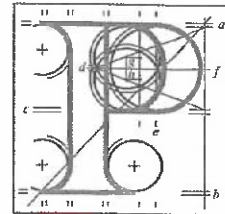


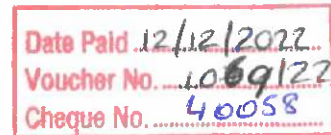
Case Number: ABP-314724-22

Your Reference: Tanrat Limited T/A Starbucks



An
Bord
Pleanála

RW Nowlan & Associates
37, Lower Baggot Street
Dublin 2



Date: 12 DEC 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 (including your fee of €50) 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, there is no fee for an affected landowner, listed on the schedule, to make an observation on this case, therefore, a cheque refund of €50 is enclosed.

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

RA05

Tel
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email

(01) 858 8100
1890 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Project No.

106.01/2022



AN BORD PLEANÁLA
LDG- 059531-26
ABP- _____
25 NOV 2022 *ork*
Fee: € 50.00 Type: caual
Time: 14.49 By: hand

SUBMISSION ON PROPOSED RAILWAY (METROLINK - ESTUARY TO CHARLEMONT VIA DUBLIN AIRPORT) ORDER (2022)

DATE: NOVEMBER 2022

on behalf of: Tanrat Limited T/A Starbucks, Unit 1,
Airside Retail Park, Swords, Co Dublin

RW Nowlan & Associates | 37, Lower Baggot Street, Dublin 2 | Company Reg. 565476 Managing Director
Robert Nowlan | Tel: 01-8733627 | robert@rwnowlan.ie

TABLE OF CONTENTS

EXECUTIVE SUMMARY

1.0 Introduction

2.0. Site Description

3.0 Fingal County Population

4.0 Development Plan Policy

5.0 Fostertown Master Plan

6.0 Fostertown Station Materially Contravenes the Development Plan

7.0 Location of the Fostertown Station Inconsistent with Development Plan

8.0 Lack of Alternative Location for the Retail Store

9.0 Conclusions

Figures

Figure 1.0 Starbucks Store Location- Airside Retail Park, Swords

Figure 1.1 Starbucks Store - Airside Retail Park, Swords

Executive Summary

This report addresses the implications of the proposed construction of a light railway line and station on the existing Starbucks unit in Airside Retail Park, Swords. Under the proposed Railway Order the existing store would need to be demolished. The implications of the loss of this Starbucks store to the area would be significant given the expected population growth in the catchment area that it will service. An alternative site for the existing store has not been identified in the planning report. While the proposed station also appears to materially contravene the zoning objective of the development plan, the report concludes that in the absence of identification of a suitable replacement site/sites, the Railway Order should not be confirmed.

1.0 Introduction

1.1 This submission is made in response to the invitation by An Bord Pleanala to make submissions on the application by the National Roads Authority to construct a railway designated as a metro between Swords and Dublin City Centre. The submission is made on behalf of Tanrat Limited, Unit 1 Airside Retail Park, Swords, Co Dublin to An Bord Pleanala, 64 Marlborough Street, Dublin 1 V902.

1.2 This submission relates specifically to a section of the route which affects the premises and site of Starbucks premises located in the Airside Retail Park in Swords. This section of the route is referred to in the planning report as: Fostertown Station.¹

2.0 Site Description

2.1 Tanrat Limited/ T/A Starbucks Ireland operates the coffee shop in the Airside Retail Park located on the eastern side of Swords town, that is part of the Smyths Toys Superstore unit by way of a Sublet. The retail park has vehicular access at several locations from a link road that runs between the regional road R132 to the west and the R125 to the east. The store is located on the western edge of the retail park and fronts onto the regional road R132, the store benefits from extensive frontage and profile to the Airside

¹ *Metrolink Planning Report*, section 4.2.7, pp. 104-106.

surface car park. There is a landscaped grass verge with a large sign between the site of the retail store and the R132. There is also an electricity substation situated in this grass verge.

2.3 The existing store where Starbucks currently occupies has sublet part of the ground floor from Smyths Toys Superstores under a 20-year Lease from the October 2015. The existing part ground store unit comprises of an area of ca. 235 sq m (2,500 sq ft). The store comprises of a high-profile store, one of the company's top trading stores in their portfolio and is located alongside the main entrance also to Smyths Toys which has proved a very lucrative and very popular location for the café. The store currently employees 9 full time staff and 11 part time staff.



Figure 1.0 Starbucks Store Location - Airside Retail Park, Swords



Figure 1.1 Starbucks Store - Airside Retail Park, Swords

3.0 Fingal County Population

3.1 The CSO's 2020 population estimate for the Dublin Region was 1,417,700 persons. Fingal County Council's share of the 2016 Census regional population figure for Dublin was approximately 22%. Assuming the same share for the CSO 2020 estimated regional population figure for Dublin, this gives an estimated population figure of 311,894 for Fingal County Council in April 2020. This indicates an estimated 5% rise in the population of Fingal over a four-year period from 2016 through to 2020.

3.2 As noted, the subject store is located with the Fingal Development County Development Area, it is stated that Fingal population stands at 311,894 with significant population increase over the next 8-10 years.

3.3 In addition to the above, we would refer to table 2.2 RSES Population Projections contained in the Fingal Development Plan, which sets out indicative population figures up until 2031, the table shows a population growth in Fingal to 349,000, this would see a growth of 37,108 over an 8-year period, which shows a significant growth in population within the stores population catchment area.

3.4 It is therefore submitted that the population projections provided by the Fingal Development Plan specifically shows that the consumer growth within the region over the next approximate 8 years will grow significantly. It is therefore considered that the potentially loss of the subject Starbucks will have major implications for servicing this strategic growth area. In addition, the loss and impact of the closing of the store today must also be mitigated into the future to take into account the increasing population over the next 8 years in this region.

3.5 The potential loss of the store to the town is especially serious given the significant population growth that is foreseen for the area including young population.

4.0 Development Plan Policy

4.1 The subject site is zoned RW (Retail Warehousing) in the Fingal Development Plan 2017-2023. The objective is: *... "To Provide for Retail Warehousing."* and ancillary services. The route of the metro is shown on the development plan map to run along the R132 road but on the western side of the road, i.e. away from the subject site. There is an objective to preserve views along the western boundary of the subject site. There is also an Indicative Cycle/Pedestrian Route shown along the R132 regional road.²

4.2 In the draft Development Plan 2023-2029, the zoning objective has remained the same, i.e. Retail Warehousing. However, there are subtle changes with regard to other objectives in the development plan. Unlike the current development plan, the indicative route for Metrolink is now shown along the eastern boundary of the regional road R132. While the objective to preserve views is still present, the objective to provide a Cycle/Pedestrian Route is removed. There is also a development objective indicating a metro stop immediately to the north of the subject site.³

4.3 Under the Fingal County Retail Hierarchy, Swords is the highest-level settlement in the county, i.e. Level 2 directly below Dublin City Centre which is Level 1. It is an objective of the (draft) Fingal County Development Plan that *... "new significant retail development be primarily directed to the higher Levels in the Fingal Retail Hierarchy and specifically to the core retail areas identified for these centres. Only in exceptional circumstances (where the Planning Authority is satisfied that there are no sites or potential sites available either within the core retail area or on-the-edge of the core, and that the proposed retail development is necessary to serve the needs of the area) will proposed retail developments that are located outside of these centres and/or the core retail areas of these centres be positively considered."*⁴ This means that any alternative site for the entire subject store to be demolished, must be located on the edge of the core retail area within the town of Swords as the core retail areas is not suitable for a store of this size and user class.

² Fingal Development Plan 2017-2023, Sheet no. 8 – Swords.

³ Draft Fingal Development Plan 2023-2029, Sheet no. 8 – Swords.

⁴ Draft Fingal Development Plan 2023-2029, Objective EEO86, p. 278.

5.0 Fostertown Master Plan

5.1 The Fostertown (Draft) Master Plan applies to land to the west of the regional road R132, i.e. roughly opposite the subject site. The master plan shows a proposed 'Fosterstown' Metro Link station just north of the subject site. This is in the same location as shown on the draft development plan map.⁵

6.0 Fostertown Station Materially Contravenes the Development Plan

6.1 Under the proposed alignment design of the metro, a station (Fostertown Station) will be located where the existing Starbucks Stores is. The construction of the tracks and the station will require the demolition of the existing store building, including Smyths and Starbucks users. The need to demolish the existing facility is confirmed in the planning report: *..."Fosterstown Station will be located on the eastern side of the R132 Swords Bypass next to Airside Retail Park. The proposed location will require the demolition of a large retail unit at the west end of the Retail Park. As a result of the retail unit demolition, there will be requirement for the realignment of the internal road network within Airside Retail Park. The realigned internal road network will also be used to provide access to the station, associated drop-off, relocated Airside sub-stations, and relocated the R132 Swords Bypass is proposed from the station to Fosterstown Masterplan area. A new walkway is proposed*

6.2 The zoning objective in the draft development plan (which will soon become the operative plan) is Retail Warehousing and the objective is: *..."To Provide for Retail Warehousing."*⁶ The zoning objective for Retail Warehousing does not facilitate the proposed use of a metro railway station. The planning report states the following in this regard: *..."Fosterstown Station lies within lands zoned as HT and RW in the Fingal FDP. Under these zoning objectives, 'public transport station' does not come within either 'Permitted in Principle' or 'Not Permitted' uses. The FDP notes that 'Uses which are neither 'Permitted in Principle' nor 'Not Permitted' will be assessed in terms of their contribution towards the achievement of the Zoning Objective and Vision and their compliance and consistency with the policies and objectives of the Development Plan."*⁷

6.3 It is difficult to see how the proposed metro station would contribute towards the objective to provide for retail warehousing and ancillary services. In fact, it does exactly the opposite: it would remove

⁵ Fostertown Draft Masterplan, Fingal County Council, March 2019, p. 2.

⁶ Draft Fingal Development Plan 2023-2029, Sheet no. 8 – Swords.

⁷ Metrolink Planning Report, p. 106.

a large retail warehouse building from the retail warehouse park without suggesting an alternative location for this building resulting in a considerable loss to the existing retailers.

6.4 The proposed development therefore materially contravenes the development plan zoning objective.

7.0 Location of the Fostertown Station Inconsistent with Development Plan

7.1 Under the draft Development Plan 2023-2029 and the Fostertown (draft) Master Plan, the proposed Fostertown Station is located immediately north of the subject site. While the development objectives in both plans are indicative in terms of the precise location, the need to locate the station slightly further south from the locations shown in both plans, is not explained in the planning report.

7.2 The proposed development is in a different location to that shown in the development plan objective. The proposed change from the location as shown in the Development Plan, is not explained.

8.0 Lack of Alternative Location for the Store/Café User

8.1 The planning report refers to the need to locate the metro station at the proposed location: *... "The construction of the proposed Project requires the demolition of a Retail Warehouse unit. A site selection process was carried out for the station at Fosterstown to examine alternatives to the demolition of the retail warehouse. This identified the proposed site as the preferred location for a station. Alternative locations had significant disadvantages compared to the proposed location. It would have more extensive construction impacts, including additional utility diversion requirements; significant impact on the R132 traffic and other road users over an extended length of the R132 over a protracted period; a poor urban integration of the station adjacent to the R132; and the introduction of a poor horizontal track alignment which would constrain the operational speed of trains in this area."*⁸

8.2 The planning report further suggests that *... "there is capacity to construct a new unit, either on its own or as part of a more significant development to replace the demolished unit."*⁹ However, no suggestion is made for such an alternative location. Our clients are very concerned that it will not be feasible to find an alternative locations for the existing store which is as convenient to the customer based that is has created and served in terms of accessibility and catchment within the retail park and surrounding locations.

⁸ Metrolink Planning Report, p. 106

⁹ Metrolink Planning Report, p. 106

8.3 It is considered that the proposed Railway Order and the accompanying planning report are deficient in failing to examine alternative locations for the existing store that needs to be demolished under the proposed plans. The identification of a suitable alternative location should form part of the planning analysis of the proposed Railway Order and in the absence of such analysis the Order should not be granted, or further information should be sought from the applicant re this matter.

8.4 No provision is made in the proposed Railway Order for a replacement or relocation of the existing retail store.

9.0 Conclusions

- The proposed demolition of the existing store to facilitate the development of a railway station would materially contravene a zoning objective in the current and draft county development plans.
- The proposed railway station is in a different location to that shown in the development plan for the area. The justification for this change in location is not provided in the application for the Railway Order.
- No provision is made in the proposed Railway Order for a replacement or relocation of the existing retail store even though the demolition of the existing store is stated to be necessary.
- While the planning report refers to 'capacity' to construct a new unit to replace the demolished unit nothing has been proposed and it is unclear where the capacity exists.
- Given the population based in the catchment area of the current store and the anticipated growth in the population particularly in the younger age category, the loss of the store will result in a significant loss to Tenant.
- In the absence of the identification of an alternative site for the proposed demolition of the Starbucks store, the proposed Railway Order is deficient and should not be confirmed.
- The Starbucks Airside Store has traded successfully for the past 7 years and benefits hugely from the customer flow of Smyths Toys Superstore and also developed its own young & affluent strong business base within this Retail Park and catchment.

Yours sincerely,



Robert Nowlan

RW Nowlan & Associates