



An
Bord
Pleanála

S18 Board Direction
BD-007088-20
ABP-306954-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 02/12/2020.

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 Inspector,
- (d) the need for housing in the area, the suitability of the site for the provision of housing as demonstrated by the phasing strategy set out in the Kilmartin Local Area Plan 2013, the fact that any constraints to the development of the site such as whether the site was served by the public infrastructure and facilities (within the meaning of section 48 of the Act of 2000) necessary to enable housing to be provided and serviced are considered to be within the control of the appellant to address and the insufficient reason put forward to cancel entry on the Vacant Sites Register,
- (e) That the majority of the site is and was vacant for the period concerned,

- (f) The amount of the levy has been correctly calculated at 7% of the site value in 2019,
- (g) There has been no change in the ownership of the site for the relevant time period, 2019,

the Board is satisfied that the site was a vacant site on the 1 of January 2019 and was a vacant site on 18 March 2020, 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.

Board Member

Date: 02/12/2020

Terry Prendergast