

An  
Bord  
Pleanála

Board Order  
ABP-316626-23

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**Taxes Consolidation Act 1997, as amended**

**Planning Authority: Dun Laoghaire-Rathdown County Council**

**Planning Authority Reference Number: DM22/0018**

**Appeal** by Patrick Mooney care of Tom Phillips and Associates of 80 Harcourt Street, Dublin 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 Dun Laoghaire-Rathdown County Council on the 27<sup>th</sup> day of March, 2023 in respect of the site described below.

**Lands at:** Golf Lane, Carrickmines, Dublin.

## **Decision**


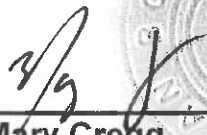
**The Board in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, and based on the reasons and considerations set out below, hereby decided to confirm the determination of the local authority in part and set aside the determination of the local authority and allow the appeal in part as follows:**

That portion of the lands to the north within the Cherrywood SDZ Planning Scheme shall be excluded from the map and the remainder of the lands shall be included on the map.

## Reasons and Considerations

The northern portion of the site within the Cherrywood SDZ Planning Scheme is not zoned solely or primarily for residential use, or for a mixture of uses, including residential uses, and does not fulfil the criteria under section 653B(a) of the Taxes Consolidation Act 1997, as amended, and should be excluded from the map. In this regard, the Board decided to set aside the determination of the local authority in part.

The remainder of the lands zoned Objective A-Residential under the Dun Laoghaire-Rathdown County Development Plan 2022-2028 satisfy the criterion for inclusion on the map set out in section 653B(b) of the Taxes Consolidation Act 1997, as amended. In this regard, the Board decided to confirm the determination of the local authority in part.



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Mary Cregg

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

Dated this 8<sup>th</sup> day of September 2023.