



An  
Bord  
Pleanála

**Board Order**  
**ABP-309823-21**

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**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: VS-0005**

**Appeal** by Helexmain Enterprises Limited of Unit C1, Nutgrove Office Park, Nutgrove Avenue, Rathfarnham, 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 26<sup>th</sup> day of February 2021 in respect of the site described below.

**Description:** 6 Kilmainham Lane, 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 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 Planning Inspector, and
- (d) the lack of information to show that the site was no longer a vacant site within the meaning of the Urban Regeneration and Housing Act 2015, as amended, on the 1<sup>st</sup> day of January 2020, or that the amount of the levy has been incorrectly calculated in respect of the site by the planning authority, and the site continued to be a vacant site on the day that the appeal was made,

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

  
Michelle Fagan

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

Dated this 30<sup>th</sup> day of March 2022

