



An
Bord
Pleanála

Board Direction
BD-016390-24
ABP-317504-23

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 Robert Street Limerick based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the absence of proper permanent roof coverings (all slates removed and roof are stripped back to the rafters, and, also the inappropriate rendering/patching of walls to the western elevation and staining of the walls throughout (particularly to the northern elevation). which gives a ruinous, derelict, neglected and unsightly appearance and leaves the protected structure completely exposed to the elements 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 ruinous, 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