



An  
Bord  
Pleanála

**Board Direction**  
**BD-015490-24**  
**ABP-314222-22**

At a meeting held on 20/02/2024, the Board considered:

- a) the objections made to the compulsory acquisition,
- b) the report of the Inspector,
- c) the purpose of the compulsory acquisition,
- d) the documents and submissions on file generally

and also had regard to:

- e) the constitutional and Convention protection afforded to property rights,
- f) the public interest and
- g) the provisions of the Dublin City Development Plan 2022-2028.

The Board decided to confirm the Order without modification.

In reaching this conclusion, the Board agrees with and adopts the analysis contained in the report of the Inspector.

## Reasons and Considerations

Having regard to:

- The ruinous and derelict condition of the structure on the site and
- The neglected, unsightly and objectionable condition of the site,

and having considered:

- a) the objections made to the compulsory acquisition,
- b) the constitutional and Convention protection afforded to property rights,
- c) the public interest and
- d) the provisions of the Dublin City Development Plan 2022-2028

it is considered that the site detracts to a material degree from the amenity, character and appearance of land in the neighbourhood and, therefore, comes within the definition of a derelict site as defined in sections 3 (a) and (b) of the Derelict Sites Act, 1990, as amended, and that the acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it continuing to be a derelict site. It is also considered that the objections made cannot be sustained having regard to that said necessity and that the compulsory acquisition and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

**Board Member:**

  
Martina Hennessy

**Date:** 20/02/2024