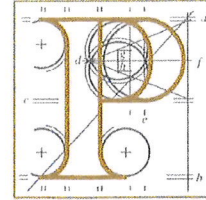


Our Case Number: ABP-315195-22



An
Bord
Pleanála

Kilkenny County Council
County Hall
John Street
Kilkenny
Co. Kilkenny



Date: 22 MAR 2024

Re: Kilkenny County Council Compulsory Purchase Order No. 5 of 2022 N24 Carrick Road Improvement Scheme (Clonmore to Mooncoin)
N24 Carrick Road, Clonmore to Mooncoin, Co. Kilkenny

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above mentioned case. A copy of the order is enclosed.

Please be advised that under section 217(5) of the Planning and Development Act, 2000, as amended, a notice of the making of a confirmation order should be published or served as the case may be in accordance with section 78(1) of the Housing Act, 1966 within 12 weeks of the making of the order.

In accordance with section 146(5) of the Planning and Development Act, 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. In addition, the Board will also make available the Inspector's Report and the Board Direction on the decision on its website (www.pleanala.ie). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

Overleaf contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Board at laps@pleanala.ie

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhride	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Yours faithfully,



Lauren Griffin
Executive Officer
Direct Line: 01 8737 244

CH20

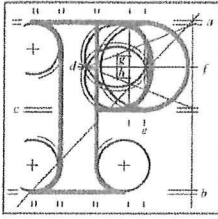
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An
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Pleanála

**Board Order
ABP-315195-22**

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2022

Applicant: Kilkenny County Council

Application received by An Bord Pleanála on the 24th day of November, 2022 from Kilkenny 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 2021, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled the **Kilkenny County Council Compulsory Purchase Order No.5 of 2022 N24 Carrick Road Improvement Scheme (Clonmore to Mooncoin)**.

DECISION

CONFIRM the above compulsory purchase order without modifications, based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

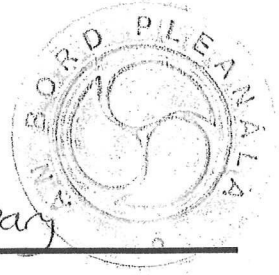
Having considered the objections made to the Compulsory Purchase Order, and not withdrawn, the report and recommendation of the Inspector, the purpose for which the lands are to be acquired, wayleaves are to be acquired and rights of way extinguished as set out in the Compulsory Purchase Order, and having regard to the following;

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the substandard infrastructure provided for along the existing route,
- (c) 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,
- (d) the design response, which has been appropriately tailored to the identified need,
- (e) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the N24 Carrick Road Improvement Scheme,
- (f) the policies and objectives of the Kilkenny City and County Development Plan 2021-2027,

it is considered that, the acquisition by Kilkenny County Council of the lands in question, and the acquisition of wayleaves and extinguishment of rights of way, 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 Board agrees with and adopts the analysis contained in the Inspector's report.

Patricia Calleary



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 20 day of March 2024

