



An
Coimisiún
Pleanála

Commission Order ABP-321930-25

Derelict Sites Act, 1990

Planning and Development Acts, 2000 to 2022

Planning Authority: Kerry County Council

Application received by An Coimisiún Pleanála on the 21st day of February, 2025 from Kerry County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a site at Gregory House, Clash West, Tralee, County Kerry 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

Having regard to the requirement of sections 15(1)(a) and (b) of the Derelict Sites Act 1990, as amended, to, *inter alia*, describe the land to which the notice of intention to acquire a derelict site compulsorily relates, the Commission notes that the newspaper notice and notice to owner/lessee/occupier describes the dwelling on the subject land as "a semi-detached bungalow". However, the Commission notes that the dwelling is actually a detached bungalow. The Commission therefore determines that the description is misleading and inaccurate and does not comply with the provisions of said sections 15(1)(a) and (b) of the Derelict Sites Act, 1990, as amended. The Commission therefore refuses consent to the compulsory acquisition of the subject site.



Tom Rabbette

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 26th day of June 2025