

An  
Bord  
Pleanála

## Board Order ABP-320993-24

**Derelict Sites Act, 1990**

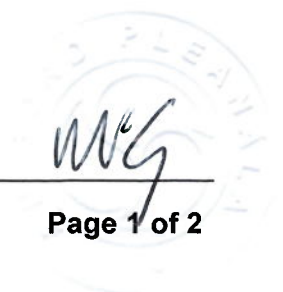
**Planning and Development Acts, 2000 to 2022**

**Planning Authority: Clare County Council**

**Application** received by An Bord Pleanála on the 4<sup>th</sup> day of October 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 Erin Street, Kilkee, 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

Notwithstanding the current derelict, neglected, unsightly, and objectionable condition of the subject site, which detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, taking account of recent changes to ownership or possession of the subject site, of the owner's intention to carry out repairs to the subject property, of the owners stated intention to apply for planning permission for redevelopment of the subject property, the Board decided that it would be appropriate and reasonable to provide some further time for the owner to bring the site out of dereliction and that it would, therefore, be appropriate to refuse consent for the compulsory acquisition of the site at this time.

In deciding not to accept the recommendation of the Board's Inspector to consent to the proposed compulsory acquisition, the Board noted that the property had only been recently re-entered on the Derelict Sites Register in May 2024, that notice of such entry had been served upon the unnamed owner of the property by posting a notice on the subject site, that no recent notice under section 11 of the Derelict Sites Act had been issued, and that the notice party had given a commitment to take concrete steps to address the current derelict and objectionable condition of the property.



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

Dated this 18<sup>th</sup> day of MARCH 2025