

An  
Bord  
Pleanála

## Board Order ABP-321100-24

**Derelict Sites Act, 1990**

**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Dublin City Council**

**Application** received by An Bord Pleanála on the 18<sup>th</sup> day of October 2024 from Dublin City Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a derelict site at Number 49 Rathmore Park, Raheny, Dublin 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 current unsightly and objectionable condition of the site and dwelling, having considered the objection made to the compulsory acquisition, and also:

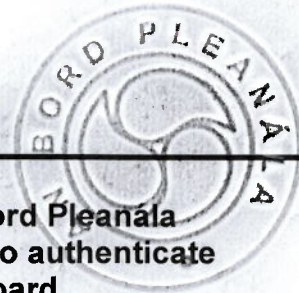
- a) the public interest,
- b) the constitutional and Convention protection afforded to property rights,
- c) the provisions of Dublin City Development Plan 2022-2028, and
- d) the requirements of the Derelict Sites Act 1990, as amended,

it is considered that the Section 15 Notice was not served upon the owner(s) in accordance with the requirements of Section 15(1)(b) of the Derelict Sites Act, 1990, as amended, and that the application for compulsory acquisition by the local authority has not therefore complied with the provisions of the Act.

The Board decided therefore to refuse to grant consent to Dublin City Council to compulsory acquire the site.

*Mary Gurrie*

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



Dated this *18* day of *March*

**2025**