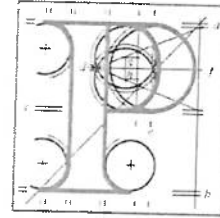


Our Case Number: ABP-317780-23



**An
Bord
Pleanála**

Shanganagh Marble & Stone Centre
Dublin Road
Bray
Co. Wicklow
A98 Y642

Date: 13 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(ii) all objections made are subsequently withdrawn, or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

Tel
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
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Website www.pleanala.ie
Email bord@pleanala.ie

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

Our Reference

Your Reference

Date

COCL/LU/2771

10/10/2023



Conor Ó Cléirigh & Company
CHARTERED VALUATION SURVEYORS

The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

AN BORD PLEANÁLA	
LDG-	<u>067509-23</u>
ABP-	<u>317780-23</u>
10 OCT 2023	
Fee: €	Type: _____
Time: <u>15:45</u>	By: <u>Hand</u>

38/39 Fitzwilliam Square West,
Dublin 2,
D02 NX 53.

Telephone: (01) 809 6030
Email: info@ocleirighco.ie

Proposed Bray to City Centre Core Bus Corridor Scheme Compulsory Purchase Order 2023
Our client's; Shanganagh Marble & Stone Centre Dublin Road, Bray, A98Y642
Plot List 1075(1).1c, 1075(2).2c, 1075(3).2c, 1079(1).1c, 1079(2).2c

Dear Sirs,

We act as chartered valuation surveyors for our client and are writing to object to the proposed compulsory purchase (both temporary and permanent) of our client's legal interest in the above property to facilitate the proposed Bray to City Centre Core Bus Corridor Scheme.

Our grounds of objection are:

- Protected Structure Status of the property
- Land use zoning of the property
- Negative impact on the client's business operations
- Alternative options to facilitate the scheme

We expand below on these grounds of objection; -

Protected Structure Status

The unique characteristics of the property and its's historical importance are recognised by Dun Laoghaire Rathdown Council in its own Development Plan herein the property has a protected structure status (reference 1858) as per table below.

Structure Name	Address	Reference	Year	Category
Shanganagh Marble and Stone Centre (formerly Hackett Memorial Hall)	Dublin Road, Bray, Dublin 18.	Railings and Gates and Granite Milestone (Note: Hall (former) also Protected Structure)	1858	14
Shanganagh Marble and Stone Centre (formerly Hackett Memorial Hall)	Dublin Road, Bray, Dublin 18.	Hall (former) (Note: Railings and Gates and Granite Milestone also Protected Structures)	1858	14

The listing refers to the building and the curtilage of same.

A protected structure is a structure that a planning authority considers to be of special interest from an architectural, historical, archaeological, artistic, cultural, scientific, social or technical point of view. E with a land use zoning GB.

A structure listed on the planning authority's Record of Protected Structures (RPS) means that their importance is recognised, they are legally protected from harm and all future changes to the structure are controlled and managed through the development control process (for example, planning permission) or by issuing a declaration under Section 57 of the Planning and Development Act 2000.

If a structure is included in the RPS, the protection extends to:

- The interior of the structure.
- The land in its curtilage. Curtilage means the land and outbuildings immediately surrounding a structure which is (or was) used for the purposes of the structure.
- Any other structures on that land and their interiors.
- All fixtures and features forming part of the interior and exterior of the protected structure or any structure on the property.

Land Use Zoning

The importance of the subject property is acknowledged by DRCC where it has designated the property and lands surrounding a GB land use zoning.



Negative impact on the client's business operations

It should also be noted that the proposed compulsory purchase acquisitions will have a significant impact, both temporary and permanent, on our client's business operations at this location. The nature of our client's business dictates a regular delivery and collection of stone and associated heavy materials on a daily basis and any interface with same will severely restrict and impact on everyday operations and profitability. The scheme if allowed to proceed will also interfere with the continuous use of the forecourt area outside the property which currently allows customers to park and visit the property to discuss and view headstones and associated memorials for the departed.

Alternative options to facilitate the scheme

The local authority for the area own and operate Shanganagh Cemetery which is directly opposite the subject property as shown on the drawing below. The cemetery and adjoining park are the subject of a masterplan titled "Shanganagh Cemetery Masterplan" which provides for the relocation of the existing vehicle entrance to the facility as shown on the drawing below:



EXISTING PARK LAYOUT



PROPOSED PARK LAYOUT

It is our submission that the proposed road widening works can take place on the lands on the far side of the road already in public land ownership and still accommodate the aspirations and of the masterplan. These lands are zoned land use “F” under Dun Laoghaire Rathdown Council in its own Development Plan and we would submit that the land use zoning can accommodate such a proposal.

In summary the scheme as proposed should be amended to avoid our client’s property for the reasons outlined above.

We would ask you to acknowledge a receipt of our letter.

Yours faithfully,

Conor Ó Cléirigh & Co.
Chartered Valuation Surveyors