

An  
Bord  
Pleanála

**Board Order**  
**ABP-305746-19**

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

**Housing Act, 1966**

**Planning and Development Acts, 2000 to 2019**

**Planning Authority: Kilkenny County Council**

**Application** received by An Bord Pleanála on the 24<sup>th</sup> day of October, 2019 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 2019, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Kilkenny County Council Compulsory Purchase Order No. 3 of 2019 - Proposed N24 Tower Road Junction Improvement Scheme (Garrynarea to Belline and Rodgerstown)**.

### **DECISION**


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

## REASONS AND CONSIDERATIONS

Having considered the objections made to the compulsory purchase order, 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 for the N24 Tower Road Junction Improvement Scheme including the provision of an overbridge spanning the N24 National Road, replacement of existing Tower Road Roundabout, a new 750 metre link road connecting the Ink Bottle Junction to the Tower Road Junction with closure of the Ink Bottle Junction, widening of the current N24 carriageway, provision of cyclist and pedestrian facilities, improved public lighting, installation of road markings and signage, surface water drain system and landscaping;
- b) The policies and objectives of the Kilkenny County Development Plan 2014-2020;
- c) Relevant policies of the National Planning Framework and Regional Planning Guidelines for the South West Region 2010-2022;
- d) The present substandard nature of the existing road in relation to road safety;
- e) The community need, public interest served and overall benefits to be achieved from the proposed junction improvement works;
- f) The design of the proposed road, constituting a design response that is proportionate to the identified need;
- g) The submissions and observations made at the Oral Hearing held on the 11<sup>th</sup> day of March 2020 in Kilkenny Ormond Hotel, Kilkenny; and
- h) The report and recommendation of the Inspector.

It is considered that the permanent acquisition by the local authority of the land in question and the extinguishment of a private right of way, as set out in the order, schedules and on the deposited map, has been justified and is necessary for the purpose stated in the order, and that the objections cannot be sustained against this necessity.

  
Michelle Fagan

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

Dated this 5<sup>th</sup> day of August 2020

