

An
Bord
Pleanála

Board Order
ABP-310358-21

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: VS-0797

Appeal by RGRE J and R Valerys Limited care of Orpen Franks Solicitors of 28 and 30 Burlington Road, 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 29th day of April, 2021 in respect of the site described below.

Description: Site at Junction of Appian Way, 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.

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;
- (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 which is and was vacant/idle for the period concerned;
- (f) the amount of the levy which has been correctly calculated at seven percent of the site value in 2019; and
- (g) no change being made in the ownership of the site during the period concerned, 2020,

the Board is satisfied that the site was a vacant site on the 1st day of January, 2020 and was a vacant site on the 27th day of May, 2021, the date on which the appeal was made and that the amount of the levy has been correctly calculated.

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

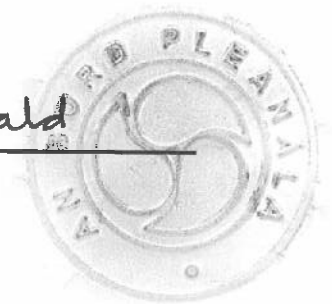
Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 5th day of December 2022