

Board Order 16.CH3303

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2018

Planning Authority: Mayo County Council

APPLICATION received by An Bord Pleanála on the 4th day of November, 2016 from Mayo 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 2017, for confirmation of a compulsory purchase order dated the 21st day of October, 2016 authorising compulsory acquisition of lands and entitled Mayo County Council Compulsory Purchase (Acquisition of lands for road construction and improvement at Pollsharvoge and Cloongullaun Townlands in the District Electoral Divisions of Cuildoo and Swineford and the County of Mayo) Order 2016 (No. 1).

Decision

CONFIRM the above compulsory purchase order for the reasons and considerations set out below.

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, and not withdrawn, the report of the person who conducted the oral hearing into the objections, the purpose for which the lands are to be acquired, as set out in the compulsory purchase order, and having regard also to:

- (a) the provisions of the Mayo County Development Plan 2014-2020,
- (b) the existing seriously substandard nature of the N26 at this location, and the resultant improvements arising from the proposed road development for all road users,
- (c) the community need, public interest served and overall benefits to be achieved from the use of the acquired lands for the purpose identified in the order,
- (d) the suitability of the site to meet the community need and the extent of lands being acquired that are only necessary to realise the proposed development,
- (e) the provision of improved pedestrian and cyclist facilities, and
- (f) the absence of any reasonable alternative to the scheme,

it is considered that the acquisition by the local authority of the lands in question, and the extinguishment of rights of way, as set out in the compulsory purchase order and on the deposited maps, are necessary for the purposes stated and that the objections cannot be sustained having regard to the said necessity.

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

Dated this day of

2018