



An
Bord
Pleanála

Board Order 04.MA0014

Roads Acts, 1993 to 2007

Planning and Development Acts, 2000 to 2017

Planning Authority: Cork County Council

APPLICATION received by An Bord Pleanála on the 2nd day of June, 2017, from Cork County Council pursuant to section 47 of the Roads Act, 1993, as amended, for approval of a scheme entitled “**Cork County Council M28 Cork to Ringaskiddy Project Motorway Scheme 2017.**”

Decision

APPROVE the said motorway scheme subject to the modifications set out in the Schedule below based on the reasons and considerations set out under.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having considered the objections made to the compulsory purchase order, the report of the persons who conducted the oral hearing into the objections, the purpose of the compulsory purchase order, and also having regard to:

- (i) the need to improve connectivity between the local, regional and national road network and with the Tier 1 Port,
- (ii) the reduced congestion on the local, regional and national road network,
- (iii) the community need, public interest served and overall benefits, including benefits to Cork City, the Port of Cork and the Strategic Employment Area of Ringaskiddy, and increased provisions for a range of road users to be achieved from use of the acquired lands,
- (iv) the provisions of the current Cork County Development Plan and the Ballincollig-Carrigaline Municipal District Local Area Plan and the policies and objectives stated therein, which specifically identify the proposed road development, and
- (v) the proportionate design response to the identified need,

it is considered that, subject to the modifications to the order as set out in the Schedule below, the acquisition by the local authority of the lands in question, and the extinguishment of public and private rights 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.

SCHEDULE

The compulsory purchase order shall be modified in accordance with the modifications submitted to the Board at the oral hearing on the 1st day of December, 2017 as follows:

- (i) Minor adjustment to the CPO line in the vicinity of CPO Plot Reference 105, Ted Neville's property at Carr's Hill Interchange to allow the retention of the boundary between Mr. Neville's property and Douglas Golf Club (Plot 112).
- (ii) Adjustment to the CPO line at Shanbally Quarry, CPO Plot Reference 168, where lands are no longer required for the translocation of Pennyroyal.
- (iii) The inclusion of the following:
 - Frances Gordon as reputed owner of Plot 103,
 - the IDA as reputed owners and occupiers of Plots 105a.110 and 105a.111,
 - Murnane and O'Shea as reputed owners of Plots 123 and 124,
 - Astra Construction as reputed owner of Plots 144 and 145, and
 - Castleventry as reputed owner of Plot 153.

Reason: To take account of updated information in respect of land ownership and other matters as agreed at the oral hearing.

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

Dated this day of 2018