



An
Bord
Pleanála

Board Direction
BD-016392-24
ABP-314577-22

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 4 Lower Gerald Griffin Street Limerick based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the observed condition of the application site, in particular the extensive vegetation growing through the first-floor window, the front façade and the roof of the property. The structure has no fascia or working rainwater gutters. Due to the associated water egress, the external façade of the structure is in very poor condition, with render cracked, paint peeling and significant discolouration. The render and paintwork on the cills and reveals are chipped and peeling, and the window frames and doors have advanced rot.

Having regard to the neglected, unsightly and objectionable condition of the site, the poor state of repair of the external walls, roof and rainwater goods and to the visible presence of vegetation growing on the property 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 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-derelict and to prevent it from continuing to be a derelict site.

Board Member


Liam Bergin

Date: 22/05/2024