An Coimisiún Pleanála

Commission Order ACP-324404-26

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 24th day of June 2026 from Waterford City and County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the proposed compulsory acquisition of a derelict site at Barrack Street, Tallow, 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 condition of the land and structure thereon, 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 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. 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 are justified by the exigencies of the common good.

MaryRose McGovern
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 21st **day of** October **2026**