

Board Order ABP-307997-20

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 19th day of August, 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 86 Lenihan Avenue, Prospect, 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

Having regard to the observed condition of the site, and the documentation submitted under the Derelict sites legislation regarding inclusion of the site on Limerick City and County Council's Derelict Sites Register and the serving of the notice on the owners or occupier of the lands, 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 site and, therefore, comes within the definition of a derelict site as defined in section 3 of the Derelict Sites Act 1990, as amended. Therefore, 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.

Dave Walsh

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

Dated this day of

2020