



An
Bord
Pleanála

Board Order ABP-303271-18

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2018

Planning Authority: Dublin City Council

Application received by An Bord Pleanála on the 14th day of December, 2018 from Dublin City Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a site at Number 21, Connaught Street, Phibsborough, Dublin and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

GRANT consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the observed condition of the site, and the documentation provided in relation to procedures and steps under the Derelict Sites legislation regarding the inclusion of the site on Dublin City Council's Derelict Sites Register and the serving of the notice of the owner or occupier of the lands, it is considered that the site detracts to a material degree from the amenity, character and appearance of the land in the neighbourhood, owing to the neglected, unsightly and objectionable condition of the structure and therefore falls within the definition of a derelict site as defined in section 3 of the Derelict Sites Act 1990, as amended. Therefore, the compulsory acquisition of the site by the local authority is warranted to render the site non-derelict and to prevent it from continuing to be a derelict site.

In not accepting the Inspector's recommendation, the Board considered that the extensive length of time that the structure was in its current state of disrepair and the lack of any specific evidence or firm proposals from the owner or occupier of the site of intended improvements to the property from its current neglected and unsightly condition were factors that informed its determination that it was a derelict site within the definition of the relevant Act and that due procedures had been followed by the local authority in seeking the compulsory acquisition of the site.

Dave Walsh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019