

An
Bord
Pleanála

Board Order ABP-318613-23

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 30th day of November 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, 157 Hyde Road, Prospect, 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 derelict condition of the structure and to the neglected, unsightly and objectionable condition of the land and structure, to the boarded up front door and ground floor front window of the property, to the broken and partially boarded up first-floor windows on the front elevation, to the partially missing front porch with broken glass, to the presence of weeds/vegetation within the front garden and to the dirty condition of the boundary walls with peeling paint, 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 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. 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.



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

Dated this *08th* day of *August* 2024