



An
Bord
Pleanála

Board Order ABP-306190-19

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2019

Planning Authority: Cork City Council

Application received by An Bord Pleanála on the 10th day of December, 2019 from Cork City Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a site at St. Anthony's, Ballyhooly Road, Co. Cork and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

Refuse 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

Notwithstanding the current neglected condition of the house on the land, taking account of the remedial actions taken to remove the bay window, to secure the property and remove debris from the site, it is considered that the structural integrity of the building is intact, that the building is neither in a ruinous or dangerous condition, and that the property does not detract to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question. Furthermore, it is considered that the existing house could reasonably be restored to residential use and does not constitute a derelict site for the purposes of the Derelict Sites Act 1990. The Board, therefore, has decided that it would be appropriate to refuse to consent to 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 2020