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**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: VS/NTMK/14**

**Appeal** by Knockree Developments care of BBA Architecture of Suite 3, The Eden Gate Centre, Delgany, 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 9<sup>th</sup> day of January, 2019 in respect of the site described below.

**Description:** Lands measuring 1.55 hectares at Church Road, Newtownmountkennedy, County Wicklow.

**Decision**

**The Board in accordance with section 18(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 no longer 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 and subsequent submissions from the planning authority and the appellant,
- (c) the report of the Inspector, and
- (d) the circumstances of the site as greenfield land within Newtownmountkennedy, which does not appear neglected, whose appearance is not incongruous with that of the neighbouring land, with a frontage onto Church Road marked by a stone wall and trees, and with no visible evidence of anti-social activity,

the Board is satisfied that the site being vacant or idle does not have adverse effects on existing amenities, does not reduce the amenity provided by public infrastructure and facilities within meaning of section 48 of the Planning and Development Act 2000, as amended, in the area in which the site is situated and does not have adverse effects on the character of the area.

The Board considered, therefore, 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.

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**Chris McGarry**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2020**