



An
Bord
Pleanála

Board Direction
BD-017106-24
ABP-318603-23

At a meeting held on 25/07/24, the Board considered the objections made to Compulsory Purchase Order, the report of its Inspector as well as the documents and submissions on file.

The Board decided to grant consent to the compulsory acquisition of the site at No 18 Cadogan Road, Fairview, Dublin 3, based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the derelict, neglected, unsightly and objectionable state of the land, having considered the objection made to the compulsory acquisition, and also:

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

the Board considers 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 (b) of the Derelict Sites Act 1990, as amended, and that the compulsory acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it from

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

Joe Boland

Date: 25/07/2024