

An
Bord
Pleanála

Board Direction
BD-019508-25
ABP-317682-23

At a meeting held on 16/04/2025, the Board decided as follows:

CONFIRM the above 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Having considered the objections made to the Compulsory Purchase Order, and not withdrawn, the report and recommendation of the Inspector, the purpose for which the lands are to be acquired as set out in the Compulsory Purchase Order, and having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 strategic nature of the scheme in the context of reducing carbon emission and climate change,
- (d) 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,
- (e) the design response, which has been appropriately tailored to the identified need,
- (f) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Kimmage to City Centre Core Bus Corridor,
- (g) the policies and objectives of the Dublin City Development Plan 2022-2028,

- (h) the submissions made to the Board, and
- (i) the report and recommendation of the Inspector

it is considered that, the acquisition by the National Transport Authority of the lands in question, and acquisition, restriction and interference of rights of way, on a temporary and permanent basis 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.

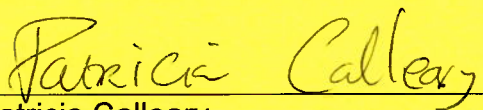
In reaching this conclusion, the Board agrees with, and adopts the analysis contained in the Inspector's report.

SCHEDULE

The compulsory purchase order (Deposit Maps and Schedules) shall be modified as follows:

Plot 1019(1).1a and Plot 1019(3).2a: The Religious Sisters of Charity shall be moved from the "owners or reputed owners" column to the "occupiers" column.

Board Member:


Patricia Calleary

Date: 19/04/2025