

An
Bord
Pleanála

Board Order
ABP-316833-23M

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Kerry County Council

Planning Register Reference Number: KE-C6-RZLT-32.

Matter Concerned: Land at Clash West, Tralee, County Kerry.

WHEREAS the Board made a decision to confirm the determination of the local authority, in relation to the above-mentioned matter, by Order dated the 19th day of September, 2023,

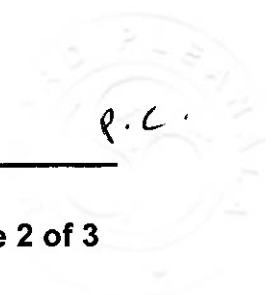
AND WHEREAS it has come to the attention of the Board that due to a clerical error the Reasons and Considerations attached to the Board Order should be clarified,

AND WHEREAS the Board considered that the clarification of the above-mentioned error would not result in a material alteration of the terms 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 persons who had made submissions or observations in relation to the matter 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 clerical error so that the Reasons and Considerations attached to its Order shall be as follows:

Having considered the provisions of section 653B of the Tax Consolidation Act 1997 as amended, the 'Residential Zoned Land Tax – Guidelines for Planning Authorities' (Department of Housing, Local Government and Heritage, June 2022), the local authority determination, the grounds of appeal, the file documentation and the Inspector's report and recommendation, the Board decided to confirm the determination of the local authority that the indicated site be retained on the Residential Zoned Land Tax map.



The lands are zoned residential within an established urban area with services available and no capacity or other reasons have been identified that would prevent the development of these lands in principle for residential purposes. The lands are accessible and there is no reason why they cannot be developed in principle in accordance with the residential zoning objective that applies to these lands which meet the qualifying criteria set out in section 653B of the Taxes Consolidation Act 1997, as amended, and there are no matters arising that warrant exclusion from the Residential Zoned Land Tax map.



Patricia Calleary

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 01 day of December 2023.