



An  
Bord  
Pleanála

## Board Order ABP-304174-19

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**Local Government (No. 2) Act, 1960**

**Housing Act, 1966**

**Planning and Development Acts, 2000 to 2019**

**Planning Authority: Dun Laoghaire-Rathdown County Council**

**Application** received by An Bord Pleanála on the 4<sup>th</sup> day of April, 2019 from Dún Laoghaire-Rathdown 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 2019, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Dún Laoghaire-Rathdown County Council Compulsory Purchase (Glenamuck District Roads Scheme) Order, 2019.**

### **Decision**

**CONFIRM** the above 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 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 (The EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
- (b) Directive 92/43/EEC (The Habitats Directive) and Directive 79/409/EEC, as amended by 2009/147/EC (The Birds Directive), 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) the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) published by the Department of the Environment, Heritage and Local Government in May 2009,
- (g) the National Cycle Manual (National Transport Authority, 2011),
- (h) the Transport Strategy for the Greater Dublin Area 2016-2035,

- (i) the 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 up to September 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.

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

**Dated this          day of                                  2019**