

An  
Bord  
Pleanála

**Board Direction**  
**BD-017933-24**  
**ABP-318950-24**

At a meeting held on 21/10/2024, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector who held the oral hearing and
- (c) the documents and submissions on file generally.

The Board decided to confirm the Compulsory Purchase Order with the modification in the schedule below, based on the reasons and considerations set out below.

### **Reasons and Considerations**

Having considered the objections made to the Compulsory Purchase Order, the written submissions and observations made at the Oral Hearing held on the 10<sup>th</sup> day of September 2024, the report of the Inspector (who also conducted the Oral Hearing), the purposes for which the lands are to be acquired as set out in the modified Compulsory Purchase Order, 'Donegal County Council (Tús Nua Regeneration Project) Compulsory Purchase Order 2024, and also having regard to the following:

- (i) the constitutional and European human rights convention protection afforded to property rights,
- (ii) the approval of 'Tus Nua Regeneration Project' under the Part 8 process (Register Reference PG20/20),

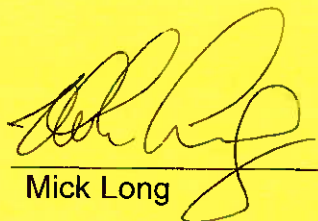
- (iii) the community need, public interest served and overall benefits to be achieved through the delivery of the 'Tús Nua Regeneration Project',
- (iv) the policies and objective of the County Donegal Development Plan 2024-2030, and The Seven Strategic Towns Local Area Plan 2018-2024, which are not materially contravened,
- (v) the submissions and observations made at the Oral Hearing,
- (vi) the modifications made to the Compulsory Purchase Order Schedule below and as set out in Appendix 2 of the Donegal County Council's Brief of Evidence, which omits plots number 5 from the proposed schedule, and,
- (vii) the report and recommendation of the Inspector,

it is considered that the permanent acquisition of the lands in question (Plots number 1 to 4), as set out in the Order, the modified schedule, and deposited maps by Donegal County Council, is necessary for the stated purposes, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order, as modified, and its effects on the property rights of affected landowners are proportionate to that objective and justified exigencies of the common good.

### **Schedule**

The Compulsory Purchase Order shall be modified to omit Plot number 5 from the proposed Compulsory Purchase Order Schedule as per the modifications made to the Compulsory Purchase Order Schedule as set out in Appendix 2 of Donegal County Council's Brief of Evidence.

**Board Member:**

  
Mick Long

**Date:** 22/10/2024