



An
Bord
Pleanála

Board Order ABP-302235-18

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2018

Planning Authority: Kilkenny County Council

Planning Authority Reference Number: VSR16

Appeal by Kieran Gorey care of Brian Dunlop Architects of Patricks Court, Patrick Street, Kilkenny in accordance with section 11 of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Kilkenny County Council on the 5th day of July, 2018 in respect of the site described below.

Description: Site at Chatsworth Street, Castlecomer, County Kilkenny.

Decision

The Board in accordance with section 11(5) of the Urban Regeneration and Housing Act 2015, and based on the reasons and considerations set out below, hereby determines that the above site shall remain entered on the vacant Sites 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 on the 14th day of December, 2017,
- (b) the information submitted to the Board by the planning authority in relation to the condition of the site as at the 5th day of July, 2018,
- (c) the grounds of appeal submitted by the appellant,
- (d) the report of the Inspector, and
- (e) The zoning of the site in the Castlecomer Local Area Plan, 2009, as amended, for Mixed Use, having regard to Variation 2 of the Kilkenny County Development Plan, which confirms that the site in question constitutes regeneration land within the meaning of Section 5(1)(b) of the Urban Regeneration and Housing Act 2015, as amended,

the Board considered that the majority of the site continues to have adverse effects on the character of the area and, therefore, remains a vacant site.

In not accepting the Inspector's recommendation to direct the planning authority to cancel the entry on the Vacant Sites register, the Board had regard to the fact that, as indicated in the documents submitted on file, the physical condition of the majority of the site had not altered between the date of its original entry on the Vacant Sites Register on the 14th day of December, 2017 and the date of the notice by the planning authority under Section 11 of the Urban Regeneration and Housing Act 2015, as amended, on the 5th day of July, 2018 and, therefore, that the site remains a vacant site. The Board concluded that the site remains a vacant site within the meaning of the Urban Regeneration and Housing Act 2015, as amended,

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019