



An  
Bord  
Pleanála

## Board Order 18.CD3037

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**Derelict Sites Act, 1990**

**Planning and Development Acts, 2000 to 2017**

**Planning Authority: Monaghan County Council**

**Application** received by An Bord Pleanála on the 21<sup>st</sup> day of June, 2017 from Monaghan County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a site at lands between properties known locally as “Liam Smyth and Sons” and “former Department of Agriculture” offices, Main Street, Ballybay, County Monaghan 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:

- (a) the neglected, unsightly and objectionable condition of the site, and
- (b) the submissions on file and the report and recommendation of the person assigned to report on the matter,

it is considered that the site is likely to detract to a material degree from the amenity, character and appearance of land in the neighbourhood and comes within the definition of a derelict site as defined in section 3 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 the said necessity.

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

**Dated this      day of      2017**