

**An
Bord
Pleanála**

**Board Order
ABP-310715-21**

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 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 site at 9A and 9B Thomondgate, 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, 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.

In deciding not to accept the recommendation of the Inspector to refuse consent to compulsorily acquire the site, the Board noted and agreed with the conclusions of the Inspector that the current condition of the site was neglected, unsightly and objectionable, and determined that the ownership of the site was sufficiently clear by reference to the totality of documentation on the file.


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



Dated this 8th day of November 2021