



An  
Bord  
Pleanála

**Board Order  
ABP-313063-22**

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**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: VSR21-2**

**Appeal** by Michael Kenny care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork 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 Council on the 18<sup>th</sup> day of February, 2022 in respect of the site described below.

**Description:** Hebron House, Hebron Road, Leggettsrath, County 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 vacant site within the meaning of the Urban Regeneration and Housing Act 2015, as amended, on the 1st day of January, 2021, 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 considered that it is appropriate that a notice be issued to the planning authority who shall confirm the demand for payment.



**Stephen Brophy**

**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**



Dated this 29<sup>th</sup> day of August 2023