



An
Coimisiún
Pleanála

Inspector's Report

ACP-324218-26

Nature of Application

Compulsory Purchase Acquisition
(CPA) No. 1 of 2026 - The Coach
House, Wolfe Tone Road, Dungarvan,
Co. Waterford

Location

The Coach House, Wolfe Tone Road,
Dungarvan, Co. Waterford

Planning Authority

Waterford City and County Council

Notice Party

Dr. Richard and Ms. Maire Casey

Date of Site Inspection

19th of June 2026

Inspector

Siobhan Carroll

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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 property, The Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford, in accordance with the provisions of the Derelict Sites Act, 1990, as amended.

2.0 Site Location and Description

- 2.1. The subject property the Coach House is located on the eastern side of Wolfe Tone Road, Dungarvan, Co. Waterford. It is situated circa 500m to the west of the town centre.
- 2.2. There are a mix of residential, educational and commercial uses on Wolfe Tone Road. Dungarvan Further Education and Training Centre is located to the north of the subject property. Dungarvan Men's Shed is located on the site immediately to the north. Wolfe Tone Mews is located immediately to the south of the Coach House. It comprises an infill scheme of 5 no. terraced two-storey dwellings. Two of the dwellings have frontage onto Wolfe Tone Road.
- 2.3. Mountain View House (Protected Structure) is detached three-bay, two-storey house, a Georgian property which was built c.1820. It is located circa 23m to the north-east of the Coach House. Formally the Coach House served Mountain View House, and it was located within its grounds. A scheme of 14 no. houses, Doire Beg was built in the late 1990's within the grounds of Mountain View House.
- 2.4. The area of the subject property is stated as 0.093 acres. It comprises a part single storey terrace dwelling and two-storey Coach House. The single storey cottage is a mid-terrace property located on the eastern side of Wolfe Tone Road. Access to the rear of the site and the Coach House is via a timber gated entrance at the cottage. The property is vacant and in a considerable state of disrepair. In relation to the roof of the property, it was evident that there has been deterioration in its condition in terms of a build-up of moss between the slates. In relation to the external finish of the property, the paint/varnish on the gate door and roof fascia is faded and peeling. Sections of rainwater gutter and downpipe are missing, and the fascia board is exposed to water, unpainted and rotting.

2.5. The Coach House is of a stone construction. In relation to the windows of the building, it is evident that the window panes are missing or broken. The timber window frames are in a rotten condition. There is extensive ivy and vegetation growth on the roof and along the facades. Sections of rainwater gutter are overgrown and sagging and downpipes missing. The fascia board and façade behind is exposed to water, unpainted and rotten with sections falling away.

3.0 Application for Consent for Acquisition

3.1. Waterford City and County Council has applied to the Commission for consent to compulsorily acquire the site under section 14 of the Derelict Sites Act, 1990, as amended. I note that this application is subsequent to Waterford City and County Council serving a notice dated 30th of January 2026 under Section 15 of the Act on the Derelict Sites Act, 1990, as amended, (i.e. advising of the Local Authority's intention to acquire compulsorily under the said Act, the derelict site as described).

4.0 Application and Objection

4.1.1. Notice of Waterford City and County Council's intention to acquire the site compulsorily was served on the owners/occupiers Dr. Richard and Ms. Maire Casey and was published in the Dungarvan Leader on the 6th of February 2026. The site was described as follows in the notices:

- The property known as the property known as the Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford covering an area of 0.093 acres or thereabouts, in the District Electoral Division of Dungarvan – Lismore.

4.1.2. I consider that the notices were in accordance with the requirements of section 15(1)(a) of the Derelict Sites Act 1990, as amended.

4.2. Objection to Acquisition

4.2.1. One objection to the acquisition was received from Dr. Richard and Ms. Maire Casey on the 23rd of March 2026.

- 4.2.2. The owners Dr. Richard and Ms. Maire Casey state that they object to the compulsory acquisition of their property the Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford.
- 4.2.3. They state that they share the desire of the Council to bring their 19th century building into a habitable condition with the aid of appropriate grants.
- 4.2.4. The objection includes a copy of a correspondence to Mr. Ivan Grimes, Director of Services for Planning, Corporate, Culture, HR and IS at Waterford City and County Council, dated 16th of March 2026. This correspondence contains the following information.
- 4.2.5. The Coach House was attached to Mountain View House, Protected Structure. Dr. Casey stated that Mountain View House was his family home. The property was sold following the death of his mother Dr. Ann Casey. The Coach House was kept in family ownership when Mountain View House was sold.
- 4.2.6. Dr. Casey confirmed in relation to the Coach House that they had secured the services of a builder for the project and that a conservation inspection was carried out and a report prepared by PJ Barrett & Co. Conservation and Guidance.
- 4.2.7. It is outlined in the correspondence that due to other circumstances concerning their holiday cottage in Stradbally where damp, roof and electrical problems arose that their finances were diverted to address the issues at that property.
- 4.2.8. It is further stated that they plan to concentrate on the Coach House subsequent to Ms. Casey receiving surgery in the coming months.
- 4.2.9. Dr. Casey stated that they contacted Rose Ryall the Architectural Conservation Officer at Waterford City and County Council, and they stated that they hoped to receive a conservation grant for the works to the Coach House on the basis that the building is a 19th Century property.
- 4.2.10. It is highlighted that the provision of grants towards the works would be essential in ensuring the restoration of the Coach House.

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 26th of April 2026 and included the following:

- Compulsory Acquisition Report of Waterford City and County Council
- Derelict Site Location Map
- Copy of the notices served on the owners/occupiers of the site.
- Copy of the newspaper notice, dated 6th of February 2026.
- Copy of the objection made by Dr. Richard and Ms. Maire Casey submitted to the Local Authority on the 23rd of March 2026.
- Copy of their further correspondences and acknowledged responses
- Photographs from the derelict site case file on the property.

4.4. The Derelict Site report can be summarised as follows:

- It is set out that the Waterford City and County Council's Rural Vacancy and Dereliction Fund aims to tackle properties that have been long term vacant and derelict in urban settlements which are not sanctioned under the Urban Regeneration Development Fund (URDF) across Waterford City, Dungarvan and Tramore and to bring them back into active use predominantly for residential use for resale on the private market.
- It is set out in the report that the acquisition aligns with and is consistent with the aims and objectives of URDF Circular 03/2023 and 01/2023 and the Housing for All Plan which seeks to ensure existing vacant homes are brought back into productive use. It is also a key priority in terms of achieving sustainable development within communities as set out in the Waterford City and County Council Development Plan 2022-2028 (a varied).
- In relation to the location of the property, it is noted that it is located on the eastern side of Wolfe Tone Road the L-3115-0. There are 2 no. NIAH and RPS Protected Structures to the north and east of the subject property.

- Mountain View House (RPS DV740039 & NIAH 22821071) is located to the east. It is described as “detached three-bay two-storey house, c.1820, retaining early fenestration with two-bay, two-storey lower return to the south. Extensively renovated in c.1995. Now in use as a guesthouse.
- It is detailed in the compulsory acquisition report that while the Coach House stone building is not referenced within the description of the RPS or NIAH records for Mountain View House, from historical planning permissions maps and historical 6” inch maps from the 1820’s, the Coach House was likely part of and serving the Mountain View House grounds. Originally there was a direct entrance from Mountain View House through the Coach House laneway which is now blocked, out onto Fair Lane as it was previously known, now Wolfe Tone Road.
- In relation to the description of dereliction, it is set out that the site is derelict and long term vacant comprising a part single storey terrace dwelling and two-storey Coach House. Neither property appears to have been occupied for some time in excess of twenty years. The property is accessed via the Wolfe Tone Street mid-terrace single storey cottage timber gated entrance which was originally part of the similar styled cottages with a single door and one window either side to the north.
- It is set out that the derelict property is in a very poor state or repair with the following issues identified;
- The single storey cottage has an unpainted timber doorway to the laneway to the front. The paint/varnish on the gate door and roof fascia is peeling and sun damaged. Sections of rainwater gutter and downpipe are missing and in very poor condition. The fascia board is exposed to water, unpainted and rotting. The pebble dash and plaster finish to the façade including architraves and sills are in need of cleaning and repainting. There is vegetation/moss growing on the roof. There is excess vegetation growing in the rear garden. There is an unkempt and neglected appearance to the streetscape section of the property.
- The stone Coach House has timber windows and doorways to the laneway which are in a rotten condition due to lack of painting. Most of the window

panes are missing or broken. The roof is overgrown with vegetation and ivy. There are missing sections of slate and roof fascia is rotten. Sections of rainwater gutter are overgrown and sagging. There are downpipes missing. The fascia board and façade behind is exposed to water, unpainted and rotten with sections falling away. It is noted that the western gable end of the Coach House previously had an adjoining 19th century building which has recently been demolished. This has exposed the structure of the building with missing brick and stone elements. An internal chimney is now exposed to the elements. The gable is unrendered with water ingress occurring through the wall. There is vegetation/ivy growing on the roof along the facades. There is excess vegetation growing in the open rear space along the laneway.

- It is highlighted in the compulsory acquisition report that there has been no improvement or works undertaken on the property during the course of the dereliction process.
- In relation to the history of the case an initial site inspection was carried out by the Planning Authority on the 28th of January 2025, and a derelict site report was prepared.
- On the 12th of February 2025 a notice was issued to the owners of the property under Section 9 of the Derelict Sites Act, 1990, (as amended). This notified them of the poor condition of the site. A Section 8(2) Notice was also issued under the Derelict Sites Act, 1990, (as amended). This highlighted the intention of the Planning Authority to place the property on the Derelict Sites Register. The notices were issued by registered post to Dr. Richard Casey & Maire Casey to their home address in Dublin and also by normal post to 'The Owner', The Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford. A copy of the Section 8(2) Notice was also affixed to the property.
- The registered mail was delivered on the 13th of February 2025. The normal post was returned on the 14th of February 2025 stating 'unknown at this address'. Following the issuing of the Section 8(2) notice, there was no response received or recorded on file and there was no material change to the composition of the property.

- On the 12th of March 2025, Section 8(7) Notices were served under the Derelict Sites Act (1990) (as amended). The notice was issued by registered post to the owners Dr. Richard Casey and Maire Casey to their home address in Dublin. It was delivered on the 13th of March 2025. Following the issuing of this notice there was no responses received from the owners and there was no material change to the composition of the property.
- On the 8th of September 2025, Section 22(3) Notices were issued under the Derelict Sites Act, 1990 (as amended) to the owners advising them that the subject derelict property had been valued at €50,000.00. The notices were issued by registered post to the owners at their Dublin home address and they were delivered on the 11th of September 2025. Following the issuing of this notice there was no responses received from the owners and there was no material change to the composition of the property.
- The following provisions of the Waterford City and County Development Plan 2022 – 2028 (As varied) are detailed in the compulsory acquisition report. The site is located within the settlement boundary of Dungarvan and Ballinroad and it is zoned Existing Residential (RS) with an objective to “protect and improve residential amenity”.
- The following policies and objectives in the Development Plan are cited in relation to derelict sites:
- Policy Objective Core Strategy CS 18: CPO powers and enabling the Development Plan - Waterford City and County Council will support and, where necessary and appropriate, initiate the use of Compulsory Purchase Orders (CPOs) for the acquisition of land and/or property. This measure will be considered where such acquisition is essential to secure the implementation of the core strategy and policy objectives of the Development Plan, facilitate necessary development, and achieve the proper planning and sustainable development of the City and County's settlements. The use of CPO powers will be pursued in accordance with statutory procedures and only when deemed necessary to deliver key strategic outcomes aligned with national policy, specifically the National Planning Framework (NPF), and

regional policy, particularly the Southern Regional Spatial and Economic Strategy (RSES) and local policy.

- Policy Objective ECON 04 City and Town Centre First Approach: 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'. The policy seeks to incentivise the regeneration, upgrading and reuse of underused and vacant building stock.
- Policy Objective ECON 07 refers to Active Land Management it seeks - 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.
- Policy Objective H0 5 refers to Regeneration - To maximise the efficient use of existing infrastructure and services and promote a positive modal shift towards sustainable transport use, we will facilitate the sustainable, compact, sequential regeneration and redevelopment of urban areas through the appropriate development of identified key infill and brownfield sites as per Table 3.2 and Appendix 21 for a mix of uses appropriate to the location. To assist in this regard, we will carry out a viability assessment for key brownfield sites during the lifetime of the development plan with a view to assisting in delivery of regeneration projects. Development proposals which are not fully consistent with the provisions of the land use zoning matrix (Volume 2 – DM Standards Table 11.2) will be considered on their own merits where it can be demonstrated that the proposed development is consistent with the 'Vision' for the site, and is in accordance with the proper planning and sustainable development of the area.

- Policy Objective H0 6 refers to Regeneration - We will utilise our 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.
- Policy Objective Place 01 refers to General Place Making - 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. It further states, provide for, protect and strengthen the vitality and viability of town centres, through consolidating development, encouraging a mix of uses and maximising the use of land whilst promoting sympathetic reuse of structures.
- Heritage Strategic Objective seeks the protection, sustainable management and enhancement of Waterford's built heritage; to promote the appropriate regeneration and reuse of our historic structures which strengthen a sense of place; to promote awareness and enjoyment of our built heritage for the present and future generations.
- Policy Objective BH 08 refers to Reusing our Heritage Buildings - It is a policy of the Council to encourage sympathetic development or reuse of historic buildings to promote heritage led economic growth and regeneration whilst not adversely detracting from the building or its setting. Any proposals shall respect features of the special architectural and historic character by appropriate design, materials, scale, and setting.
- Policy Objective BH 13 refers to Vacant and Derelict Structures - It is the policy of the Council to encourage the sensitive redevelopment of vacant or derelict sites within the ACA and historic cores of the city, towns and villages whilst promoting a high standard design which respects urban plots, roof lines vistas and streetscape.
- It was recommended, having regard to the observed condition of the property The Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford, in particular its neglected and unsightly state that it considered that the site materially detracts from the amenity, character and appearance of the land in the

neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act, 1990, as amended.

4.5. Objector's Submission

4.5.1. No received.

4.6. Oral Hearing

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

5.0 Planning History

5.1. Reg. Ref. 93510024 – Permission was granted for new vehicular access through Wolfe Tone Road to existing mews building at 11 Wolfe Tone Road/Mountain View, O'Connell Street, Dungarvan.

5.2. Reg. Ref. 71510030 – Permission was granted for an extension to the dwelling house at Wolfe Tone Road.

6.0 Policy Context

6.1. Waterford City and County Development Plan 2022 – 2028 (As Varied)

6.1.1. The subject property is located within the settlement boundary of Dungarvan and Ballinroad. The property is located within an area zoned 'RS' 'To provide for residential development and protect and improve residential amenity.'

6.1.2. The following policies and objectives are relevant:

6.1.3. Chapter 2 refers to Spatial Vision and Core Strategy

6.1.4. Policy Objective Core Strategy CS 18: CPO powers and enabling the Development Plan - Waterford City and County Council will support and, where necessary and appropriate, initiate the use of Compulsory Purchase Orders (CPOs) for the acquisition of land and/or property. This measure will be considered where such acquisition is essential to secure the implementation of the core strategy and policy objectives of the Development Plan, facilitate necessary development, and achieve

the proper planning and sustainable development of the City and County's settlements. The use of CPO powers will be pursued in accordance with statutory procedures and only when deemed necessary to deliver key strategic outcomes aligned with national policy, specifically the National Planning Framework (NPF), and regional policy, particularly the Southern Regional Spatial and Economic Strategy (RSES) and local policy.

6.1.5. Chapter 4 refers to Economic Development

6.1.6. Policy Objective ECON 04 refers to City and Town Centre First Approach

6.1.7. 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'.

- The policy seeks to incentivise the regeneration, upgrading and reuse of underused and vacant building stock.

6.1.8. Policy Objective ECON 07 refers to Active Land Management

6.1.9. 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;

6.1.10. Chapter 7 refers to Housing and Sustainable Communities.

6.1.11. Policy Objective H06 states, 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.

6.1.12. Chapter 8 refers to Placemaking

6.1.13. Policy Objective Place 01 contains the following which 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.

6.1.14. Chapter 11 refers to Heritage

6.1.15. Policy Objective BH 08 – Reusing our Heritage Buildings - It is a policy of the Council to encourage sympathetic development or reuse of historic buildings to promote heritage led economic growth and regeneration whilst not adversely detracting from the building or its setting. Any proposals shall respect features of the special architectural and historic character by appropriate design, materials, scale, and setting.

6.1.16. Policy Objective BH 13 – Vacant and Derelict Structures - It is the policy of the Council to encourage the sensitive redevelopment of vacant or derelict sites within the ACA and historic cores of the city, towns and villages whilst promoting a high standard design which respects urban plots, roof lines vistas and streetscape.

6.2. Derelict Sites Act

6.2.1. The Derelict Sites Act 1990, as amended, makes provisions to prevent land being or becoming a derelict site. Amongst other things, it enables local authorities to

required 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 of–

(a) the existence of 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. 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 of their intention to do so.

Section 9 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 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.

6.2.4. Section 14 provides that a local authority may acquire by agreement or compulsorily any derelict site situated in their functional area. Section 15 sets out arrangements for giving notice, if the local authority intend to acquire a derelict site compulsorily, and section 16 sets out arrangements if the owner/occupier wish to object to the acquisition. Specifically, section 16, as amended, provides that where an objection is made, the derelict site shall not be acquired compulsorily by the local authority without the consent of the Commission.

7.0 Assessment

- 7.1.1. Internal access to the property was not possible on the date of my site inspection. However, I carried out my site inspection from the public road to the front of the property on Wolfe Tone Road and from the adjoining lands to the north and south.
- 7.1.2. The subject property comprises a part single storey terrace dwelling and two-storey Coach House. The single storey cottage is a mid-terrace property located on the eastern side of Wolfe Tone Road. Access to the rear of the site and the Coach House is via a timber gated entrance at the cottage. The property is in a vacant and in a considerable state of disrepair. In relation to the roof of the property, it was evident that there has been deterioration in its condition in terms of a build-up of moss between the slates. In relation to the external finish of the property, the paint/varnish on the gate door and roof fascia is faded and peeling. Sections of rainwater gutter and downpipe are missing, and the fascia board is exposed to water, unpainted and rotting.
- 7.1.3. The Coach House is of a stone construction. In relation to the windows of the building, it is evident that the window panes are missing or broken. The timber window frames are in a rotten condition. There is extensive ivy and vegetation growth on the roof and along the facades. Sections of rainwater gutter are overgrown and sagging and downpipes missing. The fascia board and façade behind is exposed to water, unpainted and rotten with sections falling away.

7.2. Category of Dereliction

- 7.2.1. In relation to the category of dereliction which may be applicable to the subject property there are three set out under Section 3 of the Derelict Sites Act 1990, as amended. Regarding category 3 (a) which relates to structures which are in a ruinous, derelict or dangerous condition, based on my site inspection and material on file, I would not consider that the structure is in a dangerous condition in the absence of access the interior of the property or a structural survey.
- 7.2.2. Secondly, in relation to category 3 (b) of Section 3 of the Act, I note the condition of the property and the general appearance of the property and grounds having 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.

- 7.2.3. Thirdly, in relation to category (c) of Section 3 of the Act, there was no litter collection/deposits evident to the front of the site and I note that the compulsory acquisition report of the Council did not reference the presence of litter, rubbish, debris or waste on the property, Accordingly, I do not consider the site falls in category (c) of the section of the Derelict Sites Act, 1990.
- 7.2.4. In conclusion, I consider that the property detracts to a material degree from the amenity, character and appearance of land in the town centre, which in my view, renders it derelict under Section 3 of the Act.
- 7.3. Action of the Local Authority
- 7.3.1. The Compulsory Acquisition Report of Waterford City and County Council sets out the chronology of the action which was taken in relation to the subject property.
- 7.3.2. A notice was issued to the owners of the property Dr. Richard Casey and Ms. Maire Casey under Section 9 of the Derelict Sites Act, 1990, (as amended) on the 12th of February 2025. This notified them of the poor condition of the site. On the 12th of February 2025 a Section 8(2) notice was also issued to the owners of the property under the Derelict Sites Act, 1990, (as amended). This highlighted the intention of the Planning Authority to place the property on the Derelict Sites Register. The notices were issued by registered post to Dr. Richard Casey & Maire Casey to their home address in Dublin and also by normal post to 'The Owner', The Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford. A copy of the Section 8(2) Notice was also affixed to the property.
- 7.3.3. The registered mail was delivered on the 13th of February 2025. The normal post was returned on the 14th of February 2025 stating 'unknown at this address'. Following the issuing of the Section 8(2) notice, the Council did not receive a response from the owners and there was no material change to the composition of the property.
- 7.3.4. Section 8(7) notices were issued under the Derelict Sites Act (1990) (as amended) on the 12th of March 2025. The notice was issued by registered post to the owners Dr. Richard Casey and Maire Casey to their home address in Dublin. It was delivered on the 13th of March 2025. Following the issuing of the Section 8(7) notice, the Council did not receive a response from the owners and there was no material change to the composition of the property.

7.3.5. On the 8th of September 2025, Section 22(3) notice was issued by registered post to the owners at their Dublin home address. The notice advised the owners that the subject derelict property had been valued at €50,000.00. The notice was delivered on the 11th of September 2025. Following the issuing of this notice there was no responses received from the owners and there was no material change to the composition of the property.

7.3.6. 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.” Based on the information on the file I note that Waterford City and County Council have attempted to have the site rendered non-derelict by establishing the identity of the owner, and then by issuing a Section 8(2) and Section 8 (7) Notice. I note that as detailed in the compulsory acquisition report that there was no direct engagement between Waterford City and County Council with the property owners during the course of this process until after this compulsory acquisition was issued on the 30th of January 2026. I am generally satisfied that the efforts of the Local Authority have been fair and reasonable.

7.4. Compliance with the Development Plan

7.4.1. The Waterford City and County Development Plan 2022-2028 (As Varied), contains a number of general and more specific policy objectives which directly or indirectly support the subject compulsory acquisition.

7.4.2. Chapter 2 of the Development Plan refers to Spatial Vision and Core Strategy. Policy Objective Core Strategy CS 18: refers CPO powers and enabling the Development Plan. It states that Waterford City and County Council will support and, where necessary and appropriate, initiate the use of Compulsory Purchase Orders (CPOs) for the acquisition of land and/or property. This measure will be considered where such acquisition is essential to secure the implementation of the core strategy and policy objectives of the Development Plan, facilitate necessary development, and achieve the proper planning and sustainable development of the City and County's settlements. It is set out in the plan that this objective provides a clear framework indicating the Council's commitment to utilising all available tools, including CPO to

proactively implement the Development Plan and secure a sustainable future for Waterford City and County.

- 7.4.3. Chapter 4 of the Development Plan refers to Economic Development. Policy Objective ECON 04 refers to City and Town Centre First Approach. It is set out that the Council 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. It further states, 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'. One of the specific measures set out under this objective is to incentivise the regeneration, upgrading and reuse of underused and vacant building stock.
- 7.4.4. Policy Objective ECON 07 refers to Active Land Management. This policy specifically refers to vacant and derelict lands and buildings. It sets out that the Council will seek 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. It is further detailed that 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.
- 7.4.5. Chapter 7 of the Development Plan refers to Housing and Sustainable Communities. Policy Objective H06 refers to Regeneration it states that the Council 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.
- 7.4.6. Chapter 8 of the Development Plan refers to Placemaking. Objective Place 01 seeks to facilitate the re-use and regeneration of derelict land and buildings and, use statutory powers under the Derelict Sites Act 1990 to address issues of dereliction.

- 7.4.7. Chapter 11 of the Development Plan refers to Heritage. The subject property Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford was constructed c.1820 and was originally part of the property Mountain View House, Protected Structure Mountain View House (RPS DV740039). Policy Objective BH 08 refers to Reusing our Heritage Buildings. It states that it is a policy of the Council to encourage sympathetic development or reuse of historic buildings to promote heritage led economic growth and regeneration whilst not adversely detracting from the building or its setting. Any proposals shall respect features of the special architectural and historic character by appropriate design, materials, scale, and setting.
- 7.4.8. Policy Objective BH 13 refers to Vacant and Derelict Structures. It states that it is the policy of the Council to encourage the sensitive redevelopment of vacant or derelict sites within the ACA and historic cores of the city, towns and villages whilst promoting a high standard design which respects urban plots, roof lines vistas and streetscape.
- 7.4.9. Having regard to the condition of the subject property, I consider that the proposed compulsory acquisition of the property would be consistent with the policy objectives of the Development Plan set out above and will ensure that the lands do not continue to be in a derelict condition.

7.5. Action of the owners to address the Dereliction

- 7.5.1. The owners of the subject property the Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford are Dr. Richard Casey and Maire Casey. They object to the compulsory acquisition of the property by the Council.
- 7.5.2. It is set out in their objection that they share the intention of the Council that the property is brought back to a habitable condition. In relation to the matter of measures taken to address the condition of the property, it is stated in the objection that Dr. Casey had previously secured the services of a builder for the project and that a conservation inspection was carried out and a report prepared by PJ Barrett & Co. Conservation and Guidance.
- 7.5.3. An explanation was provided in relation to the lack of progress on the project. It was stated that due to other circumstances concerning their holiday cottage in Stradbally where damp, roof and electrical problems arose that their finances were diverted to the works required to address the issues with that property. It is further

stated in the objection that they plan to concentrate on the Coach House subsequent to Ms. Casey receiving surgery in the coming months. I note that there is also reference to the owners previously contacting Rose Ryall the Architectural Conservation Officer at Waterford City and County Council in relation to a conservation grant for the works to the Coach House.

- 7.5.4. In relation to the details set out above, I note that no copy of the referenced report prepared by PJ Barrett & Co. Conservation and Guidance was submitted with the objection. The objectors refer to enquiring in relation to a conservation grant. There are no further details on the matter on file. The owners state that it is their intention to carry out works to the property to bring it back to habitable use.
- 7.5.5. There are no detailed proposals in the objection in relation how the owners plan to bring the property out of its current derelict condition. Specifically, details of the works required, and the projected timeframe have not been provided. In the absence of such details, it is not possible to determine when the derelict condition of the property will be addressed. Furthermore, I note that it is stated in the Compulsory Acquisition Report of Waterford City and County Council that neither property appears to have been occupied for some time in excess of twenty years.
- 7.5.6. In my opinion, no demonstratable efforts have been made to redevelop the dwelling or to bring the site out of dereliction and the objection to the compulsory acquisition of the property has not presented adequate proposals to rectify the condition of the site and subject building. Therefore, I would conclude that the most appropriate way to address the long-term dereliction of the property is for the Council to acquire it.
- 7.5.7. Accordingly, given that the site has been vacant for circa twenty years and is in a derelict condition in recent years, I recommend a grant of consent to compulsory acquisition of the site in question.

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 to be 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 at the Coach House, Wolfe Tone Road, Dungarvan, Co. Waterford as set out in the Derelict Site Notice issued under Section 15(1)(b) of the Derelict sites Act 1990, (as amended) and dated 30th of January 2026, 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. I am further satisfied that the proposed acquisition of these lands was consistent with the policy objectives of the Waterford City and County Development Plan 2022 2028 (As Varied), and specifically Policy Objective Core Strategy CS 18 which refers CPO powers and enabling the Development Plan. It states that Waterford City and County Council will support and, where necessary and appropriate, initiate the use of Compulsory Purchase Orders (CPOs) for the acquisition of land and/or property.
- 8.5. Objective Place 01 which seeks to facilitate the re-use and regeneration of derelict land and buildings and, use statutory powers under the Derelict Sites Act 1990 to address issues of dereliction, and Objective H06 and Objective ECON7, which similarly seek to use the provisions of the Derelict Sites Act 1990 to remove dereliction and vacancy, and address incidents of urban decay and vacancy respectively are all directly supportive of the compulsory acquisition of derelict properties.
- 8.6. 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. Having regard to the observed condition of the site, in particular the derelict condition, the 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 that it is therefore a derelict site within the meaning of Section 3 (b) of the Derelict Sites Act, 1990, as amended.
- 9.2. 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. Having regard to the neglected, unsightly and objectionable condition of the subject property, which detracts to a material degree from the amenity, character and appearance of land in the neighbourhood, having considered the objections 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 Waterford City and County Development Plan 2022-2028 (As Varied),

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 objections 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Siobhan Carroll
Planning Inspector

3rd of July 2026