

An
Coimisiún
Pleanála

Commission Order
ABP-322766-25

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Act, 2000, as amended

Planning Authority: Laois County Council

Application received by An Coimisiún Pleanála on the 10th day of June 2025 from Laois 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 **Laois County Council Clonaslee Flood Relief Scheme Compulsory Purchase Order No. 01 of 2025.**

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 written submissions and observations made at the oral hearing held on the 28th day of October 2025, the report and recommendation of the Inspector who conducted the oral hearing into the objections, the purpose of the compulsory purchase order which is to acquire lands for the construction of the Clonaslee Flood Relief Scheme, and also having regard to the following:

- (i) the Constitutional and Convention protection afforded to property rights,
- (ii) the importance of the scheme in the context of the history of flooding in the settlement, and the existing settlement relying on informal constructed defences to provide flood protection,
- (iii) the identified community need, public interest served and overall benefits to be achieved from the proposed development,
- (iv) the design response, which has been appropriately tailored to the identified need,
- (v) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Clonaslee Flood Relief Scheme, and
- (vi) the policies and objectives of the Laois County Development Plan 2021-2027, which are not materially contravened,

it is considered that subject to the modifications to the Order (Schedule) as set out in the Schedule below, the permanent acquisition of lands, the temporary acquisition of lands, the permanent acquisition of wayleaves and rights of way, by Laois 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.

Schedule

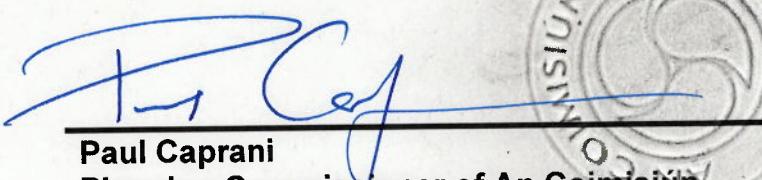
The compulsory purchase order schedule shall be modified as follows:

Amend the compulsory purchase order schedule, Part II, and compulsory purchase order Deposit Map Drawing number LCC/0713006C/CPO/0001, for a new private right of way over Plot 0201a.01, Plot 0201a.02, Plot 0101a.01, to be acquired by Coillte.

Reason: To facilitate access.

Amend the compulsory purchase order schedule, Part IV, and compulsory purchase order Deposit Map Drawing number LCC/0713006C/CPO/0001 for a new private right of way over Plot 0201row.08, to be acquired by Coillte.

Reason: To facilitate access.


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

Dated this 06th day of January 2026