



An
Bord
Pleanála

Board Order
ABP-302330-18

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Authority Reference Number: VS0464

Appeal by Crekav Trading GP Limited care of Marlet of 7th Floor, College House, Townsend Street, Dublin in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Dublin City Council on the 16th day of July, 2018 in respect of the site described below.

Description: Carnlough Road (former CIE lands), 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 period concerned.

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,
- (c) the report of the Inspector, and
- (d) the inclusion of the site on the Register under both Section 5(1)(a) and

Section 5 (1)(b), which have distinct criteria, in the absence of adequate consideration of the distinct parts of the site and the specific tests outlined for each distinct part for the purposes of the Act, in particular whether that part of the site zoned Z3, being vacant or idle, has adverse effects on existing amenities or reduces the amenity provided by existing public infrastructure and facilities in the area in which the site is situated or has adverse effects on the character of the area,

the Board considered that it is appropriate that a notice be issued to the planning authority to cancel the entry on the Vacant Sites Register.

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

Dated this day of 2019.