

An
Bord
Pleanála

S18 Board Direction
BD-013168-23
ABP-315948-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 03/08/2023.

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

However, the Board also considered that:

- the Site was not validly entered on the Vacant Site Register.

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) Further correspondence received by the Board in response to a request issued by the Board on July 25th. 2023

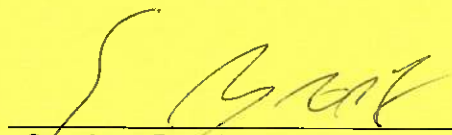
The Board noted that the site stands removed from the register at this time, but that this did not preclude the site from being validly entered on the register in respect of the year in question. However, the Board considered that, contrary to Section 11(1) of the Urban Regeneration and Housing Act 2015, the planning authority did not, within the time permitted, give written notice to the owner of the vacant site that the

site stood entered on the register on 1 January 2018. The Board acknowledged that the planning authority notified a previous owner of the site; but the Board considered that this was not sufficient to satisfy the above statutory requirement.

The Board considered 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.*

Board Member



Stephen Brophy

Date: 04/08/2023