



An  
Bord  
Pleanála

**S9 Board Direction**  
**BD-005544-20**  
**ABP-306273-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/03/2020.

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, 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 report of the Senior Inspector,
- (d) The recorded dates of site inspections (05/04/2019, 17/04/2019, 30/08/2019 and 23/09/2019), the aerial photographic survey carried out on behalf of the Planning Authority on 27/06/2018, and the Planning Authority's knowledge and familiarity with the site due to the planning history of adjoining lands, in its submitted documentation,

(e) The acknowledgement by the owner that the site in question is currently vacant,

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

In not accepting the Inspector's recommendation, the Board considered that there is sufficient evidence provided by the Planning Authority that the site has been vacant for a period of 12 months, and pursuant to Section 9(2) of the Urban Regeneration and Housing Act 2015, as amended, noted that the burden of showing that the site was not a vacant site for the duration of the 12 months concerned is on the owner of the site.

**Board Member**

**Date:** 27/03/2020

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Dave Walsh