An Coimisiún Pleanála

Direction
CD-022586-26
ACP-324364-26

The submissions on this file and the Inspector's report were considered at a meeting held on 27/10/2026.

The Commission decided to grant consent for the compulsory acquisition of the property at Dock Road Tuamgraney County Clare for the following reasons and considerations, and subject to the following conditions.

Planning Commissioner: Mick Long **Date:** 27/10/2026

DRAFT WORDING FOR ORDER

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:

- The constitutional and convention protection afforded to property rights,
- The public interest, and
- The provisions of the Clare County Development Plan 2023-2029,

it is considered that the property 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, and that the compulsory acquisition of the property by the local authority is necessary in order to render the property non-derelict and to

prevent it from continuing to be a derelict property. It is also considered that the objection made to the Council 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.