



An
Bord
Pleanála

Board Direction
BD-016987-24
ABP-317964-23

At a meeting held on 03/07/2024, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the documents and submissions on file generally.
- (c) The request for an Oral Hearing

The Board agreed with the Inspector that an Oral Hearing was not warranted and that sufficient information was available on file to make a determination and decided to confirm the Order without modification.

Reasons and Considerations

Having regard to the ruinous, derelict and dangerous condition of the structure, and the neglected, unsightly and objectionable condition of the site, evidenced by the partially demolished nature of the property, the condition of the front façade which is in situ, the extensive hoarding to the front of the property and the presence of weeds and overgrowth, and also:

- (a) the Constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of the Cork County 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 Section 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 objection 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:


Liam Bergin

Date: 16/07/2024