



An
Bord
Pleanála

Board Direction
BD-002752-19
ABP-303271-18

At a meeting held on 02/04/2019, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector, and
- (c) the documents and submissions on file generally.

The Board decided to confirm the Order without modification, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the observed condition of the site, and the documentation provided in relation to procedures and steps under the Derelict Sites legislation regarding the inclusion of the site on Dublin City Council's Derelict Sites Register and the serving of the notice of the owner or occupier of the lands, it is considered that the site detracts to a material degree from the amenity, character and appearance of the land in the neighbourhood, owing to the neglected, unsightly and objectionable condition of the structure and therefore falls within the definition of a derelict site as defined in section 3 of the Derelict Sites Act 1990, as amended. Therefore, the compulsory acquisition of the site by the local authority is warranted to render the site non-derelict and to prevent it from continuing to be a derelict site.

In not accepting the Inspector's recommendation, the Board considered that the extensive length of time that the structure was in its current state of disrepair and the

lack of any specific evidence or firm proposals from the owner or occupier of the site of intended improvements to the property from its current neglected and unsightly condition were factors that informed its determination that it was a derelict site within the definition of the relevant Act and that due procedures had been followed by the local authority in seeking the compulsory acquisition of the site.

Board Member:

Date: 03/04/2019

Dave Walsh