

An
Bord
Pleanála

S18 Board Direction
BD-015065-24
ABP-315299-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/01/2024.

The Board determined that

- the area of the site was no longer a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, and
- the amount of the levy had therefore been incorrectly calculated

for the following reasons and considerations.

Reasons and Considerations

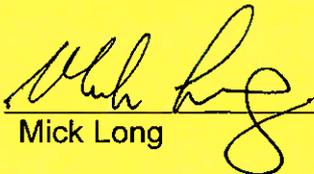
Having regard to:

- (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 planning authority submission, and
- (d) The report of the Inspector.

The Board could not be satisfied that the area of land continued to be a Vacant Site as defined by section 5(1)(b) of the Urban Regeneration and Housing Act 2015 (as amended) on the 2 March 2023, the date on which the appeal was made and given that the Section 15(4) Demand for Payment Notices refer to lands outside the control / ownership of Marcat Keane Properties Limited that the amount of levy was not properly calculated in respect of the site.

The Board considers that it is appropriate that a notice be issued to the planning authority to cancel the demand for payment.

Board Member



Mick Long

Date: 16/01/2024