

An
Bord
Pleanála

S18 Board Direction
BD-009285-21
ABP-307449-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/10/2021.

The Board decided to CONFIRM the demand for payment of vacant site levy as calculated by the planning authority for the following reasons and considerations.

Reasons and Considerations

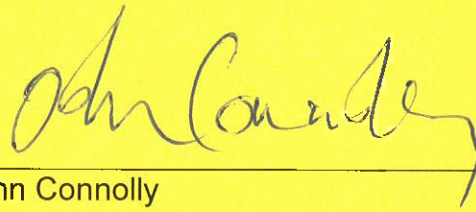
Having regard to the information placed before the Board by the Planning Authority, the grounds of appeal submitted by the appellant, and the report of the Inspector, it is considered that,

- (a) it has not been shown that the site was no longer a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, on 1 January in the year concerned, or that the amount of the levy has been incorrectly calculated in respect of the site by the planning authority, and
- (b) the site continued to be a vacant site on the date on which the appeal was made.

In deciding not to accept the Inspector's recommendation to cancel the demand for payment of the vacant site levy, the Board considered that in the case of the subject appeal, being an appeal under section 18 of the Urban Regeneration and Housing Act, 2015, as amended, the Board's powers are limited to determining whether the site was no longer a vacant site on 1 January in the year concerned, or that the amount of the levy has been incorrectly calculated in respect of the site by the

planning authority, and whether the site continued to be a vacant site on the date on which the appeal was made.

Board Member

A handwritten signature in black ink, appearing to read "John Connolly", written over a horizontal line.

Date: 18/10/2021

John Connolly

