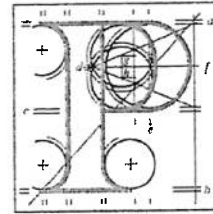


Our Case Number: ABP-317780-23
Planning Authority Reference Number:
Your Reference: Eoin Conway and Helen Clarke



**An
Bord
Pleanála**

John Spain Associates
39 Fitzwilliam Place
Dublin 2
D02 ND61

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 letter of 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 - (ii) all objections made are subsequently withdrawn, or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.

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 on this matter in due course.

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.

Yours faithfully,

Sarah Caulfield
Executive Officer
Direct Line: 01-8737287

CH02

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

An Bord Pleanála (Strategic Infrastructure Division),
64 Marlborough Street,
Dublin 1,
D01 V902

AN BORD PLEANÁLA	
LDG-	067493-23
ABP-	BL-002335-23
10 OCT 2023	
Fee: €	50.00 Type: CHA.
Time: 12.05pm	By: HAND

Date: 10th October 2023
Our Ref: JN BC 23134

Dear Sir/Madam,

RE: SUBMISSION TO AN BORD PLEANALA IN RESPECT OF SECTION 51(2) APPLICATION BY THE NATIONAL TRANSPORT AUTHORITY FOR THE CONSTRUCTION OF THE BRAY TO CITY CENTRE CORE BUS CORRIDOR SCHEME

Bord Pleanála Case Reference: HA27.317742

Introduction

On behalf of our clients, Eoin Conway and Helen Clarke, owners/residents of Beauchamp House (NIAH Ref.: 60260168, Record of Protected Structures (RPS) Ref.: 1862), Dublin Road, Co. Dublin, we wish to make a submission on the Bray to City Centre Core Bus Corridor Scheme.

The Bray to City Centre Core Bus Corridor Scheme Planning Application has been lodged with An Bord Pleanála (ABP). The National Transport Authority (NTA) are inviting submissions from 15th of August until Tuesday 10th October 2023.

Our clients' property, Beauchamp House, is located on the Dublin Road, along the proposed Bray to City Centre Core Bus Corridor Scheme and will be significantly adversely impacted by the proposed works for the bus corridor scheme.

The following concerns will be set out in detail within this submission:

- Material contravention of zoning objective 'GB – Greenbelt' under Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- Non-compliance with policies and objectives of the Woodbrook-Shanganagh Local Area Plan (2017-2023).
- Impact on setting of the protected structure as a result of the removal of the historic boundary wall.
- Significant removal of mature trees within the curtilage of a protected structure (impact on sylvan character of the area).
- Impact on established flora and fauna within the site as a result of the removal of trees.
- Deficiencies in the CGI imagery and bat surveys.

Managing Director: John P. Spain
Executive Directors: Paul Turley | Rory Kunz | Stephen Blair | Blaine Cregan

Senior Associate Directors: Luke Wymer | Meadhbh Nolan | Kate Kerrigan
Associate Directors: Ian Livingstone | Tiarna Devlin

John Spain Associates Ltd. trading as John Spain Associates.
VAT No. IE 6416306U

See attached note prepared by Ecoplan Forestry regarding impacts on trees (Appendix 1).

This submission respectfully requests An Bord Pleanála to refuse to approve the proposed bus corridor scheme, as it relates to our clients' property.

Please see enclosed fee of €50 (cheque) for the submission.

It should be noted that part of these lands will be subject to a Compulsory Purchase Order (CPO). A separate submission has been made in relation to the CPO application (ABP Ref.: KA27.317780) which was submitted by NTA on 11th August 2023.

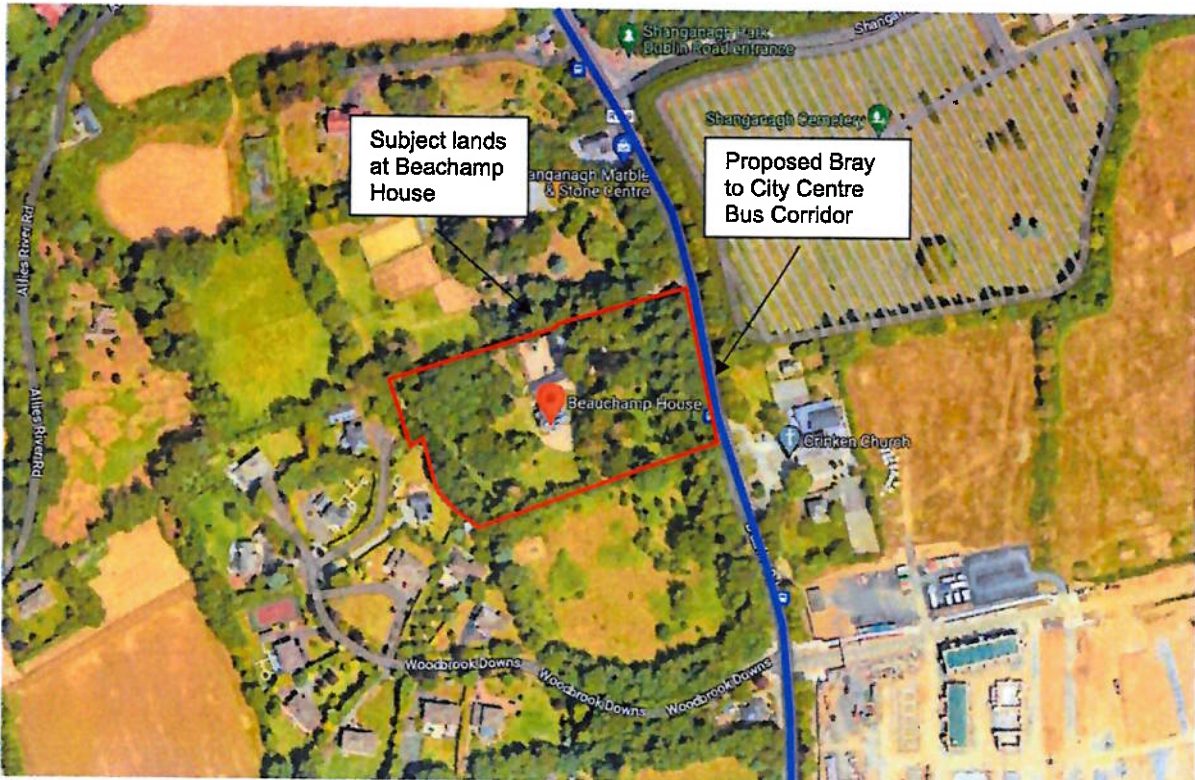


Figure 1: Aerial Location of the site (site boundary indicative only). Source: Google Earth.

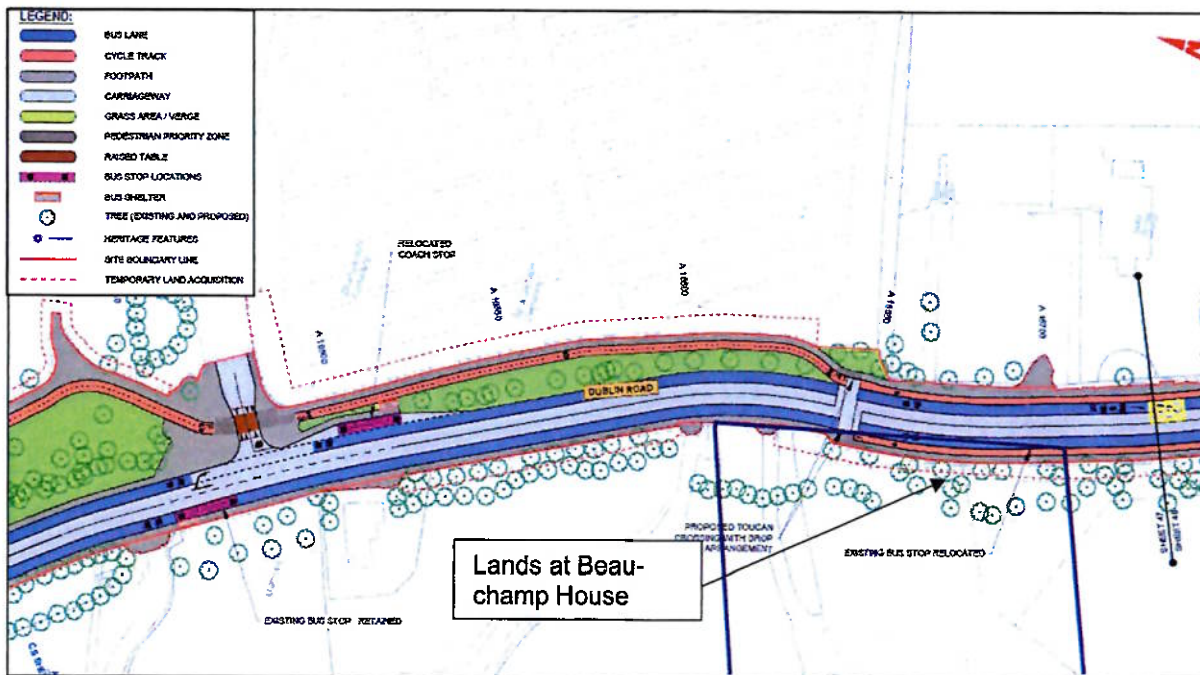


Figure 2: Extract from General Arrangement Sheet 50 (Approximate site boundary outlined in navy). Source: NTA, 2023.

Beauchamp House is a Protected Structure (RPS Reg.: 1862). It is also included in the National Inventory of Architectural Heritage (NIAH) inventory for Dún Laoghaire-Rathdown (Reg.: 60260168). The property is described on the NIAH website as follows:

“Description

Detached three-bay (two-bay deep) two-storey country house, built 1803, on a T-shaped plan centred on single-bay single-storey flat-roofed advanced porch to ground floor; three-bay two-storey rear (north) elevation. Sold, 1872. “Improved”, pre-1908, producing present composition. Occupied, 1911. Sold, 1932. For sale, 2014. Interior including (ground floor): vestibule retaining encaustic tiled floor; square-headed door opening into hall with carved timber Classical-style surround framing glazed timber panelled door having oversailing overlight; hall retaining carved timber Classical-style surrounds to door openings framing timber panelled doors, decorative plasterwork cornice to compartmentalised ceiling centred on “Acanthus”-detailed ceiling rose, staircase on a dog leg plan with cast-iron balusters supporting carved timber banister terminating in volute, carved timber Classical-style surrounds to door openings to landing framing timber panelled doors, and decorative plasterwork cornice to ceiling centred on “Acanthus”-detailed ceiling roses in decorative plasterwork frames; bow-ended drawing room (west) on an L-shaped plan retaining carved timber surround to door opening framing timber panelled door, cut-veined grey marble Classical-style chimneypiece, and picture railing below moulded plasterwork cornice to ceiling; bow-ended dining room (east) on an L-shaped plan retaining carved timber surround to door opening framing timber panelled door, cut-limestone Classical-style chimneypiece, and picture railing below moulded plasterwork cornice to ceiling; and carved timber surrounds to door openings to remainder framing timber panelled doors with carved timber surrounds to window openings framing timber panelled reveals or shutters on panelled risers. Set in landscaped grounds with chamfered piers to perimeter having cut-granite shallow pyramidal capping supporting spear head-detailed cast-iron double gates.

Appraisal

A country house erected for Sir William Stamer (1765-1838), one-time Lord Mayor of Dublin, representing an important component of the domestic built heritage of south County Dublin with the architectural value of the composition confirmed by such attributes as the deliberate alignment maximising on scenic vistas overlooking gently rolling grounds with a mountainous backdrop in the distance; the near-symmetrical footprint centred on a Classically-detailed porch; the diminishing in scale of the openings on each floor producing a graduated visual impression with the principal "apartments" defined by polygonal bows; and the balustraded roofline: meanwhile, aspects of the composition clearly illustrate the continued development or "improvement" of the country house in the later nineteenth century. Having been reasonably well maintained, the elementary form and massing survive intact together with substantial quantities of the original fabric, both to the exterior and to the interior where encaustic tile work; contemporary joinery; Classical-style chimneypieces; and decorative plasterwork enrichments, all highlight the artistic potential of the composition. Furthermore, an adjacent coach house (extant 1908); and a nearby gate lodge (see 60260169), all continue to contribute positively to the group and setting values of a self-contained estate having historic connections with the Stamer family including Sir Lovelace Stamer (1794-1860; Lewis 1837 I, 392); and the Bookey family including Georgina Bookey (née Erskine) (d. 1908) and Georgina Eliza Bookey (d. 1933)".



Figure 3: Image of the Front Elevation of Beauchamp House. Source: Irish Times.

Description of BusConnects Proposals

We have reviewed the BusConnects proposals as they relate to Beauchamp House. From Loughlinstown Roundabout the route runs along the Dublin Road (R837) to St. Anne's Church and then continues south through Shankill village along the R119. It then passes through Wilford Junction and along the Dublin Road until it terminates on Castle Street in Bray, on the north side of the River Dargle crossing. A new signalised junction to replace the Wilford Roundabout is proposed.

Extracts of the 'General Arrangement Drawings' Sheet 50 (Figure 2 above) set out high level details of the route proximate to Beauchamp House and associated lands. The alignment of

the BusConnects route appears primarily as previously identified by the NTA in public consultation (November 2020).

From Crinken Lane to the Wilford Roundabout it is proposed to provide northbound and southbound bus lanes, segregated cycle tracks and general traffic lanes. Signal-controlled bus priority will be used northbound from Wilford Junction for a short distance as far as Woodbrook College.

New pedestrian crossings are proposed at the new junction outside Olcovar, south of Crinken Lane, south of Allies River Road, and by Crinken Church. The existing pedestrian crossing at Woodbrook College is to be moved southwards to provide a crossing point close to the relocated southbound bus stop.

At Shanganagh Park and Shanganagh Cemetery, the northbound and southbound cycle track are proposed to be diverted into the park, alongside the southbound footpath (east of the road), and behind green space and existing trees to the eastern side of the carriageway between two Toucan Crossings, with a newly proposed cemetery boundary wall set back to enable the retention of the roadside tree line.

Temporary and permanent land acquisition is identified for Beauchamp House and visible by the redlines in Figure 4 below.

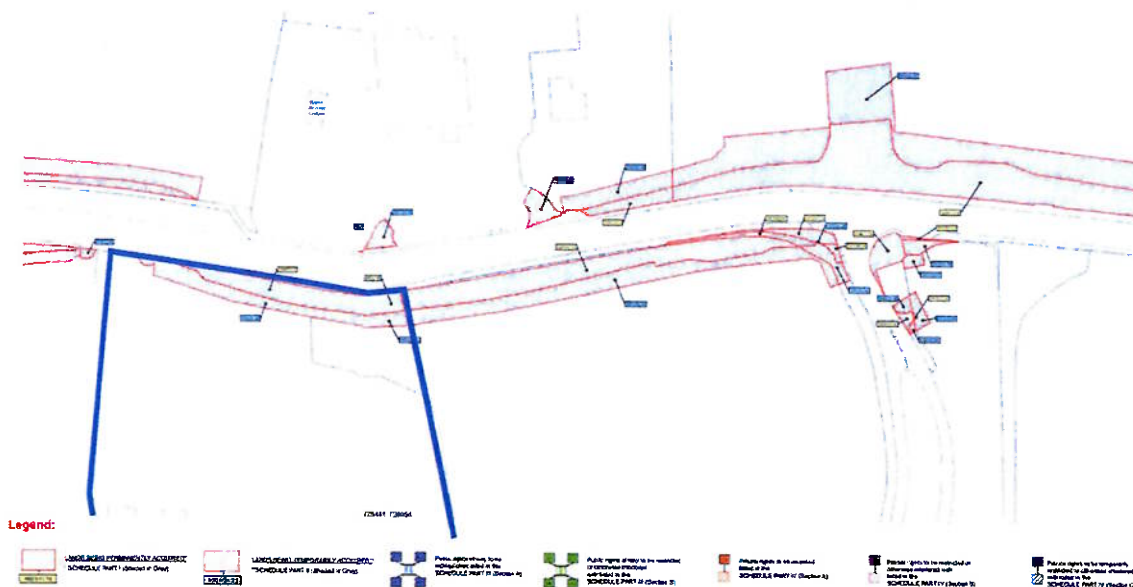


Figure 4: Extracts from Sheet 6 and Sheet 7 of Lands to be Compulsorily Acquired Deposit Map (approximate site boundary shown in blue). Source: NTA, 2023.

In terms of ‘urban design and landscape changes’ Section 4.5.3.8.3 of the EIAR describes the section between ‘Quinn’s Road to M11 Diverge (Wilford Roundabout)’ as follows: “The proposed alignment along the west side results in tree loss to the front face of the woodland block which will be repaired with a band of native planting set behind the reinstated stone wall.”

The landscaping drawings details sets out trees proposed to be removed along the boundary with Beauchamp House. Annotation on the drawing states that ‘partial loss of tree group on west side of road. Wall removed and set back re-using existing stone where possible. New planting to the rear of the new wall ‘

An Arboricultural Impact Assessment has been prepared by John Morris Arboricultural Consultancy Ltd and is enclosed with the application (Appendix D of the BusConnects

Application). We have included extracts from Tree Removal Plan (see Figure 5) with tree /hedges to be removed highlighted by solid redline. The tree removal plan shows that part of a tree group along the road frontage of the property are to be removed.

Figures 6 illustrates the extent of landscaping proposals with the consequent loss of trees also identified.

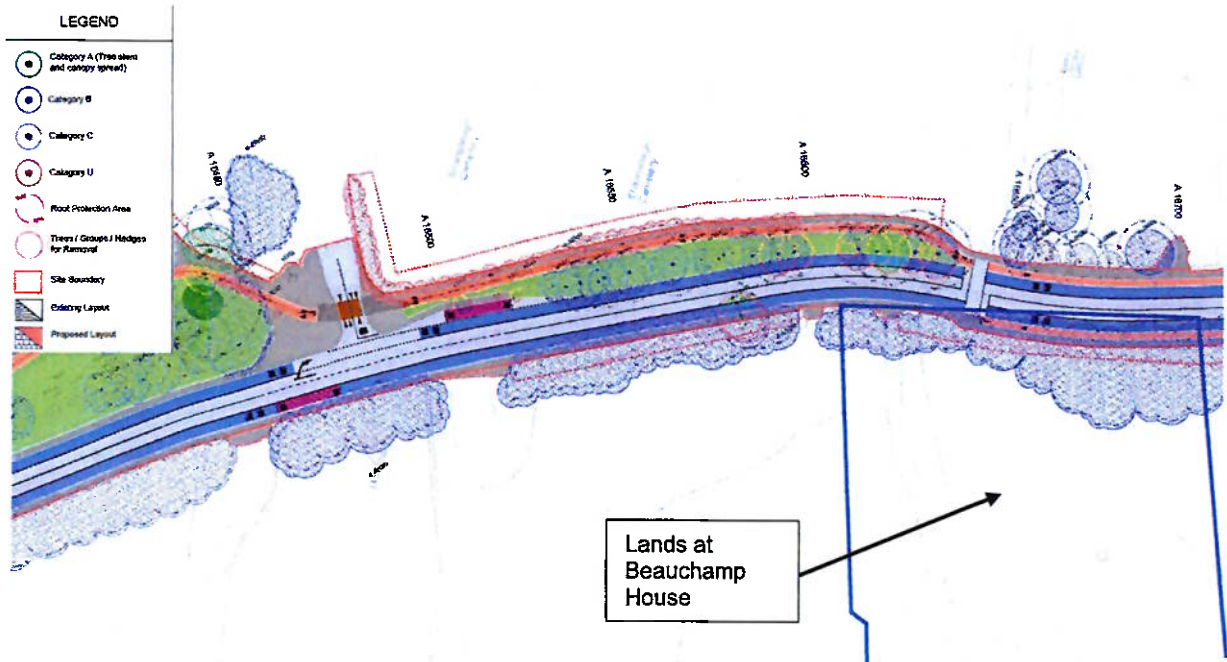


Figure 5: Extract from Tree Removal Plan (approximate site boundary shown in blue). Source: NTA, 2023.

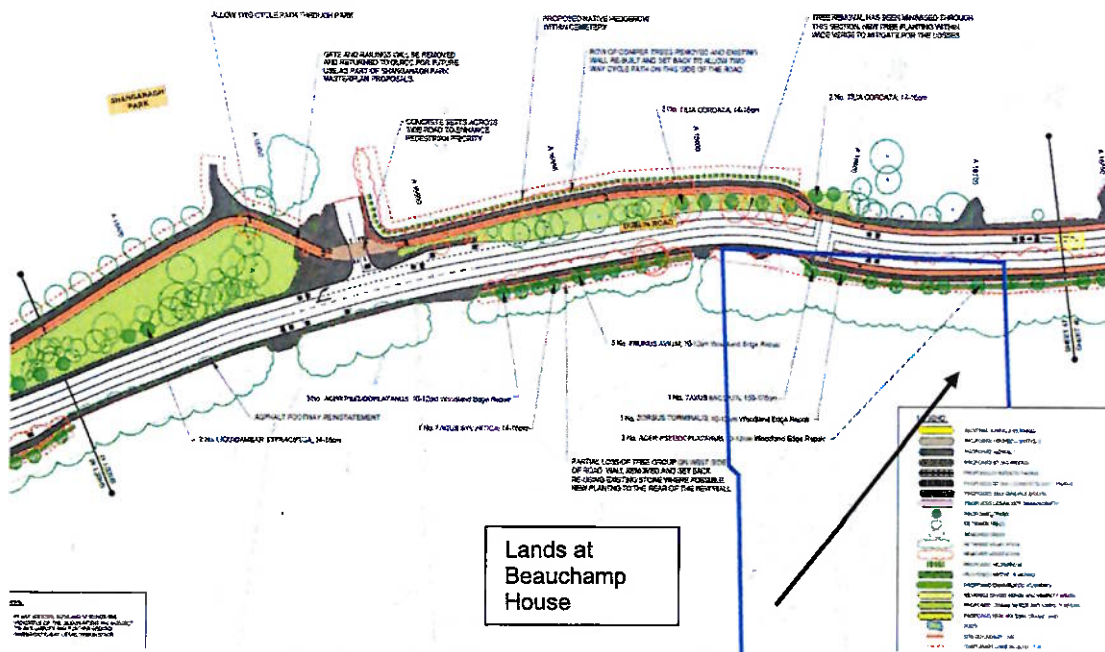


Figure 6: Extract from Landscaping Proposals Sheet 50 (approximate site boundary shown in blue). Source: NTA, 2023.

The proposed land take to accommodate a bus and cycle lane on the west side of the Dublin Road will directly impact on the 19th century coursed granite rubble demesne wall

(CBC0013BTH030) with bevelled granite cap to Beauchamp House (NIAH Ref.: 60260168, DLR RPS Ref.: 1862), necessitating its removal and construction of a replacement boundary wall. It is said to be of *'Medium Sensitivity'*. A number of trees along the boundary will be removed. The magnitude of impact is noted as *'Medium'*. The potential Construction Phase impact will be *'Direct, Negative, Moderate and Temporary'*.

A bus shelter is proposed on the west side of the Dublin Road at the demesne wall to the south of Beauchamp House near its Gate Lodge (DLR RPS Ref.: 1866). There is no bus shelter in this location currently. The magnitude of impact is outlined in the EIAR as *'Negligible'*. The potential Operational Phase impact is noted as *'Indirect, Negative, Not Significant and Long-Term'*.

Policy Context

Architectural Heritage Protection Guidelines (2011)

Chapter 13 of the Guidelines outlines the significance of features within the curtilage and the attendant grounds of protected structures. It is noted that these features can have a positive contribution to the character of the protected structure.

"Boundary features

13.4.1 - *The features used to define the boundaries of a protected structure can often make an important contribution to the quality and character of the building and the surrounding streetscape or landscape. Such structures may include rubble, brick or rendered boundary walls, metal or timber railings on stone or brick-plinth walls, gate piers of iron, brick, ashlar or rubble and gates of iron or timber."*

It is considered that the removal of the historic boundary wall to the front of the property will have a negative impact on the setting of the protected structure and will have significantly alter the streetscape along the Dublin Road.

We note the following relevant text from the Guidelines regarding the importance of landscaping features including woodlands to protected structures:

"Planted features

13.4.22 - *Within the curtilage and/or attendant grounds of a protected structure there may be planted features which are important to the character and special interest of the structure and which contribute to its setting. These could include tree-lined avenues, decorative tree-clumps, woodlands, species plants or plant collections"*.

It is submitted that the trees within the site make a positive contribution to the setting of Beauchamp House and their removal would have adverse impacts on the character of the protected structure.

Dún Laoghaire-Rathdown County Development Plan 2022-2028

The lands are located within the administrative boundary of Dun Laoghaire-Rathdown County Council and are subject to the policies and objectives contained with the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

Zoning

The subject lands are zoned 'GB' Greenbelt – *"To protect and enhance the open nature of lands between urban areas"*.

The lands are also subject to a number of tree preservation objectives which *"To protect and preserve Trees and Woodlands"*.

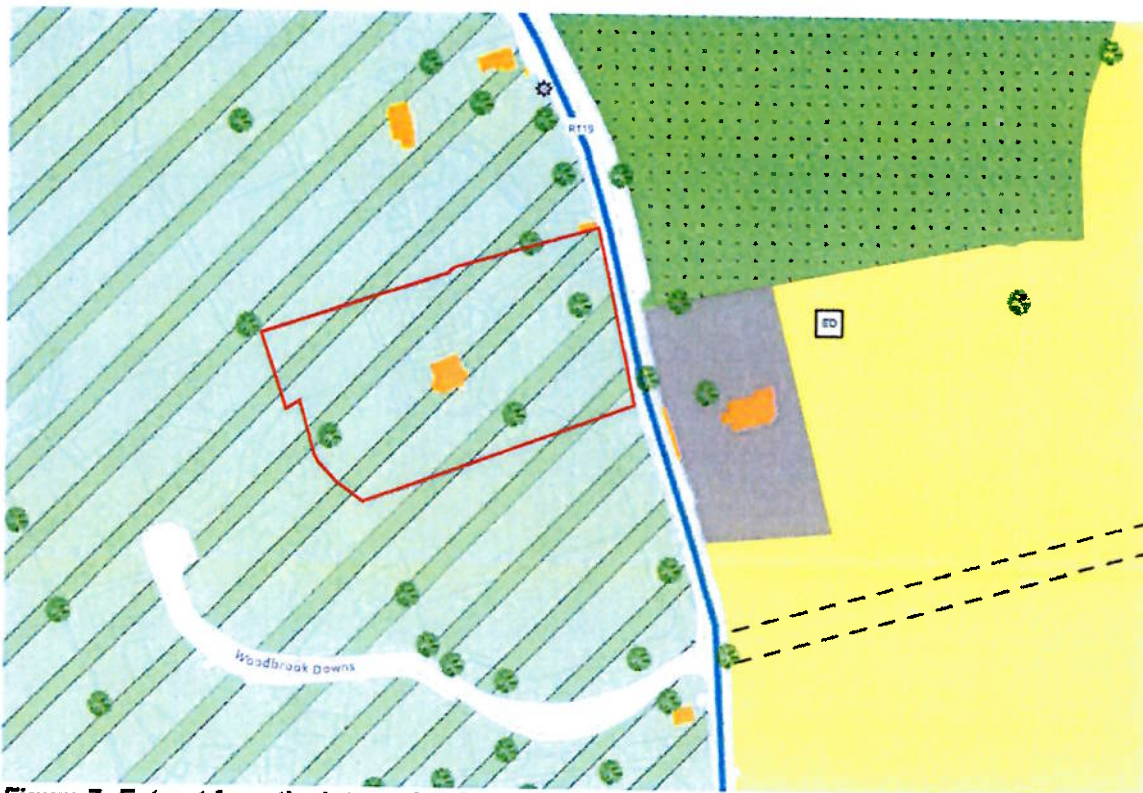






Figure 7: Extract from the interactive County Development Plan Map. Source: www.dircoco.ie

Objective GB	To protect and enhance the open nature of lands between urban areas.	
Protected Structures	
To protect and preserve Trees and Woodlands	
Core Bus Corridor	

Section 4.3.3 'Amenity Zones' set out that:

The 'Amenity Zones' of the County correspond with the Objectives 'G', 'GB' and 'B'. These areas of the County have the most restrictive zoning provisions. The County Development Plan notes in relation to High Amenity lands, for example, that "Within zoned High Amenity areas the Council will generally resist any development not related directly to the area's amenity potential or its existing use for agriculture, mountain or hill farming" (JSA emphasis added).

Section 12.8.11 relates to 'Existing Trees and Hedgerows' states:

"New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan".

It is considered that the proposed works would not comply with the objectives of the Plan in relation to 'GB' zoned lands and 'Amenity Zones' as it results in the loss of lands of an open nature within our client's property to transport infrastructure.

Woodbrook-Shanganagh Local Area Plan

It is also noted that the lands are located within the development boundary of Woodbrook-Shanganagh Local Area Plan (LAP) 2017-2023. This Plan was extended by a five year period on the 11th October 2022 until the 10th October 2027.

The LAP has placed a significant emphasis on the retention of existing landscape features with the Plan area:

"The Landscape focus of this Local Area Plan is in part contingent upon the retention and supplementing of key landscape features such as mature trees, hedgerows water features and original boundary treatments".

In relation to development which has the potential to impact on historic landscape or protected structures, the Plan set out the following objectives:

"BH1: To ensure the provision of high quality public realm works that embody the demesne and landscape character heritage of the area.

BH2: To ensure that new development respects the significance of the Protected Structures and represents an appropriate response to their historic spatial context and landscape setting.

BH5: To seek to retain key historic landscape features".

Section 3.5 of the LAP sets out that:

"Beauchamp House, The Aske, Woodbrook Estate and Corke Lodge are all close by and contribute collectively to the special character of the area with the mature trees and historic stone walls punctuated by decorative entrances and gate lodges. The conservation strategy for the Plan Area presents an opportunity to enhance and protect the areas architectural assets, as well as key elements in the historic demesne landscape which are defining characteristics of the area."

The proposals fail to comply with objective BH5 of the Local Area Plan which aims to retain key historic landscape features. Beauchamp House has been specifically reference within the LAP as contributing to the special character of the area, in particular the mature trees and stone walls, both of which will be significant impact by the proposed development.

As noted above, the proposals include the removal of a significant number of mature trees from our clients' lands. It is understood that no ecological surveys from within our clients' lands have been undertaken to ascertain the potential impact on any protected species or habitats. As such, it is considered that the proposals would be contrary to the following objective of the LAP:

"QR12: Planning applications for all future development shall be accompanied by an ecological assessment, informed by ecological surveys where relevant, of how proposed developments are compliant with provisions of both the Local Area Plan and the County Development Plan relating to the protection and management of ecology, including protected species such as badgers, bats and owls. Disturbance or destruction to the resting places of protected species will be avoided where possible. In the instances where avoidance is not possible a full assessment will be carried out by a qualified ecologist and the derogation licence process will be followed through engagement with the NPWS".

Section 3.5.4 of the Plan in relation to Visual Context and Landscape states that:

“The LAP promotes the sylvan historic landscape character of the Woodbrook - Shanganagh area as an important element in creating a distinct identity and sense of place.”

Similarly, Objective T8 states:

“To seek to retain the sylvan character of the Dublin Road in any road improvement schemes and to ensure that any loss of mature trees will be mitigated by replacement tree planting with consideration also to the reinstatement of any historic walls or features along any new road alignment”.

It is considered that the proposals, which result in the removal of a historic boundary wall and a number of mature trees from within the setting of a protected structure, would contravene objective T8 of the LAP.

The LAP also states the following regarding road widening schemes:

“Nonetheless, in the event of any road widening or road improvement scheme along the Dublin Road, the Council will seek to retain its sylvan character and to this end, will give consideration in the first instance to innovative design solutions which allow for retention of a significant proportion of the existing mature trees and historic boundary walls in situ. Design solutions may include the provision of publicly accessible pedestrian / cycle routes internal to the two respective development parcels.

In the event that road widening is considered necessary to meet the requirements of the NTA / TII, as may arise from the on-going Corridor Studies or otherwise, the Council will promote the planting of replacement semi-mature trees and re-instatement of any historic boundary walls or features, as appropriate. In addition, any loss of trees arising from essential road widening will be mitigated by proposed new tree belts to be provided to a substantial depth along the road frontage in each of the development parcels and as part of Master Plan proposals for Shanganagh Park” (JSA emphasis added).

Having regard to the above, it is submitted that the proposals are contrary to the zoning objective for ‘GB – Greenbelt’ lands and the following objectives from the Woodbrook-Shanganagh Local Area Plan, BH5, T8 and QR12. It is considered that an alternative design option should be presented which retains the historic boundary and landscape features of Beachamp House. It is suggested that the cycle lane to the western side of the Dublin Road should be omitted, and a two-way cycle track provided along the eastern side of the Dublin Road. This option would reduce the impact on the setting of the protected structure. If the Board was minded to approve the application, we would request that the proposals be modified to avoid the removal of trees and the front boundary wall at Beachamp House.

Key Considerations

Built Heritage

An Environmental Impact Assessment Report (EIAR) was submitted with the application documentation which assesses the impact of the proposals, including in the impact on built heritage. Chapter 16 of the EIAR relates to architectural and built heritage. Architectural or built heritage includes buildings and structures, their contents and settings and designed landscapes and demesnes which are of artistic, technical, social, scientific and cultural interest.

In terms of impacts on our clients' property, Beachamp House, the EIAR notes that: *“The proposed land take to accommodate a bus and cycle lane on the west side of the Dublin Road will directly impact on the 19th century coursed granite rubble demesne wall (CBC0013BTH030) with bevelled granite cap to Beachamp House (NIAH 2552, DLR RPS*

1862), necessitating its removal and reinstatement. It is of Medium Sensitivity. Trees along the boundary will be retained for the most part though some will be removed. The magnitude of impact is Medium. The potential Construction Phase impact will be Direct, Negative, Moderate and Temporary.”

Section	Assessment Topic	Predicted Impact (Pre-Mitigation and Monitoring)	Predicted Impact (Post Mitigation and Monitoring)
	CBC0013BTH030, NIAH 2552, DLR RPS 1862 Demesne wall of Beauchamp House	Direct, Negative, Moderate, Temporary	Direct, Negative, Slight, Long-Term

Extract from Table 16.18: ‘Predicted Construction Phase Impacts Following the Implementation of Mitigation and Monitoring Measures’.

It is set out that: “The options to widen to the west (both full and reduced cross-sections) would avoid the impact on the Protected Structure, but were found to have greater environmental impacts, including more land take from residential front gardens and commercial property than the eastern widening. Additionally, this would introduce impacts on another heritage feature, Rathmore (CBC0013BTH020), where the existing boundary (already a replacement boundary) would need to be repositioned in order to accommodate the widening.”

The demesne of Beauchamp House and its boundary walls form part of the curtilage of the setting of the Protected Structure. The proposals will directly and adversely impact on the setting and curtilage of the Protected Structure. Having regard to the removal of the historic boundary wall and the loss of a significant number of mature trees from the demesne, it is considered that the proposal will have significant negative impacts on the protected structure and its setting which is contrary to BH5 and T8 of the Woodbrook-Shanganagh Local Area Plan.

Townscape and Streetscape Impact

Chapter 17 of the EIAR contains the ‘Landscape and Townscape Visual Impact’ assessment. The purpose of the Landscape and Visual Impact Assessment is to identify and assess the significance of and the effects of change resulting from development on both the landscape including views and amenity. The townscape impact assessment element identifies the changes to townscape character which would result from the scheme.

The application contains a series of photomontages detailing ‘before and after’ imagery. In particular Views 08 and 09 are of direct relevance to the Beauchamp House. Each view looks north towards Shankill from the Dublin Road.

Chapter 4, Proposed Scheme Description, of the EIAR states the following in regard to planting: ‘Where encroachment by widening occurs on residential properties the proposals will replace ‘like for like’. Ornamental shrubs and trees of a suitable size can contribute to the greening of the road corridor’. However, a commitment to significant semi-mature planting should be conditioned in the event permission is granted.

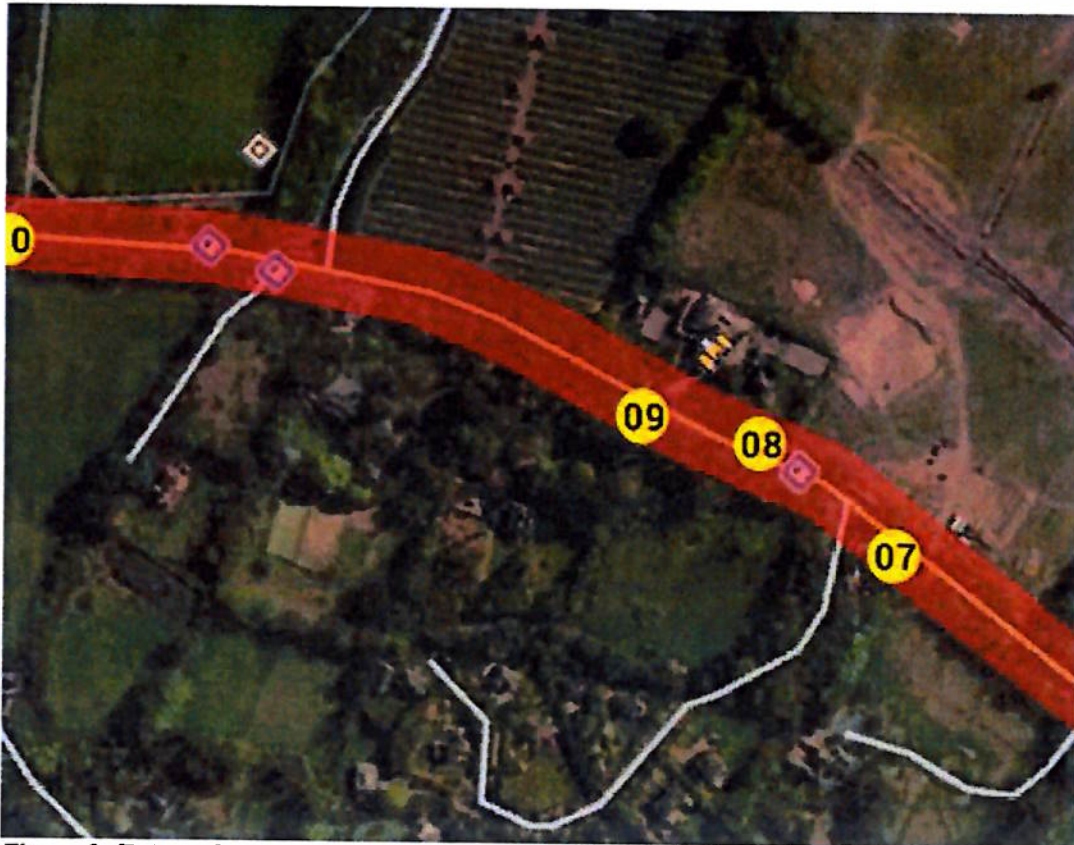


Figure 8: Extract from Figure 17.2 showing location of photomontages (Source: NTA, 2023).

Chapter 17 of the EIAR describes potential construction impacts (Section 17.4) for this Section as follows:

“Works along R119 Dublin Road from Shankill Village to Wilford Roundabout, with long sections of temporary and permanent land acquisition from landscape areas, agricultural fields, roadside open spaces, Shanganagh Castle grounds, Shanganagh Park, Shanganagh Cemetery, grounds of St. James’s (Crinken) Church, residential open space at Castle Farm, residential open space at Beech Road, residential lands at Woodbrook, and residential properties (Olcavar, Crinken Lodge, entrance / landscape to Aughmore Lane, plot adjacent to Askefield House, Beauchamp House, Beauchamp Lodge, Woodbrook Mansion House / Woodbrook Development, Woodbrook Side Lodge, Woodbrook Estate, Woodbrook Front Lodge, St. Anthony’s, Brookvale, Meentogues and No. 14 Dublin Road) with loss of some established property boundaries – including historic stone walls, mature trees and planting, and impact on accesses, driveways etc. Replacement of existing roundabout junction with signalised cross junction at Dublin Road / Cherrington Drive / Quinn’s Road. Works at new junction at Woodbrook including change to driveway access to Woodbrook Downs. Replacement of existing roundabout junction with signalised junction at Dublin Road / M11 Merge Junction (Wilford Roundabout) (Ch.A15580 to Ch.A17400).”(JSA Emphasis added).

In terms of operational impacts:

“Very substantial changes to road corridor from Loughlinstown Roundabout to Dublin Road / Shanganagh Road / Corbawn Road junction – and on Stonebridge Road, with change in historic road character, setback of established / historic road boundaries, loss of portions of garden / private area and associated plantings (Ch.A14100 to Ch.A15100 and E000 to Ch.E250); and Very substantial changes to road corridor from Dublin Road / Cherrington Drive / Quinn’s Road junction to Wilford Roundabout, with change in historic road character, setback of established / historic road boundaries, loss of portions of garden / private lands / park /

cemetery area and associated often mature dense road plantings (Ch.A15570 to Ch.A17400).”

In relation to specific properties including Beachamp House, the chapter states that: “Many of these properties will experience removal of boundary walls, driveways, gardens, planting, some including established / historic walls and plantings, and loss of use of some private area, however, access and egress will be maintained at all times. The sensitivity is high and the magnitude of change at properties with such impacts will be very high”.

Overall, the chapter states: “there will be provision of substantial replacement planting to consolidate the boundaries and woodland edges throughout this section. Screening planting will be restored to the boundaries of all impacted residential properties. Over the long-term there will be a reduction of the negative effects associated with removal of trees and other vegetation. The Operational Phase will not alter the existing townscape character, but will substantially alter the local streetscape amenity across much of this section of the Proposed Scheme. The magnitude of change in the baseline environment will be very high. The potential townscape / streetscape effect of the Operational Phase on this section is assessed to be Negative, Very Significant and Short-Term, becoming Negative, Moderate and Long-Term.”

However, it is considered that the proposed works will have a very significant negative impact on the streetscape along this section of the Dublin Road which has a highly distinctive sylvan character. Our clients have concerns that the removal of the numerous trees from the roadside boundary will have a negative impact on the sylvan character of the area. Further, it is considered that there is a lack of trees proposed to replace the significant removal of trees from our clients’ property.

Townscape Receptor	Proposed Change	Baseline Townscape Sensitivity	Magnitude of Change	Significance & Quality of Townscape / Streetscape / Visual Effects / Impacts
Townscape and Streetscape Character				
	Section 1: Leeson Street to Donnybrook (Anglesea Junction) For proposed changes see Section 17.4.3.1.1	Very High	Medium / High	Negative Moderate / Significant Temporary / Short-Term
	Section 2: Donnybrook (Anglesea Road Junction) to Loughlinstown Roundabout For proposed changes see Section 17.4.3.1.2	Low / Medium	Medium	Negative Moderate Temporary / Short-Term
	Section 3: Loughlinstown Roundabout to Wilford Roundabout For proposed changes see Section 17.4.3.1.3	Very High	Very High	Negative Very Significant / Profound Temporary / Short-Term
	Other Protected Structures For proposed changes see Section 17.4.3.2.4	Very High	High	Negative Significant / Very Significant Temporary / Short-Term
Trees and Vegetation	For proposed changes see Section 17.4.3.2.9	High	High / Very High	Negative Very Significant Short-Term

Extract from Table 17.11: Summary of Construction Phase Significant Residual Effects (Moderate or Higher).

Townscape Receptor	Proposed Change	Baseline Townscape Sensitivity	Magnitude of Change	Significance & Quality of Townscape / Streetscape / Visual Effects / Impacts
Townscape and Streetscape Character				
	Section 3: Loughlinstown Roundabout to Wilford Roundabout For proposed changes see Section 17.4.4.1.3	Very High	Very High	Negative Moderate Long-Term

Extract from Table 17.12: Summary of Operational Phase Significant Residual Effect (Moderate or Higher).

We note Table 17.11 characterises the construction impact as '*negative significant / very significant temporary / short term*'. Table 17.12 considers the operational impact on the streetscape along this section of the bus corridor as '*negative, moderate, long-term*'.

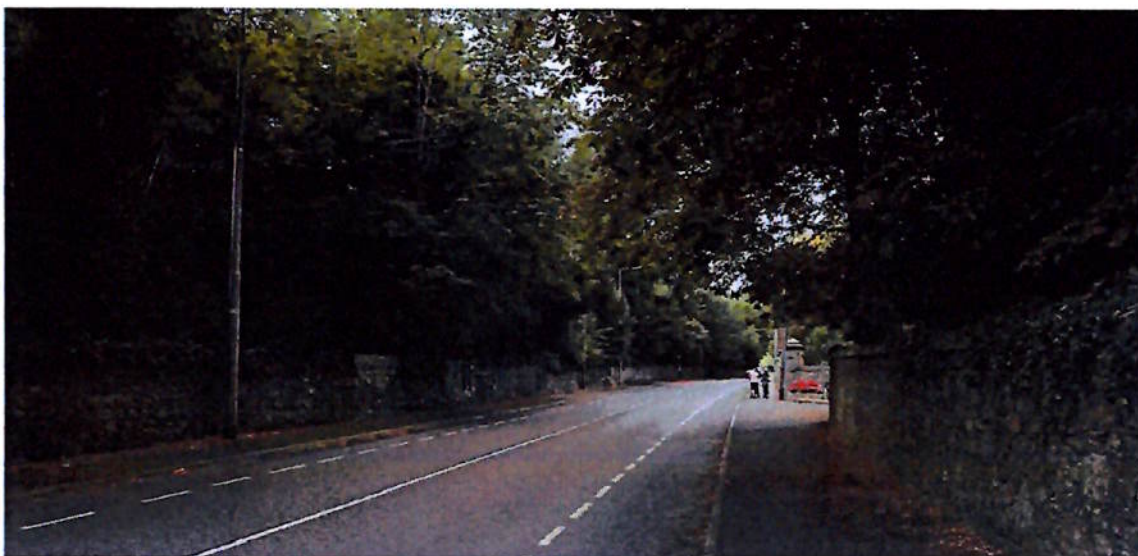


Figure 8: Extract from photomontage View 8 existing looking north (Source: NTA, 2023).



Figure 9: Extract from photomontage View 8 existing looking north (Source: NTA, 2023).



Figure 10: Extract from photomontage View 9 existing looking north. Source: NTA, 2023.



Figure 11: Extract from photomontage View 9 proposed looking north. Source: NTA, 2023.

With regard to view 08/09 the EIAR states:

*“Figures 17.2.8.2 and 17.2.9.2 show the proposed view from Dublin Road in the vicinity of St James’ (Cricken) Church. The primary changes in the views are the widening of the road corridor to accommodate bus and cycle lanes, with land take from adjacent properties and a setting back and reinstatement in a like-for-like style of boundary walls. **There is substantial loss of existing mature trees along this section**, however, there is a considerable number of new trees proposed which will increasingly integrate the proposals into the landscape over the long-term. The boundary of the church is not impacted. **There is a negative change to both the views in this section**” (JSA emphasis added).*

As is clear from the above text and the accompanying photomontages, the EIAR has identified significant change and negative impact along the Dublin Road including the widening of the road with removal of a number of historic boundary walls and a section of mature woodland within a sylvan area.

Further, it is not clear if the planting shown in the views will appear as visualised or over a certain time i.e. after a 10-year period. Therefore, we respectfully request that further

information is submit by the applicant regarding this point. It is suggested that the photomontages of the streetscape provide a time lapse showing the planting over a number of years i.e. Year 1, Year 5 and Year 10, so that the short and medium term impacts can be properly assessed.

Ecology

Chapter 12 of the EIAR relates to Biodiversity. The Chapter aims to set out the potential impacts on biodiversity, the mitigation measures and the predicted residual effects of the Bray to City Centre Core Bus Corridor Scheme.

The EIAR notes that:

“Trees located within the footprint of the Proposed Scheme were assessed for their potential to support roosting bats (i.e., Potential Roost Features (PRFs)) as part of the multidisciplinary walkover surveys carried out between June and August 2018, August 2020, March 2022 and March 2023 to capture design changes and confirm the condition of the identified PRFs. A number of trees located along the Proposed Scheme were examined from ground level for the potential to support roosting bats”.

It is noted that a desk study was carried out to identify suitable bat foraging and/or commuting habitat (e.g., woodland and mature treelines) that may be affected by the Proposed Scheme (e.g., areas where vegetation will, or is likely to be, directly affected by works associated with the Proposed Scheme).

Also, transect routes for bat activity surveys were undertaken within these areas to encompass a representative sample of the habitats present within the area of the proposed bus corridor.

Survey	Survey Date(s)	Surveyor Reference
Bat surveys	<p><u>Walked transect activity surveys</u> June to August 2018 September and October 2019 May 2020 July 2020 July to August 2021</p> <p><u>Identification of potential roost features (PRFs)</u> June to August 2018 August 2020 March 2022 March 2023</p> <p><u>Building Inspection</u> January 2023 (external) March 2023 (internal and external)</p>	Scott Cawley Ltd.

Extract from Table 12.2: Ecological Surveys and Survey Dates Between 2018 and 2023.

One of the transect routes is shown along the Dublin Road adjacent to the site, ‘R119 Dublin Road (referred to as CBC0013BT008)’. This indicated that there is a high potential for bat habitats or bat foraging within the trees located within our clients’ site. It is noted that the no surveys have been undertaken from within our clients’ site. These trees would need to be fully assessed for bat activity and roosts prior to making a decision on the application.

Sean McGinnis of Ecoplan Forestry Limited, has prepared a note on the potential impacts as a result of the removal of trees from the site Beauchamp House. We note the following extracts in relation to impacts on habitats and species:

“The impact of any tree removal at Beauchamp House would go well beyond the small area

marked in red and its 6 or 7 trees. Removing the entire eastern boundary would affect hundreds of stems, each an individual tree. Over 70 trees were recorded with diameters over 15cm dbh (diameter breast height), but it is important to note that many of the species present do not grow large naturally (Holly, Yew, etc), and that the close spacing promotes a taller, thinner stem”.

“The nucleus of the woodland at Beauchamp House was already mature and well-established over 200 years ago, and the associated habitats and species must also be from that time. As time goes on, and our woodland areas decrease, these remaining islands of woodland diversity become more and more unique and precious, and every effort must be made to protect them if possible”.

As such, it is considered that the significant removal of trees from the site will have a significant negative impact on a number of associated habitats and species.

Conclusions

Our clients, Eoin Conway and Helen Clarke, owners/residents of Beauchamp House, Dublin Road, Co. Dublin, has concerns regarding the proposed works to his property and the impact it will have of the setting of the protected structure, Beauchamp House (RPS Ref.: 1862). It is also considered that there is a lack of information within the BusConnects submission regarding the proposed development and the potential impacts as a result of the same. The following concerns have been set out within this submission:

- Material contravention of zoning objective ‘GB – Greenbelt’ under Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- Non-compliance with policies and objectives of the Woodbrook-Shanganagh Local Area Plan (2017-2023).
- Impact on setting of the protected structure as a result of the removal of the historic boundary wall.
- Significant removal of mature trees within the curtilage of a protected structure (impact on sylvan character of the area).
- Impact on established flora and fauna within the site as a result of the removal of trees.
- Deficiencies in the CGI imagery and bat surveys.

The proposals would result in the removal of a significant number of mature trees on lands which are zoned ‘GB - Greenbelt’ which have also been identified as an area ‘*To protect and preserve Trees and Woodlands*’ by Dun Laoghaire-Rathdown County Council. It is considered that the proposals would materially contravene the zoning objective which aims ‘*To protect and enhance the open nature of lands between urban areas*’. Further, having regard to the impacts on the setting of the protected structure (removal of historic boundary wall and mature trees from the curtilage) it is considered that the proposed development would be contrary to the following objectives, BH5 and T8, of the Woodbrook-Shanganagh Local Area Plan, in relation to Built Heritage.

Having regard to the forgoing, it is respectfully requested that An Bord Pleanála refuse to approve the proposed bus corridor scheme as it relates to our clients’ property.

Other matters

It is unclear how many trees along the front boundary of the property are proposed to be removed. While it is noted that a ‘Tree Removal Plan’ has been submitted, the trees on our clients’ lands have not been individually surveyed, instead they have been classed as a tree ‘Group’. The submission sets out the following in relation to recommendations regarding tree removal on the site *“Remove c.1911m² to facilitate proposal and replace as good arboricultural practice”*. Only 7 no. trees are being proposed to replace the partial loss of a significant group of trees, which includes a number of mature trees. This is not considered to be an adequate

mitigation measure or in accordance with best arboricultural practice. As noted within the report prepared by Ecoplan Forestry, the site contains a number of established flora and fauna which will be adversely impacted as a result of the significant removal of the trees along the front boundary.

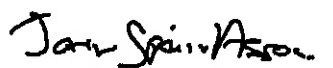
Also, it is unclear if the mature planting shown in the CGI views will appear as visualised or over a longer period of time. Therefore, we respectfully request that further information is submitted by the applicant regarding the short and medium term visual impacts.

It is noted that from the 'Bat Survey Results: Bat Activity Results' maps that there was bat activity along the R119 Dublin Road (referred to as CBC0013BT008) adjacent to the subject lands. Therefore, it is considered that a full bat survey of the trees should be undertaken to fully assess the potential for any bat roosts. This information should be provided by the applicant prior to making a decision on the application.

In the event that An Bord Pleanála decides to approve the application, we respectfully ask the Board to request modifications to avoid the removal of trees and the front boundary wall at Beauchamp House.

We would be grateful if you could acknowledge receipt of this submission.

Yours sincerely,



John Spain Associates

APPENDIX 1: ECOPLAN FORESTY SILVICULTURAL ASSESSMENT

Silvicultural Assessment of CPO on Beauchamp House

General

The proposed removal of the entire eastern boundary of the woods at Beauchamp House would result in the complete destruction of the woodland. As these woods have developed for over 200 years, the sudden removal of its well established 'wind-break' would cause a chain reaction of windblow on the remaining trees which have no means of defence. The trees will fall, and when they do the resulting light-shock will have a catastrophic impact on the huge range of diverse habitats within the wood. The trees will disappear, the habitats will disappear, and everything that lives in or relies on the woodland will disappear.

1. It is a woodland

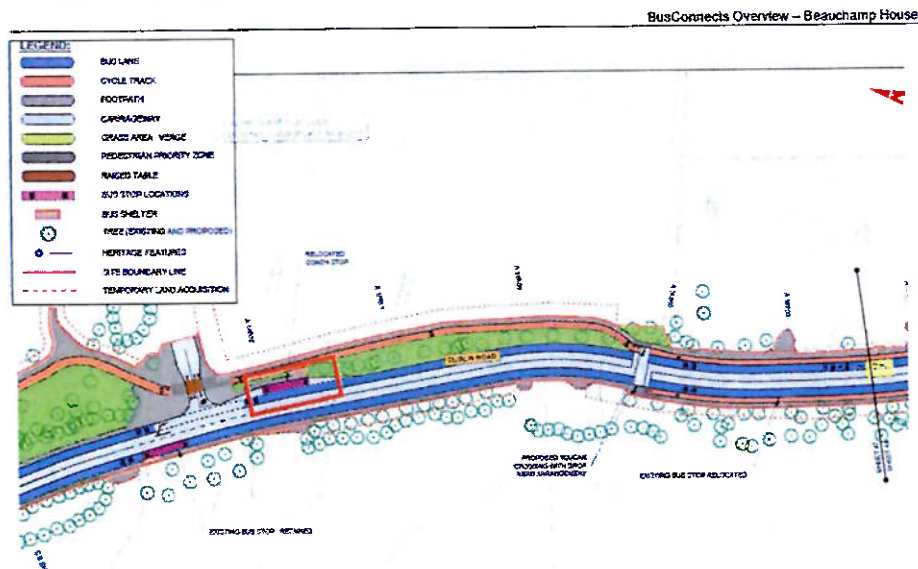


Figure 1: Extract from General Arrangement Sheet 50 (Source: NTA, 2023) red boxes highlight alterations from previous scheme.

Figure 1 above gives the impression only 6 or 7 trees will be affected by the proposed works. This is very misleading. The impacted area is a long-established woodland, possibly ancient, which has evolved to be so much more than the sum of all its parts. It is a thriving, self-sustaining, naturally regenerating woodland, with very well-developed species, age, height, and habitat diversity. This woodland would not survive the removal of its entire eastern boundary.

2. Tree numbers

The impact of any tree removal at Beauchamp House would go well beyond the small area marked in red and its 6 or 7 trees. Removing the entire eastern boundary would affect hundreds of stems, each an individual tree. Over 70 trees were recorded with diameters over 15cm dbh (diameter breast height), but it is important to note that many of the species

present do not grow large naturally (Holly, Yew, etc), and that the close spacing promotes a taller, thinner stem.

3. Tree Categories

The trees are described as Category B which I believe is misleading. These trees cannot be assessed individually but must be considered as part of the woodland as a whole. Furthermore, many of the impacted trees are Holly and Yew, both slow-growing, long-living species, well capable of making a significant positive contribution to the area for possibly hundreds of years.

4. Diversity

The woodland at Beauchamp house is likely one of the most diverse woodlands in the country, particularly considering its relatively small size. There are over a dozen canopy tree species present, natives, exotic, rare or common, all growing happily together; it is a unique woodland.

However, a woodland is so much more than the trees alone. The abundant communities of mosses, lichens, fungi, herbs, flowers, and shrubs reveal the true symbiosis of this forest. The tree species diversity leads to height diversity, and that creates a multi-structured forest where everywhere is a home and a habitat for something.

A Red Squirrel was seen during my visit, but this woodland is obviously home to an enormous number of varying species, of all sizes, and this diversity means it is utilised by an even greater number again.



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The nucleus of the woodland at Beauchamp House was already mature and well-established over 200 years ago, and the associated habitats and species must also be from that time. As



time goes on, and our woodland areas decrease, these remaining islands of woodland diversity become more and more unique and precious, and every effort must be made to protect them if possible.

6. Windblow and Light-shock

As the woods at Beauchamp developed over the past 200 years, the trees on the boundaries developed to withstand the effects of high winds and storms. These trees took the brunt of any winds, and broke-up and gusts before they could filter in to the forest interior. At the same time, the trees on the interior, protected from the wind, developed a 'lollipop' form as a strategy to access light. These trees have a tall, slender form, with a small canopy at the top, which makes them very top-heavy and unstable if exposed. These interior trees rely on the exterior trees to survive, they effectively lean on them and use them as a crutch for support. If that exterior support is removed suddenly, the interior trees cannot respond and will blow down in any strong wind. As each tree falls, as each support is removed, the process continues until all the trees have fallen. The trees on the western boundary will fall too, as they have no defence against winds from a direction that had previously been protected.

As the trees fall the height diversity disappears along with the species that availed of it. Suddenly all the species that lived in a shaded woodland are now exposed to direct sunlight which drastically changes the environment. As these habitats disappear so too do the species that relied on them.

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