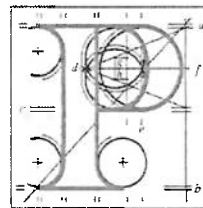


Our Case Number: ABP-317780-23

Your Reference: Beechfield Manor Nursing Home Ltd.



**An
Bord
Pleanála**

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

Date: 17 October 2023

Re: Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023
Bray to Dublin City Centre

Dear Sir / Madam,

An Bord Pleanála has received your objection in relation to the above-mentioned compulsory purchase order.

In respect of same, please note that in circumstances where

- (i) no objections are received by the Board within the period provided for making objections, or
- (ii) all objections made are subsequently withdrawn, or
- (iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Board will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

Please be advised that those 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 on the schedule, a refund of €50 will be issued to the debit/credit card used to make payment for this submission .

The Board will revert to you in due course in respect of this matter. If you have any queries in the meantime 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.

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

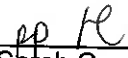
Tel
LoCall
Fax
Website
Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Yours faithfully,



Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

CH04

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Validation Checklist

Lodgement Number : **LDG-067680-23**
Case Number: **ABP-317780-23**
Customer: **Beechfield Manor Nursing Home Ltd.**
Lodgement Date: **10/10/2023 09:48:00**
Validation Officer: **Eimear Reilly**
PA Name: **Wicklow County Council**
PA Reg Ref:
Case Type: **Local Authority Road CPO**
Lodgement Type: **Objection**



An
Bord
Pleanála

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Overpaid
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Run at: 17/10/2023 13:14

Run by: Lauren Griffin

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
Email: ronnie@greene.ie
Mobile: 087-2596296
T/A R. G. Greene VAT No. 3176871T



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;

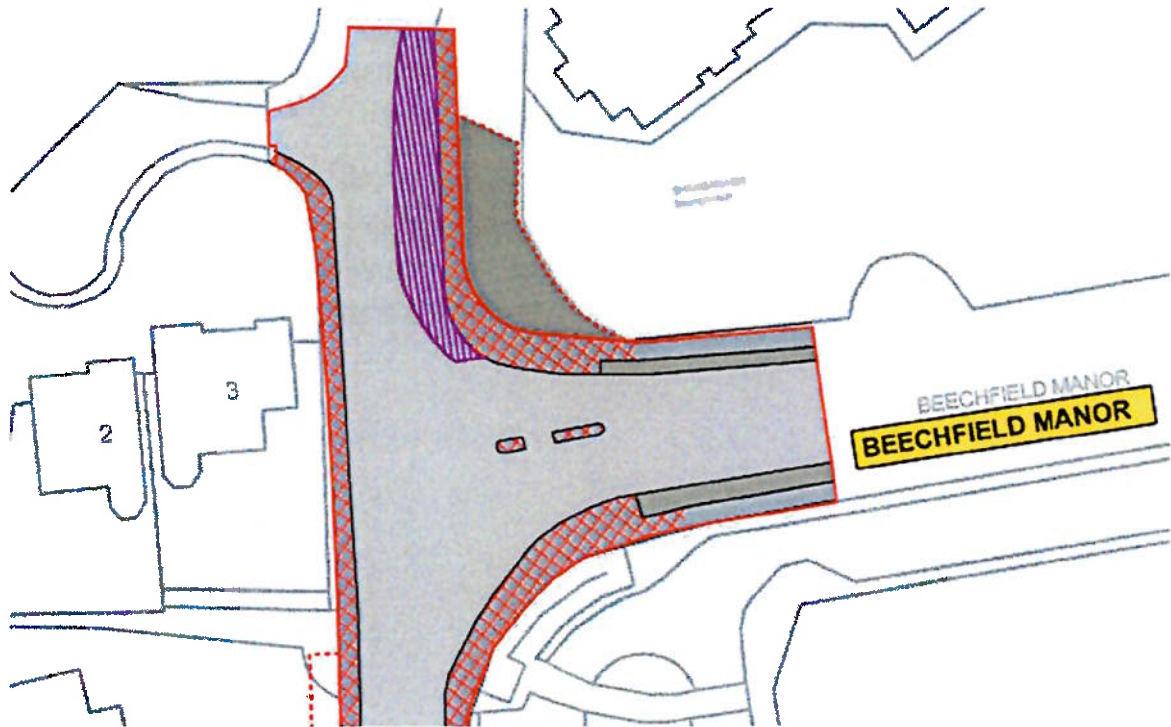
- Construction of a new footpath on the outer edge of the green area



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 .

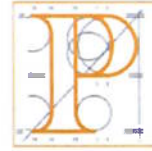
Signed,

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

Validation Checklist

Lodgement Number : **LDG-067690-23**
Case Number: **ABP-317780-23**
Customer: **Beechfield Manor Nursing Home Ltd.**
Lodgement Date: **10/10/2023 09:40:00**
Validation Officer: **Eimear Reilly**
PA Name: **Wicklow County Council**
PA Reg Ref:
Case Type: **Local Authority Road CPO**
Lodgement Type: **Objection**



An
Bord
Pleanála

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Overpaid
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Run at: 17/10/2023 14:42

Run by: Lauren Griffin

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

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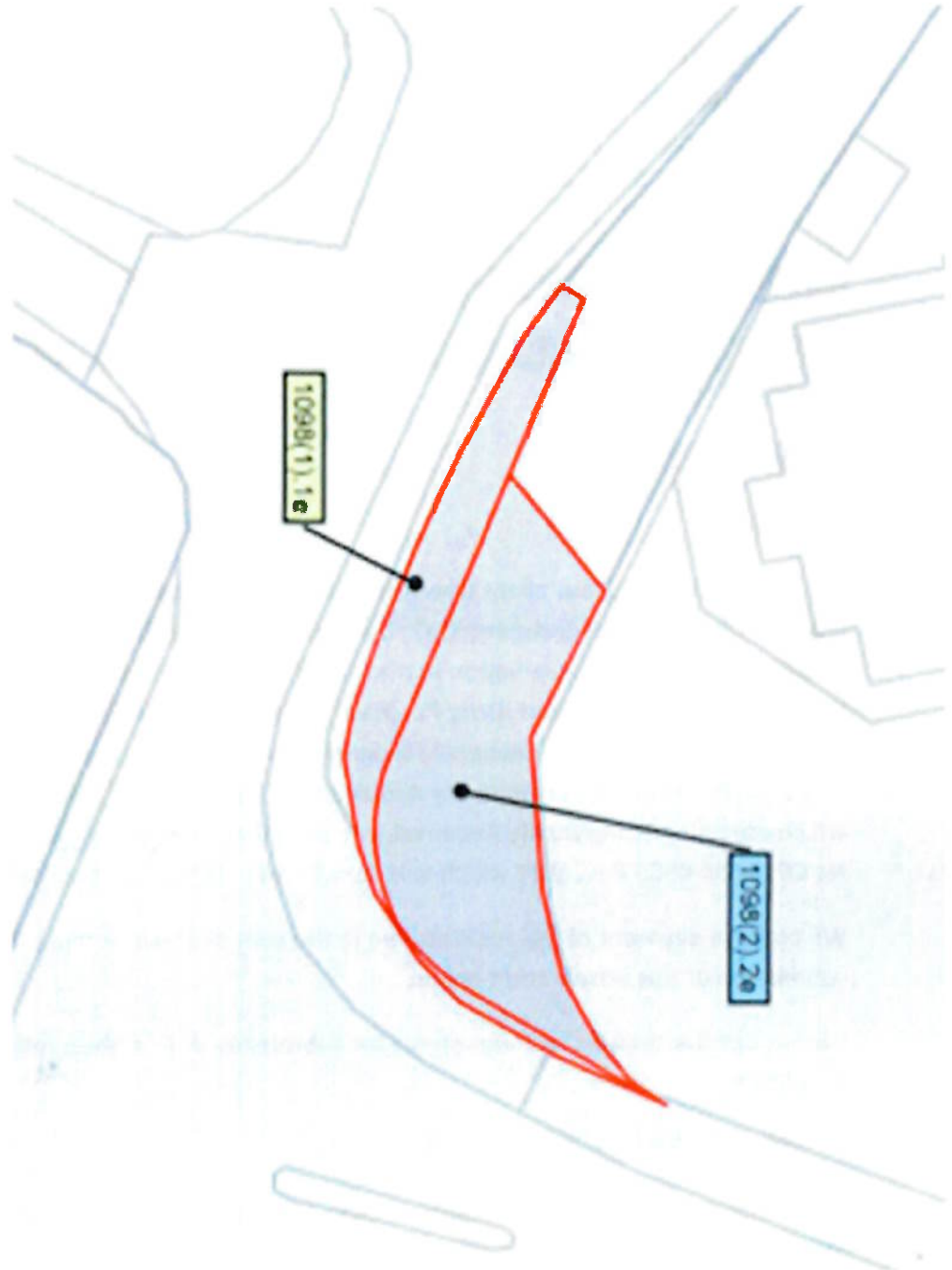
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Caher House, Loughrea, Co Galway H62 FF61
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