



An  
Bord  
Pleanála

**Board Direction**  
**BD-003459-19**  
**ABP-303571-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 4<sup>th</sup> July 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 for the period concerned, as set out in the entry in the Vacant Sites Register, 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 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,
- (d) the report of the Inspector,

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.

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Terry Ó Niadh

**Note:**

The Board noted that:

(1) Having regard to the planning history pertaining to the site as outlined by the appellant, it is questionable as to whether the site was a vacant site for the period in question.

(2) The lands are being used as a workshop and for the keeping of bees as set out by the appellant in this instance. While no planning permission has been cited for the workshop, the appellant indicates that planning permission was obtained for the workshop in 1986 and the workshop constructed in 1987. Since that date he has used the lands/workshop and continues to do so on a daily basis. There are no details available as to when the subject lands were zoned for residential purposes. It is possible given the length of time that the appellant has owned the lands that they were not zoned for residential purposes when purchased and the amending section 63 (II) may be applicable in this instance. Given the absence of 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 on the register, the Board did not consider it appropriate to pursue this issue further at this time, however, if the planning authority considers recommencing the process, consideration should be given to Section 5(iii) of the Urban Regeneration and Housing Act 2015 as amended by Section 63 of the Planning and Development (Amendment) Act 2018.