

An
Bord
Pleanála

Board Direction
BD-018048-24
ABP-320092-24

At a meeting held on 30/10/2024, the Board considered:

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

The Board decided to confirm the Order without modification based on the reasons and considerations set out below.


Reasons and Considerations

Having regard to the neglected, unsightly and objectionable condition of the site, the ruinous, derelict or dangerous condition of the structures, the deposit or collection of debris within the site and also:

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


Stephen Bohan

Date: 04/11/2024