



An  
Bord  
Pleanála

**Board Direction**  
**BD-002269-19**  
**ABP-302235-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 29<sup>th</sup> January 2019.

The Board determined, that, based on the information before it, the site remains a vacant site and that the Planning Authority be directed not to cancel the entry of the subject site on the Vacant Site Register, for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to:

- (a) The information placed before the Board by the Planning Authority in relation to the entry of the site on the Vacant Sites Register on the 14<sup>th</sup> day of December 2017.
- (b) The information placed before the Board by the Planning Authority in relation to the condition of the site as at the 5<sup>th</sup> day of July 2018
- (c) The grounds of appeal submitted by the appellant.
- (d) The report of the Inspector.
- (e) The zoning of the site in the Castlecomer Local Area Plan 2009, as amended, for Mixed Use, having regard to Variation 2 of the Kilkenny County Development Plan, which confirms that the site in question constitutes regeneration land within the meaning of Section 5 (1)(b) of the Urban Regeneration and Housing Act 2015, as amended.

It is considered that the majority of the site continues to have adverse effects on the character of the area and, therefore, remains a vacant site.

In not accepting the Inspector's recommendation to direct the planning authority to cancel the entry on the Vacant Sites register, the Board had regard to the fact that, as indicated in the documents submitted on file, the physical condition of the majority of the site had not altered between the date of its original entry on the Vacant Sites Register on the 14<sup>th</sup> day of December 2017 and the date of the notice by the Planning Authority under Section 11 of the Urban Regeneration and Housing Act 2015, as amended, on the 5<sup>th</sup> day of July 2018, and, therefore, that the site remains a vacant site. The Board concluded that the site remains a vacant site within the meaning of the Urban Regeneration and Housing Act 2015, as amended,

**Board Member**

**Date:** 01/02/2019

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Stephen Bohan