



An
Bord
Pleanála

Board Order ABP-303413-19

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2017

Planning Authority: Clare County Council

Planning Authority Reference Number: VSR-11

Appeal by Gildoc Limited trading as Liam O'Doherty Building Contractor of Drumcarranmore, Lahinch Road, Ennis, County Clare in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Clare County Council on the 20th day of December, 2018 in respect of the site described below.

Description: R7 East of Elm Wood, Roslevan, Ennis, County Clare.

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 is not a vacant site within the meaning of that Act.

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, and
- (c) the report of the Inspector,
- (d) 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
- (e) the absence of the provision of sufficient evidence from the planning authority, as required by section 6(4) of the Urban Regeneration and Housing Act 2015, that the site is situated in an area in which there is a housing need.

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

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

Dated this day of 2019.