

An
Bord
Pleanála

Board Order
ABP-316675-23

Taxes Consolidation Act 1997, as amended

Planning Authority: Fingal County Council

Planning Authority Reference Number: RZLT138/22

Appeal by P&N Butterly Limited care of Ascot and Co of 38 Francis 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 Fingal County Council on the 30th day of March, 2023 in respect of the site described below.

Lands at: 'Colemans', Palmer Road, Rush, County 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 set aside the determination of the local authority and allow the appeal.

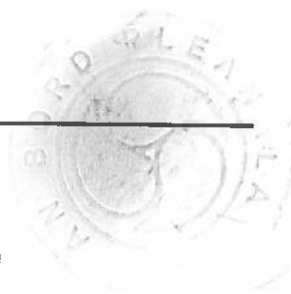
Reasons and Considerations

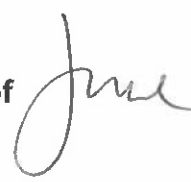
The land is not connected to the existing footpath network in Rush and would require the provision of significant sections of new footpath across other landholdings where land is not in the control of the landowner or the local authority. The land, therefore, does not satisfy the criteria cited in section 653B(b) of the Taxes Consolidation Act 1997, as amended.



Una Crosse

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



Dated this  day of  2023.