

An  
Bord  
Pleanála

**Board Direction**  
**BD-017557-24**  
**ABP-320349-24**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/09/2024.

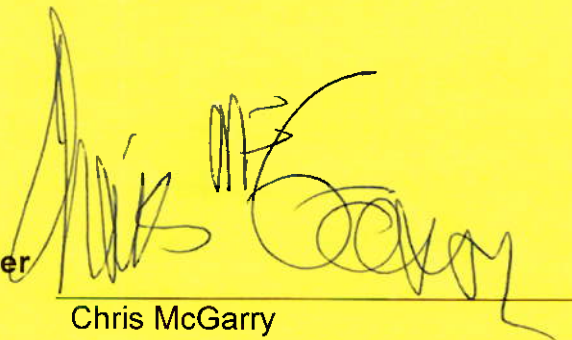
The Board decided to confirm the determination of the local authority in part and set aside the determination of the local authority and allow the appeal in part, for the following reasons and considerations.

Having regard to the determination by the local authority, the grounds of appeal, the provisions of section 653B of the Taxes Consolidation Act 1997, as amended, the site is considered partially in scope for the purposes of the RZLT map. The site is zoned for mixed use development and objective SLO4, which is a confirmed development plan objective applicable to the lands sets a limit on the amount of residential development to no more than 40% of the site. Therefore, only this percentage of the site is available for residential development and any other part of the site should be removed from the RZLT map.

In deciding not to accept the recommendation of the inspector, the Board determined that it is sufficiently clear in the relevant development plan zoning and associated objective, that a portion only of the lands are available for residential development and that it is reasonable to limit the inclusion on the RZLT Map to this equivalent land area (40%). While the inspector noted this point, he also considered that the layout and nature of development is a matter for the Development Management process to assess and to determine how much of the lands are required for residential purposes. The Board fully acknowledged the consideration of the inspector on this matter. However, having reviewed the relevant provisions of the development plan, it is determined that the land use zoning and the associated objective SLO4 has set a level of precision to the final extent of currently allowable

portion of this site area which may accommodate residential development. In this regard the Board determined that a 40% equivalent only of the site should be included on the final map.

**Board Member**



Chris McGarry

**Date:** 24/09/2024