An Coimisiún Pleanála

Ordú ón gCoimisiún
Commission Order
ABP-318217-23

Acht na mBóithre, 1993, arna leasú

Roads Act, 1993, as amended

An tAcht um Pleanáil agus Forbairt, 2000, arna leasú

Planning and Development Act, 2000, as amended

Údarás Pleanála: Comhairle Contae na Gaillimhe

Planning Authority: Galway County Council

Iarratas a fuair an Coimisiún Pleanála an 26ú lá de mhí Dheireadh Fómhair 2018 ó Chomhairle Contae na Gaillimhe de bhun alt 47 d'Acht na mBóithre, 1993, arna leasú, ar scéim dar teideal "**Scéim Mótarbhealaigh 2018 agus Scéim Bóithre Cosanta 2018 Chuarbhóthar N6 Chathair na Gaillimhe**" a cheadú.

CINNEADH

An scéim mótarbhealaigh agus an scéim bóithre cosanta atá luaite a CHEADÚ faoi réir na modhnuithe atá bunaithe ar na cúiseanna agus na cúinsí atá leagtha amach thíos.

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CÚISEANNA AGUS CÚINSÍ

Meastar go bhfuil an tógáil talún réasúnach agus i gcomhréir leis an gcuspóir luaite atá le forbairt Chuarbhóthar N6 Chathair na Gaillimhe. Is deimhin leis an gCoimisiún gur cothrom agus réasúnach atá an próiseas agus na nósanna imeachta a ghabh Comhairle Contae na Gaillimhe de láimh agus gur léirigh sí an gá atá leis na tailte agus gur riachtanach agus oiriúnach araon atá na tailte uile atá á bhfáil, faoi réir na modhnuithe atá leagtha amach sa Sceideal.

Tar éis breithniú a dhéanamh ar na hagóidí a rinneadh in aghaidh na Scéime Mótarbhealaigh agus na Scéime Bóithre Cosanta, ar an tuarascáil ón gCigire a bhreithnigh na hagóidí, agus ar an gcuspóir atá leis an Scéim Mótarbhealaigh agus leis an Scéim Bóithre Cosanta maidir le soláthar Chuarbhóthar Chathair na Gaillimhe a éascú, agus ag féachaint freisin

(i) don chosaint bhunreachtúil agus Coinbhinsiúin a thugtar do chearta maoine,

(ii) don riachtanas straitéiseach atá leis an scéim i gcomhthéacs Straitéis Iompair na Gaillimhe,

(iii) don riachtanas pobail agus don leas pobail ar a bhfreastalaítear agus do na tairbhí foriomlána, lena n-áirítear na tairbhí d'úsáideoirí bóithre atá le baint amach ó na tailte atá á bhfáil a úsáid,

(iv) don fhreagairt chomhréireach deartha ar an riachtanas sainaitheanta, lena gceanglaítear go dtógfaí an Cuarbhóthar i gcomhréir le caighdeáin deartha agus go mbeadh trasghearradh comhsheasmhach ann ar ar a fheadh a bheadh achair iomlána radhairc stad, acomhail chuí, rochtain chuí, agus infheictheacht a bheadh i gcomhréir leis na caighdeáin deartha sin,

(v) dá oiriúnaí atá na tailte agus dá riachtanaí atá sé iad a fháil chun soláthar Chuarbhóthar Chathair na Gaillimhe a éascú,

(vi) do na beartais agus na cuspóirí atá i bPlean Forbartha Cathrach na Gaillimhe 2023-2029 agus i bPlean Forbartha Contae na Gaillimhe 2022-2028 agus do bheartais ar an leibhéal Eorpach, ar an leibhéal náisiúnta agus ar an leibhéal réigiúnach,

(vii) do na haighneachtaí a rinneadh chuig an gCoimisiún, agus

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(viii) don Tuarascáil fhorlíontach ón gCigire agus don mholadh ón gCigire, don Tuarascáil tosaigh ón gCigire sa bhliain 2021, agus don tuairisciú forlíontach agus tosaigh ó shain-éiceolaithe agus ó shain-hidrigeolaithe,

meastar, maidir le fáil na dtailte lena mbaineann ar bhonn buan agus sealadach agus maidir le srianadh agus fáil ceart slí agus cur isteach ar chearta slí ag Comhairle Contae na Gaillimhe thar a ceann féin agus thar ceann Chomhairle Cathrach na Gaillimhe, mar atá leagtha amach sa Scéim Mótarbhealaigh agus sa Scéim Bóithre Cosanta agus ar na léarscáileanna a taisceadh, go bhfuil an méid sin ar fad riachtanach don chuspóir luaite, ar cuspóir dlisteanach é atá á shaothrú ar mhaithe le leas an phobail, agus go bhfuil an Scéim Mótarbhealaigh agus an Scéim Bóithre Cosanta agus na héifeachtaí a bheidh acu ar chearta maoine na n-úinéirí talún lena mbaineann i gcomhréir leis an gcuspóir sin agus go bhfuil údar leo ar mhaithe leis an leas coiteann. Agus é ag teacht ar an gconclúid sin, comhaontaíonn agus glacann an Coimisiún leis an anailís atá sna tuarascálacha ó na daoine a rinne measúnú ar na hagóidí.

SCEIDEAL

Déanfar Scéim Mótarbhealaigh 2018 agus Scéim Bóithre Cosanta 2018 Chuarbhóthar N6 Chathair na Gaillimhe a mhodhnú mar a leanas:
Bainfear ceapacha 123a.202 agus 123b.201:

Cúis: Chun laghdú a dhéanamh ar an méid fála i leith gabháltais talún, i gcás go meastar gur féachadh le tailte a fháil atá de bhreis ar an talamh is gá don chuspóir sainaitheanta.

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Application received by An Coimisiún Pleanála on the 26th day of October 2018, from Galway County Council pursuant to section 47 of the Roads Act, 1993, as amended, for approval of a scheme entitled **"N6 Galway City Ring Road Motorway Scheme 2018 and Protected Road Scheme 2018"**

DECISION

APPROVE the said motorway scheme and protected road scheme subject to the modifications based on the reasons and considerations set out under.

REASONS AND CONSIDERATIONS

It is considered that the land take is reasonable and proportional to the stated purpose of the N6 Galway City Ring Road development. The Commission is satisfied that the process and procedures undertaken by Galway County Council have been fair and reasonable and it has demonstrated the need for the lands and that all the lands being acquired, subject to the modifications set out in the Schedule, are both necessary and suitable.

Having considered the objections made to the Motorway Scheme and Protected Road Scheme, the report of the Inspector who considered the objections, the purpose of the Motorway Scheme and Protected Road Scheme to facilitate the delivery of the Galway City Ring Road, and also having regard to:

(i) the constitutional and Convention protection afforded to property rights,

(ii) the strategic need of the scheme in the context of Galway Transport Strategy,

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(iii) the community need, and public interest served and overall benefits, including benefits to road users to be achieved from use of the acquired lands,

(iv) the proportionate design response to the identified need which requires it to be constructed in accordance with design standards with a consistent cross section with full stopping sight distances along its length and appropriate junction and accesses with visibility in accordance with said design standards,

(v) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Galway City Ring Road,

(vi) the policies and objectives of the Galway City Development Plan 2023-2029 and Galway County Development Plan 2022-2028 as well as European, national and regional level policies,

(vii) the submissions made to the Commission, and

(viii) the supplementary Inspector's Report and recommendation of the Inspector, initial Inspector's Report of 2021 and supplementary and initial reporting of specialist ecologists and hydrogeologist,

it is considered that the acquisition of these lands on a permanent and temporary basis, restriction, acquisition and interference of rights of way, by Galway County Council on behalf of itself and Galway City Council, as set out in the Motorway Scheme and Protected Road Scheme and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the Motorway Scheme and Protected Road Scheme and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good. In reaching this conclusion, the Commission agrees with and adopts the analysis contained in the reports of the persons who conducted the assessment of the objections.

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SCHEDULE

The N6 Galway City Ring Road Motorway Scheme 2018 and Protected Road Scheme 2018 shall be modified as follows:

Plots 123a.202 and 123b.201 shall be removed:

Reason: To reduce the extent of acquisition in respect of landholdings, where it is considered that lands surplus to the identified purpose were sought to be acquired.

Paul Caprani
Coimisinéir Pleanála den Choimisiún Pleanála atá údaraithe go cuí chun séala an Choimisiúin a fhíordheimhniú.
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Arna dhátú an 7th **lá seo de** April **2026**

Dated this 7th **day of** April **2026**