



An
Bord
Pleanála

Inspector's Report ABP-303106-18

Development	Louth County Council Compulsory Purchase of a residential house and grounds.
Location	27 Legion Avenue, Dundalk, Co. Louth
Planning Authority	Louth County Council
Objectors	Emmett Lynch.
Date of Site Inspection	02 nd of April 2019.
Date of Oral Hearing	10 th of April 2019
Inspector	Karen Hamilton

1.0 Introduction

- 1.1. This is an application by Louth County Council for confirmation by the Board of a Compulsory Purchase Order, entitled “No 27 Legion Avenue, Dundalk, Co. Louth”.
- 1.2. One objection has been received to the CPO and an Oral Hearing to consider this objection was held on 10th of April 2019 in the Crowne Plaza Hotel, Dundalk.

2.0 Site Location and Description

- 2.1. The subject site contains a two storey semi-detached red brick house located along Legion Avenue in Dundalk Town Centre. Legion Avenue is a residential street which links Castletown Road, a main route within the town centre, to the north of Clanbrassil Street.
- 2.2. The site is 649m² and comprises of the dwelling, modest front garden incorporating a pedestrian and vehicular access and a large rear garden. The dwelling and associated site is characteristic of the surrounding area, which is predominantly residential.
- 2.3. The surrounding dwellings are well kept although the subject dwelling is in a state of disrepair. Whilst it was not possible to gain access into the dwelling upon site inspection, it was noted that the dwelling had a distinct appearance of neglect with growth beginning to undermine the structure and the rear first floor rear windows have internal bars to prevent entry.

3.0 Application for Confirmation of CPO

- 3.1. This CPO of a dwelling, No. 27 Legion Avenue Dundalk, is made under the Housing Act, 1966, as amended. The stated purpose of the CPO is “for the purposes of the Housing Act 1966”.
- 3.2. The CPO states that the land described in Part I of the Schedule is and coloured pink on the attached map consists of a house unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense. Each field within Part I of the Schedule of the CPO is recorded as ‘Nil’, while Part II describes a “Dwelling house and land of 649 sqm”, with the owner or reputed owner

listed as being Strand Trust Limited, 70 Sir John Rogerson Quay, Dublin 2. Lessees and occupiers are listed as 'Not Known'.

3.3. The official seal of the Local Authority was affixed to the Order on 20th of November 2018, signed by Louth County Council's Director of Services and seconded by Louth County Council's Cathaoirleach. The proposed CPO was advertised in The Argus Newspaper on 20th of November 2018, advising that owners, lessees and occupiers of the land described in the Schedule would receive individual written notice, and that a copy of the Orders and the maps referred to, could be inspected at the offices of Louth County Council, Dundalk and Drogheda.

3.4. Other documentation forwarded to the Board by the Local Authority includes:

- the deposited map;
- copy of two Chief Executive's Orders dated 29th of November 2018, stating that the lands are suitable and necessary for the provision of a social housing unit and authorising the making of the CPO,
- evidence of service of Notice of the CPO to the registered owner and interested parties,
- a photograph of a site notice attached to the property; and
- a Memorandum from a Senior Executive Officer to the Director of Services, dated 16th of October 2018, which states that the dwelling house and gardens would be considered suitable as a location for social housing and costs and renovation costs will be recouped through the Buy & Renew Scheme.

4.0 Planning History

Reg Ref 55524595

Permission granted for a single storey rear extension.

It was confirmed at the Oral Hearing that the rear extension was in use as a granny annex for a number of years and although internal inspection had not been carried out, the plans indicate the two units, two storey dwelling at the front, are interconnected.

5.0 Policy Context

Rebuilding Ireland: Action Plan for Housing and Homelessness July 2016

- 5.1. This Plan, published by the Department of Housing, Planning, Community and Local Government, states that it will address the needs of homeless people and families in emergency accommodation, accelerate the provision of social housing, deliver more housing, utilise vacant homes and improve the rental sector. In particular, the Plan sets out to deliver 47,000 units of social housing in the period to 2021.
- 5.2. The Plan identifies five key pillars, including Pillar 5 which is 'Utilising Existing Housing'. It states "Ensure that existing housing stock is used to the maximum degree possible – focussing on measures to use vacant stock to renew urban and rural areas".
- 5.3. Pillar 2 is to 'Accelerate Social Housing'. Key Actions are listed including "Extensive support for Local Authorities and Approved Housing Bodies". Table 4 lists 'Our Programmes' and includes a programme "Local Authority Construction and Acquisition (also known as the Social Housing Investment Programme (SHIP))". The objective is noted as "to provide funding to local authorities for the provision of social housing by means of construction and acquisition".

Department of Housing, Planning, Community and Local Government Circular PL 8/2016

- 5.4. This Circular followed the publication of 'Rebuilding Ireland' and relates to the identification of planning measures to enhance housing supply. The Circular states that vacant stock represents a potentially very significant resource to assist in meeting the key goals of the Action Plan and that in advance of the approaching work on the vacant homes re-use strategy, planning authorities are requested to initiate preparatory work such as surveys of, for example, the levels of, condition and potential availability of vacant housing stock in key urban areas and/or areas with very high demand for housing.

National Vacant Housing Reuse Strategy 2018-2021- Government of Ireland

- 5.5. Pillar 5 of Rebuilding Ireland sets out a range of measures to assist in meeting Ireland's housing needs by ensuring the existing housing stock is used to the

greatest extent including tackling vacancy across Ireland. Vacant Homes Officers are available in the Local Authorities.

- 5.6. Appendix B of the Strategy includes Louth County Council as a Case Study for an example of purchasing houses using CPO powers.

Buy and Renew Scheme (BRS)

- 5.7. BRS supports local authorities in purchasing and renewing housing units in need of repair and makes them available for social housing. The Scheme particularly focuses on older vacant homes to tackle the problem of dereliction and improve the appearance of the community.

Louth County Development Plan 2015-2021

- 5.8. The County Development Plan sets out the core strategy for Louth County as a whole, with Policy SS2 expressing the objective of maintaining Dundalk and Drogheda's positions at the top of the County's settlement hierarchy as Level 1 Settlements.
- 5.9. Chapter 4 of the Plan refers to Residential and Community Facilities. With particular regard to social housing provision, Policies RES 1 and RES 6 of the County Plan, have the stated aim of implementing the County's Housing Strategy and to have regard to various strategic policy documents in this regard.
- 5.10. Policy RES 2 seeks that every household will have access to affordable and suitable housing in a good environment and, as much as possible, in the tenure it prefers.
- 5.11. Policy RES 3 states that the provision of social and specialist housing shall be progressed through partnership working with voluntary and co-operative housing organisations, the HSE and through agreements with private developers.

Louth County Housing Strategy

- 5.12. Section 4.2 of the Strategy projects that the population of Dundalk, which was 37,816 in 2011, will be 47,200 by 2022 (an increase of 9,384). It is estimated that approximately 1,815 residential units will be delivered in Dundalk up to 2022. Section 5.7 of the Strategy states that the Council maintains a total of 3,847 social housing units and that there are currently 4,441 people on the waiting list (June 2014). The Strategy notes that the shortfall of houses versus demand has direct implications for affordability.

5.13. Section 5.13 of the Strategy expressly recognises the purchase of vacant dwellings as a means of meeting housing need, stating:

5.14. “In the potential absence of new build opportunities in the short term, all sources of supply from vacant and unfinished estates, unsold affordable units and the turnaround of casual vacancies will have to be explored in detail”

Dundalk & Environs Development Plan 2009-2015

5.15. This Plan remains current until it is replaced by a new Local Area Plan by virtue of the provisions of the Electoral, Local Government and Planning and Development Act 2013. Under this Plan, the lands are zoned Res 1 where it is an objective “*to protect and improve existing residential amenities and to provide for suitable infill and new residential developments*”

6.0 Objections

6.1. One observation was deemed valid by The Board, received from Mc Entee & O’ Doherty on behalf of Emmett Lynch. The submission is summarised as follows:

- The property remains registered in the name of the late Patrick Taggart (died on 10th of April 1993).
- The late Valerie is the beneficiary in the estate of the late Patrick Taggart.
- Emmett Lynch has instituted proceedings in the circuit Court in relation to the administration of the estate of the late Patrick Taggart.
- The grounds of objection include the following:
 1. There was no consultation with Mr Lynch.
 2. There was no notice served on Mr Lynch.
 3. The authority has omitted an essential step or proof in the purported process.
 4. It is denied the property is sought to be acquired for the purpose of the statutory provision of which the proposal is purportedly made.
 5. It is denied the premises are unfit for human habitation.

6. It is denied the premises are not capable of being rendered for human habitation at reasonable expense.
 7. The proposed acquisition would be a disproportionate interference with the property rights of these entitled to an interest in the property.
- 6.2. Two further observations were submitted and returned by the Board as invalid to Ester McGahon Mc Guinness & Co on behalf of Carmel Kearney and Geraldine Hack and Ahern & Mc Donnell Solicitors on behalf of Francis Gill. All parties were invited to the Oral Hearing.

7.0 Oral Hearing

General

- 7.1. An Oral Hearing was held on the 10th April 2019, in the Crowne Plaza Hotel, Dundalk. A digital sound recording was made of the Hearing. The Hearing commenced at 10.10 and the main areas covered and issues arising have been summarised below.

Attendees

- 7.2. Representation on behalf of each Party as follows:

Louth County Council:

- Mr Laurence Steen- Solicitor.
- Mrs Elaine Daly- Senior Staff Officer, Housing Services.
- Mr David Hall- Executive Planner.

Objectors:

The objector did not appear at the Hearing.

Observers:

- Mr Francis Bellew- Ahern & Mc Donnell Solicitors Solicitor on behalf of Francis Gill.

- 7.3. Submission of Louth County Council

Mr Laurence Steen, Solicitor, provided a background on the legal status of the house ownership summarised below:

- Following the service of notice a leasehold folio, which did not appear on the Land Registry, has appeared.
- The owners of the property have been deemed as Thomas and Patrick Taggart both of whom are deceased.
- The grant of probate has been taken out on Patrick Taggart's Estate by Francis Gill, an observer at the Oral Hearing.
- It is deemed that Francis Gill is the legal representative and owner of the estate.
- In accordance with the Housing Act 1996, 3rd Schedule, in relation to the service of a CPO, paragraph 4 (b) states that the notice should be served on every owner/ lease and occupier of the lands.
- The definition of the owner of the estate is found under Section 75 paragraph (e) of the Housing Act, 1966, as being the person entitled to dispose of the fee simple or rents of the lands.
- In this instance it is argued that the only person entitled to object to the CPO is the owner/occupier or lease of the estate which is either Patrick or Thomas Taggart, i.e. Francis Gill.
- It is acknowledged that Patrick Taggart willed his estates to his wife Valerie and sister Rita (lived in the annex at the rear).
- There are a number of beneficiaries to the estate e.g. Emmet Lynch although as they are not the owners they are not entitled to object to the CPO.

Mrs Elaine Daly- Senior Staff Officer, Housing Section, read from a written report (Appendix -1) attached to the file, summarised below:

- There is significant social housing pressure in the County and the current demand for social housing units in the Dundalk area is 2,014.
- In a normal year, Council will only deliver c. 80 units in the Dundalk area, largely through casual vacancy and new acquisitions.

- Applicants for social housing units generally remain in the private rented sector until they secure social housing.
- Delivery of new units are planned under Rebuilding Ireland, which has given a target of 1,074 units to be delivered by LCC between 2018 and 2021, with 520 of these to be provided in 2019.
- Delivery to date has focused on securing leasing arrangements with Approved Housing Bodies and acquisition of units through the CPO process. There has been very small delivery through direct build (7 units) and the Part V process.
- Pillar 5 of Rebuilding Ireland recognises that vacant dwellings provide an opportunity to address housing pressures by utilising existing stock.
- Web based tool www.vacanthomes.ie has been introduced on behalf of Local Authorities to identify vacant homes.
- LCC recognises that every form of tenure plays its part in a normally functioning housing market. Various options have been promoted by the Council including Private Leasing and Repair to Lease models with a view to increasing housing supply.
- In recent years LCC has noted many vacant properties in the Dundalk area in particular. A Capital Appraisal was submitted to the Department and funding was approved to acquire these properties by CPO.
- This matter has subsequently been reiterated in the Rebuilding Ireland Action Plan which also proposes a National Vacant House Strategy and a Vacant Home Strategy for each County. The Strategy for Louth is not completed, but it will focus on promoting leasing initiatives and addressing vacancy by CPO.
- The Council through the Housing Strategic Policy Committee has promoted and supported this policy intervention.
- In light of the Council's initiative, the Department has since launched a national 'Buy & Renew Scheme' which has now become the funding model for these acquisitions.

- A vacant, derelict and unkempt property can precipitate anti-social behaviour such as vandalism, squatting and burning or destruction. This particular property was at the early stages of this demise.
- The Council were notified of this property by a member of staff who noticed the property has been vacant for a number of years.
- To date, 104 dwellings have been acquired or are in the process of being acquired by CPO and 52 have been tenanted.
- LCC decided to utilise its CPO powers to acquire the property with the intention of renovating it and bringing it back into social housing use. This would address a housing need for a qualified household and improve the general estate management of the area.
- The observations and matters of probate, raised by the family members, are noted.
- If the order is confirmed, the Council will serve notice to treat on any party who has a beneficial interest in same and will rely on the section of the act when dealing with any claims for compensation subsequently made.

Mr David Hall, Executive Planner, read from a written statement in respect of planning matters (Appendix 1), which is summarised below:

- The land is governed by the Louth CDP 2015-2021 and the Dundalk and Environs Plan 2009-2015 (extended under Electoral, Local Government, Planning and Development Act 2013, Section 28 11(C) (a) & (b)).
- Action Plan for Housing and Homelessness July 2016 and Circular PL8/2016.
- Pillar 5 is to “Ensure that existing housing stock is used to the maximum degree possible – focussing on measures to use vacant stock to renew urban and rural areas”.
- Louth County Development Plan 2015 – 2021, specifically policies RES 1 and RES 6 and Housing Strategy.
- Dundalk and Environs Plan 2009 – 2015 (extended).
- Lands are zoned Residential, to protect and improve existing residential amenities and to provide for suitable infill and new residential developments.

- Planning permission was granted on 03rd of June 1986 under Reg Ref 55524595 for the single storey rear extension.
- The property is within an established residential area in Dundalk and is within walking distance to the town centre and both and girls and boys school.
- The renovation of the dwelling would be supported by the objectives of the development plans and Pillar 5 of Rebuilding Ireland.

7.4. Submission by Francis Bellew on behalf of Francis Gill.

- There is no objection nor consent to the CPO.
- It is requested that any notice or payment is made to Ahern & O' Donnell as the office representing the executor of the will of the late Patrick Taggart.

7.5. Inspector Questioning of the Local Authority.

7.5.1. It was questioned when the dwelling was last occupied.

The Local Authority confirmed that they believe, from discussions with the observers, that the main dwelling is vacant since 2006 and the rear annex, since 2013.

7.5.2. The physical status of the two residential units was queried.

The Local Authority confirmed that planning permission had been granted for an extension to the rear although it had been used as an annex. The Local Authority considered the two units where internally interlinked.

7.5.3. It was queried if the property was unfit for human habitation.

The Local Authority stated they were not claiming the property was unfit and the CPO of the property referred to the Second Schedule of the Housing Act, "other than land that is unfit for human habitation".

7.5.4. Considering the new information on the leasehold, does the notice require to be served again?

It was stated that Section 3 of the Housing Act refers to the serving of the notice, paragraph (d), to an address which can be ascertained by reasonable enquiry, delivered to a person over 16 or by fixing it to a conspicuous plan on or near such land or premises.

It is considered that the notice is therefore served in accordance with the Act and those various interested parties have made representation and therefore have not be prejudiced by way that they haven't been personally served.

8.0 **Assessment**

8.1. Previous Board decisions and case law have established four key areas upon which a CPO is typically assessed, as follows:

- Does the CPO serve a community need?
- Is the property in question suitable to meet that community need?
- Does the stated purpose / proposed use / works accord with the Development Plan for the area?
- Have alternative means of meeting the community need been explored?

I will address these in turn below, along with other issues arising from the objection.

Community Need

8.2. Louth County Council's case for the CPO as originally received by the Board relied largely upon a Chief Executive Order (Order Ref. 864/18) stating that the land and dwelling is required for social housing and directing that it be acquired by Compulsory Purchase Order. The Chief Executive's Order made reference to a report from Ms Aoife Lawler, SEO, and dated 20th of November 2018, which confirmed that the scheme was necessary and that the lands are suitable and necessary for a provision of a social dwelling unit and which recommended that the land be the subject of a CPO. During the course of the Oral Hearing, issues relating to the community need for the subject CPO were addressed in more detail by the statement of Mr Elaine Daly, Senior Staff Officer in the Housing Section (Appendix 1) and by Mr David Hall's submission in respect of the planning policy context (Appendix 1).

8.3. The Local Authority states there is a significant demand for social housing with a County wide waiting list of over 1,817 households who are eligible for social housing support, of which 545 are in the Dundalk area. There is also 1,469 households in the

Dundalk Municipal District Area in receipt of Housing Assistance payment (HAP) who have indicated they want to transfer to a Social Housing Unit.

- 8.4. The target for the delivery of new units under Rebuilding Ireland is 520 for 2019. There appears to have been minimal delivery of units to date through direct-build or the Part V process. To date, 104 dwellings have been acquired or are in the process of being acquired by CPO and 52 have been tenanted.
- 8.5. Upon site inspection, it was noted the dwelling has a neglected appearance. While the principle purpose of the CPO is stated as the provision of social housing, the Local Authority further considers the effect that a vacant, derelict and unkempt property can have on the local streetscape, which, if not remediated can escalate to vandalism and destruction of property. At the Oral Hearing the Local Authority referred to vacancy of the main dwelling since 2006 and the annex to the rear since 2013. The council's written submissions considers the dwelling at the early stages of demise.
- 8.6. In light of the above, I consider the Local Authority has adequately demonstrated that the subject CPO would serve a community need by assisting in the provision of social housing units, and that the protection and improvement of the dwelling and estate management in the area would service a secondary community need and can be considered to be a material consideration.

Suitability of the Site

- 8.7. The subject property is located on lands zoned for residential development and contains a two storey semi-detached dwelling which is similar in characteristic to those surrounding dwellings. The site is in close proximity to the town centre and facilities along the Castletown Road including schools, retail and neighbourhood facilities.
- 8.8. No internal inspection or structural survey was undertaken by the Local Authority and it was confirmed at the Hearing that the dwelling was in two parts, with the front two storey aspect used as one unit and the single storey extension, an annex for a relative. This division of the dwelling was not apparent during site inspection. There is currently no permission for the sub-division of the unit and although not confirmed by the Local Authority I assume the dwelling will be reused as one dwelling.

- 8.9. As stated above, the Local Authority confirmed the rear aspect has been vacant since 2006 and the rear annex since 2013. The building is in a run-down state, although the dwelling is readily capable of being utilised as a housing unit and all windows, roof and external materials appeared intact. The submission from the objector raised concern over the appropriate use of the property for which the CPO has been. Having regard to the recent activity and delivery of social housing units by the Local Authority using their compulsory powers and reference to this process in the National Vacant Housing Reuse Strategy 2018-2021, I am satisfied that there is no other ulterior motive for the purchase of this dwelling other than to address an urgent social housing need.
- 8.10. The Local Authority stated at the Hearing that funding for acquisition of this unit is available through a national “Buy & Renew Scheme” established by the Department of Housing, Planning, Community and Local Government.
- 8.11. In light of the above, I am satisfied that the site is capable of being renovated for the purposes of social housing and I consider this to be an appropriate use of this vacant dwelling in a zoned and established residential area.

Accordance with the Housing and Planning Policy

- 8.12. Pillar 5 of Rebuilding Ireland and The National Vacant Housing Reuse Strategy 2018-2021 include incentives which aim to return as many vacant properties back to viable uses as possible, increasing the supply of housing available, while also revitalising the vibrancy of local communities.
- 8.13. Policy RES1 and Policy RES 6 of Louth County Development Plan 2015-2021 (LCDP), promotes the provision of social housing in order to comply with the Housing Strategy, cater for specialist housing needs and create an attractive mixed use sustainable community which contains a variety of housing types. As stated above, the lands are zoned in the Dundalk and Environs Development Plan 2009-2015 (as extended) as residential, where it is an objective “*to protect and improve existing residential amenities and to provide for suitable infill and new residential developments*”.
- 8.14. The renovation of the dwelling would assist in fulfilling both the National, County and Local level policies promoting the re-use of existing dwellings to support Louth County Housing Strategy (Appendix 3 of the LCDP). The County Housing Strategy

does not define the required tenure for social housing provision and predicts an average household size in 2019 of 2.70. This aside, the size and scale of the dwelling, with large rear garden and on-site parking would support a larger family unit.

- 8.15. In conclusion, I consider that the compulsory acquisition of the subject property would be in accordance with housing and planning policy.

Use of Alternative Methods.

- 8.16. The use of CPO to address vacant homes in areas of high housing demand, is one of a few measures listed in the Louth County Council Vacant Homes Strategy, 2018 (Appendix 1). Other possible identified measures include the use of various landlord incentive schemes such as Buy & Renew and Repair & Lease and Long Term lease arrangements with property owners. Reference to the Derelict Sites Act, 1990, is also included.
- 8.17. A determination by the Board for a similar CPO for a dwelling in the Dundalk area, ABP-300292-17, referenced the possible use of the provisions of the Derelict Site Act 1990, as a possible more appropriate course of action. In this regard, I note the dwelling must be deemed to be ruinous, derelict or in a dangerous condition. Whilst I could not gain internal access, I did not consider the exterior of the dwelling to have a derelict appearance and therefore I do not consider this an avenue which would be allowable for the Local Authority, in this instance.
- 8.18. Issues relating to the ownership have been raised by both the objector and the observers, which I have addressed in detail below and consider the Local Authority can ultimately address. In combination with the current vacancy and in light of all the options available to the Local Authority to provide social housing, I am satisfied that in this instance the use of compulsory powers is appropriate.

Issues Raised by Objectors

Ownership of Lands

- 8.19. The letter from Mc Entee & O Doherty submitted on behalf of Mr Emmett Lynch, describes the objector as the administrator of the estate of the late Patrick Taggart and his property at No 27. Legion Avenue, Dundalk. It also states that Circuit Court proceedings are underway to determine same, that Mr Lynch was not consulted and

he was not served notice and also that the authority omitted an essential step in the process. The objector considers the proposed acquisition would be a disproportionate interference with the property rights of those entitled to an interest in the property.

- 8.20. The absence of the objector at the Oral Hearing was notable. Updates to the Folio in respect to the ownership of the property by the late Thomas and Patrick Taggart have been accepted by the legal representative of the Local Authority with particular reference to the grant of probate by Francis Gill, an observer to the CPO, who has no objection to the order. In light of these new findings the Local Authority do not consider the objection valid.
- 8.21. Section 2 (l) (i) of the third Schedule of the Act states that the arbitrator shall not take into account any interest in land created after the date on which notice of the order being made is published in accordance with the article 4 of the Schedule. Speculation of possible ownership is not an acceptable reason to prevent the compulsory purchase order and I consider the Local Authority has taken reasonable steps to determine the interests in this property.

Use and State of the Dwelling.

- 8.22. The letter of objection denies the property is sought to be acquired for the purpose of the statutory provision under which the proposal is made. It is denied that the premises are unfit for human habitation nor are they capable of being rendered fit for human habitation at a reasonable expense.
- 8.23. Questioning to the Local Authority at the Hearing, inquired as to the state of the existing dwelling and whether it could be considered as unfit. Mr Laurence Steen replied to state that the CPO related to Part II of the Schedule "*land other than land consisting of a house or houses unfit for human habitation and not capable of being rendered fit for human habitation at reasonable expense*". I note this reply conflicts with the public notice to serve the CPO which specifically states that the council proposes to acquire compulsorily the land hereinafter described as "*land includes a house and the said house is in the opinion of the housing authority, unfit for human habitation and not capable of being rendered fit for human habitation at a reasonable expense*".

8.24. The second schedule of the Act includes a list of twelve matters to which a Housing Authority are to have regard in considering whether a house is unfit for human habitation and relate to the relevant up to date standards for the dwelling. The Local Authority confirmed at the Hearing that no internal access had been undertaken and I note the absence of any supporting documentation with the CPO. This aside the dwelling has an extremely neglected appearance, the main dwelling has not been occupied since 2006 and the rear annex since 2013 and the rear garden is entirely overgrown. Therefore, it is reasonable to assume that the dwelling would require more than a reasonable expense in order to upgrade to a standard fit for human habitation.

9.0 Recommendation

9.1. The Local Authority have demonstrated a pressing need for the increase of social housing provision in the Dundalk area, and the acquisition of vacant properties for such social housing purposes is consistent with both the National and County level policies and objectives as expressed in the Rebuilding Ireland Action Plan for Housing and Homelessness 2016, the Louth County Development Plan 2015-2021 and the Dundalk and Environs Development Plan 2009-2015. The matters raised in the letter of objection, in particular the legal entitlement to the property, were sufficiently addressed by the Local Authority in their submission at the Oral Hearing and in this regard, I am satisfied the correct procedures were followed.

9.2. I therefore recommend the Board CONFIRM the Compulsory Purchase Order based on the reasons and considerations set out below.

10.0 Reasons and Considerations

Having considered the objection made to the compulsory purchase order, the report of the person who conducted the oral hearing into the objection, the purpose for which the lands are being acquired as set out in the compulsory purchase order and also having regard to the following:

- The documentation on file including the case made by the Local Authority;

- The submissions and observations made at the Oral Hearing held on the 10th of April 2019;
- Louth County Development Plan 2015-2021;
- Dundalk and Environs Development Plan 2009-2015;
- Rebuilding Ireland: Action Plan for Housing and Homelessness, 2016;
- National Vacant Housing Reuse Strategy, 2018-2021

The Board is satisfied that, in this instance, the acquisition by the Local Authority of the lands in question, as set out in the order and on the deposited map, has been justified and is necessary, at this stage, for the purposes stated.

Karen Hamilton
Planning Inspector

17th of April 2019