



An  
Bord  
Pleanála

## Inspector's Report ABP-316464-23

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<b>Type of Appeal</b>	Appeal under section 653J(1) of the Taxes Consolidation Act 1997, as amended, against the inclusion of land on the Residential Zoned Land Tax
<b>Location</b>	Clonsilla, Hansfield, Dublin 15
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	RZLT054/22
<b>Appellant(s)</b>	Jadebell Limited
<b>Inspector</b>	Paul O'Brien

## **1.0 Site Location and Description**

- 1.1. The subject site is located in Hansfield, Dublin 15, approximately 3.2 km to the west of Blanchardstown town centre. This irregular shaped site, with a stated area of 1.9 hectares, is located to the west of St Joseph's Centre, east of Park Crescent, and south west of Hansfield Wood Lawn. The site is undeveloped and is under grass, forming part of the lands associated with St Joseph's.

## **2.0 Zoning and Other Provisions**

- 2.1. The site is within the 'Development Boundary' of Blanchardstown. The subject site is zoned RA – to 'Provide for new residential communities subject to the provision of the necessary social and physical infrastructure'.
- 2.2. The site is located within the Hansfield Strategic Development Zone (SDZ) lands and the site is proposed for residential development.
- 2.3. There are no protected structures, national monuments or any other similar item indicated on the development plan maps.

## **3.0 Planning History**

- 3.1. None.

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

- 4.1. The appellant made a submission to the Local Authority seeking to have its lands removed from the draft map on the basis that the land was not suitably serviced in terms of roads, footpaths, and foul drainage.

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

- 5.1. The Local Authority determined that the site was in scope and should remain on the map. The land is serviced/ it is considered reasonable that the site can be fully serviced. The land is not constrained by its physical condition that would preclude the development of housing, the site is not contaminated and there is no known

archaeological/ historic remains here. The existing use of the site does not allow for its exclusion as set out in Section 653B(c) of the Finance Act 2021.

5.2. Uisce Éireann have reported that the site is not currently serviced by a public water supply and a foul drainage network. However, they also report that there are watermains in the area, though they may require connection over third party lands and that connections to the public foul drainage should be possible but may require upgrades depending on the scale of development.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- The site does not have access to foul drainage, roads and footpaths.

The site should therefore be omitted from the map under Section 653(b)(c) for these listed reasons.

## 7.0 Assessment

7.1. The site can be serviced by road and water services, Uisce Éireann have confirmed that infrastructure is available in the area to serve the development. No issues of capacity were raised and whilst I note Uisce Éireann have reported that the site is not serviced, the site can be serviced.

7.2. The site can be accessed by the existing road network that is in place. As with all development, the applicant/ developer will be expected to provide for any internal road network necessary to serve the site and similarly a connection to the public road network would be provided by the developer in accordance with the requirements of the Local Authority.

7.3. I therefore consider that the site should remain on the map in accordance with the recommendation of the Planning Authority.

## 8.0 Recommendation

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

## 9.0 Reasons and Considerations

- 9.1. The appellant requested that their site be removed from the map due to a lack of accessible connection to the public foul drainage system and also due to the lack of roads/ footpaths. Foul drainage has been identified in the area and Uisce Éireann have reported no issue with the connection of the applicant's site to this system. There are existing roads and footpaths in the area that can be connected to the subject site. The site does satisfy the criterion for inclusion on the map set out in section 653B(c) of the Taxes Consolidation Act 1997, as amended.

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

30<sup>th</sup> May 2023