

An
Coimisiún
Pleanála

Direction
CD-022545-26
ACP-324391-26

At a meeting held on 05/10/2026, the Commission considered:

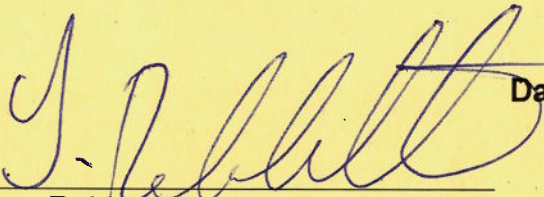
- (a) the objections made to the compulsory acquisition,
- (b) the report of the Inspector and
- (c) the documents and submissions on file generally.

The Commission decided to REFUSE CONSENT for the compulsory acquisition as indicated in the draft Order hereunder.

Planning

Commissioner:

Date: 15/10/2026


Tom Rabbette

Draft Order

Reasons and Consideration

The Commission considered that while the property may be considered to be in somewhat of a neglected state, the Commission was not satisfied that the property met the criteria as listed under section 3(a), (b) or (c) of the Derelict Sites Act 1990

(as amended) at this juncture. In addition, the Commission considered that there was a lack of clarity as to what specific measures were required by the Local Authority of the property owner to prevent the property from becoming a derelict site. The Commission also noted recent works carried out to the property, namely, the painting of the front door of the dwelling. Having regard to the foregoing, the Commission considered that the compulsory acquisition of the property at this juncture may be considered excessive and disproportionate in seeking to address potential dereliction.

In deciding not to accept the Inspector's recommendation to grant consent to the Local Authority for the compulsory acquisition of the property, the Commission noted, inter alia, that the Local Authority considered that the property met all three criteria as listed in section 3 of the Derelict Sites Act 1990 (as amended) whereas the Inspector found that it met one of the criteria. The Commission were not satisfied that the condition of the building justified a remedy of compulsory acquisition at this time. The Commission also noted that it appears that the Local Authority did not avail of the provisions of section 11 of the Derelict Sites Act 1990 (as amended) and that, in the circumstances, and given constitutional and convention protection afforded to property rights, the compulsory acquisition was not justified at this juncture.