



Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2021

Planning Authority: Kilkenny County Council

Planning Register Reference Number: VSR20-6

Appeal by Signbrook Limited care of McGill Planning Limited of 45 Herbert Lane, 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 Kilkenny County Council on the 10th day of May, 2021 in respect of the site described below.

Description: Sion Road, Kilkenny.

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 incorrectly 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 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 1st of January 2020, and
- (e) a change in ownership that occurred in 2021, the amount of the levy has been incorrectly calculated in respect of the site by the planning authority,

the Board considered that, in accordance with Section 18(2)(b) and 18(4) of the Urban Regeneration and Housing Act 2015 (as amended), the amount of the levy has been incorrectly calculated in respect of the vacant site and in accordance with Section 17(1) of the Urban Regeneration and Housing Act 2015 (as amended), the amount of vacant site levy to be charged in respect of the site for the year 2021, and for the preceding year 2020, shall be zero.



The Board also considered that it is appropriate that a notice be issued to the planning authority who shall amend the demand made in respect of the year 2020 in accordance with the revised amount (zero) but shall retain the entry on the Vacant Sites Register.

Dr. Maria Fitzgerald

Maria FitzGerald

Member of An Bord Pleanála

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

Dated this 23rd day of Sept. 2022

