



An
Bord
Pleanála

Board Direction
PL08.KA0037

At a meeting held on 2nd November 2017, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector who held the oral hearing and
- (c) the documents and submissions on file generally.

The Board decided to confirm the Order generally in accordance with the Inspector's recommendations as set out in draft below.

Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report of the person who conducted the oral hearing into the objections, the purpose of the compulsory purchase order and also having regard to:

- (a) the community need, public interest served and overall benefits arising and including benefits to the town centre, the reduction in travel time for N69 through traffic through the town, and increased provisions for a range of road users to be achieved from use of the acquired lands,
- (b) the provisions of the Kerry County Development Plan 2015-2021, the Listowel Town Development Plan 2009-2015, and the policies and objectives stated therein, which specifically identify the proposed road development,
- (c) the proportionate design response to the identified need,
- (d) the submissions and observations made at the oral hearing, and
- (e) the report and recommendation of the Inspector,

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

SCHEDULE

The compulsory purchase order shall be modified in accordance with the modifications submitted to the Board at the oral hearing on the 5th day of September, 2017 as follows:

The inclusion of

- (i) Patrick T. Lucy as reputed owner of Plots 315a, 315b, 315c and 315d,
- (ii) Right of way in favour of James Beasley in Plot 290s, and
- (iii) Right of way in favour of Denis O'Carroll and James Beasley in Plots 315c and 315d.

Reason: To take account of updated information in respect of land ownership and other matters as agreed at the oral hearing.

Board Member

Date: 6th November 2017

Maria FitzGerald