



An
Coimisiún
Pleanála

Commission Order ABP-322277-25

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2022

Planning Authority: Limerick City and County Council

Application received by An Coimisiún Pleanála on the 10th day of April, 2025 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 1 St. Mary's Road, Newcastle West, County Limerick and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

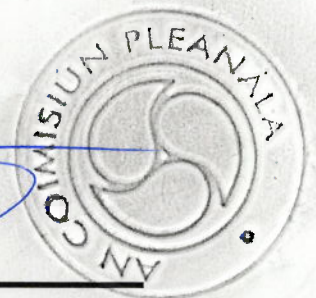
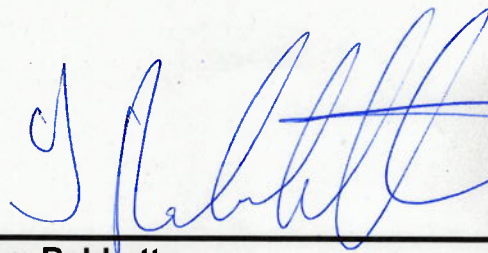
REFUSE consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the current unsightly and objectionable condition of the site and 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 Limerick Development Plan 2022-2028,

notwithstanding that the site detracts to a material degree from the amenity, character, and appearance of land in the neighbourhood, having regard to the efforts made to date by the owner to address matters that gave rise to the derelict condition of the site (including removal of windows, doors, chimney, removal of roof to adjoining ground floor extension to the rear and removal of vegetation growth) and also having regard to the relatively recent acquisition of the property by the property owner, the Commission considered that the compulsory acquisition of the site by the local authority is not necessary in order to render the site non-derelict at this juncture. The Commission is not satisfied, therefore, that the objection made cannot be sustained, having regard to that said necessity or 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.



Tom Rabbette
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this ^{1st} day of *July* 2025