



An
Bord
Pleanála

Board Order ABP-319207-24

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2022

Planning Authority: Clare County Council

Application received by An Bord Pleanála on the 16th day of February 2024 from Clare County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a derelict site at Number 4 Glensheen, Gort Road, Ennis, County Clare and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

REFUSE consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.

Reasons and Considerations

It is considered that the structural integrity of Number 4 Glensheen is intact, that the building is neither in a ruinous or dangerous condition, and that the property does not detract to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question. The Board also had regard to

- (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.

Furthermore, it is considered that the existing house and its associated curtilage could reasonably be restored to residential use and does not constitute a derelict site for the purposes of the Derelict Sites Act, 1990, as amended. The Board, therefore, has decided that it would be appropriate to refuse to consent to the compulsory acquisition of the site.


Liam Bergin
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 29th day of  2024