



An  
Bord  
Pleanála

## Board Order ABP-304603-19

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**Derelict Sites Act, 1990**

**Planning and Development Acts, 2000 to 2019**

**Planning Authority: Limerick City and County Council**

**Application** received by An Bord Pleanála on the 28<sup>th</sup> day of May, 2019 from Limerick City and County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a site at Athea Upper, Athea, County Limerick and as more particularly described in the notice of intention to compulsorily acquire the site.

### **Decision**

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

### **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

It is considered that the site detracts to a material degree from the amenity, character and appearance of the land in the neighbourhood, owing to the neglected, unsightly and objectionable condition of the structures and, therefore, falls within the definition of a derelict site as defined in Section 3(b) of the Derelict Sites Act 1990 (as amended). Having regard to the observed condition of the site and the documentation provided in relation to the procedures and steps taken under the Derelict Sites legislation to include the site on Limerick City and County Council's Derelict Sites Register and the serving of the notice on the lands, it is considered that the acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it continuing to be a derelict site.

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**Dave Walsh**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of                                  2019**