



An
Coimisiún
Pleanála

Commission Order ACP-322273-25

Local Government (No. 2) Act, 1960

Housing Act, 1966

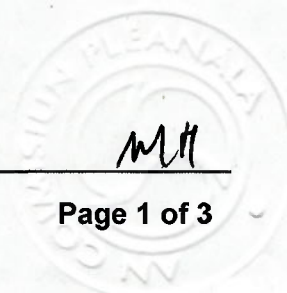
Planning and Development Act 2000, as amended

Applicant: Uisce Éireann

Application received by An Coimisiún Pleanála on the 11th day of April 2025 from Uisce Éireann pursuant to section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by section 10 of the Local Government (No.2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Act 2000, as amended, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Uisce Éireann Compulsory Purchase Hospital Wastewater Treatment Plant Order, 2025**.

DECISION

CONFIRM the above Compulsory Purchase Order based on the reasons and considerations set out below.



REASONS AND CONSIDERATIONS



Having considered the objection made to the Compulsory Purchase Order, the purpose of the compulsory purchase to alleviate the current hydraulic and biological overloading of the Hospital wastewater treatment plant, to ensure compliance with wastewater Directives and Regulations and to provide adequate capacity for a population equivalent of 2,500, and also having regard to:

- (a) the Constitutional and Convention protection afforded to property rights,
- (b) the limitations with the existing site of the wastewater treatment plant due to its size and configuration,
- (c) the strategic importance of the scheme in the context of addressing the current situation whereby the existing wastewater treatment plant for the area is significantly overloaded and resulting in deterioration in the quality of water in the River Mahore,
- (d) the decision of Limerick City and County Council to issue a notification to grant permission for the works to upgrade the wastewater treatment plant (Planning Authority reference 24/61242)
- (e) the community need to upgrade the Hospital wastewater treatment plant, the public interest served by the treatment of wastewater and the overall benefits, including the increase in hydraulic and organic capacity of the wastewater treatment plant, to be achieved from the objective of the Compulsory Purchase Order which is to alleviate the current overloading of the plant, ensuring compliance with Directives and Regulations regarding wastewater treatment and providing adequate capacity for a population equivalent of 2,500,
- (f) the design response which has been appropriately tailored to the identified need,
- (g) the suitability of the lands and necessity of their acquisition to facilitate the upgrade and expansion of the Hospital wastewater treatment plant,
- (h) the provisions of the Limerick Development Plan 2022-2028, and specifically objective HO O1 (Wastewater Treatment Plant Upgrade) (Volume 2b), which supports the upgrade of the Hospital Wastewater Treatment Plant, and

(i) the report and recommendation of the Inspector,

it is considered that the permanent acquisition of the lands in question together with the permanent wayleaves, temporary construction rights and working areas by Uisce Éireann, as set out in the Compulsory Purchase Order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order and its effects on the property rights of affected landowners are proportionate to that objective, and justified by the exigencies of the common good.

In reaching this conclusion, the Commission agrees with and adopts the analysis contained in the Inspector's report.



Mary Henchy

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 20th day of Sept 2025