



An
Bord
Pleanála

Board Direction
BD-003667-19
ABP-302649-18

At a meeting held on 26/07/2019, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector who held the oral hearing and
- (c) the documents and submissions on file generally.

The Board decided to confirm the Order for the reasons and considerations set out below and subject to the modifications set out in the Schedule.

REASONS AND CONSIDERATIONS

Having considered the objections made to the compulsory purchase order, the report of the person who conducted the oral hearing into the objections, the purpose of the compulsory purchase order and also having regard to:

- (a) The need to provide a wastewater treatment plant and associated infrastructure that is designed to treat wastewater to at least secondary standard prior to discharge into any receiving waters in accordance with the requirements of the Urban Wastewater Treatment Directive (Council

Directive 91/271/EEC) and the Urban Wastewater Treatment Regulations (SI 254 of 2001),

- (b) The need to improve the water quality and amenity of the Avoca River,
- (c) the community need, and public interest served and overall environmental benefits, to be achieved from use of the acquired lands,
- (d) the provisions of the National Planning Framework, The Strategic Planning Guidelines for the Greater Dublin Area (2010-2022) the policies and objectives stated therein, which specifically identify the proposed road development,
- (e) the relevant provisions of the Wicklow County Development Plan 2016-2022 and the Arklow and Environs Local Area Plan 2018-2024,
- (f) the proportionate land-take to facilitate the identified need for both temporary and permanent acquisition of lands wayleaves and rights of way,
- (g) the submissions and observations made at the Oral Hearing, and
- (h) the report and recommendation of the Inspector,

it is considered that, subject to the modifications to the order as set out in the Schedule below, the acquisition of lands and wayleaves and rights of way both permanent and temporary by the Irish Water of the lands in question, as set out in the compulsory purchase order and on the deposited maps, are necessary for the purpose stated, and that the objections cannot be sustained having regard to the said necessity.

SCHEDULE

The compulsory purchase order shall be modified in accordance with details provided in the documentation submitted to the Board at the Oral Hearing on the 25th day of January 2019 and the 21st day of June 2019, as follows:

For the purposes of clarity, the modified and amended documentation includes the following:

- i. removal of the following plots from the CPO (Part 4 'Temporary Working Areas')
 - Plot No. 029
 - Plot No. 030

- Plot No. 031
- Plot No. 032
- ii. the inclusion of Plot Nos. 64 to 70 inclusive, and
- iii. The inclusion of Arklow Ferrybank Developments Limited, Inchanappa, Ashford, Co. Wicklow as reputed owner of part of the lands indicated as area 'Y' and shaded green on the map attached to the objection submitted to An Bord Pleanála on the 9th day of November 2018 on behalf of Arklow Ferrybank Developments Limited in respect of Plot No. 050.

Reason: To take account of updated information in respect of land ownership and reduction in area of plots to be acquired.

Board Member:

Chris McGarry

Date: 30/07/2019