

An
Bord
Pleanála

Board Order
ABP-308687-20

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2020

Applicant: Kilkenny County Council

Application received by An Bord Pleanála on the 17th day of November, 2020 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 2020, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Kilkenny County Council Compulsory Purchase Order No 4 of 2020 - 10 Blackmill Street, Kilkenny.**

DECISION

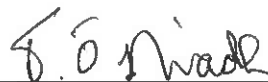
ANNUL the above Compulsory Purchase Order based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having considered the objection made to the compulsory purchase order and not withdrawn, the report and recommendation of the Inspector who conducted the oral hearing into the objection, the purpose for which the lands are to be acquired as set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

- (a) the purpose of the compulsory acquisition of number 10 Black Mill Street, Kilkenny for refurbishment of this house, to address vacancy and the acute housing need,
- (b) the policies and objectives of the Kilkenny City & Environs Development Plan 2014 – 2020,
- (c) the submission and observations made at the oral hearing, held on the 15th day of June, 2021, and
- (d) the impacts of restrictions placed by the Governments in Ireland and the United Kingdom on the ability of their citizens to travel to/from both jurisdictions, resulting in the landowner, whose permanent place of residence is in Leeds, West Yorkshire, being unable to visit the site and to carry out necessary maintenance works to the property,

it is considered that, the acquisition by the local authority of the property in question, as set out in the Order and on the deposited map, would result in an excessive and disproportionate impact on the property owner.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 28th day of July, 2021