



Board Direction

Ref: 16.KA0028

The submissions on this file and the Inspectors' reports were considered at Board meetings held on May 29th and June 10th, 12th and 18th, 2014.

At a further meeting on June 24th, the Board decided, unanimously, to make a split decision in this case to **confirm** the compulsory purchase order in relation to those lands necessary for the construction of the following elements of the proposed road development:

- Section A (from the Newport Road to Knockranny South);
- Section B (from Knockranny North to Castlebar West);
- Section C (from Castlebar West to Castlebar East), i.e. all plots up to chainage 40+050; and
- Parts of Section D (from Castlebar East to as far as required to accommodate the approach to the Castlebar East Roundabout);

generally in accordance with the draft reasons and considerations set out in Schedule 1 below and to **annul** the compulsory purchase order in relation to Section D (from Castlebar East and Turlough), save for lands required to accommodate the approach to the Castlebar East Roundabout, as set out under Reasons and Considerations (2) below.

REASONS AND CONSIDERATIONS (1)

Having considered the objections made to the compulsory purchase order, and not withdrawn, the report and recommendation of the person who conducted the oral hearing into the objections, the purpose of the compulsory acquisition as set out in the form of the compulsory purchase order and also having regard to:

- (a) the provisions of the National Development Plan 2007 - 2013 regarding improvements to the national road network, the National Spatial Strategy for Ireland 2002 – 2020 and “Smarter Travel A Sustainable Transport Future - A Transport Policy for Ireland 2009 - 2020”,
- (b) the provisions of the Regional Planning Guidelines for the West Region 2010-2022, including Objective I05, which identifies the roads projects considered a priority for completion and includes the ‘N5 Westport to Longford to Roscommon borders’,

- (c) the policies and objectives of the Mayo County Development Plan 2014-2020,
- (d) the policies and objectives of the Mayo County Development Plan 2008-2014, including Objectives NP2, NP4 and NP5 set out in Appendix 1 of the Plan which seek to commence land acquisition and construction of the Westport Castlebar section, and to commence design and land acquisition for the Castlebar by-pass and the Westport Northern Relief Road respectively,
- (e) the policies and objectives of the Castlebar Town and Environs Development Plan 2008-2014, and Variation 3 of same made in February 2013 to incorporate the alignment of the subject road scheme,
- (f) the policies and objectives of the Westport Town and Environs Development Plan 2010-2016, and Variations 2 and 3 of same made in 2012 to incorporate the alignment of the subject road scheme,
- (g) the sub-standard nature of the existing N5 national primary road between Westport and Castlebar in terms of the number of direct access points onto and off the roadway, the road width, the road alignment and the resultant traffic safety improvements arising from the proposed road development,
- (h) the traffic congestion currently being experienced in the town of Castlebar, and to a lesser extent, Westport,
- (i) the extensive route selection procedures undertaken by the Road Authority,
- (j) Mayo County Council's initiatives to promote cycle and pedestrian infrastructure in the County and Westport's designation as one of Ireland's first three Smarter Travel Demonstration Areas,
- (k) the community need, public interest served and overall benefits to be achieved from the proposed road development,

it is considered that, subject to the modifications to the Order as set out in the Schedule below, the acquisition by the local authority of the lands in question, and the extinguishment of public and private rights of way, as set out in the order and on the deposit maps, are necessary for the purpose stated, and that the objections cannot be sustained having regard to the said necessity.

SCHEDULE

Having regard to section D of the proposed road development, the following plots of land are acquired to accommodate the works required for the approach to the Castlebar East Junction roundabout:

Plots numbers P2140a.201, P2140b.201, P2140d.201, P2140e.201, P2160a.201, P2120a.201, P2120b.201, P2120c.201 and P2150a.201, as shown on Sheet 13 of 15 of the Deposit Map dated the 2nd day of August, 2013.

Reason: Notwithstanding the decision taken under planning reference number 16.HA0042 to refuse to approve Section D, these plots are considered necessary for the construction of the approach to the new roundabout at Castlebar East Junction.

REASONS AND CONSIDERATIONS (2)

Having considered the objections made to the compulsory purchase order, and not withdrawn, the report and recommendation of the person who conducted the oral hearing into the objections, and having regard to the decision to refuse to approve Section D of the proposed road development (from Castlebar East to Turlough Road) under case reference number 16.HA0042, it is considered that the development for which the lands in question are proposed to be acquired by the local authority is not appropriate for the stated purposes and that the acquisition of these lands is, therefore, not necessary for these stated purposes.

In the interest of clarity, the lands referred to above are as follows:

- (a) All of the plots shown on Sheets 14 and 15 of the Deposit Map dated the 2nd day of August, 2013.
- (b) Plots numbers [P2745b.201, P2745c.201, P2770a.201, P2700a.201 and P2760b.201] to [P2600a.201, P2675a.201 and P2670a.201], inclusive, as shown on Sheet 13 of the said Deposit Map.

Board Member: _____ Date: June 25th, 2014
Nicholas Mulcahy