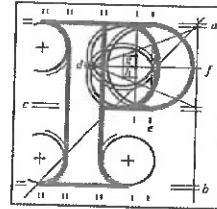


**Our Case Number:** ABP-314597-22

**Your Reference:** Fairgreen Coach Station Limited



**An  
Bord  
Pleanála**

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

**Date:** 18 November 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 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.

Yours faithfully,

Niamh Thornton  
Executive Officer  
Direct Line: 01-8737247

HA02A

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

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

An Bord Pleanála  
64 Marlborough Street  
Dublin 1

VIA - COURIER

11<sup>th</sup> November 2022

<b>AN BORD PLEANÁLA</b>	
LDG-	_____
ABP-	_____
11 NOV 2022	
Fee: €	_____ Type: _____
Time: <u>11.34</u>	By: <u>colliers</u>

**RE: Galway City Council - National Transport Authority**

**Proposal – Bus Connects Galway Cross-City Link (University Road to Dublin Road), Compulsory Purchase Order No CCL-CPO-001,2022.**

**Landowner – Fairgreen Coach Station Limited.**

**Office 3 Ground floor, Webworks Building, Fairgreen Road, Galway.  
Plot reference Nos. 108.a.101 & 108.a.202**

Dear Sir/Madam,

Further to the Notice of the Making of a Compulsory Order by Galway City Council, under Section 76 of the Third Schedule to the Housing Act 1966 and subsequent relevant Acts and Instruments, herewith enclosed, objection/observation to the Compulsory Acquisition of lands within the remit of the designated landowner.

Callum Bain of Colliers Estate Agents has been retained and instructed to lodge an objection in respect of said proposed Compulsory Purchase order, on behalf of Fairgreen Coach Station Limited, Office 3 Ground floor, Webworks Building, Fairgreen Road, Galway.

I would be obliged if An Bord Pleanála, acknowledge receipt of the enclosed objections.

Please be advised that Callum Bain of Colliers together with the landowner/objector will be seeking costs incurred, in respect of the making of the objections, lodgment of said objections and attendance at an oral hearing if same is required.

Yours sincerely



**Callum Bain**

Senior Surveyor

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[callum.bain@colliers.com](mailto:callum.bain@colliers.com)

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19-26 Lower Pembroke Street  
Dublin 2, Ireland  
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To  
An Bord Pleanála  
Strategic Infrastructure Division  
64 Marlborough Street  
Dublin 1  
D01 V902

Date 3<sup>rd</sup> November 2022

RE: Bus Connects Galway Cross-City Link (University Road to Dublin Road),  
Compulsory Purchase Order No CCL-CPO-001,2022.

Submission of Objection  
On behalf of

Fairgreen Coach Station Ltd.  
Office 3 Ground floor  
Webworks Building  
Fairgreen Road,  
Galway

By  
Colliers  
Hambleden House  
19-26 Lower Pembroke Street  
Dublin 2

In respect of the proposed permanent and temporary acquisition of land being  
Plot reference 108.a.101 & 108.a.202

Colliers International is the licensed trading name JS (City) Ltd. Company registered in Ireland No. 20138.  
Registered Office: Hambleden House, 19-26 Lower Pembroke Street, Dublin 2, Ireland.  
PSRA Licence Number 001223

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

Colliers, are instructed to lodge an objection and observation in respect of the proposed acquisition of lands at the bounding the Fairgreen Coach Station as detailed in the notices issued by Galway City Council in respect of the Making of the Order dated 14<sup>th</sup> September 2022 and attached to correspondence addressed to the landowner dated the 23<sup>rd</sup> of September 2022

### **Scope of the Acquisition.**

With the proposed permanent acquisition of approximately 586.8 sq m of land, being the public footpath adjoining the northern and eastern perimeter of the structure associated with the Fairgreen Coach Station together with the proposed temporary acquisition of 38.1 sq. m. of land, adjoining the permanent take, situated at the inbound bus entrance to the Fairgreen Coach Station which operates on a 24-hr. basis. The access and the exit of the bus station are only suitable for single direction usage as per the planning permission granted.

With reference to the Schedule of Acquisition Part 1, "Lands Being permanently Acquired", we note that in said schedule, Galway City Council, propose to acquire lands as nominated at reference number 108.a.101, which appear to be currently in their possession as per the Register of Freeholders of County Galway at Folio GY 85074F

We note the proposed project known as the Bus Connects Galway – Cross City Link (University Road to Dublin Road) CPO No CCL-CPO-001, 2022), as defined in the published notices and documentation, fails to supply accurate information regarding the mitigation measures, design, and maintenance of access to the subject property during construction. Noting the lack of final design of the project, as it affects the commercial enterprise being a coach station operating on a 24-hour basis, renders the ability of the landowner to properly assess the impact and interference with their property limited in the extreme.

Fairgreen Bus Station Limited, objects on the grounds: -

- a) That the true assessment of the impact of the scheme as it affects the property is challenged without accurate final design drawings, thus limiting the scope of the objection here lodged.
- b) No details have been supplied outlining the traffic management program during construction to maintain 24-hour access for coaches entering and exiting the Coach Station.



- c) That should the proposed Compulsory Purchase Order be confirmed by An Bord Pleanála without detailed factual final design drawings being at the objector's disposal, such an order is intrinsically flawed.
- d) Assuming as with the majority of infrastructural projects at this time, the development and construction of the Bus Connects Galway – Cross City Link (University Road to Dublin Road) will be of a “Design and Build” type tender process, and the subsequent lack of perfected vertical and horizontal design drawings, it is impossible for the property owner to fully understand the implications of the proposed scheme as it affects his property.
- e) The scheme as proffered will have a severe detrimental effect on the functionality of the coach station, as no impact on vehicle movements have been considered, at the subject property and throughout the overall scheme, particularly the vicinity of the Coach Station.
- f) To the positioning of the proposed pedestrian crossing adjacent to the exit route from the Coach Station is considered dangerous (Figure A7: Layout 7 of 13). The restricted space for maneuvering a coach when exiting the station, places pedestrians waiting to cross the road in a dangerous position, whether the coach is exiting either left or right. The damage to the current traffic sign is evidence of the dangers posed to pedestrians using the proposed crossing.

#### **Details as stated in the schedule of Acquisition (CPO).**

In the formation of the schedule of acquisition, it appears said schedule of acquisition is flawed.

Fairgreen Coach Station Limited objects to the order on the grounds that.

- a) That the Compulsory Purchase Order is inherently flawed as Galway City Council cannot permanently compulsorily acquire lands to which they have existing title, being those lands designated 108.a.101 in said schedule of acquisition, and on a temporary basis those lands designated 108.a.202.
- b) From the drawings supplied, it appears that that part of plot ref 108.a.101 and plot 108.a.202 is an existing entrance to the bus station, constructed to comply with planning, thus the proposed acquisition is surplus to the requirements of constructing the Bus Connects Galway – Cross City Link.

### **Nature of the Property.**

The subject property is a very busy 24-hour bus station in the ownership of Galway City Council, subject to a lease dated the 7<sup>th</sup> of December 2017 to Fairgreen Coach Station Limited, for a term of 999 years commencing the 1<sup>st</sup> Day of January 2007.

Fairgreen Coach Station Limited objects on the grounds that: -

- a) The effect of the compulsory purchase of lands should not be permitted to adversely affect the commerciality of the Fairgreen Coach Station.
- b) That insufficient detail in respect of the mitigation measures proposed to protect the continued access and egress to the Coach Station during the construction phase, noting the Coach Station operates on a 24-hour basis, with over 90 inward bus movements per 24-hour period.

### **Access to the property.**

The area of land being acquired, both temporary and permanently, is an integral part of the access to the coach station, which operates on a 24-hour basis as per the details of the lease and planning. It is noted from the proposed acquisition that entrance to the coach station will be acquired and presumed closed for the duration of the construction phase.

Fairgreen Coach Station Limited objects on the ground that: -

- a) The proposed acquisition will remove the ability of their clients, several private coach operators, and the traveling public to access the Coach Station.
- b) No detail has been supplied as how continuous access to the property will be maintained during construction.
- c) The proposed positioning of the pedestrian crossing abutting the coach exit route from the coach station is dangerous as previously stated. A location closer to the main pedestrian access to the coach station would be more appropriate.

## Application to An Bord Pleanala – Galway City Council

When individuals, developers or corporations apply for planning in respect of a construction project, either residential or commercial, full drawings, including elevations, cross-sections, vertical and horizontal sections are required.

Fairgreen Coach Station Limited objects to the Compulsory Acquisition of their property on the basis:

- a) Insufficient documentation has been lodged in respect of the planning application, being the entrance to a busy 24-hour coach station.

The owner of the lands and Colliers reserve the right to amend and/or supplement the above objection to the proposed Bus Connects Galway – Cross City Link (University Road to Dublin Road) CPO No CCL-CPO-001, 2022 at or before an Oral Hearing held by An Bord Pleanala or should any amendment to the current proposal be issued in the interim period.

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

For and on Behalf of  
Fairgreen Coach Station Limited, Office 3, Ground floor  
Webworks Building, Fairgreen Road, Galway  
Plot Ref No.1107. a.101 & 107.a.202



Callum Bain

Senior Surveyor |

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