



An
Bord
Pleanála

Inspector's Report ABP-316462-23

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	Templecarrig, Lower Greystones, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	WW-RZLT-70
Appellant(s)	David E. Massey
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site contains a relatively large area of 8.5 hectares of lands located to the west of R761/ Rathdown Road, to the north west of Greystones, Co. Wicklow. The site consists of a number of large fields, and which are under grass in agricultural use.
- 1.2. Surrounding lands are in agricultural use and are under grass.

2.0 Zoning and Other Provisions

- 2.1. The site was zoned R22 – ‘Residential with a density of 22 hectares’ in the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 with an objective ‘To provide for the development of sustainable residential communities up to a maximum density of 22 units per hectare and to preserve and protect residential amenity.’
- 2.2. This local area plan expired in 2019 and was not incorporated into the Wicklow County Development Plan 2022 – 2028 as per Section 1.2 of the development plan – ‘Separate Local Area Plans are in place, which will be reviewed after the adoption of this plan, for the following towns / areas: Bray Municipal District, Wicklow Town - Rathnew, Arklow, Greystones – Delgany - Kilcoole and Blessington. These Local Area Plans are reviewed and made under Sections 18, 19 and 20 of the Planning and Development Act, and as such do not form part of the CDP. However, the CDP does provide the key parameters for these Local Area Plans such as the future population and housing targets and sets out the broad strategy for the future economic and social development of these towns.’

3.0 Planning History

- 3.1. There are no recent, relevant, valid applications on this site.

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 services can't be provided to facilitate the development of these lands with particular reference to suitable access and foul

drainage capacity. Reference is made to restrictions that apply to a Strategic Housing Development (SHD) application in the area. The planning process in the area promotes the development of lands in a sequential manner, and there are more suitable sites in the area.

5.0 Determination by the Local Authority

5.1. The Local Authority determined that part of the site was in scope. The site is zoned for residential development, does adjoin a public road allowing for the development of a suitable access and services can be provided to facilitate the development of residential units on the site.

6.0 The Appeal

6.1. Grounds of Appeal

The following points were made in support of the appeal:

- The development of these lands is considered to be premature.
- There is a need for the lands to the south, Coolagad, to be developed before the subject lands. The development of the Coolagad lands will provide for roads and connections to the public foul drainage system.

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 with supporting reports are noted.

7.2. The zoning of these lands is under the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019, and this plan has now expired. The Planning Authority have commenced the process of preparation of a new plan, but the current plan has expired.

7.3. The subject lands are therefore not zoned, and the lands cannot be considered to be suitable for inclusion on the RZLT maps.

8.0 Recommendation

8.1. I recommend that the board reject the determination of the Local Authority and that the indicated site be removed from 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 would be premature, and the Planning Authority consider them suitable for development and should be retained on the maps.

9.2. The zoning of these lands was under the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019, and this plan has expired with a replacement under preparation. The lands are therefore not zoned and should not be included on the relevant RZLT maps.

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.

Paul O'Brien
Planning Inspector

14th August 2023