



An
Bord
Pleanála

Board Order ABP-319830-24

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2022

Planning Authority: Monaghan County Council

Application received by An Bord Pleanála on the 29th day of May 2024 from Monaghan County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a derelict site at Derryveagh, Carrickroe, County Monaghan, Folio MN5559F / MN175 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.

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 Monaghan County Development Plan 2019-2025,

it is considered that, having regard to the nature of the works necessary to address the dereliction on the site, that the compulsory acquisition of the site by the local authority is not necessary to render the site non-derelict. The Board is not satisfied, therefore, 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.



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

Dated this 9th day of October 2024