



An
Bord
Pleanála

Board Order ABP-303531-19

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Authority Reference Number: VS-0077

Appeal by Andrew Morrogh and others care of IMG Planning of 75 Fitzwilliam Lane, Dublin in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Dún Laoghaire-Rathdown County Council on the 20th day of December, 2018 in respect of the site described below.

Description: Site located to the east of the property known as “Rathbeg”, Stonebridge Road, Dublin.

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 recorded date of site inspection (12th November, 2018) provided by the planning authority, and the lack of any evidence of any prior inspections by the planning authority of the subject site, and the consequent absence of sufficient evidence to support the contention of the planning authority that the site was vacant or idle for the period of 12 months preceding the date of placing the site on the register,

