

An
Bord
Pleanála

Board Order
ABP-310436-21

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2021

Planning Authority: Kilkenny County Council

Planning Register Reference Number: VSR20-5

Appeal by Patrick and Ann O'Brien of Kilree, Bennettsbridge, County Kilkenny 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: Middleknock, 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 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, and
- (d) the lack of information to show that the site was no longer a vacate site within the meaning of the Urban Regeneration and Housing Act 2015, as amended, on the 1st 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,

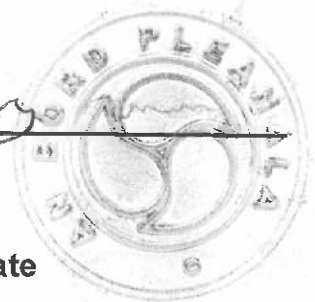
the Board considers that it is appropriate that a notice be issued to the planning authority who shall confirm the demand for payment.

Patricia Calleary

Patricia Calleary

Member of An Bord Pleanála

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



Dated this 14th day of October 2022