An Coimisiún Pleanála

Direction
CD-022622-26
ACP-324325-26

The submissions on this file and the Inspector's report were considered at a meeting held on 04/11/2026.

The Commission decided to grant GRANT consent to the compulsory acquisition of the said site generally in accordance with the Inspector's recommendation, based on the reasons and considerations set out below.

Planning Commissioner: Mick Long **Date:** 05/11/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

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

(i) the constitutional and Convention protection afforded to property rights,
(ii) the public interest, and
(iii) the provisions of the 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(a) and (b) of the Derelict Sites Act

1990, as amended. The Commission was not satisfied there was sufficient evidence of waste, rubbish or debris to meet the requirement of section 3 (c) of the Act. It is considered that the compulsory acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it from 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.