



Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Wicklow County Council

Planning Register Reference Number: VS/B/08

Appeal by Jarlath and Lorraine Sweeney of Ashleigh Falls, Newtown, Enniskerry, County Wicklow in accordance with section 18 of the Urban Regeneration and Housing Act 2015, as amended, against a demand for payment of vacant site levy issued by Wicklow County Council on the 9th day of January, 2019 in respect of the site described below.

Description: Lands at 74 Strand Road, Bray, County Wicklow.

Decision

The Board hereby determines, based on the reasons and considerations set out below in accordance with section 18(3) of the Urban Regeneration and Housing Act 2015, the above site was no longer a vacant site within the meaning of the Urban Regeneration and Housing Act 2015, as amended.

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 placed before 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 Senior Planning Inspector,
- (d) the fact that the site is identified for urban regeneration in the Wicklow County Development Plan 2016, and
- (e) the tests for land identified for regeneration were not met in that the land or majority of the land while vacant or idle are not such that could be considered to have adverse effects on existing amenities or reduce the amenity provided by existing public infrastructure and facilities (within the meaning of section 48 of the 2000 Act) in the area in which the site is situated.

The Board considered that the site was no longer vacant on 28th January 2019, the date on which the appeal was made in respect of the Demand Notice. The Board considered that it is appropriate that a notice be issued to the planning authority who shall cancel the entry on the Vacant Sites Register and cancel the demand for payment.

Maria FitzGerald

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

Dated this day of 2019