



An
Bord
Pleanála

Board Direction
BD-017499-24
ABP-319716-24

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/09/2024.

The Board decided to GRANT consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the ruinous and derelict condition of the structure and the derelict, neglected, unsightly and objectionable state of the land, 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 (a) and (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

Patricia Calleary
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Date: 18/09/2024