

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2022

Planning Authority: Roscommon County Council

Planning Register Reference Number: VS/RO/18/4

Appeal by Marcat Keane Properties Limited of Lanesboro Street, Roscommon Town, 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 Roscommon County Council on the 16th day of November, 2022 in respect of the site described below.

Description: Site at Ballypheasan, Roscommon Town, County Roscommon.

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 that Act and in accordance with section 18(4) of the Urban Regeneration and Housing Act 2015, as amended, and based on the reasons and considerations set out below, hereby determines that the amount of the levy has been incorrectly calculated.

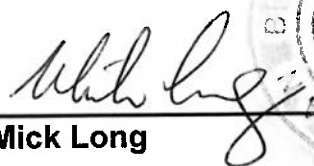
Reasons and Considerations

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,
- (b) the grounds of appeal submitted by the appellant,
- (c) the planning authority submission, and
- (d) the report of the Inspector,

the Board could not be satisfied that the area of land continued to be a Vacant Site as defined by section 5(1)(b) of the Urban Regeneration and Housing Act 2015, as amended, on the 2nd March 2023, the date on which the appeal was made and given that the Section 15(4) Demand for Payment Notices refer to lands outside the control/ownership of Marcat Keane Properties Limited that the amount of levy was not properly calculated in respect of the site.

The Board considers that it is appropriate that a notice be issued to the planning authority to cancel the demand for payment.



Mick Long

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this 14th day of January 2024.