



An
Bord
Pleanála

Inspector's Report

ABP-321316-24

Development

Application for consent for compulsory acquisition of a derelict site in accordance with Section 14 of the Derelict Sites Act 1990, as amended

Location

4 Saint Munchin's Terrace, Sexton Street North, Limerick

Planning Authority

Limerick City and County Council

Notice Party

Michael Clancy

Date of Site Inspection

07th February 2025

Inspector

Clare Clancy

1.0 Introduction

- 1.1. This case relates to a request by Limerick City and County Council for the consent of An Bord Pleanála to the compulsory acquisition of the subject site at 4 Saint Munchin's Terrace, Sexton Street North, Limerick (Folio Ref. LK76076F) in accordance with the provisions of the Derelict Sites Act 1990, as amended.

2.0 Site Location and Description

- 2.1. The property which is the subject of this application for consent for compulsory acquisition (referred to hereafter as the 'subject property'), is located at 4 St. Munchin's Terrace on Sexton Street approx. 1.5 km to the northwest of Limerick city centre.
- 2.2. It is a mid-terrace single storey dwelling with a rear back garden and has a stated site area of 0.028 ha. The terrace is set back from the adjoining public road with a parking area between the terrace and the public road. The rear garden area is generous in depth and is bounded to the south by two-storey semi-detached dwellings located on the Farran Villa road. The northwest boundary of the site is defined by a partial block boundary wall and timber panel fencing, and the south eastern boundary is defined by a block wall.
- 2.3. The subject property is not a Protected Structure nor is it listed on the National Inventory of Architectural Heritage (NIAH).
- 2.4. Pursuant to site inspection, I noted that the front elevation including the front door was painted and that the internal space of the dwelling is gutted. The garden area at the rear is covered by a black membrane weed control barrier. It was noted also that an adjoining outbuilding / garage was removed, otherwise the garden area, the rear elevation and the existing boundaries remain the same when compared to the council's last inspection of the site on the 19th July 2024 and remain in a state of dereliction.

3.0 Application for Consent for Acquisition

- 3.1. Limerick City and County Council has applied to the Board for consent to compulsorily acquire the site under Section 14/16 of the Derelict Sites Act, 1990, as amended. I note that this application is subsequent to the serving of notices as follows:

- Section 8(2) on the 20th June 2023 advising of the Local Authority's intention to enter the site on the register of derelict sites, and under Section 8(2).
- Section 8(7) on the 05th September 2023 advising of the Local Authority's decision to enter the site on the register of derelict sites and under Section 8(7).
- Section 22 Notice of valuation was issued on the 01st December 2023.
- Section 15(1)(a) on the 26th September 2024 notifying of the Local Authority's intention to acquire the site compulsorily.

4.0 Application and Objection

4.1. Notice of Intention to Acquire

4.1.1. Notice of Limerick City and Council's intention to acquire the site compulsorily was served on the owners/occupiers/lessee (Retirement Asset Holdings, Michael Clancy) on the 20th September 2024. The site was described as follows in the notice:

- A derelict site comprising a mid-terrace dwelling and surrounding land situated at 4 St. Munchin's Terrace, Sexton Street North, Limerick, containing 0.028 hectares or thereabouts. The said property and surrounding land is in a state of dereliction. The said derelict site is more particularly shown outlined in red on a map bearing reference no. DS-074-17 in the Derelict Sites Register established and maintained by Limerick City and County Council under Section 8 of the Derelict Sites Act, 1990.

4.1.2. I consider that the notice(s) were in accordance with the requirements of Section 15(1)(a) and (b) of the Derelict Sites Act, 1990, as amended.

4.2. Objection to Acquisition

4.2.1. An objection to the proposed compulsory acquisition was submitted to Limerick City and County Council by the owner Michael Clancy c/o Michael Glynn & Co. Solicitors on the 25th October 2024 by email. The objection can be summarised as follows:

- The owner objects to the compulsory acquisition of the proposed.

- The property was fully stripped internally, the outside of the property was being painted, new windows were being installed and the front door being upgraded.
- It is the landowners intention to bring the house/property up to habitable level.
- The shed at the rear will be knocked rendering the house fully habitable.
- It is the owner's intention to have the works completed by 31st October 2024.
- An engineer is retained to oversee and supervise the development.

4.3. Local Authority's Application for Consent

4.3.1. The Local Authority requests the consent of the Board to the compulsory acquisition of the derelict site. The application for consent was submitted on the 22nd November 2024 and was accompanied by the following:

- Local Authority Compulsory Acquisition Report (i.e. Derelict Site report) which sets out the Local Authority's strategic approach to the derelict sites in the city and county, a description of the site, the background to the case and the details of the objection. The report included photographs and a map of the site area.
- Copy of the Section 15 Notice served on the owners/ occupiers/lessees of the site dated 20th September 2024.
- Copy of the newspaper notice dated 28th September 2024.
- Copy of the objection made by the owner Michael Clancy.

4.3.2. The derelict site report can be summarised as follows:

- Limerick City and County have established a specialised 'Dereliction and Vacancy Team' to take an area-based collaborative approach to addressing vacancy and dereliction in Limerick city and in the towns and villages in the county. They seek to work proactively with property owners, with timely actions and improvement of sites through positive engagement. It is stated that the powers under the Derelict Sites Act 1990 are used only where necessary, where all reasonable alternatives have been exhausted.
- The site detracts to a material degree from the character and appearance of the surrounding area and is deemed derelict due to holes in roof, loose and slipped

slates, missing/broken/ leaking rainwater gutters down pipes, broken, missing, or boarded up windows or doors, dirty façade/ peeling paint, plants growing out of masonry or roof, on security entrances, trespass, or squatters, rotten timber, site overgrown with vegetation, unsightly boundaries (damaged hoarding, broken fences, rusted railings etc).

- The council first inspected the property on the 11th May 2017 and identified it as a derelict site.
- When inspected on the 11th May 2017, the front façade was unpainted, the windows and front door were in place, the rear elevation was in a poor state of disrepair with a window missing. The existing adjoining outbuilding was in situ albeit unroofed, and no windows or door and in very poor condition. The rear back garden was overgrown.
- A Notice of Enquiry seeking information on ownership of the derelict site was affixed to the property on the 11th May 2017.
- A Section 8(2) notice was served on the 18th November 2019 and the Local Authority received a call on the 31st March 2021 from Mr Sparling advising that the property was being sold.
- On 10th September 2021 the Local Authority arranged a site meeting with the prospective owner Michael Clancy to outline the required remedial measures to address the dereliction.
- On 07th October 2021, the Local Authority received a letter from Michael Clancy indication his intention to renovate the property without delay.
- On 17th January 2022, the area inspector carried out a site inspection and recommended the removal of the case details from the Derelict Sites Register and the case closed (I note that there are no photos in relation to this site inspection appended to the file).
- On 29th March 2023, the area inspector carried out a site inspection and contacted the owner Michael Clancy by email requesting a progress update on the condition of the property. The owner requested details of the Repair and Lease Scheme.

- On 27th April 2023, a new registered owner of the property was noted, Retirement Asset Holdings.
- On 15th June 2023, complaints were received by the Local Authority from a neighbour in relation to vermin around the property.
- On 27th June 2023, the Local Authority issued a Section 8(2) notice to the owner of the property, and affixed a notice to the property.
- On 05th September 2023, the Local Authority issued a Section 8(7) Notice of Entry of Land on the Derelict Sites Register to the owner, and affixed a notice to the property. No response or representation was made to the notice.
- On 01st December 2023, the Local Authority issued a Section 22 Notice of Valuation.
- On 02nd July 2024, the area inspector contacted the owner Michael Clancy advising of complaints being received due to the derelict state of the property who advised that the window would be replaced and of intention to apply for the Vacant Property Refurbishment Grant.
- On 19th July 2024, the area inspector met Michael Clancy at the property. The broken window was replaced and some site clearing works were carried out to the rear. The area inspector concluded that the dereliction to the rear of the property was not addressed and that the internal of the property was in poor condition. Photos of this site inspection are included and when compared to the photos in relation to the site inspection carried out 11th May 2017, other than site clearance works carried out to the rear garden and the ground covered with a black weed control membrane cover, overall site and property improvement works did not progress.
- On 28th September 2024, the Local Authority exercised its powers of compulsory acquisition and gave notice of intention to Acquire Derelict Site Compulsorily.
- Following an objection received by Michael Clancy to the Section 15 notice, the Local Authority concluded that as no progress was made in addressing the dereliction, that it was the Local Authority's intention to acquire this property compulsorily.

- It is the contention of the council that the inaction of the property owner and failures of their duties under the derelict sites act that jeopardies the future use of properties in the area due to their continued neglected and derelict state. In this case the property continues to deteriorate and attract negative attention in a key area of Limerick City. The only option available to the council is to acquire this property compulsorily.

4.4. Objectors Submission

4.4.1. A submission was made to the Board (via email) by Micheál Glynn & Co. Solicitors on behalf of Michael Clancy on the 01st January 2025 in response to the Section 15 notices. This can be summarised as follows:

- The registered owner of the site in relation to Folio 76076F is Retirement Asset Holdings DAC which is a pension trustees of Michael Clancy's wife's pension.
- The landowner has carried out and completed works, and has a framework for the development of the property, with availability of funds from the pension fund.
- Limerick City and County Council was rash in using derelict site legislation to acquire the property by Compulsory Purchase Order legislation and not in the spirit the legislation. The owner has the capacity and intention to address the condition of the property making it modern, energy efficient and aesthetically pleasing and that the action of the Local Authority is overturned.
- Email of 19th December 2024 from the owner Michael Clancy to the solicitor Micheál Glynn:
 - Purchased the property mid 2021.
 - Removed trees and cleared the back garden and addressed rodent issues.
 - Grants are available to owners of vacant properties. An engineer to assess the property and give proposals was retained to provide a detailed plan for the purposes of applying for grants. The application process required an assessment carried out by the Local Authority area inspector. Details of costing for works was required by a builder who would be carrying out the project. The builder initially had agreed to undertake the project, but was no longer able to commit. As a consequence, the Local Authority were seeking

progress reports, and the property was ineligible to apply for dereliction grants due to the type of ownership of the property.

- Works to renovate the property have been undertaken including internal clearance, removal of adjoining outbuilding, repairs made to the front façade including replacement of windows and painting.
- It is proposed to remove and replace the ground floors January 2025.
- Email of 31st December 2024 from the owner Michael Clancy to the solicitor Micheál Glynn noting that the project has been advanced: -
 - Arising from no longer being able to apply for grants, the approach to dealing with the property is for its refurbishment and renovation with individual contractors.
 - External outbuilding removed and demolition waste removed off site.
 - External toilet facility removed and water supply shut off.
 - New windows on front elevation.
 - Front façade painted.
 - Damage to the front of the roof repaired.
 - Overgrowth of rear garden being managed by installation of membrane.
 - Internal area of property gutted back to bear walls, removal of internal partitions, old electrical wiring, non-supporting walls.
 - The roof fully sealed and is now structurally sound.
 - Mindful of the adjacent neighbouring properties and taking measures to ensure no issues arise for them in particular rodent management within the site.
- Engineer's report dated 29th September 2023 appended which outlines proposed upgrade works.

5.0 Planning History

None.

6.0 Policy and Legislation Context

6.1. Limerick Development Plan 2022-2028

- 6.1.1. The subject property is zoned 'Existing Residential' in the Limerick Development Plan 2022-2028, the objective of which is 'to provide for residential development, protect and improve existing residential amenity'.
- 6.1.2. The following objectives are considered relevant;

Strategic Objective 4

'....Support and facilitate revitalisation and consolidation of the City, towns and villages, through public realm and placemaking initiatives. Address vacancy and dereliction to create compact attractive, vibrant and safe environments in which to live, work, visit and invest'

Objective CGR 04 Active Land Management

It is an objective of the Council to:

- b) Support and facilitate the reuse and revitalisation of derelict, vacant and underutilised sites and disused buildings throughout Limerick for residential, economic, community and leisure purposes.

Objective CGR 06 Derelict Sites

It is an objective of the Council to utilise the provisions of the Derelict Sites Act 1990, including the maintenance of a Derelict Site Register and CPO powers to address instances of dereliction and decay in the urban and rural environment and bring properties back into active reuse.

6.2. Derelict Sites Act 1990 (as amended)

- 6.2.1. The Derelict Sites Act 1990, as amended, makes provision to prevent land being or becoming a derelict site. Amongst other things, it enables local authorities to require landowners or occupiers to take measures on derelict sites and, in certain circumstances, to acquire derelict sites compulsorily.
- 6.2.2. Section 3 of the Act defines 'derelict site' as:

“Any land...which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of—

(a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or

(b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by or under statute or by common law.”

6.2.3. Other relevant provisions of the Act are summarised below:

- Section 8 of the Act requires Local Authorities to establish a register of derelict sites in their functional area and to serve notices on occupiers/ owners of their intention to do so.
- Section 9 of the Act places a duty on every owner and occupier of land, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site.
- Section 10 of the Act places a similar duty on Local Authorities to take all reasonable steps, including the exercise of any appropriate statutory powers, to ensure that any land in their functional area does not become or continue to be a derelict site.
- Section 11 of the Act enables Local Authorities to serve a notice on an owner or occupier of land, requiring them to take specified measures to prevent land becoming or continuing to be a derelict site.
- Section 14 provides that a local authority may acquire by agreement or compulsorily any derelict site situated in its functional area.
- Section 15 sets out arrangements for giving notice if the local authority intends to acquire a derelict site compulsorily.

- Section 16 sets out arrangements if the owner/occupier wishes to object to the acquisition and it provides that if an objection is made, then the derelict site shall not be acquired compulsorily by the local authority without the consent of the Board.

7.0 Assessment of Issues

7.1. Site Inspection

7.1.1. On the 07th January 2025, I carried out a site inspection which included the front façade, the internal of the property and the rear back garden area.

7.1.2. My observations of the site on the date of site inspection include the following:

- The front façade was painted.
- New windows installed and the front door painted.
- Spot repair works were carried out to the front of the roof.
- Internally the house was gutted, partition walls and the stairs were removed, including ceilings and floors. This included the removal of the fire place, kitchen and sanitary wear, and electrical wiring.
- Externally to the rear, existing windows and back door are in poor condition and unpainted.
- The rear façade of the ground floor projection is dirty and not repainted.
- The derelict outbuilding was removed.
- The garden area was covered by a black membrane weed control barrier.
- There were a number of 1 tonne skip / rubbish bags and paint tins in the corner of the site.

7.1.3. The property is a mid-terrace single storey dwelling comprising of 10 dwellings. It occupies a prominent position along Sexton Street. The adjoining units appear to be reasonably well maintained with some occupied. I consider that the works carried out to the front façade facing Sexton Street have significantly addressed the state of dereliction in comparison to how the property looked from the most recent photographs

taken by the Local Authority dated 19th July 2024. However, externally to the rear of the property at ground floor level, the overall condition is poor, not habitable, and additional works would be required to take the property out of dereliction.

7.2. Category of Dereliction

7.2.1. I note the Local Authority considered that the property continued to be a “*derelict site*” within the meaning of the Act, and that the property falls under category (a) and (b) of Section 3 of the Derelict Sites Act 1990, as amended.

7.2.2. Based on my site inspection, it is my view that the subject property and lands may be considered to still fall under Category (a) and (b) of Section 3 of the Act.

(a) The existence on the lands of structures which are in a ruinous, derelict or dangerous condition.

(b) The neglected unsightly or objectionable condition of the land or any structures on the land in question.

7.2.3. The façade of the subject property facing the adjoining public road has significantly improved. There was no obvious evidence of significant cracking or structure damage to the external façade. To the rear of the subject property, the adjoining outbuilding which was in a very poor state of despair has been removed. However, the rear elevation of the existing dwelling continues to appear in a ruinous and derelict condition and its condition is neglected and unsightly. There was some evidence of waste being stored externally to the rear of the subject property which was noted to be contained in a number of 1 tonne bags. Having regard to (a) and (b) above, it is my view that the subject property and lands are detracting to a material degree from the amenity, character and appearance of land in the neighbourhood, to the rear of the subject property.

7.3. Action of Local Authority

7.3.1. The Compulsory Acquisition Report of the Local Authority dated 14th November 2024 in the History of the Derelict Site Case, indicates that there was active engagement with the landowner(s). I note that the overall process of the Local Authority commenced on the 11th May 2017 and arising from a Notice of Enquiry commencing

on 11th May 2017, that there was ongoing engagement with the council by the current landowner of the property up to 19th July 2024. Notwithstanding, the report recommends that the property be Compulsorily Acquired under the Derelict Sites Act 1990, as amended.

- 7.3.2. I note the actions of the Local Authority and the statutory notices served on the owners in respect of the property as set out in Section 3.1 above.
- 7.3.3. A Notice of the Local Authority's intention to Compulsorily Acquire the property under Section 15 of the Derelict Sites Act 1990, as amended, was served on 26th September 2024 and published in the Limerick Leader newspaper on 28th September 2024.
- 7.3.4. Under Section 10 of the Derelict Sites Act 1990, as amended, it is noted that the Local Authority has a duty *'to take all reasonable steps (including the exercise of any appropriate statutory powers) to ensure that any land situate in their functional area does not become or continue to become a derelict site.* The policy of the Local Authority as expressed in the compulsory acquisition report, is to work proactively with property owners to seek timely actions to improve and activate sites through positive engagement, using powers under the Derelict Sites Act 1990, as amended, except where necessary.
- 7.3.5. I note that in using its powers to Compulsorily Acquire the property as set out in the Compulsory Acquisition Report, the Local Authority consider the said Compulsory Acquisition accords with policies and objectives of the Limerick Development Plan 2022-2028. I note that the Local Authority identified the property as a derelict site on 11th May 2017. Following the issuing of a Section 8(7) Notice of Entry of Land on the Derelict Site Register on 11th February 2021, and the subsequent removal of entry of the property from the Derelict Site Register on 14th January 2022, the Local Authority then taken steps in consultation with the current owner of the subject property to bring the property out of dereliction. I note that initial contact was made with the current registered owner on 10th September 2021. Then following further correspondence and site inspections a Section 8(2) notice was issued on 20th June 2023 and the property was re-entered on the Derelict Sites Register on 05th September 2023, prior to issuing the Section 15(1) notice. Having regard to the foregoing I am satisfied that the Local Authority gave the property owner sufficient time and opportunity to address the

dereliction. Therefore, I am satisfied that the efforts of the Local Authority have been fair and reasonable.

7.4. Compliance with Development Plan

I note that the Limerick Development Plan 2022-2028 specifically Policy CGR P4 and Objectives CGR 04(b) and CGR 06, seeks to address instances of dereliction and decay in the urban and rural environment, seeks to reuse and revitalise derelict, vacant and underutilised sites and disused buildings and bring properties back into active reuse. Therefore I consider that the subject property and proposed compulsory acquisition would be consistent with the policies and objectives of the development plan and will ensure that the lands do not continue to be in a derelict condition.

7.5. Action of the Owner to Address Dereliction

- 7.5.1. I note from the file details including photographs appended to the Local Authority Compulsory Acquisition report, that the subject property was in a derelict state, and in an unsightly neglected condition which detracted from the character and amenity of the area at the time that the application to acquire the site was lodged.
- 7.5.2. I note the contents of the objection from the owner's solicitor and the contents of the enclosures in the objection. It was the intention of the owner to apply for available grants to carry out works. The owner provided an account as to why progress in relation to addressing the derelict site was delayed and how its is intended to progress the renovation of the property to bring it back into habitable use. An outline of the works undertaken to the property is further provided that includes for addressing the front façade, the rear back garden and the removal of the derelict outbuilding.
- 7.5.3. Having inspected the site, it was evident to me that the owner has made a reasonable attempt to actively address the issues of dereliction, and it is my opinion that the owner will continue to address the indicators of dereliction of the property as given expenses already invested. Whilst the site remains in a neglected and unsightly condition, and detracts materially from the amenity and character of the area to the rear of the subject property to an unacceptable degree, I would accept that the ongoing efforts by the owner to render the site non derelict should be taken into account in this case. It is my view that the owner has invested expense on the property and is progressing matters

for this reason, it is considered that it would not be appropriate to consent to the compulsory acquisition of the site at this point in time.

- 7.5.4. It is further noted that the local authority has powers under Section 11 of the Derelict Sites Act 1990, as amended, to require the owner to take specified measures to address any outstanding issues contributing to the dereliction of the property, should this be deemed necessary. Having regard, therefore, to all of the information available on the file and the continued appearance and condition of the subject property, it is concluded that the property constitutes a derelict site. Notwithstanding this, it is considered that there is evidence that adequate efforts are being made to render it non-derelict, and that as such, sufficient time should be afforded to conclude these works. It is considered, therefore, that it is appropriate to refuse the Local Authority's application for consent to compulsorily acquire the site at 4 Saint Munchin's Terrace, Sexton Street North, Limerick.

8.0 Conclusion

- 8.1. I am satisfied that the process and procedures undertaken by Limerick City and County Council have been fair and reasonable, that the Local Authority has demonstrated the need for the land to be acquired are both necessary and suitable to ensure that the lands do not continue to be a derelict site.
- 8.2. Having regard to the Constitutional and Convention protection afforded to property rights, I consider that the proposed acquisition of the Derelict Site comprising a mid-terrace single storey dwelling situated at 4 Saint Munchin's Terrace, Sexton Street North, Limerick, containing 0.028 ha, as set out in the Derelict Site Notice issued under Section 15(1)(b) of the Derelict sites Act 1990, (as amended) and dated 20th day of September 2024 and on the deposited map (DS-074-17) pursues, and was rationally connected to, a legitimate objective in the public interest, namely, to ensure that the lands do not continue to be in a derelict condition.
- 8.3. I further satisfied that the proposed acquisition of these lands was consistent with the policies of the Limerick Development Plan 2022-2028 specifically Policy CGR P4 and Objectives CGR 04(b) and CGR 06 which seek to actively address instances of dereliction and decay in the urban and rural environment and bring properties back into active re-use and to revitalise towns and villages.

- 8.4. It is further acknowledged that at the time of the lodgement of the application with the Board, the acquiring authority had adequately demonstrated that the means chosen to achieve that objective would have impaired the property rights of affected landowners as little as possible, and that the effects of the compulsory acquisition on the rights of affected landowners were proportionate to the objective being pursued at the time.
- 8.4.1. However, having regard to the works undertaken to date which have addressed the dereliction, I'm no longer satisfied that this is still the case. In this respect, I have considered alternative means of achieving the objective referred to in the submissions to the board and I'm satisfied that the alternatives are such as to render the means chosen and the compulsory acquisition by the acquiring authority unreasonable or disproportionate.
- 8.4.2. Having regard to the efforts made to date by the owner to address the matters that gave rise to the derelict condition of the site and the progress made on site, I am no longer satisfied that the grant of consent to the compulsory acquisition is justified by the exigencies of the common good at this point in time. I'm of the opinion that, given the works carried out to date on site, it would be appropriate to allow time to progress matters on site.

9.0 Recommendation

- 9.1.1. Notwithstanding the current unsightly and objectionable condition of the site, the site does not detract to a material degree from the amenity, character and appearance of the streetscape and surrounding land in the neighbourhood. Taking account of the evidence of the ongoing efforts being made by the Notice Party to address the dereliction on site, to bring the property back into habitable use i.e. the repainting of the front façade, the installation of new windows, the repair works carried out to the roof, the internal works to the dwelling, the removal of a derelict outbuilding to the rear, the clearance works carried out to the rear garden including the management of weed control, I do not consider it reasonable that the Local Authority now seeks to compulsorily acquire the land, at this point in time, as provided by Section 14 of the Derelict Sites Act. I recommend, therefore, that the Board refuses consent Limerick City and County Council to the compulsory acquisition of the site.

10.0 Reasons and Considerations

Having regard to the current unsightly and objectionable condition of the site and 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 Limerick Development Plan 2022-2028,

it is considered that the site does not detract to a material degree from the amenity, character and appearance of land in the neighbourhood. Therefore, having regard to the efforts made to date by the owner to address matters that gave rise to the derelict condition of the site, the compulsory acquisition of the site by the local authority is not necessary in order to render the site non-derelict. The Board is not satisfied, therefore, that the objection made cannot be sustained, having regard to that said necessity or 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Clare Clancy
Planning Inspector

04th March 2025