

An
Bord
Pleanála

Board Order
ABP-310683-21

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2020

Planning Authority: Galway City Council

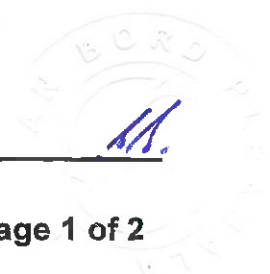
Planning Register Reference Number: 039 EAST

Appeal by Wellmount Investments Limited care of LK Shields Solicitors of 38 Upper Mount Street, 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 Galway City Council on the 2nd day of June 2021 in respect of the site described below.

Description: Former Dawn Dairies Site, Dublin Road, Galway.

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 site was a vacant site within the meaning of that Act and in accordance with section 18(4) of that Act, that the amount of the levy has been correctly calculated in respect of the vacant site.



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

The Board had regard to:

- (a) the information submitted before 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 Planning Inspector, and
- (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 day of January 2020, or that the amount of 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 demand for payment of vacant site levy as calculated by the planning authority under section 15 of the Urban Regeneration and Housing Act 2015 is, therefore, confirmed.

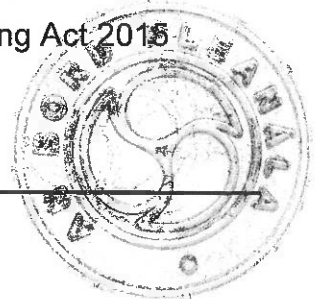


Stephen Bohan

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *1st* day of *December* 2021