



An  
Bord  
Pleanála

**Board Direction**  
**BD-016393-24**  
**ABP-314584-22**

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 20 Johnsgate Village, Johnsgate Limerick based on the reasons and considerations set out below.

#### Reasons and Considerations

Having regard to the rear the yard has been secured with a solid galvanised steel gateway, windows to the rear elevation are boarded up with metal sheeting as per the front the yard area has litter lying and the metal sheeting that had secured the rear door and windows has been removed and the building is open to the elements.

The combination of these factors detracts from the amenity of the street and the character of the area. The property has been in a derelict state and has remained vacant since 2021. The Compulsory Acquisition Report notes that no works have been carried out to the property to remove it from dereliction and the site continues to be in a derelict state. and therefore at further significant risk of further deterioration and substantial endangerment.

Having regard to the unsightly and objectionable appearance, overall there is insufficient evidence of adequate attempts or progress to render the site non-derelict and the property thus remains in a neglected, unsightly and objectionable condition which detracts materially from both its protected status and 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-derelict and to prevent it from continuing to be a derelict site.

**Board Member**

  
Liam Bergin

**Date:** 22/05/2024