



An
Bord
Pleanála

Board Order
ABP-310472-21

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: VS/RN/02

Appeal by Knoxpark Developments Limited of The Crescent, Boyle, County Roscommon 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 Wicklow County Council on the 14th day of May, 2021 in respect of the site described below.

Description: Lands measuring 0.48 hectares located at former St. Ernan's School Site, Rathnew, County Wicklow.

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 the Act, and that the amount of the levy has been incorrectly calculated in respect of the site.

Reasons and Considerations

Having regard to:

- (a) the information placed before the Board by the planning authority in relation to the entry of the site on the Vacant Sites Register, and the correspondence received from the planning authority dated the 30th day of June, 2021 which declares the Demand Notice to be withdrawn,
- (b) the grounds of appeal submitted by the appellant,
- (c) the provisions of Section 13 of the Urban Regeneration and Housing Act 2015, as amended,
- (d) the report of the Senior Planning Inspector,
- (e) 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 day of January, 2020 and on the date the appeal was made on the 9th day of June, 2021, and
- (f) the fact that the amount of the levy has been incorrectly calculated in respect of the site by the planning authority because a site value is yet to be determined by the Valuation Tribunal,

the demand for payment of the vacant site levy as calculated by the planning authority under section 15 of the Urban Regeneration and Housing Act 2015, as amended, is, therefore, cancelled.

Dr. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 16th day of December 2022

