Making of the Railway Order. Any Discretionary Scheme that might be contemplated must give certainty to the landowner and must involve a commitment by the acquiring Authority to complete the purchase immediately. In this regard, the Bord will note that TII has already completed the purchase of a number of properties under the first Metro North Railway Scheme, and there is therefore no reason why they cannot continue with the process of advance purchases under the current iteration of the Scheme.

9 Fitzwilliam Square, Dublin 2, Ireland

The Bord should not approve any CPO/Railway Order until an urgent need for the scheme is established and that the Bord is satisfied that the scheme works will commence, and be completed expeditiously, should the Railway Order be confirmed.

My client reserves the right to add and/or expand on this objection at the Oral Hearing. In particular, my client reserves the right to comment in detail on the Discretionary Scheme, which is being promoted by TII.

Yours sincerely,



Claran Sudway, FRICS, FSCSI.