



An
Bord
Pleanála

Board Direction
BD-016394-24
ABP-312549-22

At a meeting held on 21/05/24, the Board considered the objections made to Compulsory Purchase Order, the report of its Inspector as well as the documents and submissions on file.

The Board decided to grant consent to the compulsory acquisition of the site at Abbeyview, Askeaton, County Limerick based on the reasons and considerations set out below.

Reasons and Considerations

- Having regard to the existing structure which is in a neglected and unmaintained condition and fronts onto the edge of the public road. The structure is now roofless and the rear wall is missing. There is ivy and other growth on the building. The remaining door and window openings are not boarded up and access onto this land is available from the public road. The structure presents as being in a ruinous condition.
- The curtilage behind and to the north-west side of the former house is overgrown and unmaintained.

The combination of these factors detracts to a material degree from the amenity, character and appearance of land in the neighbourhood because of the neglected, unsightly and objectionable condition of the land and the ruinous condition of the former house structure. The former house is in a state of dereliction, with its unmaintained condition likely facilitating further decay and the Board noted the absence of an application for Planning Permission to remedy the situation.

Having regard to the unsightly and objectionable appearance, overall there is insufficient evidence of adequate attempts or progress to render the site non-derelect and the property thus remains in a neglected, unsightly and objectionable condition which detracts from the amenity and character of the area to an unacceptable degree.

The site therefore, comes within the definition of a derelict site as defined in sections 3(a) and 3(b) of the Derelict Sites Act, 1990, as amended,

Having considered the objection made to the compulsory acquisition, and also:

- (1) the constitutional and Convention protection afforded to property rights,
- (2) the public interest, and
- (3) the provisions of the Limerick City and County Development Plan 2022-2028,

It is also considered 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.

Finally, it is considered that the compulsory acquisition of the site by the local authority is necessary in order to render the site non-derelect and to prevent it from continuing to be a derelict site.

Board Member



Liam Bergin

Date: 22/05/2024