



An
Bord
Pleanála

**Board Order
ABP-306480-20**

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Clare County Council

Planning Authority Reference Number: VSR19 2019

Appeal by Patricia Darcy care of Arthur Cox of 10 Earlsfort Terrace, 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 Clare County Council on the 19th day of December, 2019 in respect of the site described below.

Description: Lands zoned as R2 at Sixmilebridge, County Clare.

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 Senior Planning Inspector,
- (d) to the fact that the site is suitable for the provision of housing by reference to the provision of public infrastructure and facilities (within the meaning of section 48 of the Planning and Development Act, 2000, as amended) necessary to enable housing to be provided and serviced,
- (e) the documentation submitted with the appeal which confirms that the site or the majority of the site is being used for a purpose (agricultural use) that does not consist solely or primarily of the provision of housing, and
- (f) the most recent purchase of the site occurred before it became a residential land,

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.

