

An
Bord
Pleanála

Board Direction
BD-015912-24
ABP-318488-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 19/03/2024.

In accordance with Section 18 (3) of the Urban Regeneration and Housing Act 2015 (as amended), the Board confirmed that the site was a vacant site on the 1st day of January 2019 or on the 16th day of November 2023 and that the amount of the levy has been correctly calculated in respect of the vacant site. The demand for payment of the vacant site levy under Section 15 of the Urban Regeneration and Housing Act 2015 is, therefore, confirmed.

Reasons and Considerations

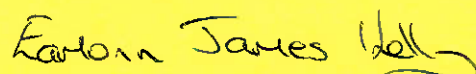
Having regard to:

- (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 Planning Inspector,
 - (d) the neglected condition of the site which it is considered has adverse effects on the character of the area,
 - (e) the amount of the levy being correctly calculated at 7% of the site value in 2019, and
 - (f) there has been no change in the ownership of the site,
- the Board is satisfied that the site was a vacant site in 2019 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.

In deciding not to accept the Inspector's recommendation to cancel the levy payable for 2019, the Board noted sections 7.7 - 7.11 of the Inspector's report for ABP-301846-18 which was cross-referenced by the Inspector, including in particular the Inspector's reporting of the neglected condition of the interior of the site. The Board noted from the Inspector's report for this file that the site is overgrown, that amounts of vegetation growing within the site are visible from the public domain, and that "the physical circumstances of the site have changed very little from before (2018)". The Board concluded the condition of the site remains neglected.

Board Member



Date: 25/03/2024

Eamonn James Kelly