



An
Bord
Pleanála

Board Direction
BD-004527-19
ABP-304884-19

At a meeting held on 14/11/2019, the Board considered the objection made to the compulsory acquisition of a site at 37 Thomas Court, Dublin 8, pursuant to Section 16 of the Derelict Sites Act 1990, as amended, the report of the Inspector and the documents and submissions on file generally.

The Board decided to grant consent for the compulsory acquisition of the said site 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 the procedures and steps taken under the Derelict Sites legislation to include the site on Dublin City Council's Derelict Sites Register and the serving of the notice on 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 site and, therefore, falls within the definition of a derelict site as defined in sections 3(b) of the Derelict Sites Act 1990, as amended. Accordingly, the compulsory acquisition of the site by the local authority is warranted and necessary in order to render the site non-derelict and to prevent it continuing to be a derelict site. The Board is also satisfied that the procedures followed by the local authority were not unfair or unreasonable, having regard to the provisions of the Derelict Sites Act 1990, as amended.

Board Member:

Date: 14/11/2019

Dave Walsh