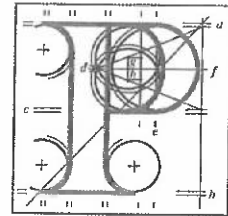


Our Case Number: ABP-314597-22

Your Reference: Olivia Heffernan



**An
Bord
Pleanála**

MJ Designs
Boleybeg East
Barna
Co. Galway

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.

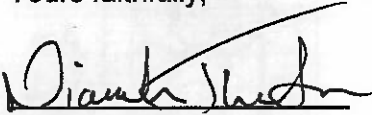
If you have any queries in relation to this matter please contact the undersigned officer of the Board.

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

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

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

Yours faithfully,



Niamh Thornton
Executive Officer
Direct Line: 01-8737247

HA02A

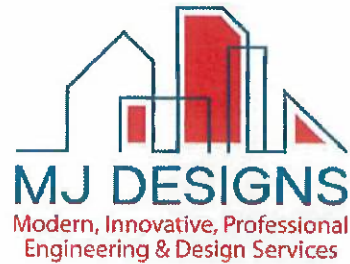
Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

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64 Marlborough Street
Dublin 1
D01 V902



Boleybeg East
Barna
Galway
086-2657596
091-750006
16th November 2022

An Bord Pleanála,
64 Marlborough Street,
Dublin 1.
D01 V902

BORD PLEANALA CASE REF: HA61.314579

Dear Sir/Madam,

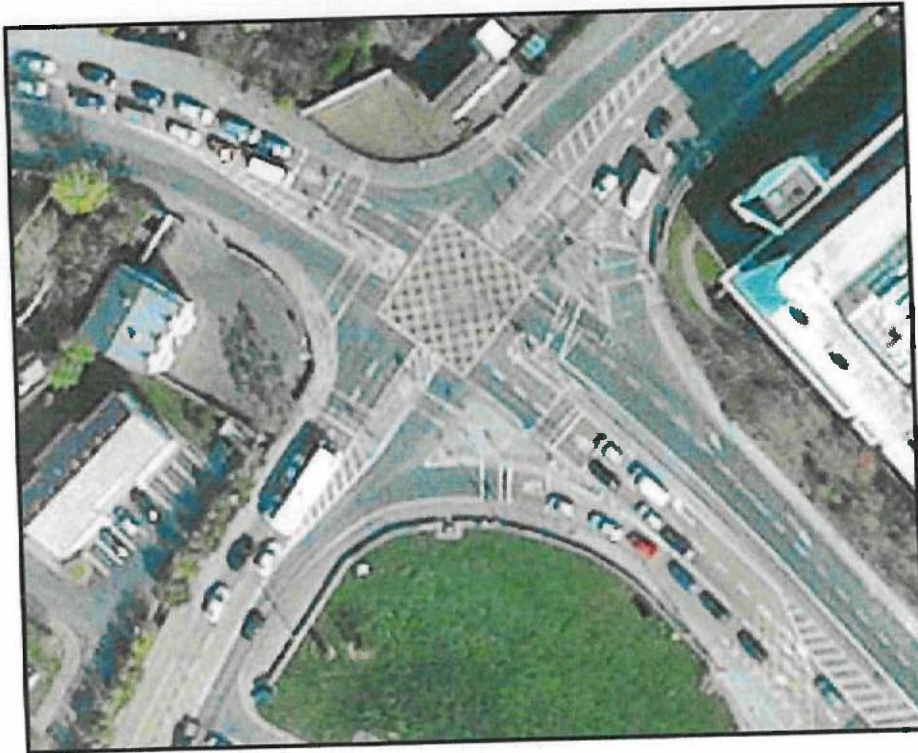
**Re: BusConnects Galway: Cross-City Link (University Road to Dublin Road) Scheme
Objection to Proposed Cross City Bus Link-Bord Pleanala Case Ref: HA61.314579**

Dear Sir/Madam,

On behalf of my client Olivia Heffernan of Bayview House, College Road, Galway H91 T2H4, I wish to lodge the following objection in relation to the BusConnects Galway: Cross-City Link (University Road to Dublin Road) Scheme which was submitted to An Bord Pleanala by Galway City Council.

Olivia Heffernan is the owner of Bayview House, an 11 Bedroom Guest house located at the junction of College Road and Moneenageisha Road, Galway.

The property is a commercial guest house/ BnB and has substantial on site car parking.



Extract from GeoHive Maps showing Bayview to Western side of existing Junction
License No.: CYAL502609611 © Ordnance survey Ireland / Government of Ireland.

As will be noted from the Aerial Photograph above, Bayview House BnB is bounded by College Road to the South East and Moneenageisha Road to the North East.

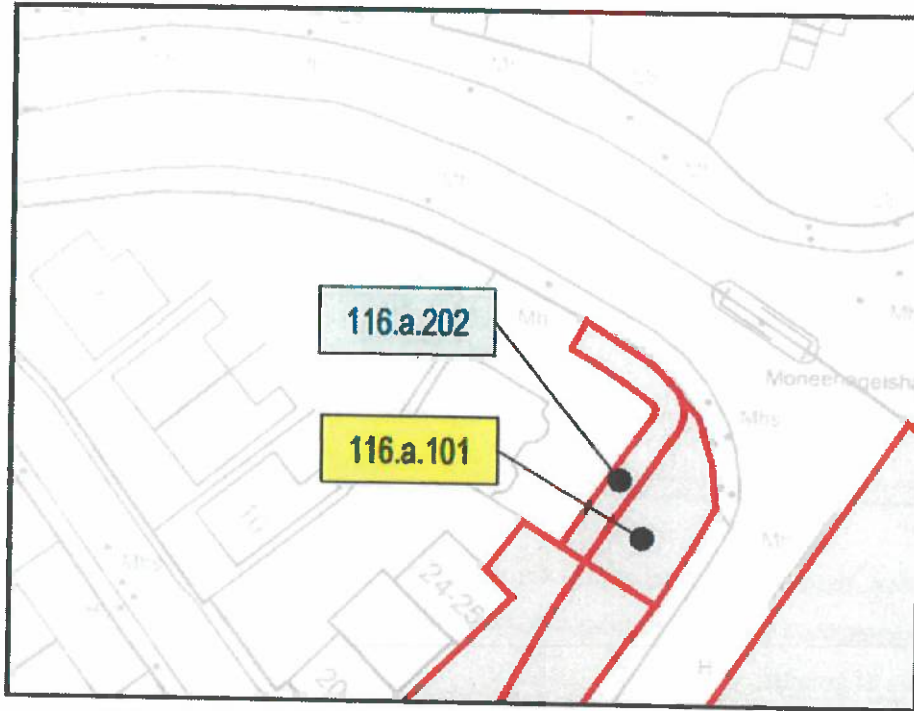
The Guest House (With Red Dot) is located to the Western Corner of the site and there is a large car parking area in front of the house. The Area of Car parking is 325 sq.m and this can provide car parking for in excess of 12 car spaces and at times over 15 cars.

Vehicular Access is off Moneenageisha Road and Pedestrian access via a gateway onto College Road.

The Guest House has 11 bedrooms -5 x Triples, 1 x Quad Bedroom and 5 x Doubles/Triples and the fact the property has extensive on site car parking and is within walking distance of Eyre Square means that this is a very popular guest house for visitors to Galway as it provided free on-site secure car parking.

As a result of being able to offer on-site car parking, the guest accommodation has a very high occupancy rate throughout the year. Our client advises that the high occupancy is solely dependant on being able to offer on site car parking for her guests.

As part of the BusConnects Galway: Cross City Link (University Road to Dublin Road) Scheme, Galway City Council have published Compulsory Purchase Order No. CCL-CPO-001,2022.



Extract from Galway City Council Drawing BCG-DM-05

-Lands being Compulsorly Acquired-Deposit Map.

The lands being permanently Acquired from Olivia Heffernan are labelled **116.a.101**.

The lands being Temporarily Acquired for the construction stage are labelled **116.a.202**.

The Area of lands being Permanently Acquired is **110.3 sq.m.**

SCHEDULE PART I Lands Being Permanently Acquired				
<small>Land other than land consisting of a house or houses unfit for human habitation and not capable of being rented</small>				
Number on map deposited at Local Authority	Quantity, Description, and situation of land		Owners or Reputed Owners	Lessees of
116.a.101	Area (Ha): Area (m ²): Description: County: Address:	0.01103 110.3 B&B Carpark Galway Bayview House, College Road, Galway, H91 T2H4	Olivia Heffernan, Bayview House, College Rd. Galway, H91 T2H4	None

The Area of lands being Temporarily Acquired is **76.7 sq.m.**

SCHEDULE PART II Lands Being Temporarily Acquired			
Land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered			
Number on map deposited at Local Authority	Quantity, Description, and situation of land		Owners or Reputed Owners
116.a.202	Area (Ha): Area (m ²): Description: County: Address:	0.076 76.7 B&B Carpark Galway Bayview House, College Rd. Galway, H91 T2H4	Olivia Heffernan, Bayview House, College Rd. Galway, H91 T2H4

As mentioned above, the on-site car parking is the reason that the B&B is so successful and the business generates a turn over in excess of €210,000.00 per annum and this is our client's sole source of income.

The existing car park has an area of 325sq.m and Galway City Council as part of the CPO for the BusConnects Cross City Link propose to Permanently Compulsory Purchase 110sq.m of the Car Parking Area -34% of the total Car Park area.

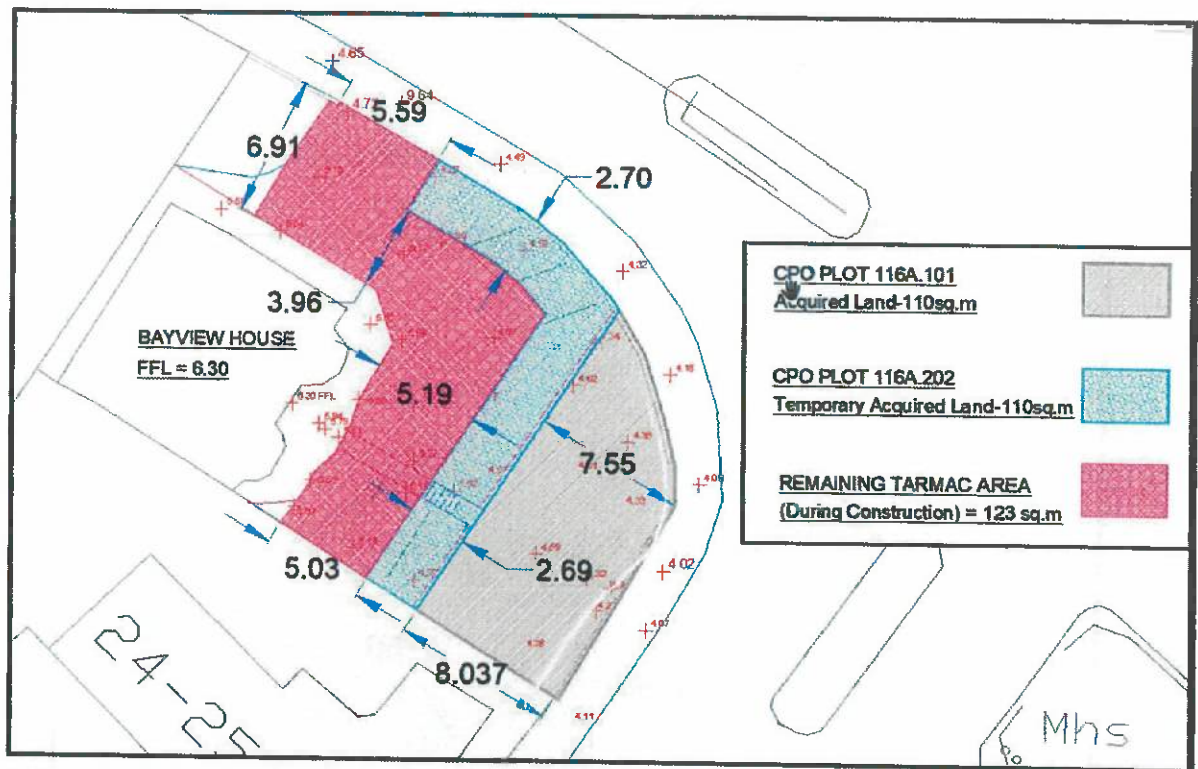
Additionally, Galway City Council are Temporarily acquiring an additional 76.7 sq.m of car park for the construction stage

This will mean that for the construction stage of the project, the City Council will have acquired 187sq.m of the car park or 58% of the car park.

Due to the shape of the site and the shape of CPO Plot 116.a.202, there will only be space left on site for 2 car spaces during the construction stage.

The Construction Phase around Moneenageisha Junction could extend for in excess of a year, or even longer, as this will be one of the main Junction Points in the whole scheme and if the Galway BusConnects Cross City Link Scheme is approved by An Bord Pleanala, then this will result in the closure of our client's business as it will no longer be viable during the construction phase as it cannot operate with only 2 car parking spaces.

In addition, practically all of the B&B business is generated through Booking.com. The problem which our client faces is that she is now taking bookings for 2023 and in 2023 she will be taking bookings for 2024 and so forth, therefore she needs certainty in relation to her business. Under the Booking.com arrangement she is contractually liable to provide her guests with their booked accommodation. If she cannot provide that accommodation then she is liable for any losses suffered by such guests and furthermore her booking rate would be adversely affected. The problem she faces is that if she cannot be certain that she can accept bookings for future periods should the scheme be approved and without knowing to what extent her premises will be affected by the construction works then her business may be forced to close.



The drawing above shows the two CPO Plots. The lands shaded Purple will be the area of car park accessible during the construction stage- Due to the irregular shape and narrow width of the remaining car parking, it would only be possible to park two cars and from a Health & Safety Perspective, the car park would be dangerous as there are no proper turning areas and the owner would be liable to Insurance claims for car damage.

Therefore, it is our conclusion that if An Bord Pleanala grants permission for the proposed works, then Galway City Council and An Bord Pleanala will be responsible for the closure of a very successful business which provides much needed visitor accommodation in Galway City.

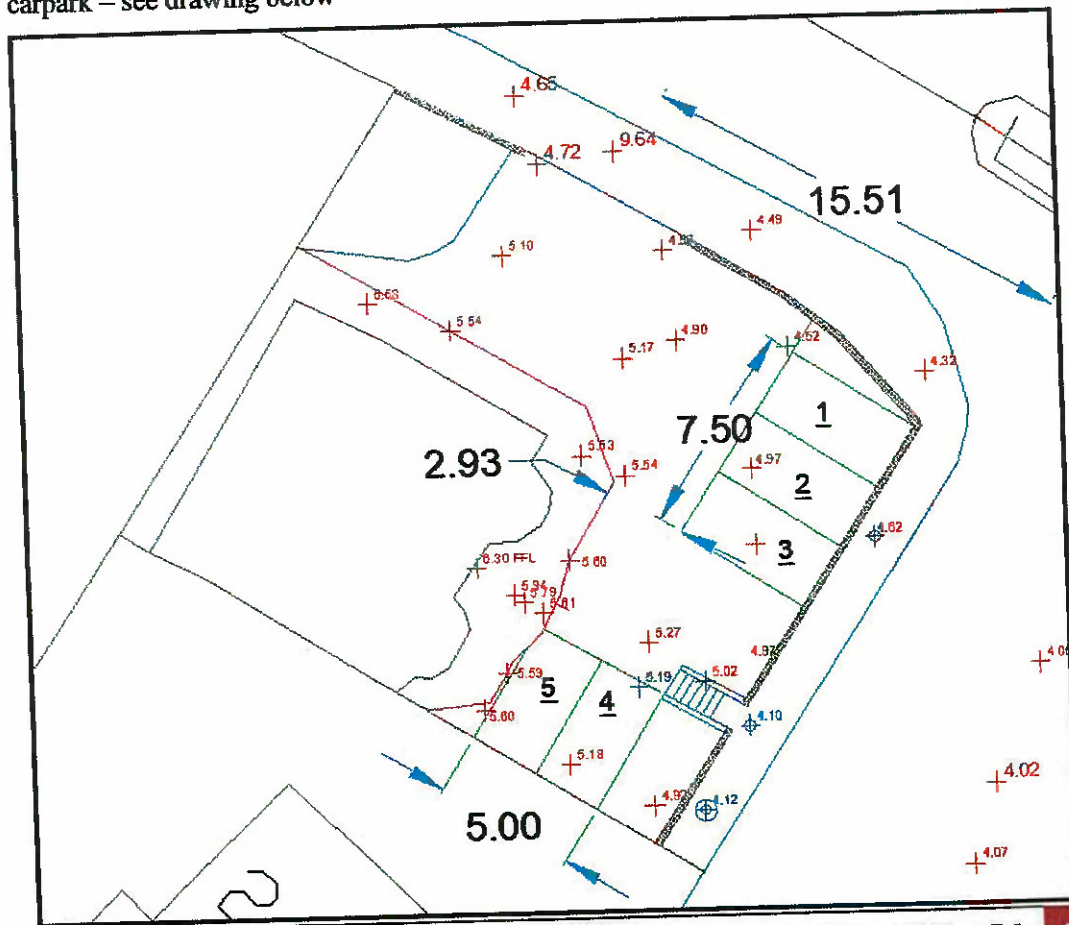
If the scheme is approved and the works are completed, then additional issues will arise for my client

Galway City Council are permanently acquiring between 7.55 and 8.03m of car parking area which fronts onto College Road.

There is currently a pedestrian access from the car park onto the footpath at college road. When the existing boundary wall is set back over 7.5m, there will be a difference in levels of 1100mm between the new footpath and the existing car park.

It will be necessary to construct a new pedestrian access that will further eat into the car park.

On completion of the proposed works, it will only be possible to park 5 cars within the carpark – see drawing below

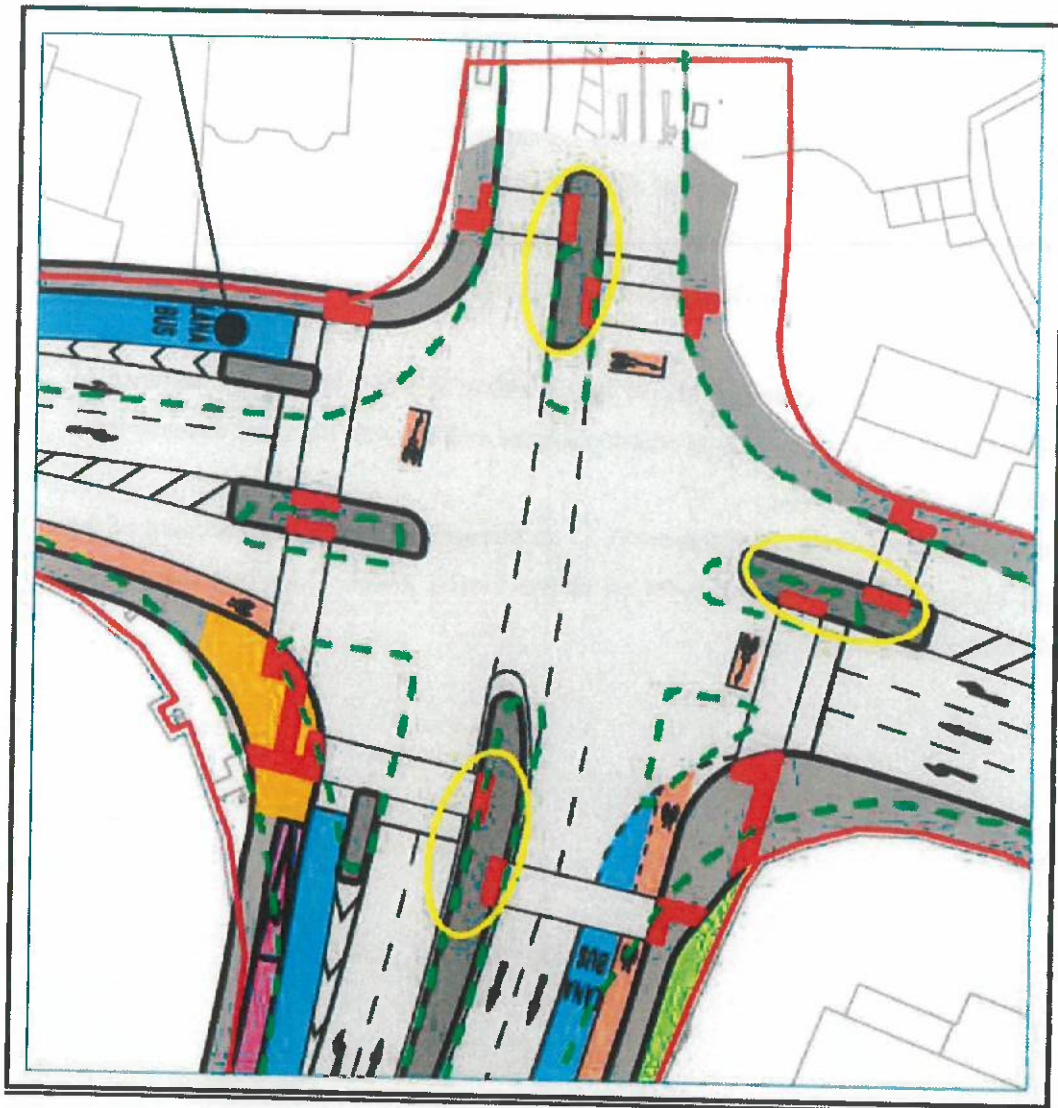


Car parking on completion of Works for Bus Connect Cross City Link Scheme.

Again, this leaves an unviable car park and therefore an unviable business- An 11 Bedroomed B & B which can sleep up to 34 people cannot operate with only 5 car parking spaces, especially when the main selling point for this business is the availability of on-site free car parking.

The proposed scheme in its current form will result in the permanent closure of Bayview house B & B and the total loss of my client's business and income.

Failings with Road Safety Audit



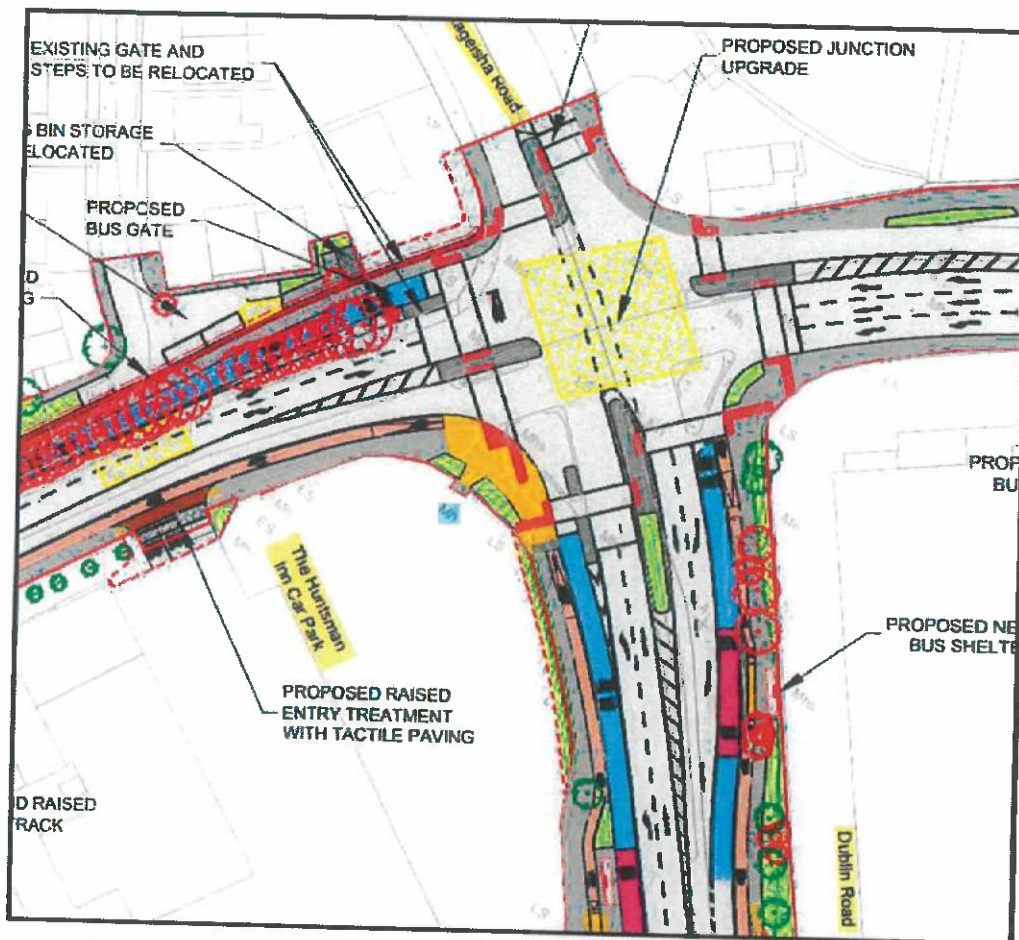
A Stage 1 Road Safety audit was completed by Barry & Associates on the College Road / Moneenageisha road junction- See Section 2 of Road Safety Audit- *Audit Issues Identified*.

Paragraphs 2.2 to 2.4 all refer to the College Road / Moneenageisha Road junction yet the audit does not consider the fact that the entrance to Bay View is now 8m closer to the junction and this will lead to a serious health and safety issue with the increased likelihood of a traffic accident when driving from the Moneenageisha Cross into the property with a risk of being rearended. The problem this poses is that it would normally be the responsibility of the other driver for the accident but that other driver could seek to make Galway City Council and An Bord Pleanala (in approving the scheme) and our client partially liable for the accident. This would result in our client's insurance company having to deal with such an incident on her behalf. However, if there is more than one accident, the problem then is that no insurance company will give our client public liability cover and this will result in our client not being able to conduct any business whatsoever on the premises. It would be the case that if the scheme is approved that our client would be seeking an indemnity from Galway City Council and An Bord Pleanala in respect of any such accident.

Additionally, the scheme design shows a pedestrian crossing beside the entrance to Bayview House. This is creating an additional hazard along with the short distance from the junction to the entrance.

There is a very real chance that there will be an increase in accidents on account of the current layout and this was not assessed in the Traffic Audit. Therefore, the scheme should be refused permission.

Alternative Designs



There is no evidence anywhere within the Galway City Council submissions that they looked at an alternative design for the College Road / Moneenageisha Road Junction. If the proposed alterations to the College Road section were moved Southwards towards the green space in front of the Huntsman Inn, then it is probable that the impact on Bayview house would be much less severe and it may have been possible to retain the property as a viable business.

It Appears that in the design of this scheme, no consideration was given what so ever to the impact this bus route will have on my client's business and as such the scheme should be refused.

Yours Faithfully,

Michael Lydon BE MIEI.

On behalf of Lydon Consulting Engineers Ltd t/a MJ Designs

MJ Designs- 091-750006 / 086-2657596 |
michael@mjdesigns.ie

Olivia Heffernan _ Bayview House, College Rd.
Objection/ Submission to Case Reference HA61.314579
BusConnects Galway: Cross City Link (University Rd to College Road) Scheme.

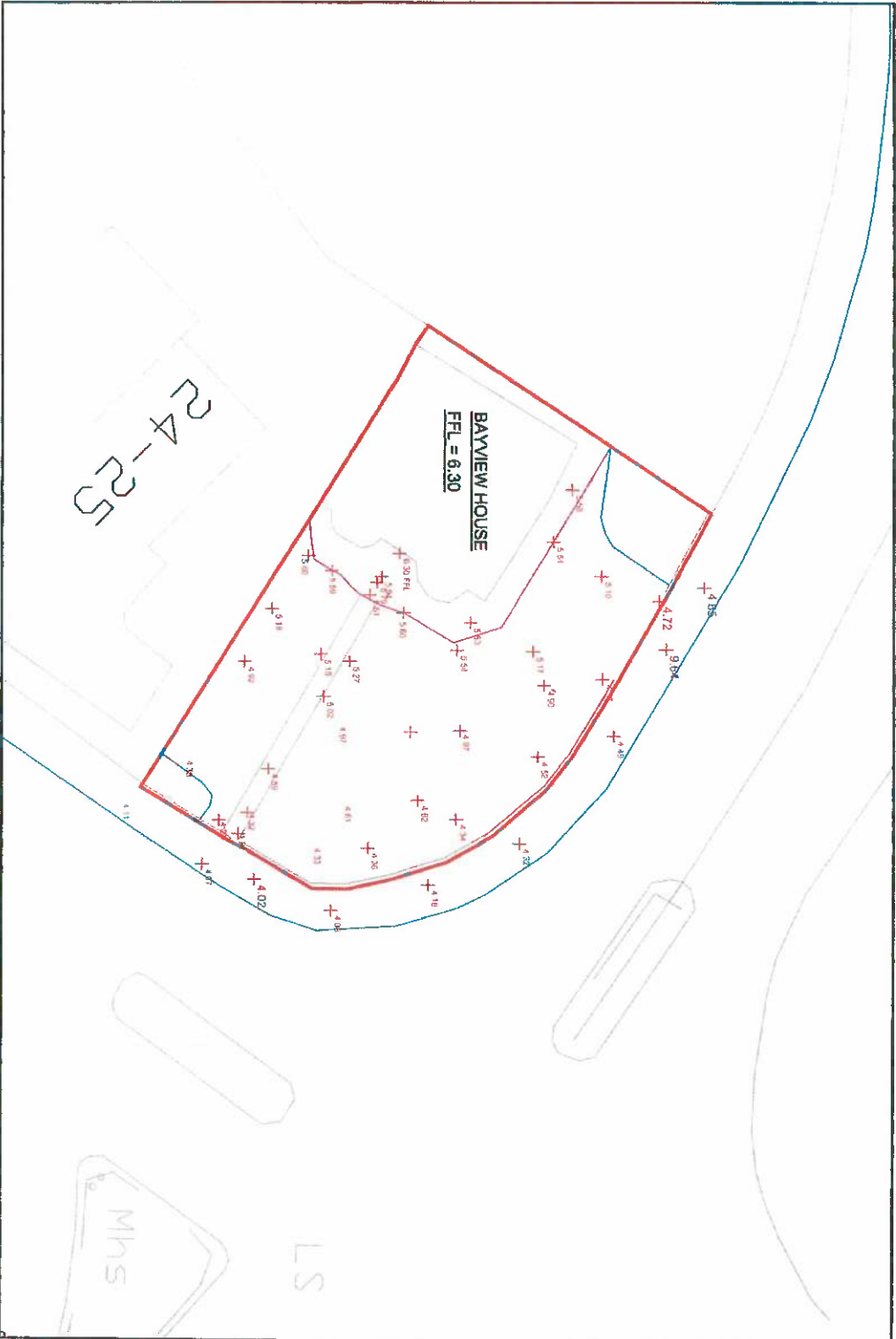
Appendix A – Site Survey Drawing

OVERALL SITE AREA = 523 SQ.M
PLOT EDGED RED

TARMAC AREA FOR CAR PARKING =
325 SQ.M

BUS CONNECT GALWAY - CROSS CITY LINK
(UNIVERSITY ROAD TO DUBLIN ROAD) SCHEME
 Compulsory Purchase Order No. CCL-CPO-001, 2022
BAYVIEW HOUSE-PLOTS 116a.101 & 116a.202

531074,726283



531000, 726234

CVAL502609611
 (c) Ordnance Survey Ireland / Government of Ireland

BAYVIEW HOUSE LOCATION MAP
PLOT AREA = 0.129 Acres (0.0523 Ha)
TARMAC AREA = 325 sq.m.
PLOT EDGED RED (Scale 1:250 @ A3)



CONSULTING ENGINEERS & ARCHITECTURAL DESIGNERS
 BOUTHERS EAST
 DUBLIN
 15/16 DUBLIN STREET
 PH: (01) 226288
 Email: enquire@mjd.ie

M.J. DESIGNS

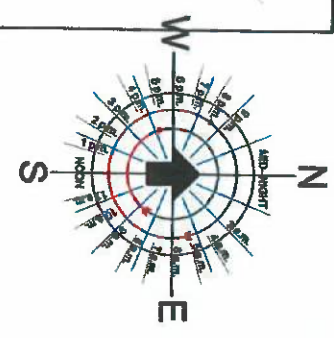
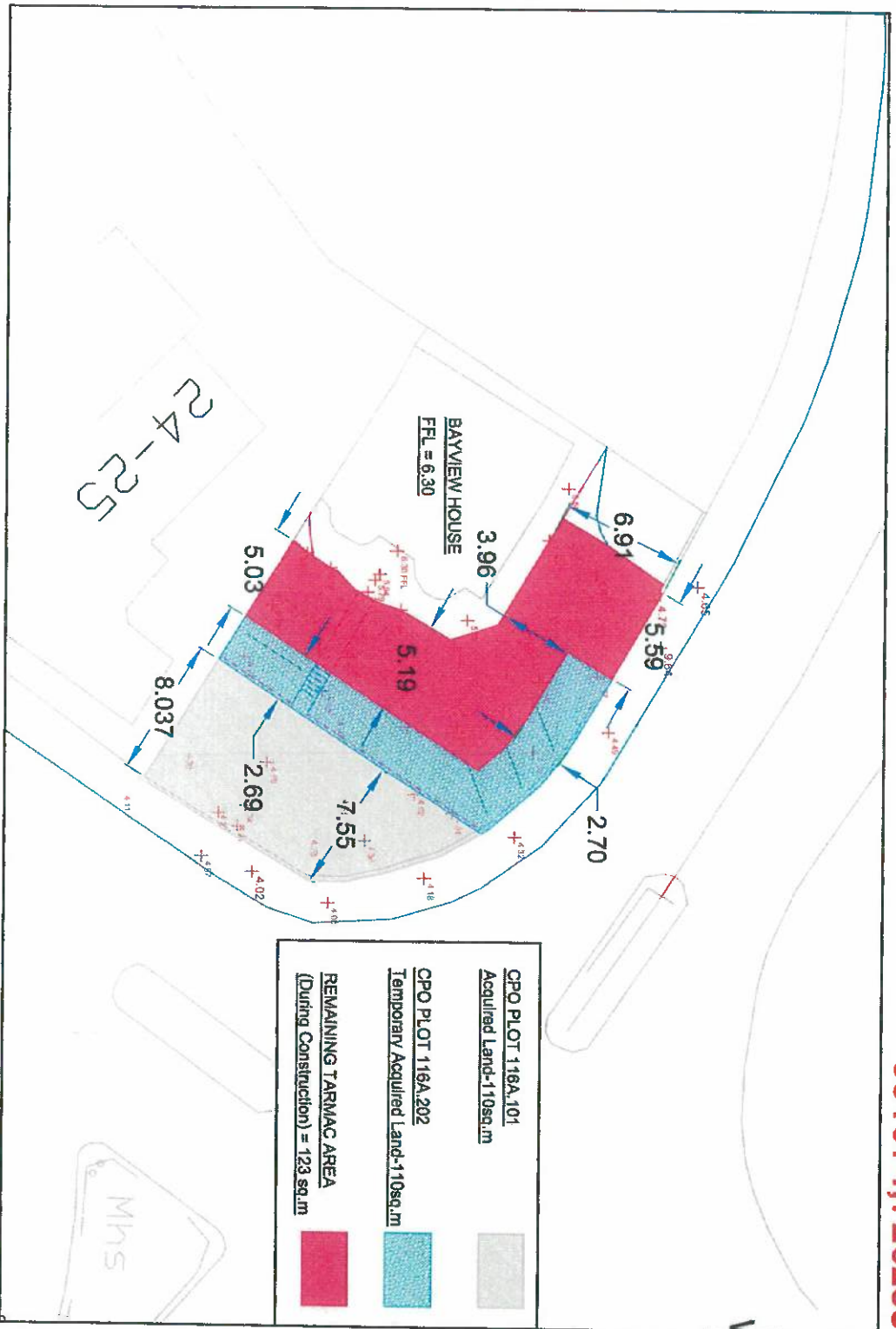
PROJECT: THE SQUARE ANDERSON CITY
 FROM UNIVERSITY ROAD TO DUBLIN ROAD SCHEME
 EPOCH CONSULTING ENGINEERS LTD. 01/2022
 DRAWN BY: S.F. DATE: 12/08/22
 CHECKED BY: M.A.L. DATE: 01/01/23
 CLIENT: QUINN, WHELAN, BAYVIEW HOUSE
 ADDRESS: 15/16 DUBLIN STREET, DUBLIN
 PHONE: (01) 226288
 EMAIL: enquire@mjd.ie

Appendix B –

**Site Layout showing CPO Plots and available car
parking DURING construction works**

**BUS CONNECT GALWAY - CROSS CITY LINK
 (UNIVERSITY ROAD TO DUBLIN ROAD) SCHEME
 Compulsory Purchase Order No. CCL-CPO-001, 2022
 BAYVIEW HOUSE-PLOTS 116a.101 & 116a.202**

531074, 726283



531000, 726234

CYAL502609611
 CD/Draftance Survey Ireland / Government of Ireland

**BAYVIEW HOUSE LOCATION MAP
 MAP SHOWING CPO PLOTS AND
 RETAINED LANDS
 (Scale 1:250 @ A3)**



CONSULTING ENGINEERS &
 ARCHITECTURAL DESIGNERS
 REGISTERED PART
 BANNIX
 GALVAN
 HAVINZAN SHERRING
 PH. 091 726283

Email: info@mjdesigns.ie

M.J. DESIGNS

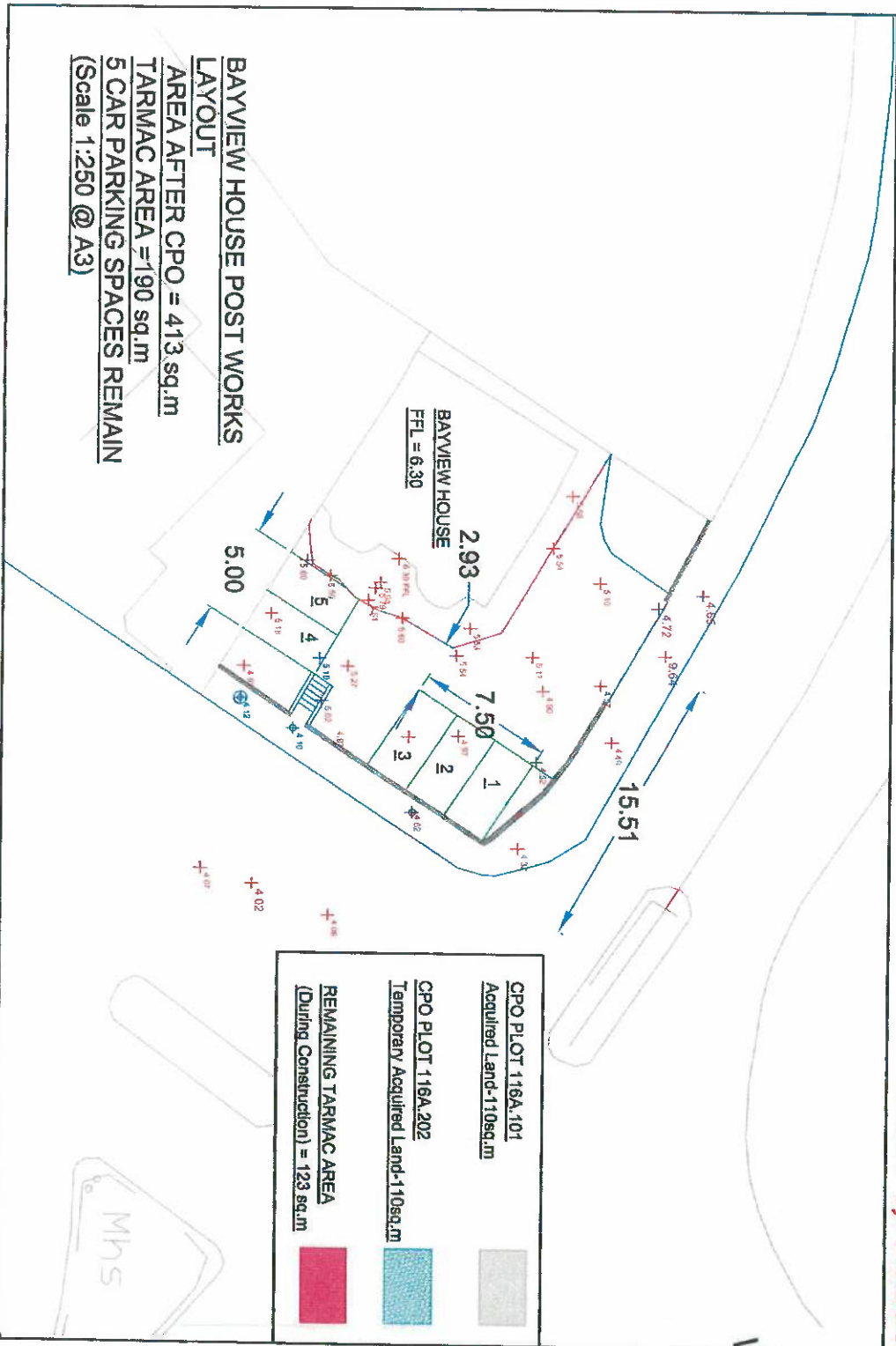
116a.101 & 116a.202 Bayview House
 116a.101 & 116a.202 Bayview House
 CPO/Temporary Acquired Land - 110sq.m

Project No.	116a.101 & 116a.202	Scale	1:250 @ A3
Client	QUAM VERBENA - BAYVIEW HOUSE	Date	16/10/2022
Drawn By	M.J.L.	Checked By	M.J.L.
Project No.	116a.101 & 116a.202	Scale	1:250 @ A3

Appendix C –
Site Layout with 5 Remaining Car Spaces after
COMPLETION of proposed Works

**BUS CONNECT GALWAY - CROSS CITY LINK
(UNIVERSITY ROAD TO DUBLIN ROAD) SCHEME**
Compulsory Purchase Order No. CCL-CPO-001, 2022
BAYVIEW HOUSE-PLOTS 116a.101 & 116a.202

531074, 726283



BAYVIEW HOUSE POST WORKS LAYOUT
AREA AFTER CPO = 413 sq.m
TARMAC AREA = 190 sq.m
5 CAR PARKING SPACES REMAIN
(Scale 1:250 @ A3)

531000, 726234

CYAL502609611
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CONSULTING ENGINEERS & ARCHITECTURAL DESIGNERS
BOLENEBOE PLAZA
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GALWAY
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PH/AVENUE
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Email: info@mjd.ie

M.J. DESIGNS
PROJECT: PROPOSED BUS CONNECT GALWAY - CROSS CITY LINK
CPO 116a.101 & 116a.202
DATE: 13/06/23

Author	MAJ	Approved	MAJ
Checked	MAJ	Checked	MAJ
Date	13/06/23	Date	13/06/23
Scale	1:250 @ A3	Scale	1:250 @ A3
Project	PROPOSED BUS CONNECT GALWAY - CROSS CITY LINK CPO 116a.101 & 116a.202	Project	PROPOSED BUS CONNECT GALWAY - CROSS CITY LINK CPO 116a.101 & 116a.202
Client	QUINN HERBERTSON - BAYVIEW HOUSE	Client	QUINN HERBERTSON - BAYVIEW HOUSE
Sheet No.	1/1	Sheet No.	1/1
Total Sheets	1	Total Sheets	1