



An
Bord
Pleanála

Board Direction
BD-017430-24
ABP-319627-24

The submissions on file and the report of the Inspector were considered at a meeting held on 09/09/2024. The Board decided to grant consent to the compulsory acquisition of the said site, generally in accordance with the recommendation of the Inspector and based on the reasons and considerations set out below.

Reasons and Considerations

Having regard to the derelict condition, unsightly and objectionable condition of the site, the poor state of repair of the external walls and windows, the visible presence of vegetation growing within the property and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of Waterford City and County Development Plan 2022-2028,

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

Board Member



Chris McGarry

Date: 09/09/2024