

An  
Bord  
Pleanála

## Board Order ABP-309336-21

**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 27<sup>th</sup> day of January, 2021 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, Bruff, County Limerick and as more particularly described in the notice of intention to compulsorily acquire the site.

### Decision

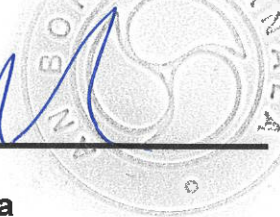

**Annul the compulsory acquisition of the said site based on the reasons and considerations set out below.**

### 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 derelict state of the site and to its neglected, unsightly and objectionable condition, the Board considers 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 set out in section 3(a) and 3(b) of the Derelict Sites Act 1990, as amended. However, the Board also considers that the owner has shown some willingness to attend to the dereliction on site and, while the more substantive issue of the derelict state of the building remains outstanding, the owner has outlined a way forward and indicated that he has the means to deliver upon it. Accordingly, the Board considers that it would be appropriate to afford him the opportunity to do so and thus, in these circumstances, it would be premature to confirm the local authority's compulsory acquisition of the site.



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

Dated this *23<sup>rd</sup>* day of *June* 2021