An Coimisiún Pleanála

Commission Order ACP-324325-26

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 28th day of May 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 44 John's Hill, Grange Lower, Waterford, 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 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 Derelict Sites Act, 1990, as amended. 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.

Mick Long
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 10th **day of** November **2026**