

An
Coimisiún
Pleanála

Direction
CD-020546-25
ABP-322350-25

At a meeting held on 27/08/2025, the Commission considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector and
- (c) the documents and submissions on file generally.

The Commission decided to refuse consent to the Compulsory Purchase Order based on the reasons and considerations set out below.

Reasons and Considerations

The Commission considered that the property was not in a ruinous, derelict or dangerous condition but was neglected and unsightly with no evidence of litter or waste. 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 the Waterford City and County Development Plan 2022-2028

it is considered that although 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, that the compulsory acquisition of the site by the Local Authority is not necessary, at this time, in order to render the site non-derelect and to prevent it from continuing to be a derelict site.

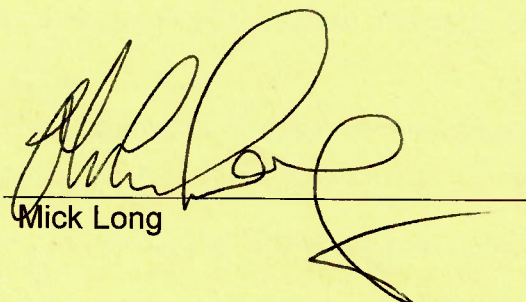
The Commission agreed with the Inspector and was satisfied that Waterford County Council have demonstrated a community need for the acquisition of 15 The Glen, Waterford and that the acquisition of the property would contribute to the housing needs of the planning authority, but did not concur with the Inspector's recommendation to grant consent to the compulsory purchase acquisition at this time, having considered the objection made to the compulsory purchase order and having regard to the works carried out on the property in recent years and the commitment of the owner to implement further works to the property and to the provisions of the Waterford City and County Development Plan 2022-2028.

The Commission considered that the objection is sustained, and having regard to that said necessity, that the compulsory acquisition and its effects on the property rights of affected landowners is not proportionate and justified by the exigencies of the common good.

It is considered that, the acquisition by the Local Authority of the properties in question, as set out in the order and on the deposited map, would not be justified at this point in time.

Planning

Commissioner:



Mick Long

Date: 27/08/2025