

An
Coimisiún
Pleanála

Commission Order ACP-324285-26

Derelict Sites Act, 1990

Planning and Development Act, 2000, as amended

Planning Authority: Roscommon County Council

Application received by An Coimisiún Pleanála on the 13th day of May 2026 from Roscommon 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 Tidy Terrace, Saint Patrick's Street, Boyle, County Roscommon, 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

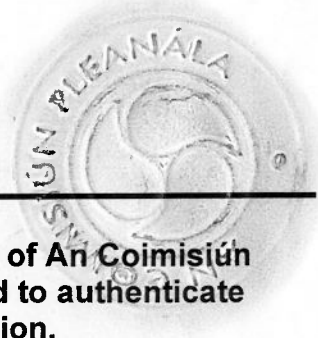
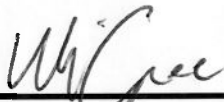
Having regard to the ruinous and derelict condition of the structure on the subject site, and the neglected, unsightly and objectionable state of the structure thereon, and having considered the objection made to the compulsory acquisition, and also:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the public interest, and
- (c) the provisions of the Roscommon 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(a) and (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.

The Commission noted certain inconsistencies between specific references in the Inspector's report to notices issued under the Derelict Sites Act 1990, as amended, and the actual subsections of the Act under which the notices were served by the local authority. The Commission also noted that the local authority's Derelict Sites Report was dated on the 8th day of November 2022, and not the 8th day of November 2023 as stated in the Inspector's report, and that the condition of the property came to the attention of the local authority during a site visit on the 1st day of November 2022, and not the 1st day of November 2023 as stated in the Inspector's report. Furthermore, the Commission noted that the subject property was entered onto the Register of Derelict Sites maintained by Roscommon County Council on the 6th day of March 2025, and not the 9th day of March 2023 as stated in the Inspector's report. Finally, the Commission considered that there was no evidence of the deposition or collection on the land in question of any litter, rubbish, debris or waste, as referenced at section 9.1 of the Inspector's report.

Notwithstanding the foregoing noted errors in the Inspector's report, the Commission was satisfied that the subject property 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 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.



Liam McGree
Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 9th day of OCTOBER 2026