

An
Bord
Pleanála

Board Direction
BD-018460-24
ABP-319868-24

At a meeting held on 12/12/2024, 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

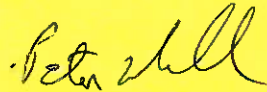
Having considered the objections made to the Compulsory Purchase Order, the written submissions and observations made at the Oral Hearing held on the 26th day of November 2024, the report of the Inspector (who also conducted the Oral Hearing), the purposes for which the lands are to be acquired as set out in the Compulsory Purchase Order, 'Waterford City and County Council, Dungarvan Landfill, County Waterford, Waterford Compulsory Purchase Order 2024 Number 1', and also having regard to the following;

- (a) the constitutional and European Human Rights Convention protection afforded to property rights,

- (b) the community need, public interest served and overall benefits to be achieved through the strict managing of the former landfill site in order to adhere to licence conditions imposed by the Environmental Protection Agency,
- (c) the policies and objectives of the Waterford City and County Development Plan 2022-2028, which is not materially contravened,
- (d) the submissions and observations made at the Oral Hearing, and,
- (e) the report and recommendation of the Inspector,

it is considered that the permanent acquisition of the lands in question is necessary for the stated purpose, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order, 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: 13/12/2024