

An
Coimisiún
Pleanála

Direction
CD-020026-25
ABP-321930-25

The submissions on this file were considered at a meeting held on 24/06/2025.

The Commission decided to REFUSE consent to the compulsory acquisition of the subject site based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

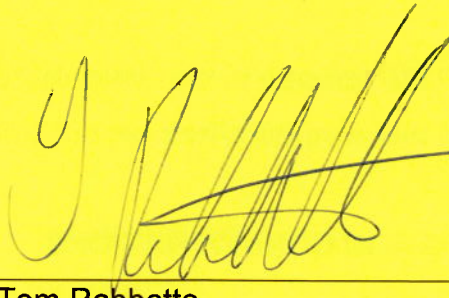
Having regard to the requirement of sections 15(1)(a) and (b) of the Derelict Sites Act 1990, as amended, to, *inter alia*, describe the land to which the notice of intention to acquire a derelict site compulsorily relates, the Commission notes that the newspaper notice and notice to owner/lessee/occupier describes the dwelling on the subject land as “a semi-detached bungalow”. However, the Commission notes that the dwelling is actually a detached bungalow. The Commission therefore determines that the description is misleading and inaccurate and does not comply with the provisions of said sections 15(1)(a) and (b) of the 1990 Act, as amended. The Commission therefore refuses consent to the compulsory acquisition of the subject site.

Note: It is not immediately clear to the Commission as to the standing of the objector to the compulsory acquisition of the subject site. In that regard, the objector does not appear to be the registered owner or lessee or occupier of the subject site and associated dwelling, as required under section 15(1)(b) of the Derelict Sites Act 1990, as amended. It is unclear to the Commission on what statutory basis the objector was notified by Kerry County Council of the intention to acquire the subject site compulsorily. The standing of the objector to the compulsory acquisition of the

subject site therefore remains unclear, however, given the substantive reason to refuse consent to the compulsory acquisition as indicated above, the Commission decided not to pursue this matter any further at this juncture.

Planning

Commissioner:

A handwritten signature in black ink, appearing to read 'Tom Rabbette', written over a horizontal line.

Date: 24/06/2025

Tom Rabbette