

An
Bord
Pleanála

Board Direction

BD-019186-25

ABP-321540-24

At a meeting held on 12/03/2025, the Board considered the objections made to the proposed Compulsory Acquisition, the report of the inspector, the documents and submissions on file generally and the requirements of Sections 6, 14, 15 and 16 of the Derelict Sites Act 1990 (as amended).

The Board decided to grant consent for the compulsory acquisition, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

Reasons and Considerations

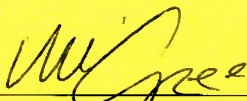
Having regard to the derelict, unsightly and objectionable condition of the subject property, which detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, having considered the objections made to the compulsory acquisition, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of Cork City 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 sections 3 (a) and 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:



Liam McGree

Date: 12/03/2025