

# Board Order ABP-308016-20

**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 21<sup>st</sup> 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 Barnakyle, Patrickswell, 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 current neglected condition of the site, which detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, taking account of the ongoing efforts by the appellant to render the site non-derelict and bring the property back into use, and also noting the recent grant of planning permission Planning Authority Register Reference Number 20/623, granted by Limerick City and County Council on the 19<sup>th</sup> day of November 2020, in relation to the material change of use of the existing three-storey former Royal Irish Constabulary barracks to two number dwelling houses, to include the upgrade, renewal and extension of the existing buildings, connection to the public infrastructure and all ancillary site works, the Board decided that the acquisition of the site by the local authority is not necessary in order to render the site non-derelict and to prevent it continuing to be a derelict site, and that it would, therefore, be appropriate to refuse consent for the compulsory acquisition of the site.

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

Dated this day of 2020