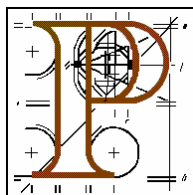


An Bord Pleanála



LOCAL GOVERNMENT (NO. 2) ACT, 1960

HOUSING ACT, 1966

PLANNING AND DEVELOPMENT ACTS, 2000 to 2014

Mayo County Council

An Bord Pleanála Reference Number: 16.KA0028

APPLICATION received by An Bord Pleanála on the 6th September 2013, from Mayo County Council pursuant to section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by section 10 of the Local Government (No. 2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Acts, 2000 to 2014, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **The County Council of the County of Mayo Compulsory Purchase** [Acquisition of lands for Road Construction and Improvement at Westport Demesne (ED Westport Urban), Creggaunnahorna, Deerpark East, Attireesh, Westport Demesne (ED Kilmeena), Gortaroe, Carrowbeg, Knockranny, Monamore, Sheeroe, Drummindoo, Carrownaclea, Sheean, Cogaula, Doon, Knockbrack, Bullaunmeneen, Kilbree Lower, Drumneen, Cloonan, Dooleague, Claggarnagh West, Claggarnagh East, Annagh, Cloonkeen, Pheasanthill, Derrylea, Derrycoosh (ED Cloonkeen), Derrynashask, Derrinlevaun, Cloondeash, Aghadrinagh, Lisnageeha or Antigua, Lisnakirka or Milebush, Balloor, Hawthornlodge, Shanvally, Cottage, Drumaleheen, Kilkenny, Doogary (ED Breaghwy), Carheens, Liscromwell, Aghalusky, Ballynew, Ballyneggin, Breandrum or Windsor, Clogher (ED Turlough) Gortnafolla, Knockanour, Turlough, Drumdaff, Capparanny Townlands in the County of Mayo.] **Order 2013 (No. 1).**

DECISION

CONFIRM the above compulsory purchase order for that part of the development between the Newport Road to Castlebar East (described as Sections A, B and C) that is, all plots required up to chainage 40+050, and those lands in Section D required for the approach to the Castlebar East Junction roundabout, referred to in the Schedule on page 3 of this Order, based on the reasons and considerations marked (1) under and subject to the modification set out below. **ANNUL** the compulsory purchase order for the remainder of Section D between Castlebar East to Turlough based on the reasons and considerations marked (2) under.

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 development 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 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) the local authority'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', and
- (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 modification 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, is 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.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2014.