An Coimisiún Pleanála

Direction
CD-022674-26
ACP-324394-26

The submissions on this file and the Inspector's report were considered at a meeting held on 11/11/2026.

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

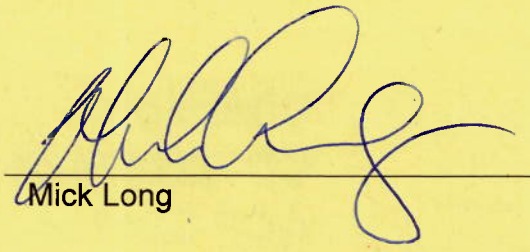
Reasons and Considerations

Having regard to the existence on the land in question of structures which are in a derelict and dangerous condition, and the neglected, unsightly and objectionable state of the land and the structures thereon, 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:** 11/11/2026

Mick Long