



An  
Coimisiún  
Pleanála

## Commission Order ABP-322803-25

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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 18<sup>th</sup> day of June 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 Main Street, Ardmore, 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

Having regard to the current unsightly and objectionable condition of the site, 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 the Waterford City and County Development Plan 2022-2028,

it is considered that the site does not detract to a material degree from the amenity, character and appearance of land in the neighbourhood and, therefore, that the compulsory acquisition of the site by the local authority is not necessary in order to render the site non-derelict. An Coimisiún is not satisfied, therefore, that the objection made cannot be sustained, having regard to that said necessity or 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.

*Eamonn James Kelly*

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



Dated this *22<sup>nd</sup>* day of *September*, 2025