



An
Bord
Pleanála

Board Direction

BD-016462-24

ABP-314410-22

At a meeting held on 29/05/2024, 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 Compulsory Purchase Order based on the reasons and considerations set out below.

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the written submissions and observations made at the Oral Hearing held on the 9th April 2024, the report of the Inspector who conducted the oral hearing into the objections, the purpose for which the lands are to be acquired as set out in the compulsory purchase order, to provide for the N52 Grange to Clontail Scheme, and also having regard to the following:

- (i) the constitutional and European Human Rights Convention protection afforded to property rights,
- (ii) the existing road conditions, which are characterised by a narrow and restricted width, poor vertical and horizontal alignment, the presence of numerous private property entrances and field accesses along the existing route which have deficient visibility, roadside hazards, and limited overtaking opportunities with several poorly aligned bends and, thus, making it dangerous for vulnerable road users, and resulting in high collision rates,

- (iii) the approval of the N52 Grange to Clontail Scheme under the Part 8 process (Reg. Ref. P8/20012),
- (iv) the strategic importance of the road which connects the M1 and N1, northeast of Dundalk town, before continuing in a southwest direction and terminating at the M7 in Nenagh, Co. Tipperary,
- (v) the identified community need, public interest served and overall benefits, particularly in terms of traffic road safety, which would be achieved by the proposed road improvement works,
- (vi) the design response, which has been completed to address to the identified need,
- (vii) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the proposed road realignment,
- (viii) the policies and objectives of the Meath County Development Plan 2021-2027, including Objective MOV OBJ 49 which is 'to support essential public road infrastructure... Such road schemes include those specified in the non-exhaustive list in Table 5.1...', and by reference to the proposed scheme under Table 5.1 of the County Development Plan [i.e., 'the N52 Grange – Clontail (formally known as Fringestown Scheme)]',
- (ix) the submissions and observations made at the Oral Hearing held on the 9th April 2024, and
- (x) the report and recommendation of the Inspector,

it is considered that the permanent and temporary acquisition of the lands in question and extinguishment of public and private rights of way, as set out in the Order, Schedule, and on the deposited maps by Meath County Council, is necessary for the stated purpose, which is a legitimate objective being pursued in the public interest, and that the CPO and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

Board Member:



Peter Mullan

Date: 31/05/2024