



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323059-25

### Development

Derelict site at 10 Allen Street,  
Cappoquin, Co. Waterford (CPA No.  
11 of 2025)

### Location

10 Allen Street, Cappoquin, Co.  
Waterford

### Local Authority

Waterford City and County Council

### Notice Party

Noel & Maria Uniacke

### Date of Site Inspection

15<sup>th</sup> August 2025

### Inspector

Bernadette Quinn

## **1.0 Introduction**

- 1.1. This case relates to a request by Waterford City and County Council for the consent of An Coimisiún Pleanála to the compulsory acquisition of the subject site at 10 Allen Street, Cappoquin, Co. Waterford in accordance with the provisions of the Derelict Sites Act 1990, as amended.

## **2.0 Site Location and Description**

- 2.1. The site at No. 11 Allen Street (also identified as Barrack Street) is located on the northern side of the R669 within the village of Cappoquin. The property contains a terraced single-bay two-storey dwelling with a pitched roof. The front elevation is unpainted render, similar to the finish on adjoining properties to the east. The site contains a long narrow rear garden and the overall site has a stated area of 0.0237ha.
- 2.2. The adjoining property to the west is a former commercial premises whilst the adjoining property to the east is residential and is similar in design to the dwelling on the appeal site. To the west, towards the centre of Cappoquin Village are a mix of residential and commercial properties. To the east, properties are largely residential in nature.
- 2.3. My observations of the site on the date of the inspection include the following;
- The front façade is faded and dirty and has moss growing along the base of the wall where it joins the footpath.
  - Paintwork on windowsills is peeling and dirty and weeds are growing from the ground floor window sill.
  - There is a significant amount of moss growing on the roof tiles.
  - The gutters and fascia on the front façade are damaged and appear in poor condition. Rainwater pipes on the front elevation appear rusted and discoloured.
  - The front door is dirty and broken with a glass missing from the windowpane on the door and this section boarded up and the handle is missing. The doorway was not fully closed although it appears to be secured.

- A ground floor windowpane is broken. Curtains in the front windows are drawn and neglected looking.

### **3.0 Application for Consent for Acquisition**

3.1. Waterford City and County Council applied to The Commission for consent to compulsorily acquire the site under Section 16 of the Derelict Sites Act, 1990, as amended. I note from the Derelict Sites Report on file that this application is subsequent to the serving of notices as follows:

- Section 8(2) Notice on 24<sup>th</sup> February 2025 advising of the Local Authority's intention to enter the site on the register of derelict sites.
- Section 8(7) Notice on 12<sup>th</sup> March 2025 advising of the Local Authority's decision to enter the site on the register of derelict sites.
- Section 15(1)(b) Notice dated 19<sup>th</sup> May 2025 notifying of the Local Authority's intention to acquire the site compulsorily.
- Section 15(1)(a) Notice published in a local newspaper dated 23<sup>rd</sup> May 2025 notifying of the Local Authority's intention to acquire the site compulsorily.

### **4.0 Application and Objection**

4.1. Notice of Intention to Acquire

4.1.1. Notice of Waterford City and County Council's intention to acquire the site compulsorily was served on the owners/occupiers/lessee, Mr. Noel Uniacke on the 19<sup>th</sup> May 2025 and was published in the Dungarvan Observer newspaper dated 23<sup>rd</sup> May 2025. The site was described as follows in the notice:

- The property known as 10 Allen Street, Cappoquin, Co. Waterford, covering an area of 0.0586 acres or thereabouts, in the District Electoral Division of Dungarvan - Lismore and as more particularly delineated on Map Ref. CPA 2025-11-Plot 101.

4.1.2. I consider that the notice was in accordance with the requirements of Section 15(1)(a) and (b) of the Derelict Sites Act, 1990, as amended.

4.2. Objection to Acquisition

4.2.1. An objection to the proposed compulsory acquisition was submitted to Waterford City and County Council by Noel and Maria Uniacke dated 17<sup>th</sup> June 2025. The objection can be summarised as follows:

- The objectors are the legal owners of the property and object to its proposed compulsory purchase.
- The owners are presently looking at options regarding renovation of the property and grants that may be available.

#### 4.3. Local Authority's Application for Consent

4.3.1. The Local Authority requests the consent of The Commission to the compulsory acquisition of the derelict site. The application for consent was received on 16<sup>th</sup> July 2025 and was accompanied by the following:

- Copy of Compulsory Acquisition Site Location Map.
- Copy of the Section 15 Notice served on the owners/ occupiers/ lessee of the site dated 19<sup>th</sup> May 2025 and copy of CE Order dated 09<sup>th</sup> May 2025 to the Notice Party, Mr. Noel Uniacke.
- Copy of the newspaper notice published in the Dungarvan Observer newspaper dated 23<sup>rd</sup> May 2025.
- Copy of the objection made by Notice Party Noel and Maria Uniacke.
- Local Authority Compulsory Acquisition Report dated 02/05/2025 which sets out the Local Authority's strategic approach to derelict sites in the county, a description of the site, the background to the case and the details of correspondence to the owner. The report includes photographs, a site location map and findings of ownership and site investigations.

4.3.2. The Derelict Site CPA report can be summarised as follows:

- The Rural Vacancy and Dereliction Fund (RVDF) aims to tackle properties that have been long term vacant and derelict in rural settlements across the County and bring them back into active use. The RVDF aligns and is consistent with the URDF and Housing for All plan which seeks to ensure existing vacant homes are brought back into productive use and is a key priority in terms of sustainable

development within communities, and Waterford City and County Council's Development Plan 2022-2028.

- In line with the identified need to bring existing derelict and long-term vacant properties into use for residential and other purposes, WCCC seek to compulsorily acquire the derelict and vacant property at 10 Allen St., Cappoquin, Co Waterford, P51 H2A0.
- The property is located within the ACA area of Cappoquin and between two NIAH protected structures.
- The condition of the site, which contains a two-storey mid-terrace property, is described as being in a very poor state of repair with the following issues identified:
  - There is vegetation growing out of the street side gutter and along the facade boundary line with the footpath with moss growing up the wall. While there was no access to the rear of the property, from aerial images there are signs of it becoming very overgrown. There are several large trees and likely rubbish and debris building up in the garden.
  - The roof has experienced significant deterioration of the apex and slates are totally covered by moss which has hidden the condition or integrity of the roof slates underneath. There is a strong likelihood that slates are loose and prone to falling onto the street below or becoming projectiles in a wind weather event which could result in the property becoming a dangerous structure.
  - The roadside gutter, fascia and soffit to the front are misshaped and look to be rotting and at the point of collapse. There is a monopitch flat roof extension to the rear, and this is likely to be a source of moisture ingress into the property and further damaging the interior of the building and its fabric.
  - The plastered Pebble dashed walls on the front facade are unpainted, dirty and fading and in poor condition visually. The front door windowpane is broken / missing, ironmongery is missing, in poor

condition and dirty. It would seem that the doorway has been repaired partially and secured internally with screw fixings or similar.

- The ground floor window pane has been broken for a long period of time (greater than one year) and the frame is in poor condition. The first floor window is open and the curtains within are in dirty/sun damaged condition.
- It is likely that the row of terrace properties is served by a rear garden shared private sewer/storm drainage. Any blockage or collapse on the shared sewer/storm drainage within the curtilage of No. 10 Allen St., which would possibly be unknown for some time as the property is not occupied or accessed regularly, would result in blockage causing a significant upstream public health issue and/or flooding and property damage.
- The history of the case is outlined, including:
  - Details of an initial site inspection by the Planning Authority and derelict site report developed in July 2024;
  - In August 2024 first correspondence and a Notice under Section 9 notifying 'The Owner' of the poor condition of the site was issued via post to the address 10 Allen Street giving 14 days for 'The Owner' to respond. No known responses were received and there has been no material change to the composition of the property.
  - In February 2025 communication was issued to all relevant Councillors in the electoral Municipal District of Dungarvan-Lismore identifying the property as derelict and seeking assistance from them in identifying the owner. No response was received.
  - February & March 2025 a Section 8(2) Notice was served and issued to 'The Owner / Occupier /Leasee' of the property at 10 Allen Street and a copy affixed to the property. The registered letter was returned undelivered and resent via normal post. No known response was received and there has been no material change to the composition of the property.

- In March 2025 a Section 8(7) Notice was issued by registered post to 'The Owner / Occupier /Leasee' of the property at 10 Allen Street and a copy affixed to the property. The registered letter was returned undelivered and resent via normal post. No known response was received and there has been no material change to the composition of the property.
- 27<sup>th</sup> March 2025 it was highlighted that Mr. Noel Uniacke may be the reputed owner.
- In April 2025 a Section 29(1) notice was issued by registered post to Mr Noel Uniacke requesting particulars of ownership of the property and requesting a response within 14 days. No known response was received and there has been no material change to the composition of the property.
- The site is within Cappoquin Settlement Boundary and is zoned 'RV' Rural Village. The site is within the Zone of Notification for R131322 (RMP & SMR) and is within the Cappoquin Architectural Conservation Area. The property is not included on the NIAH and is not a Protected Structure. The site is between two NIAH protected structures.
- Relevant Development Plan Objectives relating to Derelict Sites and Built Heritage are outlined.
- Details of ownership investigations are outlined and the reputed owner is stated as Mr. Noel Uniacke.
- Having regard to the observed condition of the property at 10 Allen Street, in particular its neglected and unsightly state, it is considered that the site materially detracts from the amenity, character and appearance of land in the neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act, 1990, as amended.

#### 4.4. Objectors Submission

No submission from the owner of the property was received by The Commission.

#### 4.5. Oral Hearing

4.5.1. No request has been received for an Oral Hearing.

## **5.0 Planning History**

5.1. No recent relevant planning history.

## **6.0 Policy and Legislation Context**

6.1. Development Plan

6.1.1. The Waterford City and County Development Plan 2022 to 2028 is the operative Development Plan and includes the following of relevance:

- The subject property is located within the settlement boundary of Cappoquin and the functional area of the development plan.
- The site is within the Cappoquin Architectural Conservation Area.
- The site is zoned 'RV – Rural Village' with the stated objective 'Protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure'.
- The building is not included on the Record of Protected Structures or the NIAH. The adjoining properties to the east and west are included on the Record of Protected Structure and the NIAH.

6.1.2. The following policies and objectives are relevant:

Chapter 4 refers to Economic Development and includes Policy Objective ECON 04 City and Town Centre First Approach which states 'We will support national policy as stated in Town Centre First: A Policy Approach for Irish Towns (DHLG&H/ DRCD) 2022 across Waterford City and County. When considering advancing local authority initiatives, and submitted development proposals, we will adopt a city and town and city centre first approach in a manner consistent with the principles of compact growth and mixed-use development, as committed to in 'Town Centre First'.' This policy objective also states that the Council will promote, facilitate, and undertake works and initiatives aimed at incentivising the regeneration, upgrading and reuse of underused and vacant building stock.



- 6.1.3. Policy Objective ECON 07 Active Land Management states: To carry out the functions of the local authority in a co-ordinated manner in order to assist in the proactive targeting of underutilised, vacant and derelict lands and buildings, and general building stock, in pursuing the achievement of the policy objectives of this Development Plan), and in order to facilitate an Active Land Management approach to the sustainable growth and development of Waterford City and County. This will be achieved/assisted by .... The acquisition by agreement or compulsory purchase, of vacant, derelict or underutilised sites or buildings, in order to address incidents of urban decay and vacancy, ensure revitalisation and conservation of our built heritage; regeneration of underutilised sites/ buildings, and bring about long-term economic and social/ community development and sustainability.
- 6.1.4. Chapter 7 deals with Housing and Sustainable Communities. Section 7.1 Regeneration and Active Land Management contains the following text: The National Planning Framework and the Southern Regional Spatial and Economic Strategy identify 'Compact Growth' as the means to deliver sustainable growth in our urban settlements. The Council is committed to consolidation, redevelopment and regeneration of infill, brownfield, underused, vacant and/or derelict sites within the existing urban footprints, rather than the continued sprawl of urban development into the open countryside.
- 6.1.5. Policy Objective H06 'we will utilise legislative power under the Derelict Sites Act 1990, The Urban Regeneration and Housing Act 2015, as amended and general CPO powers to prevent anti-social behaviour and remove dereliction and vacancy where appropriate.'
- 6.1.6. Chapter 8 deals with Placemaking and Policy Objective Place 01 contains the following of relevance:
- identify obsolete and potential opportunity sites within the City and County and encourage and facilitate the reuse and regeneration of derelict land and buildings in the urban centres;
  - work with landowners and development interests to pursue the potential of suitable, available and viable land and buildings for appropriate development/renewal;

- use specific powers, such as the compulsory purchase orders (CPO's) and statutory powers under the Derelict Sites Act 1990 and the Urban Regeneration and Housing Act 2015, as amended, to address issues of dereliction, vacancy and underutilisation of lands in settlements across Waterford.

6.1.7. In Chapter 11, Heritage Strategic Objectives, Built Heritage Policy Objective BH 08 relating to Reusing our Heritage Buildings and Policy Objective BH 13 relating to Vacant and Derelict Structures are also of relevance.

## 6.2. Derelict Sites Act 1990 (as amended)

6.2.1. The Derelict Sites Act 1990, as amended, makes provision to prevent land being or becoming a derelict site. Amongst other things, it enables local authorities to require landowners or occupiers to take measures on derelict sites and, in certain circumstances, to acquire derelict sites compulsorily.

6.2.2. Section 3 of the Act defines 'derelict site' as:

"Any land...which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because –

(a) the existence on the land in question of structures which are in a ruinous, derelict or dangerous condition, or

(b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or

(c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter, rubbish, debris or waste results from the exercise of a right conferred by or under statute or by common law."

6.2.3. Other relevant provisions of the Act are summarised below:

- Section 8 of the Act requires Local Authorities to establish a register of derelict sites in their functional area and to serve notices on occupiers/ owners of their intention to do so.

- Section 9 of the Act places a duty on every owner and occupier of land, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site.
- Section 10 of the Act places a similar duty on Local Authorities to take all reasonable steps, including the exercise of any appropriate statutory powers, to ensure that any land in their functional area does not become or continue to be a derelict site.
- Section 11 of the Act enables Local Authorities to serve a notice on an owner or occupier of land, requiring them to take specified measures to prevent land becoming or continuing to be a derelict site.
- Section 14 provides that a local authority may acquire by agreement or compulsorily any derelict site situated in its functional area.
- Section 15 sets out arrangements for giving notice if the local authority intends to acquire a derelict site compulsorily.
- Section 16 sets out arrangements if the owner/occupier wishes to object to the acquisition and it provides that if an objection is made, then the derelict site shall not be acquired compulsorily by the local authority without the consent of An Coimisiún.

## **7.0 Assessment**

### **7.1. Site Inspection**

- 7.1.1. Internal access and rear access to the property was not possible on the date of my site inspection on 15<sup>th</sup> August 2025, however I was able to view the subject property from Allen Street fronting the site.
- 7.1.2. My observations of the subject property on the day of site inspection include the following:
- The property appeared vacant.
  - The front façade is faded and dirty and has moss growing along the base of the wall at the boundary with the footpath.

- Paintwork on window sills is peeling and dirty and weeds are growing from the ground floor window sill.
- There is a significant amount of moss growing on the roof tiles.
- The gutters and fascia on the front façade are damaged and appear in poor condition. Rainwater pipes on the front elevation appear rusted and discoloured.
- The front door is dirty and broken with glass missing from the windowpane on the door and this section boarded up and the handle is missing. The doorway was not fully closed although it appears to be secured.
- A ground floor windowpane is broken. Curtains in the front windows are drawn and neglected looking.
- There is an unkempt and neglected appearance to the building.
- I was unable to gain access to the rear of the property to confirm the condition of the rear or the findings of the Local Authority in relation to its condition.

7.1.3. The subject property is located in a terrace of buildings including dwellings and former commercial properties. Other properties on the street are, for the most part, in residential use and appear occupied and were noted to be well maintained. The property is not included on the Record of Protected Structures or on the National Inventory of Architectural Heritage, however the adjacent properties to the east and west are included in both the RPS and NIAH. The property is within an Architectural Conservation Area. The property is within an area zoned Rural Village and is located close to Cappoquin village centre. Overall, I am satisfied that the subject property unduly detracts from the character of the streetscape and unduly impacts on the visual amenities of the area.

7.1.4. I have considered the images in the planning report of the Local Authority and I have found no evidence of improvements or positive alterations on my site visit. As I was unable to gain access to the rear of the property it was not possible to confirm the findings of the Local Authority in relation to the condition of the rear of the property.

## 7.2. Category of Dereliction

- 7.2.1. I note that the Local Authority considered that the site, in particular its neglected and unsightly state, is considered to materially detract from the amenity, character and appearance of land in the neighbourhood and is, therefore, a derelict site within the meaning of Section 3 of the Derelict Sites Act 1990, as amended.
- 7.2.2. Based on the condition of the subject property which I observed during my site inspection I do not consider that the subject property falls within category (a) of Section 3 of the Act, which relates to structures which are in a ruinous, derelict or dangerous condition. Having inspected the site and reviewed the material on the file, I do not consider that the structure(s) are likely to be in a dangerous condition, or that they could be considered ruinous. Therefore, on balance I do not consider that the condition of this structure results in the wider property being considered to fall under category (a) of Section 3 of the Act.
- 7.3. In respect of category (b) of Section 3 of the Act, I note the condition of the dwelling which has a door and windows on the front elevation in poor condition, including broken windowpane and missing glass pane on the front door, the front door frame is broken, window surrounds and window sills are in poor condition, damaged gutters and rainwater pipes, and moss growing on the front elevation and on roof tiles. I note that the general appearance of the property has a neglected, unsightly and objectionable condition and I consider that the site falls within category (b) of Section 3 of the Derelict sites Act, 1990. I particularly note that the subject property is located in an established residential and commercial area and that other properties in the vicinity of the appeal site are for the most part attractive and well maintained.
- 7.3.1. I do not consider the property to fall within category (c) of Section 3 of the Act as there was no rubbish evident at the time of my inspection.
- 7.3.2. Having regard to the category of dereliction as set out under Category (b) of Section 3 of the Derelict Sites Act 1990, as amended, it is my view that the structure is detracting to a material degree from the amenity, character, and appearance of land in the neighbourhood of the land in question which in my view renders it derelict under Section 3 of the Act.
- 7.3.3. It is my consideration that the appearance of the subject property has not materially changed or improved since the Section 15 Notice was issued. I consider that the

subject property is detracting to a material degree from the amenity, character and appearance of land in the neighbourhood in question.

#### 7.4. Action of Local Authority

7.4.1. I note the actions of the Local Authority, including their efforts to ascertain the owner and contact same as outlined in the Compulsory Acquisition Report dated 02/05/2025. The report refers to the serving of a Section 9 Notice and Section 8(2) and Section 8(7) Notices on the owner addressed to no. 10 Allen Street and issuing of a Section 29(1) Notice to Noel Uniacke requesting particulars of ownership of the property with no response received. The planning report notes no material change in the condition of the property was observed as of 28<sup>th</sup> March 2025.

7.4.2. The subsequent Compulsory Purchase Acquisition notice was served on Noel Uniacke on 19<sup>th</sup> May 2025 and noted that an objection could be lodged on or before 20<sup>th</sup> June 2025. A response was received by the Local Authority from Noel and Maria Uniacke on 19<sup>th</sup> June objecting to the proposed compulsory purchase and stating that the owners are presently looking at options regarding renovation of the property and grants that may be available.

7.5. I note that Local Authorities have a duty (under section 10) “to take all reasonable steps (including the exercise of any appropriate statutory powers) to ensure that any such land does not become/continue to be a derelict site.” The Local Authority have attempted to engaged with the owners/occupiers since July 2024 with regards to the derelict state of the property. I note that the first correspondence issued to the owner at their home address was issued in April 2025 and that no response was received to a Section 29(1) Notice sent to Mr. Uniacke by registered post requesting particulars of ownership of the property. In my view, the Local Authority has been fair and reasonable, giving the owner the time and opportunity to address the dereliction.

#### 7.6. Compliance with Development Plan

7.6.1. I note that the Waterford City and County Development Plan 2022-2028 specifically Policy Objectives ECON 04, ECON 07, H06 and Place 01 and Section 7.1 seek to address instances of dereliction and decay in the urban and rural environment, seeks to reuse and revitalise derelict, vacant and underutilised sites and disused buildings and bring properties back into active reuse. Therefore, I consider that the

subject property and proposed compulsory acquisition would be consistent with the policies and objectives of the development plan and will ensure that the lands do not continue to be in a derelict condition.

#### **7.7. Actions of the Owner to Address Dereliction**

- 7.7.1. I note that there is no evidence on the file and no evidence from the site visit that the owner or their agent has undertaken any actions to address the dereliction.
- 7.7.2. I note that the objection to the proposed acquisition of the subject property made to Waterford City and County Council by the owner on 19<sup>th</sup> June 2025 outlines that the owners are presently looking at options regarding renovation of the property and grants that may be available. I note that no additional details or evidence of proposals to address the dereliction were detailed in the objection and having inspected the site the property continues to have a neglected appearance and be in a derelict state.
- 7.7.3. I note that owner/occupiers have obligations (under section 9 of the Act) to “take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site”. It is my opinion that a significant time has passed since the Section 8(2) and Section 8(7) notices were first affixed to the property in February and March 2025. Having inspected the site, there is no evidence of any attempt to render the site non-derelict and the property remains in a neglected and unsightly condition. I am satisfied the proposed compulsory acquisition is proportionate given the circumstances of this particular case.

### **8.0 Conclusion**

- 8.1. I am satisfied that the process and procedures undertaken by Waterford City and County Council have been fair and reasonable, that the Local Authority has demonstrated the need for the lands and that all the lands being acquired are both necessary and suitable to ensure that the lands do not continue to be a derelict site.
- 8.2. Having regard to the Constitutional and Convention protection afforded to property rights, I consider that the proposed acquisition of the Derelict Site comprising the site and premises situated at 10 Allen Street, Cappoquin, Co. Waterford covering an area 0.0237 hectares or thereabouts, as set out in the Notice issued under Section

15(1)(b) of the Derelict sites Act 1990, (as amended) and dated 19<sup>th</sup> May 2025 and on the deposited map ref. DS23170, pursues, and was rationally connected to, a legitimate objective in the public interest, namely, to ensure that the lands do not continue to be in a derelict condition.

8.3. I am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible. In this respect, I have considered alternative means of achieving the objective referred to in the submissions to the Commission and I am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the compulsory acquisition by the acquiring authority unreasonable or disproportionate.

8.4. The effects of the compulsory acquisition on the rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed acquisition of these lands would be consistent with the policies and objectives of the Waterford City and County Development Plan 2022-2028, and specifically Policy Objectives ECON 04, ECON 07, H06 and Place 01 which seek to actively address instances of dereliction and decay in the urban and rural environment and bring properties back into active re-use and to revitalise towns and villages. Accordingly, I am satisfied that the grant of consent to compulsorily acquire these lands is clearly justified by the exigencies of the common good.

## **9.0 Recommendation**

9.1.1. Having regard to the observed condition of the application site, in particular the neglected, unsightly and objectionable state of the land and the structure thereon, I consider that the site materially detracts from the amenity, character and appearance of land in the neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act, 1990, as amended.

9.1.2. I consider it reasonable that the Local Authority seeks to compulsorily acquire the land, as provided by Section 14 of the Act. I recommend that the Commission grant consent to Waterford City and County Council to compulsorily acquire the site.



## 10.0 Reasons and Considerations

10.1.1. 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 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, 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 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Bernadette Quinn  
Planning Inspector

09<sup>th</sup> September 2025