An Coimisiún Pleanála

Commission Order ACP-324396-26

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 Rathurd, Ballysheedy East, 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, 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,

(c) the provisions of the Limerick Development Plan 2022-2028, as varied, and

(d) the information presented by the objector,

it is considered that, having regard to the nature and extent of works which are required to address the dereliction on the site, to the information presented by the objector, and the works undertaken to remedy the condition of the property with the installation of a new roof, the installation of new windows and doors, the installation of new rainwater goods, and the external painting of the dwelling, that the compulsory acquisition of the site by the local authority is not necessary in order to render the site non-derelict. The Commission is not satisfied, therefore, 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 affected landowners are proportionate to that objective and justified by the exigencies of the common good.

Mary Henchy
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 19th **day of** November **2026**