



An  
Bord  
Pleanála

**Board Direction**  
**BD-016117-24**  
**ABP-314574-22**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 22/04/2024.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

#### **Reasons and Considerations**

Having regard to the derelict, dangerous, neglected, unsightly and objectionable state of the land and the structures thereon, having considered the objection made to the compulsory acquisition, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and
- (c) the provisions of the Limerick Development Plan 2022-2028,

it is considered that the site detracts to a material degree from the amenity, character and appearance of land in the neighbourhood and therefore, comes within the definition of a derelict site as defined in sections 3 (a) and (b) of the Derelict Sites Act 1990, as amended, and that the compulsory acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it from continuing to be a derelict site. 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.

**Board Member**

*Eamonn James Kelly*

**Date:** 22/04/2024

Eamonn James Kelly