



An  
Bord  
Pleanála

**Board Direction**  
**BD-002823-19**  
**ABP-302872-18**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15<sup>th</sup> April, 2019.

The Board determined, generally in accordance with the Inspector's recommendation, that, based on the information before it, the site was not a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to:

- (a) The information submitted to 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 absence of sufficient evidence to support the contention of the planning authority that the site was vacant and idle for the period of 12 months preceding the date of placing the site on the register, and
- (e) the Board is not satisfied that the site was specifically identified for regeneration as required by the definition of "regeneration land" as set out in Section 3 of the Urban Regeneration and Housing Act 2015 which states that regeneration land means land identified by a planning authority in its development plan or local area plan, after the coming into operation of section 28, in accordance with section 10(2)(h) of the Act of 2000 with the objective of development and renewal of areas in need of regeneration, and includes any structures on such land.

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

**Board Member**

**Date:** 16/04/2019

---

Terry Prendergast