



An  
Bord  
Pleanála

**Board Direction**  
**BD-004585-19**  
**ABP-304174-19**

At a meeting held on 25/11/2019, the Board decided to confirm the Order without modification for the following reasons and considerations

### **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 having regard to:

- (a) The relevant provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
- (b) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set out the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.
- (c) Section 175 of the Planning and Development Act 2000 (as amended) which sets out the provisions in relation to local authority projects which are subject to Environmental Impact Assessment (EIA).
- (d) Project Ireland 2040 - The National Planning Framework.
- (e) The Design Manual for Urban Roads and Streets, 2013.
- (f) Guidelines for Planning Authorities on Sustainable Residential Development in Urban Area (Cities, Towns and Village) (2009).
- (g) The National Cycle Manual (NTA, 2011).

- (h) The Transport Strategy for the Greater Dublin Area 2016-2035.
- (i) Eastern & Midlands Regional Spatial & Economic Strategy, 2019-2031.
- (j) The Dún Laoghaire Rathdown County Development Plan 2016-2022.
- (k) The Kiltiernan/ Glenamuck Local Area Plan, 2013 (extended to Sept. 2023).
- (l) the community need, public interest served and overall benefits to be achieved by the compulsory purchase order of the lands and the extinguishment of the right of way for the purpose identified in the order, and the proportionate design response to the identified need,
- (m) the submissions and observations made at the oral hearing, and
- (n) the report and recommendation of the Inspector,

it is considered that the acquisition by the local authority of the lands in question, and the extinguishment of the public right of way, 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.

**Board Member:**

**Date:** 26/11/2019

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Paul Hyde