

An  
Bord  
Pleanála

## Board Order ABP-320306-24

**Local Government (No. 2) Act, 1960**

**Housing Act, 1966**

**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Kildare County Council**

**Application** received by An Bord Pleanála on the 31<sup>st</sup> day of July 2024 from Kildare 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 2022, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Kildare County Council, Compulsory Purchase Order Number 3 2024 – Number 29,31,33,35,37 and 39 Main Street, Leixlip, County Kildare.**

### DECISION

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

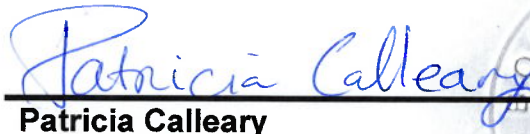
## REASONS AND CONSIDERATIONS

Having considered the objection made to the Compulsory Purchase Order and not withdrawn, the report of the person who conducted the oral hearing into the objection, the purpose for which the lands are to be acquired as set out in the Compulsory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 numbers 29, 31, 33, 35, 37 and 39 Main Street, Leixlip, County Kildare for refurbishment of the properties, to address vacancy and the acute housing need,
- (b) the policies and objectives of the Leixlip Local Area Plan, 2020-2023 (extended to 2026) and the Kildare County Development Plan 2023-2029,
- (c) the submissions and observations made at the oral hearing held on the 21<sup>st</sup> day of November 2024 and the 13<sup>th</sup> day of February 2025, and,
- (d) the existence of a planning permission on the land that at this point in time can be implemented,

the Board was satisfied that Kildare County Council have demonstrated a community need for the acquisition of numbers 29,31,33,35,37 and 39 Main Street, Leixlip, County Kildare and that the properties in question are necessary to meet the partial needs of the housing list. The acquisition of the properties is on the basis of their vacancy, and it has been demonstrated that they are suitable to meet the community need. However, noting that the lands currently benefit from a live planning permission (Registration Reference: 19/1433) that will expire on the 16<sup>th</sup> day of November 2025, which can be implemented, it is therefore considered a reasonable alternative to the compulsory acquisition of the lands currently exists.

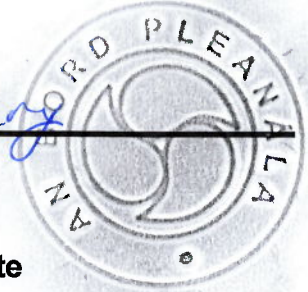
It is considered that, the acquisition by the local authority of the properties in question, as set out in the Order and on the deposited map, would not be justified at this point in time.



**Patricia Calleary**

**Member of An Bord Pleanála**

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



Dated this *8<sup>th</sup>* day of *April* 2025