



An  
Bord  
Pleanála

**Board Direction**  
**BD-004237-19**  
**ABP-303581-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/10/19.

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 period concerned, as set out in the entry in the Vacant Sites Register, for the following 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 Planning Inspector,
- (d) The discrepancies on the wording within the correspondence, prepared by Westmeath County Council under Section 7(1) and Section 7(3) of the Urban Regeneration and Housing Act 2015 as amended, which includes text from Section 5(1)(b) of the Act, which sets out the meaning of a vacant site consisting of regeneration land, along with the designation of the site as regeneration land not residential land, in the Vacant Site Assessment Report 2018, prepared by the planning authority, notwithstanding that the site is designated as residential land for the purposes of the Vacant Site Levy under the statutory development plan and that the Notice of Entry on the Vacant Site

Register dated 28<sup>th</sup> December 2018, refers to Section 5(1)(a), which relates to a site consisting of residential land, and that as a consequence, the procedure for entry on to the register with regard to setting out reasons had not been properly applied.

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:** 09/10/2019

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Chris McGarry