

An
Coimisiún
Pleanála

S18 Direction
CD-020019-25
ABP-321183-24

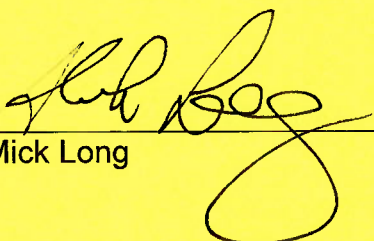
The submissions on this file and the Inspector's report were considered at a meeting held on 23/06/2025.

The Commission determined that

- the site was a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, and
- that the amount of the levy for the period concerned, 1st January 2023 to 31st December 2023, has been incorrectly calculated, for the reasons and considerations below.

Planning

Commissioner:


Mick Long

Date: 23/06/2025

Reasons and Considerations

Having regard to:

- (a) The information placed before the Commission 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, and
- (d) The response of the planning authority to the Section 132 request for additional information confirming the date of the valuation of the property on which the vacant site levy was calculated, to be in the year 2019.

The Commission in accordance with Section 18(3) of the Urban Regeneration and Housing Act 2015, as amended, hereby determines that the above site was a vacant site within the meaning of that Act in the year 2023 and on the date of the appeal.

However, the Commission in accordance with Section 16(1)(b) and Section 18(4) of the Urban Regeneration and Housing Act 2015, as amended, has determined that the amount of the levy has been incorrectly calculated based on a valuation that has not been determined at least once every three years as required by Section 12(1) of the Urban Regeneration and Housing Act 2015. The initial valuation dated in August 2019 by the planning authority and notified to the owner on 4th September 2019 has not been updated.

The Commission noted the Inspector agreed the site is still a “vacant site” and further referenced Section 12(1) of the Act, but in not accepting the Inspector’s recommendation to confirm the levy, the Commission was not satisfied the levy had been correctly calculated on an updated valuation of the property.

The Commission considered that it is appropriate that a notice be issued to the planning authority who shall be directed to amend the demand for payment to Zero.