



Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Kilkenny County Council

Planning Register Reference Number: VSR18-22

Appeal by Michael Doyle Civil Engineering Limited care of Fewer Harrington and Partners of Studio 14, The Atrium, Maritana Gate, Canada Street, Waterford in accordance with section 18 of the Urban Regeneration and Housing Act 2015, as amended, against a demand for payment of vacant site levy issued by Kilkenny County Council on the 24th day of January, 2019 in respect of the site described below.

Description: Lands at Clover Meadows, Ferrybank, County Kilkenny.

Decision

The Board in accordance with section 18(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 no longer 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 demand for payment of levy,
- (b) the grounds of appeal submitted by the appellant,
- (c) the report of the Inspector, and
- (d) the fact that the area of land in question, being the combination of two non-contiguous areas of land, had not been subjected to the statutory procedure for entry on the vacant sites register, as evidenced by the map which was attached to the planning authority's notice under Section 7(1) of the Urban Regeneration and Housing Act 2015, as amended, and, therefore, was not, and is not, a vacant site,

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 and cancel the demand for payment.

John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this day of 2020