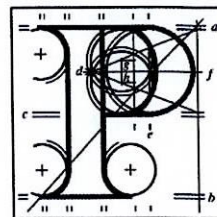


Our Case Number: ABP-316119-23

Your Reference: Dan Ryan Truck Rental Ltd



**An
Bord
Pleanála**

Colliers International Estate Agents
Hambledon House
19-26 Lower Pembroke Street
Dublin 2

Date: 10 May 2023

Re: DART+ South West Electrified Heavy Railway Order - Hazelhatch & Celbridge Station to Heuston Station, and Hesuton Station to Glasnevin
County Dublin and County Kildare

Dear Sir / Madam,

An Bord Pleanála has received your recent submission 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.

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 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 officer of the Board. Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

RA05

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 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

Eimear Reilly

From: Eimear Reilly
Sent: Tuesday 9 May 2023 17:47
To: James.Farrelly@colliers.com
Subject: RE: DART+ South West Electrified Railway Order 2023.

Good afternoon James

The Board acknowledges receipt of your email. A formal acknowledgement of your clients submission will issue in due course.

Kind regards

Eimear

From: Farrelly, James <James.Farrelly@colliers.com>
Sent: Tuesday, May 9, 2023 9:03 AM
To: SIDS <sids@pleanala.ie>
Subject: DART+ South West Electrified Railway Order 2023.

Dear Sir / Madam,

Colliers, are instructed to make submissions in respect of the proposed acquisition of lands at the Dan Ryan Truck Rental premises at Sarsfield Road as detailed in the notices issued by and contained in the Railway Order by Córas Iompair Éireann (CIÉ) in respect of the making of the Order on the 22nd of March 2023 and attached to correspondence addressed to the landowner dated the 16th of March 2023.

Please acknowledge safe receipt of this correspondence and the attached submission.

Yours sincerely,
James

James Farrelly
Director Professional Services
Mobile +353 86 666 9600 | Direct +353 1 633 3740 | View My Profile
Main +353 1 633 3700
Hambleden House, 19-26 Lower Pembroke Street | Dublin 2 | Ireland



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Hambleden House
19 – 26 Lower Pembroke St.
Dublin 2, Ireland

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colliers.ie



An Bord Pleanála

(Strategic Infrastructure Division)
64 Marlborough Street
Dublin 1
D01 V902

9th May 2023

**Re: Córás Iompair Éireann (CIE) Railway Order Application
DART+ South West Electrified Railway Order (2023)**

Submission on behalf of Landowner: Dan Ryan Truck Rental Limited, Sarsfield Road,
Inchicore, Kilmainham, Dublin D10 W028

Dear Sir / Madam,

Colliers, are instructed to lodge an objection and observation in respect of the proposed acquisition of lands at the Dan Ryan Truck Rental premises at Sarsfield Road as detailed in the notices issued by and contained in the Railway Order by Córás Iompair Éireann (CIÉ) in respect of the making of the Order on the 22nd of March 2023 and attached to correspondence addressed to the landowner dated the 16th of March 2023.

Scope of the Acquisition.

With the proposed permanent acquisition of approximately 1,716.1 sq. m. of land, being the land and buildings comprising part of the Dan Ryan Truck Rental depot at Sarsfield Road together with the proposed temporary acquisition of 2,257.1 sq. m. of land and buildings, adjoining the permanent take, the impact of the proposed acquisition is severe and detrimental to the ongoing business.

We note the proposed project known as DART+ South West, as defined in the published notices and documentation, fails to supply accurate information regarding the mitigation measures, design, and availability of the subject property during and/or post construction. Noting the lack of final design of the project in this regard, as it affects the commercial enterprise being Dan Ryan Truck Rental who have been operating from the site on Sarsfield Road for over 40 years, with a fully operational fleet of over 700 vehicles for their customers that are all serviced from this site, this renders the ability of the landowner to properly assess the impact and interference with their property and their business limited in the extreme.

As stated above, we act on behalf of the above property owner(s) who have been served with notice of the making of the above Railway Order by Córás Iompair Éireann (CIÉ). Having reviewed the drawings, correspondence and documentation, our client(s) have instructed us to object to the confirmation by you of the order for the following reasons:

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Directors: Tony Horrell (Chairman) · D Stone (Managing) · D. Amel-Azizpour · C McLernon
N Coveney · M Magnier · M McGarry · P Finucane · N Baxter · P Moloney · G Butler · E Page

- a) That the true assessment of the impact of the scheme as it affects the property is challenged without accurate final design drawings, thus limiting the scope of the objection here lodged.
- b) That should the proposed Railway Order be confirmed by An Bord Pleanála without detailed factual final design drawings being at the objector's disposal, such an order is intrinsically flawed.
- c) Assuming as with the majority of infrastructural projects at this time, the development and construction of the DART+ South West will be of a "Design and Build" type tender process, and the subsequent lack of perfected vertical and horizontal design drawings, it is impossible for the property owner to fully understand the implications of the proposed scheme as it affects the property and the business.
- d) No clarity has been provided on how CIE propose to deal with the Dan Ryan Truck Rental Company that operates from the property. We met with representatives of CIE and their consultants during the design stage. No information has been provided in relation to issues of significant concern to the landowners as they relate to the scheme including the removal of key buildings from the part of the landholding that is proposed to permanently acquire which directly relates to the viability and useability of the lands in the future.

The subject property is a commercial Truck Rental and Leasing Business. The effect of compulsory purchase of lands should not be permitted to adversely affect the commerciality of a business that has been operating from the site on Sarsfield Road for over 40 years. The scheme as proffered will have a severe detrimental effect on the functioning of the business, particularly as amongst other things no vehicle movements have been considered on the lands to be acquired temporarily, the impact of the removal of key buildings from the functioning depot has not been considered and the future viability of the business on the site on the temporary acquisition area once returned to the landowner has not been confirmed.

The area of land being acquired, both temporary and permanently, is an integral part of the Dan Ryan Truck Rental business. It is noted from the proposed acquisition that the buildings which are service centres for the business will be acquired and presumed closed for the duration of the construction phase.

The proposed acquisition will remove the ability of the business to service their operational fleet of over 600 vehicles for their customers that are all serviced from this site.

- e) It is proposed to acquire a substantial area of land which is surplus to railway building requirements. We also understand that this land is proposed to be handed over to the scheme developer for a use other than access purposes. We believe this is incorrect use of the compulsory purchase process and violates the landowner's rights.

- f) The objector and the agents representing same, reserve the right to raise such other relevant matters as may arise when and if more detailed design information pertaining to the area and their property is known or made available to them.

The owner of the lands and Colliers reserve the right to amend and/or supplement the above objection to the proposed DART+ South West Electrified Heavy Railway Order [2023] at or before an Oral Hearing held by An Bord Pleanála or should any amendment to the current proposal be issued in the interim period.

The objector and the agents representing same, welcome the opportunity to discuss the matters raised within the objection with the Acquiring Authority at the earliest possible juncture.

Yours sincerely,

A handwritten signature in black ink, appearing to read "James Farrelly".

James Farrelly MRICS, MSCSI
Director Professional Services
Advisory Services
COLLIERS

For and on Behalf of
Dan Ryan Truck Rental Limited
Sarsfield Road, Dublin
Plot Ref No. 18833.P.281(A) & 18833.T.281(B) &
18833.S.137(D)



Córas Iompair Éireann

DART+ Programme Office
CIÉ Works – Inchicore
Dublin 8 D08K6Y3

Oifig Clár DART+
Oibreacha Inse Chór CIÉ
Baile Átha Cliath 8 D08K6Y3

Láithreán Gréasáin/Web:
www.dartsouthwestrailwayorder.ie
Tel: +353 1 2841029
Email: DARTSouthWest@irishrail.ie

Dan Ryan Truck Rental Ltd (c/o The Company Secretary)

Park West Business Park, Unit 58
Le Brocquy Avenue
Dublin 12
Co. Dublin D12 P5N8

Reference: LO-710

Date: 16th March 2023

Intended application for Railway Order
DART+ South West Electrified Heavy Railway Order [2023]

Dear Sir / Madam,

Córas Iompair Éireann (CIÉ) intends to submit an application to An Bord Pleanála for a Railway Order on 22nd March 2023 in respect of the DART+ South West project.

You may be an owner or occupier of land, or have rights over or an interest in land, referred to in the documents which will accompany the DART+ South West Railway Order application. Therefore, in accordance with Section 40(1)(d) of the Transport (Railway Infrastructure) Act 2001 (as amended), we enclose herein, by way of service upon you, the following documents relating to the DART+ South West Railway Order application comprising:

- A copy of the Newspaper Notice relating to the application.
- Relevant extracts from the Draft Railway Order and relevant extracts from the Schedules to the Draft Railway Order;
- Relevant extracts from the proposed Works Plans, including the relevant Schedule;
- Relevant extracts from Property Plans which indicate the extent of the lands affected;
- Relevant extracts from a Book of Reference to the Plan indicating the identity of the owners and of the occupiers of the lands described in the Plan;
- The Non-Technical Summary of the Environmental Impact Assessment Report;
- Relevant Extracts from the Natura Impact Statement; and
- A User Guide, to assist in understanding the documentation.

It is recommended that you consider these enclosures carefully. If necessary, you should seek advice as to whether there are, in light of what is proposed, any steps that you should take in your own interests.

Submissions relating to this project can be made as described in the enclosed Newspaper Notice. These submissions must be made to An Bord Pleanála and received at their offices no later than **Tuesday 16th May 2023 at 5.30pm.**

The draft Railway Order documents are available for inspection at the locations identified in the enclosed newspaper notice and on the dedicated project website www.dartsouthwestrailwayorder.ie.

Should you require any further information, please do not hesitate to contact the DART+ South West project team at Tel: (01) 284 1029 or through email DARTSouthWest@irishrail.ie.

Yours faithfully,



Geraldine Finucane
Group Secretary, C.I.É.
Encls.