

An
Coimisiún
Pleanála


Direction
CD-022147-26
ACP-323878-25

The submissions on this file and the Inspector's report were considered at a meeting held on 30/04/2026.

The Commission decided to grant consent to the compulsory acquisition in accordance with the Inspector's recommendation, for the following reasons and considerations set out below.

Planning

Commissioner:


Mary Henchy

Date: 06/05/26

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the neglected, unsightly and objectionable state of the land, 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, and,
- (c) the provisions of Clare County Development Plan 2023-2029,

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), (b) and (c) of the Derelict Sites Act, 1990, as amended, and 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