



An
Bord
Pleanála

Board Order
ABP-316271-23

Taxes Consolidation Act 1997, as amended

Planning Authority: Clare County Council

Planning Authority Reference Number: S1/019

Appeal by Dermot Merry of Fergus Lodge, Clonroad Bridge, Ennis, County Clare in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the map of the Residential Zoned Land Tax by Clare County Council on the 31st day of March, 2023 in respect of the site described below.

Lands at: Clonroadmore, Ennis, County Clare.

Decision

The Board in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, and based on the reasons and considerations set out below, hereby 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 as follows:

That portion of the lands around the Recorded Monuments identified as RMP CL033-085002 – House – 16th/17th century, RMP CL033-085 – Settlement deserted – medieval CL033-085003 – Bridge, CL033-085004 – Bridge on the Sites and Monuments Record shall be omitted from the Residential Zoned Land Tax Map and that the remainder of the site shall be included on the map.

Reasons and Considerations

It is considered that the zone of notification associated with RMP CL033-085002 – House – 16th/17th century, RMP CL033-085 – Settlement deserted – medieval, RMP CL033-085003 – Bridge, RMP CL033-085004 – Bridge entered on the Sites and Monuments Record would preclude the provision of dwellings on that part of the site within the meaning of section 653B(c) of the Taxes Consolidation Act 1997, as amended. The remainder of the site forms part of an established urban area with services available and no capacity or other reasons have been identified that would prevent the development of these lands for residential purposes, and, therefore, does satisfy the criterion for inclusion on the map set out in section 653B(c) of the Taxes Consolidation Act 1997, as amended.



Patricia Calleary

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 14 day of August 2023.