

An  
Bord  
Pleanála

## Board Order ABP-317496-23

**Derelict Sites Act, 1990**

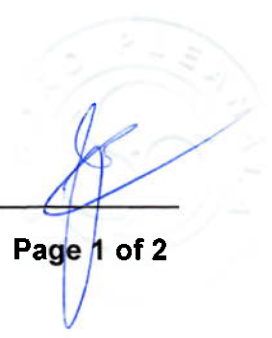
**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Limerick City and County Council**

**Application** received by An Bord Pleanála on the 30<sup>th</sup> day of June 2023 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 Claughan Court, Garryowen, 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.

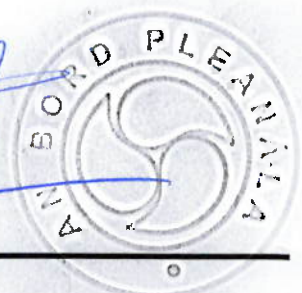



## Reasons and Considerations

Notwithstanding the current unsightly and objectionable condition of the site which detracts to a material degree from the amenity, character and appearance of the surrounding land in the neighbourhood, taking account of the evidence of the ongoing efforts being made by the Notice Party to address the dereliction on site, 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,

the Board does not consider it reasonable that the local authority now seeks to compulsorily acquire the land as provided by Section 14 of the Derelict Sites Act, 1990, as amended, and that sufficient time was not afforded to the Notice Party to complete these works.



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**Joe Boland**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

Dated this 12<sup>TH</sup> day of July 2024