



An
Bord
Pleanála

**Board Order
ABP-303541-19**

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Authority Reference Number: SD/VS217

Appeal by Arbeten Limited care of Downey Planning of 1 Westland Square, Pearse Street, Dublin in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015, as amended, against the entry on the Vacant Sites Register by South Dublin County Council on the 18th day of December, 2018 in respect of the site described below.

Description: Former CB Packaging site, Ninth Lock Road, Clondalkin, Dublin.

Decision

The Board in accordance with section 9(3) of the Urban Regeneration and Housing Act 2015, as amended, 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 inclusion of lands within the boundary of the site to which the Notice relates which was not clearly within the ownership of the appellant at the time the Section 7(3) Notice was issued and the failure to notify the owner of that site as part of the process,

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.

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

Dated this day of 2019