



An
Bord
Pleanála

Board Order ABP-302452-18

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2020

Planning Authority: Kerry County Council

Application received by An Bord Pleanála on the 31st day of August, 2018 from Kerry 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 2019, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **South Kerry Greenway Compulsory Purchase Order No. 1 of 2018**.

Decision

CONFIRM the above compulsory purchase order for the reasons and considerations under and subject to the modifications set out 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:

- (i) the need to provide a catalyst for the economic regeneration of the area,
- (ii) the community need, public interest served and overall benefits, including benefits to the wider area and the increased provisions for a range of non-motorised road users to be achieved from use of the acquired lands,
- (iii) the provisions of the current Kerry County Development Plan and the West Iveragh Local Area Plan and the policies and objectives stated therein, which specifically identify the proposed South Kerry Greenway development, and
- (iv) the proportionate design response to the identified need,

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, as set out in the compulsory purchase order and on the deposited maps, is necessary for the purpose stated, and that the objections cannot be sustained having regard to the said necessity.

