



An
Coimisiún
Pleanála

Commission Order ABP-322596-25

Derelict Sites Act, 1990

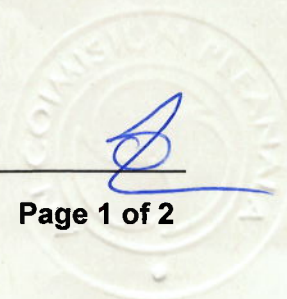
Planning and Development Acts, 2000 to 2022

Planning Authority: Waterford City and County Council

Application received by An Coimisiún Pleanála on the 23rd day of May 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 known as Holly Tree House, 21 Keating Street, Dungarvan, County Waterford and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

GRANT consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.

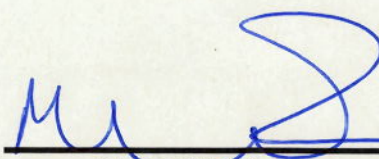


Reasons and Considerations

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

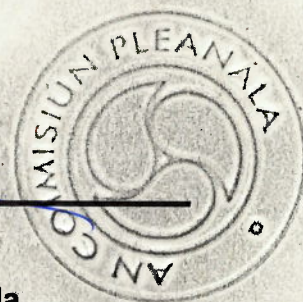
- (a) the Constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provision of Waterford City and County Development Plan 2022-2028,

it is considered that 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 sections 3 (b) and 3 (c) of the Derelict Sites Act, 1990, as amended, and 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 in the absence of adequate evidence of action taken by the owner/occupier to address the dereliction of the site, the objection made cannot be sustained, and having regard to the necessity to render the site non-derelict, 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.



MaryRose McGovern

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



Dated this 1 day of August 2025