



An
Bord
Pleanála

**Board Order
ABP-302747-18**

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2018

Planning Authority: Cork County Council

Planning Authority Reference Number: VS-0024

Appeal by John O'Brien care of McCutcheon Halley of 6 Joyce House, Barrack Square, Ballincollig, County Cork in accordance with section 11 of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Cork County Council on the 31st day of August, 2018 in respect of the site described below.

Description: Lands at Baneshane, Midleton, County Cork.

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 site is no longer a vacant site.

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 condition of the site, being that in use for agricultural purposes and that while the site is being used for a purpose that does not consist solely or primarily of the provision of housing or the development of the site for the purpose of such provision, the most recent purchase of the site occurred before it became residential land, and before, on or after the commencement of section 63 of the Planning and Development (Amendment) Act, 2018, and

- (e) the site is not currently suitable for the provision of housing by reference to the lack of certainty with regard to the provision of public infrastructure and facilities (within the meaning of section 48 of the Planning and Development Act, 2000, as amended) necessary to enable housing to be provided and serviced,

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.

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

Dated this day of 2019