

An
Coimisiún
Pleanála

Commission Order ABP-321301-24

Derelict Sites Act, 1990

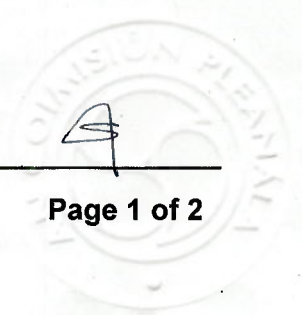
Planning and Development Act, 2000 to 2022

Planning Authority: Offaly County Council

Application received by An Coimisiún Pleanála on the 21st day of November 2024, from Offaly County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a site at Harbour Street, Tullamore, County Offaly, and as more particularly described in the notice of intention to compulsorily acquire the site.

Decision

Grant consent to the compulsory acquisition of the said site based on the reasons and considerations set out below.



Reasons and Considerations

Having regard to the structure which is in a derelict condition, the neglected, unsightly and objectionable state of the land and structure thereon, evidenced by the poor condition of the front façade of the property which is discoloured, dirty, stained and graffitied, the poor condition of the windows including the partially boarded up front window, the missing fanlight, the poor condition of the roof including broken and missing slates, and the overgrown vegetation to the rear of the dwelling, and having considered the objection made to the compulsory acquisition, and also,

- (a) the Constitutional and Convention protection afforded to property rights,
- (b) the public interest, and,
- (c) the provisions of the Offaly County Development Plan 2021 – 2027,

it is considered that the site detracts to a material degree from the amenity, character and appearance of land in the neighbourhood and Tullamore town centre and, therefore, comes within the definition of a derelict site as defined in Section 3(a) and (b) of the Derelict Sites Act, 1990, as amended, and that the acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it 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.



Emer Maughan
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.



Dated this 7th day of October 2025