



An
Coimisiún
Pleanála

Commission Order ACP-324218-26

Derelict Sites Act, 1990

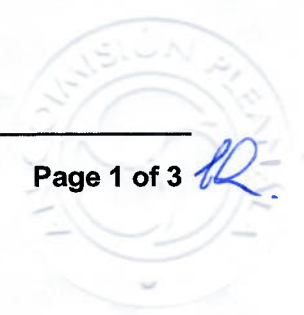
Planning and Development Act, 2000, as amended

Planning Authority: Waterford City and County Council

Application received by An Coimisiún Pleanála on the 16th day of April 2026 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 The Coach House, Wolfe Tone Road, Dungarvan, 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 and 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,

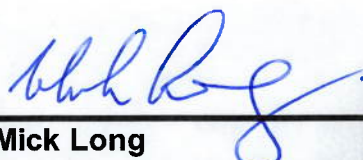
it is considered that the site does detract to a material degree from the amenity, character and appearance of land in the neighbourhood and is a derelict site within the meaning of Section 3 (b) of the Derelict Sites Act, 1990, as amended.

However, the Commission considered that the planning authority has not exhausted the powers available to it under Section 11 of the Derelict Sites Act, 1990, as amended, to specify measures or take action necessary to prevent the land from continuing to be a derelict site. The Commission was not satisfied that having regard to the intention of the owner to address matters that gave rise to the derelict condition of the site and their stated intention to complete the works, that the compulsory acquisition of the site by the local authority is necessary, at this time, in order to render the site non-derelict.

The Commission is not satisfied, therefore, that the objection made cannot be sustained, having regard to that said necessity, or that the compulsory acquisition of the site at this time and its effects on the property rights of affected landowners are proportionate to that objective, and justified by the exigencies of the common good.

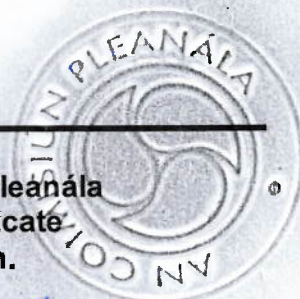
The Commission agreed with the Inspector that the site met the definition of a derelict site under the Act but in not accepting the recommendation of the Inspector to grant the compulsory purchase acquisition the Commission considered additional

engagement with the owners of the site was a proportionate measure, at this time, rather than granting a compulsory acquisition.



Mick Long

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



Dated this 28th day of July 2026