



An  
Bord  
Pleanála

## Inspector's Report ABP-312310-21

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### Type of Appeal

Appeal against entry on the Vacant Site Register.

### Location

Lands measuring 0.5944ha, Market Place, Rathdrum, Co. Wicklow.

### Planning Authority

Wicklow County Council.

### Planning Authority VSL Reg. Ref.

VS/RATHDRUM/08B.

### Site Owner

Pinturas Limited.

### Planning Authority Decision

Place site on register.

### Date of Site Visit

19 September 2022.

### Inspector

Stephen Rhys Thomas.

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## **1.0 Introduction**

- 1.1. This appeal refers to a section 7(3) notice issued by Wicklow County Council, stating their intention to enter a site measuring 0.5944ha at Market Place, Rathdrum, Co. Wicklow on to the Vacant Sites Register (VSR) in accordance with the provisions of section 6(2) of the Urban Regeneration and Housing Act 2015.

## **2.0 Site Location and Description**

- 2.1. The appeal site is located in the centre of Rathdrum, a relatively small town in south west Wicklow. The Wexford to Dublin railway line passes the east of the town. The site is located at Market Place at the centre of the town. The lands are positioned behind recently completed development (library and primary care centre) to the rear of retail units that front onto Market Place and the site stretches north westwards with Gilberts Row to the north and Brewery Lane to the south. It is a large extensive site that comprises disturbed ground across multiple levels. The ground level rises to the west from Market Place.
- 2.2. The subject site forms part of a much larger site previously placed on the Vacant Site Register, with the local authority registration number VS/RATHDRUM/08. Previously unfinished development within the larger site is now complete and this revised and smaller site just includes un-utilised ground at the north western end of the site and a small portion of a surface car park.

## **3.0 Statutory Context**

### **3.1. Urban Regeneration and Housing Act 2015 (as amended).**

- 3.1.1. The Notice issued under Section 7(3) of the Act states that the planning authority is of the opinion that the site referenced is a vacant site within the meaning of Section 5(1)(b) of the Act. The Notice is dated 20 November 2021 and is accompanied by a map outlining the extent of the site to which the Notice relates.

### **3.2. Planning and Development Act 2000 (as amended)**

Expenses of appeal or referral

*145.—(1) Where an appeal or referral is made to the Board—*

*(a) the Board, if it so thinks proper and irrespective of the result of the appeal or referral, may direct the planning authority to pay—*

*(i) to the appellant or person making the referral, such sum as the Board, in its absolute discretion, specifies as compensation for the expense occasioned to him or her in relation to the appeal or referral, and*

*(ii) to the Board, such sum as the Board, in its absolute discretion, specifies as compensation to the Board towards the expense incurred by the Board in relation to the appeal or referral,*

*and*

*(b) in case—*

*(i) the decision of the planning authority in relation to an appeal or referral is confirmed or varied and the Board, in determining the appeal or referral, does not accede in substance to the grounds of appeal or referral, or*

*(ii) the appeal or referral is decided, dismissed under section 138 or withdrawn under section 140 and the Board, in any of those cases, considers that the appeal or referral was made with the intention of delaying the development or securing a monetary gain by a party to the appeal or referral or any other person,*

*the Board may, if it so thinks proper, direct the appellant or person making the referral to pay—*

*(I) to the planning authority, such sum as the Board, in its absolute discretion, specifies as compensation to the planning authority for the expense occasioned to it in relation to the appeal or referral,*

*(II) to any of the other parties to the appeal or referral, such sum as the Board, in its absolute discretion, specifies as compensation to the party for the expense occasioned to him or her in relation to the appeal or referral, and*

*(III) to the Board, such sum as the Board, in its absolute discretion, specifies as compensation to the Board towards the expense incurred by the Board in relation to the appeal or referral.]*

*(2) Any sum directed under this section to be paid shall, in default of being paid, be recoverable as a simple contract debt in any court of competent jurisdiction.*

## **4.0 Development Plan Policy**

### **4.1. Rathdrum Local Area Plan 2017 – 2023**

- 4.1.1. The site is subject to zoning objective TC – Town Centre with the Objective – To provide for the development and improvement of appropriate town centre uses including retail, commercial and civic use. The site is also located within an Action Area/Opportunity Site.

### **4.2. Wicklow County Development Plan 2016-2022**

The relevant and operative County Development Plan refers to Urban Regeneration and Housing in Chapter 4 of the Plan and specifically at Policy HD19 where it states:

In many settlements in the County, there are sites and areas in need of development and renewal, in order to prevent:

- a. adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
- b. urban blight and decay,
- c. anti-social behaviour, or
- d. a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses.

It is an objective of this plan to encourage and facilitate the appropriate development of such sites /lands and all available tools and mechanisms, including the Vacant Site levy, may be utilised to stimulate such development.

In this regard, it is considered that all lands zoned 'Town Centre' in this plan (this refers to Level 5 settlements) as well as the following zones in larger towns (with stand alone plans) may include sites that are in need of renewal and regeneration, and these areas will be examined in detail to determine if there are sites where the Vacant Site Levy should be applied. Rathdrum is a 'Level 5' settlement in the County Settlement Hierarchy.

**Wicklow County Development Plan 2022 – 2028** - The Third Chief Executive's Report on the Proposed Material Amendments to the Wicklow County Development Plan 2022 - 2028 has been prepared under Section 12 (8) of the Planning Act. It was submitted to the Members on the 26 July 2022 for their consideration. At the County Council meeting of 12 September 2022 the Elected Members of Wicklow County Council resolved to make the Wicklow County Development Plan 2022 - 2028. This Plan came into effect on the 23 October 2022. The Minister has issued a Draft Ministerial Direction regarding the Wicklow County Development Plan 2022 - 2028.

The Vacant Site Levy objectives of the new plan are as follows:

**CPO 6.35** In many settlements in the County, there are sites and areas in need of development and renewal, in order to prevent:

- a. adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
- b. urban blight and decay,
- c. anti-social behaviour, or
- d. a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses

It is an objective of this plan to encourage and facilitate the appropriate development of such sites / lands and all available tools and mechanisms, including the Vacant Site Levy, may be utilised to stimulate such development.

All lands zoned for residential development in this plan (this refers to Level 4 and 5 settlements), including all lands zoned:

- Existing Residential (RE),
- New Residential (RN), and
- Town Centre, outside of the designated 'regeneration zone' as defined in each plan,

are deemed to be lands that may be in need of new development in order to ensure there is no shortage of housing, and these zones will be examined in detail in order to determine if there are sites where the Vacant Site Levy should be applied.

In addition, the following residential zones in larger towns, are deemed to be lands that may be in need of new development in order to ensure there is no shortage of housing, and these zones will be examined in detail in order to determine if there are sites where the Vacant Site Levy should be applied.

## 5.0 Planning History

### 5.1. Subject site Planning History

**Ref. 19/1055** – demolition of existing derelict structures, the construction of a part 2 storey and part 3 storey care home building consisting of 126 beds, external landscaped areas, a roof top landscape garden, 54 car parking spaces, 6 bicycle parking spaces, pedestrian entrance link to adjacent development, entrance roadway, boundary treatment and all other associated site works on 0.5944 ha and a modification of the common boundary between the previously approved permission, Reg Ref 18/87 and this current application. No decision issued.

Adjacent site:

**Ref. 18/87** – Permission granted in July 2018 for demolition of existing blocks 3, 4, 5, 6, 7 and 8; change of use of Block 1 from credit union to commercial and Block 2 from library to commercial; construction of a new 2-storey primary care centre; construction of a new single storey building to accommodate a library, café and pharmacy and 70 car parking spaces on a site of 0.5584 hectares.

**Ref. 17/1355** – change of use from pharmacy to use as a credit union.

**Ref. 17/48** – change of use of block 6 from public library and tourist office to use as a credit union (previous applications 05/3375 and 15/1 refer).

**Ref. 16/794** – minor alterations to Ref. 15/1.

**Ref. 15/1** – change of use from commercial and office use of existing buildings (constructed pursuant to Ref. 05/3375) to Block 1 – pharmacy, Block 4 – dental and GP, Block 5 – HSE primary care centre, Block 6 – public library and tourist office.

**Ref. 05/3375** – Mixed use development of 55 residential units and 2,900 sq.m of commercial/office residential development including new buildings and refurbishment of existing buildings.

**Ref. 02/7274** – mixed use development of 61 residential units and 3,723 sq.m of commercial and civic development.

## 5.2. Subject site VSL History

### **ABP-306730-20** - Vacant Site Levy - Demand Notice Confirmed.

- (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 neglected and ruinous condition of the buildings on site which detracts from the residential amenities of the area,
- (e) that the majority of the site is and was vacant,
- (f) that the amount of the levy has been correctly calculated at 7% of the site value in 2019, and
- (g) that there has been no change in the ownership of the site,

### **ABP-302623-18** - Vacant Site Levy - Appeal S.9. Notice Confirmed

- (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 neglected condition of the site and the neglected and ruinous structures thereon, which it is considered has adverse effects on existing amenities and on the character of the area,
- the Board considered that it is appropriate that a notice be issued to the planning authority to confirm the entry on the Vacant Sites Register.

## 6.0 Planning Authority Decision

### 6.1. Register of Vacant Sites Report:



- 6.1.1. Report 1 - Site is zoned 'TC – Town Centre' and must be assessed as regeneration lands. Planning history outlined. Site inspections took place on 15 April 2021, report is dated 23 April 2021. The site is vacant, neglected and adversely affects the area.
- 6.1.2. Section 15 (Demand Levy) Report dated 21 April 2021 and site inspected 15 April 2021. Remove part of the site from the register and issue new section 7(1) Notice for the remainder that is vacant.
- 6.1.3. Report 2 – Report date 16 November 2021 and site inspected on the 21 October 2021. The report acknowledges the submission made by the owner in relation to the section 7(1) Notice. The rationale/chronology for the site inclusion after development had taken place is explained. The condition of the site as defined meets the criteria for a regeneration site. Place site on the register is recommended.

The reports include a photographic survey and map.

## **6.2. Planning Authority Notices**

- 6.2.1. A section 7(3) Notice issued on the 20 November 2021 referencing sections 5(1)(b) and 6(6) of the Act, advising the owner that their site had been placed on the register, accompanied by a site map. The Notice was sent to the Secretary and others at Pinturas Limited.
- 6.2.2. A section 7(1) Notice issued on the 29 April 2021, advising the owner that their site had been identified as a vacant site and invited submissions, also accompanied by a site map. The notice references sections 5(1)(b) and 5(2) of the 2015 Act.
- 6.2.3. A section 10(2) Notice issued on the 29 April 2021, advising the owner that their site (VS/RATHDRUM/08) had been removed from the register due to construction activity.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

- 7.1.1. The landowner has submitted an appeal to the Board, against the decision of Wicklow County Council to enter the subject site on the Register. The grounds of the appeal can be summarised as follows:
  - The vacant site levy has been misapplied by the planning authority. Their actions will stifle the redevelopment of the site in question and not align with

emerging draft development plan policy in relation to the delivery of housing and regeneration.

- The point of the 2015 Act is to promote development of underutilised land, the placement of the site on the register will achieve the opposite.
- Unsure if the planning authority took into account the submission made in relation to the section 7(1) notice, as detailed reports were not made available. The section 7(1) notice submission is attached as an appendix and the appellant asks the Board to take this in to account.
- The site is not located on residentially zoned land, the emerging plan caps housing units envisaged for Rathdrum. The opportunity site status has been removed from the site in the draft plan. The overall site is not vacant, it is being actively developed and the lands cleared for a nursing home. The site is an active construction site, hoarded off from public access, it does not impact upon the amenities of the area. Antisocial behaviour is not taking place on the site. As a construction site the lands are secured. It cannot be proved that there has been a reduction in the number of houses in the area as a result of the site.
- The appellant wishes the Board to take in to account section 145 (Expenses of appeal or referral) of the Planning and Development Act 2000 (as amended) with reference to the reimbursement of fees/costs incurred.

## **7.2. Planning Authority Response**

- 7.2.1. A detailed analysis was made in relation to the submission made by the appellant in relation to the section 7(1) notice. Reports are on file.
- 7.2.2. The site is considered regeneration for the purposes of the register, the site is zoned town centre in the operative plan and HD19 refers. The emerging development plan is not relevant and in any case the zoning remains with a town centre zoning objective.

## **7.3. Further Response**

The appellant maintains that they have still not had sight of any detailed reports. The placement of the site on the register as regeneration is noted. But the planning

authority's actions take no account of the active land management that has been taken across the wider site (VS/RATHDRUM/08).

The appellant reiterates and emphasises the previous grounds of appeal.

## **8.0 Assessment**

### **8.1. Introduction**

- 8.1.1. An appeal under section 9 of the Act, requires that the burden of showing that the site was not a vacant site for the 12 months preceding the date of entry on the Register is on the owner of the site. Section 9(3) of the Act states that the Board shall determine whether the site was a vacant site for the duration of the 12 months concerned or was no longer a vacant site on the date on which the site was entered on the register. The subject site was entered onto the Wicklow County Council VSR on the 20 November 2021.
- 8.1.2. The Section 7(1) Notice was issued under the provisions of Section 7(1) of the Act, to which the owner responded and the planning authority took into account. The Section 7(3) Notice was issued under the provisions of Section 5(1)(b) of the Act which relates to regeneration lands. The assessment undertaken by the Planning Authority to inform the placement of the site on the Register, which I outline in section 6.1 above, refers to the tests included for regeneration lands under section 5(1)(b) and by reference to Section 6(6) of the Act as is required for lands zoned for regeneration purposes. The lands are zoned TC – Town Centre with the Objective – To provide for the development and improvement of appropriate town centre uses including retail, commercial and civic use. The site is also located within an Action Area/Opportunity Site. The TC zoning is identified by Chapter 4 of the operative plan as lands that can be considered as regeneration for the purposes of the levy.
- 8.1.3. The main concerns of the appellant are that the boundaries of the site have been unfairly redrawn and will stifle development. The appellant points out that development on a large portion of the site has been completed and an extant permission to develop the remainder is stalled because the site has been placed on the register. The site is not neglected, no antisocial behaviour is taking place and there has not been a reduction in habitable buildings. In addition, the appellant maintains that the site does not adversely affect the character of the area, or the

amenities provided therein. The planning authority confirm their contention that the site is a vacant site within the terms of the 2015 Act.

## 8.2. **Site context**

- 8.2.1. The site comprises the balance of a large development site at the heart of Rathdrum. A former portion of the overall lands have been developed as a logical extension of the town centre with a new library and primary care centre together with surface car parking and new pedestrian routes. The western portion of the site remains as disturbed ground with heaps of spoil, a small part of the new surface car park and hoarded off with wire mesh fencing. Permission has been secured for nursing home development, PA reference 19/1055 refers, but this had not yet taken place at the date of the appeal. The conclusion reached by the planning authority, is that the site is vacant within the simple meaning of the term. In their view, though the wider area has been developed for town centre uses the balance of the lands as outlined by the new VSL boundaries qualifies as a vacant site under the 2015 Act. The redevelopment of this site and the adjacent site have been granted permission.

## 8.3. **Vacant or Idle?**

- 8.3.1. Section 5(1)(b) refers to lands considered to come within the meaning included for Regeneration Land and the tests for such sites are as follows:

- (i) the site, or the majority of the site, is vacant or idle, and*
- (ii) the site being vacant or idle has adverse effects on existing amenities or reduces the amenity provided by existing public infrastructure and facilities (within the meaning of section 48 of the Act of 2000) in the area in which the site is situated or has adverse effects on the character of the area.*

- 8.3.2. The site must meet both tests and I will address each in turn.

- 8.3.3. Vacant or Idle – The appellant states that the site has been prepared for permitted nursing home development by the clearance of derelict structures. The site is secured by fencing and no antisocial behaviour occurs on the site. Lastly, there has been no fall in the supply of housing due to the site. The planning authority state that lack of a use is just one of the reasons for inclusion on the register and that its condition and appearance allow the site to be placed on the register.

- 8.3.4. The surveys conducted by the planning authority clearly show the poor condition of the site. On the day of my site visit I observed that the site is readily visible from the public realm and its interior condition is that of disturbed ground, neglected and quite different in appearance from other property in the vicinity.
- 8.3.5. The 2015 Act does not list the types of uses that can be considered for regeneration lands, indeed the Act simply refers to lands that are vacant or idle. The burden of proving that the lands are not vacant or idle falls to the owner. The appellant has not stated a physical use for the site but claims that works have already taken place as part of the redevelopment of the eastern portion of the site, now complete and operational. This may be the case, but the site in question has remained idle for the period concerned and no new development has taken place. This state of affairs is demonstrated by the wish of the appellant to convey the property with a permission for a nursing home unencumbered by placement on the Vacant Site Register. This is one of the fundamental reasons why the site should not be placed on the register, in the opinion of the appellant.
- 8.3.6. In my mind, the Act's references to development and use depends upon a close relationship with the meaning of these words in the Planning and Development Act 2000 (as amended). Consequently, the definitions of 'development' and 'use' are helpful and serve to illustrate how a site should be assessed in terms of the vacant or idle status. I am not satisfied that the act of site clearance works associated with a permission on the lands to be an actual use for the site. The appellant's case that the site is not vacant or idle because of these past works cannot be considered as a meaningful use for the site so as to remove it from the register. It cannot therefore be considered to be a use for the site as in the ordinary meaning of the term. I am satisfied that for the relevant period the site was vacant and idle, had no defined use and should be considered for placement on the register.
- 8.3.7. For the purposes of Section 5(1)(b)(i) of the 2015 Act that refers to the site, or the majority of the site, is vacant or idle, I am satisfied that this is the case and the lands were vacant or idle for the period concerned. The site as demarcated by the planning authority meets this definition subject to the criteria outlined by section 5(1)(b) and 6(6) of the 2015 Act. The site has been defined by the planning authority and if circumstances change and development progresses on the site, this is a matter for

the owner to take up with the planning authority under Section 10(1) of the Act, as follows:

*The owner of a vacant site that stands entered on the register under section 6(2) shall notify the planning authority in whose functional area the site is located if it is no longer vacant or idle.*

- 8.3.8. The appellant has raised an issue about how the site was selected to be placed on the register and sees the redrawing of boundary lines as unfair and would achieve the opposite of the aims of the 2015 Act. The planning authority disagree and are satisfied that they have aligned the new site within the criteria of a regeneration site and the site can be placed on the register. I can understand why the appellant has challenged the current site and equally why the planning authority have sought to push for the development of the site by placing it on the register. I see no reason why the site as it is currently constituted cannot be placed on the register, so I dismiss the appellant's arguments in this regard. The site meets the definition of regeneration land, it is greater than 0.05 Hectares in area and does not include a person's home. However, I do anticipate future complications when applying levy demands for two different overlapping sites and I consider this matter at section 8.4 of my report.
- 8.3.9. Adverse Effects – The appellant states that the site is not neglected, it is behind construction hoarding and antisocial behaviour does not take place on site. The appellant claims that none of Section 5(1)(b)(ii) as expanded by Section 6(6) are met. The planning authority disagree and specifically mention the neglected nature of the site that adversely impacts the character of the area and the presence of building waste and easy access to the site as factors that indicate antisocial behaviour is or was taking place.
- 8.3.10. In order to be considered a vacant site under Section 5(1)(b) a site must also meet the test outlined in Section 5(1)(b)(ii), such as the site being vacant or idle has adverse effects on existing amenities or reduces the amenity provided by existing public infrastructure and facilities (within the meaning of section 48 of the Act of 2000) in the area in which the site is situated or has adverse effects on the character of the area. This test is considered by reference to Section 6(6) of the Act by reference to whether—

*(a) land or structures in the area were, or are, in a ruinous or neglected condition,*

*(b) anti-social behaviour was or is taking place in the area, or*

*(c) there has been a reduction in the number of habitable houses, or the number of people living, in the area, and whether or not these matters were affected by the existence of such vacant or idle land.*

8.3.11. Therefore, these are the tests which determine whether or not the site being vacant or idle has adverse affects on existing amenities or reduces the amenity provided by existing public infrastructure and facilities. The planning authority outlines in detail the condition of the site and examines the tests included in Section 6(6).

8.3.12. Firstly, the planning authority note the condition of the site, its neglected appearance and the existence of builder's waste and the impact it is having on the amenities and character of the area. I note that the site is clearly visible from a number of viewpoints and the existence of wire mesh fencing, no matter how well maintained, fails to screen this large site. The unkept condition of the site cannot easily be ignored and is affecting the overall character of the area. The site was and is neglected, and the condition of the site cannot and could not be compared favourably with other sites in the vicinity. The wider area is characterised by a number of elements: the newly completed primary care centre and library to the east and existing well maintained houses in the wider area. It is because of the vacant nature of the subject site and its relatively neglected appearance, when compared with other property in the area, that I am satisfied that the site is and has been neglected in line with the criteria set out in Section 6(6)(a) of the 2015 Act.

8.3.13. The second matter 6(6)(b) refers to anti-social behaviour which was or is taking place in the area. The planning authority's photographic surveys show amounts of builder's waste on site together with easy access to the site and this provides the basis for concluding that antisocial behaviour probably was and is taking place. I consider that the site would meet this test.

8.3.14. In terms of a reduction in the number of habitable houses, or the number of people living, in the area. I find that there is no hard evidence either way to suggest that there has been a reduction in the number of habitable houses, or the number of people living, in the area.

8.3.15. Because the Act includes commas and an 'or' between (a), (b) or (c), only one criteria is required to be met. In conclusion, I consider that two of the tests in Section 6(6) are met and that the site has adverse effects on the character of the area and that antisocial behaviour was or is taking place, so thus can be categorised as a vacant site as defined by Section 5(1)(b)(ii). In addition, I am satisfied that the neglected condition of these vacant lands has an adverse effect on existing amenities and reduces the amenity provided by existing public infrastructure and facilities (within the meaning of Section 48 of the Act 2000) in the area in which the site is situated, particularly due to the strategic location of the lands at the centre of Rathdrum and its proximity to physical and social infrastructure.

#### **8.4. Other Matters**

##### **Costs incurred**

8.4.1. The appellant has requested under section 145 of the Planning and Development Act 2000 (as amended) to be compensated for the costs incurred by them in the process of this appeal. I am of the opinion that the Board may direct the payment of a contribution towards the costs to any person making an appeal, which have been incurred by that person, as a consequence of expenses incurred. Any payment will be at the Board's discretion. Any application for costs should be made in writing to the Board within three weeks of the date of the decision, a separate note to the appellant should be considered.

##### **Multiple Demands – Same Site**

8.4.2. I note that the planning authority have referenced that a Demand for the Levy year 2019 remains outstanding for the overall lands, VSL/RATHDRUM/08 and ABP reference 306730 both refer. I do not anticipate that this causes an issue for the appeal on hand, however, problems may occur in the future if a levy is demanded for this new site and the old site. I suggest that the planning authority should carefully consider all matters to do with section 12 (Market Value) and section 15 (Vacant site levy), should the current appeal result in VSL/RATHDRUM/08B to be placed on the register. In this regard I note that a section 10(2) Notice issued on the 29 April 2021, advising the owner that their site (VS/RATHDRUM/08) had been removed from the register due to construction activity.



## **9.0 Recommendation**

- 9.1. I recommend that in accordance with section 9(5) of the Urban Regeneration and Housing Act 2015 (as amended), the Board should confirm the site (VSL/RATHDRUM/08B), was a vacant site for the 12 months concerned. Therefore, the entry on the Vacant Sites Register on the 20 November 2021 shall remain.

## **10.0 Reasons and Considerations**

Having regard to:

- (a) The information placed before 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 site, or the majority of the site, was and is vacant or idle and the fact that the condition of the site was and is neglected and has attracted antisocial behaviour, as evidenced by builder's waste, and, therefore, that the majority of the site has adverse effects on the character of the area,

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

### **Note to appellant:**

Any application for costs under section 145 of the Planning and Development Act 2000 (as amended) should be made in writing to the Board within three weeks of the date of the decision.

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Stephen Rhys Thomas  
Senior Planning Inspector

27 October 2022