

An
Bord
Pleanála

Board Order ABP-310713-21

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2021

Planning Authority: Limerick City and County Council

Application received by An Bord Pleanála on the 23rd day of June, 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 derelict site comprising a detached, single storey dwelling and surrounding land at Ballywilliam, Rathkeale, 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

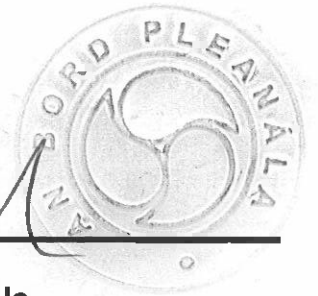
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Notwithstanding the current neglected, unsightly and objectionable condition of the site, which is in a ruinous and derelict state, and which detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, taking account of the grant of planning permission on the 30th day of September 2021 under Planning Register Reference Number 21/723, for the demolition of the existing bungalow and the construction of a two storey house on the site, together with the evidence of the ongoing efforts by the notice parties to seek to address the issues of dereliction and to bring the property back into use, 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. It is considered, therefore, that it would 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 *8th* day of *February* 2022