



An
Bord
Pleanála

**Board Order
ABP-303441-19**

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Westmeath County Council

Planning Authority Reference Number: ATH3

Appeal by Tom Donohoe of Barrymore, Kiltoom, Athlone, County Westmeath in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Westmeath County Council on the 20th day of December, 2018 in respect of the site described below.

Description: Site at Arcadia, Clonbrusk, Athlone, County Westmeath.

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 site could not have been a vacant site within the meaning of section 5(1)(a) of the Urban Regeneration and Housing Act 2015, as amended, for the reason that the planning authority's assessment of the site available to the Board did not account for the duration of the 12 months preceding the date of entry on the register in accordance with section 6(2) of the 2015 Act,

the Board is not satisfied that the site was a vacant site for the relevant period.

