



An  
Bord  
Pleanála

## Board Order ABP-302138-18

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**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Authority Reference Number: VS-0045**

**Appeal** by Gerard and Margaret Delaney care of John A. Sinnott and Company of Market Square, Enniscorthy, County Wexford in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Dún Laoghaire-Rathdown County Council on the 27<sup>th</sup> day of June, 2018 in respect of the site described below.

**Description:** Site adjacent to Glencairn View, Murphystown Way, Dublin.

### **Decision**

The Board in accordance with section 9(3) of the Urban Regeneration and Housing Act 2015, and based on the reasons and considerations set out below, hereby determines that the above site was not a vacant site within the meaning of that Act for the duration of the 12 months concerned and on the date on which the site was entered on the register.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **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, as amended,
- (c) the report of the Inspector, and
- (d) section 5(2) of the Urban Regeneration and Housing Act, 2015, as amended,

the area of land identified by the planning authority includes a person's home, as defined in section 5(2) of the Urban Regeneration and Housing Act, 2015, as amended, and, therefore, does not comply with the definition of a site for the purpose of section 5 of the Act.

