



Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2019

Planning Authority: Kilkenny County Council

Planning Register Reference Number: VSR18-21

Appeal by Patrick Killoran and others care of Nolan Farrell and Goff of Newtown Lodge, Newtown, Waterford 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 April, 2019 in respect of the site described below.

Description: Site at Belmont, Ferrybank, 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 a vacant site within the meaning of that Act, and the amount of the levy has been correctly calculated in respect of the vacant site.

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 fact that the site, or the majority of the site is and was being used for a purpose that does not consist solely or primarily of the provision of housing or the development of the site for the purpose of such provision, and that the most recent purchase of the site occurred after it became residential land.

The Board is satisfied that the site was a vacant site on the 1st day of January, 2018, and was a vacant site on the 20th day of May, 2019, the date on which the appeal was made and that the amount of the levy has been correctly calculated.

The Board considered that it is appropriate that a notice be issued to the planning authority who shall confirm the demand for payment.

Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019