



Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Kilkenny County Council

Planning Register Reference Number: VSR18-18

Appeal by Castlecomer Parish Finance Committee of Parochial House, Castlecomer, County Kilkenny in accordance with section 18 of the Urban Regeneration and Housing Act 2015, as amended, against a demand for payment of vacant site levy issued by Kilkenny County Council on the 24th day of January, 2019 in respect of the site described below.

Description: Site at Barrack Street, Castlecomer, County Kilkenny.

Decision

The Board in accordance with section 18(3) of the Urban Regeneration and Housing Act 2015, as amended, and based on the reasons and considerations set out below, hereby determines that the above site was no longer a vacant site within the meaning of that Act.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to:

- (a) the information submitted to 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, and
- (d) the recorded date of the site inspections (7th April, 2017 and 3rd July 2018), provided by the planning authority in its submitted documentation and the absence of sufficient evidence to support the contention of the planning authority that the site was vacant and idle for the period of 12 months preceding the date of placing the site on the register,
- (e) the absence of documentation to support the contention that there is a housing need in the area,

and, therefore, it is considered that the site was not, and is not, a vacant site.

The Board considers 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.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020