
From: Carmel Greene <cgreene@clarecoco.ie>
Sent: Thursday, October 02, 2025 10:34 AM
To: info@akplanning.ie <info@akplanning.ie>
Subject: Fw: DS 03-40- Property at Breaffa South, Spanish Point

Good morning

Further to our phone conversation this morning and the objection received, I wish to advise that this will now be forwarded to An Coimisiún Pleanála for their determination on the CPO proposal.

This could take a number of months.

If the commitments in the submission are implemented and work in process is well advanced on the site in a few months, the Council will consider withdrawing the application to CPO the property from An Coimisiún Pleanála.



Carmel Greene

Senior Executive Officer

Property Management Unit

Clare County Council, Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2

T: 065 6846571 | **E:** cgreene@clarecoco.ie | **W:** www.clarecoco.ie



COMHAIRLE CONTAE AN CHLÁIR
CLARE COUNTY COUNCIL

From: AK Planning <info@akplanning.ie>

Sent: Wednesday 1 October 2025 16:41

To: Property <property@clarecoco.ie>

Cc: 'Patrick Sexton' <sexton.patrick@gmail.com>; info@akassociates.ie

Subject: DS 03-40

A Chara,

Please find attached Letter of Objection to proposed CPO Re File Reference **DS 03-40** (Breaffa South, Spanish Point, Co. Clare).

The letter attached contains private and confidential information and we trust the contents will be treated in confidence.

We would appreciate acknowledgement of receipt of this letter.

Regards,

Adam Kearney

BA MA MIPI MRTPI



Chartered Town Planning Consultancy

Tel. 061 341782

Mob. 086 6887402

 Outlook

Re: DS 03-40- Property at Breaffa South, Spanish Point

From Carmel Greene <cgreene@clarecoco.ie>

Date Tue 14/10/2025 11:23 AM

To AK Planning <info@akplanning.ie>

Adam

I acknowledge receipt of confirmation of submission of commencement notice.

If it is to be a few weeks before work programme is finalised, I will have to submit the application for CPO to An Coimisiún Pleanála.

*He replied saying that he hopes to have further news on the construction schedule in the next week.
Carmel Greene.*

Carmel Greene

Senior Executive Officer

Land Activation, Derelict Sites and Property Management

Clare County Council, Áras Contae an Chláir, New Road, Ennis, Co. Clare, V95 DXP2

T: 065 6846571 | E: cgreene@clarecoco.ie | W: www.clarecoco.ie



COMHAIRLE CONTAE AN CHLÁIR
CLARE COUNTY COUNCIL

From: AK Planning <info@akplanning.ie>

Sent: 13 October 2025 12:08 PM

To: Carmel Greene <cgreene@clarecoco.ie>

Subject: RE: DS 03-40- Property at Breaffa South, Spanish Point

Hi Carmel,

I just wanted to inform you that a commencement notice has now been submitted and validated for the subject property (find attached). I will provide more information on the works schedule in the next few weeks as I receive the updates from the client.

Regards,

Adam Kearney

BA MA MIPI MRTPI



Chartered Town Planning Consultancy

Clare County Council
Building Control Section, Central Fire Station
New Road
Ennis
Clare

NOTIFICATION OF ENTRY ONTO REGISTER – COMMENCEMENT NOTICE

County: Clare County Council

To: Patrick Sexton, and Patrick Sexton

Date of Receipt of Notice: 10/10/2025 14:11

Date Entered onto Register: 13/10/2025

Commencement Notice: CN0134870CE

Description of Commenced Building or Works: to demolish part of existing dwelling, to extend existing dwelling and connect to existing septic tank

Address: L6224 Breaffy South Miltown Malbay Clare V95FF08

Dear Sir / Madam,

Clare County Council as the Building Control Authority hereby notifies you, in accordance with Article 10(2) of the Building Control Regulations 1997 – 2015, that the Commencement Notice, submitted on the 10/10/2025 14:11, in relation to the above building / works has been deemed Valid, and particulars relating to same have been entered on the Register maintained pursuant to Part IV of the Building Control Regulations 1997 – 2015 on the 13/10/2025.

Yours Faithfully,

Clare County Council

Note 1:

The Building Control Act 1990 – 2014, Section 6(4) clearly states that "Where a certificate of compliance, or a notice to which subsection (2)(k) relates, is submitted to a building control authority shall not be under a duty to –

(a) Ensure that the building or works to which the certificate or relates will, either during the course of the work or when completed, comply with the requirements of building regulations or be free from any defects

(b) Ensure that the certificate complies with the requirements of the Act or of regulations or orders made under this Act, or

(c) Verify the facts stated in the certificate are true and accurate.

Note 2:

Validation is solely based on the assumption that the facts stated in and the attachments forming part of the Notice/Application/Certificate are true and accurate. If, subsequent to validation, it is found that there are inaccuracies, it may cause the Notice /Application /Certificate to be subsequently invalidated and may be subject to prosecution and/or enforcement proceedings. Enforcement carries a cost.



Millside, Mill Road, Corbally, Limerick.
V94 46X5
Ph: 061-341782 / Mob: 086-6887402
Email: info@akplanning.ie

TOWN PLANNING AND DEVELOPMENT CONSULTANCY

Property Management Unit,
Clare County Council,
Aras Contae An Chlair,
New Road,
Ennis,
Co, Clare.
V95 DXP2

1st of October 2025

Re: Objection to Proposed Compulsory Acquisition – **Reference DS 03-40**

Site Address: Breaffa South, Spanish Point, County Clare.

Dear Sir/Madam,

I am writing on behalf of my client, Ahakista Property Investments Ltd, to formally object to Clare County Council's proposed compulsory purchase of the above-referenced site under the Derelict Sites Act, 1990 (as amended). This objection arises due to exceptional and unforeseen circumstances that have directly impeded the ability to advance the approved works within the anticipated timeframe.

As the Local Authority will be aware, the property was granted a five-year permission on the 8th of December 2022 (Planning Ref: 22666). This permission provides for partial demolition of the existing dwelling and the construction of an extension.

Unfortunately, the Principal Company shareholder with responsibility for decision-making and funding has been suffering from serious ill health, and this has

significantly delayed his ability to authorise and implement necessary works on the property (supporting private correspondence attached).

A further health related issue also contributed to the delay in submitting a 'Commencement Notice'. The company's agent (Martin Tubridy) who applied for permission on behalf in 2022 and who was also engaged to prepare and submit the Commencement Notice and to oversee the works on the cottage has been seriously unwell now for an extended period (letter attached).

In addition to the foregoing, the financing of the project has taken a considerable period of time to arrange. Thankfully this has now been resolved, and funds are now available.

The circumstances outlined above were exceptional and entirely beyond our control. It is however the intention of the owners to proceed with the necessary works to bring the property into compliance and remove it from the derelict sites register without further delay. To this end the property owner is now in the process of submitting the Commencement Notice and commits to having physical works underway on site within 3 months.

In light of the exceptional health-related setbacks as set out, we respectfully request that Clare County Council reconsider the proposed compulsory acquisition and to allow a reasonable period of time to complete the works.

We are happy to provide further supporting documentation as required, including medical correspondence and evidence of the planned works schedule, should this assist in your consideration.

Yours Faithfully,



Adam Kearney BA MA MIPI MRTPI