



From: Eoin Curran, Executive Engineer
To: David Quinn, Senior Executive Planner

Derelict Sites Register: DS23170.
Property Management Reference: CPA 2025 – No. 11.
Location: DS23170 10 Allen St., Cappoquin, Co. Waterford, P51 H2A0.
Property Registration: Property not registered on Land Direct or registry of deeds.
Owner/Reputed Owner: Noel Uniacke, Green St., Cappoquin, Co. Waterford, P51F2X9.
Date of Addition to Derelict Sites Register: 30th July 2024.
Property on RZLT No - Residential Zoned Land Tax area within Cappoquin.
Date of Report: 1st May 2025.

DESCRIPTION OF CPO CONTEXT

Waterford City and County Council's 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 - predominately for residential use - for re-sale on the private market. This targeted response to long term vacancy and dereliction in our rural settlements will have a more proportionate impact and significantly enhance the attractiveness of these centres.

The RVDF aligns and is consistent with the aims and objectives of URDF Circulars 03/2023 and 01/2023, 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, Waterford City and County Council seek to use the powers set out within the Derelict Sites Act (1990) to undertake a compulsory acquisition of the derelict and vacant property at *10 Allen St., Cappoquin, Co. Waterford, P51 H2A0* as depicted in Figure 1 of this report.

The definition of dereliction, as set out within The Derelict Sites Act (1990), is:

“3.—In this section “derelict site” means any land (in this section referred to as “the land in question”) 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 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.”

DESCRIPTION OF DERELICT SITE

Site Location

The site is outlined in red in **Figure 1** below. The site which is a long term vacant and derelict property is located within the architectural conservation area of Cappoquin. The property is located on the northern side of Allen Street (part of Barrack Street) (R-669-2), a regional public roadway, east of the town centre. The Cappoquin Library is 70m on the same side of the road to the west, and the Post office is a further 50m west of Cappoquin Library. To the north property are agricultural lands part of the Cappoquin Demesne. The property is located between two NIAH protected structures referenced **22810029** and **22810030**, see **figure 4** below.

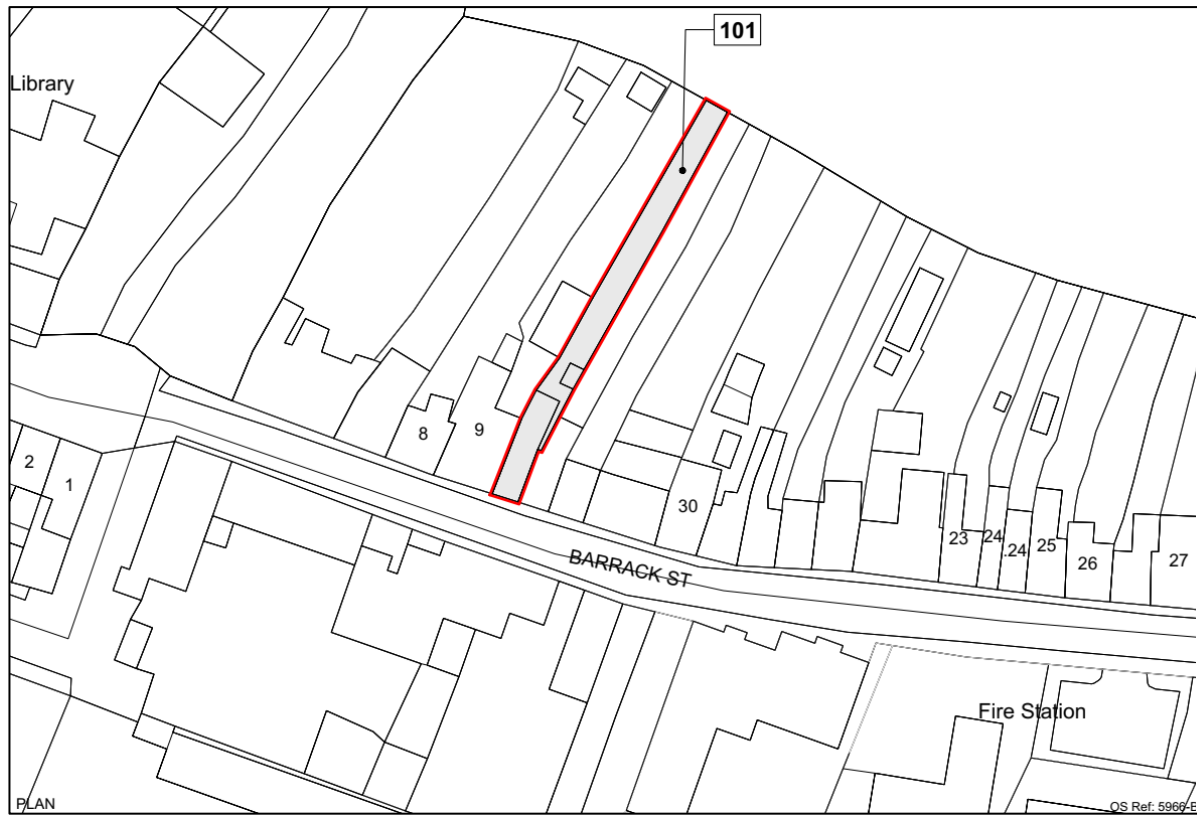


Figure 1: Site Location (Site area in red), not registered with the PRA Land Direct.



Figure 2: Site outline in red, no historic planning permissions on the property, large overgrown vegetation and trees visible to rear.

Description Of Derelict Site

The site is one of a nearly fifty number continuous row of terrace, mostly two-storey cottages and one number three storey property, stretching from the entrance to Cappoquin Demesne to the east to 38 Barrack St some 200m to the east. 10 Allen Street has a small public side façade, approx. 4m in width in total, with one ground floor window, to the right hand side of a single doorway entrance directly onto the public footpath, and one window on the 1st floor. The overall property is 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 façade boundary line with footpath with moss growing up the wall, and while there was no access the rear of the property, from aerial images there are signs of it becoming very overgrown, there are several large trees present and likely rubbish and debris building up and the garden.
- The roof of the property has experienced significant deterioration of the apex and slates totally covered by moss which has hidden the condition or integrity of the roof slates underneath. There is a strong likelihood that there are loose and prone to falling slates 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, 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 façade are unpainted, dirty and fading and in poor condition visually. The front door window pane is broken / missing and boarded up with plywood, and the remainder of the door is damaged with the handle / ironmongery missing, in poor condition and dirty. It would seem as if 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 1 year), to 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. This would mean that any blockage or collapse on the shared sewer / storm drainage within the curtilage of number 10 Allen Street, and as it is not occupied or accessed regularly, this would be unknown immediately and for likely some a period of time, which would result in the blockage causing a significant upstream public health issues and or flooding and property damage.

Please see for further illustration of the derelict site, images A, & B, from initial site visit 30th July 2024. Images C & D from 5th December 2024, walk around of the town of Cappoquin. Images E & F from posting of section 8(2) notice from 24th February 2025 onsite. Images G & H from posting of Section 8(7) from 12th March 2025 onsite. Images I & K are most recently taken from survey inspection 28th March 2025, ***showing no update on condition at 10 Allen Street.***



Images A & B above 30th July 2024: Front views of the property from Church St., Cappoquin, showing, damaged shuttered up doorway, letterbox and ironmongery missing, ground floor window broken and façade stained and dirty.



Images C & D above from 5th December 2024 town walk around, façade, fascia & window sills stained / dirty & window & doorway broken.



Images E & F above from 24th February 2025, Section 8(2) posting onsite, facia & window sills stained / dirty & window broken.



Images G & H above from Section 8(7) posting 12th March 2025: Views of the property entrance door broken / damaged of 10 Allen St., and the site notices installed, and to the right, the ground floor window still broken and Secton 8(2) notice removed.



Image I & K above 28th March 2025: Views of the property front elevation at 10 Allen St, site notices removed and moss evident on roof, front façade stained and dirty, and on right ground floor doorway and window still broken

HISTORY OF DERELICT SITE CASE

30th July 2024 – Initial site inspection undertaken by Planning Authority (PA) further to derelict sites complaint received and report developed.

2nd August 2024 – A first correspondence letter and **Notice under Section 9** notifying ‘The Owner’ of the poor condition of the site was issued via post to the address 10 Allen Street, Cappoquin. The notice gave 14 days for ‘The Owner’ to respond, and further to being issued, there are no known responses received or on file and there has been no material change to the composition of the property was undertaken.

17th February 2025 – An email was issued to all relevant Councillors in the electoral Municipal District of Dungarvan – Lismore, identify the property at 10 Allen St., Cappoquin as derelict and seeking assistance from them in identifying the owner of said property. Further to this communication there are no known responses received or on file and there has been no material change to the composition of the property was undertaken.

24th February 2025 – A Section 8(2) Notice was served under the Derelict Sites Act (1990) (as amended). This notice was issued by registered post to ‘The Owner / Occupier / Leasee’ of the property at 10 Allen Street, Cappoquin and a copy was affixed to the property. The

registered letter was returned undelivered 3rd March 2025, and resent via normal post same day. Following the issuing of the Section 8(2) Notice to the to 'The Owner / Occupier / Leasee' at the property, there are no known responses received or on file and there has been no material change to the composition of the property was undertaken.

12th March 2025 – A Section 8(7) Notice was served under the Derelict Sites Act (1990) (as amended). This notice was issued by registered post to 'The Owner / Occupier / Leasee' of the property and a copy was affixed to the property. The registered letter was returned undelivered on the 18th March 2025 with comment 'No Access' by An Post delivery team, and resent via normal post on 18th March 2025. Following the issuing of the Section 8(7) Notice to the to 'The Owner / Occupier / Leasee' at the property, there are no known responses received or on file and there has been no material change to the composition of the property was undertaken.

27th March 2025 – A discussion with a member of the Cappoquin Town Centre First Team highlighted that Mr. Noel Uniacke may be the reputed owner of the property and an address for Noel was provided on Green Street, Cappoquin.

10th April 2025 – A Section 29 (1) Notice was issued to Mr. Noel Uniacke (the reputed owner of the property), of Green Street, Cappoquin, Co. Waterford P51F2X9 by registered post, and delivered on 11th April 2025 12:19pm. The notice gave 14 days for Mr. Uniacke to response, and further to being issued, there are no known responses received or on file and there has been no material change to the composition of the property was undertaken.

Considering the information set out above, the site is considered to materially detract from the character and amenity of the surrounding area and such falls within the definition of a derelict site as set out by The Act.

PLANNING HISTORY

A review of the planning history for the derelict site was undertaken. There appears to be no live planning permissions pertaining to the subject site.

PLANNING POLICY DESIGNATIONS

The statutory development for the site comprises the adopted Waterford City and County Council Development Plan 2022-2028. The site benefits from the following designations:

- Cappoquin Settlement Boundary (within);
- Rural Village (RV) Zoning with an objective to *"protect and promote the character of the Rural Village and promote a vibrant community appropriate to available physical and community infrastructure"*;
- Zone of Notification - R131322 (RMP & SMR);
- Architectural Conservation Area (Cappoquin);
- National Inventory of Architectural Heritage (NIAH) – Not on the inventory;
- Protected Structure – Not on the register.

It is noted that the property is not listed on the NIAH.

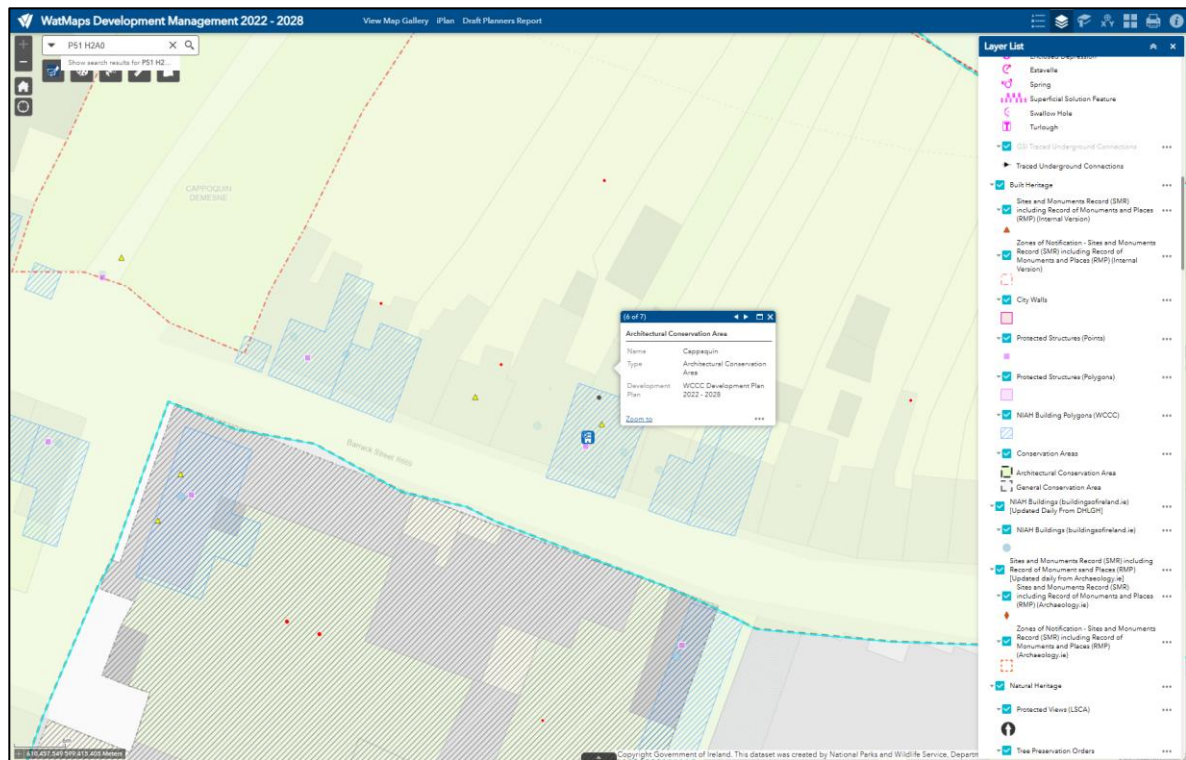


Figure 3: Development Management Map, Town Settlement, ACA, RV, SMR.

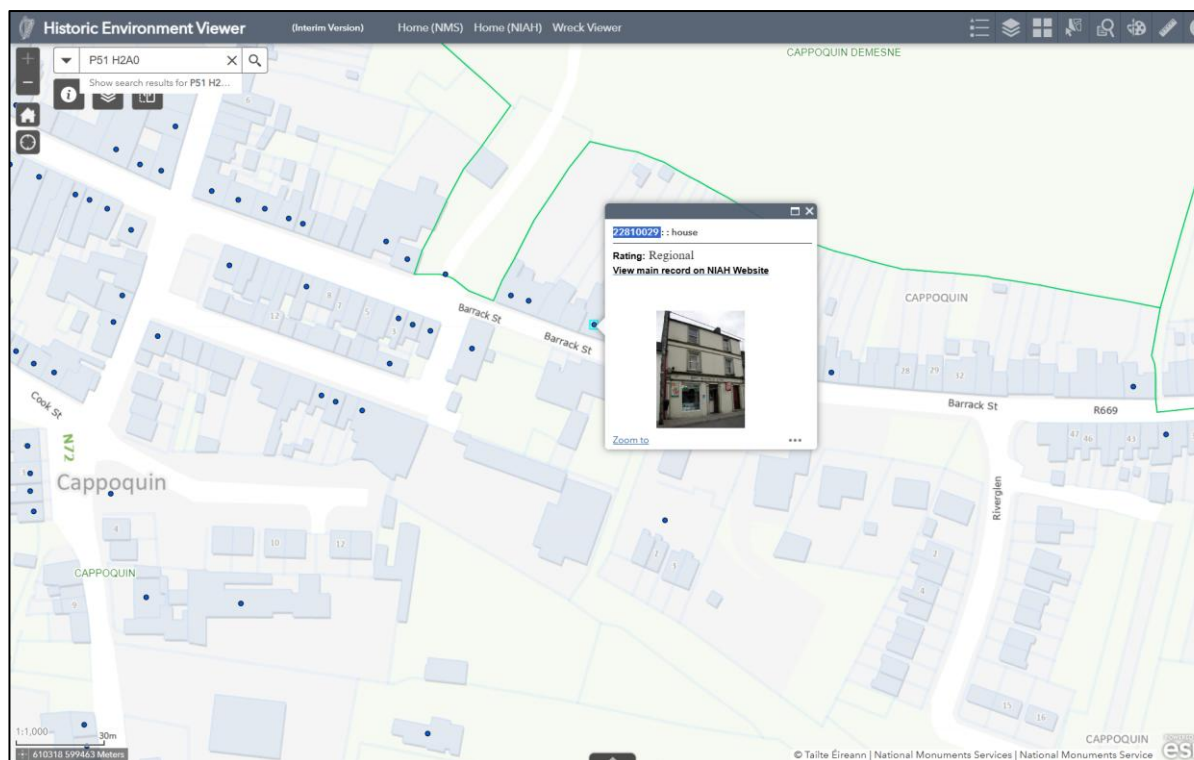


Figure 4 above shows the extent of NIAH protected structures surrounding the property at 10 Allen Street. The property is between to the west and to the east of two NIAH protected structures referenced 22810029 and 22810030. The Development Plan sets out the following policy objectives in relation to derelict sites:

Economic Policy Objectives

Policy Objective ECON 04 City and Town Centre First Approach The policy states 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*. 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 further states that the Council supports...” *“Incentivising the regeneration, upgrading and reuse of underused and vacant building stock.”*

Policy Objective ECON 07 relates the Active Land Management. The policy 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:

...Measures to support the change of use from vacant commercial units to residential, using the Council’s statutory powers, where appropriate, under the Derelict Sites Act 1990 (as amended) and the Urban Regeneration and Housing Act 2015 (as amended) ...”

Regeneration Policy Objectives

Policy Objective H 06 “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.”

General Placemaking Policy Objective

Policy Objective Place 01 “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.” This policy further states that it “...provides 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...”

Built Heritage Policy Objectives

Heritage Strategic Objectives To seek 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 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 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.

OWNERSHIP INVESTIGATIONS

In order to confirm ownership details of the property, the following steps were taken:

- Engagement with Cappoquin Town Centre First Team.
- Land registry search/ Planning History Search.
- Engagement with other Council Departments: Economic Development and Finance.
- Erection of Derelict Site Notices on property and engagement with the reputed owners daughter Marietta Hannon.

Details of the findings of this research are included in **Appendix 1**. Notices are to be served on the following:

Owner(s) / Reputed Owner(s)
• Reputed: Mr. Noel Uniacke, Green Street, Cappoquin, Co. Waterford, P51F2X9.

RECOMMENDATION

Having regard to the observed condition of the property at *10 Allen St., Cappoquin, Co. Waterford, P51 H2A0*, 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.

Subsequently, it is considered reasonable that the local authority seeks to compulsorily acquire the land as outlined in Figure 1, as provided by Section 14 of the Act.



Eoin Curran
Executive Engineer

Date: 01.05.2025



David Quinn
Senior Executive Planner

Date: 02.05.2025

APPENDIX 1

OWNERSHIP INVESTIGATIONS

APPENDIX 2

CHIEF EXECUTIVE ORDERS (CEO) & SITE NOTICES