



An
Bord
Pleanála

Board Direction
BD-002275-19
ABP-302593-18

The submissions on this file and the Inspector's report were considered at a Board meeting held on February 1st 2019.

The Board determined that, based on the information before it, the site was a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, for the period concerned, 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.
- (b) The grounds of appeal submitted by the appellant.
- (c) The report of the Inspector.
- (d) The zoning of the site in the 2017 Rathdrum Local Area Plan for Mixed Use, having regard to Policy HD19 of the Wicklow County Development Plan 2016 – 2022, 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.
- (e) The fact that the existing structure on site is neglected and has attracted anti-social behaviour, and that fact that the other parts of the site are overgrown and unkempt, and therefore that the majority of the site has adverse effects on the character of the area.

The Board considers that it is appropriate that a notice be issued to the Planning Authority to confirm the entry on the Vacant Sites Register.

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 documentation, including photographs, on the file, and was satisfied that the majority of the site, and not just the former hotel building, has adverse effects on the character of the area, and concurred with the view of the planning authority in this regard. The Board was also satisfied that the making of a planning application for development on the subject site does not alter its conclusion that the majority of the site was a vacant site for the period of twelve months up to the service of the notice of entry of the site on the Register.

Board Member

Date: 4th February 2019

Philip Jones