



An
Bord
Pleanála

Board Order
ABP-309806-21

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: VS-0334

Appeal by The Davy Platform ICAV acting on behalf of its sub-fund Rathborne Sub-Fund ("The Davy Platform ICAV") care of Stephen Little and Associates of Stokes Place, Saint Stephen's Green and Harcourt Street, 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, 2021 in respect of the site described below.

Description: Site bounded generally by the River Road and Tolka Valley Park to the north, Crescent Park and Royal Canal Avenue, Royal Canal Park, Pelletstown House site and Rathborne, Ashtown, 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 for the period concerned, and in accordance with section 18(4) of the Urban Regeneration and Housing Act 2015, as amended, the amount of the levy has been correctly calculated in respect of the vacant site.

Reasons and Considerations

Having regard to the information placed before the Board by the planning authority, the grounds of appeal submitted by the appellant, and the report of the Planning Inspector, it is considered that,

- (a) it has not been shown that the site was no longer a vacant site within the meaning of the Urban Regeneration and Housing Act, 2015, as amended, on the 1st day of January in the year concerned, or that the amount of the levy has been incorrectly calculated in respect of the site by the planning authority, and
- (b) the site continued to be a vacant site on the date on which the appeal was made.

The Board considered that it is appropriate that a notice be issued to the planning authority who shall confirm the entry on the Vacant Sites Register and confirm the demand for payment.



John Connolly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this ^{23rd} day of *JUNE* 2022