



An
Bord
Pleanála

Memorandum ABP-314597-22

To: Board
From: Sarah Lynch, Senior Planning Inspector
Re: Oral Hearing Recommendation for application under Section 51(2) of the Roads Act 1993 Application no. ABP-314597-22
Date: 2nd March 2023

Introduction

Galway City Council have made an application under Section 51 (2) of the Roads Act 1993 as amended, for approval in relation to a proposed road development scheme. The proposed scheme is accompanied by a Compulsory Purchase Order reference ABP-314654-22 for which there is a separate Oral Hearing recommendation. The scheme forms part of a larger plan for the development of multimodal sustainable transport corridors within the cities of the Country, 6 such applications for Dublin City have been submitted to date also.

Description of Development

The proposed scheme submitted under this application will provide for a Cross City Link (University Road to Dublin Road) scheme which has an overall combined length of approximately 6.7km and is routed along the University Road, St. Vincent's Avenue, St. Francis Street, Eglinton Street, Eyre Square, Forster Street, College Road and Dublin Road and also encompasses numerous roads within the city centre including Fairgreen Road, Bothar Uí Eithir, Prospect Hill, Bothar na mBan, St. Brendan's Avenue, Headford Road, Dyke Road, Woodquay, Daly's Place, Merchants Road, Forthill Street, Queen Street and Dock Road.

Specific works proposed within the development include the following:

- 3km (two way) of bus priority infrastructures and traffic management.
- 3.7km (two way) of street infrastructure and traffic management.
- 1.2km (total both directions) of cycling infrastructure.
- Provision of new /refurbished pedestrian facilities and footpaths along the scheme and associated ancillary works.
- Provision of 11 new / amended traffic signal-controlled junctions.
- Provision of 19 new / amended controlled pedestrian crossings.
- Provision of 29 new / refurbished raised table side entry facilities.
- Provision of 9 new / refurbished raised table junction / crossings.
- Reconfiguration of existing and new bus stops resulting in 26 number bus stop facilities.
- Reconfiguration of existing and new coach parkin bays resulting in 18 number coach parking / set down bays.
- Public Realm works including landscaping, planting, street furniture, street lighting, retaining walls, boundary walls and sustainable urban drainage (SUDs) measures.
- Roads associated earth works including excavation of unacceptable material, importation of material, temporary storage of materials.
- Provision of road pavement, signing, lining and ancillary works.
- Provision of new and diverted drainage infrastructure.
- Diversion of utilities and services including associated ancillary works and,
- Construction of accommodation works including boundary treatment and ancillary grading and landscaping works together with all ancillary and consequential works associated therewith.

Environmental Impact Assessment

The Council has submitted to the Board the Environmental Impact Assessment Report (EIAR) prepared in accordance with section 50 of the Roads Act 1993 (as amended) and Directive 2011/92/EU of the European Parliament and Council, 2011 on the assessment of the effects of certain public and private projects on the environment as

amended by Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 in respect of the proposed road development.

Appropriate Assessment

A Natura Impact Statement (NIS) has also been prepared and has been submitted to the Board in respect of the proposed road development under Part XAB of the Planning and Development Act 2000 (as amended).

Submissions

20 third party submissions have been received and 4 no. from prescribed bodies. All submissions are summarised hereunder, it is of note that concerns raised are generally common to all submissions received from third parties, with the majority concerned about access to their properties and a number concerned about the quality of infrastructure proposed for cyclists, in addition it is of note that **two** of the submissions request an Oral Hearing to be held.

1. Angela Shaw

- Concerns in relation to lack of consultation
- Impacts relating to noise, dust, vibrations and general disturbance are expected.
- Documentation takes not account of the third party's personal health circumstances.
- Third party states the level of disturbance will render her homeless.
- Concerns relating to the validity of the process.
- Applicant is not on schedule of CPO

2. Ard Services Limited

- Objections relates to lands at Circle K College Road which are subject to CPO.
- No objection to scheme as a whole.
- Concerns regarding the impact of day-to-day operations and viability of business due to proposed works.
- Site zoned for 'Enterprise, Light industry and Commercial'

- Works will result in the station being closed for a period of time and in the potential of a complete rebuild.
- Loss of 11 parking spaces will seriously impact the functioning of the site.
- Loss of underground fuel storage tank and pumping stations will result in a loss of 4 of the 8 fuelling stations thus significantly impacting revenue and causing traffic congestion.
- Impacts can be mitigated through the loss of a small section of cycle lane and the reduction of right turning lane onto Dublin Road.
- The reinstatement of the right turn in to the site.
- Clarification of duration of temporary acquisition, if duration is in excess of 3 months new tanks will be required.
- It is stated that the removal of tank no. 6 will result in a reduction of fuel storage of 20,000l and as such will result in additional deliveries to the site.
- The permanent acquisition of lands will result in any delivery tanker overhanging public land by 2 metres which is contrary to Dangerous Substance Regulations.
- Fuel pipes will also be located under public footpath.
- Canopy will have to be demolished and replaced.
- Storm water services will be outside of the service station site boundaries and will have to be replaced.
- Temporary land take will close station for the duration and impact fuel tanks and associated health and safety of the site.

3. Connacht Hospitality Services

- Overall support, with concerns relating to operational issues.
- Concerns relate Forster Street and relocation of loading bay and the implications for deliveries to businesses at this location.
- Concerns relating to viability of An Pucán, it is requested that loading bay is retained.
- Two-way bus service on Forster Road should be reduced to one way with a stop-go system.
- Agreements for deliveries outside of the hours of 10am and 1pm should be made to facilitate access to properties when needed.

- Service vehicles and emergency vehicles should be allowed access Forster Street at all times. This will permit the functionality of the businesses on the street.

4. Conor Dowd

- Removal of housing at a time of shortage, it is stated that this should not occur.
- Lack of cycle lanes proposed.
- Scheme will not encourage modal shift; an east west orbital bus route should be developed from Knochacarra to Parkmore to reduce number of buses going through the city.
- A light rail should be investigated.
- More walking and cycling is identified in the plan in the city centre and east of the city.

5. Diarmuid Croghan

- Closure of Salmon Weir bridge result in no direct access for residents from Wood Quay to the hospital. Proposal would add 1.7km onto the distance to the hospital through congested roads.
- Clarification is sought in relation to the use of the bridge at times of emergency.
- Restricted access across the Salmon Weir Bridge will impact access to city for workers and access to the cathedral.
- Details of how the third party and family will be impacted in terms of restituted access over the Salmon Weir Bridge are outlined within the submission.
- Concerns relating to closure of road from Salmon Weir Bridge to Waterside.
- 175 car parking spaces will be lost, concerns are raised in this regard.
- Concerns raised in relation to the adequacy of consultation.
- Scheme will result in significant traffic congestion.
- Traffic is light on University Road.

6. Fairgreen Coach Station Limited – plots 108a.101 & 108a.202

- 586.8sqm of permanent land acquisition.
- Lack of detail in relation to mitigation measures and maintenance of access into property, third party cannot properly assess impact to building.
- No consideration of vehicle movement at the site has been carried out.
- The development will have a severe impact on the functionality of the coach station.
- Position of pedestrian crossing opposite coach exit is considered dangerous.
- Galway City Council have issued a CPO notice in respect of lands they own – 108.a.202.
- Some of the land at 108.a.a202 and 108.a.101 are at the existing entrance to the bus station which was subject to planning permission conditions.
- Lands are owned by GCC and are subject to a 999 year lease.
- Proposal will result in closure of entrance for the duration of construction.

7. Galway City Commuting Network CLG

- Scheme should be accessible by all with a hierarchy applied starting with pedestrians and vulnerable road users.
- Reference is made to current guidance relating to cycling and sustainable transport infrastructure.
- Oral Hearing requested.
- Scheme will have a significant impact on disabled parking.
- Loss of parking spaces (3-5) and replacement at different locations removes accessibility to central locations.
- Wide foot paths and zebra crossings rather than push button crossings are recommended.
- Zebra crossing recommended south of Cathedral Car park and at McSwiggans crossing to Wood Quay Plaza and eastern end of Atalia Road.
- Not clear from drawings how cycle route from west through city will be addressed.
- How will cyclist access Newtownsmith from east and north of city.
- Unclear how contraflow on Daly's Place is to work.

- Dock road is hazardous due to railings.
- College Road – lack of clarity regarding contraflow.
- Restore access from Dyke Road for cyclists.
- Traffic calming measures are recommended to protect cyclists.
- College Road Bus Gate not wide enough to safely overtake cyclists, a separate signalised junction for cyclists is recommended.
- CYCLOPS junctions should be incorporated.
- Appendix to the submission.
- Traffic lane widths are not compliant with international best practice.
- Proposal will discourage cycling and encourage cycling on footpaths.
- One way streets are incompatible with cycling.
- A critique of the proposal in comparison to national policy is provided within the submission. The third party also provides a critique of DMURS and the National Cycle Manual and states that there are inaccuracies in these documents which undermines the appropriateness of the proposed scheme. The proposal is therefore ultimately flawed in its design.
- Concerns are raised in relation to the width of traffic lanes - narrow lanes should only be used where there is no through traffic or low speeds and low traffic.
- Third Party states that DMURS recommendations in relation to lane widths are incorrect.
- A critique of all aspects of the development is provided within the appendix to the submission.

8. Gleann Noinin Owners Management Company

- Concerns are raised in relation to Noise, Visual impact,
- Increases in traffic to college road
- Restricted right turning movement will hamper access to estate.
- Impact on property value

9. Kieran Devaney and Family

- Devaney family hold a casual trading licence for the area to be acquired at Eyre Square and has traded on the lands since 1964.
- CPO notification letter was only correspondence from Council.

- The scheme does not facilitate casual trading areas.
- A stay is requested in relation to the lands upon which the Devaney family trade.
- The family are happy to relocate temporarily to facilitate construction but want to relocate once complete.
- No alternative locations for trading have been identified within the scheme.
- Revision is requested to retain trading area and van access.
- City bylaws have to be amended to remove trading area.
- Current area is optimal for foot flow.

10. Mary & Patrick Browne

- Objection relates to the bus stop at no. 8&9 University Road.
- Bus stop impedes entrances to no's. 7, 8 & 9 University Road with people queuing a shelter would exacerbate the situation and create a blind spot for drivers.
- Bus shelter will encourage anti-social behaviour and litter.
- Bus stop is used by multiple services not just Bus Eireann.
- Bus Stop to be moved to lands directly at university gates.

11. Niall Faherty

- Removal of 66% of carparking at Woodquay will significantly affect business and residential properties.
- Scheme will put pressure on east to west commuters.
- Traffic has increased due to university students commuting due to a lack of accommodation which has put additional pressure on road network.
- Scheme will worsen traffic congestion.

12. Olivia Heffernan

- Submission relates to an existing 11-bedroom guest house
- Occupancy rates are said to directly correlate to the availability of free parking at the b&b.

- Existing car park will be reduced by 34% with an additional reduction of 76.7sqm for temporary acquisition.
- During construction carparking spaces will reduce to 2 from 12. This is state to result in the closure of the business.
- Certainty in terms of project dates is required as bookings are taken a year in advance.
- On completion of the project only 5 permanent parking spaces would be achievable which will result in the closure of the b&b.
- Relocation of B&B entrance closer to junction will impact health and safety of road users which will impact the third party's ability to get insurance for the property.
- Proposed layout will result in more accidents at junction.
- Alternatives for college road/Moneenageisha Road junction were not explored, junctions works would be better located at Huntsman Inn.

13. Progressive Friends Taxi Association

- Object to removal of taxi rank at Eyre Square

14. Ryan Family

- Concerns in relation to lack of correspondence and lack of detail on plans.
- Concerns relating to increased noise, light and air pollution.
- Loss of privacy and amenity.
- Security concerns.
- Concerns over access to oil tank for refilling at rear of property.
- Double decker buses will overlook house.
- Reduction of on street parking.
- Any reduction in the number of bridges will have a direct effect on residents and businesses in the city.

15. Sean & Phil Scahill

- Scheme design and EIAR appear to be carried out by one team.
- EIAR reads as a support document for scheme.

- EIAR is not an objective critique of the scheme and is contrary to EIA Directive.
- Scheme relies on Galway Transport Strategy and there is no evidence that this strategy was subject to SEA.
- Any grant of permission would be contrary to European Community Law.
- Scheme would significantly impact the residential environment of the suburb.
- The need for the scheme contradicts that stated within the Galway Bypass.
- Proposed vehicle to be used in scheme contradict the Climate Action Plan 2021.
- Galway Transport Strategy was not subject to AA.
- Need for scheme is not relevant to EIAR.
- Consideration of the alternatives does not comply with the EIA directive.
- The consideration of light rail as an alternative was not within the jurisdiction of Galway County Council to consider or implement, the consideration of this infrastructure is therefore considered to be futile by the third party's representative.
- Scheme will have a devastating impact on third party's property.
- Concerns relating to dust, noise, vibrations and access to property and the assessment of same within the EIAR.
- Violates third party's property rights and cannot be approved under the Roads Act S 51.

16. Shane Cosgrave

- No provision of segregated cycle lanes.
- Design report does not indicate that segregation was properly considered in accordance with the national cycle manual.
- Disability audit and Road User audit are not included in the documents.
- In relation to University Road, the report fails to include analysis in relation to traffic reduction in order to justify the provision of a non-segregated cycle lane.
- In this section of the scheme, wide footpaths and parking are prioritised over cycling.

- The road safety audit does not address safe access for cyclists into the university.
- It is requested that a segregated cycle lane is provided along University Road with a safe connection to the university.
- It is also requested that a contra flow or segregated cycle path to connect Gaol Road to Nuns Island should be provided.

17. Shane Foran

- Oral Hearing requested; third party is a community representative who sits on the Transport Strategic Policy Committee of Galway City Council.
- The overall intent of the scheme is welcomed.
- Bus priority measures should be trialled.
- Cyclist will be impeded by nature of the design.
- Scheme does not address current barriers to cyclists, an assessment report is submitted and the issues raised can be summarised as follows:
 - No way for cyclist coming from east to access the new cycle bridge at newtownsmith.
 - Cycle lanes are too narrow.
 - Mixed or shared cycle lanes should only be permitted where traffic is low.
 - DMURS is inaccurate in relation to the recommended lane widths in cities and towns.
 - National Cycle manual is incorrect in relation to the suitability of narrow lane widths in circumstances of higher traffic volumes.
 - Extensive paragraphs within the submission are dedicated to the acceptability of the proposed cycle widths.
 - Removing parking from university road will provide additional space for improved lane widths.
 - Relocate parking to Millennium Park.
 - No formal provision of cycle access from north to south Eyre Square, where traffic is restricted, bicycles should retain access.

- No cycling provision in Forster St, this is unacceptable.
- A shared surface with traffic and advisory cycle lanes could be provided.
- College road bus gate will encourage cycling on the footpaths.
- Additional lands to be acquired on college road to facilitate cycle lane for outbound cyclists.
- Only two routes in approach to city from east. One-way streets for cycling are not suitable. Two way cycling on all streets should be provided.
- Due to access restrictions on surrounding routes, the Salmon Weir Bridge will not be utilised to the level expected.

18. Stephan Francis

- Submission relates to the Huntsman Inn and generally supports the project and the retention of two yellow boxes at both entrances.

19. The Court Service

- Removal of direct access to the rear of the Courthouse is a serious concern for the operation of the Court.
- The redesign of the northern and western area of the Courthouse as a pedestrian area will impact rear access used by An Garda Síochána and prevent separate access into the Court for prisoners, members of the Judiciary and Gardai. These are required under EU law to protect victims of crime.
- Parking will be removed which is used by Court Staff to transport and unload sensitive documents. Carparking at the Court house is requested to remain.
- The introduction of pedestrian area and access to the rear of the Court poses a significant security threat to employees of the Court or members of Jurys.
- Meeting rooms are located to the rear of the Court, bringing pedestrians closer to these rooms increases the risk of being overheard.

- It is proposed to develop a cycle way near the waterside away from the court property.
- Prison vans should be allowed access the rear of the Courthouse via St. Vincent Avenue R863.

20. Yeats College

- Introduction of a mini roundabout to allow traffic to return up college road.
- The proposal would have a detrimental impact on the accessibility of Yeats College for all users.

Prescribed Bodies

Submissions have been received from 4 no. prescribed bodies which are summarised hereunder. Submissions are generally in support of the proposed development and do not raise any significant issues in relation to the EIAR or NIS submitted. General comments are made in relation to works relating to the removal of vegetation, protection of Recorded Structures and Monuments and watercourses during construction works:

21. An Taisce

- Welcome the intent of BusConnects
- Cycling should become before mechanised travel this is not reflected in BusConnects.
- Scheme will lead to higher car usage on College Road and University Road, all on street parking should be converted to bus lanes on these roads.
- Galway Docks should be included in the scheme, with on street parking on Dock Street/R336 from St. Nicholas Street to New Dock Street being converted to outgoing bus lane.
- University College Galway Hospital should have been included with a plan to route buses through Hospital to Seamus Quirke Rd.

22. DAU

- The department recognises the assessment of archaeology within the EIAR submitted and recommends conditions.
- The EIAR and NIS has been reviewed and it is recommended that all mitigation measures within should be complied with.
- Insufficient information in relation to Bats.
- LED white lighting can be more harmful to insect populations. Lights should only be directed where needed and warm light bulbs should be used. Controls should be in built to lighting to allow cut off and dimming.
- In terms of built heritage, it is suggested that the information is not of sufficient detail and concerns are raised in relation to the lack of oversight given the absence of a conservation officer within the Council.
- It is recommended that a conservation officer is engaged to oversee the implementation of the proposed works.
- Conditions in relation to built heritage are recommended.

23. North Western Regional Authority

- Policy RPO 3.6.7 Supports the development of both the Galway Ring Road and the Galway Transport Strategy.
- Section 6.3 of the RSES is relevant.
- Overall the RSES supports the proposed project.

24. Transport Infrastructure Ireland

- Capacity issues are noted at a number of national road junctions in the study area. The N6 will remain a strategic national road corridor in the Galway and the region pending provision of the N6 Galway ring road.
- Proposals to respond to capacity issues at the national road junctions should be identified within the updated Galway Transport Strategy.

Recommendation

I have examined all of the submissions received, the Council's response to the submissions and all of the documentation submitted with the application and I have considered all of the foregoing in relation to the Oral Hearing checklist which is

appended to this memo within appendix 1. The information provided within both the application documentation and the response to the submissions provides detailed information pertaining to the proposed works and how such works will affect individual properties, the wider environment and the functionality of the road space in terms of traffic volumes, speed, carrying capacity and all other issues relating to a multimodal road scheme.

I am satisfied that the information submitted is of sufficient detail to allow for a full and proper assessment of the case. I therefore consider that the proposed development can be adequately assessed without recourse to an oral hearing.

In the absence of an Oral Hearing being held, I consider it prudent to permit a final round of circulation in relation to the applicants' responses to the submissions received. This document addresses each submission individually in detail and given the level of information provided within it, I consider it important to provide third parties with an opportunity to consider the Council's responses and submit further written comments if deemed necessary.



Sarah Lynch

Inspectorate

2nd March 2023

noted + agreed
Stephen Key
31-3-2023

Appendix 1

Oral Hearing Recommendation – Bus Connects Project

File Refs: ABP -314597-22

Project Title Galway City Centre Bus Corridor

In light of the application documentation, third party observations and response submissions received from the applicant:

- | | |
|---|----|
| 1. Is there a lack of clarity or detail in the information available that would require a hearing? | No |
| 2. Are there outstanding issues relating to the design approach or alternatives such as would merit a hearing ? | No |
| 3. Are the number of submissions / complexity of issues raised in submissions such as to require a hearing ? | No |
| 4. Are there outstanding issues relating to the justification / need for the project that would require a hearing ? | No |
| 5. Are the nature and extent of impacts on third party properties uncertain or otherwise such as to justify a hearing ? | No |

Recommendation

Having regard to the above and as per the attached memo I –

- Recommend no oral hearing be held.

I recommend that the response submission received from the first party be circulated to all other parties for comment.

Senior Planning Inspector Sarah Lynch

Assistant Director of Planning Stephen Kay