

An
Bord
Pleanála

Board Order ABP-317682-23

Local Government (No. 2) Act, 1960

Housing Act, 1966

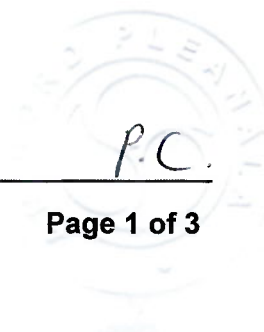
Planning and Development Acts, 2000 to 2022

Planning Authority: Dublin City Council

Application received by An Bord Pleanála on the 28th day of July, 2023 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 **Kimmage to City Centre Core Bus Corridor Scheme, Compulsory Purchase Order 2023**.

Decision

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Having considered the objections made to the Compulsory Purchase Order, and not withdrawn, the report and recommendation of the Inspector, the purpose for which the lands are to be acquired as set out in the Compulsory Purchase Order, and having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.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 12th day of May 2025