



An  
Bord  
Pleanála

## Board Order ABP-302593-18

---

**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2018**

**Planning Authority: Wicklow County Council**

**Planning Authority Reference Number: VS/RATHDRUM/04**

**Appeal** by Knockcastle Property Developments Limited of Seychelles, Castleknock Road, Dublin in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Wicklow County Council on the 28<sup>th</sup> day of August, 2018 in respect of the site described below.

**Description:** Lands measuring 2.27 hectares at Corballis Lower, Rathdrum, County Wicklow.

### **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 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,
- (d) the zoning of the site in the 2017 Rathdrum Local Area Plan for Mixed Use, having regard to Policy HD19 of the Wicklow County Development Plan 2016 – 2022, 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, and
- (e) the fact that the existing structure on site is neglected and has attracted anti-social behaviour, and that fact that the other parts of the site are overgrown and unkempt, and, therefore, that the majority of the site 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 confirm the entry on the Vacant Sites Register.

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 documentation, including photographs, on the file, and was satisfied that the majority of the site, and not just the former hotel building, has adverse effects on the character of the area, and concurred with the view of the planning authority in this regard. The Board was also satisfied that the making of a planning application for development on the subject site does not alter its conclusion that the majority of the site was a vacant site for the period of twelve months up to the service of the notice of entry of the site on the Register.

---

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

**Dated this        day of                                  2019**