

An
Bord
Pleanála

Board Order ABP-316626-23

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Dun Laoghaire-Rathdown County Council

Planning Register Reference Number: DM22/0018

Lands Concerned: Golf Lane, Carrickmines, Dublin.

WHEREAS the Board made a decision to confirm the determination of the local authority in part and to set aside the determination of the local authority and allow the appeal in part in relation to the above-mentioned Residential Zoned Land Tax case by Order dated the 8th day of September, 2023,

AND WHEREAS it has come to the attention of the Board that due to an error, lands which had been excluded by the local authority from the relevant RZLT map were referenced by the Board as part of its decision,

AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the RZLT map, the subject of the decision,

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from any person who had made submissions or observations to the Board in relation to the appeal the subject of this amendment,

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that the order shall henceforth read as follows:

Decision

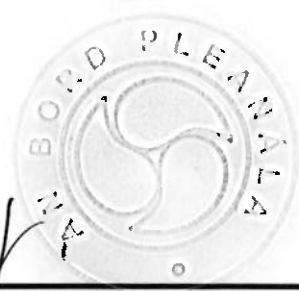
The Board in accordance with section 653J of the Taxes Consolidation Act 1997, as amended, and based on the reasons and considerations set out below, hereby decided to confirm the determination of the local authority.

That portion of the lands to the north within the Cherrywood SDZ Planning Scheme shall remain 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 noted that the local authority had excluded this portion (as a road reservation) from the map.

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.




Mary Cregg

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

Dated this 15th day of December 2023.