



An
Bord
Pleanála

Board Order ABP-321264-24

Urban Regeneration and Housing Act 2015

Planning and Development Acts 2000 to 2022

Planning Authority: Sligo County Council

Planning Register Reference Number: SL-VS-16

Appeal by Bernard Mullen care of Michael J. Horan Solicitors of Floor 1, Millennium House, Sligo 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 Sligo County Council on the 11th day of October, 2024 in respect of the site described below.

Description: Lands at Newtownholmes Road, Sligo.

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 the Act, but that the amount of the levy for the period concerned, 1st January, 2023 to 31st December, 2023, 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 report of the Inspector, and
- (d) the response of the planning authority to the request under Section 132 of the Planning and Development Act 2000, as amended, for additional information confirming the date of the valuation of the property on which the vacant site levy was calculated, to be in the year 2019.

The Board in accordance with Section 18(3) of the Urban Regeneration and Housing Act 2015, as amended, hereby determines that the above site was a vacant site within the meaning of that Act.

However, the Board, in accordance with Section 16(1)(b) and Section 18(4) of the Urban Regeneration and Housing Act 2015, as amended, decided that the amount of the levy has been incorrectly calculated in respect of a valuation that has not been determined at least once every three years as required by Section 12(1) of the Urban Regeneration and Housing Act 2015, as amended. The initial valuation confirmed as dated the 1st of August, 2019 by the planning authority and notified to the owner on the 1st of August, 2019 has not been updated.

The Board noted that the Inspector referenced Section 12(1) of the Act but, in not accepting the Inspector's recommendation, the Board was not satisfied that the levy had been correctly calculated on an updated valuation of the property. The Board considered that it is appropriate that a notice be issued to the planning authority who shall cancel the demand for payment.



Mick Long

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

Dated this 11th **day of** June **2025.**