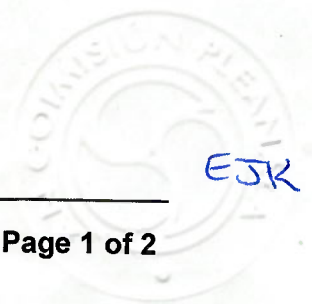**Derelict Sites Act, 1990**

Planning and Development Act, as amended

Planning Authority: Offaly County Council

Application received by An Coimisiún Pleanála on the 25th day of April 2025 from Offaly County Council pursuant to section 16 of the Derelict Sites Act, 1990, as amended, for consent to the compulsory acquisition of a derelict site at 22 High 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.
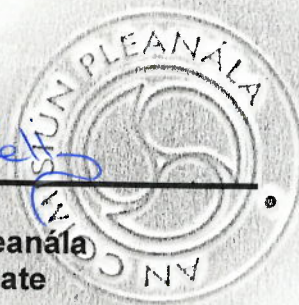
EJK

Reasons and Considerations

Having regard to the derelict condition of the structure and to the neglected, unsightly and objectionable state of the land and structure, 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 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, therefore, comes within the definition of a derelict site as defined in sections 3(a) and 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.

Eamonn James Kelly
Eamonn James Kelly
Member of An Coimisiún Pleanála
duly authorised to authenticate
the seal of the Commission.

Dated this 18th day of September, 2025