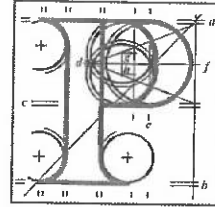


**Our Case Number:** ABP-314597-22  
**Your Reference:** Ard Services Limited



**An  
Bord  
Pleanála**

Coakley O'Neill Town Planning Limited  
NSC Campus  
Mahon  
Co. Cork

**Date:** 01 December 2022

**Re:** BusConnects Galway Cross-City Link Scheme.  
University Road to Dublin Road, Galway City.

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above-mentioned proposed road development and will take it into consideration in its determination of the matter.

Please be advised that landowners listed on the Compulsory Purchase Order schedule associated with this application are not required to pay the €50 fee associated with this case. As you are listed as a landowner, a refund of €50 will be issued to the debit/credit card used to make payment for this submission.

Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

The Board has also received an application for confirmation of a compulsory purchase order which relates to this proposed road development. 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 in due course on this matter. The Board shall also make a decision on both applications at the same time.

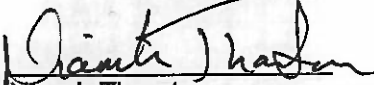
If you have any queries in relation to this matter please contact the undersigned officer of the Board.

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

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

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

Yours faithfully,



Niamh Thornton  
Executive Officer  
Direct Line: 01-8737247

HA02A

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64 Sráid Maoilbhríde  
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D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

Strategic Infrastructure Department  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Our Ref: CON22183

17<sup>th</sup> November 2022

**RE: OBSERVATION ON STRATEGIC INFRASTRUCTURE DEVELOPMENT ABP REF: HA61.314597. BUSCONNECTS CROSS-CITY LINK (UNIVERSITY ROAD TO DUBLIN ROAD) SCHEME AND ASSOCIATED COMPULSORY PURCHASE ORDER APPLICATION .**

A Chara,

We, Coakley O'Neill Town Planning Ltd. of NSC Campus, Mahon, Co. Cork, are instructed by our clients, Ard Services Limited, of Circle K House, Beech Hill Road, Clonskeagh, Dublin to make this observation to An Bord Pleanála in relation to the proposed Galway BusConnects Cross-City Link (University Road to Dublin Road) Bus Corridor Scheme under the Strategic Infrastructure Development Process (Application Reference HA61.314597) which concerns lands at the Circle K College Road, College Road, Galway.

We note the last date for an observation is the 18<sup>th</sup> of November 2022.

Our clients have a material interest in this application as lands in their ownership fronting onto College Road are outlined as being subject to both permanent and temporary CPO acquisition to facilitate the proposed scheme.

Firstly, we wish to highlight that our clients are not objecting to the scheme as a whole. They are very supportive of any scheme that promotes more sustainable forms of transport within Galway City, which will alleviate the pressure placed on the city's roads by cars.

However, our clients cannot wholly accept the proposal in its current iteration owing to the potential significant harmful and detrimental impacts it may have on the continued day to day operation, and ultimately viability, of their College Road service station going forward.

We also ask the Board to note that our clients had engagements with the Galway City Project Team during 2021 during which it was communicated that they had serious concerns about the potential impacts of the Busconnects scheme for their service station at College Road and would defend their rights to operate the station without unwarranted or excessive impacts as a result of proposals set out in any scheme.

Hereunder we set out their concerns in relation to the published scheme.

**Introduction**

Circle K Ireland is the country's largest fuel and convenience retailer with 420 employment locations across the country. They are owners (through subsidiary Ard Services Ltd.) and operators of the Circle K College Road service station in Galway City, which has been providing a local service in the area for over 20 years.

**Site Location and Description**

The site that is the subject of this observation is located in the College Road area of Galway City, approximately 1km to the northeast of the city centre. It is situated just south of the junction of Old Dublin Road and College Road, on its northern side. The service station site has an area of c.0.16ha and comprises a forecourt, store, service area, car wash and associated parking. Vehicular and pedestrian access to the Circle K service station is via two entrances of College Road. The front boundary of the site is defined by a low block wall with the station forecourt canopy extending towards same. The immediate surrounding area is mainly in residential use.



Figure 1 – Site location in context of surrounding area (Source: MyPlan.ie) (annotated by Coakley O'Neil Town Planning Ltd, 2022).



Figure 2 – View of Service Station (Source: Google Maps, 2022)

### Planning History

The commercial nature of the site is long established, and it has been in use as a service station for an extended period of time. It has been subject to a number of planning permissions, as follows:

- **Application Reg. Ref 92374:** Conditional permission granted for Concoc Ireland Ltd on the 22nd of July 1992 for alterations to front facade and internal alterations to shop building.
- **Application Reg. Ref 96792:** Permission granted for Statoil Ireland Ltd on the 3rd of March 1997 for the erection of new illuminated advertising signs to canopy fascia, shop & forecourt, also non-illuminated advertising signs and retention of existing signs.
- **Application Reg. Ref 9897:** Permission granted for Statoil Ireland Ltd on the 14<sup>th</sup> of May 1998 for redeveloping a service station, consisting of the demolition of existing buildings and canopy and the construction of a new retail shop building, new illuminated canopy, new underground tank farm, new car washes, new environmental point.
- **Application Reg. Ref 99711:** Permission granted for Statoil Ireland Ltd on the 5<sup>th</sup> of April 2000 to retain unauthorised works consisting of (1) unauthorised forecourt canopy, (2) unauthorised expansion of shop stores, (3) unauthorised shop façade and (4) unauthorised illuminated main identification sign.

### Local Planning Policy

The relevant statutory development plan which governs the site remains the Galway City Development Plan 2017-2023 until such time as the upcoming Galway City Development Plan 2023-2028 is adopted. The site is zoned **Enterprise, Light Industry and Commercial**, whose objective is to *provide for light industry and commercial uses other than those reserved in the CC zone*.

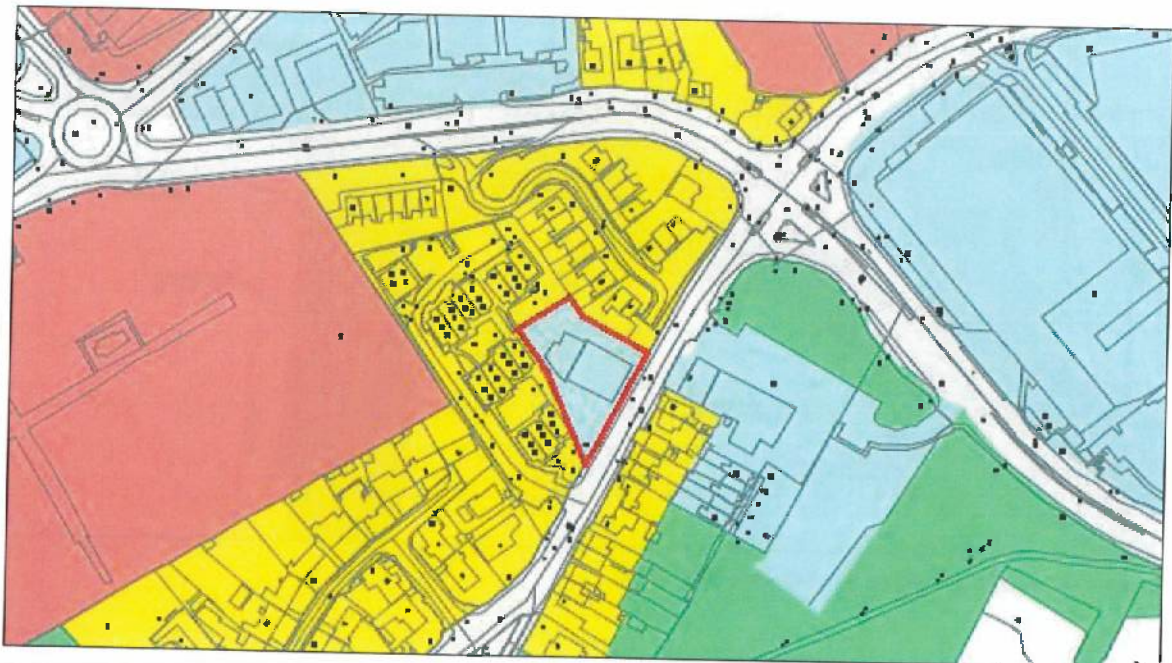


Figure 3 – Site in context of Galway City Development Plan 2017-2023. (annotated by Coakley O'Neil Town Planning Ltd, 2022).

**Observation**

This observation is made in relation to the Galway BusConnects Cross-City Link (University Road to Dublin Road) Bus Corridor Scheme. As outlined previously, our clients have significant interest in the proposal owing to the potential significant negative impact of the scheme on their College Road Service Station, which is proposed to be subject to both permanent and temporary acquisition.

These CPO acquisitions are premised on facilitating a series of changes to the public roadway directly outside the service station, including:

- the introduction of a section of inbound cyclelane on the southern side of College Road between its junction with the Moneenageisha Road to its junction with the Lough Atitla Road, a length of c.200m
- the introduction of an outbound bus lane on the northern side of College Road between its junction with the Moneenageisha Road to its junction with the Lough Atitla Road, a length of c.200m
- the retention and extension of the existing right turn lane from College Road to the Dublin Road
- the removal of existing right turn (inbound) into the service station for inbound traffic on College Road. It is also not clear if the existing left and right exit arrangements from the station will be detrimentally impacted.

These proposals are shown below.

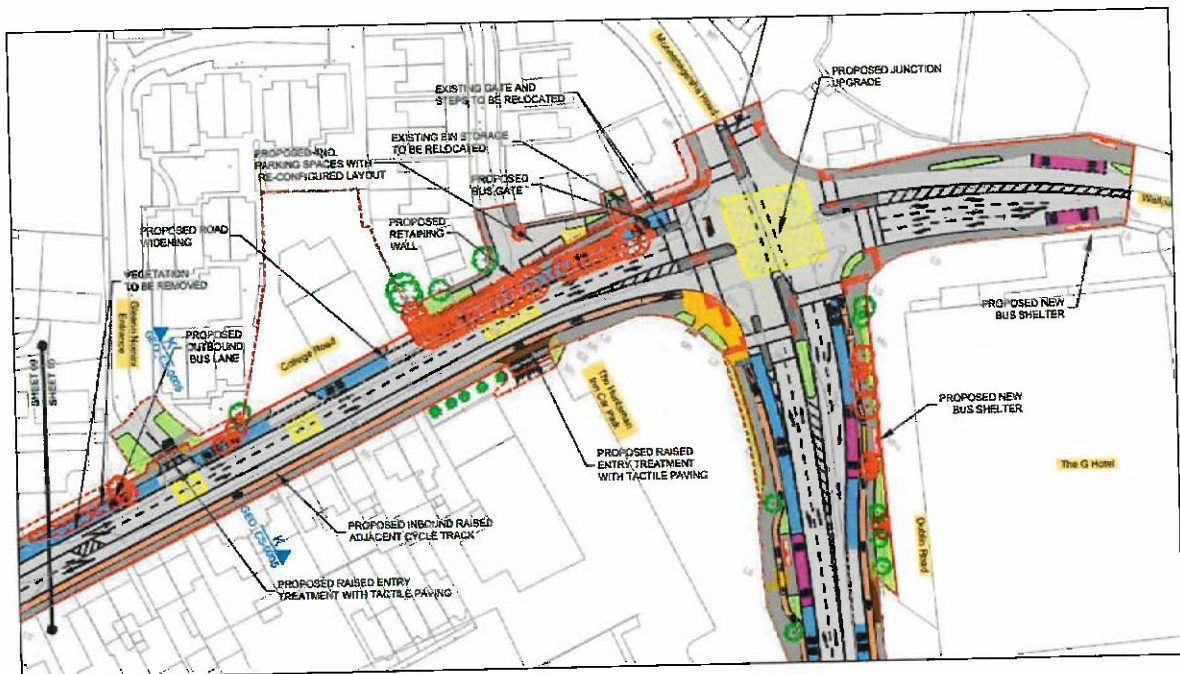


Figure 4 – Scheme Plan for College Road. (Source: ARUP, 2022).

As evident above, the proposed BusConnects scheme seeks permission for the acquisition of land in our clients ownership. This consists of all land in our clients ownership in this location on a temporary basis as well as a section fronting College Road being acquisitioned on a permanent basis. This is outlined as follows:

- 211.5m<sup>2</sup> of land is to be permanently acquired by the Council under Part 1 of the CPO – **Compulsory Purchase Order No. CCL-CPO-001,2022#**
- A further 1457.3m<sup>2</sup> (i.e. the entire service station) is to be temporarily acquired by the Council under Part 2 of the CPO – **Compulsory Purchase Order No. CCL-CPO-001,2022**

Together, these cover the entire service station site.

The extent of the associated CPOs are shown below. The permanent land take proposed under CPO Order Map 14-09-2022 will take approximately 4.25m off the station's entire site frontage with College Road.

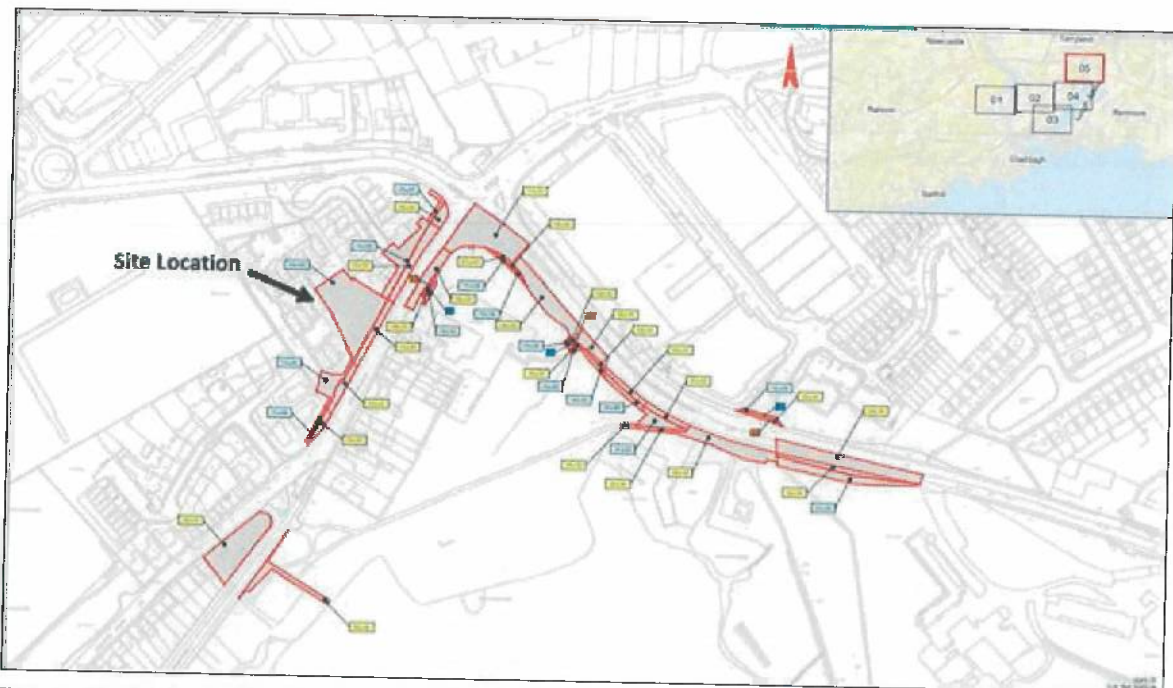


Figure 5 – Map showing the sites location in the context of the Galway City Bus Connect Scheme. (Map Source: [crosscitylinkGalway.ie](http://crosscitylinkGalway.ie))

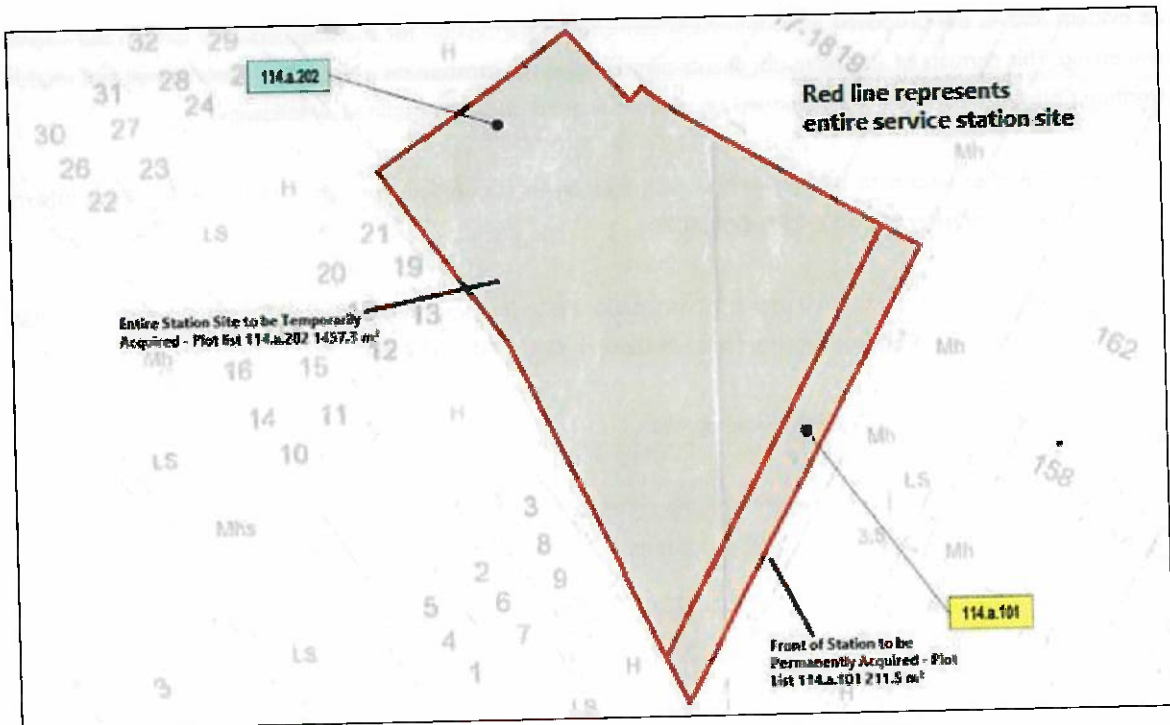


Figure 6 – Lands subject to permanent and temporary acquisition (Map source: Galway City Council, 2022).



Figure 7 –Circle K College Road, highlighting areas that are set to be subject of a permanent CPO. (Map source: Google Maps, 2022)

In making this observation, our clients wish to highlight their concerns with respect to the proposed works to the front of their property, in addition to the CPO acquisition of these lands.

As a result of the planned scheme, the loss of land both permanently and temporarily to accommodate the BusConnects route will have serious implications for the overall business and its future viability.



In the first instance, it is understood that the temporary acquisition of the service station is premised on the risk associated with works involving the removal of the fuel dispensers and underground petrol tanks and pipes. It is further understood that the entire station is to be temporarily acquired and decommissioned during the works and that these works are to be carried out by a competent contractor.

It is evident that the closure of the station, even on a temporary basis, will have a significant impact upon its viability, not just for the period of closure but into the future, given the full diversion of trade to other stations that will occur as a result of said closure.

The temporary closure also poses significant difficulties for our clients in respect of the length of time involved in the decommissioning works and their implications for the continued operation of the station. Indeed, it is a likelihood that the station may, as a result, have to be demolished and rebuilt.

Secondly, it is understood that the scheme will result in the loss of approximately 11 parking spaces at the service station. Given the very small size of the site, the loss of these spaces is likely to be permanent as no other appropriate space will be available to accommodate same. The loss of circulation space within the station site will also impact on parking availability and safe and effective access and egress at the station.

Thirdly, the loss of an area 211.5m<sup>2</sup> on the roadside boundary would lead to works that will include:

- 1. The removal of one underground fuel storage tank located on the site.**
- 2. The removal of two of the existing pumping stations located in the forecourt of the site. This will result in the loss of 4 of the existing 8 fuelling locations**
- 3. The existing canopy over the forecourt will require removal and replacement with a smaller canopy which will not overhang the relocated boundary wall.**
- 4. The existing display signage will be required to be set back.**
- 5. The removal of the one underground tank and the removal of the two fuel dispensers will also require the removal and relocation of a number of underground fuel pipes within the site.**

The loss of two of the four pump stations will greatly affect the business' ability to generate revenue and significantly endanger its future commercial viability going forward. As indeed, will the loss of the existing right turn manoeuvres into the station from the College Road and the potential loss of existing exit arrangements.

In all, it is evident that the planned Busconnects scheme will have a dramatic detrimental impact upon the operation of this long established and permitted service station, to the extent that the use may no longer be viable.

All these points are further highlighted and developed in the appendices to this submission from both our clients themselves and their engineering consultants.

For these reasons, our clients wish to state their objection to the CPO acquisition put forward by the National Transport Authority in respect of their lands, in addition to their associated SID Application to An Bord Pleanála as it relates to same.

Two reasonable options present themselves immediately to us.

- The removal of the small extent of cycle lane proposed on the southern side of College Road would result in a significantly less dramatic impact on our clients business
- The reduction of the length of the proposed right turn lane onto the Dublin Road. We find no justification for the full retention and actual extension of this right turn lane, which is to facilitate vehicular traffic, particularly that this scheme is entirely focused on the enhancement of public transport and active travel measures in the city.

In conjunction with both these options, the reinstatement of the existing 'right turn in' arrangement can easily be reinstated.

It is submitted that the exclusion of these elements of the scheme will have no material effect on the benefits of the overall proposed BusConnects scheme and would not in any way undermine its overall objective of facilitating sustainable transportation in the city, which, it must be pointed out, should be properly achieved without undue negative impacts upon businesses in this area and especially without impacts that will severely impact viability of local businesses.

Should one, or both, of these reasonable options be advanced there would be no requirement for the CPO of our clients' lands and any subsequent disruption to their business can be avoided.

Please forward all correspondence in relation to this observation this office.

Is Mise le Meas,



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Declan Foley,  
Coakley O'Neill Town Planning Ltd.



*Part of Alimentation Couche-Tard*

November 18, 2022

An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

**Re: Observation on Strategic Infrastructure Development ABP Ref: 311682-21  
BusConnects Cross-City Link (University Road to Dublin Road) Scheme and associated  
Compulsory Purchase Order Application  
Plot List: 114.a.101, 114a.202**

Dear Sirs,

We write to you in our capacity as owner of Circle K Service Station, College Road, Galway City, H91 E3TW. We refer to the Proposed Compulsory Purchase Order No. CCL-CPO-001, 2022 received at our office by post on 15th September 2022 which relates to Plot List 114.a.101 and 114.a.202 BusConnects Galway: Cross-City Link (University Road to Dublin Road) Scheme.

We have been identified as the owner of land in the Compulsory Purchase Order (CPO) which relates to two portions proposed for compulsory acquisition.

The first portion (Plot List 114.a.101) is identified as land to be permanently acquired and which is shown to extend to 211.5m<sup>2</sup> (0.02115 ha/ 0.052ac). The second portion (Plot List: 114.a.202) is identified as land to be temporarily acquired and which is shown to extend to 1,457.3m<sup>2</sup> (0.14573ha/ 0.36ac).

Having examined the Proposed Notice together with the associated map, documentation and reports prepared by our consultants, Coakley O'Neill and McArdle Doyle, it is clear the proposed CPO will have a devastating impact on our trading business and premises, rendering it unavailable to operate and trade for a substantial period of time.

Ultimately, this proposed CPO creates a situation whereby the demolition and reconstruction of the service station will be necessitated. The Proposed Order fundamentally reduces the overall site area by at least 12.5% and will yield a reduced reconstruction footprint when compared to the existing service station. Fuel dispensing capacity is greatly reduced, which in turn greatly impacts our customers ability to access, navigate, fuel and exit the service station as a result of the proposed CPO and road proposals. This will also lead to a significant erosion in our overall ability to operate and trade profitably.



*Part of Alimentation Couche-Tard*

We have taken this opportunity to highlight the detrimental effect the Proposed CPO will have on our business. Firstly, we would like to address the impact of the proposed permanent land acquisition. As outlined in the Proposed Order, the section of land identified as a permanent acquisition (Plot List 114.a.101) is located along the eastern elevation of the site. Consequently, this acquisition results in a reduction of road frontage, diluting our profile onto College Road and lessening visibility to passing traffic and footfall.

A concerning aspect of the proposed permanent acquisition is the significant infrastructural works that will result from the site boundary reconfiguration. Located within Plot List 114.a.101 are two roadside fuel dispensers together with support columns which form part of the service station building structure and fabric. This represents the loss of four of the eight fueling locations, a reduction of 50%. The required removal of the two fuel dispensers along with structural support stanchions will necessitate the demolition and replacement of the existing forecourt canopy, which also alters the structure and fabric of the service station building.

Another example of the substantial works which would be required is the requirement to decommission, remove and replace the entire existing fuel pipework as the current system would be located outside this new site boundary. Similarly, the new site boundary delineation will require existing Stormwater and Contaminated Stormwater drainage to be removed and replaced as the current system will be encroaching onto what will become public land.

Having regard to the nature of these onerous works, the premises would effectively be unable to operate for a lengthy duration in order to facilitate construction works. Reconstruction works of this nature will incur immense disruption to our operating business and displacement of our customer base. We would also bring to your attention the enormous inherent costs that will be associated with these works.

At present, there are four forecourt fuel dispenser islands located within the overall site. As mentioned above, two of which are accommodated within the area identified in (Plot List 114.a.101). The proposed acquisition will result in a 50% reduction in our operating ability and in turn our trading capacity.

To demonstrate a further impact on trading capacity, a fuel underground storage tank currently located within (Plot List 114.a.101) will require decommissioning and removal. Appropriate hazard zones around the tank could not be accommodated within the proposed site boundary reconfiguration and will result in an encroachment on what will become public land. As the decommissioning and removal of the tank will be required, the loss of such tank will further impede our operating capacity, as the current fuel storage capacity on site would be reduced by 20%. As a result, additional fuel deliveries to the site will be required, which again carries a direct negative impact upon our trading ability and operational efficiency. There is no alternative locations on site to accommodate a replacement tank.

No detail on the proposed time duration of the temporary acquisition (Plot List: 114.a.202) has been provided to us. The CPO will have a significant impact on our business trade and profitability during any temporary acquisition and works. Effectively, the business will be closed to trade for the duration of the temporary acquisition. This will result in the loss of operational property and customer trade due to the works disruption, however temporary the works and duration may be.

It is our first-hand experience that any such temporary disruption on site will lead to a temporary loss of trade but moreover, it will also result in a permanent loss of customer base due to changes in customer



*Part of Alimentation Couche-Tard*

behaviour during this intervening period, due to the disruption to site entry, exit and visibility during the period. Have no doubt that this will have a permanent effect.

The temporary land acquisition (Plot List: 114.a.202) will require a decommissioning of the fuel storage tanks. Depending on the duration of the temporary acquisition, if it exceeds a period of three months, the permanent decommissioning, removal and replacement of the fuel storage tanks will be required. Once again, this will have a significant disruption on our business.

Lastly, having reviewed the wider scheme plan for College Road, under the proposal it appears the right turn (for inbound traffic) into the service station will no longer be available to customers. The removal of this existing right turn into the service station on College Road will further compound the deterioration of our trading ability which will come as a direct result of the proposal. The extent of which may be in the order of a further 50% reduction in trading capacity.

In conclusion, due to the size and configuration of our premises, any land take whatsoever will have a detrimental impact. Furthermore, it will certainly bring into question the actual viability of our overall business at this important location, which has provided a very important service offering for the surrounding population and travellers to and from Galway City for many years. The proposal is likely to render the overall site unviable. It will completely erode our business due to the loss of fuel infrastructure and critical customer circulation and parking space, which is vital for the successful operation of our business.

We wish to put it on record that we greatly support sustainable public transport initiatives however we simply cannot support the proposed CPO scheme and vehemently object to the current proposal at our service station for the concerns outlined above and contained within this Objection.

In conclusion, we do not accept the proposed CPO and vehemently object to it.

Yours faithfully

A handwritten signature in blue ink, consisting of stylized, overlapping letters that appear to be "JL" or similar initials.

---

**Ard Services Limited**

# McArdle Doyle

Chartered Engineers  
Architectural Services  
& Project Managers

Observation on Strategic  
Infrastructure Development  
ABP Ref: 311682-21  
BusConnects Cross City Link  
(University Road to Dublin  
Road) Scheme and  
Associated Compulsory  
Purchase Order Application

Circle K, College Road  
Service Station  
College Road  
Galway.

McArdle Doyle Ltd  
Second Floor, Exchange Building

mail@mcardedoyle.ie  
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**CONTENTS**

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## 1 Introduction.

Circle K, College Road Service Station is located on College Road (R339), Galway. The service station comprises of Four (4) fuel dispensing islands covered with a typical forecourt canopy, six (6) underground fuel storage tanks, two car wash units and retail facility building with convenience store. The service station has existed and traded in its current format for approximately 30 years. This report will set out the rationale behind our clients objection to take possession of lands on a permanent basis and temporary basis under ABP Ref: 311682-21 and CPO Order 14-09-2022.

## 2 Regulatory Instrument.

Fuel service stations are designed, operated and maintained under S.I. No 630 of 2019, Dangerous Substances (Flammable Liquids and Fuels Retail Stores) Regulations 2019.

In order to trade all Service Stations must possess a Licence to Store Flammable Fuels under the above regulations.

## 3 Objection to Permanent Land Take.

The permanent land take proposed under CPO Order Map 14-09-2022 will take approximately 4.25m off the entire site frontage with College Road. This land take will have considerable negative impact on the site as outlined below.

### 1) Removal of two Forecourt Fuel Dispensers.

The two roadside fuel dispensers 'numbered 3 & 4 on enclosed drawing P2308.SK.002', are currently located 4.25m off the College Road boundary. Under the Dangerous Substances Act all fuel dispensers must be located a minimum of 4.25m off a site boundary to ensure that the fuel dispensers hazardous (Explosive Vapour) zone is located within the site boundaries. The permanent land take will have the effect of removing the two road side pumps from the site. The site is too small to safely relocate these two fuel dispensers within the revised site boundary. The result of reducing the service station from four fuel dispensers to two fuel dispensers will reduce the service stations vehicle fueling capacity by 50%. The result of forcing the sites current fuel sales through two fuel dispensers as opposed to the current configuration of four fuel dispensers will cause significant increased traffic congestion resulting in fueling vehicles queuing back onto college road. Reference Point 3, on accompanying Dr No P2308.SK.002

*The resultant traffic congestion will cause an unacceptable traffic hazard by generating queuing traffic onto College Road creating conflict and delay to both car vehicles and the proposed Bus Traffic which BusConnects is designed to improve.*

### 2) Impact on existing Underground Fuel Storage Tank.

The current location of underground fuel storage tank 6 (20,000lt fuel capacity) is approximately 6.70m from the existing site boundary. The existing 4.25m hazardous zone around the access chamber of Tank 6 is located within the confines of the current site footprint. Relocating the College Road Boundary 4.25m from its current location will have the effect of making the Tank 6 hazardous zone encroach onto what will now become a public footpath. As the hazardous zone of an underground fuel tank cannot extend beyond the site boundary, Tank 6 (20,000lt capacity) will



require decommissioning and removal from site. Reference Point 6, on accompanying Dr No P2308.SK.002

*Removal of Tank 6 (20,000lt) capacity will reduce the site fuel storage capacity by 20% thus creating additional fuel tanker deliveries to the site.*

3) Impact on Tanker Deliveries.

The Fuel Tanker Deliveries currently, occur by offloading to the underground fuel tanks located to the South of the site. To comply with the Dangerous Substances Regulations a tanker must be parked during offloading operations entirely within the site boundary and positioned on a 15m x 5m impervious slab capable of draining and containing a fuel spill discharge of 2,000lt/min to a total volume of 7,600.00lt. The result of the 4.25m boundary relocation will result in the rear 2.0m of the tanker being located on what will be a public footpath. Reference Point 5, on accompanying Dr No P2308.SK.002

*As a result of the permanent land take boundary relocation the site fuel tanker will be positioned partially on the new public footpath and outside the site contaminated fuel drainage system creating an unacceptable non-compliance with the Dangerous Substances Regulations in relation to both public safety and Environmental protection.*

4) Impact on Underground Fuel Pipework Infrastructure.

The site utilises a fuel pressure pipe system. Fuel is pumped from submersible pumps located at the base of the fuel tanks through a continuous pipe serving each fuel dispenser. Each dispenser is served by the same 50mm internal diameter underground fuel pipe with one fuel pipe for each fuel grade. The fuel pipes loop around the outer roadside dispensers which must be removed as part of the permanent land take. As a result of the permanent land take the existing site fuel pipes will now be located under the public footpath. Under the Dangerous Substances Regulations all fuel infrastructure must be located within the site boundary. Reference Point 7, on accompanying Dr No P2308.SK.002

*As a result of the permanent land take the existing fuel pipework will be located outside the new site boundary. This non-compliance with the Dangerous Substance Regulations created as a result of the permanent CPO land take will require the entire site fuel infrastructure to be decommissioned, removed and replaced. It is not possible to modify a pressure fuel system without replacing the fuel pipework infrastructure in its entirety.*

5) Forecourt Canopy.

The existing forecourt canopy offering rain cover to fuel customers is supported by six columns located at each of the four fuel dispensers and the final two columns forming part of the service station building structure and Fabric. The current footprint of the forecourt canopy extends up to the existing site boundary. The required removal of the two roadside fuel dispensers will necessitate the demolition and removal of the entire forecourt canopy as the current canopy is structurally dependant on the six stanchions. Reference Point 4, on accompanying Dr No P2308.SK.002

*As a result of the permanent land take the entire forecourt canopy will require demolition and replacement. As the forecourt canopy and service station building and structurally*

interdependent, removal of the forecourt canopy will create significant structural impacts on the service station building.

6) Forecourt Stormwater and Contaminated Stormwater drainage.

The existing stormwater and contaminated stormwater system main drainage lines are routed through the proposed CPO permanent land take. Under the Dangerous Substances Regulations all contaminated Stormwater generated from the Service Station Forecourt and Tanker offloading area must drain through a 10,000lt Class 1 Interceptor located within the service station boundary. As a result of the permanent land take the main stormwater and Contaminated Stormwater main drainage lines will be located outside the site under the proposed footpath created as a result of the BusConnects project. Reference Point 8, on accompanying Dr No P2308.SK.002

As a result of the Permanent land take the service station stormwater and Contaminated stormwater systems are outside the service station site boundaries. This Dangerous Substances non-compliance created as a result of the BusConnects CPO can only be rectified by demolishing and reinstalling the entire Stormwater and Contaminated Stormwater system to include replacement of the current site Fuel Interceptor.

#### **4 Objection to Temporary Land Take.**

The temporary land take under CPO Order Map 14-09-2022 shows the entire facility being occupied as part of BusConnects Construction works. Our Client objects to the Temporary land take as follows.

1) Tank Decommission.

No indication has been offered on how long the lands will be occupied as part of the temporary land take. Under the Dangerous Substances Act underground fuel storage tanks may be temporarily decommissioned and then brought back into service as part of a service station refurbishment works or maintenance requirements. The period of temporary decommission is at the discretion of the local Fire Authority but typically does not extend beyond 3 months. Assuming the temporary land take will force the facility to close for a period in excess of 3 months and considerably longer we anticipate that the existing underground fuel storage tanks will require permanent decommission, removal from site and replacement with new tanks at the end of the temporary land take CPO period.

It is reasonable to assume that the temporary land take will accommodate building contractor activity, material storage and potential contractor staff welfare facilities for BusConnects Construction. It is reasonable to state that any Health and Safety Risk assessment of this activity would necessitate the removal of fuel explosive hazardous zones. As a result, the underground fuel storage tanks will require permanent decommission, removal from site and replacement with new tanks at the end of the temporary land take CPO period.

Our Client objects to the fact that the fuel tanks will require permanent decommission and replacement as part of the BusConnects temporary land take.

## 5 Conclusion.

Our Client respectfully objects to the BusConnects permanent and temporary land take proposed in this CPO due to the following technical and regulatory reasons.

- 1) The removal of two roadside fuel dispensers will reduce the site from 4 fuel dispensers to 2 fuel dispensers.
  - This will fundamentally damage the existing commercial performance of the site.
  - Reducing the site to 2 (two) functioning fuel dispensers will create traffic congestion forcing vehicles to queue back out onto College Road causing unacceptable Road Safety issues for both vehicles wishing to use the facility and for Bus Traffic which the BusConnects project is designed to prevent.
- 2) Underground Tank Removal.
  - To ensure ongoing compliance with the current Dangerous Substances Regulations, 1 (one) 20,000lt underground tank will be removed from site. This storage capacity reduction will generate additional fuel tanker deliveries to site addressed in the following point.
- 3) Fuel Tanker Deliveries.
  - The revised site boundary, 4.25m into the site will result in Tankers partially being positioned onto the proposed footpath creating a noncompliance with the Dangerous Substances act.
  - Potential spill containment required within and under a parked fuel tanker cannot be achieved creating a noncompliance with the Dangerous Substances Act.
- 4) Existing Underground Fuel Pipework.
  - Existing underground fuel pipework will be located under the proposed public footpath as a result of relocating the site boundary 4.25m into the site. Underground fuel pipework cannot be located outside the perimeter of the site creating a noncompliance with the Dangerous Substances Act.
- 5) Forecourt Canopy.
  - Relocation of the site boundary and removal of two fuel dispensers will require full demolition of the current forecourt canopy and construction of a new canopy.
- 6) Service Station Drainage.
  - The proposed BusConnects permanent land take will require full removal and replacement of the site Stormwater and Contaminated Stormwater Drainage systems.
- 7) Temporary land take impact.
  - In our opinion the temporary land take will exist for a period considerably beyond 3 months and it is therefore reasonable to assume that a temporary underground fuel tank decommission will not be appropriate. This would require the existing underground fuel storage tanks being permanently decommissioned and then replaced at the end of the temporary CPO period.
  - Health and Safety considerations relating to site construction activity within the temporary land take area will necessitate permanent fuel tank decommission and ultimately tank replacement at the end of the temporary CPO period.

The overall effect of the above will be.

- The permanent removal of two service station fuel dispensers, 4 out of 8 fueling points will be lost.
- The facility fuel tanker will be partially parked on the public footpath during offloading operations.
- Demolition and removal of the forecourt canopy.
- Potential substantial structural remedial works to the service station building as a result of the canopy removal.
- Replacement of the entire underground fuel pipework infrastructure system. It is not possible to partially replace pressure fuel pipework.
- Decommission and replacement of the underground fuel tanks.
- Replacement of the stormwater and Contaminated Stormwater drainage systems.
- Relocation of the tanker off loading position to ensure the tanker can off load within the site boundary.
- Replacement of all site hard surfaces as a result of the above.

It is our opinion that the compounding effects of all of the direct impacts on the Service Station site will ultimately **result in a full raze and rebuild of the service station on BusConnects completion.** The rebuilt service station will be smaller in scale as the overall site area will reduce by 205sqm from the existing site area of 1,665sq.m (a 12.5% site area reduction) with significantly less fuel dispensing capacity.

It is our opinion that reducing the fuel dispensing capacity of the site will generate unacceptable and potentially unsafe traffic queuing beyond the site and onto the proposed BusConnect lane creating new traffic congestion issues that BusConnects has been designed to remove from College Road.

This report has been prepared without prejudice and excludes the temporary or permanent commercial damage to the service station.

Report by



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Ronnie McArdle BEng, CEng, MIEI  
McArdle Doyle Limited.  
10th November 2022

NOTES:  
 1. THIS DRAWING IS MADE ON A 40% SCALE. ALL DIMENSIONS SHALL BE CHECKED AGAINST THE PLAN PERMISSION OF MARDIA DOYLE CO.  
 2. ALL WORKS TO COMPLY WITH THE CURRENT DRAINAGE REGULATIONS.  
 3. SEE PLAN SHEET.  
 4. GEOTECHNICAL REPORT BY MARDIA DOYLE CO. AT 01/02/22.  
 5. GEOTECHNICAL REPORT BY MARDIA DOYLE CO. AT 01/02/22.

ID#	LEGENDS	DESCRIPTION OF WORKS
1	[Red outline]	EXISTING SITE BOUNDARY
2	[Yellow fill]	PERMANENT LAND TAKE UNDER CPO-14-05-0022
3	[Red diagonal lines]	2 NUMBERS SUEL IMPROVEMENTS TO BE REMOVED AS PART OF THE PERMANENT LAND TAKE
4	[Blue dashed line]	CONCRETE CANOPY TO BE REMOVED DUE TO BUS STOP WORKS
5	[Green dashed line]	PROPOSED PERMANENT POINT ENROUCHING INTO EXISTING PUBLIC FOOTPATH
6	[Red dashed line]	TANK 8 TO BE DECOMMISSIONED AS PART OF BUS CONNECTS WORKS
7	[Red dashed line]	UNDERGROUND FUEL PIPING TO BE DECOMMISSIONED AND REMOVED AS REPLACED AS FUE, PERKMARK MUST BE WITHIN EXISTING STATION SITE BOUNDARY.
8	[Red dashed line]	SITE SUMP WATER, CONTAMINATED STORM WATER & FUEL TO BE REMOVED & REPLACED WITHIN SITE BOUNDARY

NOTE:  
 ALL OF THE ABOVE WORKS LISTED CREATED AS PART OF THE BUS CONNECTS LAND TAKE

- [Red outline] SITE AREA = 1700m<sup>2</sup>
- [Yellow fill] PERMANENT LAND TAKE AREA = 272m<sup>2</sup>
- [Red diagonal lines] - INDICATES HAZARDOUS ZONE
- [Red dashed line] - REMOVED RESPONSE NUMBERS



DATE	BY	REVISION

**McArdle Doyle**  
 Chartered Engineers  
 100, The Arcade, Dublin, Co. Dublin  
 01-454 4444  
 info@mcdoyle.ie

PROJECT: CIRCLE K, COLLEGE ROAD, GALWAY  
 CLIENT: CIRCLE K

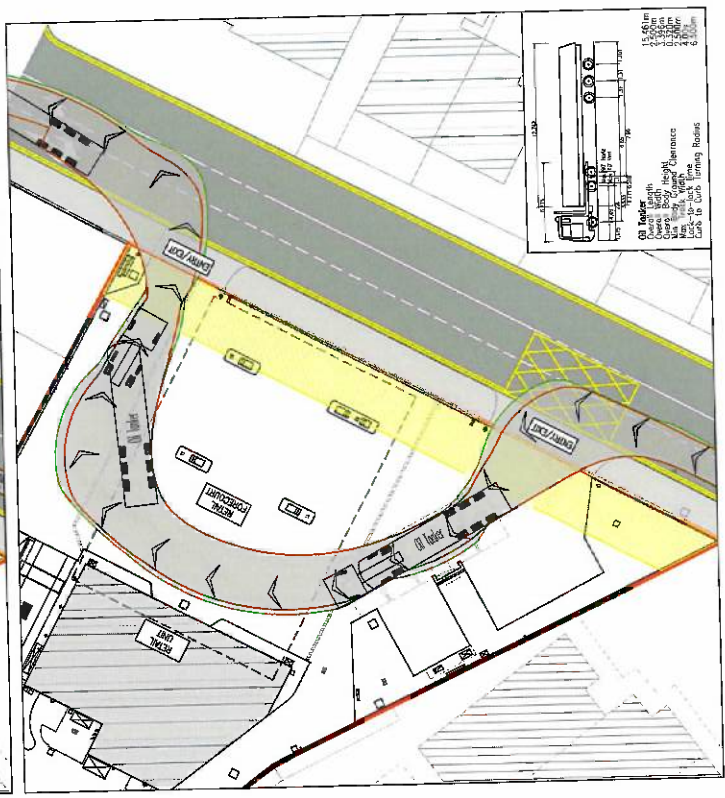
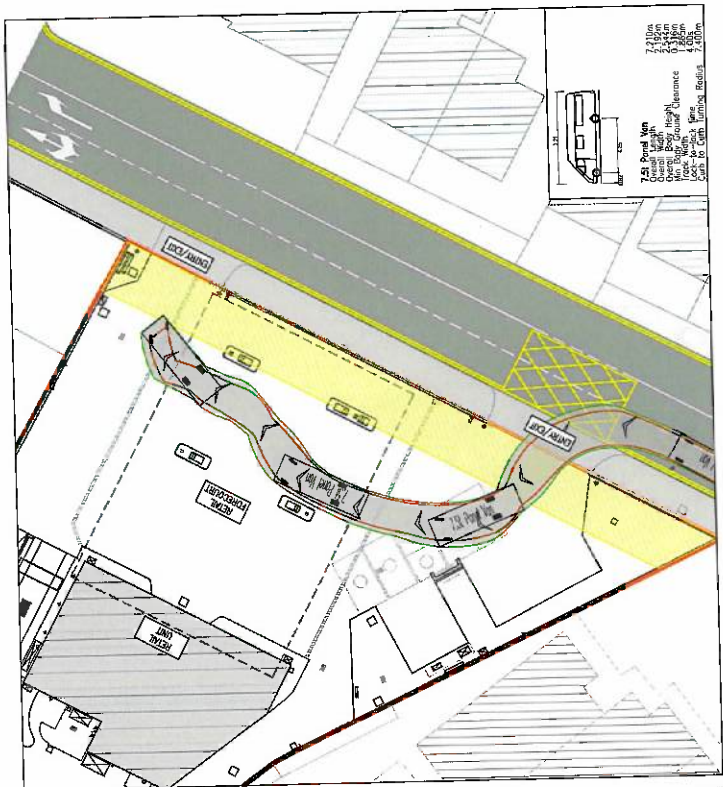
DRAWING TITLE: PROPOSED BUS CONNECTS LAND TAKE IMPACT

Date	Drawn	Checked	Approved
11/11/22	GR	RM	RM
Scale at A1	Drawing Number	State	Rev.
1:1000	P2306.SK 002		

NOTES:  
 1. THIS DRAWING IS VALID ONLY IF USED IN ACCORDANCE WITH THE CURRENT EMBANKMENT REGULATIONS.  
 2. ALL DIMENSIONS TO UNLESS OTHERWISE STATED.  
 3. THE DRAINAGE SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH THE CURRENT EMBANKMENT REGULATIONS.  
 4. THE DRAINAGE SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH THE CURRENT EMBANKMENT REGULATIONS.  
 5. THE DRAINAGE SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH THE CURRENT EMBANKMENT REGULATIONS.

LEGEND

[Red line]	SITE BOUNDARY
[Yellow fill]	PROPOSED LAND TAKE



ISSUED FOR INFORMATION

Rev.	Description	Of	By	Date

## McArdle Doyle

Registered Engineers  
 Architectural Services  
 & Project Managers

[www.mardle.com](http://www.mardle.com)

PROJECT: CIRCLE K,  
 COLLEGE ROAD, GALWAY

CLIENT: **CIRCLE K**

DRAWING TITLE: SITE LAYOUT  
 AUTOTRACKS

Date:	11/11/22	Drawn:	GF	Checked:	JF	Approved:	JF
Scale:	as A1	Drawing Number:	P/2208.SK003		Sheet (Rev.):	1	

