



An  
Coimisiún  
Pleanála

## Commission Order ABP-322280-25

**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 10<sup>th</sup> 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 Main Street, Athea, County 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 ruinous and derelict condition of the structure and the derelict, neglected, unsightly and objectionable state of the land, 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,

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, and 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. 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 the affected landowner are proportionate to that objective, and justified by the exigencies of the common good. The Commission noted that there is no evidence of any actions carried out on the property to render the site non-derelict since the making of its previous decision under Board Order ABP-315677-23.



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

Dated this 3<sup>rd</sup> day of July 2025