



An  
Bord  
Pleanála

## Board Order ABP-300490-17

---

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

**Housing Act, 1966**

**Planning and Development Acts, 2000 to 2018**

**Planning Authority: Roscommon County Council**

**Application** received by An Bord Pleanála on the 20<sup>th</sup> day of December, 2017 from Roscommon 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 2018, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Roscommon County Council Compulsory Purchase Order (No.1) 2017 N5 Ballaghaderreen to Scramoge Road Project**.

### Decision

**CONFIRM** the above compulsory purchase order based on the reasons and considerations under and subject to the modifications set out in the below Schedule.

### Reasons and Considerations

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

- (a) The objections made to the Compulsory Purchase Order,
- (b) the purpose of the compulsory acquisition for the provision of a road development,
- (c) the community need, public interest served and benefits to be achieved from use of the acquired lands for the purposes identified in the Order,
- (d) the provisions of the National Planning Framework and the Regional Planning Guidelines for the West Region 2010-2022 and Roscommon County Development Plan 2014-2020,
- (e) the submissions and observations made at the oral hearing,
- (f) the report and recommendation of the Inspector who conducted the oral hearing into the objections, and
- (g) the documents and submissions on file generally,

the Board decided to confirm the Order subject to the modifications set out in the following Schedule.

### **SCHEDULE**

The Compulsory Purchase Order shall be modified in accordance with details provided in the document titled CPO Amendments October 2018 submitted to the Board at the Oral Hearing on the 9<sup>th</sup> day of October, 2018 as follows:

- i. the reduction in area of the following plots
  - Plot No. 470b.201
  - Plot No. 545b.201
  - Plot No. 1025a.201a
  - Plot No. 1025a.201b
  - Plot No. 1095b.201a
- ii. removal of the following plot
  - No. 1095b.201b
- iii. the inclusion of Mr. Dermot McDermott as occupier of Plot No. 1070a.201

- iv. the inclusion of Ms. Eileen Callaghan as owner or reputed owner of Plot No.135g.201
- v. Revised address details of Mr. David O'Neill and Ms. Cathy Burke as owners or reputed owners of Plot Nos. 220.201 and 220b.201
- vi. Revised address details of Ms. Maura MacCarthy, Legal Affairs Manager, Coillte of Plot Nos. 245, 470 and 505
- vii. The inclusion of Ms. Bridget Hanily as owner or reputed owner of Plot Nos. 270a.201, 270b.201, 270c.201, 270c.202, 270d.201, 270e.201, 270f.201, 270g.201
- viii. The inclusion of Ms. Josephine McDermott as owner or reputed owner of Plot No. 306.201
- ix. The subdivision of Plot No. 311a.201 and inclusion of Plot No. 311a.202 with Ms. Mary McGarry as owner or reputed owner.
- x. The inclusion of Mr. Anthony Keaveney as occupier of Plot No. 320b.202
- xi. The inclusion of Forais Growth Limited as owner or reputed owner of Plot Nos. 430a.201, 430b.201, 430c.201, 430d.201
- xii. The inclusion of Pawel Szawernoga and Aleksandra Szawernoga as owners or reputed owners of Plot No. 758b.201

**Reason:** To take account of updated information in respect of land ownership and reduction in area of plots to be acquired.

---

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

**Dated this            day of    2019**