



An  
Bord  
Pleanála

## Board Order ABP-318368-23

**Urban Regeneration and Housing Act 2015**

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: VS/0016**

**Appeal** by Glenveagh Homes Limited care of McCann Fitzgerald of Riverside One, Sir John Rogerson's Quay, 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 Fingal County Council on the 5<sup>th</sup> day of October, 2023 in respect of the site described below.

**Description:** Lands west of the R121 Church Road, Kilmartin, Tyrrelstown, townland of Hollystown, Dublin.

### 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.

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## 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, the issuing of the demand for payment for 2022, and the submission on the 1<sup>st</sup> day of November 2023 of commencement notices for the development of housing on the site permitted under planning register reference number FW21A/0042 and appeal reference number ABP-312271-21,
- (b) the grounds of appeal submitted by the appellant,
- (c) the report of the Planning Inspector, and
- (d) the time the appeal against a demand for payment of vacant site levy was made (the 1<sup>st</sup> day of November 2023),

the Board concluded that the site was being used for the development of housing on the date the appeal was made and so was no longer a vacant site according to Part 2 of the Urban Regeneration and Housing Act 2015, as amended.

The demand for payment of the vacant site levy issued by the planning authority in respect of the site for 2022 under section 15 of the Urban Regeneration and Housing Act 2015, as amended, is, therefore, cancelled.

The Board, therefore, considered that it is appropriate that a notice be issued to the planning authority who shall cancel the entry on the Vacant Sites Register and cancel the demand for payment.



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**Peter Mullan**

**Member of An Bord Pleanála<sup>o</sup>**

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

**Dated this 10<sup>th</sup> day of June. 2024**