



An
Bord
Pleanála

Board Order ABP-307499-20

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2020

Planning Authority: Limerick City and County Council

Application received by An Bord Pleanála on the 6th day of July, 2020 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 Main Street, Ballingarry, County Limerick and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

REFUSE 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

Notwithstanding the ongoing engagement by the local authority with the owner of the site to remedy the site non-derelect, and the current state of the site in question which has a neglected, unsightly and objectionable appearance on the village main street, having regard to the evidence provided by the site owners regarding their ongoing attempts to sell the site so as to bring the property out of dereliction, the Board considered that it would be appropriate to provide some further time for the site owner to complete the sale and thus enable the site to be redeveloped or repaired. Therefore, the Board decided to refuse consent to the compulsory acquisition of the site in question.

In not accepting the Inspector's recommendation, the Board considered that sufficient evidence had been provided in the objector's detailed submission to demonstrate that they are endeavouring to dispose of the site through a private sale, and that some time be granted to them to complete this process.

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

Dated this day of 2020