

An
Bord
Pleanála

Board Order ABP-313565-22

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2022

Planning Authority: Dublin City Council and Dún Laoghaire–Rathdown County Council

Application received by An Bord Pleanála on the 13th day of May, 2022 from the National Transport Authority 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 2022, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Belfield/Blackrock to City Centre Core Bus Corridor Scheme, Compulsory Purchase Order 2022**.

Decision

ONFIRM the above compulsory purchase order based on the reasons and considerations under.


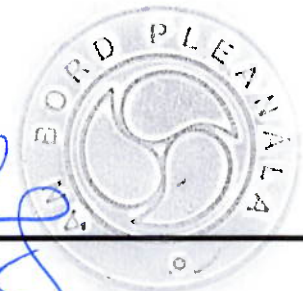
Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report of the Inspector, the purpose of the compulsory purchase order to facilitate the delivery of BusConnects; sustainable public transport and active travel infrastructure, and also having regard to:

- (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 proportionate design response to the identified need,
- (f) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the BusConnects sustainable public transport and active travel scheme,
- (g) the policies and objectives of the Dublin City Development Plan 2022-2028, the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and the Blackrock Local Area Plan 2015-2025,
- (h) the submissions made to the Board, and
- (i) the report and recommendation of the Inspector,

the Board considered, that the acquisition of these lands on a permanent and temporary basis, restriction, acquisition and interference of rights of way, by the National Transport Authority, 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 generally agrees with, and adopts the analysis contained in the report of the Inspector who conducted the assessment of the objections. In deciding not to accept the Inspector's proposed amendment to the design of the junction of Ballsbridge Terrace and Herbert Park, there were no modifications to the compulsory purchase order.

Mick Long
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 27th day of April 2024