

An
Bord
Pleanála

Board Direction

BD-018451-24

ABP-316239-23

At a meeting held on 12/12/2024, the Board considered:

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

The Board decided to annul the Order.

Reasons and Considerations


Having considered the objection made to the compulsory purchase order and not withdrawn, the report of the person who conducted the oral hearing into the objections, the purpose for which the lands are to be acquired as set out in the compulsory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;

- The constitutional and convention protection afforded to property rights.
- The purpose of the compulsory acquisition of No. 33 St Fiacc's Terrace, Carlow for refurbishment of this house, to address vacancy and the acute housing need,
- The policies and objectives of the Carlow-Graiguecullen Joint Urban Local Area Plan 2024-2030 and the Carlow County Development Plan 2022-2028,
- The submissions and observations made at the Oral Hearing held on 14th of November 2024;

- The personal circumstances of the landowner and impacts of travel restrictions arising from the Covid-19 pandemic on the ability of landowner being able to visit the site and to carry out necessary maintenance works to the property.
- The intention of the property owner to return to live in the property within the year.

It is considered that, the acquisition by the Local Authority of the property in question, as set out in the order and on the deposited map, would result in an excessive and disproportionate impact on the property owner.

Board Member:


Stephen Bohan

Date: 12/12/2024