



An
Bord
Pleanála

S18 Board Direction
BD-005539-20
ABP-306284-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/03/2020.

The Board determined that the site was a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, and the amount of the levy has been correctly calculated in respect of the vacant site, for the following reasons and considerations.

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 Senior Planning Inspector;
- (d) The fact that the site is situated in an area where there is a need for housing and to the planning history of the site which shows it is suitable for the provision of housing;
- (e) The absence of any evidence to suggest the site is being used for agricultural purposes;
- (f) The fact that, while the site is being used for a purpose that does not consist solely or primarily of the provision of housing or the development of the site for the

purpose of such provision, the most recent purchase of the site occurred after it became residential land, and before, on or after the commencement of section 63 of the Planning and Development (Amendment) Act, 2018;

(g) The site remains in a vacant condition and no development has commenced;

(h) The amount of the levy has been correctly calculated at 7% of the site value; and

(i) There has been no change in the ownership of the site;

the Board is satisfied that the site was a vacant site on the 1st day of January 2019 and was a vacant site on the 23rd day of December 2019, the date on which the appeal was made and the amount of the levy has been correctly calculated. The demand for payment of the vacant site levy under Section 15 of the Urban Regeneration and Housing Act 2015 is, therefore, confirmed. The Board, therefore, considers that it is appropriate that a notice be issued to the planning authority who shall confirm the demand for payment.

Board Member

Date: 27/03/2020

Dave Walsh