

An
Bord
Pleanála

Board Direction
BD-017669-24
ABP-319709-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 01/10/2024.

The Board decided to REFUSE consent to the compulsory acquisition of the said site, generally in accordance with the Inspector's recommendation, based on the reasons and considerations set out below.

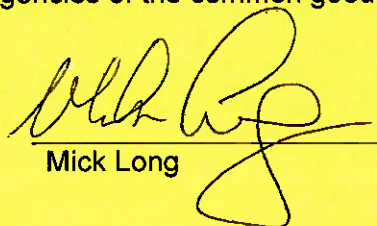
Reasons and Considerations

Having regard to the neglected, unsightly and objectionable state of the land and 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 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 meets the definition of a derelict site in Section 3 of the Derelict Sites Act 1990 (as amended). However, having regard to the efforts made to date by the owner, to address the matters that gave rise to the derelict condition of the site, along with the works progressing on the adjoining site, the compulsory acquisition of the site by the local authority is not necessary, at this time, in order to render the site non-derelict. The Board is not satisfied, therefore, 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: 01/10/2024