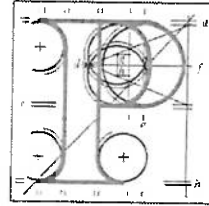


Our Case Number: ABP-317742-23

Your Reference: Beechfield Manor Nursing Home Ltd.



**An
Bord
Pleanála**

R.G Greene & Associates
Caher House
Loughrea
Co. Galway

Date: 17 October 2023

Re: BusConnects Bray to City Centre Core Bus Corridor Scheme
Bray to Dublin City Centre.

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 at laps@pleanala.ie

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

Yours faithfully,



Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

HA02A

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 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

R. G. GREENE & ASSOCIATES

CONSULTING ENGINEERS

Civil, Structural, Environmental & Forensic

Our Ref: 4023/RG

9th October 2023

An Bord Pleanala
64 Marlborough Street,
Dublin 1, D01 V902

RE: An Bord Pleanala SID Case Reference No KA27.317780

Subject: Bray to Dublin City Centre Core Bus Corridor Scheme Compulsory Purchase Order.

Applicant: NTA

Dear Sirs,

We are instructed by our client **Beechfield Manor Nursing Home Ltd, and Beechfield Owners Management Company CLG**, both of **22 Northumberland Road, Ballsbridge, Dublin 4** to make an observation in respect of the lands to be acquired in respect of the above Scheme by Compulsory Purchase Order from Beechfield Manor Nursing Home Ltd, and Beechfield Owners Management Company CLG, and as set out as lands which are being **Permanently Acquired**, and are labelled **1098(1).1e**, and lands which are being **Temporarily Acquired**, and are labelled **1098(2).2e**, all in Drawing No 0013-SM-0069 Rev. M01 which was submitted with the SID Application.

We confirm payment of the requisite fee in the sum of €50 in conjunction with the submission of this observation online.

We set out the reasons and arguments for submission of this observation hereunder, as follows:

1. CONDITION OF GREEN AREA

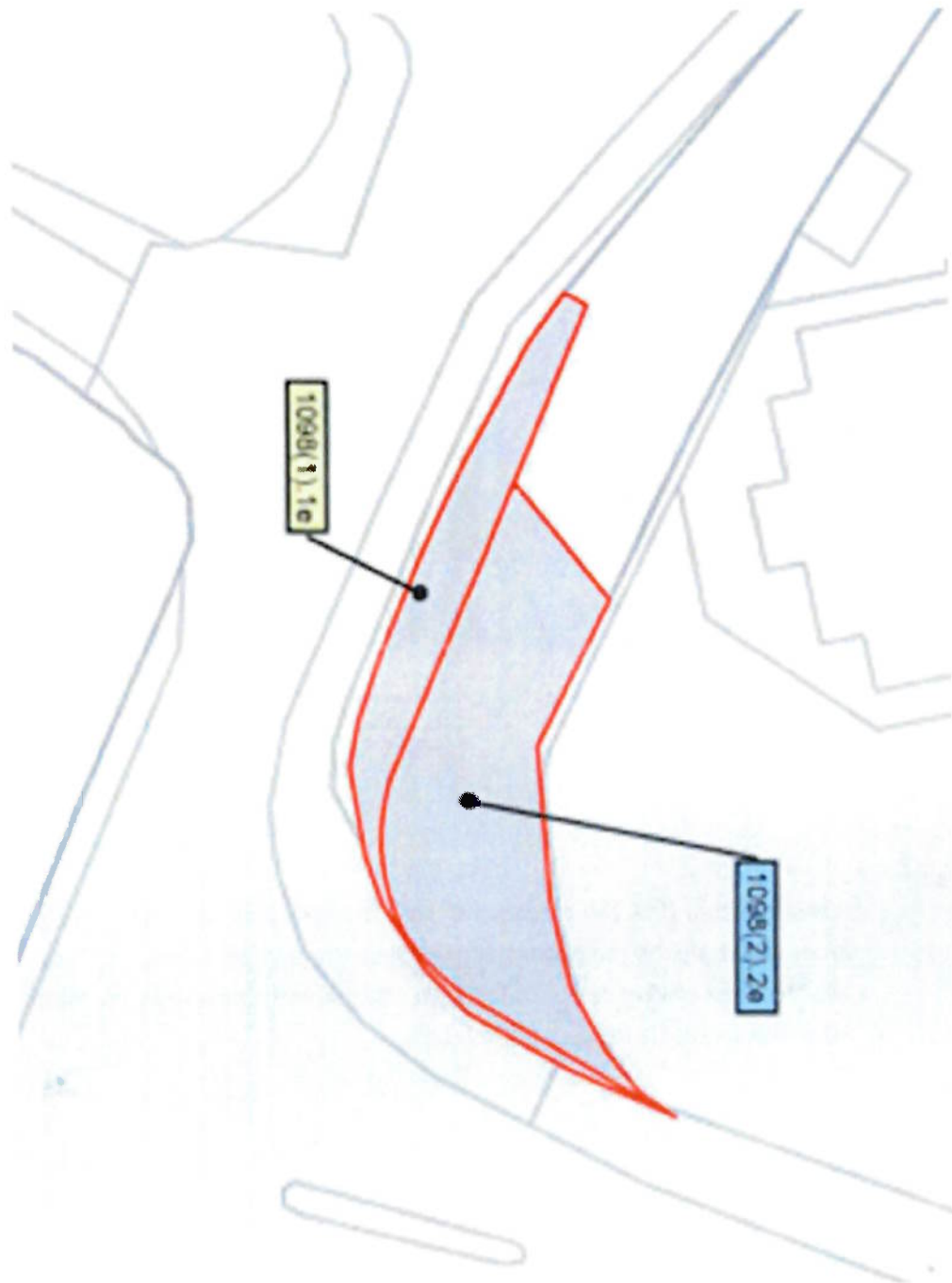
The Works for which the CPO is purported to be necessary would result in the disturbance of the entire green area adjacent to the Shanganagh Road boundary of the Beechfield Manor development.

Caher House, Loughrea, Co Galway H62 FF61

Em [REDACTED]
[REDACTED]
[REDACTED]



The extent of the CPO is shown on the extract from Drawing No 0013-SM-0069 Rev. M01 below:



An extract from the Landscape Map is presented below and the extent of the intervention works on the Beechfield property is evident and consists of;

- Construction of a new footpath on the outer edge of the green area



It is submitted that the proposal to treat the green area as 'retained grass verge and amenity area' has the potential to expose the owners to liability for acts of Misfeasance arising out of defects associated with the condition of the green area after the works have been completed.

2. UNDERMINING OF BOUNDARY WALL

These works are explained in the Pavement Treatment Plan, as extracted below:



The extract from the Pavement Treatment Plan shows that the extent of the intervention works on the Beechfield property consists of:

- Extension of the new footpath construction into the bellmouth junction with Beechfield Manor.

From the foregoing it is intended that 'proposed footpath construction' is to be carried out directly against the Beechfield property boundary wall at the junction.

It is submitted that these works have the potential to undermine the structural integrity of the existing boundary wall.

3. ENVIRONMENTAL IMPACTS

It is submitted that the proximity of the Beechfield Nursing Home to the property boundary has the potential to subject the premises to nuisance noise and deposition of dust over the course of the project.

It is submitted that provisions as set out in the EIAR are deficient both in relation to the sensitivity of this receptor, and in the provisions outlined for the protection of the Nursing Home against the impacts of such environmental nuisance associated with the project.

4. CONCLUSION

It is submitted that the design and layout of the works on the vicinity of a sensitive receptor such as Beechfield Nursing Home has not been properly considered at the planning stage of the project.

It is submitted that **Beechfield Manor Nursing Home Ltd**, and **Beechfield Owners Management Company CLG** should be indemnified against all future liability arising out of any acts of misfeasance in relation to the reinstatement/condition of the surface of the lands which are subject to temporary acquisition as a result of this project .

Signed,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

R. G. Greene & Associates