An Coimisiún Pleanála

Direction
CD-022562-26
ACP-324357-26

At a meeting held on 20/10/2026, the Commission considered:

(a) the objections made to the Notice of Intention to compulsory acquire the said site,

(b) the report of the Inspector and

(c) the documents and submissions on file generally.

The Commission decided (2:1 vote) to consent to the compulsory acquisition of the said site for the reasons and considerations below.

Reasons and Considerations

Having regard to the ruinous and derelict condition of the structure and the derelict, neglected, unsightly and objectionable state of the structure and 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 the Clare County Development Plan 2023-2029, as varied,

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 (b) 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.

Planning Commissioner: **Date:** 20/10/2026

Marie O'Connor

Marie O'Connor