



An
Bord
Pleanála

**Board Order
ABP-306967-20**

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: VS-0449

Appeal by Paul O'Brien of Saint Donagh's, Drumnigh Road, Portmarnock, County Dublin 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 Dublin City Council on the 26th day of February, 2020 in respect of the site described below.

Description: Vacant site to the rear of 134-139 Phibsborough Road, Devery's Lane, Phibsborough, Dublin.

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 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 need for housing in the area, the site is suitable for the provision of housing as demonstrated by the residential land use zoning for the area, and that insufficient reason is put forward to cancel entry on the Vacant Sites Register,
- (e) the majority of the site is and was vacant for the period concerned,
- (f) the amount of the levy has been correctly calculated at 7% of the site value in 2019, and
- (g) there has been no change in the ownership of the site during the period concerned, 2019,

the Board is satisfied that the site was a vacant site on the 1st of January, 2019 and was a vacant site on the 23rd March 2020, the date on which the appeal was made and 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.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this *28th* day of *April* 2021

