



An  
Bord  
Pleanála

## Board Order ABP-308973-20

**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 17<sup>th</sup> day of December, 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 13 Ballywilliam Close, Rathkeale, County Limerick and as more particularly described in the notice of intention to compulsorily acquire the site.

### Decision

**GRANT** consent without modification 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 neglected, unsightly and objectionable condition of the site which is in a ruinous and dangerous state and is overgrown with waste building materials, 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 of the Derelict Sites Act, 1990, as amended, and 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. 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 31<sup>st</sup> day of *May* 2021