



An
Bord
Pleanála

Board Direction
BD-017367-24
ABP-319667-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/09/2024.

The Board decided by a majority of 2:1, to grant consent for the compulsory acquisition of the subject site generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

Having regard to the derelict, unsightly and objectionable condition of the subject property, the poor state of repair of the external walls, doors and windows and the visible presence of considerable weed growth on the hardstanding areas within the property, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of the Carlow 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 (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



Chris McGarry

Date: 03/09/2024