

## Board Order 93.VV.0022

Urban Regeneration and Housing Act 2015 Planning and Development Acts 2000 to 2017 Planning Authority: Waterford City and County Council Planning Authority Reference Number: 51.2

**Appeal** by Noel Frisby Construction Limited of 1-2 Canada Street, Waterford in accordance with section 9(1) of the Urban Regeneration and Housing Act 2015 against the entry on the Vacant Sites Register by Waterford City and County Council on the 27<sup>th</sup> day of July, 2017 in respect of the site described below.

**Description:** Lands to north of Outer Ring Road, Kilbarry, Waterford.

## Decision

The Board in accordance with section 9(3) of the Urban Regeneration and Housing Act 2015, and based on the reasons and considerations set out below, hereby determines that the above site is not 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 condition and use of the site over the relevant period,
- (b) the grounds of appeal submitted by the appellant,
- (c) the site fails to meet the criteria for 'regeneration land' as stated in section 5(1)(b) and further elaborated upon by section 6(6) of the Urban and Regeneration and Housing Act 2015, and
- (d) the report of the Inspector,

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

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

Dated this day of 2018