



An  
Coimisiún  
Pleanála

## Commission Order ABP-321417-24

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

**Housing Act, 1966**

**Planning and Development Act, 2000, as amended**

**Planning Authority: Carlow County Council**

**Application** received by An Coimisiún Pleanála on the 3<sup>rd</sup> day of December 2024 from Carlow 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 Act, 2000, as amended, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **County Carlow Compulsory Purchase Order Number 1 of 2024 – N80 Leagh Bends Scheme**.

### Decision

**CONFIRM** the Compulsory Purchase Order with modifications, based on the reasons and considerations set out below.

## Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report of the Inspector who considered the objections, the purpose of the compulsory purchase order to facilitate the delivery of the N80 Leagh Bends Scheme, and also having regard to:

- (i) the Constitutional and Convention protection afforded to property rights,
- (ii) the substandard infrastructure provided for along the existing route,
- (iii) the strategic nature of the scheme as an identified project under National and Regional plans,
- (iv) the community need, and public interest served and overall benefits, including benefits to a range of road users to be achieved from use of the acquired lands,
- (v) the proportionate design response to the identified need,
- (vi) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the N80 Leagh Bends Scheme,
- (vii) the policies and objectives of the Carlow County Development Plan 2022 – 2028,
- (viii) the likely consequences for the environment and any likely significant effects of the proposed development on European Sites with reference to the parallel appropriate assessment set out in Inspector's report ABP-321416-24,
- (ix) the submissions made to the Commission both in writing and at the oral hearing on the 11<sup>th</sup> day of September 2025,
- (x) the report and recommendation of the Inspector for applications references ABP-321417-24 and ABP-321416-24,

it is considered that the acquisition of these lands on a permanent and temporary basis, restriction, acquisition and interference of rights of way, by Carlow County Council, as set out in the compulsory purchase order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order and its effects on the

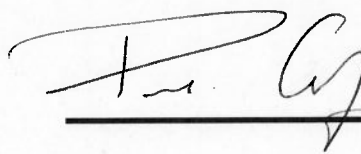
property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

In reaching this conclusion, the Commission agrees with and adopts the analysis contained in the report of the person who conducted the assessment of the public observations and oral hearing and agrees to confirm the Compulsory Purchase Order.

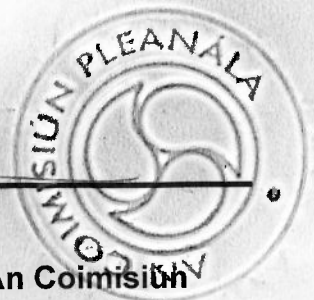
### SCHEDULE

The compulsory purchase order shall be modified in accordance with the amendments to the Compulsory Purchase Order Schedules submitted by the local authority at the oral hearing on the 11<sup>th</sup> day of September 2025 and as follows; Plot Number 122f.201 shall not be permanently acquired but shall be temporarily acquired for the duration of the works being carried out in the vicinity of the site as part of the road improvement scheme.

**Reason:** It is considered that the entire plot is not required to be permanently acquired for the purposes of carrying out the road improvement scheme.



**Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.**



**Dated this 13<sup>th</sup> day of November 2025**