



An  
Bord  
Pleanála

**Board Direction**  
**BD-014843-23**  
**ABP-315677-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/12/2023. The Board considered:

- (a) the objections made to the Compulsory Purchase Order
- (b) the report of the Inspector
- (c) the purpose of the compulsory order
- (d) the constitutional and Convention protection afforded to property rights
- (e) the public interest and
- (f) the documents and submissions on file generally.

The Board decided to refuse consent to the compulsory acquisition based on the reasons and considerations below:

### **Reasons and Considerations**

Notwithstanding the current neglected condition of the site, which detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, the Board decided that the acquisition of the site by the local authority is not necessary in order to render the site non-derelict and to prevent it

continuing to be a derelict site, and that it would, therefore, be appropriate to refuse consent for the compulsory acquisition of the site at this time.

In deciding not to accept the Inspector's recommendation to grant consent, the Board, having regard to the constitutional and Convention protection afforded to property rights, consider that the compulsory acquisition is not proportionate at this time and that the local authority should further engage with the property owner to improve the condition and appearance of the property.

**Board Member**



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Mick Long

**Date:** 9/1/2023