

An
Bord
Pleanála

Board Direction
BD-018064-24
ABP-320231-24

At a meeting held on 05/11/2024, the Board considered:

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

The Board decided to confirm the Order without modification for the following reasons and considerations:

Reasons and Considerations

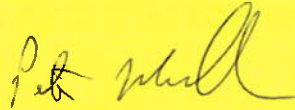
Having regard to the derelict, unsightly and objectionable condition of the subject property, the poor state of repair of the external walls, roofs and windows and the visible presence of considerable weed growth on the hardstanding areas within the property, having considered the objection made to the compulsory acquisition, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of Carlow County Development Plan 2022-2028 and Draft Carlow-Graigecullenn Joint Urban Local Area Plan 2024-2030,

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 Sections 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-derelect and to prevent it continuing to be a derelect 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:



Peter Mullan

Date: 05/11/2024