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**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2019**

**Planning Authority: Roscommon County Council**

**Planning Register Reference Number: VS/MB/18/5**

**Appeal** by Pat Donoghue care of Mark Fahy and Associates of Quarry Road, Menlo, Galway 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 Roscommon County Council on the 25<sup>th</sup> day of November, 2019 in respect of the site described below.

**Description:** Vacant site at Monskland/Bellanamullia, County Roscommon.

## **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 Senior Planning Inspector,
- (d) the fact that the site is situated in an area where there is a need for housing, and to the planning history of the site which shows it is suitable for the provision of housing,
- (e) the absence of any evidence to suggest the site is being used for agricultural purposes,
- (f) the fact that, while the site is 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, the most recent purchase of the site occurred after it became residential land, and before, on, or after the commencement of section 63 of the Planning and Development (Amendment) Act, 2018,

- (g) the site remains in a vacant condition and no development has commenced;
- (h) the amount of the levy has been correctly calculated at 7% of the site value, and
- (i) there has been no change in the ownership of the site,

the Board is satisfied that the site was a vacant site on the 1<sup>st</sup> day of January 2019, and was a vacant site on the 23<sup>rd</sup> day of December, 2019, the date on which the appeal was made and that 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. The Board, therefore, considers that it is appropriate that a notice be issued to the planning authority who shall confirm the demand for payment.

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**Dave Walsh**

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

**Dated this            day of            2020**