

An
Coimisiún
Pleanála

Commission Order ACP-323706-25

Derelict Sites Act, 1990

Planning and Development Act, 2000, as amended

Planning Authority: Limerick City and County Council

Application received by An Coimisiún Pleanála on the 22nd day of September 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 derelict site at 43 Nicholas Street, 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.

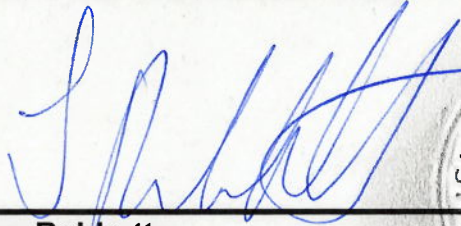
Reasons and Considerations

Having considered the condition of the subject land and structure, and having considered the quantum and location of debris to the rear of the structure, and also having regard to:

- (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 Commission is not satisfied, at this juncture, that the structure could be considered ruinous, derelict or in a dangerous condition and, therefore, is not satisfied that the criteria of section 3 (a) of the Derelict Sites Act, 1990, as amended, is met and is not satisfied, at this juncture, that the subject land or structure could be considered to be in a neglected, unsightly or objectionable condition and, therefore, is not satisfied that the criteria of section 3 (b) of the said 1990 Act is met and is not satisfied, at this juncture, that the criteria of section 3(c) of the said 1990 Act is met. The Commission, therefore, decided to refuse to grant consent to the compulsory acquisition of the land and structure.

In deciding not to accept the recommendation of the Inspector to grant consent to the compulsory acquisition, the Commission, while acknowledging the vacant and somewhat neglected condition of the land and structure, and also acknowledging the presence of some debris and overgrowth on the land to the rear, was not satisfied that the condition of the land and structure, at this time, was such that it warranted or justified compulsory acquisition.



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



Dated this ^{6th} 24 day of Nov. 2025