

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2021

Planning Authority: Dún Laoghaire-Rathdown County Council

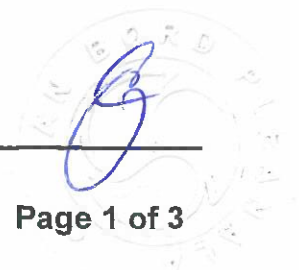
Planning Register Reference Number: VS-0011

Appeal by Cornel Living Limited care of McCann FitzGerald of Riverside One, Sir John Rogerson's Quay, 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 Dún Laoghaire-Rathdown County Council on the 13th day of April, 2021 in respect of the site described below.

Description: Site off the Old Bray Road, Foxrock, 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 no longer a vacant site within the meaning of that Act.



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) that the site was for the period of 2020 unsuitable for the provision of housing, because the site was not served by the public infrastructure and facilities (within the meaning of section 48 of the Planning and Development Act 2000, as amended) necessary to enable housing to be provided and serviced, thus for the period concerned the site was not in accordance with section 5(1)(a)(ii), as defined by section 6(5)(b), of the Urban Regeneration and Housing Act 2015, as amended,

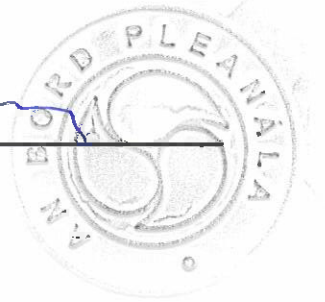
the Board is satisfied that the site was not a vacant site on the 1st day of January, 2020, and was not a vacant site on the 23rd day of April 2021, the date on which the appeal was made.

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



John Connolly

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



Dated this 4th day of APRIL 2022