



An
Bord
Pleanála

Inspector's Report ABP-316736-23

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	The Mart, Ashford, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	WW-RZLT-68
Appellant(s)	Joe O'Connell
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site contains an irregular shaped area of 0.8 hectares of lands located to the east of the R772/ Main Street, Ashford, Co. Wicklow. The lands are located behind a number of buildings that form the streetscape. To the east of the site, though not directly adjoining, is the River Vartry.
- 1.2. The site is located within the centre of Ashford. The site contains a number of large sheds/ light industrial units and includes significant areas of yard, under hardstanding. Direct access is available to Main Street.

2.0 Zoning and Other Provisions

- 2.1. The site is located within the settlement boundary of Ashford. Ashford is subject to a local area plan that is included within the Wicklow County Development Plan 2022 – 2028. The site is zoned TC – Town Centre, with the zoning objective ‘To provide for the development and improvement of appropriate town centre uses including residential, retail, commercial, office and civic use’.
- 2.2. The subject site is identified as an opportunity site – OP 2 refers and is located within a ‘Regeneration Boundary’ area.
- 2.3. The development plan indicates that the site is outside of Flood Zones A and B.

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 the development of these lands was impacted by third party objectors, and who claimed that the site was subject to flooding. Also requested that the entire landholding should be developed, which includes Open Space zoned lands to the east of the TC zoned lands.

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 Town Centre uses and should remain on the map. The Open Space zoned lands are not subject to RZLT.

6.0 The Appeal

6.1. Grounds of Appeal

The following points were made in support of the appeal:

- The lands are currently in use for purposes associated with Ashford Studios Ireland Ltd. The lands are not vacant or idle and rates are paid.
- A draft proposal has been prepared for the development of the former Mart Site; details have been provided in support of the appeal. This will provide for a village centre for Ashford, additional car parking and provide for additional residential accommodation for the area, and for the film industry.
- Request that the adjoining lands be rezoned and cannot undertake the development of this site until a comprehensive plan is possible.
- There are no concerns regarding flooding in the area.

6.2. Planning Authority Response

- No further comment.

7.0 Assessment

7.1. The comments raised in the appeal are noted. The site is zoned for residential use and the Planning Authority determined that the site should remain on the RZLT maps. The Planning Authority state that the site can be serviced for development.

7.2. The landowner has outlined a number of reasons as to why the site should not be liable to RZLT. These are noted; however they are not listed reasons for exclusion from inclusion on the RZLT maps.

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 the fact that these lands were in use by the film industry, rates are paid on the site, and it is proposed to develop the site.

9.2. The site is located on lands zoned for residential development and is within an area with available services and no capacity or other reasons have been provided as to why the lands cannot be developed.

9.3. The lands are accessible and there is no reason why they cannot be developed in accordance with the zoning objective – TC – Town Centre that applies to this site.

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

8th August 2023