

An  
Bord  
Pleanála

**Board Direction**  
**BD-016925-24**  
**ABP-317503-23**

At a meeting held on 05/07/24, 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 by majority decision (2:1) to grant consent to the compulsory acquisition of the site at 37 Windmill Street, Limerick, based on the reasons and considerations set out below.

### **Reasons and Considerations**

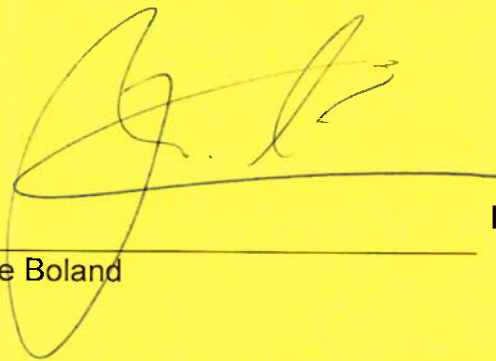
Having regard to the derelict, dangerous, neglected, unsightly and objectionable state of the land and the structures thereon, having considered the objection made to the compulsory acquisition, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and
- (c) the provisions of the Limerick City and County Council 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) (b) and (c) 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-derelect and to prevent it from continuing to be a derelect 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**

A handwritten signature in black ink, appearing to read 'Joe Boland', is written over a horizontal line. The signature is stylized and cursive.

**Date:** 05/07/2024

Joe Boland