



An  
Bord  
Pleanála

## Board Order 09.CH3337

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

**Housing Act, 1966**

**Planning and Development Acts, 2000 to 2017**

**Planning Authority: Kildare County Council**

**Application** received by An Bord Pleanála on the 31<sup>st</sup> day of May, 2017 from Irish Water 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 2017, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Irish Water Compulsory Purchase (Upper Liffey Valley Sewerage Scheme Contract 2A) Order, 2017.**

### **Decision**

**CONFIRM** the above compulsory purchase order for the reasons and considerations set out below.

## Reasons and Considerations

Having considered the objections made to the compulsory purchase order, and not withdrawn, the report and recommendation of the person who conducted the oral hearing into the objections, the purpose for which the lands in question are to be acquired, and also having regard to the following:

- (a) Appendix 3 of Irish Water's Water Services Strategic Plan, 2015
- (b) the provisions of the Kildare County Development Plan 2017 – 2023,
- (c) the provisions of the Newbridge Local Area Plan 2013 – 2019,
- (d) the provisions of the Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022,
- (e) the Urban Waste Water Treatment Directive (91/271/EEC),
- (f) the Environmental Protection Agency's Upper Liffey Valley Sewerage Scheme Discharge Licence (register reference number D0002-01)
- (g) the purpose for which the lands are to be acquired as set out in the compulsory purchase order,
- (h) the community need, public interest served and overall benefits to be achieved from the proposed development,
- (i) the suitability of the route selected for the project to meet the community need,
- (j) the proportionality of the project, particularly in relation to the site selected for the Kilbelin pumping station and storm water tank and the proposed permanent acquisition of this site,
- (k) the submissions and observations made at the oral hearing, and
- (l) the report and recommendation of the Planning Inspector,

it is considered that the permanent acquisition, permanent wayleaves and temporary working areas as proposed by Irish Water of the lands in question, as set out in the order, schedules and on the deposit maps, are necessary for the purposes stated in the order and that the objections cannot be sustained having regard to this necessity.

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

**Dated this        day of                        2017**