



An
Coimisiún
Pleanála

Inspector's Report

ACP-324092-26

Nature of Application

Application for consent for compulsorily acquisition of a derelict site in accordance with Section 14 of the Derelict Sites Act 1990, as amended

Location

Main Street, Glin, County Limerick

Local Authority

Limerick City and County Council

Notice Party

Colm Ryan

Date of Site Inspection

5th May 2026

Inspector

Gary Farrelly

1.0 Introduction

- 1.1. This case relates to a request by Limerick City and County Council for the consent of An Coimisiún Pleanála to the compulsory acquisition of the subject site at Main Street, Glin, County Limerick, in accordance with the provisions of the Derelict Sites Act 1990, as amended.

2.0 Site Location and Description

- 2.1. The subject site is located within the village of Glin, County Limerick, which is located within the northwest of the County approximately 13km west of the town of Foynes. The property comprises of single storey end-of-terrace dwelling which bounds the public street. The side elevation of the structure also fronts a side street which provides access to the rear of a number of properties that front Main Street. The subject property is located within the Glin architectural conservation area (ACA).
- 2.2. My observations of the property on the date of my site inspection were as follows:
- The property was vacant.
 - The roof of the structure was overgrown with vegetation and covered in black sheeting.
 - There was a structure in ruins to the rear of the property overgrown with vegetation.
 - There were missing rainwater goods on the structure.
 - The external walls of the property were in a neglected state.

3.0 Application for consent for acquisition

- 3.1. Limerick City and County Council has applied to the Commission for consent to compulsorily acquire the site under Section 16 of the Derelict Sites Act 1990, as amended. I note that this application is subsequent to the serving of notices under Section 8(2) on 11th October 2022 (advising of the Local Authority's intention to enter the site on the register of derelict sites), and under Section 8(7) on 9th October 2024 (advising of the Local Authority's decision to enter the site on the register of derelict sites).

4.0 Application and Objection

4.1. Notice of Intention to acquire

Notice of Limerick City and County Council's intention to acquire the site was served on Colm Ryan, in a letter dated 10th December 2025, and which was published in the Limerick Post newspaper on 13th December 2025. The site was described as follows in the notices:

- A derelict site comprising a cottage residence and surrounding land situate at Main Street, Glin, County Limerick, containing 0.012 hectares or thereabouts. The said property and surrounding land are in a state of dereliction. The said derelict site is more particularly shown outlined in red on map bearing reference no. DS-140-22 in the Derelict Sites Register established and maintained by Limerick City and County Council under Section 8 of the Derelict Sites Act, 1990.

I am satisfied that the notices were in accordance with the requirements of Section 15(1)(a) and (b) of the Derelict Sites Act 1990, as amended.

4.2. Objection to Local Authority

An objection to the proposed compulsory acquisition was submitted to Limerick City and County Council from the owner Colm Ryan. The grounds of objection are summarised as follows:

- It has always been the owner's intention to renovate the property. It has taken some time to prepare drawings from an engineer and to finalise an application for the Croí Conaithe grant, as well as gathering funds to pay for the works until the grant is paid.
- It is stated that the owner never received a letter from the council. It was signed for by the owner's father who is unsure of where the letter is. The owner is now able to act accordingly following correspondence with the local authority.

4.3. Local Authority Application for Consent

The local authority requests the consent of the Commission to the compulsorily acquisition of the derelict site. The application for consent was submitted on 17th February 2026 and was accompanied by the following:

- Local authority compulsory acquisition report
- Copy of the section 15 notice served on Colm Ryan, dated 5th December 2025.
- Copy of the newspaper notice, within the 13th December 2025 issue of the Limerick Post.
- Copy of the objection made by Colm Ryan (*summarised in Section 4.2 above*).

The local authority's compulsory acquisition report is summarised as follows:

- Limerick City and County established a specialised 'Dereliction, Vacancy and Re-Use Unit' in 2017 to bring derelict and vacant properties back into use with a particular emphasis on areas of high housing demand, town and village centres and the historic core of Limerick City. Its general approach is to work proactively with property owners, with timely actions and improvement of sites through positive engagement. It is stated that the powers to compulsorily acquire lands under the Derelict Sites Act, 1990 are used only where necessary, where all reasonable alternatives have been exhausted.
- A number of issues are taken into account when progressing an acquisition case. They include; the planning history and outstanding planning permissions; evidence of efforts to address vacancy and dereliction; security, safety to the public and the general condition of the site; the conservation value of the building and requirement for remedial restoration works; and the feasibility of various actions to make good the site and find viable uses for the site.
- The end of terrace single storey property and surrounding land containing 0.012 hectares is vacant and in a derelict condition for a considerable period. The site detracts from the amenity, character and appearance of the well maintained property in the area. The site is deemed derelict by definition under Section 3 of the Derelict Sites Act 1990, as amended.

- Some indicators that apply to the site include ruinous building elements to the rear; holes in roof, loose and slipped slates; missing, broken, leaking rainwater gutters or downpipes; loose masonry or falling plaster; broken, missing or boarded up windows at rear; dirty façade; ivy growing out of roof; accumulation of litter and on site and rear of property; and site overgrown with vegetation. The site detracts to a material degree from the character and appearance of the surrounding area.
- There are no recent statutory planning or enforcements associated with the site. The location of the site is zoned 'existing residential' in the Limerick Development Plan 2022-2028.
- The title to this property is comprised in Folio LK70988F and the registered owner is Colm Ryan of Coast Road, Glin.
- The local authority first inspected the site on 12th August 2022 and identified it as a derelict site. Site ownership enquires were made through the land registry system and planning and development searches were subsequently carried out. On 11th October 2022, the local authority served the landowner at the time by registered post a Section 8(2) notice of intention to enter the land in the Derelict Sites Register. The notice was also affixed to the property.
- The owner at the time came forward and on 7th November 2022 the area inspector had a detailed phone call with the then owner who explained his situation and that he was putting the property up for sale. He requested some time to allow a new owner be found. The area inspector received a further phone call from a local auctioneer on 19th January 2023 informing him that the property was being put up for sale on the open market.
- The sale of the property was completed in the middle of 2023 and transferred into the new ownership of Colm Ryan in December 2023.
- On 30th July 2024, the local authority requested an update regarding the site from the owner as no remedial work had progressed on site. This letter was not responded to.

- On 9th October 2024, the local authority served a Section 8(7) Notice of Entry of Land into the Derelict Sites Register to the owner by registered post. The notice was also affixed to the site.
- On 21st October 2024, the owner contacted the local authority confirming ownership of the site and informed it that he was applying for the vacant property refurbishment grant to bring the property out of dereliction.
- On 18th November 2024, the owner contacted the office again to inform the local authority that he would be building a new build property on the site. The owner was directed to the planning office.
- Nothing further improved with the condition on site and in July 2025 the local authority contacted the owner again for an update. On 3rd July 2025, the owner once again informed the local authority that he was going to build on the site. However, there had been no planning application lodged and the owner did not give an indication that one would be lodged.
- On 13th October 2025, the local authority made a further follow up attempt to seek an update on the site and proposed works. There was no response to this request.
- As the land continued to be in a derelict state, the local authority exercised its powers of compulsory acquisition under Section 14 of the Derelict Sites Act 1990, as amended, and gave notice of intention to acquire the derelict site compulsorily to the owner. This was advertised in the Limerick Post newspaper on 13th December 2025.
- On 16th January 2026, a letter of objection to the proposed acquisition was received from the registered owner Colm Ryan and was duly acknowledged. The objection refers to the owner working in the background for the last number of years to bring the property out of dereliction. The owner mentions engaging engineers to create drawings, gathering funds to develop the site, and attempting to make a grant application to renovate the property.
- Meanwhile, the adjoining neighbours to this derelict site and the rest of the local community live with and endure the ongoing neglect, decay and unsightly nature of this property. It detracts from their own well-kept residences and

impacts on the enjoyment of their locality of which they are most proud. The property is situated close to a number of historic properties which are generally occupied as residential and commercial units, which are well maintained and in good condition. The land in the general vicinity forms part of the Glin Architectural Conservation Area and contains many historic and protected structures. The area has an attractive appearance and the public realm is well cared for with high quality public amenities.

- It is the contention of the council that the inaction of the property owner and failures of his duties under the Derelict Sites Act that jeopardises the future use of properties in the area due to their continued neglected and derelict state. In this case, the property continues to deteriorate and attract negative attention in a key area of Glin Village. The only option available to the council is to acquire this property compulsorily and bring it back into productive use.

4.4. Objection to the Commission

The owner submitted an observation to the Commission on 12th March 2026 in response to the local authority's application. The observation repeats the issues lodged in the objection to the local authority, as well as the following:

- A scope of works has been made out and quotes for the task and the owner is now in a position to proceed with the renovation of the property. The owner has applied for the Croí Cónaithe grant.
- The owner has a strong relationship with the neighbours and there is an appreciation for the unique setting of the town. The owner has been a member of Glin Development Association for the past 20 years and he knows how important it is to keep the village in good order.

5.0 Relevant Planning History

None

6.0 Limerick Development Plan 2022-2028

Objective CGR 04 Active Land Management

It is an objective of the Council to:

b) Support and facilitate the reuse and revitalisation of derelict, vacant and underutilised sites and disused buildings throughout Limerick for residential, economic, community and leisure purposes.

Objective CGR 06 Derelict Sites

It is an objective of the Council to utilise the provisions of the Derelict Sites Act 1990, including the maintenance of a Derelict Site Register and CPO powers to address instances of dereliction and decay in the urban and rural environment and bring properties back into active reuse.

Policy CGR P4 Revitalisation of Towns and Villages

It is the policy of the Council to:

a) Actively address issues of vacancy and dereliction in settlements across Limerick.

The subject property is located within the Glin architectural conservation area (Volume 3).

Objective EH O53 Architectural Conservation Areas (Volume 1)

It is an objective of the Council to:

a) Protect the character and special interest of an area, which has been designated as an Architectural Conservation Area (ACA) as set out in Volume 3.

7.0 Derelict Sites Act 1990 (as amended)

The Derelict Sites Act 1990, as amended, makes provisions to prevent land being or becoming a derelict site. Amongst other things, it enables local authorities to require landowners or occupiers to take measures on derelict sites and, in certain circumstances, to acquire derelict sites compulsorily.

Section 3 of the Act defines 'derelict site' as:

“Any land...which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures which are in a ruinous, derelict, or dangerous condition, or

(b) the neglected, unsightly, or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by or under statute or by common law.”

Section 8 of the Act requires local authorities to establish a register of derelict sites in their functional area and to serve notices on occupiers/owners of their intention to do so.

Section 9 places a duty on every owner and occupier of land, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site.

Section 10 places a similar duty on local authorities to take all reasonable steps, including the exercise of any appropriate statutory powers, to ensure that any land in their functional area does not become or continue to be a derelict site.

Section 11 of the Act enables local authorities to serve a notice on an owner or occupier of land, requiring them to take specified measures to prevent land becoming or continuing to be a derelict site.

Section 14 provides that a local authority may acquire by agreement or compulsorily any derelict site situated in their functional area.

Section 15 sets out arrangements for giving notice, if the local authority intend to acquire a derelict site compulsorily, and section 16 sets out arrangements if the owner/occupier wish to object to the acquisition. Specifically, section 16, as amended, provides that where an objection is made, the derelict site shall not be acquired compulsorily by the local authority without the consent of the Board.

8.0 Assessment

Site Inspection

- 8.1. The Commission should note that I inspected the site on 5th May 2026 and observed that the property was vacant. I observed that the roof of the structure was overgrown with vegetation and covered in black sheeting. There was a structure in ruins to the rear of the property overgrown with vegetation. There were missing rainwater goods on the structure and the external walls of the property were in a neglected state.
- 8.2. I observed that the subject property was situated along the Main Street that runs through the village of Glin and, thus, represented a highly visible location along the public street. I also observed that many of the properties along the street comprised of residential properties which were mostly in a well-maintained condition.

Category of Dereliction

- 8.3. The Commission should note that within the local authority's Section 15 Notice it considered that the property and lands fell under Categories (a) and (b) of Section 3 of the Derelict Sites Act 1990, as amended (herein referred to as "*the Act*"). Based on my observations on the date of my site inspection, as set out in paragraph 8.1 above, and to the photographs provided by the local authority, I consider that the subject property falls under Categories (a) and (b) of Section 3 of the Act:
- The structure is in a ruinous and derelict condition.
 - The lands and structure are in a neglected, unsightly and objectionable condition.
- 8.4. I observed no significant deposition of litter, rubbish, debris or waste to the front of the property or within the local authority's photographs of the rear of the property. Therefore, I am satisfied that the property does not fall under Category (c) of Section 3 of the Act. However, having regard to categories (a) and (b) above, to my observations set out within paragraphs 8.1 and 8.2 above, it is my view that the lands are detracting to a material degree from the amenity, character and appearance of land in the neighbourhood of the land in question. Therefore, I consider that the property is a derelict site within the meaning of Section 3 of the Act.

Actions of Local Authority

- 8.5. I will now consider whether the actions of the local authority have been fair and reasonable, whether it has taken all reasonable steps to ensure that the property does not continue to be a derelict site and whether it has given the current owner adequate opportunity to address the said dereliction.
- 8.6. Having reviewed the information on file including the Local Authority Compulsorily Acquisition Inspector's Report, I note that the local authority first inspected the property on 12th August 2022 and identified it as a derelict site. It is outlined that there were site ownership enquires made through the land registry as well as a search of the planning and development history of the property.
- 8.7. On 11th October 2022, a Section 8(2) notice under the Act was served on the previous owner by registered post and also affixed to the site. On 7th November 2022, the previous owner came forward and explained to the local authority that he was putting the property up for sale and requested time to allow a new owner be found. The local authority received a further phone call from a local auctioneer on 19th January 2023 advising that the property was being put on the open market for sale. The local authority states that this sale was completed in December 2023 to the current owner, Colm Ryan.
- 8.8. On 30th July 2024, which I note was approximately 8 months since the transfer of ownership, the local authority requested an update on the site as no remedial work had been carried out. I note that there was no engagement to the local authority's letter. As a result, the local authority served a Section 8(7) notice under the Act on 9th October 2024 to the current owner by registered post and affixed the notice to the site.
- 8.9. I note that the local authority then received correspondence from the owner on 21st October 2024 and 18th November 2024 advising it, on the first occasion, that he would be applying for the vacant property refurbishment grant to bring the property out of dereliction, and on the second occasion, that he would be building a new property on the site. I note that the local authority directed the owner to the planning office.
- 8.10. In July 2025, the local authority noted no further improvement to the site and once again contacted the owner for an update. The owner responded on 3rd July 2025 outlining that he was planning on building a new build property. However, the local

authority noted that there was no planning application for the development lodged nor any indication from the owner when one would be lodged.

- 8.11. The local authority made a further follow up attempt with the owner on 13th October 2025, however, there was no response from the owner to this request. The Commission should note that the local authority gave notice of its intention to acquire the site compulsorily to the owner on 5th December 2025. The Section 15 notice was affixed to the property (photograph provided), advertised in the local newspaper and sent to the owner. I acknowledge that this is over 3 years after its first inspection and categorisation of the property as derelict. I would also highlight to the Commission that the owner appears to contend that he had not received the Section 15 Notice (*in an email dated 5th January 2026 although not specific on which letter*) due to his elderly father signing for it and, thus, requested a further copy. However, I note that the notice was also affixed to the property and the owner managed to lodge an objection within the statutory timeframe.
- 8.12. Having regard to the information on file, the Commission should note that I consider that the efforts of the local authority have been fair and reasonable. I note that the serving of the Section 8(2), Section 8(7) and Section 15 notices were all in accordance with the requirements of Section 6 of the Act. I consider that the local authority has attempted to positively engage with both the previous and current owners, discussed the dereliction issues and has provided sufficient time and opportunity for the dereliction to be addressed, including sufficient time since the transfer of ownership and for the lodgement of a planning application for a new build. Overall, I am satisfied that the local authority has taken all reasonable steps in its power to date to ensure that the land does not continue to be a derelict site.

Compliance with development plan policy

- 8.13. I will now determine whether the proposed acquisition would be in accordance with the policies and objectives of the Limerick Development Plan 2022-2028 (*herein referred to as "the LDP"*). The Commission should note that it is the stated policy of the local authority to actively address issues of vacancy and dereliction in settlements across the county. This is set out in Policy CGR P4 (Revitalisation of Towns and Villages) of the LDP. Furthermore, I note that objective CGR O4(b) (Active Land Management) of the LDP seeks to support and facilitate the reuse and revitalisation

of derelict, vacant and underutilised sites and disused buildings in the County for purposes including residential and community. Moreover, objective CGR O6 (Derelict Sites) of the LDP seeks to use the provisions of the Derelict Sites Act, including compulsory acquisition powers, in order to address dereliction and decay and bring properties back into use.

- 8.14. Therefore, it is my view that the proposed acquisition would be in accordance with Policy CGR P4 and objectives CGR O4(b) and CGR O6 of the LDP. I am satisfied that the compulsory acquisition of the property would bring the property back into use, and thus, would facilitate a community and residential need for the area.
- 8.15. Additionally, the Commission should note that the subject property is situated within the Glin Architectural Conservation Area (ACA), as designated within Volume 3 of the Limerick Development Plan 2022-2028, where it is the objective of the Council under Objective EH O53(a) (Architectural Conservation Areas) to protect the character and special interest of the area. It is my view that the local authority's acquisition of the property in order to reuse and revitalise this derelict property would be in accordance with said objective.

Actions of the Owner to address dereliction

- 8.16. Whilst I have already determined that the local authority has taken all reasonable steps to ensure the land does not continue to be a derelict site, the final issue is to determine whether the current owner has taken all reasonable steps to ensure the land does not continue to be a derelict site and whether there is a likelihood of a timely resolution to address same.
- 8.17. I note from the information on file that the owner completed the purchase of the property in December 2023, which was after the serving of the Section 8(2) Notice by the local authority on 11th October 2022. According to the local authority compulsory acquisition report, the current owner did not respond to a letter from the local authority on 30th July 2024.
- 8.18. I note that the current owner first contacted the local authority on 21st October 2024 after it served the Section 8(7) Notice on 9th October 2024. The owner confirmed ownership of the site and advised the local authority that he would be applying for the vacant property refurbishment grant. The owner then contacted the local authority again on 18th November 2024 advising it that he was planning on building a new build

property on the site. After the local authority contacted the owner again in July 2025, I note that the owner once again advised it that he planned on building a new build property. I note from the information on file that the owner did not respond to a further follow up from the local authority on 13th October 2025.

- 8.19. Having reviewed the grounds of the owner's objection submitted to the local authority and to the Commission, he outlines that it has always been his intention to renovate the property and that he has been dealing with an engineer in relation to drawings. He has also highlighted that he had been finalising the application for the Croí Cónaithe grant, as well as obtaining funds to pay for the works until the grant is paid. The owner states that he is now in a position to move forward on getting the property renovated with a scope of works made out and quotes for the task ahead.
- 8.20. However, the Commission should note that the owner has provided no detailed information regarding the scope of works/quotation as part of his objection. I have also conducted a planning search of the property to establish whether there has been any recent planning application lodged with the planning authority for a new build property and note no such details on the local authority's planning register.
- 8.21. Having regard to the totality of information on file, notwithstanding the transfer of ownership of the property in December 2023, it is my view that the current owner has not taken all reasonable steps to ensure that the land does not continue to be a derelict site. Additionally, having regard to the level of information provided by the owner it is my view that the likelihood of the dereliction being addressed by the owner in a timely manner is low.

9.0 Conclusion

- 9.1. I am satisfied that the process and procedures undertaken by Limerick City and County Council have been fair and reasonable, that the local authority has demonstrated the need for the lands and that all the lands being acquired are both necessary and suitable to ensure that the lands do not continue to be a derelict site.
- 9.2. Having regard to the Constitutional and Convention protection afforded to property rights, I consider that the proposed acquisition of the derelict site comprising a cottage residence and surrounding land containing 0.012 hectares or thereabouts at Main Street, Glin, County Limerick, as set out in the derelict site notice issued under Section

15(1)(b) of the Derelict Sites Act 1990, as amended, and dated the 5th day of December 2025 and on the deposited maps DS-140-22, pursues, and was rationally connected to, a legitimate objective in the public interest, namely, to ensure that the lands do not continue to be in a derelict condition.

9.3. I am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible. In this respect, I have considered alternative means of achieving the objective referred to in the submissions to the Commission and am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the compulsory acquisition by the acquiring authority unreasonable or disproportionate.

9.4. The effects of the compulsory acquisition on the rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed acquisition of these lands would be consistent with the policies and objectives of the Limerick Development Plan 2022-2028, and specifically Policy CGR P4 (Revitalisation of Towns and Villages), Objective CGR O4(b) (Active Land Management) and Objective CGR O6 (Derelict Sites), which seek to actively address instances of dereliction and decay in the urban and rural environment and bring properties back into active reuse and to revitalise settlements. Furthermore, I consider that the acquisition of this property within the Glin architectural conservation area would also be in accordance with objective EH O53(a) (Architectural Conservation Areas) of the Limerick Development Plan 2022-2028 which seeks to protect the character and special interest of the area. Accordingly, I am satisfied that the grant of consent to compulsorily acquire these lands is clearly justified by the exigencies of the common good.

10.0 Recommendation

10.1. Having regard to the observed condition of the application site, in particular the existence of a ruinous and derelict structure and to the neglected, unsightly and objectionable state of the land and structure thereon, I consider that the site materially detracts from the amenity, character and appearance of land in the neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act

1990, as amended. I consider that it is reasonable that the local authority seeks to compulsorily acquire the land, as provided by Section 14 of the Act. Therefore, it is my recommendation to the Commission that the local authority is **Granted** consent to the compulsory acquisition of all of the derelict site.

11.0 Reasons and Considerations

Having regard to the ruinous and derelict condition of the structure and to the derelict, neglected, unsightly and objectionable state of the land and structure thereon, having considered the objection made to the compulsory acquisition, and also:

- The constitutional and Convention protection afforded to property rights,
- The public interest, and
- The provisions of the 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. It is considered 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 affected landowners are proportionate to that objective and justified by the exigencies of the common good.

Declaration

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Gary Farrelly
Planning Inspector
26th May 2026