

An  
Coimisiún  
Pleanála

## Commission Order ABP-322350-25

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**Derelict Sites Act, 1990**

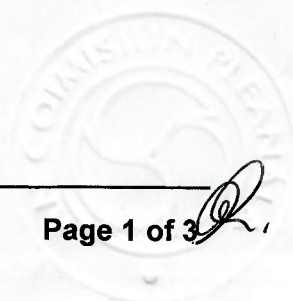
**Planning and Development Acts, as amended**

**Planning Authority: Waterford City and County Council**

**Application** received by An Coimisiún Pleanála on the 22<sup>nd</sup> day of April 2025 from Waterford City and County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a derelict site at 15, The Glen, Waterford City, County Waterford, and as more particularly described in the notice of intention to compulsorily acquire the site.

### Decision

**REFUSE** consent to the compulsory acquisition of the said site 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:

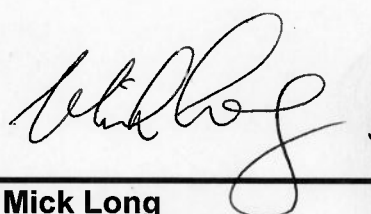
- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provision of Waterford City and County Development Plan 2022-2028,

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-derelict and to prevent it from continuing to be a derelict site.

The Commission agreed with the Inspector and was satisfied that Waterford City and 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 local authority, but did not concur with the Inspector's recommendation to grant consent to the compulsory acquisition at this time, having considered the objection made to the compulsory acquisition 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 property in question, as set out in the order and on the deposited map, would not be justified at this point in time.



**Mick Long**  
**Member of An Coimisiún Pleanála**  
**duly authorised to authenticate**  
**the seal of the Commission.**



Dated this 28<sup>th</sup> day of August 2025