



An  
Bord  
Pleanála

## Board Order 09.KA0035

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

**Housing Act, 1966**

**Planning and Development Acts, 2000 to 2017**

**Planning Authority: Kildare County Council**

**Application** received by An Bord Pleanála on the 26<sup>th</sup> day of April, 2017 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 2017, for confirmation of a compulsory purchase order authorising compulsory acquisition of lands and entitled **Kildare County Council (Athy Distributor Road) Compulsory Purchase Order 2017**.

### Decision

**CONFIRM** the above compulsory purchase order based on 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:

- (a) the need to improve connectivity between the local, regional and national road network,
- (b) the reduced congestion of Athy Town Centre and on the local and regional road network,
- (c) the community need, public interest served and overall benefits, including benefits to the town centre and increased provisions for a range of road users to be achieved from use of the acquired lands,
- (d) the provisions of the Kildare County Development Plan and the Athy Town Development Plan and the policies and objectives stated therein, which specifically identify the proposed road development,
- (e) the proportionate design response to the identified need,
- (f) the submissions and observations made at the oral hearing, and
- (g) the report and recommendation of the Inspector,

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, and the extinguishment of public and private rights of way, as set out in the compulsory purchase order and on the deposited maps, are necessary for the purpose stated, and that the objections cannot be sustained having regard to the said necessity.

