



An
Bord
Pleanála

Board Order ABP-316285-23

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2022

Planning Authority: Galway County Council

Application received by An Bord Pleanála on the 14th day of April 2023 from Galway 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 **Galway County Council Compulsory Purchase (Garraun South Community Lands) Order, Number 1 2023.**

P.C.

DECISION

CONFIRM the above Compulsory Purchase Order without modifications based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having considered the written objections made to the Compulsory Purchase Order and having regard to the following:

- (a) the constitutional and European Human Rights Convention protection afforded to property rights,
- (b) the purpose for which the lands are to be acquired as set out in the Compulsory Purchase Order,
- (c) the community need, public interest served and overall benefits to be achieved from the proposed school campus,
- (d) the provisions of the National Planning Framework and the Section 28 guidelines on 'The Provision of Schools and the Planning System (2008)' and 'The Planning System and Flood Risk Management (2009)',
- (e) the policies and objectives of the Galway County Development Plan 2022 – 2028, and,
- (f) the submissions and observations made to the Board by the objector and Galway County Council,

P. C.

it is considered that, the acquisition permanently of the lands in question, as set out in the Compulsory Purchase Order and on the deposited maps, are necessary for the purposes stated, 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.

Patricia Calleary.

Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 13 day of *May*. 2024