Inspector's Report

ACP-324364-26

Development	Derelict site at Dock Road, Tuamgraney, Co. Clare.
Location	Dock Road, Tuamgraney, Co. Clare.
Local Authority	Clare County Council.
Notice Party	Ciaran Sheehan and Kimberly Kirpatrick.
Date of Site Inspection	10th September 2026.
Inspector	C. Daly.

1.0 Introduction

1.1. This case relates to a request by Clare County Council for the consent of An Coimisiún Pleanála to the compulsory acquisition of the subject site at Dock Road, Tuamgraney, Co. Clare, in accordance with the provisions of the Derelict Sites Act, 1990, as amended.

2.0 Site Location and Description

2.1. The subject property, of area 0.26ha., consists of a two storey pitched roof dwelling the side of which faces the road from which there are two vehicular access points, both of which had no gates or impediments to access the site on the date of my visit. The eastern entrance along the northern boundary is linked with the side of the dwelling by a partially overgrown driveway. There were also the remnants of a shed close to the north-west site entrance. There is a modest sized area of hardstanding parallel to the rear of the dwelling which is largely otherwise surrounded by grass.

2.2. The rear side / southern gable was mostly overgrown with ivy or similar and this extends partially to the front and rear facades. There is a partially collapsed small wooden shed in the rear garden adjacent to the southern boundary wall. The roadside boundary consists of hedgerow as does part of the eastern and southern boundaries and the other site boundaries mainly consist of walls with trees planted inside the western and southern boundaries.

2.3. The site is positioned between a line of dwellings with two detached dwellings on either side and there is a line of dwellings opposite to the north-east. The property is towards the south-east end of the village of Tuamgraney which is c.2km west of Lough Derg, c.25.5km north of Limerick and c.30km east of Ennis.

3.0 Application for Consent for Acquisition

3.1. Clare County Council applied to the Commission on 15th June 2026 to compulsorily acquire the subject property under Section 14 of the Derelict Sites Act, 1990, as amended. I note that this application for approval is subsequent to Clare County Council serving a notice on 23rd April 2026 under Section 14 of the Derelict Sites

Act, 1990, as amended, advising of the Local Authority's intention to compulsorily acquire under the Act, the derelict property as described.

4.0 Application and Objection

4.1. Notice of Intention to Acquire

4.1.1. Notice of Clare County Council's intention to compulsorily acquire the property was served upon the owners/ occupiers (Declan Durack) on the 23rd April 2026 and was published in the Clare Champion newspaper dated 24th April 2026. The property was described in the notices, as follows:

- The property known as Dock Road, Tuamgraney, Co. Clare, V94 WD2R, and comprising an area of approximately 0.26 ha.

4.1.2. I consider that the notices 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. One submission expressing objection to the proposed acquisition was submitted to Clare County Council by Ciaran Sheehan (one of the property owners).

4.2.2. The objection to the proposed acquisition was submitted and received on 18th May 2026, the deadline was advised as on or before one month and one day of the date of the notice.

4.2.3. The objection can be summarised as follows:

- The map attached to the CDP is not correct as he does not own all of the property shown on the map.
- Renovations of the property are currently underway to get it ready for sale and it is registered with an auctioneer in Scariff.
- There is a wayleave through the property which allows access to the public sewer for three houses built adjacent to the site. A condition of the wayleave was that these houses connect to the main sewage when the public sewer was extended on to the public road towards Killaloe. This has not happened despite the public sewer extension which happened in 2010.

- That the use of the wayleave has not been discontinued has been a sticking point for prospective purchasers of the property and this has previously been pointed out in correspondence with the Council with this correspondence enclosed with the objection response.
- The enclosed correspondence includes an offer by the owner to sell the property to the Council which it appears it rejected noting that it needed to contact the previous owner, his wife in the USA, in this regard.
- The respondent alleges that in rejecting the offer to buy the property that the Council is seeking to obtain the property at a below market price.

4.3. **Local Authority Application for Consent**

4.3.1. The Local Authority requested the consent of the Commission to the compulsory acquisition of the derelict site on 15th June 2026. This includes, inter alia, a report of the Council including the history of the file, efforts made to engage with the owners, the L.A.'s responses to the objection and the compulsory purchase order process followed to date. It notes that the registered owners are Ciaran Sheehan and Kimberley Kirpatrick and it noted a wayleave related to sewerage connections. It also includes:

- Letter dated 4th April 2023 to Mr Sheehan outlining concerns about the property and asking for a discussion on proposals for the property.
- Derelict Site Report and Recommendation dated 15th June 2023 wherein a recommendation that a notice under Section 8(2) of the Derelict Sites Act be served on the owner.
- Notice to owners under Section 8(2) of the Derelict Sites Act dated 15th June 2023.
- Statement of service of notice and letter notice to owners dated 21st September 2023 that the Council has entered the property on the Derelict Sites Register including map extract from landdirect.ie.
- Letter from Mr Sheehan received 14th December 2023 stating he intends to tidy the property and prepared the house to be put up for sale.

- Letter from the L.A. to Mr Sheehan dated 15th December 2023 stating that in light of his proposals, the next site inspection will be arranged at the end of February 2024 and then a decision will be made as to whether or not it be entered on the Derelict Sites Register.
- Copies of two land registry folios related to the property.
- Letter of 19th January 2024 by the L.A. informing Mr Sheehan stating that in light of his proposals, the next site inspection will be arranged at the end of February 2024 and then a decision will be made as to whether or not it be entered on the Derelict Sites Register.
- Derelict Site Report and Recommendation dated 1st August 2024 which noted no clean up works and no for sale sign on the property.
- Copy of Valuation of the property dated 20th August 2024.
- Copies of two photos of the property taken on 4th June 2025.
- Council memo of 6th June 2025 which noted phone call with Mr Sheehan. This noted that she advised of the levy of €14,000 payable now and until such time the property is deemed non-derelict. It notes the property will be put up for sale in the next two months.
- Council report dated 11th November 2025 wherein it recommends further communication with the owner on the timeframe for sale and other actions to render the property non-derelict.
- Report dated 9th February 2026 which recommends the property be acquired by Compulsory Purchase Order. It considers that Mr Sheehan is not in a position to sell the property as he does not have sole ownership. It considers that no direct action will be taken by Mr Sheehan and that they are not in contact with the other joint owner.
- Letter dated 23rd April 2026 and notice to Mr Sheehan that the Council has taken the decision to compulsorily acquire the property and informing him that he may object on or before one month and one day from the notice date.
- Letter of objection to Council from Mr Sheehan dated 18th May 2026.

4.4. **Objector's Submission**

4.4.1. The submission by one of the property owners, Ciaran Sheehan, can be summarised as follows:

- Details in relation to the property purchase (supporting documents enclosed) are set out including that Kimberly and Ciaran Sheehan are the registered owners and details of the easement/wayleave.
- There is a strip of land on his side of the property boundary that is not owned by him.
- Just because a property is not advertised online does not mean it is not for sale with no enquiries having been made to the auctioneer.
- The Council's statement that the wayleave was put in place by the named previous owner is incorrect and it was owned by different named persons. The wayleave was created in 2003 to allow the sale of the property and to facilitate planning applications to give sewer access.
- The wayleave was not in place prior to his purchase of the property.
- That the land registry details show two names on the property is not relevant as the property was subsequently granted to him in full ownership and the deeds were never changed as it was never the intention to sell the property.
- Why did the Council not make an offer for the property or enquire as to the price or make contact with the auctioneer, why the adversarial route?
- Alleged conflict of interest in this case in relation to a property owner to the south, see details on page three of objection, and when he outlined to the Council that all three houses to the south agreed to connect to the public sewer when available, the response was to raise the CPO notice.
- This property was offered for sale to the Council and their response was to issue a CPO and this is irrefutable.
- Full transparency in relation as conflicts of interest must be made know to the Commission and internal Council communications should be made available.
- The property is being actively refurbished at this time.

- The gardens are being brought back to life by a local landscape gardener.
- The inside of the house has been cleared of family items in advance of being cleaned and readied for sale.
- Paint has been acquired and arrangements are being made to ensure the electrics and plumbing is to standard.
- The CPO should be refused and he should be given time to complete the sale of the house and the end of September for a sale agreed would be reasonable.
- Attachments include correspondence in relation to purchase of the property, land folios and previous objection and correspondence with the L.A..

4.5. **Oral Hearing**

4.5.1. No request has been received for an oral hearing.

5.0 Planning History

Three Sites Adjacent to the South

0645: Permission granted by the P.A. for the construction of a dwellinghouse, entrance, connect to all public services and carry out associated site works.

0647: Permission granted by the P.A. for the construction of a dwellinghouse, entrance, connect to all public services and carry out associated site works.

05302: Permission granted by the P.A to erect a dwellinghouse, connect to public services and carry out associated site works.

6.0 Legislation and Policy Context

6.1. Derelict Sites Act 1990 (as amended) (the Act)

The Derelict Sites Act 1990, as amended, makes provision to prevent land being or becoming a derelict site. It, inter alia, enables local authorities to require landowners or occupiers to take measures on derelict sites and, in certain circumstances, to acquire derelict sites compulsorily.

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."

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.

6.2. Clare County Development Plan 2023-2029 (the CDP)

Volume 1

Tuamgraney is a designated service town under the CDP which is level 3 in the settlement hierarchy (Table 3.1).

Section 4.2.2 relates to Compact Growth and includes, inter alia, that "…*this requires the integration of land use and transport, an intensification of use of existing underutilised lands and the consolidation of the built environment through the development of brownfield and infill lands, as well as the reuse of vacant and derelict buildings in urban settlements…*"

Objective CDP 4.3 includes that it is an objective to support "*initiatives that facilitate the regeneration of derelict buildings and vacant sites for the provision of high-quality, environmentally friendly Near Zero Energy Buildings (NZEB) affordable housing*".

Objective CDP 4.7 *It is an objective of Clare County Council: a) To promote the consolidation of the existing large villages through brownfield reuse/redevelopment and through compact growth within the appropriate land use zoning and/or the areas identified for village growth*…

Objective CDP 4.8 *It is an objective of Clare County Council: a) To promote the consolidation of the existing small villages through brownfield reuse/redevelopment and through compact growth within the designated village growth areas*.

Refurbishment of a Derelict House/Structure in the Countryside

CDP 4.18 Subject to 7 conditions "*It is an objective of Clare County Council: To permit applications for the refurbishment of a derelict house/structure in the countryside…"*

Objective CDP 5.2 *To prioritise the reuse of existing housing stock in the Plan area and the renovation and re-use of obsolete, vacant and derelict homes*

Objective CDP 9.14 *It is an objective of Clare County Council: To improve the visual appearance of towns and villages, protect their character and maximise their tourism potential by the continuation of environmental and public* realm programmes, design management and improvement of identified derelict sites.

Section 17.1 Strategic Aims notes that it is policy to "*achieve the beneficial reuse of vacant, derelict or under-utilised sites, particularly the identified Opportunity Sites*".

Section 17.2.7 Addressing Vacancy

Building vacancy in towns and villages has become increasingly prevalent, resulting in the demise of the historic vibrancy and vitality of town and village centres. The re-use and regeneration of these buildings are essential catalysts for transforming the capacity and potential of these settlements. It is important to secure a beneficial use for vacant properties in the Plan area in order to ensure that they do not fall into disrepair and begin to have a negative impact on the appearance of their environs.

Section 17.2.10 Derelict Sites

Objective CDP 17.10 Derelict Sites *It is an objective of Clare County Council:*

a) To use all mechanisms available to it as appropriate and to work with Derelict Site owners to identify opportunities to bring derelict sites back in to use;

b) To use the Derelict Sites Act 1990 where appropriate to require owners of derelict property to carry out suitable improvements, and to implement the provisions of the Act to prevent or remove injury to amenity arising from derelict sites;

c) To prepare improvement plans and design briefs for larger derelict areas incorporating an Invasive Alien Species Management Plan if deemed necessary; and

d) To seek to acquire properties which are appropriate to the Council's Capital Programme in order to carry out improvements to derelict sites and revitalise the surrounding areas in compliance with the objectives and requirements of the Habitats Directive and in a manner which protects other sites or habitats of national, regional or local importance.

Volume 3c – Killaloe Municipal District Settlement Plans

The section on Scariff/ Tuamgraney includes the following,

To promote consolidation and compact growth through brownfield reuse/redevelopment and to address vacancy and the under utilisation of the existing building stock to support existing services and encourage the development of new services, whilst retaining the existing character;

7.0 Assessment

7.1. Site Inspection

7.1.1. On the day of my site visit, I was able to access the property and view its surrounding garden areas. I did not access the inside of the house but I did look inside some of the ground floor windows. The property is located towards the eastern end of the village off a relatively narrow local road that terminates c.540m to the north-east.

7.1.2. From my site visit, I noted that the dwelling included signs of disrepair which included wooden window frames in a poor state of repair and in need of repair and painting, gutters in need of repair and partially blocked by overgrowth, ivy growing up all facades with the southern gable façade most affected including it partially covering two windows, some minor signs of vandalism on the front façade including two broken windows and graffiti, window sills in need of repair and painting, overgrowth to the immediate front of the dwelling limiting accessibility and overgrowth to the north between the boundary and the drive area and a partially overgrown driveway as well as no gates to either of the two vehicular accesses.

7.1.3. Looking into some of the ground floor windows I observed no signs of any recent work or furniture clearance having been carried out or any signs of refurbishment of the house. The shed to the rear was partially open to the elements and its roof appeared to be sagging. There were some signs that some planting had been cleared with the remnants left adjacent to the front vehicular entrance.

7.2. Category of Dereliction

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

7.2.1. I note that category (a) of Section 3 of the Act relates to structures which are in a derelict, ruinous or dangerous condition. I note the dwelling is evidently vacant and

is in a poor condition as I have noted above. I note the Valuation Report prepared by REA Paddy Brown & Co for the Council noted there appeared "*to be water damage to a number of internal ceilings and dampness throughout*" and this was based on external inspection and it considered the property to be in need of extensive refurbishment.

7.2.2. Based on my observations from my site visit I consider that significant works would be required, at the least, to bring the dwelling from a poor functional and/or structural condition, to that of an accessible and readily useable habitable structure. I consider that the building/house on the property meets the criteria of category (a) above.

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

7.2.3. While I have noted some overgrowth on the property grounds, I do not consider the gardens to be in a significantly neglected condition. However, I have noted the condition of the house above and this, combined with the absence of gates and the partly overgrown condition of the driveway and the poor condition of the shed, in my opinion, overall renders the property to appear unsightly, neglected and in an objectionable condition.

(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.

7.2.4. On my site visit, I did not notice any significant collection of litter, rubbish, debris or waste although there was some cleared planting close to the vehicular entrance towards the north-east end of the property. Based on this, I do not consider that the category (c) criteria are met in this case.

7.2.5. I have noted above that I consider that the criteria of categories (a) and (b) of Section 3 of the Act have been met. Accordingly, in my opinion the land detracts to a material degree from the amenity, character and appearance of the property in the area.

7.3. **Action of Local Authority and Responses**

7.3.1. I note the correspondence on the file showing the history of engagement with the objector commencing 4th April 2023 where the Council's concerns about the property were first outlined. I note that after the serving of a notice on 21st September 2023 that the property was to be entered on the Derelict Sites Register, in light of the response from the owner that he intended to put the property up for sale, that this was delayed.

7.3.2. I note that following a site inspection of 3rd June 2024 that a notice was issued to Mr Sheehan dated 1st August 2024 that included a recommendation to enter the site on the Derelict Sites Register. I note further correspondence and a phone call between then and the letter of 23rd April 2026 notifying Mr Sheehan of the Council's decision to compulsorily acquire the property. I note the Council's report with their application for approval to ACP included their responses to Mr Sheahan letter of objection.

7.4. **Issues of Proportionality**

7.4.1. In relation to the plots of land being jointly owned by Mr Sheehan and Kimberly Kirpatrick, I note that Mr Sheehan has stated that sole ownership passed to him as part of a settlement agreement. Noting the issues with the property that the Council outlined to Mr Sheehan, having reviewed the actions undertaken by the L.A., I am satisfied that they gave sufficient time to respond with actions to their concerns.

7.4.2. I consider that the Council actively engaged with the property owner in this regard. I note that the requirements to serve notice on every owner, lessee and occupier have been satisfied. I note that the owner failed to follow through on the commitments made in the responses to the L.A. and that while it was stated the property would be put up for sale, it was not sold and substantial works to render it non-derelict did not take place.

7.4.3. I note the issue raised by the objector in relation to an alleged potential conflict of interest of the Council. I have no connection to any of the parties and I consider that the motives for the compulsory acquisition, as noted above and below, relate to policy matters which are in the public interest and which are proportional to the objectives sought.

7.4.4. In relation to the objector's purported offer to sell the property to the Council, I note there is a difference of opinion between Mr Sheehan and the Council as to whether the property was for sale. I note that even if the property was for sale, that the Council is within its rights to pursue the compulsory acquisition and that matters in relation to valuation are dealt with under a separate process. I note Mr Sheahan suggested that potential buyers have been put off by the wayleave to the south. I do not consider that the Council has any more information available to it than would a potential buyer of the property, particularly noting that all relevant matters must duly be disclosed prior to a sale completion.

7.4.5. I note that Mr Sheehan has noted that a strip of the land inside the physical property boundary is not owned by him and that the L.A.'s map furnished with the application for approval to ACP is not correct. I have reviewed the objector's correspondence including the land folios as well as the information supplied by the Council and the Land Direct maps and I am satisfied that the property shown for acquisition by the Council's map represents two registered plots of land in the ownership of Mr Sheehan.

7.4.6. I note that constitutional protections apply to individual property rights per Articles 40 and 43 of the Constitution. Based on case law, should the Commission consider that allowing the compulsory purchase of the property is justified based on any of the categories of dereliction assessed in Section 7.2 above, it should also be satisfied that the following tests are met to ensure the proportionality and reasonableness of the proposed action.

- The works to be carried out should accord with, or at least not be in material contravention of, the policy and objectives contained in the statutory development plan relating to the area.
- There is a community need that is to be met by the acquisition of the lands in question.
- The project proposed and the associated acquisition of lands is suitable to meet the community need.
- Any alternatives proposed to meet the community need have been considered but are not demonstrably preferable.

- The extent of land-take should have due regard to the issue of proportionality.

County Development Plan

7.4.7. I note that Development Plan policy seeks to address dereliction including on previously developed brownfield lands such as in the case of the subject property. Policy seeks to improve the visual qualities of villages and to re-use derelict sites. I note that policy in the Development Plan (Objective CDP 17.10) specifically mentions making use of all means available to work with derelict site owners including the use of compulsory acquisition to carry out improvements to such sites and to bring them back into use.

7.4.8. Noting this I consider that the works required to make the property non-derelict and that the action of the L.A. in seeking compulsory acquisition to facilitate this would be consistent with Development Plan policy and in material contravention of any policies and objectives contained in the County Development Plan.

Community Need and Suitability

7.4.9. I note that growth in the villages of the county is facilitated by Development Plan policy. In my opinion bringing the property back into active residential use would facilitate the growth of the village by increasing its population in the context of housing and development policy. This would, in my opinion, meet a community need towards the provision of housing.

7.4.10. I consider that the sustainable re-use of the building as a dwelling would contribute towards addressing housing need in the area.

Alternatives

7.4.11. Having considered the responses of the objector, including his statement that the property was actively being refurbished, based on my site visit where I observed no evidence of such refurbishment, I consider that no credible timely alternatives to the proposed acquisition have been put forward by the owner. I particularly note the failure to follow through on his previous suggestions such as tidying and selling the property. I note this also in the context of the lengthy timeframe since correspondence originally began with Mr Sheehan.

Land Take

7.4.12. I note the site area 0.26ha. which includes the two storey dwelling house and surrounding garden. Noting the position of the property towards the edge of the village within a relatively low density area and that the property boundaries and trees form a coherent residential plot, I am satisfied that the proposed land take is both necessary and suitable to ensure the lands do not continue to constitute a derelict site.

8.0 Conclusion

8.1. I am satisfied that the process and procedures undertaken by Clare County Council have been fair and reasonable, that the local authority has demonstrated the need for the lands and that all the lands being 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 of the property at Dock Road, Tuamgraney, Co. Clare, of area 0.26ha., as set out in the Derelict Site Notice issued under Section 14 of the Derelict sites Act 1990 (as amended) and dated 24th April 2026 and on the deposited maps (DS 22-20), pursues, and is 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 am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible. In this respect, I have considered alternative means of achieving the objective referred to in the submissions to the Commission and am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the compulsory acquisition by the acquiring authority unreasonable or disproportionate.

8.4. The effects of the compulsory acquisition on the rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed acquisition of these lands would be consistent with the policies and objectives of the Clare County Development Plan 2023-2029, specifically Objective CDP 17.10, 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. Accordingly, I am satisfied that that the grant of consent to compulsorily acquire these lands is clearly justified by the exigencies of the common good.

9.0 Recommendation

9.1. Having regard to the observed condition of the application property, in particular the neglected, unsightly and objectionable state of the land and the structure thereon, and that it is in a ruinous, derelict and dangerous condition, I consider that the property materially detracts from the amenity, character and appearance of the land in the neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act, 1990, as amended.

9.2. I consider that it is reasonable that the Local Authority seeks to compulsorily acquire the land, as provided by section 14 of the Act. I recommend that the Commission grant consent to Clare County Council to compulsorily acquire the property.

10.0 Reasons and Considerations

10.1. Having regard to the ruinous and derelict condition of the structure and the derelict, dangerous, neglected, unsightly and objectionable state of the structure and land, having considered the objection made to the compulsory acquisition, and also:

- The constitutional and convention protection afforded to property rights,
- The public interest, and
- The provisions of the Clare County Development Plan 2023-2029,

10.2. it is considered that the property 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 3(b) of the Derelict Sites Act, 1990, as amended, and that the compulsory acquisition of the property by the local authority is necessary in order to render the property non-derelict and to prevent it from continuing to be a derelict property. It is also considered that the objection made to the Council 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.

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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Ciarán Daly
Planning Inspector

9th October 2026