

An
Bord
Pleanála

Board Order ABP-314577-22

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2022

Planning Authority: Limerick City and County Council

Application received by An Bord Pleanála on the 6th day of September, 2022 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 at 4 Lower Gerald Griffin Street, Limerick, and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

GRANT consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the observed condition of the application site, in particular the extensive vegetation growing through the first-floor window, the front façade and the roof of the property. The structure has no fascia or working rainwater gutters. Due to the associated water egress, the external façade of the structure is in very poor condition, with render cracked, paint peeling and significant discolouration. The render and paintwork on the windowsills and reveals are chipped and peeling, and the window frames and doors have advanced rot.

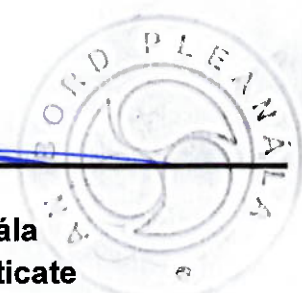
Having regard to the neglected, unsightly and objectionable condition of the site, the poor state of repair of the external walls, roof and rainwater goods and to the visible presence of vegetation growing on the property it is considered that the site detracts to a material degree from the amenity, character and appearance of land in the neighbourhood and, therefore, comes within the definition of a derelict site as defined in sections 3(a) and 3(b) of the Derelict Sites Act, 1990, as amended,

Having considered the objection made to the compulsory acquisition, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of the Limerick Development Plan 2022-2028,

it is also considered that the objection made cannot be sustained, having regard to that said necessity and that the compulsory acquisition and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

Finally, it is considered that the compulsory acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it from continuing to be a derelict site.


Liam Bergin
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 29th day of Oct 2024