

HUGHES
PLANNING
& DEVELOPMENT CONSULTANTS

AN BORD PLEANÁLA

LDG- _____
ABP- 313892 (HA)

30 AUG 2022

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Time: _____ By: hand

Blanchardstown to City Centre Core Bus Corridor Scheme Submission (Ref. No. 313892)

Submitted on Behalf of:

Lissan Coal Company (Ireland) Limited
Unit 8, C Tek, Riverside Road, Carrickmacross, Co. Monaghan

30th August 2022

85 Merrion Square, Dublin 2, D02 FX60
+353 (0)1 539 0710
info@hpdc.ie
www.hpdc.ie

1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2, have been instructed by our client, LCC Properties & Investments (Ireland) Limited, to make a submission in respect of the Blanchardstown to City Centre Core Bus Corridor Scheme currently being planned by the National Transport Authority (NTA). Lissan Coal Company (Ireland) Limited is the tenant/operator of Go Station, Old Cabra Road, Cabra West, Dublin which is owned by LCC Properties & Investments (Ireland) Limited, our client.

This submission is accompanied by the relevant submission fee (€50) and our client is requesting an oral hearing in light of the significant and adverse impacts of the proposal on our client's business, a fee of €50 is also enclosed in relation to the oral hearing request.

This submission is made in response to a public notice, available at <https://blanchardstownscheme.ie/>, inviting submissions, up until 30th August 2022, as part of a public consultation process into the bus route corridor (Ref. No. 313892). The purpose of this submission is to outline our client's concern in relation to central elements of the intended route corridor. We note extracts of the map which presents the location of the bus route corridor, relative to our client's site, as presented in Figure 1.0, below.

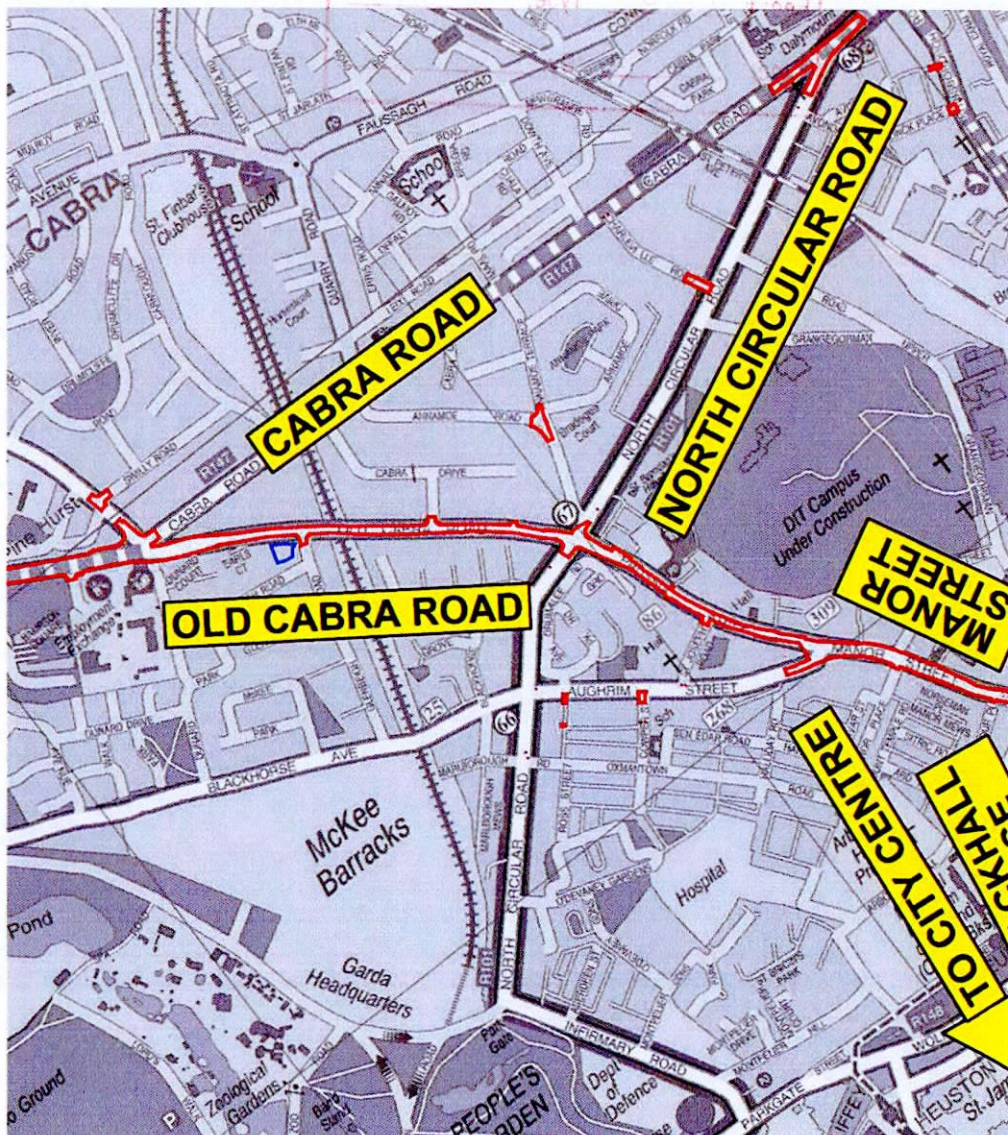


Figure 1.0 Extract from the proposed scheme boundary illustrating the location of our client's site (blue outline) relative to the intended route option.

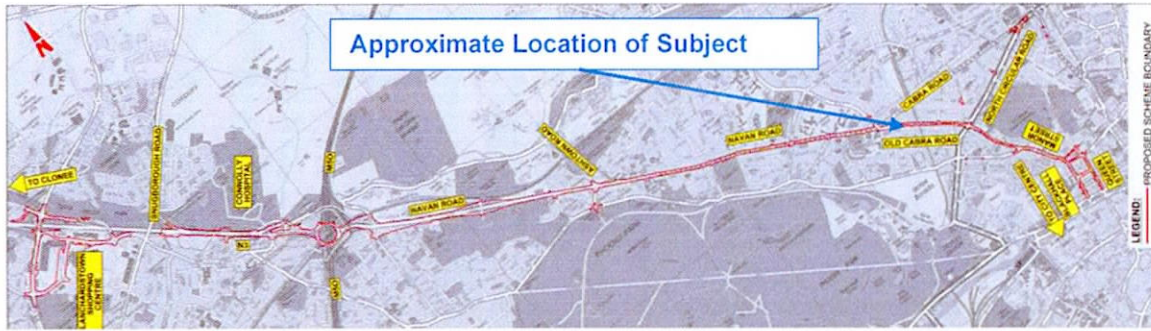


Figure 2.0 Extract from the proposed scheme boundary illustrating the location of our client's site (blue outline) relative to the intended route option.

As will be discussed in Section 3 of this report, 3 no. bus gates are proposed which would prove detrimental to the long-term viability of our client's commercial operation at Go Station, Old Cabra Road.

The impact of these bus gates is acknowledged in Chapter 10 of Volume 2 of the Environmental Impact Assessment Report (EIAR) prepared in respect of the subject scheme as follows:

The bus gate on part of Old Cabra Road is located in the community area of Aughrim Street. There is one business located along the bus gate, Go Station (filling station). Go Station is expected to be affected as a result of the proposed bus gate. Although this business can still be accessed by private vehicles, these will primarily be local residents in the surrounding community area and customers with existing knowledge of the location of the business.

The primary source of income for the business is expected to be from passing trade, which is expected to be significantly reduced along Old Cabra Road due to the bus gates. During construction and operation of the Proposed Scheme it is expected that this business would no longer be able to operate successfully. The impact on this business is assessed as Negative, Very Significant and Long-Term during construction and operation of the Proposed Scheme.

Notwithstanding the erroneous reference to the address of the subject Go Station being Aughrim Street, a further reference is made to our client's site in Chapter 23 of Volume 10 of the EIAR as follows:

Environmental Impact Assessment Report (EIAR) Volume 2 of 4 Main Report

Jacobs
ARUP SYSTRA

Environmental Aspect / Chapter	Residual Impact Description	Impact Significance (Pre-Mitigation)	Residual Impact Significance (Post-Mitigation)
	Commercial Accessibility for private vehicles	Negative, Moderate and Short-Term - Blakestown, Blanchardstown, Castletknock, Navan Road, Cabra West, Aughrim Street and Halston Street	Negative, Moderate and Short-Term - Blakestown, Blanchardstown, Castletknock, Navan Road, Cabra West, Aughrim Street and Halston Street
	Commercial Accessibility	Negative, Very Significant and Long-Term - Go Station (Aughrim Street)	Negative, Very Significant and Long-Term - Go Station (Aughrim Street)

Figure 3.0 Extract from Environmental Impact Assessment Report (EIAR) prepared in respect of the subject scheme.

As is acknowledged above, our client's commercial filling station is wholly dependent on passing vehicular traffic which is set to be significantly reduced as a result of central elements (bus gates) of the bus route corridor. The impact, both pre and post mitigation measures, of the Blanchardstown to City Centre Core Bus Corridor Scheme is labelled as 'Negative, Very Significant and Long-Term' and our client is thus highly concerned. This submission seeks the omission of the 3 no. bus gates, as set out below, in order to ensure the long-term viability and the continued operation of our client's business.

This report is accompanied by the enclosed Impact Report (Appendix A), as prepared by TENT Engineering, which presents a detailed analysis of the existing operation relative to the expected impacts following the Blanchardstown to City Centre Core Bus Corridor Scheme.

2.0 Subject Site

The site to which this submission pertains is located on the southern side of Old Cabra Road in Cabra West. The site extends to approximately 0.0975 hectares and is occupied by an unmanned petrol/service station with associated ancillary services. The site presents significant frontage (c. 43m) to Old Cabra Road and was specifically identified as a key opportunity site for the development of the aforementioned petrol/service station due to significant vehicular movements past the site on a daily basis due to Old Cabra Road's long-standing function as an arterial route into Dublin City Centre. The site was purchased on 2nd February 2016 by Lissan Coal Company (Ireland) Limited.



Figure 4.0 Imagery of the existing petrol/service station on site.

3.0 Bus Connects Proposal Relative to Subject Site

As per the documentation available at <https://blanchardstownscheme.ie/>, the Blanchardstown to City Centre Core Bus Corridor Scheme proposes the installation of a bus gate on the Old Cabra Road bridge 'OBO 5' c. 105m south-east of our client's site. An additional bus gate is to be located at the junction of Prussia Street and Aughrim Street c. 1km south-east of our client's site.

The bus gates, as identified in Figures 5.0-7.0 overleaf, will be in permanent operation and will prevent all through traffic from proceeding along this arterial route towards our client's site with the exception of buses, taxis and bicycles. Given the nature of the commercial use operating at our client's site, which is wholly based on continuously high volumes of passing vehicular traffic, the proposed bus gates present a catastrophic impact to the commercial viability of the site.

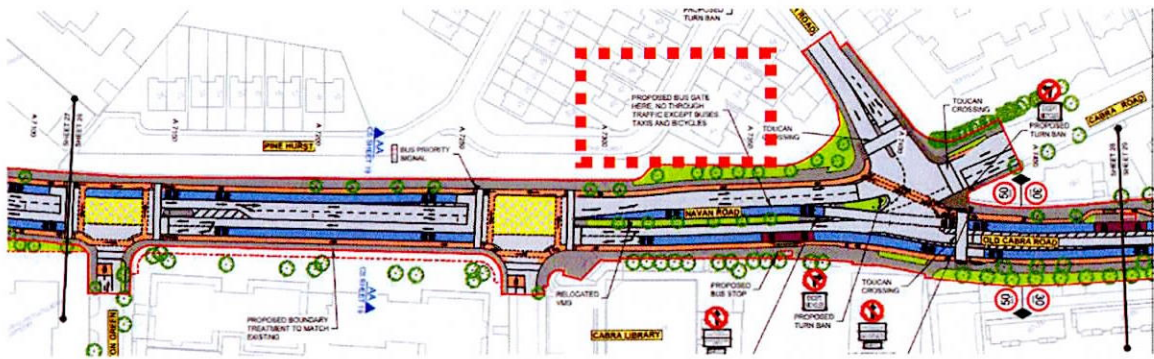


Figure 5.0 Extract from Sheet 28 of the General Arrangement drawing illustrating the proposed bus gate (red dashed line) at the junction of Navan Road, Cabra Road and Old Cabra Road.

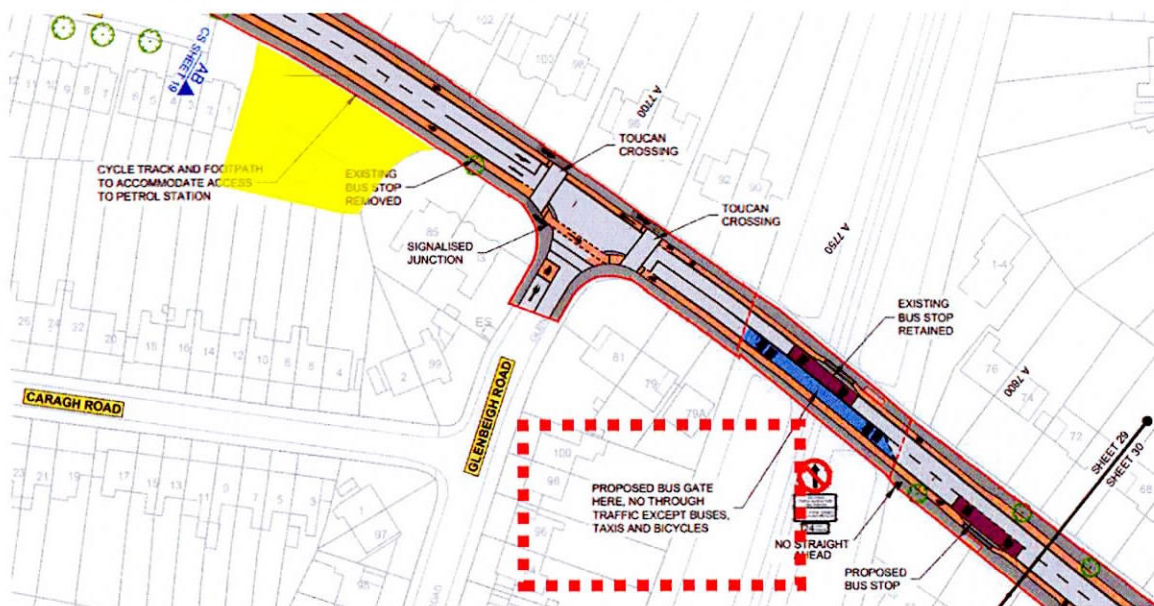


Figure 6.0 Extract from Sheet 29 of the General Arrangement drawing illustrating the proposed bus gate (red dashed line) relative to our client's site (yellow fill).

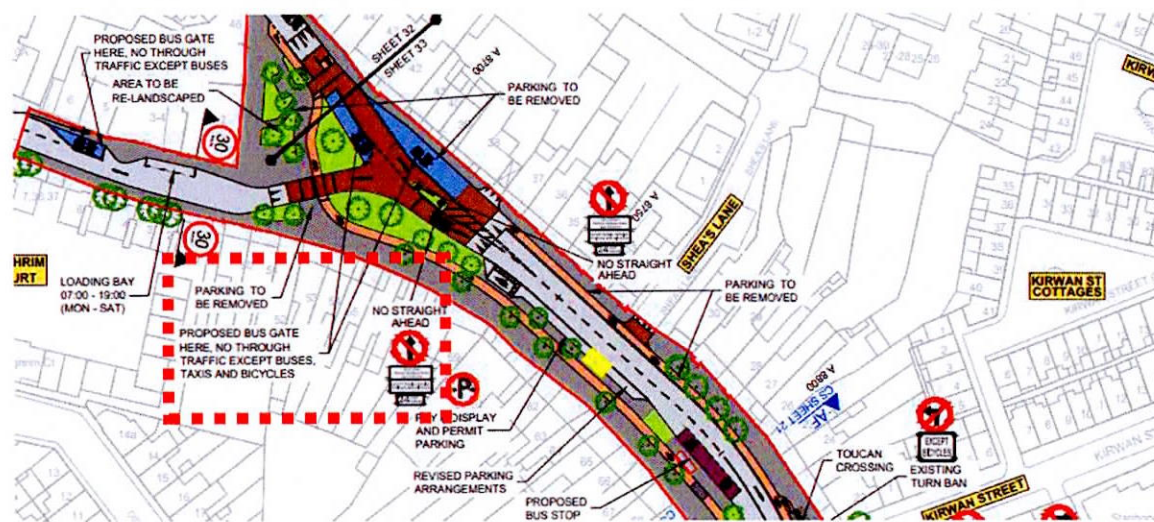


Figure 7.0 Extract from Sheet 33 of the General Arrangement drawing illustrating the proposed bus gate (red dashed line) at the junction of Prussia Street and Aughrim Street.

4.0 Impact of Bus Connects Proposal on Subject Site

As stated previously, the proposed bus gates represent a catastrophic impact to the commercial viability of the existing petrol/service station on site. The following sections of this report will expand upon the financial repercussions which will be experienced by our client as a result of the Blanchardstown to City Centre Core Bus Corridor Scheme and practical reasoning for the non-adaptation of the bus gates.

4.1 Site Planning History

It is considered prudent to note the provisions of the following historical planning application upon the subject site which was lodged with Dublin City Council on 23rd November 2022:

Reg. Ref. 4353/17

Decision to grant planning permission issued by Dublin City Council on **26th January 2018** for i) demolition of the existing buildings, ii) construction of a new fuel forecourt with 3 forecourt fuel pumps and forecourt canopy, iii) control/ store and offset fill buildings; iv) air and water services area; v) underground fuel storage tanks, vi) revised entrance and exit arrangements; vii) erection of company signage; viii) boundary wall cladding; ix) site lighting, and x) all associated site, drainage, landscaping and development works.

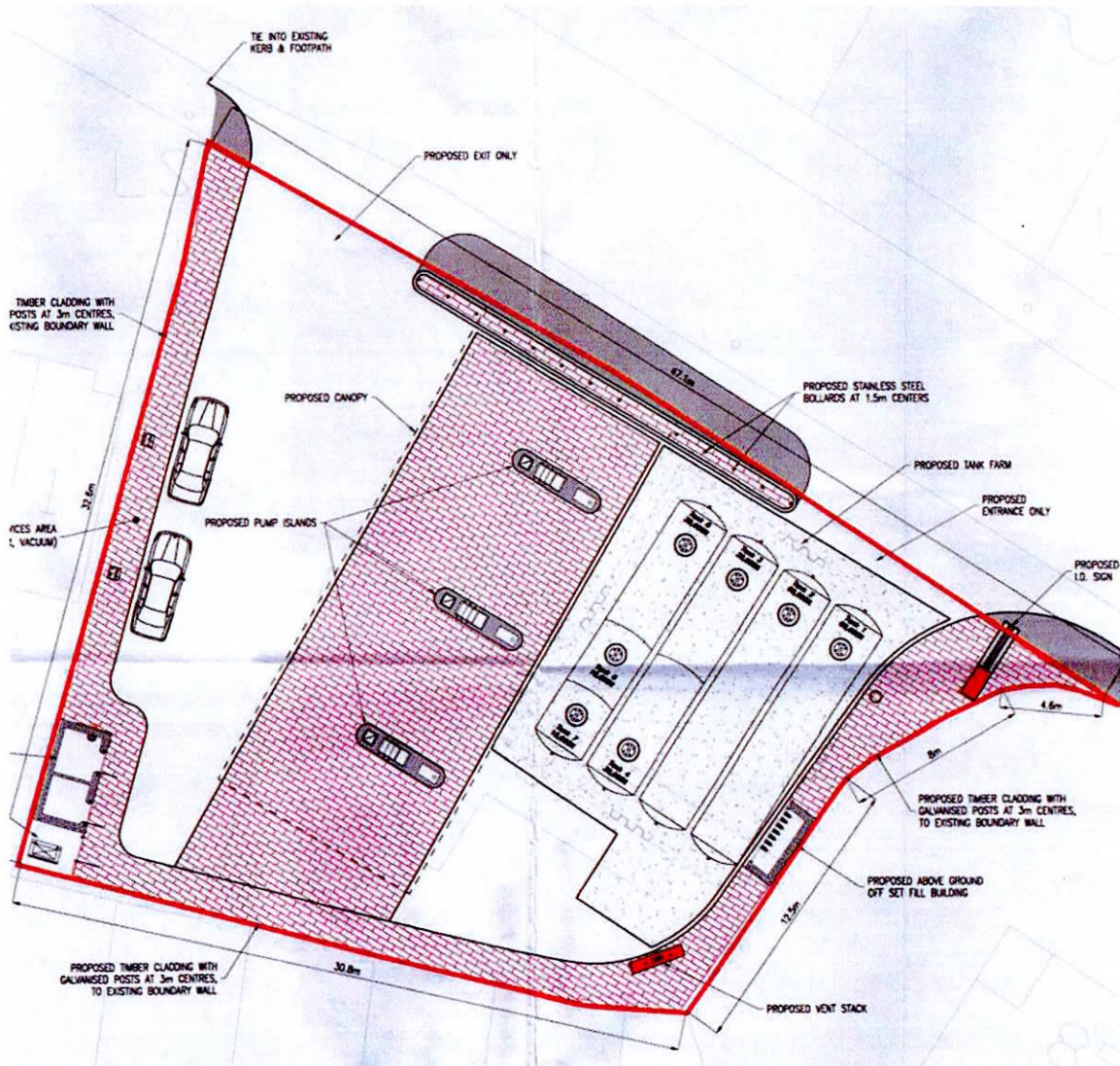


Figure 8.0 Site layout plan approved under Reg. Ref. 4353/17.

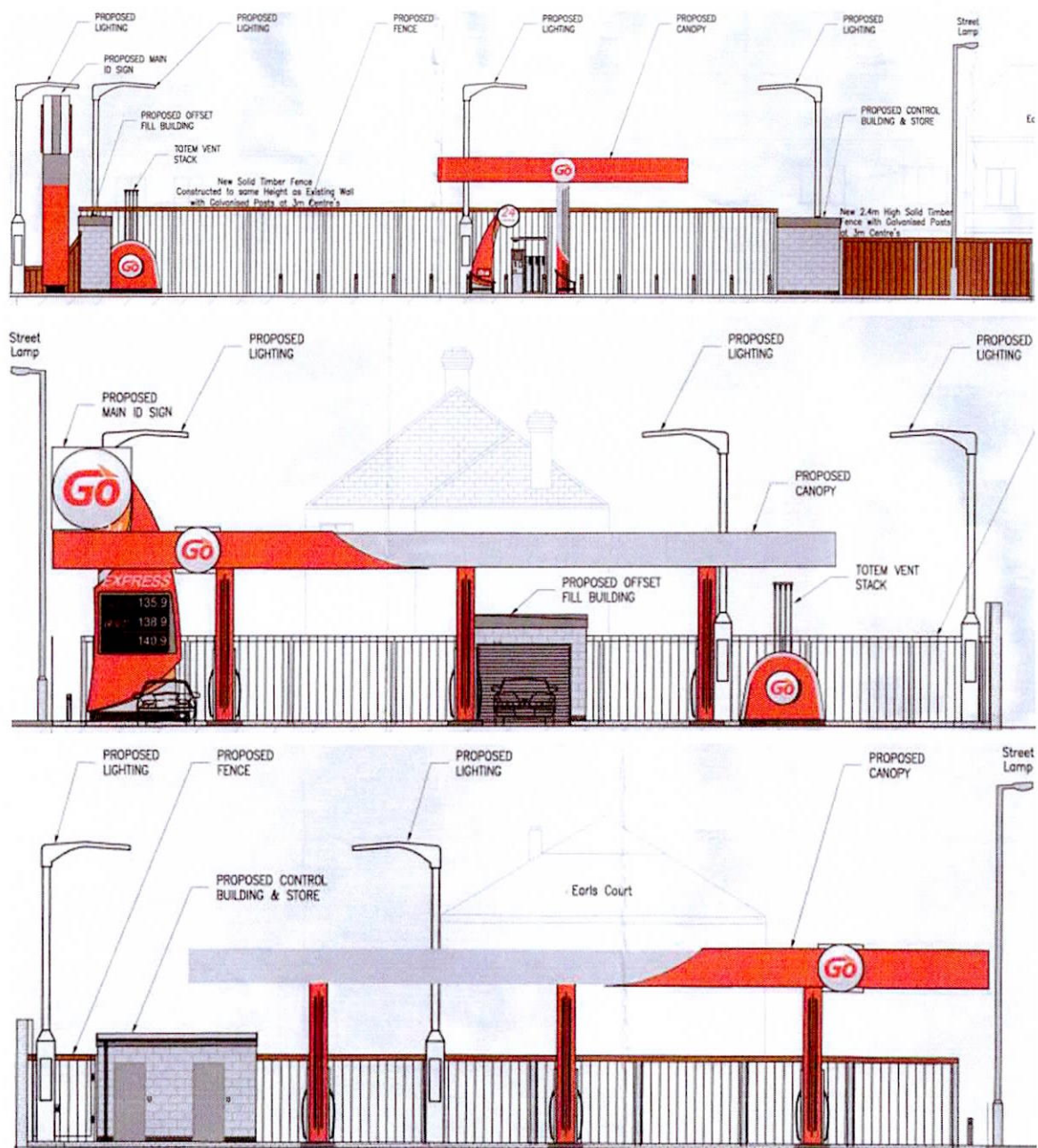


Figure 9.0 Sectional drawings of development approved under Reg. Ref. 4353/17.

The decision of the Planning Authority to grant permission was subsequently appealed by 3rd parties to An Bord Pleanála, under ABP Ref. No. 300958-18, with the Board ultimately granting permission by **Order dated 21st January 2019**. This historical planning application provides permission for the existing commercial petrol/service station on site.

Reg. Ref. 4585/22 Planning application lodged on 28th July 2022 for retention of alterations to the development approved under reg. ref. 4353/17.

The above application was recently lodged to Dublin City Council to regularise a suite of minor alterations to the development previously approved under Reg. Ref. 4353/17. A decision is expected in relation to the current application in mid-September 2022.

4.2 Financial Investment

First and foremost, we would state that our client has, to date, made a multi-million-euro investment into the development of the subject site by virtue of the following elements:

- Initial due diligence to assess profitability of petrol/service station and likelihood of achieving planning permission;
- Site acquisition;
- Lodgement of planning application & associated application/design team/contribution fees;
- Demolition & construction costs; &
- Cost of finance

The extent of financial investment has been wholly based on the extent of due diligence carried out in respect of the subject site prior to the lodgement of the aforementioned historical planning application. This due diligence, which took the form of extensive traffic assessment and modelling, identified that the site would represent a highly lucrative location for the establishment of a petrol/service station due to its position on an arterial route into Dublin City Centre. Such was the level of expectation on the financial performance of the petrol/service station, with this expectation realised on the basis of current operating profits, that the design parameters of the development were expanded accordingly with the intent of our client being to provide the state-of-the-art service station which exists on site at present.

The station, which is wholly unmanned, is of noteworthy aesthetic quality and provides a uniquely contemporary design which adds visual interest to the immediate streetscape and represents a significant improvement relative to the pre-existing commercial use upon the site. The existing station has been specifically designed to represent the flagship operation within our client's wider portfolio. Further to the extent of financial investment made in respect of the subject site to date, we would note that the installation of the identified bus gates would effectively render the existing petrol/service station as commercially unviable and near-obsolete once in place. As a result, our client would have to invest further capital into the following elements:

- Due diligence to identify an alternative commercial use and/or residential use;
- Lodgement of planning application & associated application/design team/contribution fees;
- Demolition & construction costs; &
- Cost of finance

Notwithstanding the possibility of identifying an alternative commercial use and/or residential use which could be accommodated on site, we would herein state that our client will suffer significant financial losses as a result of the Blanchardstown to City Centre Core Bus Corridor Scheme.

4.4 Consideration of Alternatives

Article 5(1)(d) of Directive 2011/92/EU as amended by Directive 2014/52/EU "the EIA Directive" requires that an Environmental Impact Assessment Report (EIAR) contains 'a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and the main reasons for the option chosen, taking into account the effects of the project on the environment'. Upon review of Chapter 03 'Consideration of Reasonable Alternatives' of Volume 2 of the Environmental Impact Assessment Report submitted as part of the subject proposal, we would contend that there is a completely inadequate level of treatment given to any alternative approaches that would avoid the drastic impacts on the Go Station site.

In this regard, we would note a significantly limited discussion in relation to the alternatives considered at Draft Preferred Route Option (PRO) Stage with no clear indication that impacts to commercial operations formed a legitimate consideration in relation to the identification of a PRO.

4.3 Statistical Data

To better illustrate the negative impact of the proposed works to facilitate the subject bus corridor, our client has commissioned TENT Engineering to prepare the enclosed Impact Report. In this regard, it is first considered prudent to note the below comparison between two tables contained within the Impact Report which illustrate existing/expected daily customer counts arising as result of the proposed works.

GO STATION DAILY CUSTOMERS COUNT							
Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
06:00-07:00	46	45	38	45	47	31	17
07:00-08:00	58	72	65	54	76	36	22
08:00-09:00	82	87	84	82	101	64	36
09:00-10:00	76	91	105	92	84	95	50
10:00-11:00	95	74	107	106	120	125	70
11:00-12:00	120	108	116	100	120	138	85
12:00-13:00	129	96	127	132	151	144	128
13:00-14:00	140	118	135	130	152	143	156
14:00-15:00	138	111	127	125	146	133	156
15:00-16:00	138	113	130	102	136	133	137
16:00-17:00	135	118	151	141	175	109	106
17:00-18:00	116	120	138	153	150	115	124
18:00-19:00	131	113	134	124	123	90	112
19:00-20:00	118	112	116	124	105	87	98
20:00-21:00	106	117	107	111	112	74	77
21:00-22:00	76	84	88	95	113	70	75
22:00-23:00	57	71	53	55	47	48	47
Total	1761	1650	1821	1771	1868	1635	1496
Daily Average	1727						

GO STATION DAILY CUSTOMERS REDUCED							
Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
06:00-07:00	4	4	3	4	4	2	1
07:00-08:00	5	6	5	4	6	3	2
08:00-09:00	7	7	7	7	8	5	3
09:00-10:00	6	7	8	7	7	8	4
10:00-11:00	8	6	9	8	10	10	6
11:00-12:00	10	9	9	8	10	11	7
12:00-13:00	10	8	10	11	12	12	10
13:00-14:00	11	9	11	10	12	11	12
14:00-15:00	11	9	10	10	12	11	12
15:00-16:00	11	9	10	8	11	11	11
16:00-17:00	11	9	12	11	14	9	8
17:00-18:00	9	10	11	12	12	9	10
18:00-19:00	10	9	11	10	10	7	9
19:00-20:00	9	9	9	10	8	7	8
20:00-21:00	8	9	9	9	9	6	6
21:00-22:00	6	7	7	8	9	6	6
22:00-23:00	5	6	4	4	4	4	4
Total	141	132	146	142	157	151	120
Daily Average	138						

Figure 10.0 Comparison of existing (top) and expected (bottom) average daily customer count arising following completion of proposed works. The daily average of 1,727 will drop to 138 on foot of the proposed works, a 92% reduction in customer numbers.

Comparison of the above tables clearly illustrates the detrimental impact of the proposed works on the existing service station. The degree of impact is, however, further intensified upon consideration of factors including site knowledge and media promotion. In this regard, we would note that the existing station has only been in operation since May 2022 and has yet to engage in any form of advertisement or promotion to expand its customer base. The Impact Report acknowledges that the average daily customer count is predicted to rise to 2,550 per day by the end of September 2022, on foot of the full launch of the site with associated media promotion. In this respect, the expected daily average customer count of 138 represents a 95.5% reduction against projected customer numbers.

Further to presenting existing and expected average daily customer counts, the Impact Report provides detail in relation to the specific impacts of each of the identified bus gates on the subject site. The report also considers the unique impact of the proposed works on our client's commercial business relative to 8 no. similar businesses operating along the bus route corridor. In each case, there is either no impact or a very slight impact on the identified businesses.

4.5 Interference with Property Rights

This section of the Submission has been contributed by William Fry LLP.

The impacts on Lissan Coal Company Ireland Limited, a drastic interference with the operation of the Go Station business that will inevitably materialise if the Bus Gates proposal is implemented at Old Cabra Road near the Go Station site, would represent a serious interference with the private property rights of Lissan Coal Company Ireland Limited, as operator of the business and with the private property rights of LCC Properties and Investments Ireland Limited, as owner of the site.

The nature and extent of this interference would represent an unjust attack on the private property rights of the business operator and the site owner. A series of factors make the interference an unjust attack within the meaning of Article 40.3.2^o of the Constitution. What is proposed in the form of a Bus Gates on the Old Cabra Road and Prussia Street near the Go Station site and the extent of interference resulting from that (in effect a complete termination of the business) is completely disproportionate relative to the objective to be achieved in relation to that part of the route (and in the context of the overall scale of the route and the wider Bus Connects project).

What is proposed does not, it is submitted, pass the test of proportionality as explained in *Heaney -v- Ireland* [1994] 3 IR 593 and as recognised in *Blascaod Mór Teo -v- Commissioners of Public Works* (No. 3). [2000] 1 IR 6. Furthermore, it is an unjust attack as it represents unequal treatment in relation to the Go Station site operator, as it does not appear (despite that it is acknowledged that the proposal will entail a hugely significant adverse effect on the business) that there is any provision for the payment of compensation, presumably on the basis that it is not proposed to acquire any part of the Go Station site.

While the provision of compensation does not of itself validate an unjustifiable interference with property rights [as was recognised by Finnegan P. in *Clinton -v- An Bord Pleanála* (No. 2), High Court 2005 IEHC 84], the absence of compensation for the Go Station site operator in this instance (having regard to the scale of the effects on the Go Station business) makes the interference even more egregious. It appears that only certain of the landowners whose rights are being interfered with will have an entitlement to compensation, namely those from whom there will be a proportion of land acquired.

In that regard, it is noted that, in connection with the project, the project promoters have published Notice of the making of a Compulsory Purchase Order (CPO), namely the 'Blanchardstown to City Centre Core Bus Corridor project Compulsory Purchase Order 2022'. In that Notice/Order, details of the lands that are proposed to be permanently acquired are set out in the Schedule to the Notice/Order. It is to be presumed that such owners will have an entitlement to compensation in accordance with the Land Clauses Consolidation Act 1845 - to be calculated in accordance with the Acquisition of Land (Assessment of Compensation) Act 1919.

Nowhere in the Notice of the making of the CPO are the interferences with the Go Station site referenced/acknowledged (e.g. neither in Part IV, Section A of the Schedule ('private rights to be acquired') nor in the Part IV, Section B of the Schedule ('private rights to be restricted or otherwise interfered with')). This is, again, despite the drastic interference that will be affected to the interests of the operator of the Go Station site.

While, again, even if it were proposed to compensate the site operator (which it apparently is not) then that would not, it is submitted, of itself make the interference valid. However, the evident absence of compensation in the case of a stakeholder such as the operator of the Go Station Site represents, it is submitted, completely unequal treatment towards the Go Station site operator who will be very significantly affected relative to the position of the many if not most of those landowners who, by virtue of having land acquired, even a very small portion of land, will have an automatic right to compensation. By comparison the Go Station site operator, who will exponentially adversely affected, will not, it would seem from the published notices, have any such right.

What is proposed in respect of the Go Station site is, in effect, the service of a notice of discontinuance of a use or of the attachment of conditions to a use (as provided for under section 46 of the Planning and Development Act 2000); or to the service of notice of revocation of a planning permission (as provided for in section 44 of the 2000 Act) but without, apparently, provision for the payment of

compensation in the case of the owner/operator of the Go Station site - notwithstanding the entitlement to full statutory compensation for any landowner who is served with a notice under section 44 or section 46 of the 2000 Act.

That a statute authorising an interference with property rights does not make provision for the payment of compensation does not relieve the State from the obligation to pay compensation, as was held definitively in *Rooney -v- Department of Agriculture and Technical Instruction for Ireland* [1920] IR 176 and in *Comyn -v- Attorney General* [1950] IR 142. Therefore, what is proposed by the project promoter would represent an unlawful and unconstitutional interference with the rights of the site operator in relation to the enjoyment of property.

It would also represent a breach of the site operator's right to the peaceful enjoyment of property under Article 1 of the First Protocol to the European Convention on Human Rights and a breach of the Convention's right to equality /freedom from discrimination (Article 14); as well as a breach of the related/corresponding rights under The European Convention on Human Rights Act 2003.

The site operator relies on the jurisprudence/ caselaw of the European Court of Human rights (including *Ouzounoglou -v- Greece*, No. 32730/03 §30. 24 November 2005; *Oneryildiz -v- Turkey* ECHR 2004 -XI and *Lithgow & Others -v- the United Kingdom* (1986)) relating to the need, recognised by the Court, to look at the substantive effect on property rights; to recognise situations akin to the taking of property; to review the appropriateness of the terms of States' compensation schemes (relating to interferences with property); to the need for the State to provide procedural guarantees and mechanisms for adjudicating disputes regarding interferences with property rights; and to an entitlement to compensation in respect interference with the enjoyment of lands that are not taken.

What is proposed as a result of the Bus Gates is in effect a deprivation of the Go Station operator's property rights; yet, based on what has been published in relation to the project, it does not appear that it is proposed to compensate the site operator or owner. For that reason, the project as proposed (at least insofar as it relates to the Bus Gates in the vicinity of the Go Station site) is invalid and a confirmation by the Board of the project without a removal of the Bus Gates near the Go Station site would be invalid as being in breach of the rights of the owner and operator of the Site.

The submissions/observations made elsewhere in this submission relating to the Route/project are made entirely without prejudice to the foregoing submissions that assert that the proposed project, if implemented in the manner proposed (relative to the Go Station site and the nearby Bus Gate), would be invalid, unlawful, unconstitutional and in breach of the rights of the site operator/owner.

5.0 Conclusion

To reiterate the assessment of the subject scheme on the operation of our client's business, the impact is assessed as:

'Negative, Very Significant and Long-Term during construction and operation of the Proposed Scheme.'

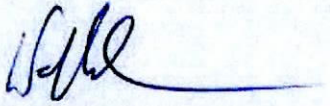
Having regard for this summation by the applicant, we would ask that the Board consider the arguments presented in this submission which illustrate that our client acted in good faith whilst acquiring the subject site, receiving planning permission and developing a highly successful service/petrol station which, subject to the implementation of the proposed works, will see its customer base reduced by 92-95.5%.

In light of this seismic impact to existing commercial operations, we would request the appropriate modification of the subject scheme through the removal of the identified bus gates and the continued unrestricted public vehicular access to the service/petrol station.

The alternative to the omission of the identified bus gates, which will effectively remove our client's customer base, is the loss of this existing business. Given the significant and adverse impact of the scheme, which will essentially eradicate this business, it is respectfully requested that the bus gates are omitted.

Such is the seriousness of the impact of the proposed works, our client would welcome engagement between the wider design team and the Blanchardstown to City Centre Core Bus Corridor Scheme (ARUP) and An Bord Pleanála at an oral hearing to discuss the significant, adverse and irreversible impact the subject scheme has on our client's commercial interest.

We trust that the Board will have regard to the contents of this submission in relation to the wider public consultation process on the Blanchardstown to City Centre Core Bus Corridor Scheme.



Kevin Hughes MIPI MRTPI
Director for HPDC Ltd.

Appendix A Impact Report as prepared by TENT Engineering

Bus Connects Dublin -
Blanchardstown to City Centre -
Impact on Go Station

30.08.2022

22083-TNT-XX-XX-RP-T-00001



TENT ENGINEERING

Site Address:

Go Station
Old Cabra Road,
Dublin

Client:

LISSAN COAL COMPANY (IRELAND)
LIMITED
Unit 8, C Tek, Riverside Road, Carrickmacross,
County Monaghan

Office Address:

Tent Engineering Ltd.
Studio 1, Cork Street Studios
115 Cork Street, Dublin 8
Dublin, D08EWX2, IE

Revision and Review

This report has been prepared for the sole benefit, use and information of the client. The liability of Tent engineering with respect to the information contained in this report will not extend to any third party.

REVISION(S)

Rev.	Description	Date
P01	1st issue	30.08.2022

AUTHOR(S)

Name and qualifications

Diarmuid Healy
Co-founder, Director
Structural Engineer



BEng (Hons) MIEI CEng MStructE FStructE

Name

Cristina Peslari
Engineer



REVIEWER(S)

Name

Edward Heukers
Co-founder, Director



BEng MIEI

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Office Address

Tent Engineering Ltd
Studio 1, 115 Cork Street
Dublin 8, D08EWX2, IE

1 Executive Summary

We, Tent Engineering are appointed by the site tenant, Lissan Coal Company (Ireland) Limited, whose existing Go Station at 87 Cabra Road will be significantly impacted as a result of the proposed application for Approval for Bus Connects - Blanchardstown to City Centre

This Go Station will be uniquely impacted by the proposed application. The Environmental Impact Assessment Report (EJAR) Volume 2 of 4 Main Report Chapter 10 page 30 recognises the impact on our client's Go Station stating:

"There is one business located along the bus gate, Go Station (filling station). Go Station is expected to be affected as a result of the proposed bus gate. Although this business can still be accessed by private vehicles, these will primarily be local residents in the surrounding community area and customers with existing knowledge of the location of the business. The primary source of income for the business is expected to be from passing trade, which is expected to be significantly reduced along Old Cabra Road due to the bus gates. During construction and operation of the Proposed Scheme it is expected that this business would no longer be able to operate successfully. The impact on this business is assessed as Negative, Very Significant and Long-Term during construction and operation of the Proposed Scheme."

This report demonstrates the true extent of disruption to the business from this proposed application.

This report demonstrates how the business is uniquely impacted given its location and business function.

The section 4.2 "Financial Investment" of the Hughes report describes the continuous investment made by our client since February 2016 on this site.

This report describes the changes required to the application, most notably the removal of 3 bus gates shown in fig 1.0, to provide our client with the necessary comfort the business can continue to trade as a viable business.

Fig 1.0 - Proposed bus gates on 2022 BusConnects Scheme



2 Description of the GO Station

Our client has made a Multimillion Euro investment in this site since 2016.

- The land for the GO Station was acquired in February 2016. It was an existing unused garage and it was purchased solely for the redevelopment of a new petrol/service station.
- Planning was granted in January 2018.
- Construction commenced in January 2020.
- The site opened via a soft launch in mid 2022 and is expected to be fully launched by the end of 2022.

The stations sole source of revenue is the sale of fuel for vehicles. There is no convenience offering (coffee, newspapers etc.) on this site. Thus the station is wholly dependent on passing vehicles as a source of revenue.

Significant redesign of the junction North and South of this station is described in this planning application. The proposed changes will see the introduction of bus gates which will significantly reduce customer numbers to this new business.

Within the planning application Appendix A6.1 sub appendix Appendix 2 - Junction Design Report page 110 of 139 states the reason for the changes to the junctions on Old Cabra Road are "to reduce traffic flow on Old Cabra Road and provide a virtual bus lane along its length".

This planned objective of reducing traffic flow is a direct conflict of our clients objectives, to seek out high traffic volumes, when selecting this site for purchase and future investment in 2016.

Fig 2.1 - Go Petrol Station Site



2.1 Description of the existing road network

2.1.1 Old Cabra Road

The existing Old Cabra Road network is described in fig 2.1.

North of the GO Station is the Navan Road Junction. Traffic from Navan Road has the possibility to make a left turn on Ratoath Road, straight ahead on Cabra Road or a right turn on Old Cabra Road.

Traffic from Cabra Road is currently allowed to make a left turn on Old Cabra Road or a straight ahead on Navan Road. Ratoath Road allows for traffic to make a right turn on Navan Road, a straight ahead on Old Cabra Road and a left turn on Cabra Road.

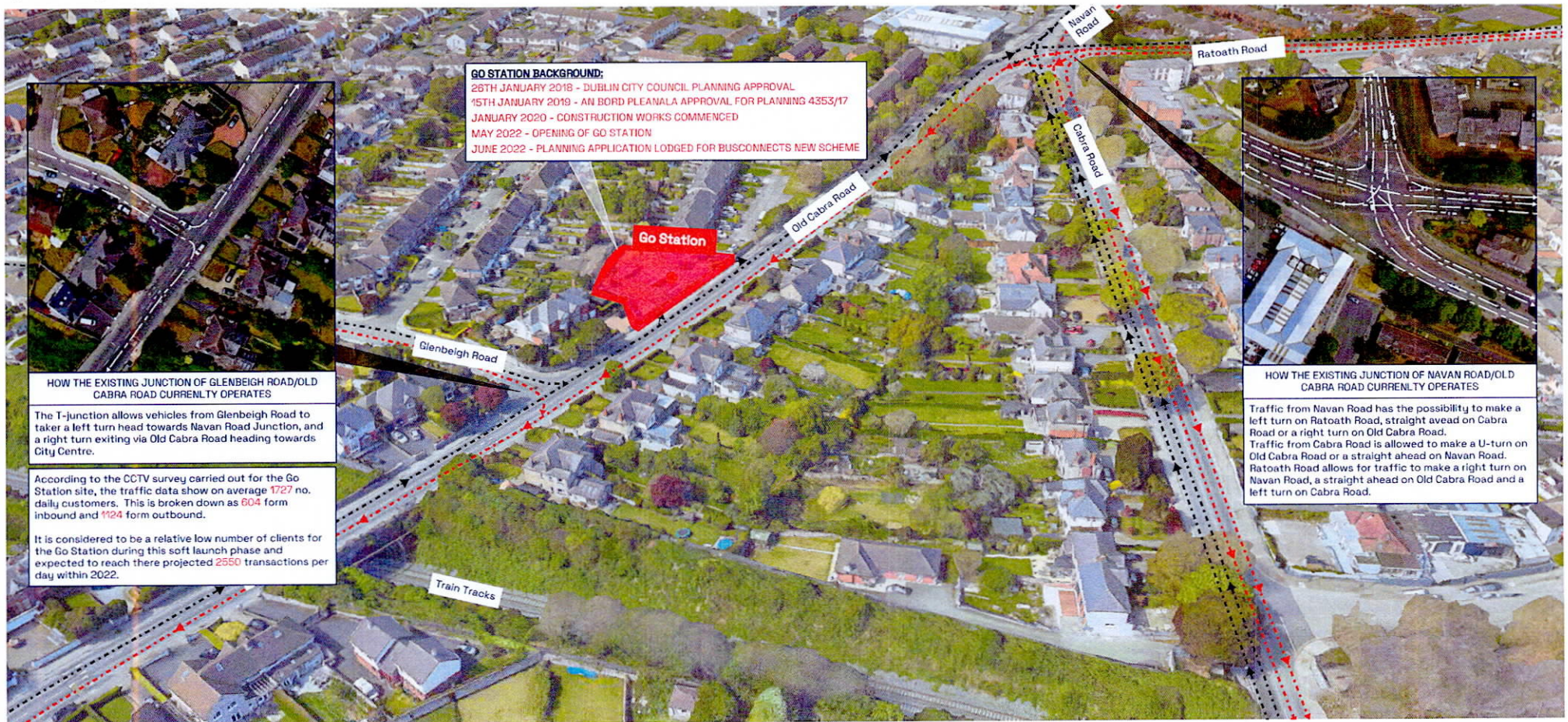
South of the GO Station is the Glenbeigh Road.

This T-junction allows vehicles from Glenbeigh Road to take a left turn head towards Navan Road Junction, and a right turn exiting via Old Cabra Road heading towards City Centre.

Further South is a T Junction to Cabra drive which allows local residents to turn left or right.

The Old Cabra road has acted as the road into town and out of town helping provide a sufficient customers base for our client's business.

Fig 2.1 - Existing situation on Old Cabra Road



2.1.2 Prussia Street

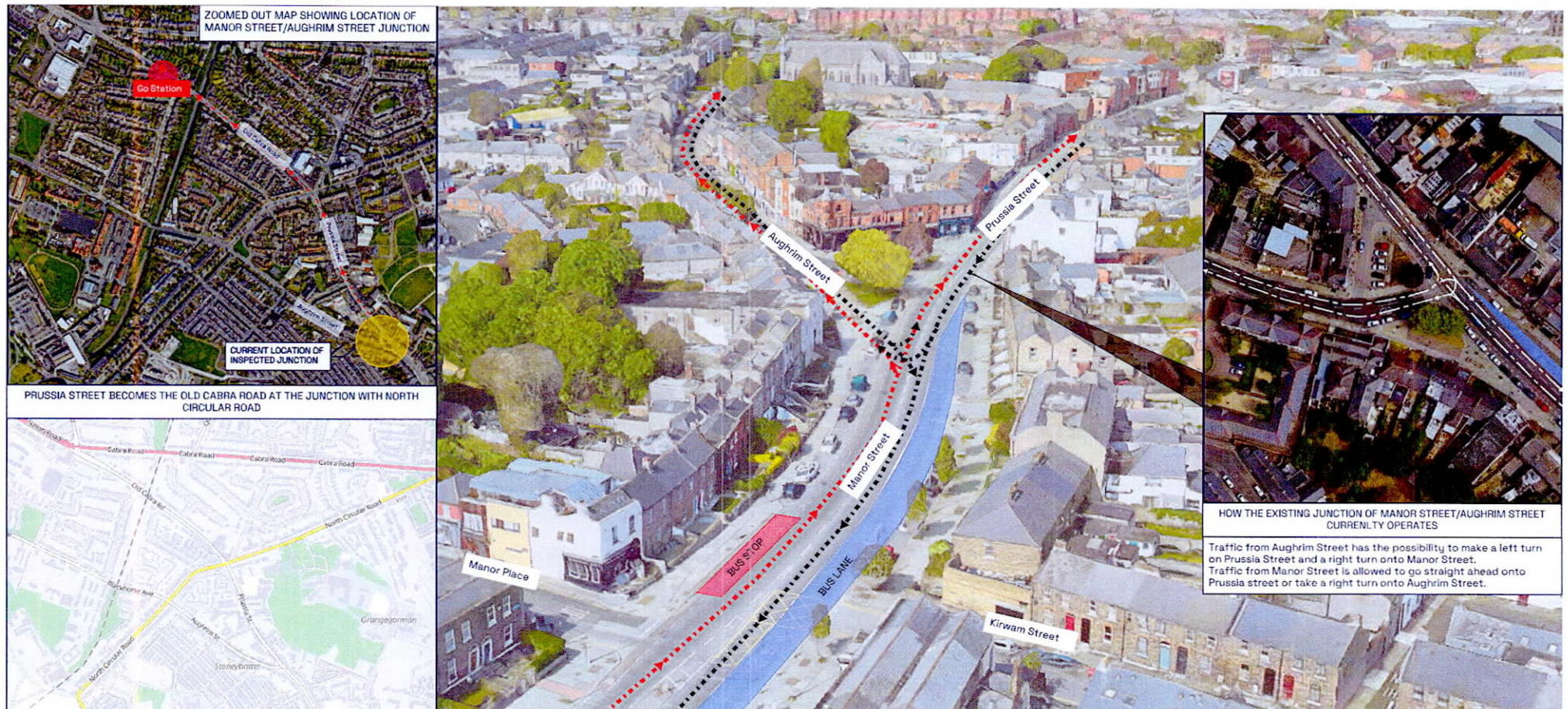
The Prussia Street/Aughrim Street junction is shown. Traffic from Aughrim Street has the possibility to make a left turn on Prussia Street and a right turn onto Manor Street.

Traffic from Manor Street is allowed to go straight ahead onto Prussia Street or take a right turn onto Aughrim Street.

Traffic looking to exit town and access the M50/Blanchardstown will typically travel from Manor Street, to Prussia Street (which leads onto the Old Cabra Road) passing the Go Station on route.

Prussia Street has acted as the road into town and out of town helping provide a sufficient customer base for our client's business.

Fig 2.2 - Existing Situation on Aughrim Street/Manor Street



3 Customer Numbers

Given the nature of the business, all customers for the Go Station must arrive by car or motor cycle to the business.

Within the planning application Chapter 06 Traffic and Transport of EIAR outlines current traffic volume on the old Cabra road during peak AM and PM times.

Traffic volume on the Old Cabra Road during peak AM is 1035 PCUs and 1253 PCUs during peak PM.

From August 21st to August 28th a traffic count of customer numbers was completed for the purpose of accurately determining the number of customers accessing the go station per hour per day for 7 continuous days. The survey identified the customers travelling into town vs. the customer travelling out of town.

Our survey revealed 85 peak average customers during AM hours, and 130 peak average customers during PM hours.

A correlation between these customers number and the existing traffic flow at AM and PM hours indicate the GO station attracts approximately 8% of the passing traffic as customers.

Any reduction of traffic flow on the old Cabra road can have a direct correlation with the customer numbers.

Fig 3.1 - Existing Daily Customer Count

GO STATION DAILY CUSTOMERS COUNT							
Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
0.00-01.00							
01.00-02.00							
02.00-03.00							
03.00-04.00							
04.00-05.00							
05.00-06.00							
06.00-07.00	46	45	38	45	47	31	17
07.00-08.00	58	72	65	54	76	36	22
08.00-09.00	82	87	84	82	101	64	36
09.00-10.00	76	91	105	92	84	95	50
10.00-11.00	95	74	107	106	120	125	70
11.00-12.00	120	108	116	100	120	138	85
12.00-13.00	129	96	127	132	151	144	128
13.00-14.00	140	118	135	130	152	143	156
14.00-15.00	138	111	127	125	146	133	156
15.00-16.00	138	113	130	102	136	133	137
16.00-17.00	135	118	151	141	175	109	106
17.00-18.00	116	120	138	153	150	115	124
18.00-19.00	131	113	134	124	123	90	112
19.00-20.00	118	112	116	124	105	87	98
20.00-21.00	106	117	107	111	112	74	77
21.00-22.00	76	84	88	95	113	70	75
22.00-23.00	57	71	53	55	47	48	47
23.00-24.00							
Total	1761	1650	1821	1771	1958	1635	1496
Daily Average	1727						

4 Description of Proposed Changes

4.1.1 Old Cabra Road Changes

To the South of the site, above the railway crossing, a bus gate will be introduced. This bus gate will prevent private car customers, travelling from the South, accessing the service station.

This gate will be directly related to a notable reduction in customers, refer to section 5 for predictions.

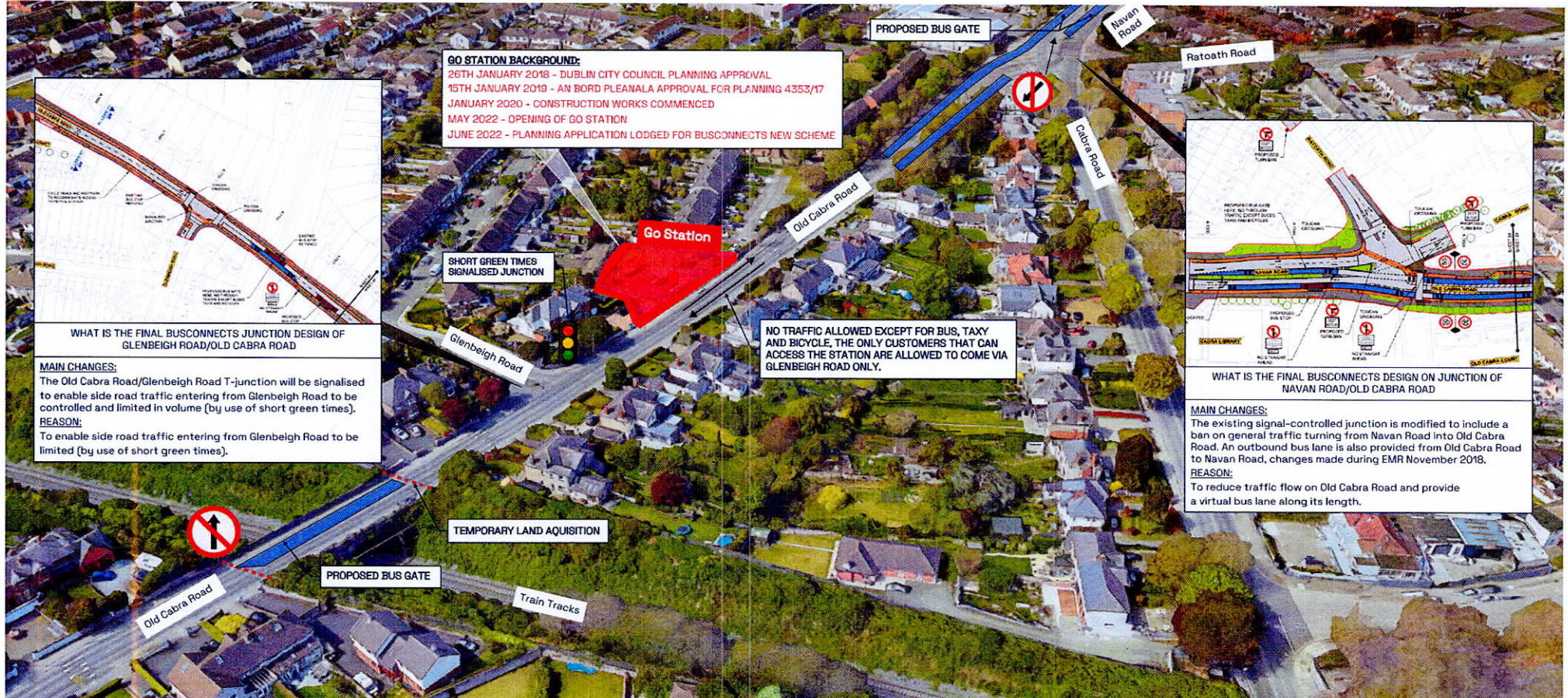
To the North of the site at the Navan Road junction a bus gate will be introduced. This will prevent potential customers traveling from Navan Road, the Cabra Road and the Ratoath Road from accessing the Go Station.

This gate will be directly related to a notable reduction in customers, refer to section 5 for predictions.

The Glenbeigh Road will become the only potential means for private vehicles to access the GO Station. This junction will see traffic volume heavily controlled by the use of traffic lights with short green times.

The combination of these bus gates will have a significant negative impact on customer numbers.

Fig 4.1 - Final BusConnects Layout on Old Cabra Road



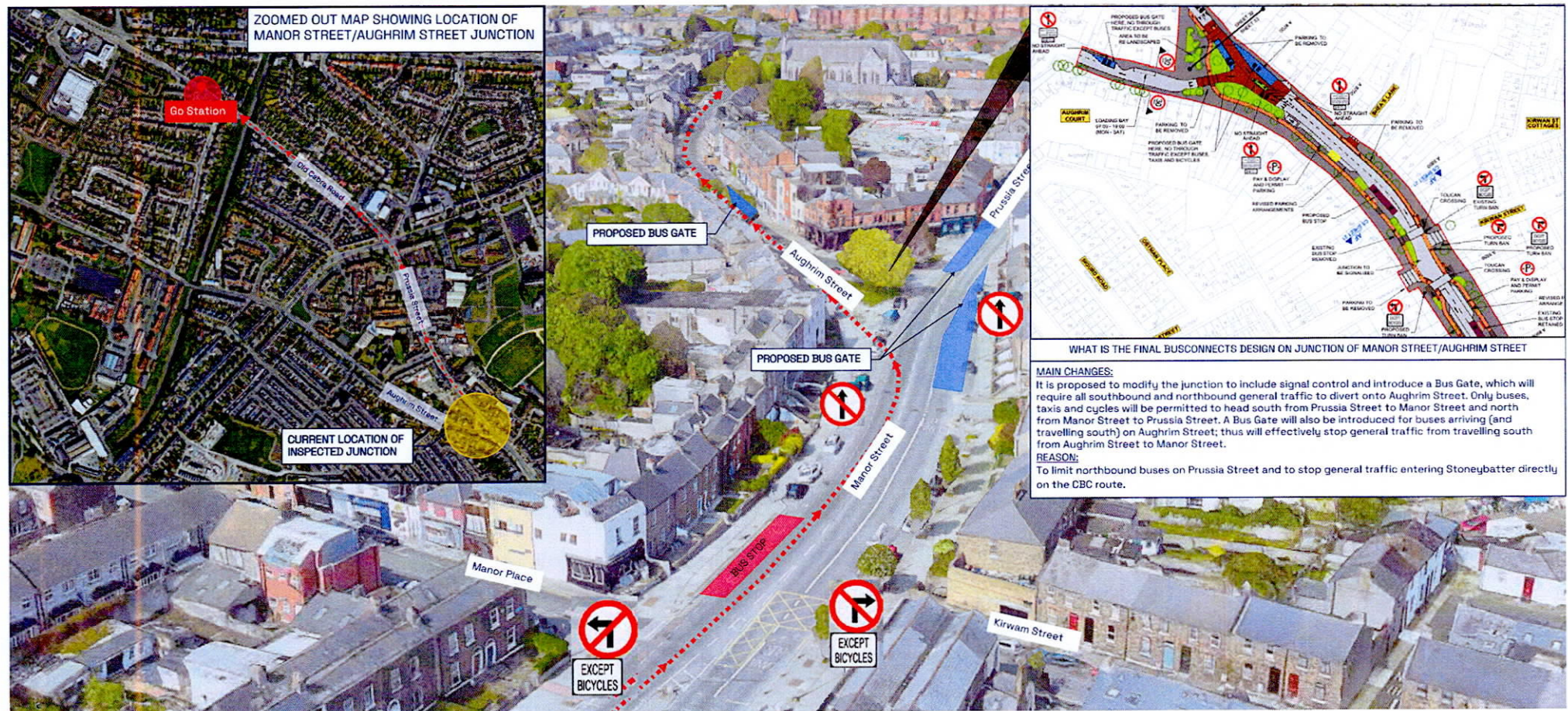
4.1.2 Prussia Street Bus Gate

It is proposed to modify the junction to include signal control and introduce a Bus Gate, which will require all Southbound and Northbound general traffic to divert onto Aughrim Street. Only buses, taxis and cycles will be permitted to head South from Prussia Street to Manor Street and North from Manor Street to Prussia Street. A Bus Gate will also be introduced for buses arriving (and travelling South) on Aughrim Street; thus will effectively stop general traffic from travelling South from Aughrim Street to Manor Street.

This fundamental change will see traffic leaving town diverted away from the go station.

The introduction of this bus gate on Prussia Street (which leads onto the Old Cabra Road), is diverting traffic away from the Old Cabra Road in conjunction with both bus gates at each end of the GO Station coupled with the signalised junction on Glenbeigh Road will lead to a significant reduction in customers. Refer to section 5 for predictions.

Fig 4.2 - Existing Situation on Aughrim Street/Manor Street



5 Impact on Customer Numbers

The introduction of the bus gate will limit future customer numbers to Taxis and local residents.

Given the nature of the business, all customers for the Go Station must arrive by car or motor cycle to the business.

Within the planning application Chapter 06 Traffic and Transport of EIAR outlines current traffic volume on the old Cabra road during peak AM and PM times during opening year of the introduction of the bus gates.

Traffic volume on the Old Cabra Road during peak AM will reduce to 88 PCUs and 117 PCUs during peak PM.

A correlation between these predicted reduced traffic flow and customers numbers indicate the Go Station can expect a 92% reduction in customers numbers.

Fig 5.1 outlines predicted customers numbers once the bus gates are introduced.

This fundamental alteration in traffic flow thus significantly impacts our clients business. It is important to note the customer number from the survey completed are considered low. These are predicted to build up to 2550 at the end of this September to a full launch with promotions etc.

Fig 5.1 - Daily Traffic Count after impact on business

GO STATION DAILY CUSTOMERS REDUCED							
Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
0.00-01.00							
01.00-02.00							
02.00-03.00							
03.00-04.00							
04.00-05.00							
05.00-06.00							
06.00-07.00	4	4	3	4	4	2	1
07.00-08.00	5	6	5	4	6	3	2
08.00-09.00	7	7	7	7	8	5	3
09.00-10.00	6	7	8	7	7	8	4
10.00-11.00	8	6	9	8	10	10	6
11.00-12.00	10	9	9	8	10	11	7
12.00-13.00	10	8	10	11	12	12	10
13.00-14.00	11	9	11	10	12	11	12
14.00-15.00	11	9	10	10	12	11	12
15.00-16.00	11	9	10	8	11	11	11
16.00-17.00	11	9	12	11	14	9	8
17.00-18.00	9	10	11	12	12	9	10
18.00-19.00	10	9	11	10	10	7	9
19.00-20.00	9	9	9	10	8	7	8
20.00-21.00	8	9	9	9	9	6	6
21.00-22.00	6	7	7	8	9	6	6
22.00-23.00	5	6	4	4	4	4	4
23.00-24.00							
Total	141	132	146	142	157	131	120
Daily Average				138			

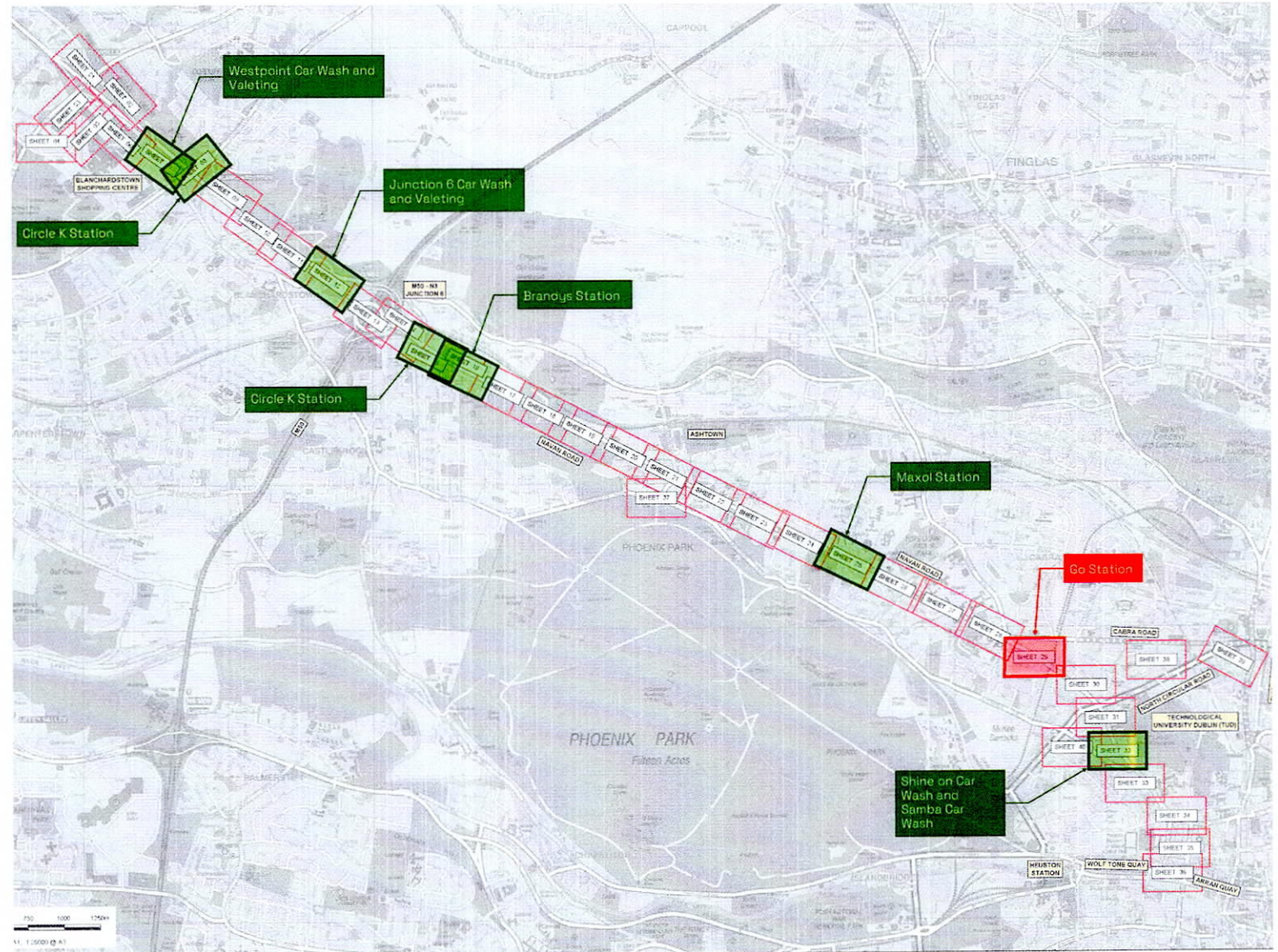
6 A uniquely impacted business

The planning application is uniquely impacting the Go Station. A study was completed of all similar businesses along the route.

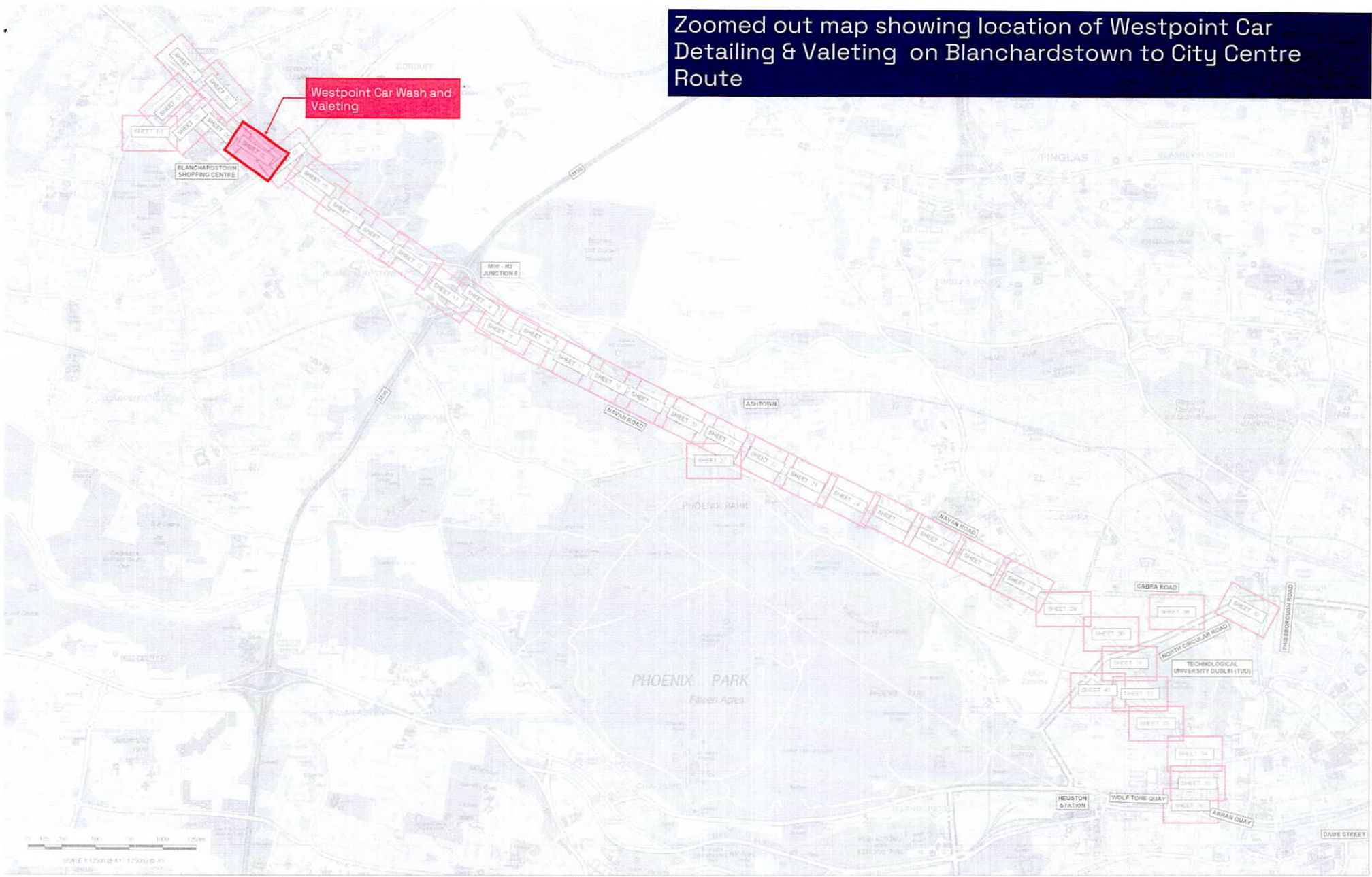
Business details were obtained from the document "Appendix A10.1 - Schedule of Commercial Businesses", within the planning application.

Similar businesses are considered businesses which are solely dependent on private vehicles being able to access the site. The following pages describe the result of our study and how the GO Station appears to be the most severely impacted business.

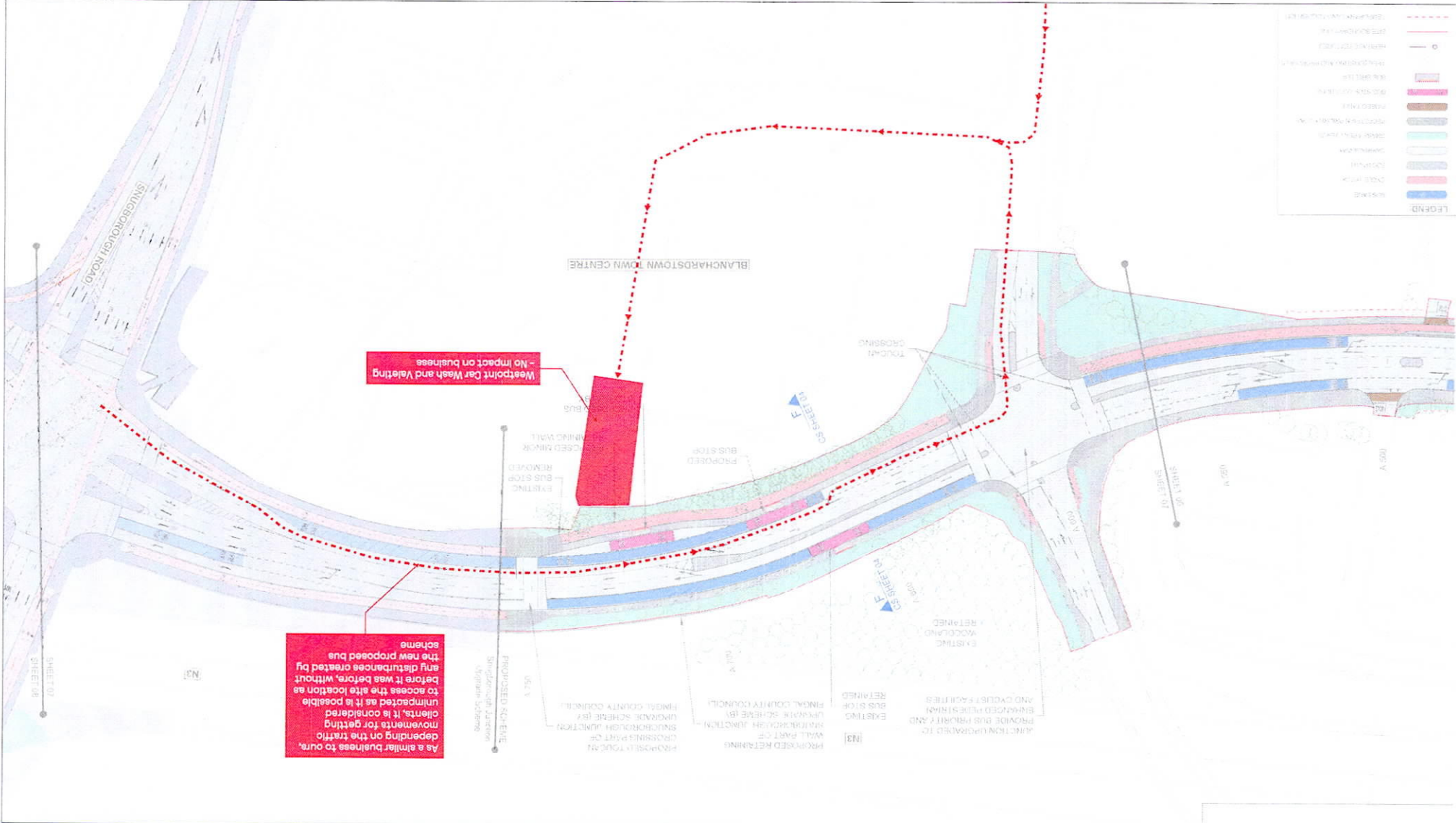
Fig 6.0 - Impact assessment on similar businesses along the proposed scheme



Zoomed out map showing location of Westpoint Car Detailing & Valeting on Blanchardstown to City Centre Route



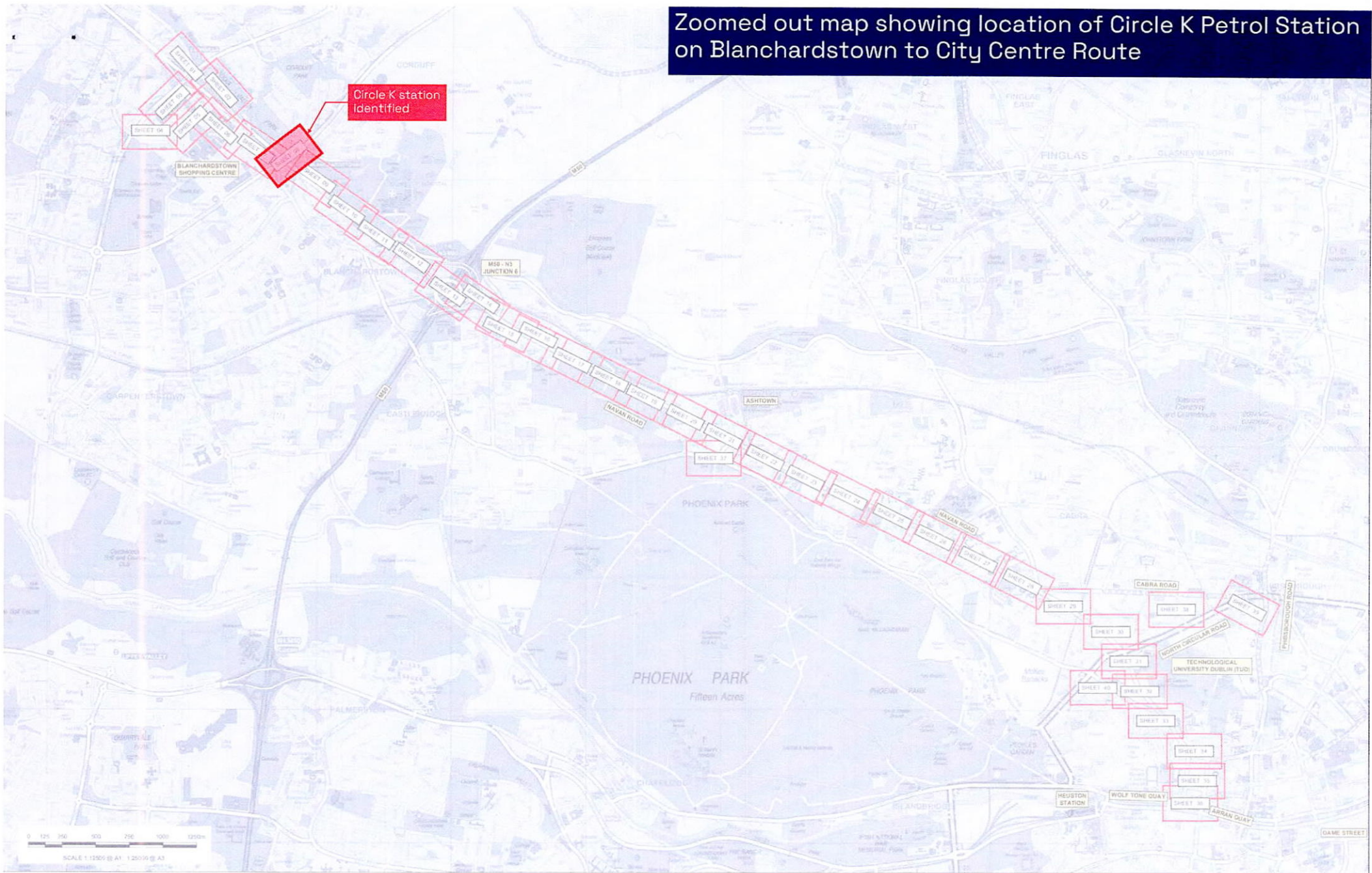
Map showing location of Westpoint Car Detailing & Valeting in relation with the BusConnects 2022 Scheme - No Impact on similar type business



As a similar business to ours, depending on the traffic movement for getting clients, it is considered unimpacted as it is possible to access the site location as before it was before, without any disturbances created by the new proposed bus scheme

Westpoint Car Wash and Valeting
- No Impact on business

Zoomed out map showing location of Circle K Petrol Station on Blanchardstown to City Centre Route



NOTES

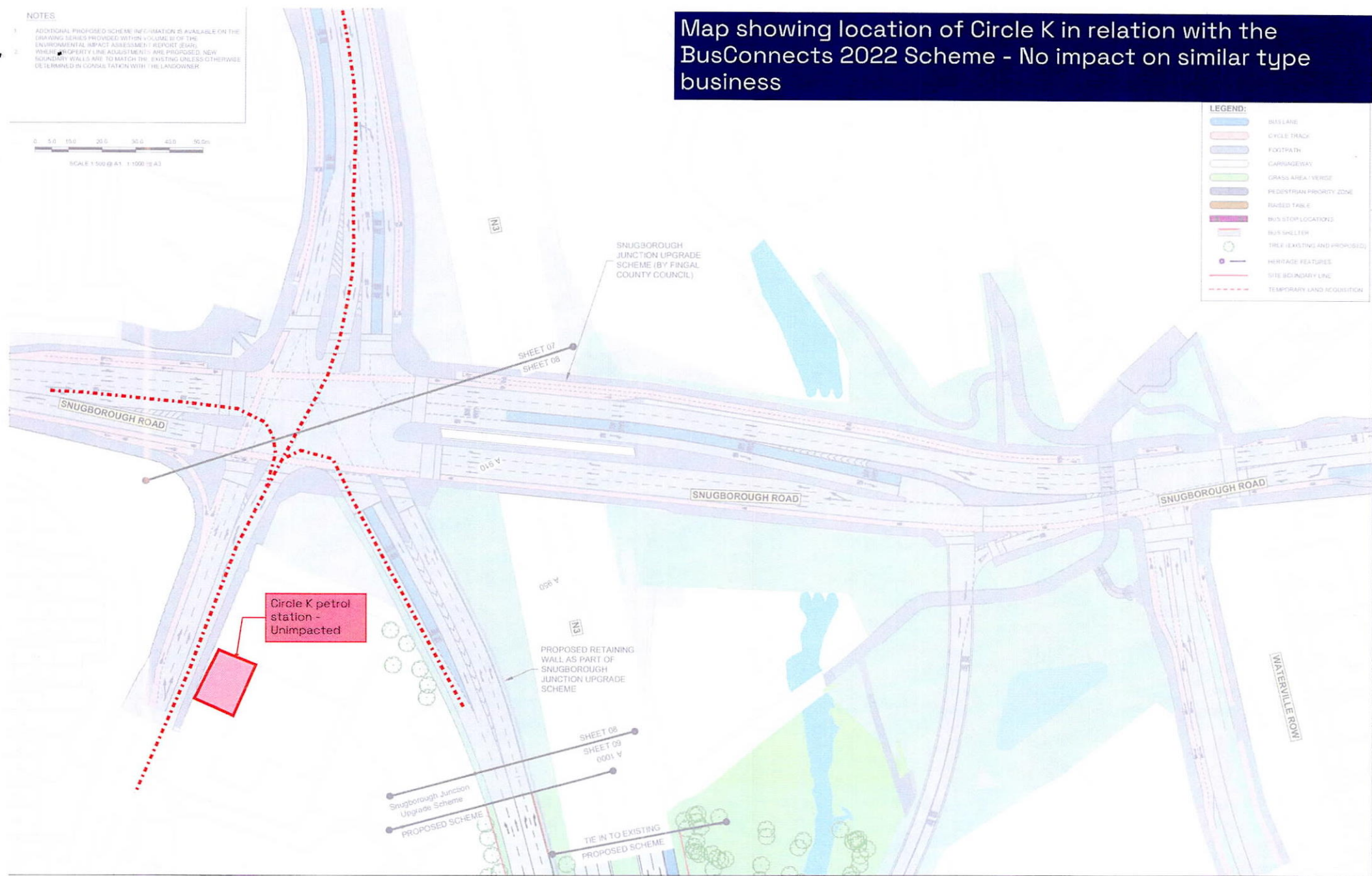
1. ADDITIONAL PROPOSED SCHEME INFORMATION IS AVAILABLE ON THE DRAWING SERIES PROVIDED WITHIN VOLUME 2 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIA).
2. WHERE PROPERTY LINE ADJUSTMENTS ARE PROPOSED, NEW ROADWAY WALLS ARE TO MATCH THE EXISTING UNLESS OTHERWISE DETERMINED IN CONSULTATION WITH THE LANDOWNER.



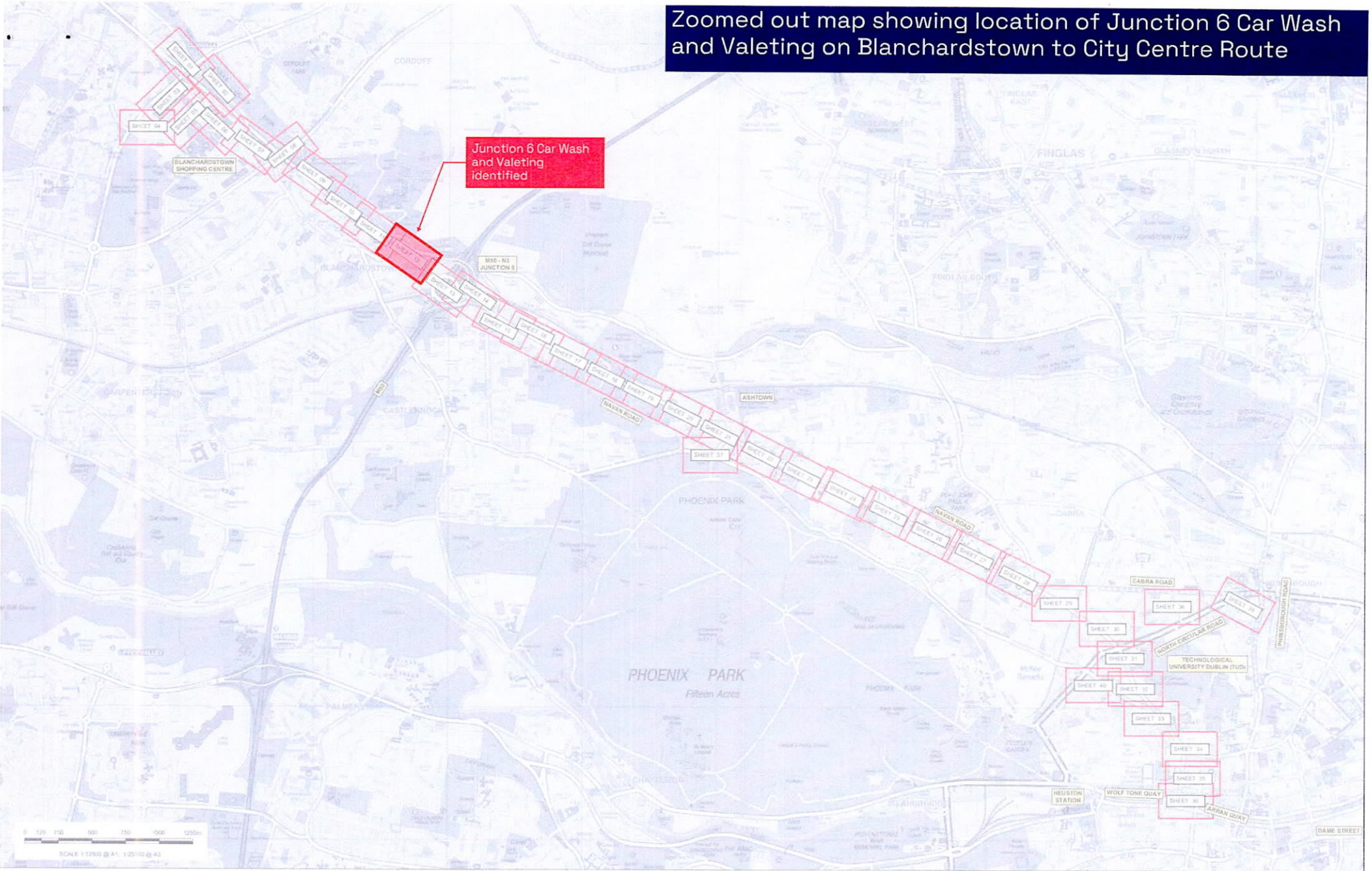
Map showing location of Circle K in relation with the BusConnects 2022 Scheme - No impact on similar type business

LEGEND:

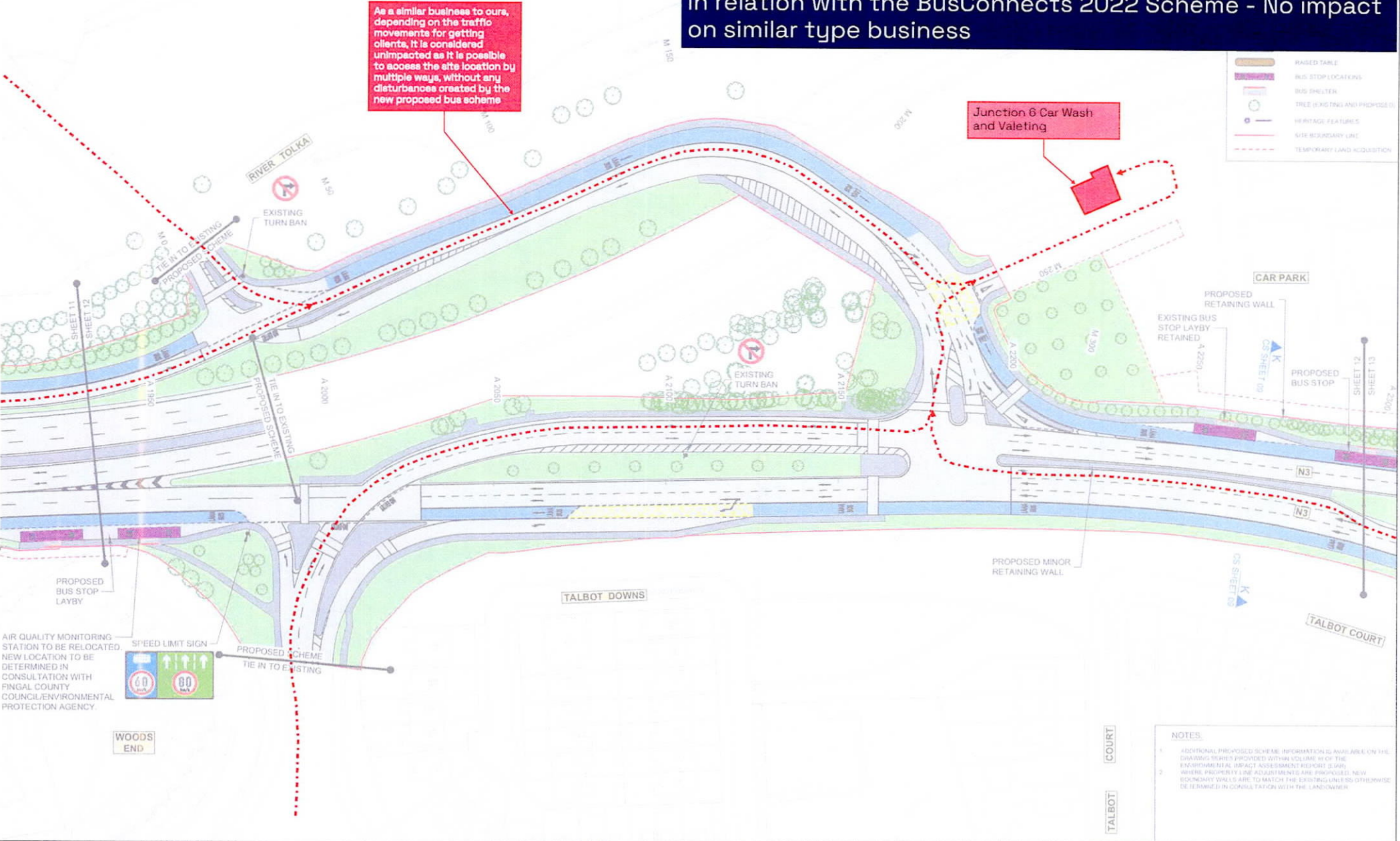
	BUS LANE
	CYCLE TRACK
	FOOTPATH
	CARRAGEWAY
	GRASS AREA / VERGE
	PEDESTRIAN PRIORITY ZONE
	RAISED TABLE
	BUS STOP LOCATIONS
	BUS SHELTER
	TREE (EXISTING AND PROPOSED)
	HERITAGE FEATURES
	SITE BOUNDARY LINE
	TEMPORARY LAND ACQUISITION



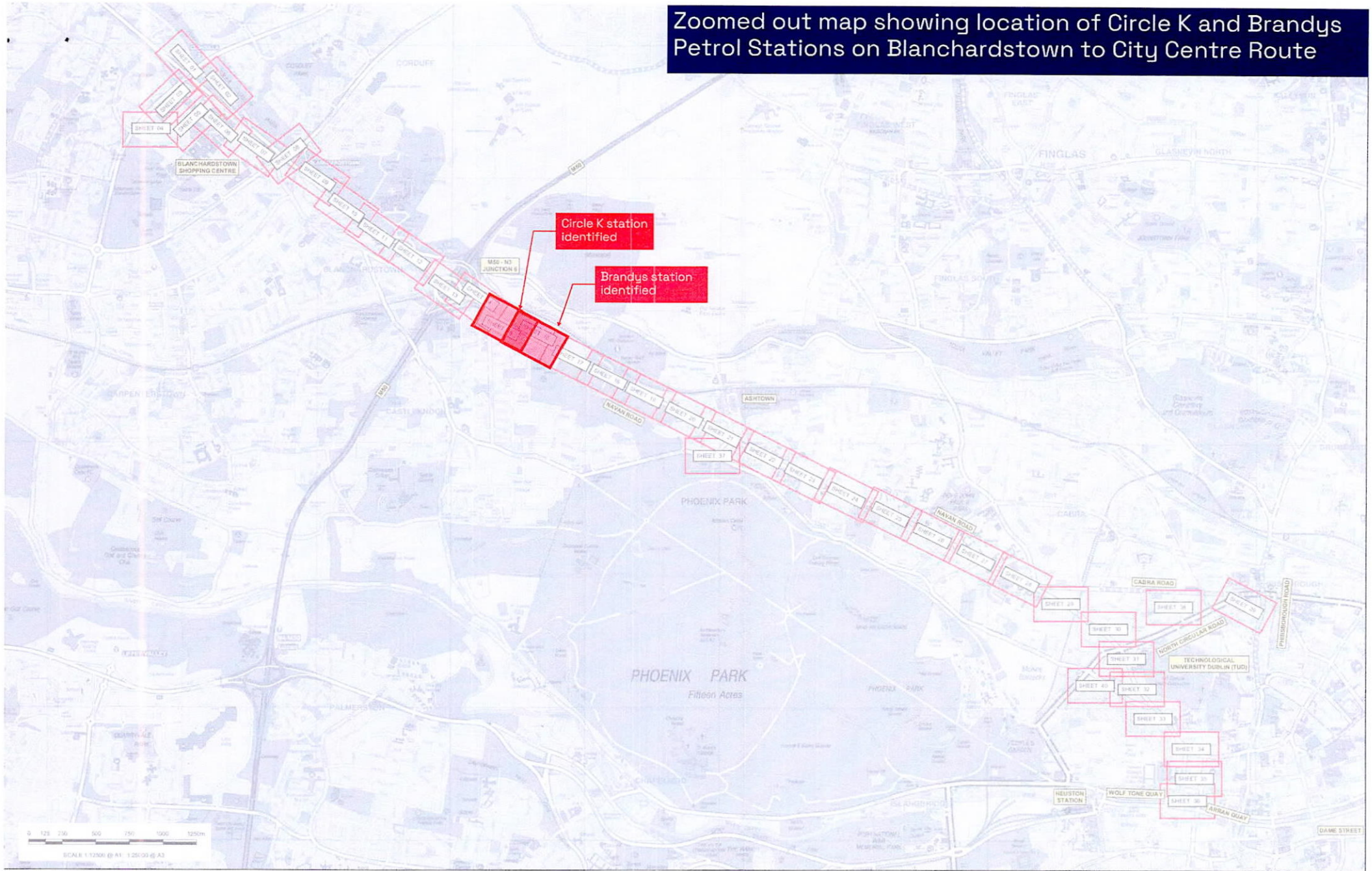
Zoomed out map showing location of Junction 6 Car Wash and Valeting on Blanchardstown to City Centre Route



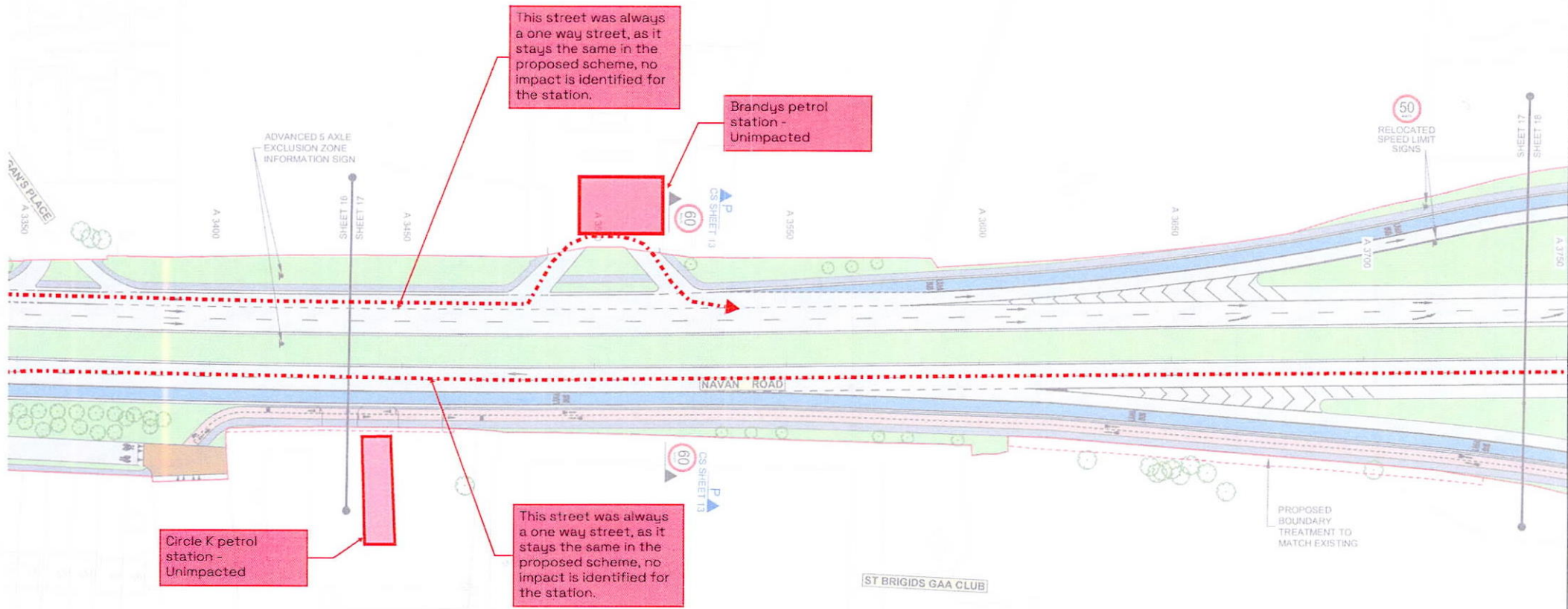
Map showing location of Junction 6 Car Wash and Valeting in relation with the BusConnects 2022 Scheme - No impact on similar type business



Zoomed out map showing location of Circle K and Brandys Petrol Stations on Blanchardstown to City Centre Route



Map showing location of Circle K and Brandys in relation with the BusConnects 2022 Scheme - No impact on similar type business



LEGEND:

	BUS LANE
	CYCLE TRACK
	FOOTPATH
	CARRIAGEWAY
	GRASS AREA / VERGE
	PEDESTRIAN PRIORITY ZONE
	RAISED TABLE
	BUS STOP LOCATIONS
	BUS SHELTER
	TREE (EXISTING AND PROPOSED)
	HERITAGE FEATURES
	SITE BOUNDARY LINE
	TEMPORARY LAND ACQUISITION

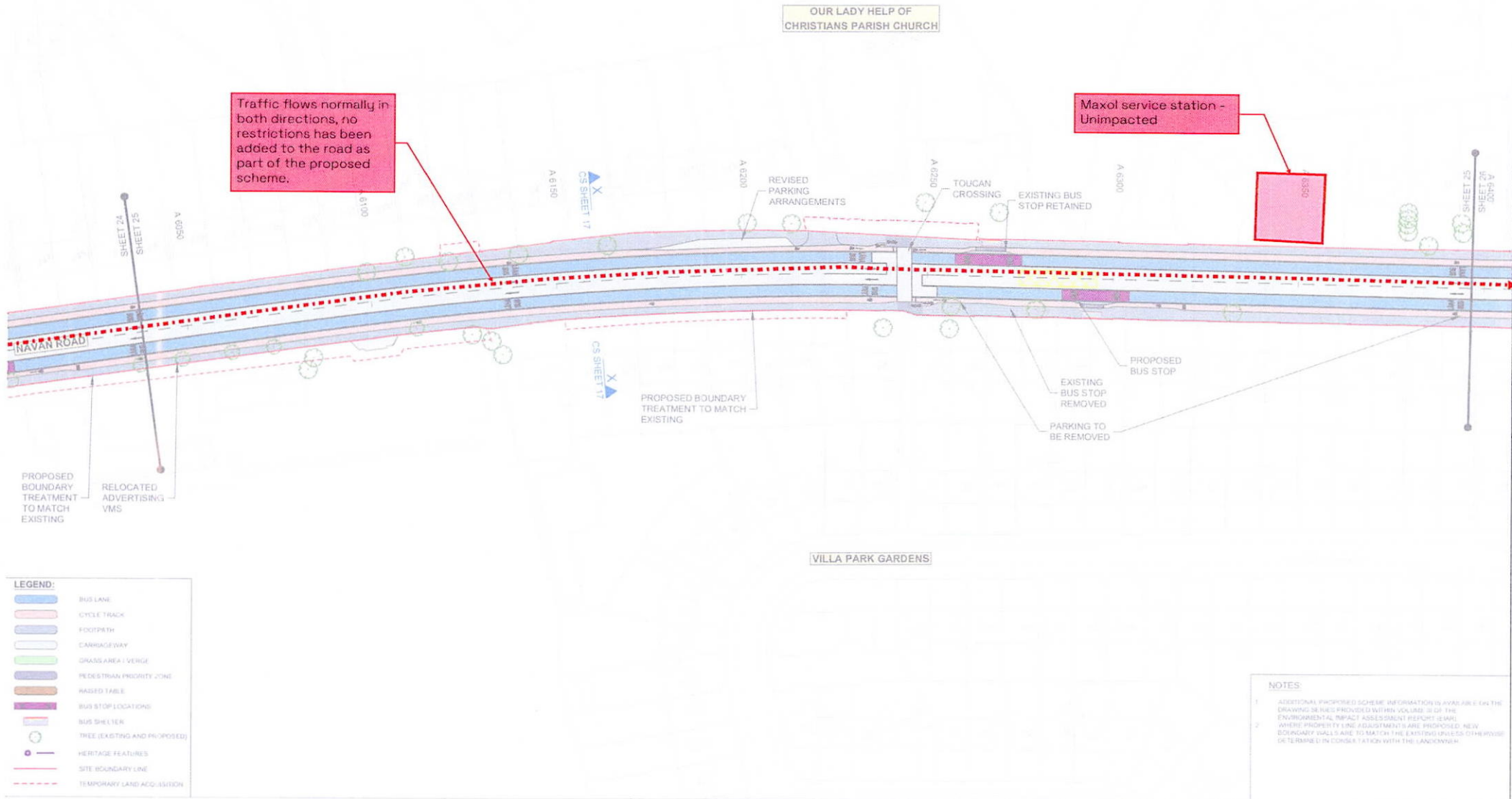
NOTES:

- ADDITIONAL PROPOSED SCHEME INFORMATION IS AVAILABLE ON THE DRAWING SHEETS PROVIDED WITHIN VOLUME 16 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIA).
- WHERE PROPERTY LINE ADJUSTMENTS ARE PROPOSED, NEW BOUNDARY WALLS ARE TO MATCH THE EXISTING UNLESS OTHERWISE DETERMINED BY CONSULTATION WITH THE LANDOWNER.

Zoomed out map showing location of Maxol Petrol Station on Blanchardstown to City Centre Route



Map showing location of Maxol Petrol Station in relation with the BusConnects 2022 Scheme - No impact on similar type business



Traffic flows normally in both directions, no restrictions has been added to the road as part of the proposed scheme.

Maxol service station - Unimpacted

PROPOSED BOUNDARY TREATMENT TO MATCH EXISTING
RELOCATED ADVERTISING VMS

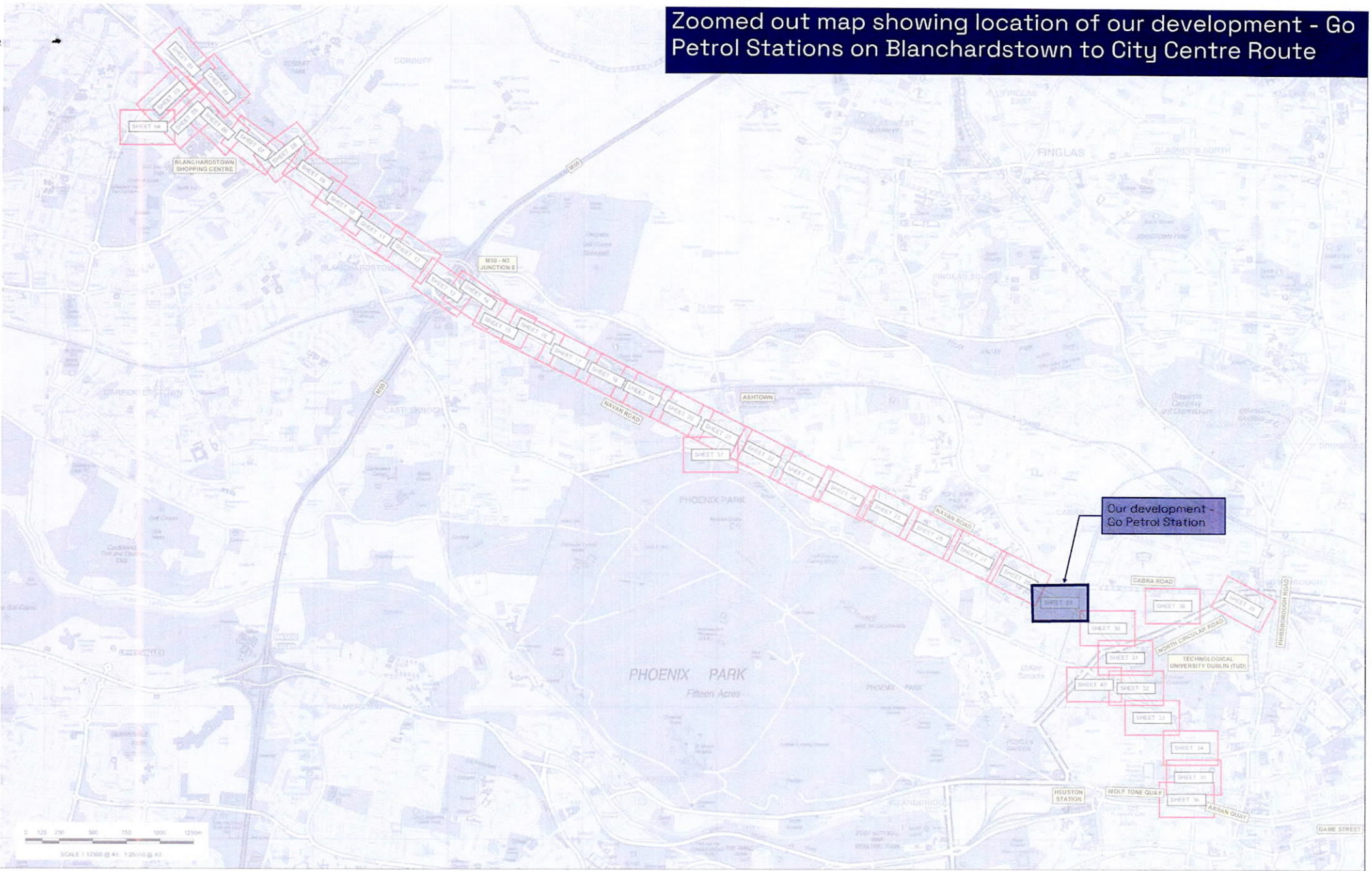
PROPOSED BOUNDARY TREATMENT TO MATCH EXISTING

EXISTING - BUS STOP REMOVED
PARKING TO BE REMOVED
PROPOSED BUS STOP

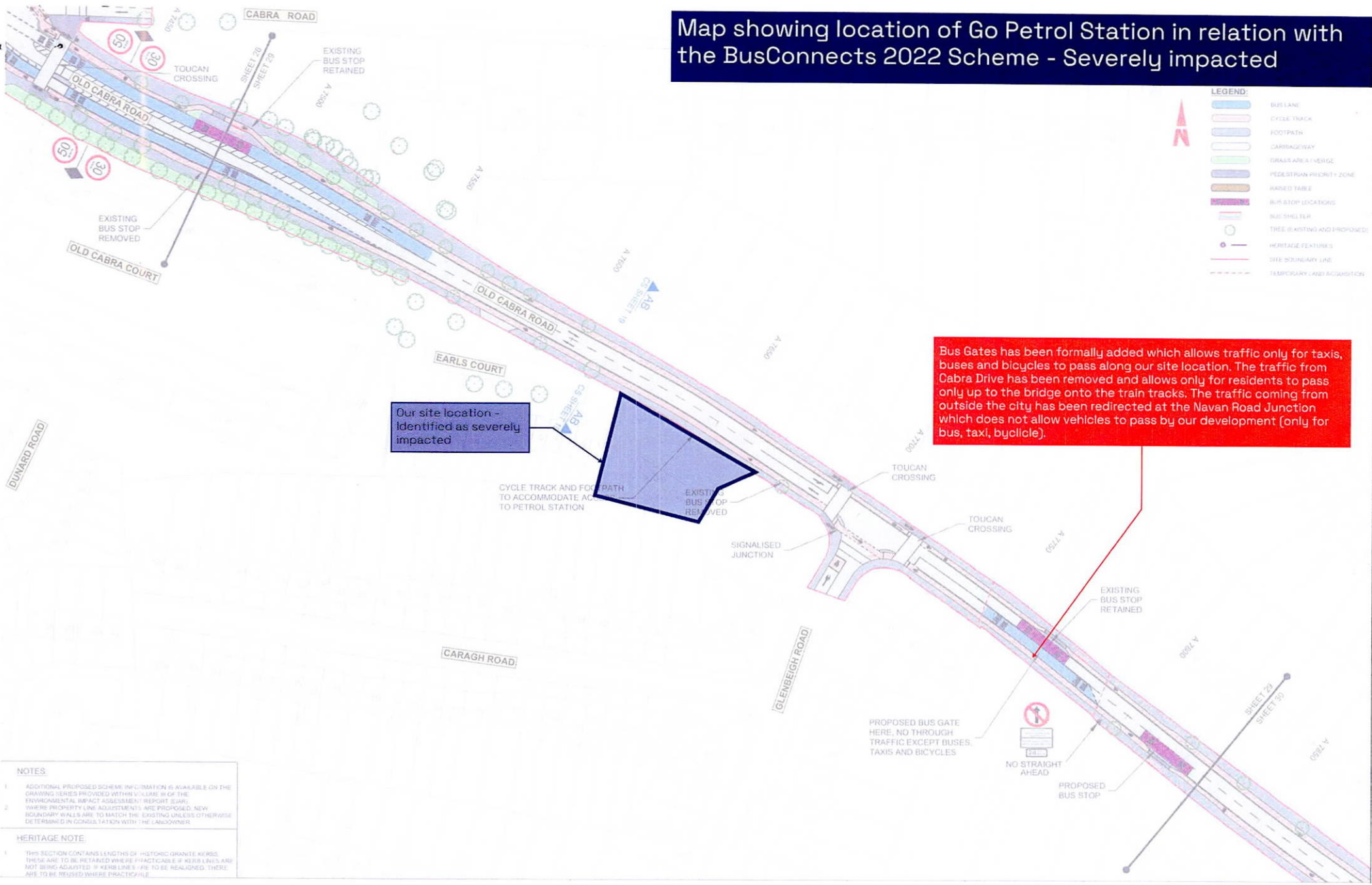
- LEGEND:**
- BUS LANE
 - CYCLE TRACK
 - FOOTPATH
 - CARRIAGEWAY
 - GRASS AREA / VERGE
 - PEDESTRIAN PRIORITY ZONE
 - RAISED TABLE
 - BUS STOP LOCATIONS
 - BUS SHELTER
 - TREE (EXISTING AND PROPOSED)
 - HERITAGE FEATURES
 - SITE BOUNDARY LINE
 - TEMPORARY LAND ACQUISITION

- NOTES:**
1. ADDITIONAL PROPOSED SCHEME INFORMATION IS AVAILABLE IN THE DRAWING SERIES PROVIDED WITHIN VOLUME 3B OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIA).
 2. WHERE PROPERTY LINE ADJUSTMENTS ARE PROPOSED, NEW BOUNDARY WALLS ARE TO MATCH THE EXISTING UNLESS OTHERWISE DETERMINED IN CONSULTATION WITH THE LANDOWNER.

Zoomed out map showing location of our development - Go Petrol Stations on Blanchardstown to City Centre Route



Map showing location of Go Petrol Station in relation with the BusConnects 2022 Scheme - Severely impacted



Bus Gates has been formally added which allows traffic only for taxis, buses and bicycles to pass along our site location. The traffic from Cabra Drive has been removed and allows only for residents to pass only up to the bridge onto the train tracks. The traffic coming from outside the city has been redirected at the Navan Road Junction which does not allow vehicles to pass by our development (only for bus, taxi, bicycle).

Our site location - Identified as severely impacted

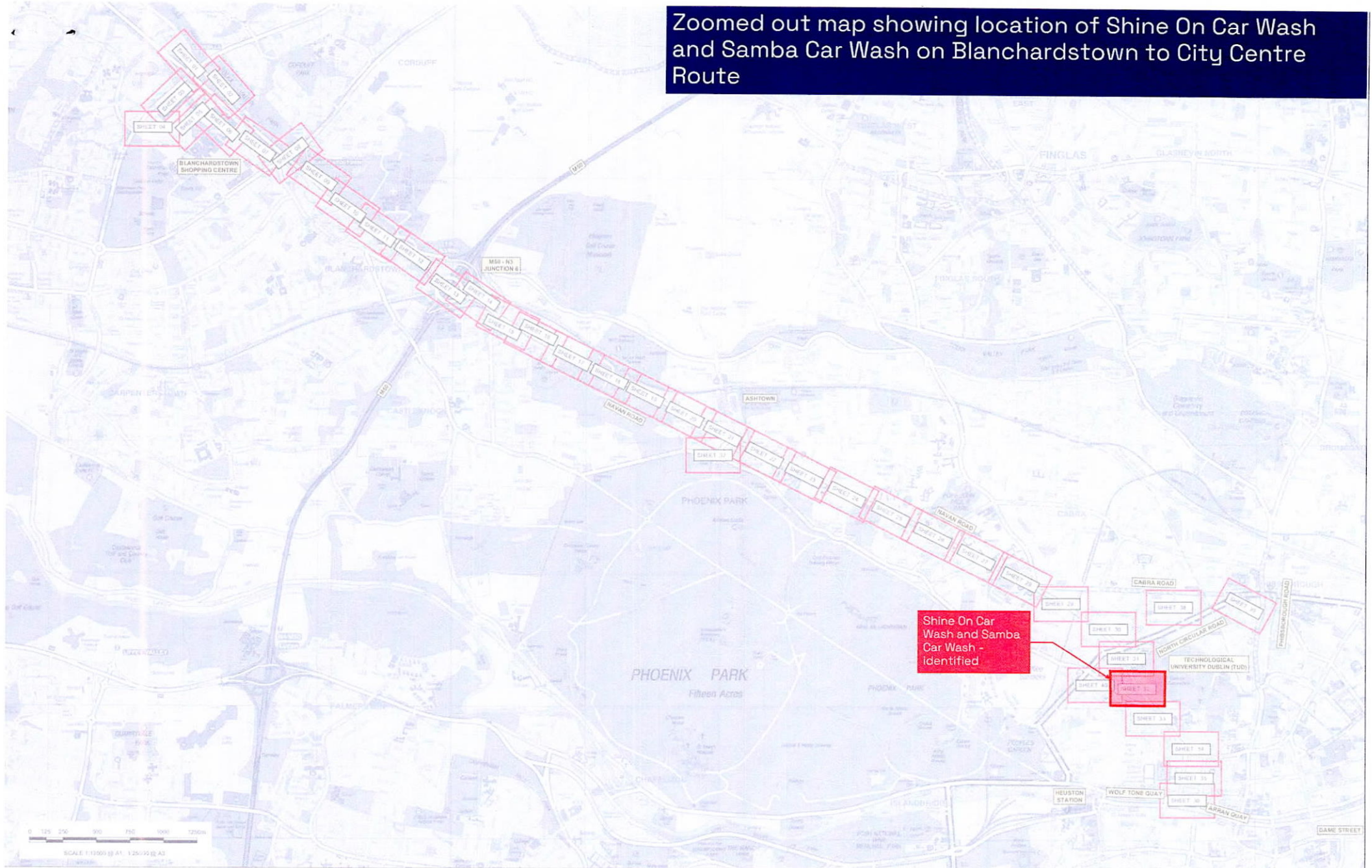
NOTES

- ADDITIONAL PROPOSED SCHEME INFORMATION IS AVAILABLE ON THE DRAWING SERIES PROVIDED WITHIN VOLUME 1 OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT EARLY.
- WHERE PROPERTY LINE ADJUSTMENTS ARE PROPOSED, NEW BOUNDARY WALLS ARE TO MATCH THE EXISTING UNLESS OTHERWISE DETERMINED IN CONSULTATION WITH THE LANDOWNER.

HERITAGE NOTE

- THIS SECTION CONTAINS LENGTHS OF HISTORIC GRANITE KERBS. THESE ARE TO BE RETAINED WHERE PRACTICABLE IF KERB LINES ARE NOT BEING ADJUSTED. IF KERB LINES ARE TO BE REALIGNED, THERE ARE TO BE REUSED WHERE PRACTICABLE.

Zoomed out map showing location of Shine On Car Wash and Samba Car Wash on Blanchardstown to City Centre Route



Shine On Car Wash and Samba Car Wash - identified

NOTES:

ADDITIONAL PROPOSED SCHEME INFORMATION IS AVAILABLE ON THE DRAWING SERIES PROVIDED WITHIN 10 DAYS OF THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORT (EIA). THERE ARE NO BOUNDARY LINE ADJUSTMENTS OR PROPOSED NEW BOUNDARIES UNLESS THEY ARE TO MATCH THE EXISTING LINES OTHERWISE DETERMINED IN CONSULTATION WITH THE LANDOWNER.

HERITAGE NOTE:

THIS SECTION CONTAINS A NUMBER OF HIGH VALUE HERITAGE LIGHTING SCHEMES TO BE RETAINED.



SCALE 1:500 @ A1, 1:1000 @ A2

Map showing location of Shine On Car Wash and Samba Car Wash in relation with the BusConnects 2022 Scheme - Minimum impact

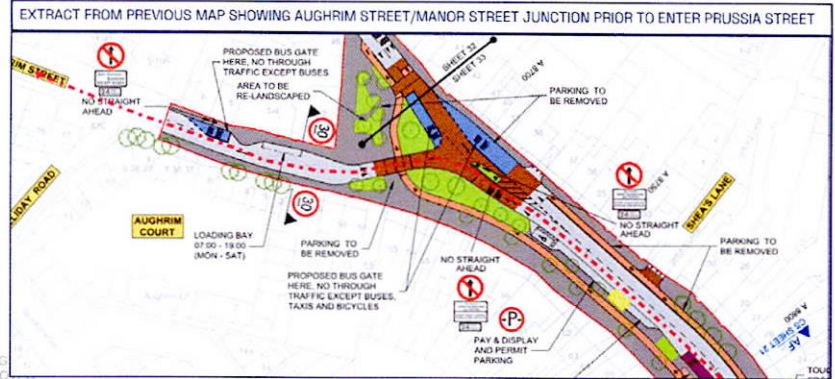
The business is considered to be minimum impacted. The traffic is slightly deviated due to bus gate on Manor Street Junction, but it can still be easily accessed via St. Joseph Road heading exactly in front of the development.

Shine On Car Wash - Minimal Impact

Samba Car Wash - Minimal Impact

Traffic permitted further ahead on Aughrim Street - according to map extract attached

Traffic banned further ahead on Prussia Street - according to map extract attached



LEGEND:

- BUS LANE
- CYCLE TRACK
- FOOTPATH
- CARRIAGEWAY
- GRASS AREA / VERGE
- PEDESTRIAN PRIORITY ZONE
- RAISED TABLE
- BUS STOP LOCATIONS
- BUS SHELTER
- TREE (EXISTING AND PROPOSED)
- HERITAGE FEATURES
- SITE BOUNDARY LINE

7 Conclusion

The Go Station will be uniquely impacted by the proposed application.

This report demonstrates how the business is uniquely impacted given its location and business function.

This report demonstrates the true extent of disruption to the business from this proposed application. The business which wholly relies on passing vehicles will likely see customer numbers reduce by in excess of 92%.

The section 4.2 "Financial Investment" of the Hughes report describes the continuous investment made by our client since February 2016 on this site.

This report describes the changes required to the application, most notably the removal of 3 bus gates shown in fig 7.0, to provide our client with the necessary comfort the business can continue to trade as a viable business.

Fig 7.0 - Proposed bus gates on 2022 BusConnects Scheme

