



An
Bord
Pleanála

Board Order 93.VV.0024

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2017

Planning Authority: Waterford City and County Council

Planning Authority Reference Number: 7.1

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 27th day of July, 2017 in respect of the site described below.

Description: Lands at Cork 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 entry of the site on the Vacant Sites Register,
- (b) the grounds of appeal submitted by the appellant,
- (c) the report of the Inspector, and
- (d) the failure of the site to meet all 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, insofar as the condition of the site does not have adverse effects on the character or amenities of the area or reduces the amenity provided by existing infrastructure and facilities due to the rural character of the site, the lack of significant evidence of antisocial behaviour taking place, and that there has not been a reduction in the number of habitable houses or people living in the area,

the Board is satisfied that the site is not a vacant site.

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