



An
Coimisiún
Pleanála

Commission Order ACP-324391-26

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 19th day of June 2026 from Limerick City and County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the proposed compulsory acquisition of a derelict site at The Bridge, Ballingarry, 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

The Commission considered that while the property may be considered to be in a somewhat neglected state, the Commission was not satisfied that the property met the criteria as listed under section 3(a), (b) or (c) of the Derelict Sites Act, 1990, as amended at this juncture. In addition, the Commission considered that there was a lack of clarity as to what specific measures were required by the local authority of the property owner to prevent the property from becoming a derelict site. The Commission also noted recent works carried out to the property, namely, the painting of the front door of the dwelling. Having regard to the foregoing, the Commission considered that the compulsory acquisition of the property at this juncture may be considered excessive and disproportionate in seeking to address potential dereliction.

In deciding not to accept the Inspector's recommendation to grant consent to the local authority for the compulsory acquisition of the property, the Commission noted, inter alia, that the local authority considered that the property met all three criteria as listed in section 3 of the Derelict Sites Act, 1990, (as amended) whereas the Inspector found that it met one of the criteria. The Commission were not satisfied that the condition of the building justified a remedy of compulsory acquisition at this time. The Commission also noted that it appears that the local authority did not avail of the provisions of section 11 of the Derelict Sites Act, 1990, as amended and that, in the circumstances, and given constitutional and convention protection afforded to property rights, the compulsory acquisition was not justified at this juncture.



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

Dated this 16th day of Oct, 2026