



Planning and Development Acts 2000 to 2019

Planning Authority: Kilkenny County Council

Planning Register Reference Number: VSR20-1

Appeal by Dalyshill Limited care of HRA Planning of 3 Hartstonge Street, Limerick City, Limerick 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 Kilkenny County Council on the 31st day of December, 2019 in respect of the site described below.

Description: Daly's Hill, Kilkenny.

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 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 provisions of the Kilkenny City and Environs Development Plan 2014 – 2020,
- (e) the neglected condition of these vacant lands with illegal dumping activity which has an adverse effect on existing amenities, reduces the amenity provided by existing public infrastructure and facilities (within the meaning of Section 48 of the Planning and Development Act, 2000, as amended) in the area in which the site is situated, particularly due to the location of the lands in proximity to physical and social infrastructure in Kilkenny City, and has an adverse effect on the character of the area, and

(f) the evidence that antisocial behaviour has taken place in the area,

the Board considers that it is appropriate that a notice be issued to the planning authority to confirm the entry on the Vacant Sites Register.

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

Dated this day of 2020.