



An  
Bord  
Pleanála

**Board Direction**  
**BD-017629-24**  
**ABP-319675-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/09/2024.

The Board decided to grant consent to the compulsory acquisition of the site at Main Street Ballingarry Co. Limerick generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

**Reasons and Considerations**

Having regard to the derelict, neglected, unsightly and objectionable state of the land and having considered the objections 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 section 3 (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**



Mick Long

**Date:** 27/09/2024