



An  
Bord  
Pleanála

## Board Order ABP-303062-18

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**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Authority Reference Number: VS001**

**Appeal** by Glan Developments Limited care of JFOC Architects Limited of 11a Greenmount House, Harold's Cross, Dublin in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Kildare County Council on the 26<sup>th</sup> day of October, 2018 in respect of the site described below.

**Description:** Site at Ballymany, Newbridge, County Kildare.

### **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,
- (d) the planning history of the site,
- (e) the absence of sufficient evidence to support the contention of the planning authority that the site was vacant and idle for the period of 12 months preceding the date of placing the site on the register, and
- (f) the evidence that the site was not served by public infrastructure and facilities, that is, adequate wastewater facilities, necessary to enable housing to be provided and serviced, during the relevant period,

the Board is satisfied that the site is not a vacant site.

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

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

**Dated this          day of                          2019**