



An
Bord
Pleanála

Board Order ABP-304039-19

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Laois County Council

Planning Authority Reference Number: VSL/PL/2016/6

Appeal by John Booth, Pat Booth and Peter Booth of Garryduff, Portlaoise, County Laois 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 Laois County Council on the 21st day of February, 2019 in respect of the site described below.

Description: Clonroosk Little, Maryborough Village, Mountrath Road, Portlaoise, County Laois.

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,
- (d) the fact that the most recent purchase of the area of land occurred prior to it becoming residential land, and before, on or after the commencement of section 63 of the Planning and Development (Amendment) Act, 2018,
- (e) the unsuitability of the area of land for housing for the duration of the period concerned, having regard to Policy HP14 of the Laois County Development Plan 2017-2023 and the date on which it was zoned Residential 2,
- (f) the recorded date of inspection (7th November 2017) provided by the planning authority in its submitted documentation, and
- (g) the absence of sufficient appropriate records to support the contention of the planning authority that the area of land was vacant or idle for the period of 12 months preceding the date of placing it on the register,

