



An  
Bord  
Pleanála

## Inspector's Report ABP-316343-23

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**Type of Appeal**

Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax

**Location**

Lands east of Mount Alto Road,  
Ashford, Co. Wicklow

**Planning Authority**

Wicklow County Council

**Planning Authority Reg. Ref.**

WW-RZLT-36

**Appellant(s)**

Cedarbrick Ltd

**Inspector**

Paul O'Brien

## **1.0 Site Location and Description**

- 1.1. The subject lands contain a site of 0.57 hectares located to the east of the Mount Alto Road in Ashford, Co. Wicklow. The lands are currently undeveloped and are somewhat overgrown with vegetation, sloping downwards on a west to east axis. Housing, though not occupied, is located to the east of the site and the site is located towards the centre of Ashford. The submitted plans indicate a short access route from the site downwards and onto the R772/ Mains Street.
- 1.2. The adjoining lands are primarily in residential use, mostly detached houses on individual sites, though the units to the east are in the form of a development that is not fully complete.

## **2.0 Zoning and Other Provisions**

- 2.1. The site is primarily zoned RE – Existing Residential in the Ashford Town Plan 2022 – 2028 with an objective ‘To protect, provide and improve residential amenities of existing residential areas’.
- 2.2. A small are of land that forms part of the access route to Main Street is Zoned TC – Town Centre with the objective ‘To provide for the development and improvement of appropriate town centre uses including residential, retail, commercial, office and civic use.’

## **3.0 Planning History**

- 3.1. PA Ref. 22/1144 refers to a January 2023 decision to grant permission for four number, four bedroom houses on these lands.

## **4.0 Submission to the Local Authority**

- 4.1. The appellant made a submission to the Local Authority seeking to have their lands removed from the draft map on the basis that the site cannot be developed due to a lack of water supply and public wastewater connection. Connections would be required over third party lands.

4.2. The need to connect over third party lands would result in a need for legal agreements to be in place with third parties.

## 5.0 **Determination by the Local Authority**

5.1. The Local Authority determined that part of the site was in scope. Services are available in the area and the site can therefore be connected to them. Uisce Éireann have raised concerns regarding water supply connections along the public road and there may be a need to cross third party lands. Wastewater connections could be made via a connection to adjoining lands, the services are approximately 70 m from the site. The Planning Authority query this report as watermains are available along the Mount Alto Road, this is confirmed with the Wicklow County Council Water Services section.

5.2. Query over whether the applicant owns additional lands in the area or just has a right to access the link with Main Street.

5.3. In conclusion, the site can be serviced and the lands can therefore be developed for residential use.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The following points were made in support of the appeal:

- The lands are not suitably serviced to enable their development – specific reference to water supply and foul drainage.

### 6.2. **Planning Authority Response**

- No further comment.

## 7.0 **Assessment**

7.1. The comments raised in the appeal are noted and the report of the Planning Authority is noted.

7.2. The lands are suitably zoned for residential development and as the Planning Authority have reported, there are suitable services in the area. The grant of permission for four detached houses demonstrates that the site can be serviced for residential development.

7.3. The subject lands are suitable for inclusion on the RZLT maps.

## 8.0 Recommendation

8.1. I recommend that the board accept the determination of the Local Authority and that the indicated site be included on the map.

## 9.0 Reasons and Considerations

9.1. The appellant requested that their site be removed from the map due to the fact that the development of these lands was restricted by the lack of water supply and foul drainage connections.

9.2. The zoning of these lands is suitable for residential development and services are available in the area to enable the appropriate development of these lands.

I confirm that the report represents my professional planning assessment, judgment and opinion on the matter assigned to me and that no person has influenced or tried to influence, directly or indirectly, the exercise of my professional judgment in an improper or inappropriate way.

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Paul O'Brien  
Planning Inspector

17<sup>th</sup> August 2023