



An
Bord
Pleanála

Board Order
ABP-303831-19

Planning and Development Acts 2000 to 2018

Planning Authority: Dublin City Council

Planning Register Reference Number: VS/0003.

Appeal by the Irish Prison Service/Department of Justice and Equality care of Irish Prison Service Headquarters of IDA Business Park, Ballinalee Road, Longford, County Longford in accordance with section 18 of the Urban Regeneration and Housing Act 2015 against a demand for payment of vacant site levy issued by Dublin City Council on the 12th day of February, 2019 in respect of the site described below.

Description: Site at 51A Old Kilmainham Road, Dublin.

Decision

The Board hereby determines, based on the reasons and considerations set out below, and

- **in accordance with section 18(3) of the Urban Regeneration and Housing Act 2015, that the above site was a vacant site within the meaning of that Act for the period concerned,**
- **in accordance with section 18(4) of the Urban Regeneration and Housing Act 2015, that the amount of the levy has been correctly calculated.**

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 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 detracts from the residential amenities of the area and the streetscape,
- (e) the evidence of anti-social behaviour having taken place on the site,
- (f) the vacant condition of the site where no development has commenced,
- (g) the amount of the levy which has been correctly calculated at 3% of the site value in 2018, and
- (h) the fact that no change had taken place in the ownership of the site,

the Board considered that it is appropriate that a notice be issued to the planning authority confirming the demand for payment of the vacant site levy under Section 15 of the Urban Regeneration and Housing Act 2015, as amended.

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

Dated this day of 2019.