

An
Coimisiún
Pleanála

Commission Order ABP-321559-24

Local Government (No. 2) Act, 1960

Housing Act, 1966

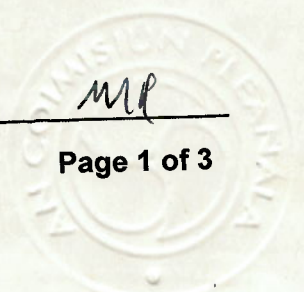
Planning and Development Acts, 2000 to 2022

Planning Authority: Carlow County Council

Application received by An Coimisiún Pleanála on the 20th day of December 2024 from Carlow 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 2022, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Uisce Éireann Compulsory Purchase (Tinryland Wastewater Treatment Plant Upgrade) Order, 2024.**

DECISION

CONFIRM the above Compulsory Purchase Order based on the reasons and considerations set out below.



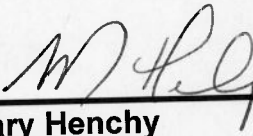
REASONS AND CONSIDERATIONS

Having considered the objection made to the Compulsory Purchase Order, the written submissions and observations made at the oral hearing held on the 4th June 2025, the report of the Inspector who conducted the oral hearing into the objection, the purpose for which the lands are to be acquired as set out in the Compulsory Purchase Order, which is to advance the Tinryland Wastewater Treatment Plant Upgrade, and also having regard to the following:

- (i) the Constitutional and European Human Rights Convention protection afforded to property rights,
- (ii) the strategic importance of the scheme in the context of addressing the current situation whereby the existing wastewater treatment plant for the area is being stretched beyond capacity and overloaded, which is resulting in discharge quality issues and environmental pollution,
- (iii) the decision of Carlow County Council to grant permission for works to advance the upgrade of the 'Tinryland Wastewater Treatment Plant' (Register Reference Number: 24/60332),
- (iv) the identified community need, public interest served and overall benefits to achieved from the proposed development,
- (v) the chosen route alignment, which constitutes a design response that is proportionate to the identified need,
- (vi) the policies and objectives of the Carlow County Development Plan 2022-2028, which are not materially contravened,
- (vii) the submissions and observations made at the oral hearing held on the 4th June 2025, and,
- (viii) the report and recommendation of the Inspector,

it is considered that the permanent acquisition of the lands in question for permanent wayleaves, as set out in the Order, Schedule, and on the deposited maps by Uisce Éireann, 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.

In reaching this conclusion, the Commission agrees with and adopts the analysis contained in the report of the person who conducted the oral hearing into the objections.



Mary Henchy

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 30th day of July 2025

