



SUBMISSION IN RESPECT OF RESIDENTIAL ZONED LAND TAX MAPPING 2024

Lands at Fassaroe, Bray, Co. Wicklow

IE001054
F01
28th March 2024

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
F01	Submission to WCC	ML	LC	ML	26.03.24

Approval for issue

ML 28 March 2024

© Copyright R P S Group Limited. All rights reserved.

The report has been prepared for the exclusive use of our client and unless otherwise agreed in writing by R P S Group Limited no other party may use, make use of or rely on the contents of this report.

The report has been compiled using the resources agreed with the client and in accordance with the scope of work agreed with the client. No liability is accepted by R P S Group Limited for any use of this report, other than the purpose for which it was prepared.

R P S Group Limited accepts no responsibility for any documents or information supplied to R P S Group Limited by others and no legal liability arising from the use by others of opinions or data contained in this report. It is expressly stated that no independent verification of any documents or information supplied by others has been made.

R P S Group Limited has used reasonable skill, care and diligence in compiling this report and no warranty is provided as to the report’s accuracy.

No part of this report may be copied or reproduced, by any means, without the written permission of R P S Group Limited.

Prepared by:

RPS

Prepared for:



Dublin | Cork | Galway | Sligo | Kilkenny
rpsgroup.com

RPS Group Limited, registered in Ireland No. 91911
RPS Consulting Engineers Limited, registered in Ireland No. 161581
RPS Engineering Services Limited, registered in Ireland No. 98795
The Registered office of each of the above companies is West Pier Business Campus, Dun Laoghaire, Co. Dublin, A96 N6T7



Contents

1	INTRODUCTION	1
2	■■■■■■■■■■ LANDS AT FASSAROE SUBJECT OF APPEAL.....	3
2.1	■■■■■■■■■■ Lands Subject of Submission	3
3	DESCRIPTION OF THE EXISTING LANDS	5
3.1	Site Location and Context	5
3.2	Roads Infrastructure and Access	5
3.3	Public Transport Provision	6
3.4	Water Supply Infrastructure	6
3.5	Wastewater Infrastructure	6
3.6	Historic Landfill Sites at Fassaroe.....	7
3.7	Existing ESB Infrastructure Crossing the Residential Zoned Lands	8
4	CURRENT STATUTORY PLANNING POLICY CONTEXT	10
4.1	Wicklow County Development Plan 2022	10
4.2	Bray Municipal District Local Area Plan 2018	11
4.3	Bray and Environs Transport Study 2019	13
4.4	Summary of Policy Requirements of Wicklow County Development Plan, Bray MD LAP and Bray and Environs Transport Study for Development at Fassaroe	15
5	RECENT PLANNING HISTORY AND APPLICATION OF PLANNING POLICY CONTEXT BY WICKLOW COUNTY COUNCIL AND AN BORD PLEANÁLA	20
5.1	Strategic Housing Development Application, 2022 (ABP Reference ABP 313314-22).....	20
5.2	Key Conclusions of Planning History	21
6	RZLT MAPPING HISTORY AND RELEVANT PRECEDENT.....	22
6.1	2022 ■■■■■■■■■■ Submission (Submission Ref. WW-RZLT-34) and Wicklow County Council Determination	22
6.2	2022 Submission Ref. WW-RZLT-41 in Respect of Zoned Residential Lands at Fassaroe in Other Ownership (Southern Fassaroe)	24
6.3	Inconsistent Approach to Determinations by Wicklow County Council.....	25
6.4	RZLT Draft Map January 2024.....	26
7	DRAFT MAP CONTRARY TO SECTION 653B OF THE TAXES CONSOLIDATION ACT, 1997 AS AMENDED	28
7.1	Criteria for Inclusion in RZLT Map	28
7.2	Relevant Date for Assessment of Land for Inclusion in RZLT Map	29
7.3	Draft Map Fails to Give Due Consideration to All Relevant Provisions of Section 653B	29
7.4	Inclusion of any ■■■■■■■■■■ R-HD zoned land at Fassaroe is contrary to section 653B(c).....	29
7.5	Inclusion of any ■■■■■■■■■■ R-HD or R-E zoned land at Fassaroe is Contrary to section 653B(ia)(ii)	30
7.6	Inclusion of any ■■■■■■■■■■ R-HD or R-E zoned land at Fassaroe is contrary to section 653B(b)	31
7.7	Inclusion of Lands which Should be Excluded under Section 653B(iii)	31
8	CONCLUSION	34

Tables

Table 4-1: Transport Infrastructure Required to Facilitate Development at Fassaroe and Current Status	17
Table 6-1: Rationale for Disagreement with Previous Reasoning of Wicklow County Council and An Bord Pleanála.....	23
Table 7-1: Summary of Land Requirements for Section 653B(iii) Exclusions.....	33

Figures

Figure 2-1: ██████████ Owned R-HD and R-E Residential Zoned Lands at Fassaroe.....	3
Figure 2-2: Extract from RZLT Draft Map 2024 with ██████████ Lands Identified	4
Figure 3-1: Site Location Map	5
Figure 3-2: Locations of Historic Unregulated Landfill Sites.....	8
Figure 3-3: Routes of Existing ESB Infrastructure and their Exclusion Areas across Residential zoned ██████████ Lands at Fassaroe	9
Figure 4-1: Extract from Map No. 2 of Bray MD Local Area Plan, showing Land Use Zoning for Lands at Fassaroe	12
Figure 6-1: Lands in Other Ownership Subject of Submission WW-RZLT-41 to Wicklow County Council	24
Figure 6-2: Extract from WCC Draft RZLT Map showing Lands Identified at Fassaroe	26
Figure 7-1: Land Requirements of Existing ESB Infrastructure and Proposed Strategic Transport Infrastructure to be Excluded under Section 653B(iii)	33

Appendices

Appendix A ██████████ Residential Zoned Lands at Fassaroe Subject of Current Appeal – Mapping @ 1:7,500 and 1:2,500
Appendix B Locations of Historic Unregulated Landfill Sites
Appendix C Routes of Existing ESB Infrastructure across residential zoned ██████████ lands at Fassaroe
Appendix D Wicklow County Council Determination re ██████████ Lands (Submission Ref. WW-RZLT-34)
Appendix E Wicklow County Council Determination re Southern Lands at Fassaroe (Submission Ref. WW-RZLT-41)
Appendix F Land Requirements of Existing ESB Infrastructure and Proposed Strategic Transport Infrastructure to be Excluded under Section 653B(iii)

1 INTRODUCTION

RPS is instructed by [REDACTED] (hereafter referred to as [REDACTED]) to make this submission to Wicklow County Council (WCC) in respect of the Residential Zoned Land Tax (RZLT) Draft Map 2024.

This submission relates to lands at Fassaroe, Bray which are in the ownership of [REDACTED]. The Draft RZLT Map incorporates all R-HD New Residential – High Density and all RE- Existing Residential zoned lands in the ownership of [REDACTED] at Fassaroe.

It is submitted that WCC has incorrectly considered the nature and the timing of assessment of a number of the criteria of section 653B of the Taxes Consolidation Act, 1997 as amended. The relevant date for assessment of whether lands satisfy the criteria of section 653B for inclusion in the current RZLT Map is 1st January 2023.

On detailed inspection of the provisions of section 653B and applying it to the [REDACTED] lands at Fassaroe at present, it is respectfully submitted that:

- All of the [REDACTED] R-HD zoned lands at Fassaroe should be excluded from the RZLT Map as they did not comply with the requirements of section 653B(c) on 1st January 2023. Until the historic landfill sites adjacent to the R-HD zoned lands are remediated by WCC in accordance with the Certifications of Authorisation issued by the EPA they have implications for the physical condition of the residential zoned lands so as to render them inappropriate for the provision of housing pending the remediation works.
- All of the [REDACTED] R-HD and RE zoned lands at Fassaroe should be excluded from the RZLT Map as it would fall within the provisions of section 653B(ia)(ii). The development of any land in excess of that required to accommodate 650 No. units would not conform with Objective R5 of the Bray Municipal District Local Area Plan 2018 which requires compliance with the Bray Environs Transport Study and which sets out a policy context for the provision of a Phase 1(a) development of 650 No. units only. As the BETS does not identify a specific area of land to accommodate such a Phase 1(a) the entirety of the [REDACTED] residential zoned landholding, which would accommodate in excess of 2,000 No. units, and which is included in the RZLT Map 2024 would not conform with Objective R5 of the Bray MD LAP and therefore should be excluded from the RZLT Map.

Or

In the alternative, any [REDACTED] R-HD and RE zoned lands in excess of that required to accommodate 650 No. units should be excluded from the RZLT Map as it does not conform with Objective R5 of the Bray MD LAP and, therefore, should be excluded from the RZLT Map.

- All of the [REDACTED] R-HD and RE zoned lands at Fassaroe should be excluded from the RZLT Map as it would not comply with the requirements of section 653B(b). The extent of [REDACTED] lands identified in the RZLT Draft Map 2024, which could accommodate in excess of 2,000 units, would not comply with the requirements of section 653B(b) as on 1st January 2023 it was not connected to, and nor was it reasonable to consider that it may have access on 1st January 2023 to, services and infrastructure necessary to facilitate such a scale of development. Such services identified in policy documents as necessary to facilitate the full development at Fassaroe and which are the responsibility of others to deliver are N11/M11 Junction 4 to 14 Improvement Scheme; North-South Link / Busway from Fassaroe to Old Connaught over County Brook at Ballyman Glen; River Dargle Cycle Scheme; Ballyman reservoirs; foul sewer network upgrades at Dargle Road. The lands did not have access to such infrastructure and nor was it reasonable to consider they could have access to such infrastructure on 1st January 2023.

Or

In the alternative, any [REDACTED] R-HD and RE zoned lands in excess of that required to accommodate 650 No. units should be excluded from the RZLT Map as the lands were not connected to on 1st January 2023, nor could they reasonably have been expected to be able to connect to on 1st January 2023, such services and infrastructure with sufficient capacity to facilitate development in excess of 650 No. units. Such services identified in policy documents as necessary to facilitate the full development at Fassaroe and which did not have confirmed capacity available beyond 650 No. units on 1st January 2023 comprise N11/M11 Junction 4 to 14 Improvement Scheme; North-South Link / Busway

from Fassaroe to Old Connaught over County Brook at Ballyman Glen; River Dargle Cycle Scheme; Ballyman reservoirs; foul sewer network upgrades at Dargle Road.

It is noted that the subject lands were previously included by WCC in the RZLT Map 2023, despite submissions by [REDACTED] to WCC and an appeal to An Bord Pleanála. We respectfully submit, however, that in our opinion:

- Section 653B(c) was not accurately applied by WCC or ABP in the RZLT Map 2023 and this error should now be rectified through the omission of all R-HD zoned land.
- All residential zoned lands at Fassaroe fall within the new exclusionary criteria of section 653B(ia)(ii) which require the R-HD and R-E zoned [REDACTED] lands to be excluded from the RZLT Map.
- Section 653B(b) was not accurately or consistently applied in the RZLT Map 2023 to all residential zoned lands at Fassaroe. Section 653B(b) requires lands to either already have access to, or have a reasonable prospect of being able to connect to, services and infrastructure, on the relevant date of assessment. Sections 653C and 653M of the Taxes Consolidation Act, 1997 as amended require that the land to be included in the map must satisfy the criteria on the relevant date of assessment; i.e. **not** that it 'may' satisfy the criteria at some time in the future. If the services or infrastructure did not exist on the date of assessment, not only could the lands not have a 'reasonable' prospect of being connected to same; they could have no 'possible' prospect of being connected.
- In line with the principles of the determinations by WCC in respect of neighbouring lands for the RZLT Map 2023, the [REDACTED] owned lands should be excluded from the current RZLT Map 2024.

2 [REDACTED] LANDS AT FASSAROE SUBJECT OF APPEAL

2.1 [REDACTED] Lands Subject of Submission

[REDACTED] is the owner of a substantial landbank at Fassaroe in Co. Wicklow. The lands subject of this submission are the [REDACTED] R-HD and R-E zoned lands at Fassaroe as identified on **Figure 2.1** and also at **Appendix A** at both 1:7,500 and 1:2,500 for clarity. The total area of [REDACTED] R-HD zoned lands is 40.04ha, and the total area of R-E zoned lands is 3.63ha. The majority of these lands are included in the draft RZLT mapping save for a sliver of land along Berryfield Lane and the adjoining roundabout.

Figure 2.2 presents an extract from the RZLT Draft Map 2024 showing the [REDACTED] Lands outlined in red.

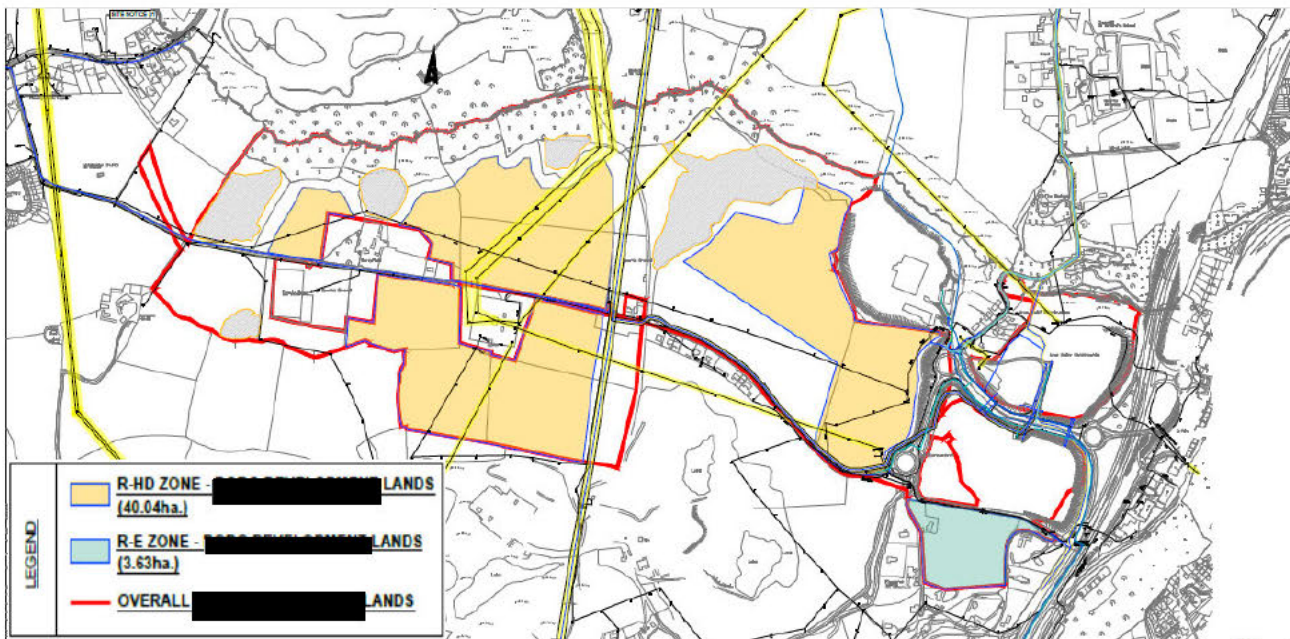


Figure 2-1: [REDACTED] Owned R-HD and R-E Residential Zoned Lands at Fassaroe

Source: MCORM Mapping Appendix A

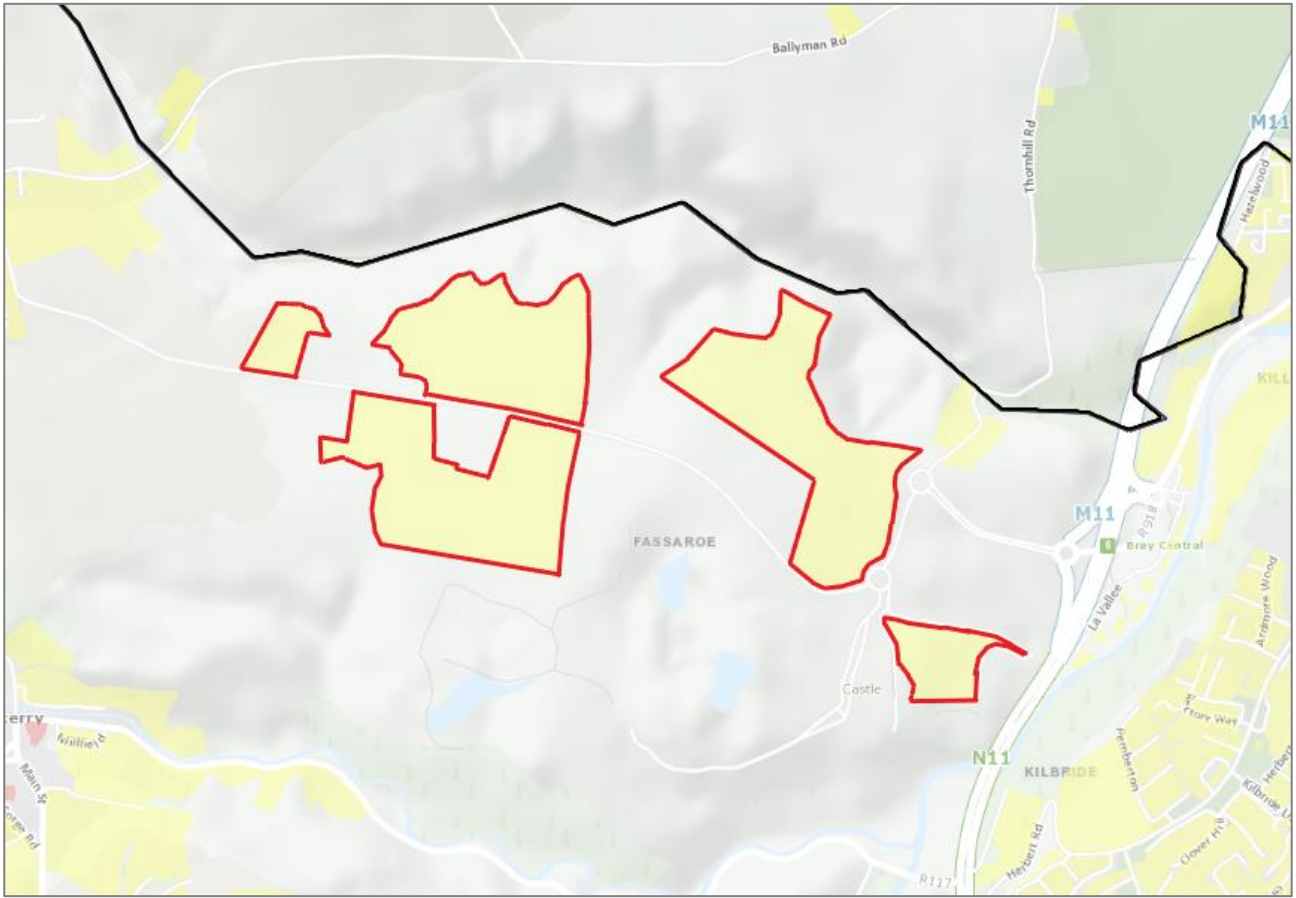


Figure 2-2: Extract from RZLT Draft Map 2024 with [REDACTED] Lands Identified in Red

Source: RZLT Draft Map 2024 WCC website

3 DESCRIPTION OF THE EXISTING LANDS

3.1 Site Location and Context

The lands subject of this submission are located at Fassaroe, Bray, Co. Wicklow which lies on the western side of Bray and to the north east of Enniskerry. The general location is identified in **Figure 3.1** below.

They are bounded by the N11 / M11 to the east, Ballyman Glen and the County Brook (Fassaroe Stream) to the north, the Cookstown River to the south, and agricultural land to the west. The existing built-up area of Bray is located immediately to the east of the N11.

The lands lie to the west of, and are accessed from, the N11 / M11 via an interchange (Junction 6 – Fassaroe Interchange) which also provides direct connection to the existing built-up area of Bray at Dargle Road.



Figure 3-1: Site Location Map

The majority of the zoned development lands within Fassaroe in the ownership of [REDACTED] are currently in agricultural use. They are framed by the Ballyman Glen in the north, and the former Roadstone quarry (no longer operational) and batching operation and more agricultural lands to the south (which are also zoned for development).

3.2 Roads Infrastructure and Access

An access road, 3 no. roundabouts and bus bays are currently in place from the N11 which provide access to the eastern extent of the Fassaroe lands. This roads access infrastructure from the N11 was previously constructed by [REDACTED] (a sister company of [REDACTED]) as part of a permitted commercial development that was subsequently not constructed.

To the west of this existing access road the only road running through the overall lands is Berryfield Lane, a narrow road which provides access to a number of existing houses. Berryfield Lane is partly in private ownership with gates in place on the privately owned section which can be closed to prevent through public access.

As part of a planning permission (Wicklow County Council Ref. 17/15 / ABP Ref. PL 27.248914) attached to nearby [REDACTED] lands at Monastery to the west, approx. 280m of an access road has been constructed from Ballyman Road. This access road lies approximately 260m to the west of the residential zoned lands at Fassaroe.

In summary, there is no existing public road link through the Fassaroe lands from the N11 to Ballyman Road. There is no existing road access to the zoned lands from the west. The existing roads infrastructure from the N11 provides access to the eastern extent of the residential zoned lands only.

3.3 Public Transport Provision

There are currently two bus layby stops in place on the existing dual carriageway at the eastern extent of the overall Fassaroe lands between the Junction 6 roundabout and the Thornhill Road / Greenstar roundabout. These are not currently in use as no public transport services currently serve the Fassaroe lands.

3.4 Water Supply Infrastructure

The existing water supply infrastructure in the area comprises of a 24" trunk main which traverses the eastern part of overall Fassaroe zoned lands (through employment zoned lands) and a 33" main which runs north south through the central open space zoned lands. Both of these, transfer treated water from the Irish Water Vartry Waterworks to the Stillorgan reservoir. An 800mm trunk main was constructed in 2009 to interconnect both pipes along a route parallel to Berryfield Lane on its northern side. Wicklow County Council has a connection from this main, and pumps water from it to Killegar Reservoir to supply the Enniskerry area. There are connections from the trunk mains to supply water locally, with recent improvement works being carried out to improve the supply at Berryfield Lane.

The current permanent water supply plan for the region (including the zoned development lands at Fassaroe) comprises the Old Connaught-Woodbrook Water Supply Scheme. This project involves the construction of strategic reservoir storage comprising of two storage reservoirs at Ballyman – high and low level reservoirs (at 100m and 120m OD) - along with associated watermains connections. This will serve the future water supply needs of Fassaroe lands and general south Dún Laoghaire /North Wicklow lands. These reservoirs will be served by the existing 33" main. These reservoirs and associated watermains network are permitted and under construction. Work commenced on the network infrastructure in August 2022. [REDACTED] understands from recent discussions with Uisce Eireann that the programme for completion of these works is Q4 2024 before the reservoirs and associated network are operational with potential to serve development at Fassaroe.

In this regard the permanent water supply to serve the full extent of zoned lands at Fassaroe is not currently in place (and was not on the date of assessment) to serve the full extent of the zoned lands identified in the RZLT Draft Map.

3.5 Wastewater Infrastructure

The nearest existing foul water infrastructure to the residential zoned lands at Fassaroe is located close to the Berryfield Lane Roundabout at the western end of Fassaroe Lane. This sewer line was constructed in 1998 by the [REDACTED] (a sister company of [REDACTED]) in anticipation of a previously permitted (but not constructed) Fassaroe Business Park development. It will have capacity to accommodate wastewater for the entire development lands at Fassaroe. This sewer system ultimately connects to an existing 450mm diameter sewer, which was laid under the N11 National Road by [REDACTED] as part of the above development and which, in turn, connects to the Upper Dargle Road sewer. The Upper Dargle Road sewer is a 525mm diameter sewer which drains the western Bray catchment into the existing system.

While the wastewater pipe network immediately serving the lands at Fassaroe will have capacity for the demand which would arise from all of the residential zoned lands at Fassaroe in the ownership of [REDACTED], it is uncertain if the wider wastewater network has. In this regard, a recent Drainage Area Plan (DAP) was undertaken by Irish Water to determine the capacity of the existing Foul drainage network within Bray. It is understood that the DAP identified some constraints within the existing network on Dargle Road, which will need some upgrade works to serve the full extent of development, which could be accommodated at [REDACTED] lands and other lands at Fassaroe.

3.6 Historic Landfill Sites at Fassaroe

There are 5 no. historic landfill locations within the Fassaroe area which were previously operated by Wicklow County Council. The landfill operations ceased in the early 1990s at which time these areas were covered in topsoil and returned to agricultural use. The locations of these sites and their designated numbers are shown on **Figure 3.2** and also in **Appendix B**.

In accordance with the requirements of the Waste Management Act 1996, 4 no. of these former landfill sites are classified as Historic Unlicensed Waste Disposal sites which require Certificates of Authorisation (CoA) from the EPA for their remediation by Wicklow County Council. One of the sites, though operated by Wicklow County Council, does not fall under the certification requirements of the Waste Management Act due to its age. In any event, applications were made by Wicklow County Council to the EPA for the remediation of the 4 sites. The Environmental Risk Assessment for the applications had regard to the presence and need for remediation of all 5 sites. In November 2019, the EPA issued final Certificates of Authorisation for the remediation of the 4 no. sites. The relevant EPA Reg. Nos. for these CoAs are H0475-01, H0477-02, H0476-01 and H0474-02.

The physical condition of the residential zoned lands surrounding the former landfill sites are potentially affected by the landfill sites until they are remediated in accordance with the requirements of the EPA under the CoAs issued. The unremediated waste body has lateral impacts on surrounding lands such that their current unremediated state would preclude the safe provision of housing on the surrounding zoned lands until the permitted remediation measures (which include gas management measures around the perimeter of the landfill sites) are undertaken. We refer WCC in this regard to the content of the Environmental Risk Assessment submitted by WCC to the EPA in 2018 as part of its applications for Certificates of Authorisation for the remediation of the historic landfill sites.

In addition to the CoAs issued by the EPA, planning approval is also required for the remediation of all 5 of these sites. Planning approval is not yet in place. With the agreement of Wicklow County Council (which has responsibility for undertaking the remediation of the landfills under the Waste Management Act), [REDACTED] included the proposals for the remediation of these landfill sites (as had been approved by the EPA) within a Strategic Housing Development (SHD) planning application for development at the lands lodged with An Bord Pleanála in 2022 and for which a decision remains pending. It is the intention that [REDACTED] will physically undertake the remediation works on behalf of and in partnership with Wicklow County Council as part of its overall development for which permission is sought under the SHD application (if SHD permission is granted). As noted above however, a decision on that planning application is currently awaited from An Bord Pleanála.

The landfill sites cannot be remediated until planning approval is in place.

The physical condition of the residential zoned lands is not suitable for residential occupation until the historic landfill sites are remediated.

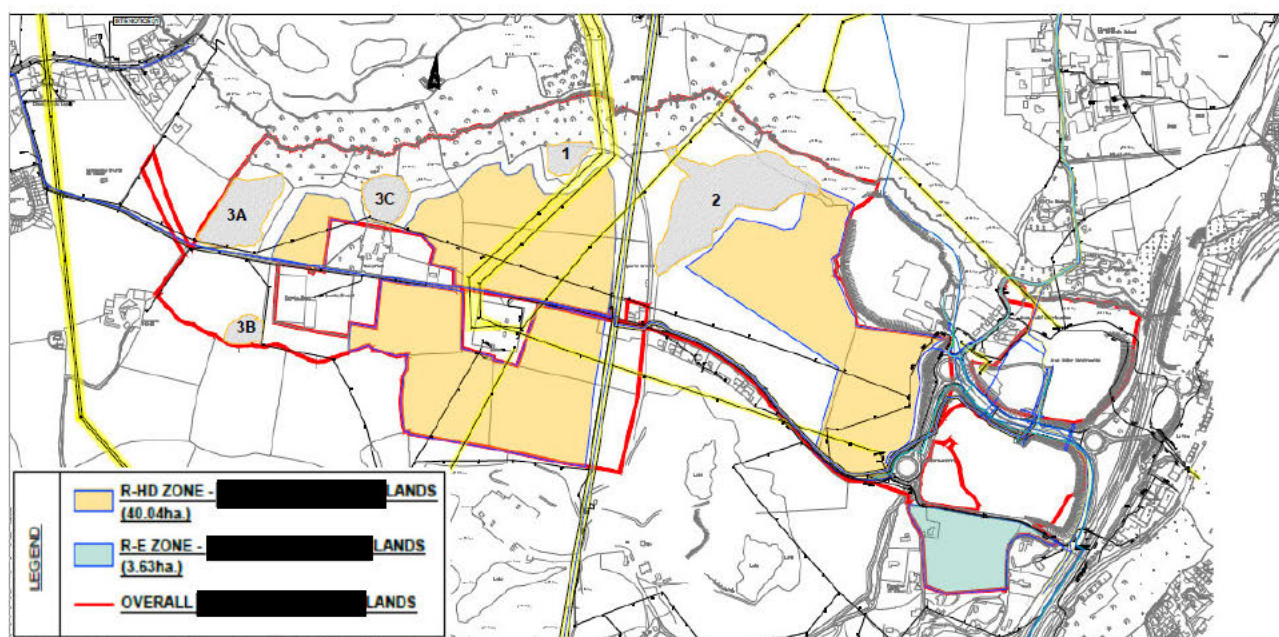


Figure 3-2: Locations of Historic Unregulated Landfill Sites

Source: MCORM Mapping Appendix B

3.7 Existing ESB Infrastructure Crossing the Residential Zoned Lands

There are a number of existing electricity lines which cross the residential zoned lands at Fassaroe. These are existing 110kV and 38kV overhead lines all of which run to the existing Fassaroe ESB sub-station. 2 no. existing Single Circuit overhead 110kV lines (the Fassaroe – Carrickmines East 110kV and Fassaroe – Carrickmines West 110kV) run from the north of Fassaroe (within Dún Laoghaire Golf Club lands at Ballyman) across Ballyman Glen in a north south direction. Just to the south of the glen it swings south-westwards to a point on the northern side of Berryfield Lane just to the northwest of the sub-station. From here it swings back to a north south alignment and enters the existing ESB substation on its western side. All of this route to the south of Ballyman Glen is through residential zoned lands.

An existing overhead 38kV line (Fassaroe-Little Bray 38kV single circuit) runs from a point to the northeast of the Fassaroe lands to the ESB Fassaroe substation. This runs across both residential zoned lands and open space zoned lands in the ownership of [REDACTED].

There is also another existing (Fassaroe-Bray 38kV single circuit) overhead line running south-eastwards from the ESB Fassaroe substation to a point adjacent to the Kilbride Lane roundabout. This line also runs across both residential zoned lands and open space zoned lands in the ownership of [REDACTED].

The Hazard Safety Zones for these various voltage lines are indicated on Figure 3.3 and in Appendix C (6m distance for medium voltage and 10m distances for high voltage). These zones overlap with approx. 2.41 ha of residential zoned land where residential development would have to be excluded.

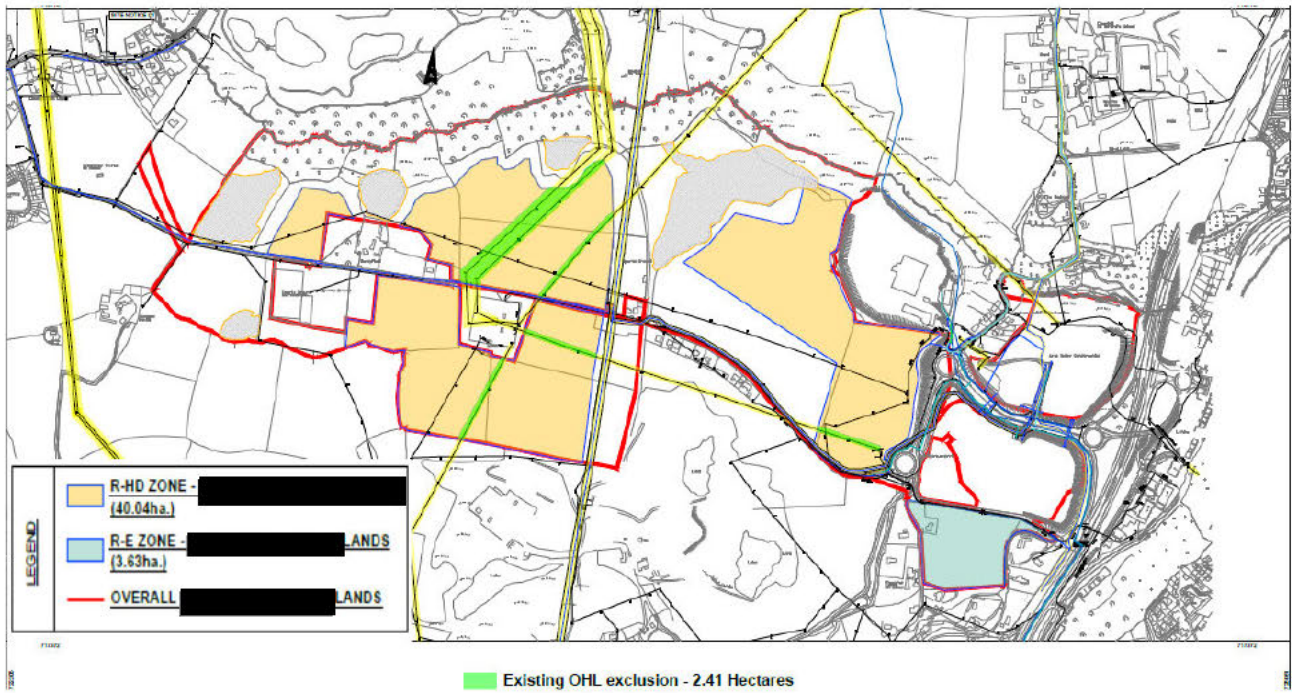


Figure 3-3: Routes of Existing ESB Infrastructure and their Exclusion Areas across Residential zoned Lands at Fassaroe

Source: MCORM Mapping Appendix C

4 CURRENT STATUTORY PLANNING POLICY CONTEXT

The statutory planning context for the new development lands at Fassaroe is set by the Wicklow County Development Plan 2022 (WCDDP) and the Bray Municipal District Local Area Plan 2018 (Bray MD LAP). These documents both also reference and support the provisions and policy of the Bray and Environs Transport Study 2019 (BETS). Furthermore, the Bray MD LAP contains an objective which requires future development at Fassaroe to comply with the requirements of the BETS.

4.1 Wicklow County Development Plan 2022

The WCDDP contains strategic policy provision relating to the future development of Fassaroe. It does not include zoning objectives.

The Plan identifies Fassaroe as a strategic new mixed use residential and employment district. Section 4.2 of the WCDDP sets out the Settlement Strategy for the County. It states as follows in respect of the expansion of Bray at Fassaroe:

“In order for Bray to fulfil its growth potential, lands at Fassaroe to the west of the N/M11 are targeted for new housing and other facilities. The development of a new centre at Fassaroe is largely dependent on the delivery of infrastructure including upgrades to the N/M11 and the delivery of high quality public transport connections to Bray Town Centre and to Dublin City Centre. The Bray and Environs Transport Study, drawn up by the NTA in conjunction with the TII and both Wicklow and Dun Laoghaire-Rathdown County Councils sets out a programme of transport interventions and improvement necessary to realise the sustainable development of Fassaroe.”

The County Development Plan identifies a number of Regional Policy Objectives of the Eastern and Midlands Regional Spatial and Economic Strategy relating to the development of Bray Key town including the development at Fassaroe. RPO 4.37 identifies the need for future transportation services and infrastructure to support development at Fassaroe:

RPO 4.37: Support the continued development of Bray including the enhancement of town centre functions, development of major schemes at the former Bray golf course and Bray harbour, along with increased employment opportunities and co-ordination between Wicklow County Council, Dún Laoghaire-Rathdown County Council, and the transport agencies to facilitate the delivery of key infrastructure required for the westward extension of the town, including Bray-Fassaroe public transport links and road improvements.

Chapter 12 of the CDP relates to Sustainable Development. It contains policy and objectives which support the development of Fassaroe in line with the delivery of public transport and other transport infrastructure having regard to the provisions of the Bray and Environs Transport Study.

Section 12.6 discusses ‘strategic sites in Bray’. With reference to Fassaroe it states,

“The development of a new centre at Fassaroe is largely dependent on the delivery of transportation infrastructure including upgrades to the N/M11 and the delivery of high quality public transport connections into Bray”.

Section 12.6 of the CDP identifies a number of transportation interventions which are needed to support the development of Fassaroe as set out in the Bray and Environs Transport Study (April 2019). It states:

“The following are required to serve the full build-out of Fassaroe:

- *Fassaroe development roads;*
- *N11 Cycle and Pedestrian Bridge;*
- *N11/M11 Junction 4 to 14 Improvement Scheme;*
- *Delivery of Wicklow County Council Part 8 N11 capacity and safety upgrades, as approved;*
- *Busway from Fassaroe to Old Connaught over County Brook at Ballyman Glen;*
- *Traffic Management Measures at Fassaroe Interchange to protect strategic function of the N/M11;*

- *Delivery of the Upper Dargle Road public transport priority measures schemes and the River Dargle Cycle Scheme; and*
- *Commitment to the phased introduction of bus and enhanced rail services in line with increased demand.*

At a more detailed level, the development of Fassaroe may commence on a phased basis when certainty on the need for and delivery of the above is fully determined.”

It is noted that some of these items would be developer delivered but others are the responsibility of public authorities, including the N11 / M11 Junction 4 to 14 Improvement Scheme, the busway from Fassaroe to Old Connaught across Ballymand Glen, the Upper Dargle Road public transport priority measures and the River Dargle Cycle Scheme.

Chapter 12 contains a number of objectives which guide the timing and order of development at Fassaroe linked to transport related provisions. In particular we note the following:

CPO 12.64 is an objective:

“To support the development of the Strategic Sites identified in the Regional Spatial and Economic Strategy Metropolitan Area Strategic Plan at Fassaroe and the former Bray golf course and Bray harbour lands and the delivery of the transport infrastructure required to serve the full build-out for each site having regard to the Bray and Environs Transport Study 2019 (as may be updated / superseded).”

CPO 12.65 seeks:

“To continue to work with Dún Laoghaire-Rathdown County Council, and the transport agencies to facilitate the delivery of key enabling infrastructure required to develop the two strategic sites in Bray, especially for the westward extension of the town to Fassaroe, including Bray-Fassaroe public transport links and road improvements and the development of an amenity and active travel walking and cycling route between the Bray Harbour area northwards to the Dun Laoghaire Rathdown administrative area to provide for future connection to the proposed Woodbrook DART station.”

The transportation interventions identified above as necessary to facilitate the development of Fassaroe are also identified in Appendix 9 of the WCDP which comprises the Infrastructural Assessment Report for the plan and which forms the basis for the tiered approach to zoning. On the basis of these transportation interventions identified in the Plan, the WCDP identifies the zoned lands at Fassaroe as being Tier 2 zoning. Tier 2 comprises land which has potential to be served within the lifetime of the Plan. It is not land which is served currently, and therefore is not land which could reasonably be considered to currently have access to the necessary transportation services and infrastructure.

4.2 Bray Municipal District Local Area Plan 2018

The Bray Municipal District Local Area Plan 2018 (referred to hereafter as Bray MD LAP or ‘the LAP’) sets out zoning objectives for the future development of lands at Fassaroe. It also includes policy and objectives in respect of how the lands can be developed. We set out the relevant provisions below.

Map No. 2 of the Bray MD LAP comprises a Land Use Zoning Map for Bray Town and Environs. **Figure 4.1** below presents an extract from this zoning map identifying the lands at Fassaroe. The lands identified in orange are those which are zoned R-HD New Residential – High Density. As noted in the Bray MD LAP this comprises 78.78 hectares. **Figure 4.1** also identifies new development lands as being designated AAP1 (Action Area Plan 1). This includes all of the R-HD New Residential lands.

Map No. 2 of the LAP also identifies lands in yellow which are zoned RE – Existing Residential. This relates to existing residential properties and attendant grounds at the eastern side of Fassaroe close to the N11 and at Thornhill Road.

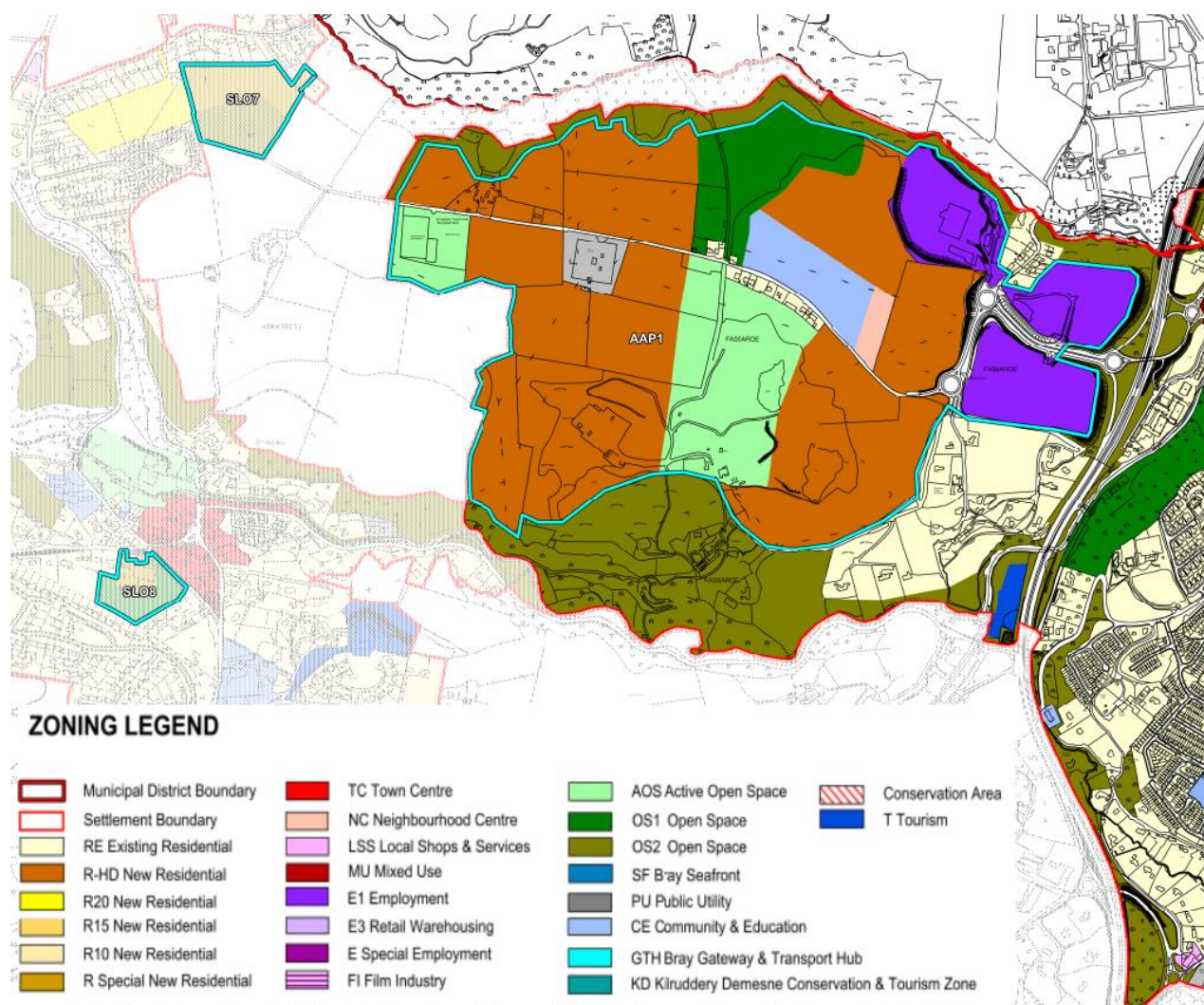


Figure 4-1: Extract from Map No. 2 of Bray MD Local Area Plan, showing Land Use Zoning for Lands at Fassaroe

Source: Bray MD Local Area Plan 2018

The LAP identifies the strategic role of the Fassaroe lands for the expansion of Bray and notes that its development is dependent on the delivery of new and upgraded infrastructure. Section 2.2.1 of the LAP states:

*“In order for Bray to achieve its targeted population, lands at Fassaroe to the west of the N/M11 are targeted for new housing and other facilities. **The development of a new centre at Fassaroe is largely dependent on the delivery of infrastructure including upgrades to the N/M11 and the delivery of high quality public transport connections to Bray Town Centre and to Dublin City Centre.**”*

Chapter 3 of the Bray MD LAP relates to Residential Development. Objective R5 comprises a Bray Specific Housing Objective. It states:

*“Designated housing lands at Fassaroe (Action Area 1) shall only be developed as part of comprehensive (not piecemeal) integrated schemes, **in accordance with the objectives for this Action Area set out in this plan.**”*

Chapter 10 sets out policy and guidance for the Key Development Areas identified within the LAP area. This includes lands identified for Action Area Plans and those with Specific Local Objectives. The lands at Fassaroe are designated Action Area Plan 1. The LAP sets out 12 no. objectives with which the

development of the Fassaroe Action Area must comply. Those which have relevance for the Draft RZLT Mapping are as follows:

1. *Development shall be carried out in phases in the following manner*

<i>Phase 1</i>	<i>Road link from N11 to Ballyman Road</i>
	<i>Passive Park (minimum of 8ha)</i>
	<i>Active Open Space / Sports Zone (minimum of 14 ha)</i>
	<i>Site identified and reserved for school campus</i>
	<i>Neighbourhood Centre</i>
	<i>Up to 2,000 residential units</i>
<i>Phase 2</i>	<i>Identification and reservation of site for additional primary school</i>
	<i>Remainder of residential units</i>
3. *Provision shall be made for a north – south link route from the new distributor road to cross Ballyman Glen and continue in County Dublin and link up with old Conna Avenue. The nature and function of this link i.e. the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.*
5. *All new development shall be accompanied by appropriate transport services, the format and scale of which shall be in accordance with the Bray and Environs Local Transport Study (to be carried out by the NTA in collaboration with Wicklow County Council and Transport Infrastructure Ireland). Developers shall be responsible for the provision and funding of the required transport services until such a time as public services are extended to the area.*

Roads Objective RO4 is as follows:

“With respect to the major development area of Fassaroe, west of the N11 (Action Area 1):

.....

- (b) Provision shall be made (unless necessity for same has been definitely ruled out by the transport agencies) for a north – south link route from the new distributor road to cross Ballyman Glen and continue into County Dublin and link up with old Conna Avenue. The nature and function of this link, i.e., the type of traffic it will carry (vehicles / pedestrian / cyclist / light rail) shall be determined at application stage, following consultation with the transport agencies and the neighbouring local authority.”*

4.3 Bray and Environs Transport Study 2019

Both the CDP and the Bray MD LAP incorporate policy for new development to comply with the requirements and provisions of the Bray Environs Transport Study 2019 (BETS). They both require development to be undertaken at Fassaroe in a phased manner in accordance with the provision of transport infrastructure as set out in the BETS.

The purpose of BETS as set out in its Introduction is “to seek to facilitate the land use objectives of Wicklow County Council and Dún Laoghaire-Rathdown County Council as provided for in statutory regional, county and local plans”. The report states that it “sets out the preferred approach for the long-term delivery of land use and transport objectives for Bray and Environs and is intended to inform their implementation, with specific emphasis on the delivery of development at Fassaroe in the short term”.

Section 2 of the BETS sets out the general provisions of the preferred approach to development of Bray and Environs. Section 2.3.1 relates specifically to Fassaroe. It states as follows:

“The following is required to serve the full build-out of Fassaroe:

- Fassaroe development roads;*

- N11 Cycle and Pedestrian Bridge;
- N11/M11 Junction 4 to 14 Improvement Scheme;
- Delivery of Wicklow County Council Part 8 N11 capacity and safety upgrades, as approved;
- Busway from Fassaroe to Old Connaught over County Brook at Ballyman Glen;
- Traffic Management Measures at Fassaroe Interchange to protect strategic function of the N/M11; and
- Commitment to the phased introduction of bus and enhanced rail services in line with increased demand.

*At a more detailed level, the development of Fassaroe may commence **on a tightly phased basis when certainty on the need for and delivery of the above is fully determined**. Please see sections 3.2 and 3.3.”*

Section 3 of BETS provides more detail on the implementation of the preferred approach to the development of Bray and Environs, including Fassaroe. Section 3.1 states as follows:

“This section sets out the timelines for the implementation of the preferred approach identified by this Study within the period of the Transport Strategy up to 2035 taking account of requirements established in Section 2 of this study. A more detailed phasing and implementation plan – linked formally to the growth of each development area – is recommended to be developed subsequent to this plan, with the exception of the initial development phase for Fassaroe, measures for which are recommended below.”

Section 3.2 provides policy for a ‘first growth area’ in the Study area which is for Phase 1(a) of development at Fassaroe. It comprises the following:

“First Growth Area – Phase 1 (a) Fassaroe

Phase 1 (a) of the development of Fassaroe would comprise c.650 residential units and appropriate residential support facilities. The measures required to deliver this development are set out in Table 3.1 below.”

BETS does not identify a particular part of the lands at Fassaroe where this ‘First Growth Area’ should be provided.

Table 3.1 and further provisions of section 3.2 set out various transport related requirements for an application for the first phase of development at Fassaroe comprising c.650 residential units. These requirements are:

- Fassaroe Development Roads
- N11 Cycle and Pedestrian Bridge
- Traffic Management Measures at Fassaroe
- New bus services in line with demand
- Bus priority on Upper Dargle Road
- Bus priority on Dublin Road – Castle Street

Section 3.3 of BETS sets out policy for further phases of development at Fassaroe. It states:

“Table 3.1 sets out an approach that would help to facilitate the immediate development of Fassaroe to provide for c.650 residential units. Further phases of the build out of these lands are recommended to be governed by a separate implementation and monitoring plan to be developed by Wicklow County Council with input from the NTA and TII. Whereby such a plan has been agreed with all agencies, the full build-out of Fassaroe could proceed on that basis.”

Section 3.9 of BETS sets out ‘Next Steps’. With reference to Fassaroe it states that,

“In relation to the development of further phases of Fassaroe, it is recommended that Wicklow County Council produce an implementation and phasing plan with inputs from TII and NTA.”

4.4 Summary of Policy Requirements of Wicklow County Development Plan, Bray MD LAP and Bray and Environs Transport Study for Development at Fassaroe

In summary, the key policy provisions for development at Fassaroe are:

- An initial phase of development of c650 No. dwellings only can be accommodated at Fassaroe when specified transport related infrastructure and services and other application requirements are met. This confined initial phase of development is defined in the BETS. Compliance with Objective R5 of the Bray MD LAP requires compliance with the LAP objectives for the Fassaroe Area which in turn requires co-ordinated phased delivery development and accompanying transport services, the as specified in the Bray and Environs Local Transport Study. Thus, compliance with Objective R5 requires compliance with a first phase development of 650 No. units only.
- There is no particular area of land or landowner within Fassaroe identified in either the Bray MD LAP or BETS as comprising lands for the initial phase of development.
- As set out in BETS, further phases of development beyond 650 No. dwellings are to be subject of a detailed phasing and Implementation Plan to be prepared by Wicklow County Council with inputs from TII and NTA. As noted, Objective R5 of the Bray MD LAP ultimately requires development to be undertaken in accordance with the provisions of BETS. The BETS recommended that the Implementation Plan would be incorporated into the Local Area Plan. Since the adoption of BETS in 2019 an Implementation Plan for Fassaroe has not yet been prepared by WCC.

Table 4.1 of this report sets out the various transport related services and infrastructural requirements identified in these policy documents as necessary for development at Fassaroe. The table identifies which items are necessary for any development to be undertaken (i.e. for Phase 1) and which are required for further / later phases of development. The detailed requirements for, and timing of delivery of, the infrastructure and services relative to the delivery of further phases of housing are not currently known because the Implementation Plan required to facilitate such further phases has not yet been prepared.

Table 4.1 sets out the current status of each of these transport-related infrastructural / service requirements, the expected delivery dates (if known or not), the body responsible for delivering the infrastructure and any critical matters on which the delivery of the infrastructure is dependent. A traffic light colour system is used in the table to identify which necessary infrastructural requirements specifically identified in statutory policy were either in place at the subject lands on 1st January 2023 (the appropriate date for assessment of compliance with criteria of section 653B of the Taxes Consolidation Act, 1997 as amended), or could have reasonably been expected to be able to connect to same on 1st January 2023. Green are those items that are in place at site or could reasonably have been expected to be connected to. Amber are those which were not in place on 1st January 2023 and which could only be delivered if planning permission is secured for a first phase of development at Fassaroe. Thus, in effect there was also no reasonable prospect of being able to connect to such services on 1st January 2023. In the absence of permission being secured for a first phase of development, this critical infrastructure (which is required to serve more than [REDACTED] land) cannot reasonably be expected to be delivered in the short term. Red are those items which are not available and for which there are no proposed or confirmed delivery dates. Of particular note, critical infrastructure identified in policy documents for the full development of the lands at Fassaroe and which are not in place are:

- N11/M11 Junction 4 to 14 Improvement Scheme
- North -South Link / Busway from Fassaroe to Old Connaught over County Brook at Ballyman Glen
- River Dargle Cycle Scheme

These items are not required for an initial Phase 1 development of 650 No. dwellings. They are required for further phases of development and for the full build out of the lands. Until an Implementation Plan is prepared by Wicklow County Council and agreed with NTA and TII the required timing of delivery of these items for facilitating further phases of development remains unknown and planning applications for further phases beyond 650 No. dwellings cannot be brought forward. Furthermore, there are no confirmed, or even estimated, timelines from TII, NTA or WCC of when these items of infrastructure may be expected to be funded, progressed through planning and constructed.

Table 4-1: Transport Infrastructure Required to Facilitate Development at Fassaroe and Current Status

Infrastructure/ Services Identified as necessary	Relevant Policy Context	When Required (for Phase 1 or for Later Phases?)	Current Status (as of 1 st January 2023 – relevant assessment date)	Expected Delivery Date	Delivery Method/ Responsibility	Delivery Dependent on
N11/M11 Junction 4 to 14 Improvement Scheme	CDP, Bray MDLAP, BETS	Later phases – required to facilitate development in excess of 650 No. units.	Progressed to Phase 2 'preferred option' in 2021. TII confirmed in 2022 that funding was not available to progress the scheme to further phases in the period 2021 – 2025. When funding is available from Government Wicklow Co Co and TII remain committed to progressing the scheme. An N11/M11 Bus Priority Interim Scheme is proposed in the interim. Phase 2 preferred option was placed on public display in September 2023 (after the relevant assessment date). The interim scheme has yet to progress to design and planning, procurement, construction and implementation. The timing of delivery of this service is unconfirmed.	Timing of the N11/M11 Junction 4 to 14 Improvement Scheme is unknown. Awaiting confirmation in due course whether it will be included in 2026 – 2030 funding to progress to Stage 3 and beyond.	TII / WCC	Funding from Government to progress to assessment and planning Design, assessment and planning approval required. Funding from Government to progress construction when planning in place
High quality public transport connections to Bray Town Centre and Dublin City Centre	CDP, Bray MDLAP, BETS	Phase 1 and Later Phases – phased delivery of public transport services	NTA has agreed to phased delivery of bus services connecting Fassaroe to Bray.	Will be delivered in tandem with development as constructed.	NTA	Implementation by NTA in line with agreed service delivery
Fassaroe development roads	CDP, BETS	Phase 1	Not yet in place as development not yet permitted	Will be delivered as part of development on foot of permission	Developer	Receipt of planning permission for Phase 1 development – application currently with ABP
N11 Cycle and Pedestrian Bridge	CDP, Bray MD LAP, BETS	Phase 1	Not yet in place as development not yet permitted	Will be delivered as part of development on foot of permission	Developer	Receipt of planning permission for Phase 1 development – SHD planning application currently with ABP for 2 years.
North -South Link / Busway from	CDP, Bray MD LAP, BETS	Later phases – timing to be clarified in	Not in place.	Unknown. Timing of requirement for link / busway	NTA, Local Authorities	Implementation Plan by WCC to clarify nature and timing of

Lands at Fassaroe, Bray, Co. Wicklow

Infrastructure/ Services Identified as necessary	Relevant Policy Context	When Required (for Phase 1 or for Later Phases?)	Current Status (as of 1 st January 2023 – relevant assessment date)	Expected Delivery Date	Delivery Method/ Responsibility	Delivery Dependent on
Fassaroe to Old Connaught over County Brook at Ballyman Glen		Implementation Plan by WCC, NTA and TII		relative to phased land use development to be set out in Implementation Plan by WCC (as required by BETS and in accordance with which the Bray MD LAP requires development at Fassaroe to be undertaken). Funding and permission will consequently need to be secured by relevant public stakeholders.		requirement of link / busway relative to timing of development. Design and Planning of scheme by NTA / WCC/ DLRCC Funding from Government to be secured to design and construct scheme. Planning approval will need to be secured.
Traffic Management Measures at Fassaroe Interchange to protect strategic function of the N/M11	CDP, Bray MD LAP, BETS	Phase 1	Not yet in place as development at Fassaroe not yet permitted. Traffic Management Measures have been agreed via a Traffic Management Framework agreed between WCC, NTA and TII for first phase development of 650 No. dwellings.	Will be delivered in tandem with development on foot of permission	Developer and WCC	Receipt of planning permission for Phase 1 development – application currently with ABP
Bus Priority on Upper Dargle Road	CDP, Bray MD LAP and BETS	Phase 1	Not in place in January 2023 and not yet in place. It is understood that Wicklow County Council is currently undertaking a study to provide enhanced bus priority measures along the Upper Dargle Road to Castle Street.	To be implemented in conjunction with implementation of first phase of development at Fassaroe	WCC	WCC to implement
River Dargle Cycle Scheme	CDP	Later phases – timing to be clarified in Implementation Plan by WCC, NTA and TII	Not in place in January 2023 and not yet in place.	Unknown. No Part 8 procedures yet commenced by WCC	WCC	WCC to implement

Lands at Fassaroe, Bray, Co. Wicklow

Infrastructure/ Services Identified as necessary	Relevant Policy Context	When Required (for Phase 1 or for Later Phases?)	Current Status (as of 1 st January 2023 – relevant assessment date)	Expected Delivery Date	Delivery Method/ Responsibility	Delivery Dependent on
Bus Priority on Dublin Road – Castle Street	Bray MD LAP, BETS	In the course of implementation of Phase 1	These measures are to be implemented as part of the BusConnects measures by the NTA for BusConnects Corridor Route 13 to Bray.	Once permission is granted for BusConnects Route 13 it will be possible for sections in the Bray area, such as Dublin Road-Castle Street, to be implemented ahead of the delivery of the entire BusConnects Corridor Route 13 and in tandem with the delivery of the Upper Dargle Road and Bray Bridge bus priority measures.	NTA as part of Bus Connects	Lodgement of BusConnects application to ABP and receipt of permission
Road connection from N11 to Ballyman Road	Bray MD LAP, BETS	Phase 1	Not yet in place. This is major element of infrastructure necessary to facilitate any development at Fassaroe, including lands not in the control of [REDACTED]	Will be delivered as part of development on foot of permission	Developer	Receipt of planning permission for Phase 1 development – application currently with ABP

5 RECENT PLANNING HISTORY AND APPLICATION OF PLANNING POLICY CONTEXT BY WICKLOW COUNTY COUNCIL AND AN BORD PLEANÁLA

5.1 Strategic Housing Development Application, 2022 (ABP Reference ABP 313314-22)

A Strategic Housing Development application was lodged for development at Fassaroe by ██████████ in April 2022. This application currently remains under consideration by An Bord Pleanála (ABP). While a decision remains pending, the pre-application consultation process undertaken, and the guidance and Opinions issued by the Planning Authority and An Bord Pleanála provide clarity on how both of these planning authorities consider the current planning policy context of the Fassaroe lands should be applied. In particular, it clarifies that both authorities consider that current policy and infrastructural provisions support an application for a Phase 1 development at Fassaroe of 650 No. dwellings only and that anything beyond this in the absence of an Implementation Plan would be premature.

Section 247 pre-application consultation commenced with Wicklow County Council in 2020 with a proposal that initially contained a proposal for 1,084 No. residential units. In the course of these consultations the Planning Authority noted to the Applicant the recommendation of BETS for an Implementation Plan for development in excess of 650 No. dwellings. Despite this advice of the Planning Authority, and as ██████████ is anxious to activate planning permission and commence construction on as much of its lands at Fassaroe as possible, it proceeded to commence pre-application consultation with An Bord Pleanála for a similar scale of development to that proposed to WCC, albeit increased to 1,161 No. dwellings to accommodate design refinements.

In its Opinion issued to ABP in respect of the proposal for 1,161 No. dwellings, WCC stated as follows:

“The Bray and Environs Transport Study 2019 provides for an initial first phase (Phase 1(a)) of development at Fassaroe of 650 units and these units are to be delivered in tandem with a number of measures, as identified in table 3.1 of that Study. The current proposal for an additional 511 housing units would require a separate implementation and monitoring plan which has not been commenced or been agreed at this time. Therefore, the commencement of development in excess of the Phase 1(a) is considered premature at this time.”

Following an initial pre-application meeting, ABP determined that a second consultation meeting was necessary and also advised that a number of matters be addressed in the consultation documentation and submitted to the Board in advance of the second meeting. One of the matters to be addressed related to transport linkages and connection and included the following:

“Provide justification for the scale of development proposed relative to the phasing thresholds identified in the Bray Environs Transport Study, and clarification that the development will accord with the objectives of the study and would not otherwise constitute premature development.”

“Provide clarification of the status of the Implementation and Monitoring Plan for further phases of the build-out of lands at Fassaroe beyond Phase 1(a), as identified in the Bray Environs Transport Study and the position of the relevant stakeholders in respect of such plans.”

In response to these concerns by ABP and the continued absence of an Implementation Plan by WCC (to have been agreed with TII and NTA) the applicant subsequently revised the proposal to reduce the quantum of development to 650 No. dwellings in line with that identified in BETS as a first phase of development for Fassaroe of 650 No. units in advance of the preparation of an Implementation Plan for further phases.

5.2 Key Conclusions of Planning History

We note the following key conclusions in respect of the planning history of the site:

- In the absence of an Implementation Plan, both WCC and ABP have advised that any development in excess of 650 No. dwellings at Fassaroe would be premature. This approach is based on the objective of the Bray MD LAP which requires development at Fassaroe to be undertaken in accordance with the phasing requirements set out in the BETS.
- In the absence of an Implementation Plan which must consider what further transport measures are required for further phases of build out of Fassaroe, [REDACTED] has no reasonable prospect of obtaining planning permission from Wicklow County Council or An Bord Pleanála for any residential development in excess of 650 No. dwellings. This is again based on the objectives of Bray MD LAP which require compliance with the provisions of BETS.
- Additional transport infrastructure identified in policy as necessary for further phases of development beyond 650 No. dwellings are not currently in place and are the responsibility of others to deliver. At present there are no known timelines for the delivery of this infrastructure. This infrastructure, as identified in section 4 of this report comprises:
 - N11/M11 Junction 4 to 14 Improvement Scheme.
 - North -South Link / Busway from Fassaroe to Old Connaught over County Brook at Ballyman Glen.
 - River Dargle Cycle Scheme.

6 RZLT MAPPING HISTORY AND RELEVANT PRECEDENT

6.1 2022 [REDACTED] Submission (Submission Ref. WW-RZLT-34) and Wicklow County Council Determination

RPS made a submission to Wicklow County Council in 2022 on behalf of [REDACTED] requesting that their residential zoned lands at Fassaroe be removed from the draft RZLT map. Wicklow County Council issued a determination that the lands at Fassaroe which were subject of the submission made on behalf of [REDACTED] fulfilled the qualifying criteria set out in Part 22A of the Taxes Consolidation Act 1997 and the section 28 Ministerial Guidelines ‘Residential Zoned Land Tax – Guidelines for Planning Authorities’, for 5 No. reasons and that the lands should be included in the RZLT map. A copy of the determination is included in **Appendix D**. The 5 No. reasons were:

- “1. The land in question is included in a development plan or local area plan and is zoned for residential development or zoned for a mixture of uses, that includes residential development.
2. The land is serviced, or it is reasonable to consider may have access to services. Serviced means having access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity available sufficient to enable housing to be developed.
3. The land is not affected in terms of its physical condition, by matters to a sufficient extent to preclude the provisions of dwellings, including contamination or the presence of archaeological or historic remains.
4. As set out in the Guidelines, where plans (such as SDZs, LAPS) require significant road or public transport infrastructure to be in place prior to development but allow for a certain quantum of residential development prior to such projects being permitted or constructed, all of the land which may be able to access the infrastructure, or if specifically identified in the plan, the relevant phased area of land, should be considered in scope.
5. As set out in the Guidelines, where land is zoned for residential development and specific objectives apply to provide the type of facilities set out in Section 653B(c)(iii)(I-VII), but the extent of the lands required for such a use is not identified, the land will fall in scope until such a time as it is developed and the relevant land will then fall out of scope.”

The determination of WCC was appealed to An Bord Pleanála. The Board confirmed the determination of WCC based on the following reasons and considerations:

“Having regard to the determination by the local authority, the grounds of the appeal, the provisions of section 653B of the Taxes Consolidation Act 1997, as amended, the Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022), the lands identified under reference number WW-RZLT-34 are suitably zoned and no restrictions in terms of service provision have been identified that would prevent the development of these lands. The presence of overhead powerlines does not prevent the development of lands for residential use, suitable services are available to enable the development of these lands, including roads and drainage / water supply, and the identified landfills are not within the residentially zoned lands. The lands identified under reference number WW-RZLT-34 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 their exclusion from the map”.

We note the following from the An Bord Pleanála Inspectors report which formed the basis of the Board’s assessment. It stated as follows:

“I note the issues raised in relation to the Action Area Plan that applies to this site. The submission of the SHD application does not prevent an alternative application from been submitted and which may

be assessed under the normal planning process. It is accepted that infrastructure may be required to enable the full development of these lands, however the site is serviced by suitable roads, which are mostly in public ownership and although Uisce Éireann upgrade works are required, these should be completed in advance of any development commencing on site.

The appeal refers to the need to remediate landfills on site. These are not within the residentially zoned lands and therefore they do not impact on the residential development potential of these lands. Powerlines crossing the site can be undergrounded or diverted as appropriate.”

We do not agree with the previous determination of Wicklow County Council or the assessment undertaken by An Bord Pleanála for a number of reasons. The reasons are identified in brief hereunder and are discussed further as of relevance to the assessment of the lands vis-à-vis the criteria of section 653B set on in section 7 of this report.

Table 6-1: Rationale for Disagreement with Previous Reasoning of Wicklow County Council and An Bord Pleanála

Reasoning of WCC and / or ABP	Basis of Disagreement
The land is serviced, or it is reasonable to consider may have access to services. . . . No restrictions in terms of service provision have been identified that would prevent the development of these lands.	Section 653C and 653M of the Taxes Consolidation Act set out assessment dates on which the lands must satisfy the criteria of section 653B for inclusion in the RZLT map. We disagree that the extent of land proposed to be included in the RZLT either had access to or could reasonably have been expected to be able to connect to in January 2023, services and infrastructure of sufficient capacity. This included transportation and water services.
It is accepted that infrastructure may be required to enable the full development of these lands, however the site is serviced by suitable roads, which are mostly in public ownership and although Uisce Éireann upgrade works are required, these should be completed in advance of any development commencing on site.	This reasoning of ABP has disregarded a number of transportation services / infrastructure identified in LAP / BETS as necessary to serve the land and which are not currently in place and which the lands therefore could not reasonably have been expected to be able to connect to in November 2022 (the relevant date for consideration of ABP in respect of the previous mapping) or January 2023 (the relevant date for assessment by WCC in respect of the current 2024 map). The ABP suggestion that necessary Uisce Éireann upgrade works “should be completed in advance of any development commencing on site”, does not comply with the requirements of section 653C and 653M that the lands should satisfy the relevant criteria of section 653B on the appropriate assessment date (November 2022 for the previous ABP determination, and January 2023 for the current WCC 2024 RZLT mapping exercise).
The land is not affected in terms of its physical condition, by matters to a sufficient extent to preclude the provisions of dwellings	This is not correct. The physical condition of the residential zoned land is current affected by the presence of unremediated historic landfill sites. Until these sites are remediated by WCC in accordance with Certificates of Authorisation by the EPA (and planning permission, yet to be secured), they are not of a physical condition to safely accommodate residential development.
Where plans require significant road or public transport infrastructure to be in place prior to development but allow for a certain quantum of residential development prior to such projects being permitted or constructed, the Guidelines suggest that all of the land which may be able to access the infrastructure, or if specifically identified in the plan, the relevant phased area of land, should be considered in scope.	The scenario presented in the reasoning of WCC is not the case at the subject lands. The phasing for development at Fassaroe as set out in BETS or the LAP does not allow for any quantum of residential development prior to the delivery of specified transportation services and infrastructure. This guidance was therefore incorrectly applied in 2023. In any event this provision of the guidance is not provided for the criteria of section 653B. Furthermore, this guidance would not conform with the new criteria under section 653B(ia)
Where land is zoned for residential development and specific objectives apply to provide the type of facilities set out in Section 653B(c)(iii)(I-VII), but the extent of the lands required for such a use is not identified, the Guidelines suggest that until	It is submitted that this provision of the guidance is not provided for in the criteria of section 653B. In any event we identify in this current submission only land which is already subject to and required in relation to the types of facilities set out in Section 653B(iii)(I-VII), but which as nevertheless been included in the RZLT Draft Map 2025 contrary to the provisions of Section 653B(iii)(I-VII).

Reasoning of WCC and / or ABP	Basis of Disagreement
<p>such a time as it is developed the relevant land will then fall out of scope.</p> <p>The presence of overhead powerlines does not prevent the development of lands for residential use.</p>	<p>The presence of overhead powerlines does prevent the provision of residential development within the immediate vicinity of these lines. The RZLT Draft Map 2025 should exclude the parts of the overall lands which are so affected.</p>

6.2 2022 Submission Ref. WW-RZLT-41 in Respect of Zoned Residential Lands at Fassaroe in Other Ownership (Southern Fassaroe)

In 2022 a submission was made by SLR Consulting Ireland to Wicklow County Council in respect of Draft RZLT mapping on behalf of another landowner of residential zoned lands at Fassaroe. The lands subject of that submission comprised of two parcels of zoned land of 16.9 ha and 17.9 ha. An extract from the SLR Consulting Ireland submission identifying these lands is shown in Figure 6-2 below. These lands are located to the south of the [REDACTED] owned lands and take up a considerable amount of the rest of the residential zoned lands at Fassaroe.

Similar to the [REDACTED] lands these lands in other ownership border Berryfield Lane and are located adjacent to the existing roads infrastructure including Berryfield Lane roundabout to the east.

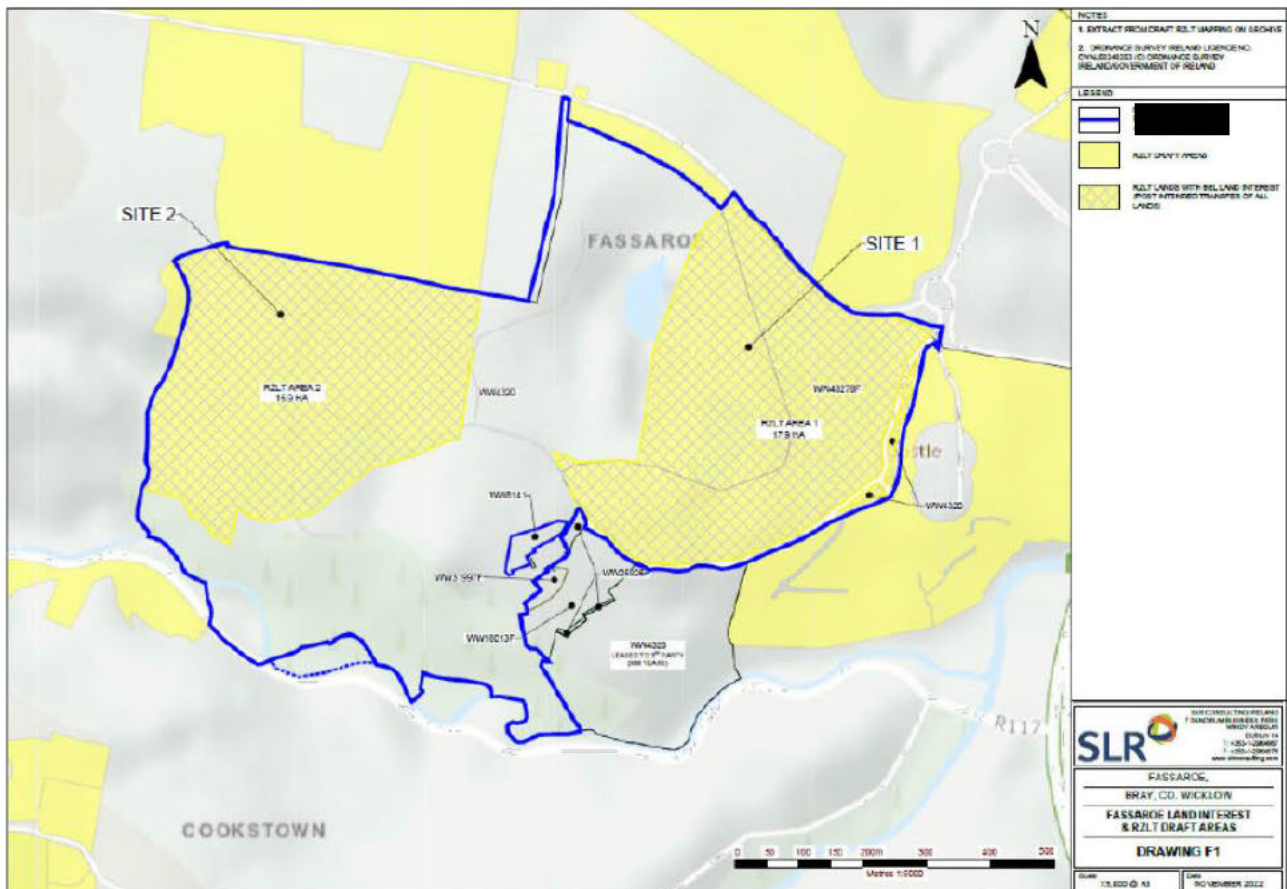


Figure 6-1: Lands in Other Ownership Subject of Submission WW-RZLT-41 to Wicklow County Council

Source: Figure 1 of SLR Consulting Ireland Ltd submission WW-RZLT-41 to Wicklow County Council

The determination under Section 653E issued by Wicklow County Council in respect of these lands (see **Appendix E**) stated that the sites in question do not fulfil the qualifying criteria set out in Part 22A of the Taxes Consolidation Act 1997 (as introduced by the Finance Act 2021) and the 2022 Section 28 Ministerial guidelines ‘Residential Zoned Land Tax – Guidelines for Planning Authorities’ for inclusion on the RZLT map and that the lands would be excluded from the final map to be published on 1 December 2023 for the following reason:

“The lands are not serviced, nor it is reasonable to consider may have access to services. Serviced means having access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity available sufficient to enable housing to be developed”.

We agree with the determination of Wicklow County Council in respect of these lands.

6.3 Inconsistent Approach to Determinations by Wicklow County Council

We respectfully submit however that there is no reasonable basis for WCC determining that the [REDACTED] lands have different access to services than the rest of the zoned lands at Fassaroe lands which it has excluded from RZLT mapping while all of the [REDACTED] lands are proposed for inclusion in the RZLT mapping.

The non-[REDACTED] owned R-HD zoned lands at Fassaroe are subject of the same existing infrastructural services, the same infrastructural deficiencies, and the same infrastructural requirements as the [REDACTED] lands. They are also subject of the same planning policy provisions and requirements of the Wicklow County Development Plan 2022, the Bray MD LAP 2018 and the Bray and Environs Transport Study 2019.

Some of the services and infrastructure necessary to facilitate development at Fassaroe will be developer delivered and some will be delivered by public stakeholders including TII, NTA, WCC and DLRCC. While [REDACTED] has included a number of the ‘developer’ requirements for Phase 1 development as required by BETS within its current SHD application, there is no reason why these elements could not be provided by other developers at Fassaroe. These items comprise development roads and a cycle and pedestrian bridge across the N11. As for the roads and transportation requirements for the full build out of Fassaroe, which are not in place, the [REDACTED] lands are subject to the same requirements as the southern Fassaroe lands and are similarly reliant on various public stakeholders to deliver same. The key items are the N11/M11 Junction 4 to 14 Improvement Scheme, the North -South Link / Busway from Fassaroe to Old Connaught over County Brook at Ballyman Glen, and the River Dargle Cycle Scheme.

The [REDACTED] lands and the southern Fassaroe lands are both equally reliant on the completion of the Old Connaught-Woodbrook Water Supply Scheme (described in section 3.4 above).

The [REDACTED] lands and the southern Fassaroe lands can both potentially connect to the foul sewerage network within the eastern area of Fassaroe, but both are currently subject of the existing capacity constraints in the pipe network identified by the DAP at Dargle Road (described in section 3.5 above).

In addition to experiencing the same infrastructural provision and deficiencies as the southern Fassaroe lands, the [REDACTED] lands are also currently not in a physical condition to support residential development, pending completion of the remediation of the historic landfills which is the legal responsibility of Wicklow County Council.

On this basis, we respectfully submit that Wicklow County Council should apply the same interpretation of the criteria of section 653B of the Taxes Consolidation Act 1997 as amended to the [REDACTED] lands as it has to the southern zoned Fassaroe lands which it has excluded from the RZLT map.

6.4 RZLT Draft Map January 2024

Figure 7.1 below presents an extract from the RZLT Draft Map 2024 for County Wicklow identifying lands at Fassaroe included in the map. The lands in the ownership of [REDACTED] are outlined in red and include lands zoned R-HD – New Residential and RE- Existing Residential.

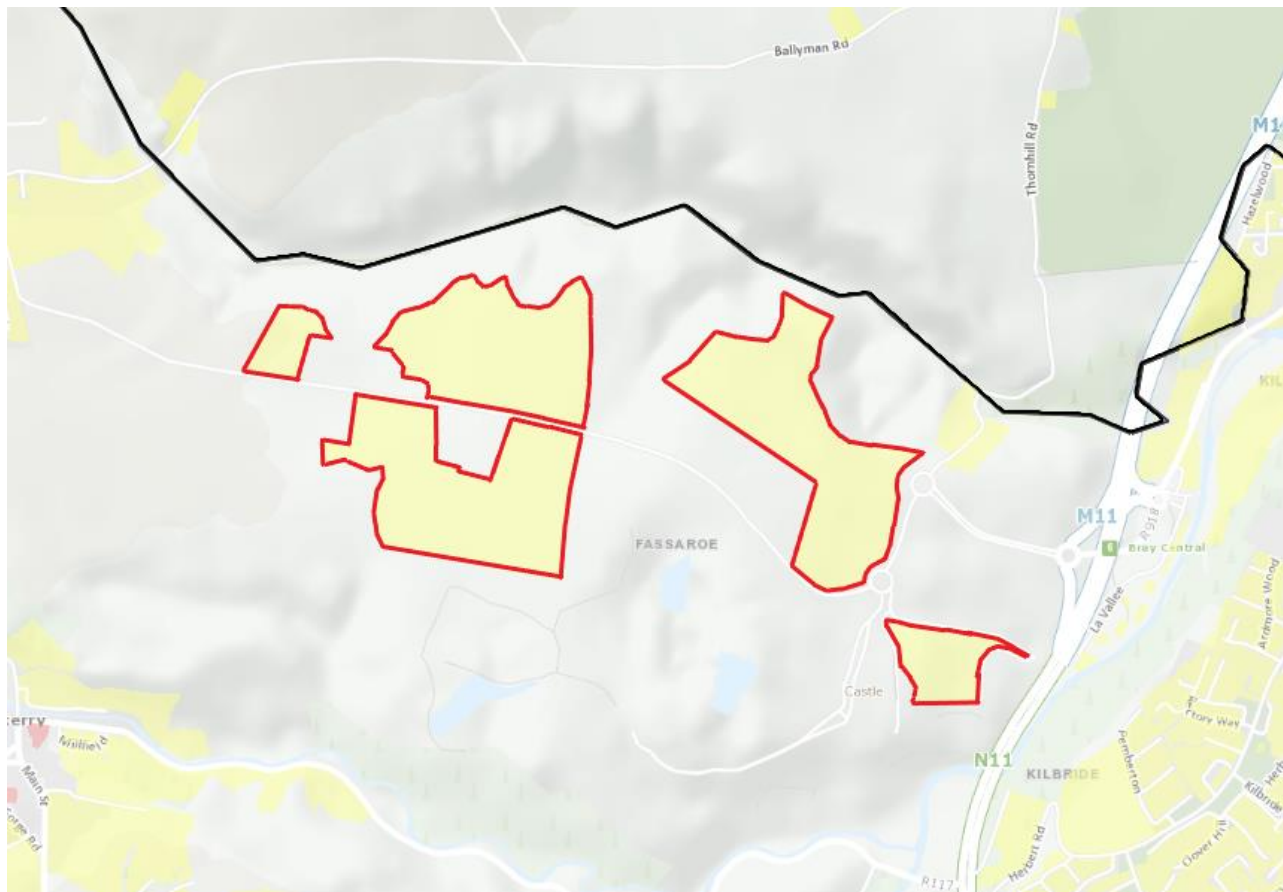


Figure 6-2: Extract from WCC Draft RZLT Map showing Lands Identified at Fassaroe

Source: Wicklow County Council Draft RZLT Map, November 2022

It is noted that of all of the R-HD zoned lands at Fassaroe, only those which are in the ownership of [REDACTED] are included in the RZLT Draft Map. The rest of the residential zoned lands at Fassaroe as identified in **Figure 4.1** are affected by the same servicing and infrastructural requirements and provisions as the [REDACTED] zoned lands as set out in **section 6.3** above. WCC has determined that those other zoned lands do not have sufficient access to services / infrastructure. We respectfully submit that the [REDACTED] lands have the same servicing requirements and constraints and should have the criteria of Section 653B of the Taxes Consolidation Act, 1997 as amended applied in the same fashion and accordingly should be excluded from the RZLT map. It is submitted that the inclusion of all of the [REDACTED] owned residential zoned lands at Fassaroe within the RZLT Draft Map effectively concludes that all of the zoned lands could currently be subject of planning applications and timely development.

This conclusion, however, is contrary to:

- The current level of infrastructure and servicing available at the lands as set out in section 3.
- The current physical condition of the lands as set out in section 3.
- The statutory planning policy context set out in section 4 does not support a reasonable prospect of achieving planning permission on the majority of the lands (beyond 650 No. dwellings). Achieving planning permission is the most basic pre-requisite for connection to infrastructure and services where they are available.

- The practical evidenced impact of the statutory planning policy as set out in section 5 whereby it is clear that any application in excess of 650 No. units would currently be considered premature by Wicklow County Council and An Bord Pleanála and not conform with objectives of the Bray MD LAP which require phased development.
- This assumption fails to make any provision for existing or proposed infrastructural services which cross the lands and therefore reduce available development land as set out in section 3.

7 DRAFT MAP CONTRARY TO SECTION 653B OF THE TAXES CONSOLIDATION ACT, 1997 AS AMENDED

7.1 Criteria for Inclusion in RZLT Map

Section 653B of the Taxes Consolidation Act, 1997 as amended sets out the Criteria for Inclusion in the RZLT Map. The relevant criteria to be satisfied is land that,

(a) is included in a development plan, in accordance with section 10(2)(a) of the Act of 2000, or local area plan, in accordance with section 19(2)(a) of the Act of 2000, zoned-

- (i) solely or primarily for residential use, or*
- (ii) for a mixture of uses, including residential use,*

(b) it is reasonable to consider may have access, or be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development, and

(c) it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains,

but which is not land-

(i) that is referred to in paragraph (a)(i) and, having regard only to development (within the meaning of the Act of 2000) which is not unauthorised development (within the meaning of the Act of 2000), is in use as premises, in which a trade or profession is being carried on, that is liable to commercial rates, that it is reasonable to consider is being used to provides services to residents of adjacent residential areas,

(ii) that is referred to in paragraph (a)(ii), unless it is reasonable to consider that the land is vacant or idle,

(ia) the development of which would not conform with—

- (I) in a case in which the land is zoned in a development plan, the phased basis in accordance with which development of land is to take place under the plan, as detailed in the core strategy included in that plan in accordance with section 10(2A)(d) of the Act of 2000, or*
- (II) in a case in which the land is zoned in a local area plan, the objective, consistent with the objectives and core strategy of the development plan for the area in respect of which the local area plan is prepared, of development of land on a phased basis, included in the local area plan in accordance with section 19(2) of the Act of 2000,*

(iii) that it is reasonable to consider is required for, or is integral to, occupation by—

- (I) social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare,*
- (II) transport facilities and infrastructure,*
- (III) energy infrastructure and facilities,*
- (IV) telecommunications infrastructure and facilities,*
- (V) water and wastewater infrastructure and facilities,*
- (VI) waste management and disposal infrastructure, or*
- (VII) recreational infrastructure, including sports facilities and playgrounds,*

(iv) that is subject to a statutory designation that may preclude development, or

(v) on which the derelict sites levy is payable in accordance with the Derelict Sites Act 1990.

7.2 Relevant Date for Assessment of Land for Inclusion in RZLT Map

Section 653C of the Taxes Consolidation Act, 1997 as amended states that,

- “(1) A local authority shall prepare, in respect of its functional area, a map in draft form (in this Part referred to as a ‘draft map’)—
- (a) indicating land that, based on the information available to it, it considers to be land satisfying the relevant criteria one month prior to the date specified in subsection (2), and
- (b) specifying—
- (i) the date on which, based on the information available to it, it considers that land referred to in paragraph (a) first satisfied the relevant criteria, where that date is after 1 January 2022, and
- (ii) the total area, in hectares, of land referred to in paragraph (a).
- (2) A local authority shall, not later than 1 November 2022—
- (a) publish a draft map on the website maintained by it, and
- (b) make a copy of the draft map available for inspection at its offices.”

Section 653M of the Act states,

- “(1) Each local authority shall, by 31 January in each year, commencing in 2025, revise the final map previously published by it under this Chapter and publish that final map as so revised (in this Part referred to as a ‘revised map’).
- (2) Sections 653C to 653E and sections 653J to 653L shall apply for the purposes of the revision of a final map under subsection (1), subject to the following modifications:
- (a) the references in subsections (2) and (3) of section 653C to 1 November 2022 shall be construed as references to 1 February in the year immediately prior to the year concerned;”

Having regard to the foregoing, the relevant date for assessment of lands for their compliance with the criteria of section 653B and their inclusion or exclusion on the current RZLT Map 2024, is 1st January 2023.

7.3 Draft Map Fails to Give Due Consideration to All Relevant Provisions of Section 653B

The Draft Map for Fassaroe includes almost all [REDACTED] land which is zoned for residential use (save some small slivers immediately adjacent to existing roundabouts and roads). While section 653B(a)(i) provides for the inclusion of residential zoned land, it is respectfully submitted that there are various other criteria of section 653B, which have been inconsistently applied by Wicklow County Council across all zoned lands at Fassaroe despite all being affected by the same servicing and infrastructural access constraints.

For the first step of assessing if land should be included in the RZLT map, three main criteria must be met (section 653B (a), (b) and (c)). If any one of these criteria is not met the land must not be included.

Where land meets all of these three criteria, there are further criteria to be considered. These are the criteria set out under section 653B (i), (ii), (iia) (iii), (iv) and (v). If any of these further criteria apply to the land, or part thereof, that part of the land should be excluded from the map. We note in particular the criteria under item (iia) which have recently been added and which have not previously been considered by WCC in response to a landowner submission or by ABP on appeal.

7.4 Inclusion of any [REDACTED] R-HD zoned land at Fassaroe is contrary to section 653B(c)

For inclusion of land within the RZLT mapping one of the first three basic requirements is that it is reasonable to consider that the land is “not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains”.

As set out in **section 3.6** of this report the [REDACTED] lands at Fassaroe contain historic landfill sites previously operated by Wicklow County Council. These sites are currently unremediated. We respectfully submit that in previous considerations of this criteria by both WCC and ABP failed to understand the implications of the current unremediated status of the historic landfill sites for the surrounding zoned residential land. The physical condition of the residential zoned lands surrounding the former landfill sites are potentially affected by the landfill sites until they are remediated in accordance with the requirements of the EPA under the CoAs issued. Their current unremediated state would preclude the safe provision of housing on the zoned lands until the permitted remediation measures (which include gas management measures around the perimeter of the landfill sites) are undertaken. As noted in section 3.6 we refer WCC in this regard to the detailed Environmental Risk Assessment it submitted to the EPA as part of its own applications in 2018 for Certificates of Authorisation for the remediation of the former landfill site.

Due to the presence of the unremediated landfills the [REDACTED] R-HD lands currently fail to comply with the requirement of section 653B(c) and therefore all of the [REDACTED] R-HD lands at Fassaroe must be excluded from the RZLT mapping.

We respectfully submit that this fact was misunderstood by An Bord Pleanála previously, given the statement in the Inspectors report noted in **section 6.1** above, that *“these are not within the residentially zoned lands and therefore they do not impact on the residential development potential of these lands.* With respect the historic landfill sites in their unremediated conditions do impact the physical condition of lands surrounding them. The residential zoned lands do not have to incorporate the actual footprint of the landfill sites for their physical condition to be affected by the nearby landfill sites such that they would affect the potential of the zoned lands to safely accommodate residential development.

Until the landfill sites are remediated, the physical condition of the surrounding residential zoned lands are potentially affected to a sufficient extent to preclude the provision of dwellings. On the basis of criteria (c) of section 653B then, the residential zoned lands at Fassaroe should be excluded from the RZLT map until the landfill remediation is complete.

7.5 Inclusion of any [REDACTED] R-HD or R-E zoned land at Fassaroe is Contrary to section 653B(ia)(II)

Section 653B of the Taxes Consolidation Act, 1997 as amended was revised in 2023 to include new exclusion criteria. It is submitted that the [REDACTED] lands at Fassaroe should be excluded from the RZLT Map as the development of lands for the purposes of dwellings in excess of 650 No. units would not conform with objectives included in the Bray MD LAP 2018 set out in accordance with section 19(2) of the Act of 2000 and which are consistent with the core strategy of the Wicklow County Development Plan.

The subject lands at Fassaroe are zoned in the Bray MD LAP 2018. As set out in **section 4.2**, Objective R5 of the Bray MD LAP requires that development of Fassaroe shall only be developed as part of comprehensive integrated schemes *“in accordance with the objectives for this Action Area as set out in this Plan”*. Objective 5 for the Fassaroe Action Area requires that all new development at Fassaroe shall be accompanied by appropriate transport services, *“the format and scale of which shall be in accordance with the Bray and Environs Local Transport Study”*.

In turn the Bray and Environs Local Transport Study sets out a Phase 1(a) scale of development for Fassaroe and sets out the transportation services to accompany that initial phase of development. The BETS states that the transport services for further phases of development beyond the initial Phase 1(a) 650 No. units shall be set out in an Implementation Plan to be prepared by WCC.

Thus, to comply with Objective R5 of the Bray MD LAP planning permission will initially be supported at Fassaroe for a development of 650 No. units only. Development in excess of 650 No. units will not conform with the requirements of Objective R5 of the LAP until an Implementation Plan is prepared by WCC specifying the transportation requirements to be provided for further phases of development at Fassaroe.

The RZLT Draft Map 2024 includes all lands in the ownership of [REDACTED]. This land has the capacity to accommodate a minimum of approximately 2,000 units in line with policy provisions of the Wicklow County Development Plan, the Bray MD LAP and the *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities*. As the BETS does not identify a specific area of land to accommodate a Phase 1(A) development of 650 No. units, then the entirety of the [REDACTED] residential zoned landholding, which would accommodate in excess of 2,000 No. units, and which is included in the RZLT Map 2024 would not conform with Objective R5 of the Bray MD LAP and therefore should be excluded from the RZLT Map.

In the alternative, should WCC not consider all of the [REDACTED] R-HD and RE zoned lands to fall within the provisions of section 653B(ia)(II), then respectfully submitted that all in excess of that required to accommodate 650 No. units must be concluded to fall within section 653B(ia)(II). That portion of the lands should be excluded from the RZLT Map as it does not conform with Objective R5 of the Bray MD LAP and therefore should be excluded from the RZLT Map.

7.6 Inclusion of any [REDACTED] R-HD or R-E zoned land at Fassaroe is contrary to section 653B(b)

For inclusion within the RZLT mapping one of the first three basic criteria of section 653B is that it must be land that “it is reasonable to consider may have access, or be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development”.

Under section 653C and 653M the land must satisfy the criteria on the appropriate assessment date which in the case of the current 2024 mapping is 1st January 2023.

As set out in **section 3.4** of this report, the Old Connaught-Woodbrook Water Supply Scheme currently being put in place by Irish Water is the infrastructure which will have the necessary service capacity to serve the R-HD and R-E zoned lands at Fassaroe in the long term. This is not currently expected to be operational until Q4 2024. Currently therefore, and certainly on 1st January 2023 the lands at Fassaroe did not have access to or could not be connected to water supply with sufficient service capacity available to serve the R-HD and R-E zoned lands at Fassaroe as included in the RZLT map.

There are also identified capacity constraints in the wastewater network on Dargle Road which require upgrades in order to facilitate the full development of the lands at Fassaroe. Accordingly, on the relevant date of 1st January 2023 the lands included in the RZLT map did not have access to or could not be connected to a foul sewerage network with sufficient capacity to serve a development of over 2,000 units that could be accommodate on the lands shown on the RZLT map.

The transportation intervention requirements for the full build out of Fassaroe and for the first phase of Fassaroe as identified in BETS are not currently in place. These are detailed in **Table 4.1** of this report. They are not currently in place, and many will require planning approvals of various types and / or funding which are not currently in place. Consequently, there is not currently a reasonable prospect of connecting to these necessary services and infrastructure for the full extent of [REDACTED] lands currently proposed for inclusion in the RZLT Draft Map.

As noted in preceding sections, Wicklow County Council has determined that all R-HD zoned lands at Fassaroe, other than those in the ownership of [REDACTED], are not suitably serviced or do not reasonably have access to services and has excluded them from the Draft RZLT mapping. As detailed in **section 6** of this report, the [REDACTED] lands are subject of the same infrastructural provisions, requirements and planning policy as the rest of the residential R-HD zoned lands at Fassaroe. In fact, we respectfully submit that WCC has confirmed this fact within its own Wicklow County Development Plan 2022 - 2028 in identifying the development lands at Fassaroe as Tier 2 lands. We therefore submit that it is unreasonable that the [REDACTED] owned lands at Fassaroe should be concluded to comply with the requirements of section 653B(b) when other zoned lands other zoned lands at Fassaroe are not.

In failing to comply with the requirements of section 653B(b), it is submitted that all of the [REDACTED] [REDACTED] R-HD and R-E zoned lands at Fassaroe should be excluded from the RZLT mapping as are the other R-HD zoned lands.

In the alternative, should WCC consider part of the [REDACTED] R-HD and RE zoned lands to fall within the provisions of section 653B(b), then we respectfully submitted that only lands sufficient to accommodate 650 No. units could be deemed to fall within section 653B(b).

7.7 Inclusion of Lands which Should be Excluded under Section 653B(iii)

As set out in **sections 7.4 – 7.6** above it is submitted that no [REDACTED] owned residential zoned lands at Fassaroe whatsoever should be included within the RZLT Map at this time as it fails to comply with the criteria of both section 653B(b), 653B(c) and 653(ia)(II).

However, even if the lands, or part thereof to accommodate a Phase 1 development, were deemed to comply with all three criteria of section 653B(a), (b) and (c), we note that significant areas of the R-HD zoned lands should be excluded from the map in any event based on the provisions of section 653B(iii). While we do not agree with the inclusion of the [REDACTED] R-HD or R-E zoned lands at Fassaroe in the RZLT Map in the first instance, we are further concerned that there appears to have been no attempt by the Planning Authority to consider the various exclusions specified in section 653B(iii).

Section 3.7 above identifies a number of significant existing ESB infrastructural provisions which cross zoned lands. This includes 110kV and 38kV overhead electrical infrastructure.

The land and associated wayleaves of this infrastructure is clearly land which is required for and integral to occupation by this infrastructure. Accordingly, it falls within the provisions of s653B(iii)(III). This infrastructure and its associated Safety Zone Requirements are identified at **Figure 3.3** above.

We note also that the infrastructural requirements for development at Fassaroe set out in the Bray MD LAP are significant and will have significant landtake requirements. These infrastructural elements as identified above in **section 4** are set out below along with a note of the relevant exclusion under section 653B(iii):

- Land required for east west distributor, including cycle / pedestrian provisions (to be excluded under s653B(iii)(II)).
- Land required for N-S connector / Busway – including the potential land for Luas / other mass transit (to be excluded under s653B(iii)(II)).
- Creche sites – reasonable that 4 No. facilities may be required on entire Fassaroe AAP lands (to be excluded under s653B(iii)(I)), with 2 No. to be provided on [REDACTED] owned land.
- Land for a second school on southern lands – the Bray MD LAP identifies an area of 1.6hectares for such a school within R-HD zoned lands (to be excluded under s653B(iii)(I) – this would not affect [REDACTED] owned land.
- Potential stabling area for mass transit – this is included as a possible requirement in the Bray MD LAP (to be excluded under s653B(iii)(II)).
- Other infrastructure within the residential areas:
 - Access roads (to be excluded under s653B(iii)(II)).
 - Land for local play areas (to be excluded under s653B(iii)(VII)).

While the exact location and extent of landtake of these various future development infrastructural requirements is not definitively known at this time, the general location and land requirements of the east-west distributor and the N-S connector / busway can reasonably be determined and estimated at this time.

Figure 7.1 (provided at larger scale in **Appendix F**) shows the indicative locations and likely land requirements which would be necessary to accommodate these two key infrastructural items insofar as they would likely relate to lands in the ownership of [REDACTED], and which should be excluded under section 653B(iii)(II). Of the total approx. 47.36 ha of residential zoned lands in [REDACTED] ownership, the approximate amount of land which would be required to accommodate these key infrastructural requirements (and which would fall under the exclusion criteria of section 653B(iii)) is estimated at approx. 5.16 ha. This is in addition to the 2.41 ha of land affected by the existing ESB services and identified in **Figure 3.3** and also included in **Figure 7.1**.

A number of these exclusions fall within the area of the proposed initial 650 No. unit SHD application currently before An Bord Pleanála as can be seen in **Figure 7.1**.

Figure 7-1: Land Requirements of Existing ESB Infrastructure and Proposed Strategic Transport Infrastructure to be Excluded under Section 653B(iii)

Source: MCORM Mapping Appendix F

The other further community, educational and transportation land use requirements which will be required for future development at Fassaroe and identified above should also fall within the criteria of s653B(iii). We note that the Guidelines suggest that in cases where the exact location and scale of such requirements are not known that the lands should fall within the RZLT map until these items are confirmed. We question the legal basis of this Guidance where planning policy has clearly identified a need for infrastructure and facilities of the types listed in section 653B(iii) but has not specifically identified its exact location. These items will require substantial areas of residential zoned land. It surely is contrary to both the spirit and the letter of the legislation not to exclude a quantum of land for such uses. It would also appear to be contrary to the principles of natural justice to suggest that an excess of lands should be levied a tax where it is clear that a proportion of same will be required for further infrastructure and services and where it is possible to make a reasonable estimate of the quantum of land that would be required. In this regard, it is reasonable to estimate that an area of approx. 0.3 hectares would be required for a further creche within residential zoned lands, and approx. 0.8 hectares of land for a transport stabling area. Within the residual residential lands, there will be a need for local development roads and open space. **Table 7.1** summarises the various amounts of land which should fall within the exclusion provisions of section 653B(iii).

Table 7-1: Summary of Land Requirements for Section 653B(iii) Exclusions

Total [REDACTED] Residential Lands		43.67ha
Estimated Exclusion Areas (comprising of items below)		13.17 ha
Infrastructure	Existing or Proposed	Approx Area of Land
Medium and High Voltage ESB OHL	Existing	2.41 ha
East -West Access Road	Proposed	3.68 ha
North-South Link / Busway	Proposed	1.48 ha
Further Creche	Proposed	0.3 ha
Stabling Area for Public Transport	Proposed	0.8 ha
Development Streets and local Open Space	Proposed	Approx. 12 – 13% of residual residential development lands – approx. 4.5 ha
Estimate of Residual [REDACTED] Residential Zoned Land Not Required for Occupation by Infrastructure / Uses identified in s653B(iii)		30.5ha

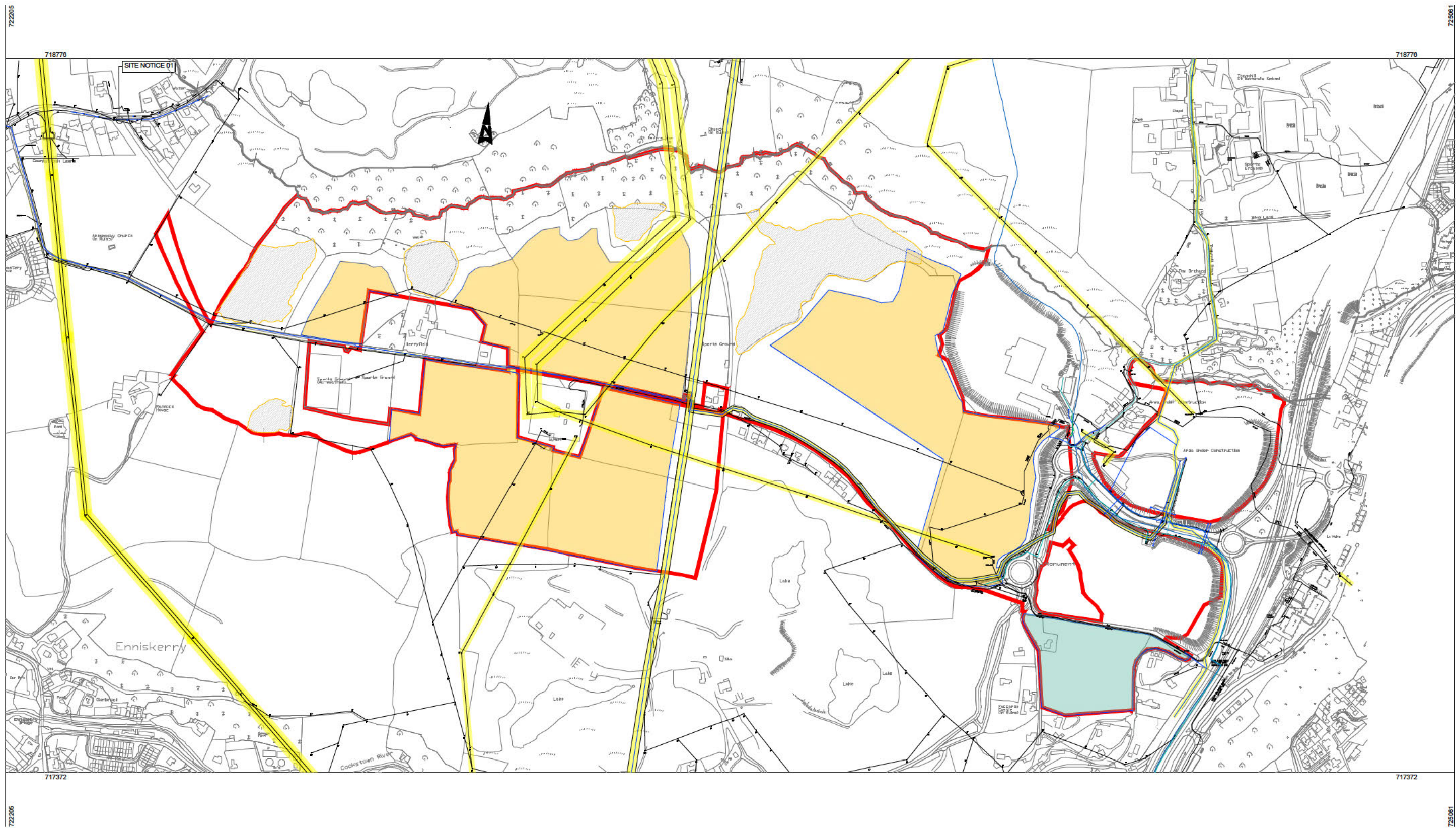
8 CONCLUSION

Based on all of the foregoing, we respectfully submit that [REDACTED] residential zoned lands at Fassaroe should be excluded from the current Wicklow County Council RZLT Map because:

- The [REDACTED] R-HD lands do not comply with section 653B(c) of the Taxes Consolidation Act, 1997 as amended due to the presence of unremediated historic landfill site immediately adjacent. Until these are remediated the land is unsuitable for residential development.
- All of the [REDACTED] R-HD and RE zoned lands at Fassaroe should be excluded from the RZLT Map as it would fall within the provisions of section 653B(ia)(II). The development of any land in excess of that required to accommodate 650 No. units would not conform with Objective R5 of the Bray Municipal District Local Area Plan 2018 which requires compliance with the Bray Environs Transport Study and which sets out a policy context for the provision of a Phase 1(a) development of 650 No. units only.
- The [REDACTED] residential zoned lands do not comply with section 653B(b) of the Taxes Consolidation Act, 1997 as amended due to the absence of water supply infrastructure of sufficient capacity to serve the lands. Residential development at Fassaroe is to be served in due course by the Ballyman Reservoirs and associate pipe network which is currently being constructed by Uisce Eireann. This is not expected by Uisce Eireann to be complete until Q4 2024. The lands did not have access to, nor could they be connected to this infrastructure in January 2023 which is the relevant assessment date for the current RZLT map.
- The [REDACTED] residential zoned lands do not comply with section 653B(b) of the Taxes Consolidation Act, 1997 as amended due to the current absence of transportation interventions identified for phase 1 development at the lands and for the full build out of the lands on the relevant assessment date.
- The Wicklow County Development Plan 2022 – 2028 itself identifies the lands at Tier 2, i.e., not currently serviced.
- Wicklow County Council has determined that lands in other ownership at Fassaroe and subject to the same infrastructural provision, current constraints and planning policy as the [REDACTED] land, does not have appropriate access to services and shall be excluded from the RZLT mapping.
- In the event that WCC considers that all of the [REDACTED] residential zoned lands do not fail to meet the requirements of section 653B(b), we respectfully submit that the maximum extent of land which could be even considered to meet that criteria would be that extent required to accommodate 650 No. dwellings (notwithstanding that it would in any event currently fail to meet section 653B(c)).
- If WCC was minded to include some notional area of land on which 650 No. dwellings could be accommodated, it is noted that no policy document identifies a specific area of land or landowner within the overall Fassaroe residential zoned landbank on which these 650 No. dwellings shall be provided. On this basis it is not possible to identify a specific area or quantum of land within the overall residential zoned lands at Fassaroe which could potentially comply with the criteria 653B(a) and (b).

Appendix A

**Residential Zoned Lands at
Fassaroe Subject of Current
Appeal – Mapping @ 1:7,500
and 1:2,500**

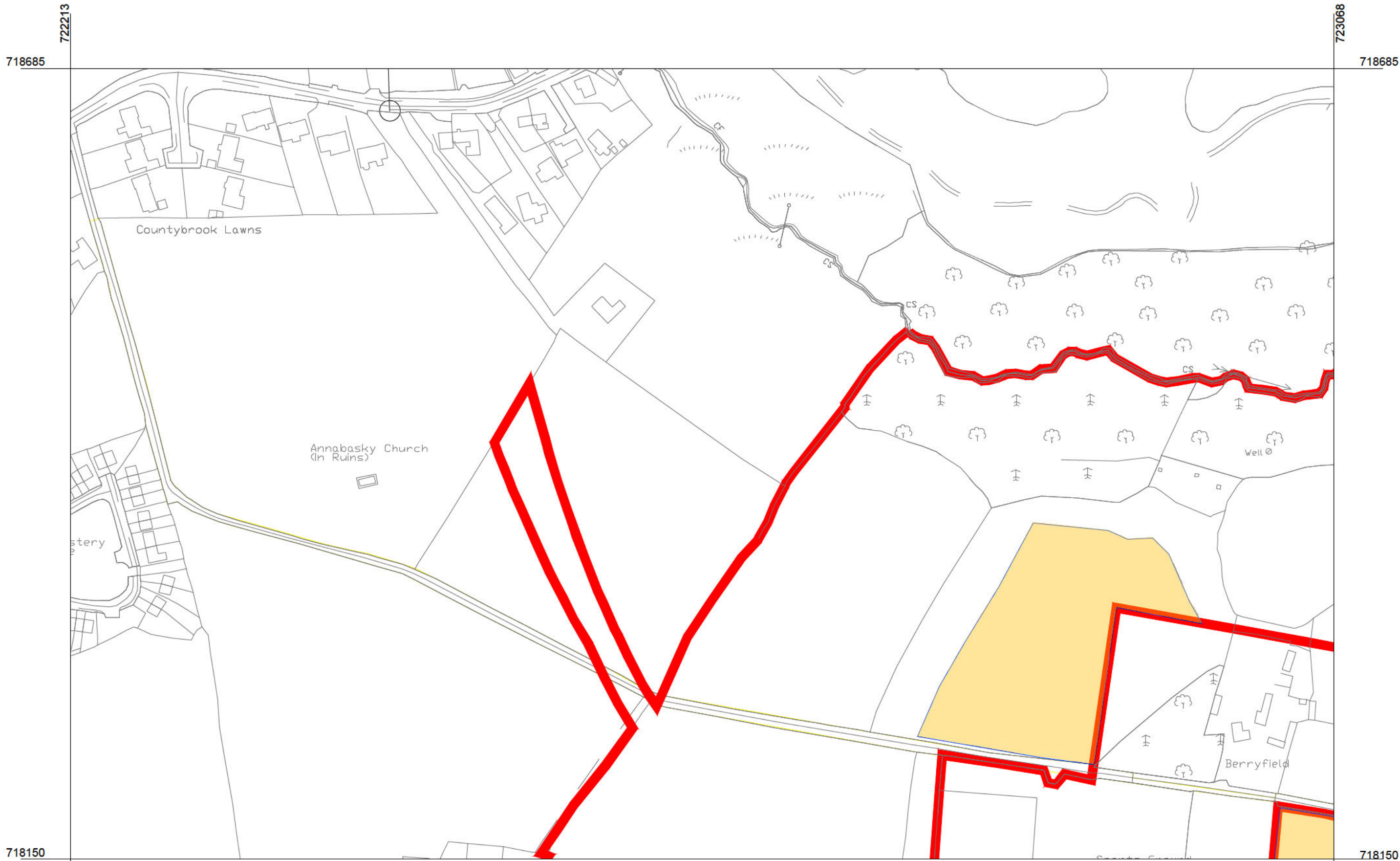





LEGEND	R-HD ZONE - [REDACTED] LANDS (40.04ha.)
	R-E ZONE - [REDACTED] LANDS (3.63ha.)
	OVERALL [REDACTED] LANDS



Reproduced under License
 No. CYAL50317410
 Copyright Ordnance Survey
 Ireland.
 RZLT base map extracted on 2022.12.07 from:
housing.gov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP A
 1:7500 @A3



LEGEND		R-HD ZONE - [REDACTED] LANDS (40.04ha.)
		R-E ZONE - [REDACTED] LANDS (3.63ha.)
		OVERALL [REDACTED] LANDS

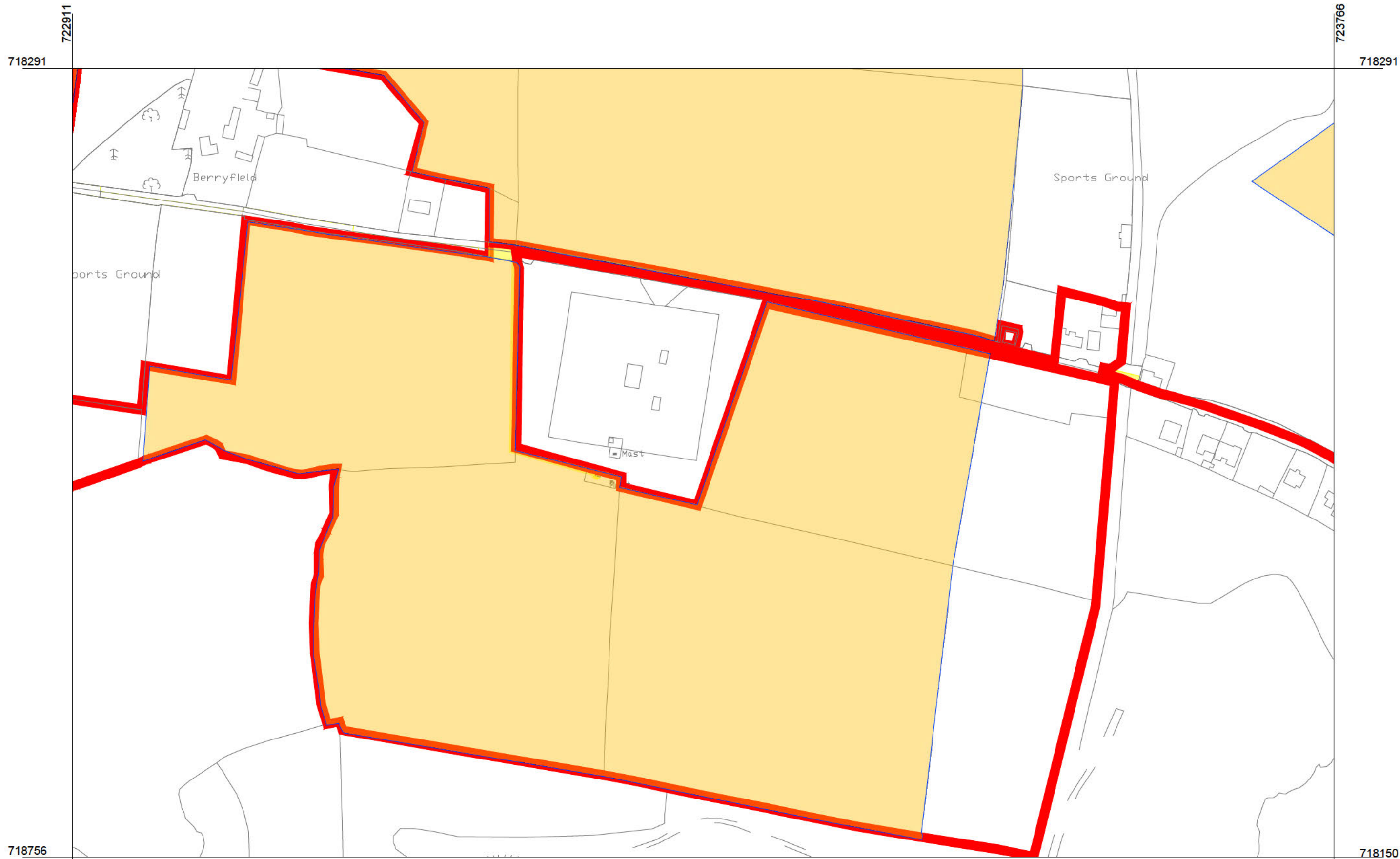





Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP 1 OF 4
1:2500 @A3

723068 718685 718150 722213



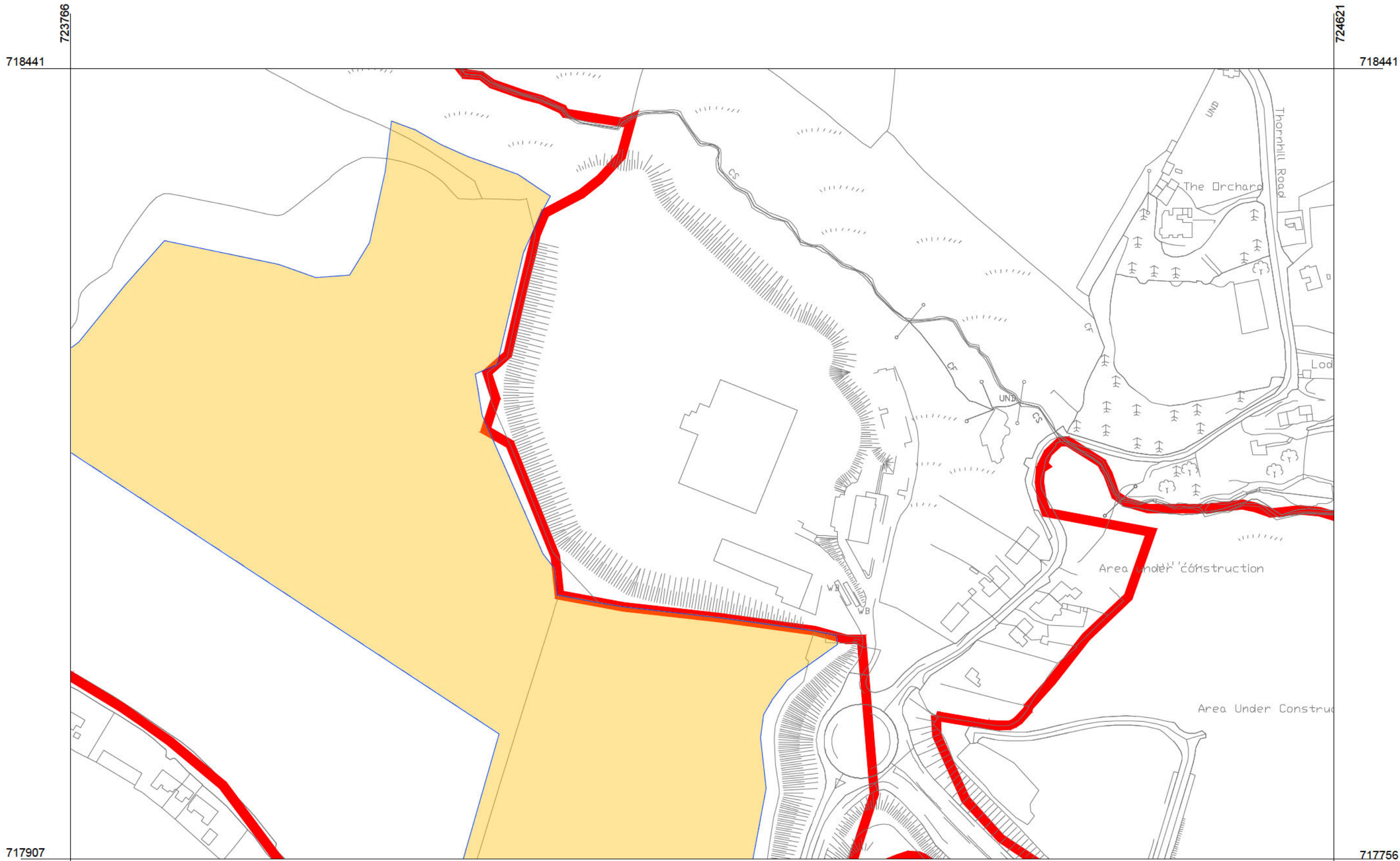
LEGEND	 R-HD ZONE - [REDACTED] LANDS (40.04ha.)
	 R-E ZONE - [REDACTED] LANDS (3.63ha.)
	 OVERALL [REDACTED] LANDS






Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP 2 OF 4
1:2500@ A3



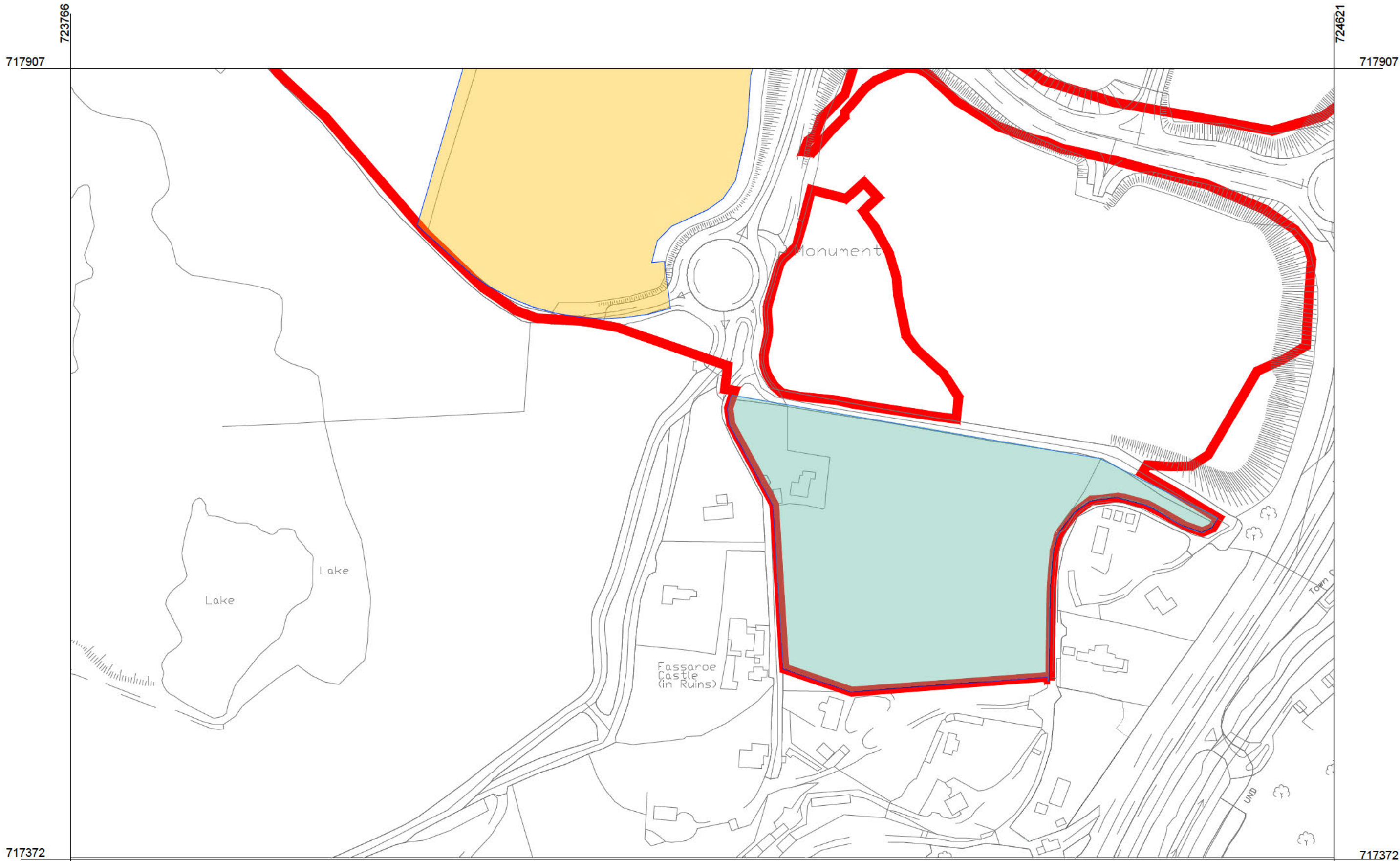
LEGEND	
	R-HD ZONE - [REDACTED] LANDS (40.04ha.)
	R-E ZONE - [REDACTED] LANDS (3.63ha.)
	OVERALL [REDACTED] LANDS






Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP 3 OF 4
1:2500 @ A3



LEGEND		R-HD ZONE - [REDACTED] LANDS (40.04ha.)
		R-E ZONE - [REDACTED] LANDS (3.63ha.)
		OVERALL [REDACTED] LANDS



Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

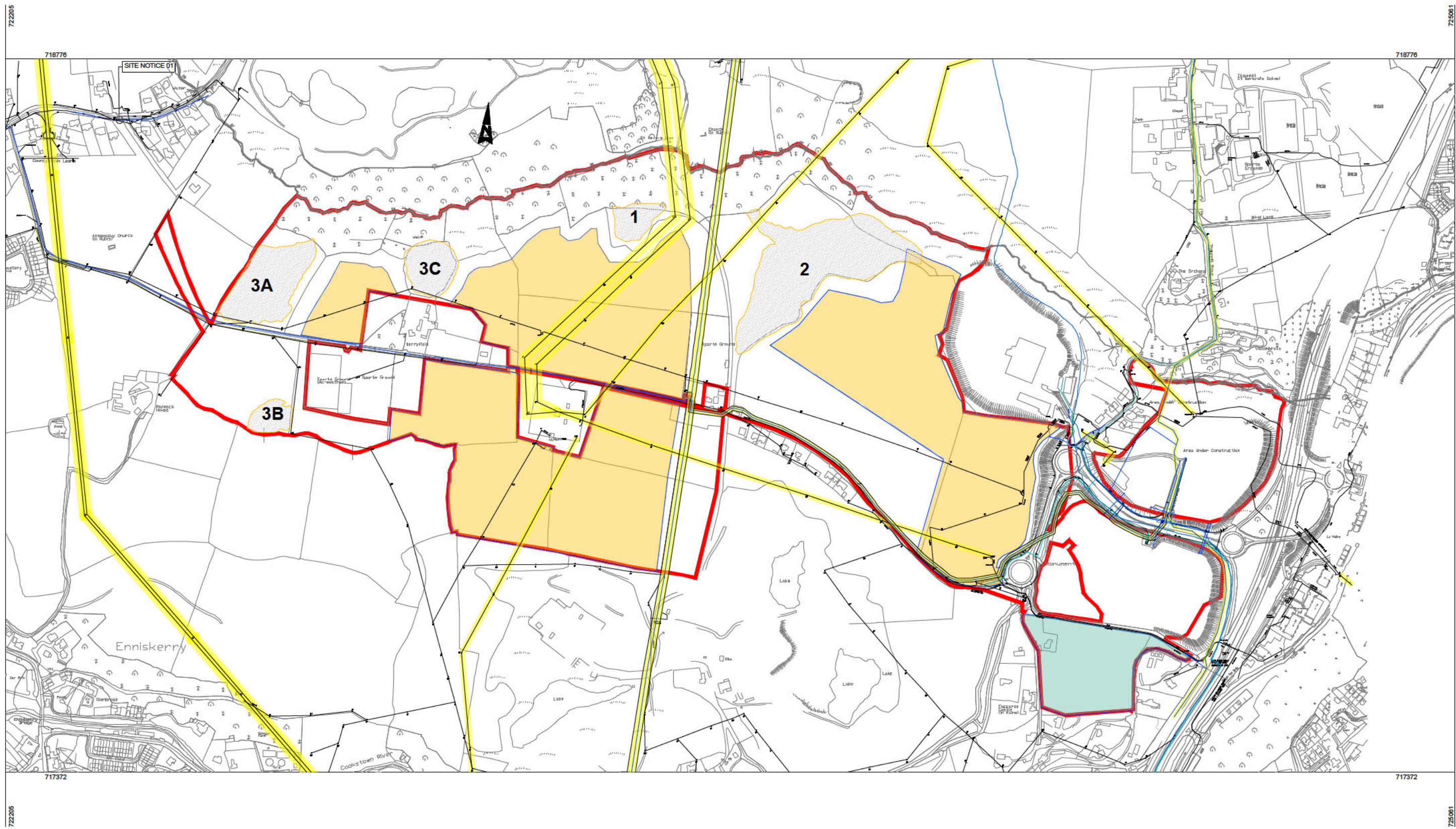
FASSAROE MAP 4 OF 4




1:2500 @ A3



Appendix B

Locations of Historic Unregulated Landfill Sites




LEGEND		R-HD ZONE - [REDACTED] LANDS (40.04ha.)
		R-E ZONE - [REDACTED] LANDS (3.63ha.)
		OVERALL [REDACTED] LANDS



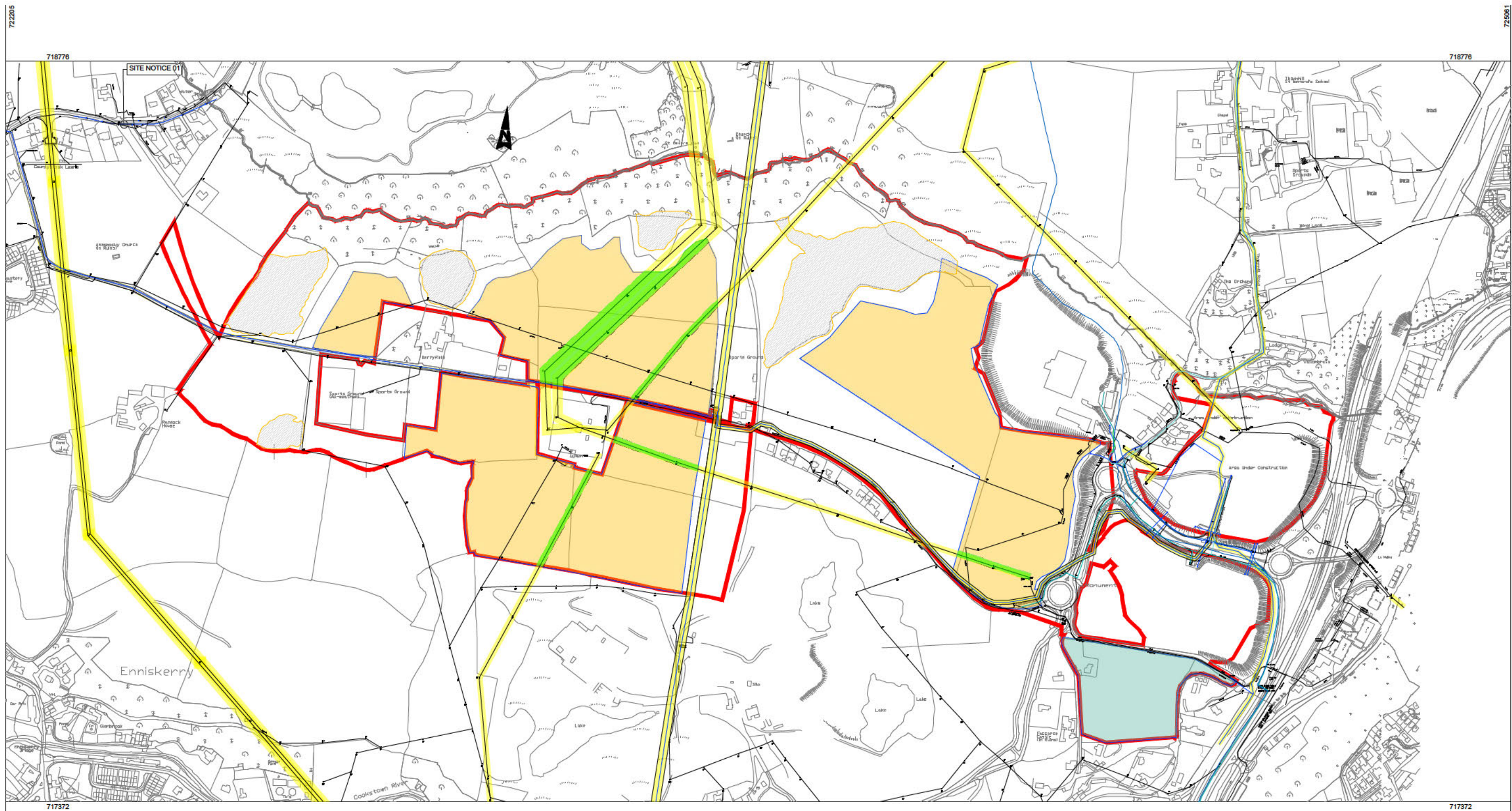
Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP B
1:7500 @A3



Appendix C
Routes of Existing ESB
Infrastructure across
residential zoned [REDACTED]
[REDACTED] lands at
Fassaroe



Existing OHL exclusion - 2.41 Hectares

LEGEND		R-HD ZONE - [REDACTED] LANDS (40.04ha.)
		R-E ZONE - [REDACTED] LANDS (3.63ha.)
		OVERALL [REDACTED] LANDS



Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP C
1:7500 @A3

Appendix D
Wicklow County Council
Determination re [REDACTED]
[REDACTED] Lands
(Submission Ref. WW-RZLT-
34)



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol
Planning Development and Environment

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco
Suíomh / Website: www.wicklow.ie

Date: 24th March 2023

County Wicklow Residential Zoned Land Tax

Part 22A of the Taxes Consolidation Act 1997
Part 6, Section 80 of the Finance Act 2021

Determination under Section 653E

Our reference: WW-RZLT-34
Landowner: [REDACTED]
Town: Bray
Location: Lands at Fassaroe, Bray, Co. Wicklow subject of submission under Section 653D of Part 22A of the Taxes Consolidation Act 1997 (as introduced by the Finance Act 2021)

In pursuance of the powers conferred upon them by the above mentioned Acts, Wicklow County Council has by Order dated **23/03/2023** determined that the site in question fulfils the qualifying criteria set out in **Part 22A of the Taxes Consolidation Act 1997** (as introduced by the Finance Act 2021) and the 2022 Section 28 Ministerial Guidelines 'Residential Zoned Land Tax – Guidelines for Planning Authorities' for **inclusion** on the RZLT map for the following reasons:

1. The land in question is included in a development plan or local area plan and is zoned for residential development or zoned for a mixture of uses, that includes residential development.
2. The land is serviced, or it is reasonable to consider may have access to services. Serviced means having access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity available sufficient to enable housing to be developed.

*Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas.
This document is available in alternative formats on request.*

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhíse, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



3. The land is not affected in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of archaeological or historic remains.
4. As set out in the Guidelines, where plans (such as SDZs, LAPs) require significant road or public transport infrastructure to be in place prior to development but allow for a certain quantum of residential development prior to such projects being permitted or constructed, all of the land which may be able to access the infrastructure, or if specifically identified in the plan, the relevant phased area of land, should be considered in scope.
5. As set out in the Guidelines, where land is zoned for residential development and specific objectives apply to provide the type of facilities set out in Section 653B(c)(iii)(I – VII), but the extent of the lands required for such a use is not identified, the land will fall in scope until such a time as it is developed and the relevant land will then fall out of scope.

Appeals

In accordance with Section 653J of the Part 22A of the Taxes Consolidation Act 1997 (as introduced by the Finance Act 2021), an owner who is aggrieved with the determination of a local authority under Section 653E may appeal a local authority determination **within one month of the receipt of the notification** of the determination, and in any case, not **later than 1 May 2023**, by notice in writing, specifying the grounds for the appeal, to **An Bord Pleanála**.

You are advised to contact An Bord Pleanála for confirmation of the final date for submission of an appeal. All correspondence and clarifications in relation to appeals should be addressed to: **The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902.**

Signed on behalf of Wicklow County Council.



**SENIOR EXECUTIVE OFFICER
PLANNING DEVELOPMENT & ENVIRONMENT**

Appendix E
Wicklow County Council
Determination re Southern
Lands at Fassaroe
(Submission Ref. WW-RZLT-
41



Comhairle Contae Chill Mhantáin Wicklow County Council

Forbairt Pleanála agus Comhshaol Planning Development and Environment

Áras An Chontae / County Buildings
Cill Mhantáin / Wicklow
Guthán / Tel: (0404) 20148
Faics / Fax: (0404) 69462
Rphost / Email: plandev@wicklowcoco.ie
Suíomh / Website: www.wicklow.ie

Date: 24th March 2023

County Wicklow Residential Zoned Land Tax

Part 22A of the Taxes Consolidation Act 1997
Part 6, Section 80 of the Finance Act 2021

Determination under Section 653E

Our reference: WW-RZLT-41
Landowner: [REDACTED]
Town: Bray
Location: Lands at Fassaroe, Bray, Co. Wicklow subject of submission under Section 653D of Part 22A of the Taxes Consolidation Act 1997 (as introduced by the Finance Act 2021)

In pursuance of the powers conferred upon them by the above mentioned Acts, Wicklow County Council has by Order dated **23/03/2023** determined that the sites in question do not fulfil the qualifying criteria set out in **Part 22A of the Taxes Consolidation Act 1997** (as introduced by the Finance Act 2021) and the 2022 Section 28 Ministerial guidelines 'Residential Zoned Land Tax – Guidelines for Planning Authorities' for inclusion on the RZLT map and will be excluded from the final map published on 01 December 2023 because:

1. The lands are not serviced, nor it is reasonable to consider may have access to services. Serviced means having access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity available sufficient to enable housing to be developed.

*Tá an doiciméad seo ar fáil i bhformáidí eile ar iarratas.
This document is available in alternative formats on request.*

Ba chóir gach comhfhreagras a sheoladh chuig an Stiúrthóir Seirbhísi, Forbairt Pleanála agus Comhshaol.
All correspondence should be addressed to the Director of Services, Planning Development & Environment.



Appeals

In accordance with Section 653J of the Part 22A of the Taxes Consolidation Act 1997 (as introduced by the Finance Act 2021), an owner who is aggrieved with the determination of a local authority under Section 653E may appeal a local authority determination **within one month of the receipt of the notification** of the determination, and in any case, not **later than 1 May 2023**, by notice in writing, specifying the grounds for the appeal, to **An Bord Pleanála**.

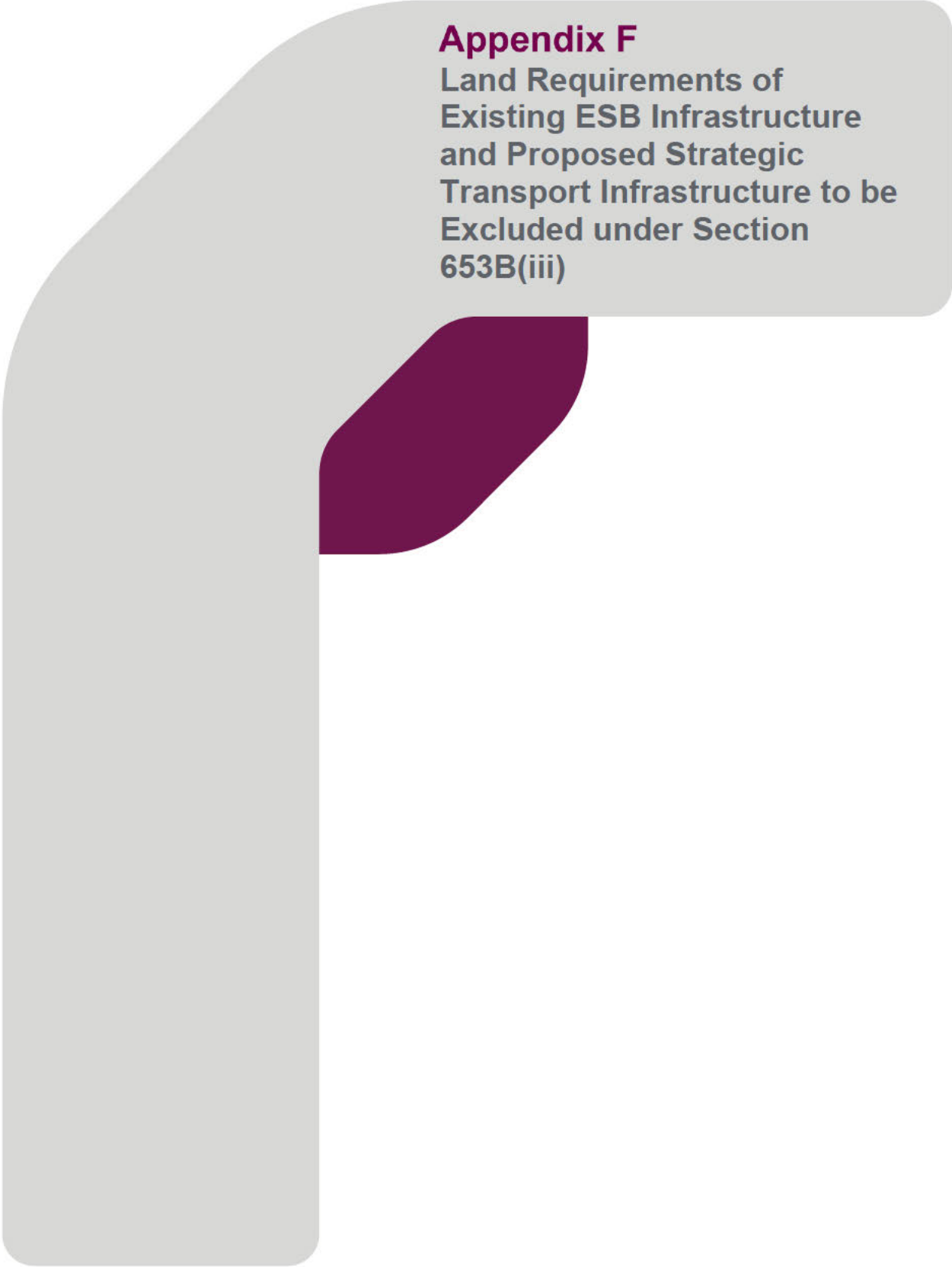
You are advised to contact An Bord Pleanála for confirmation of the final date for submission of an appeal. All correspondence and clarifications in relation to appeals should be addressed to: **The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902.**

Signed on behalf of Wicklow County Council.



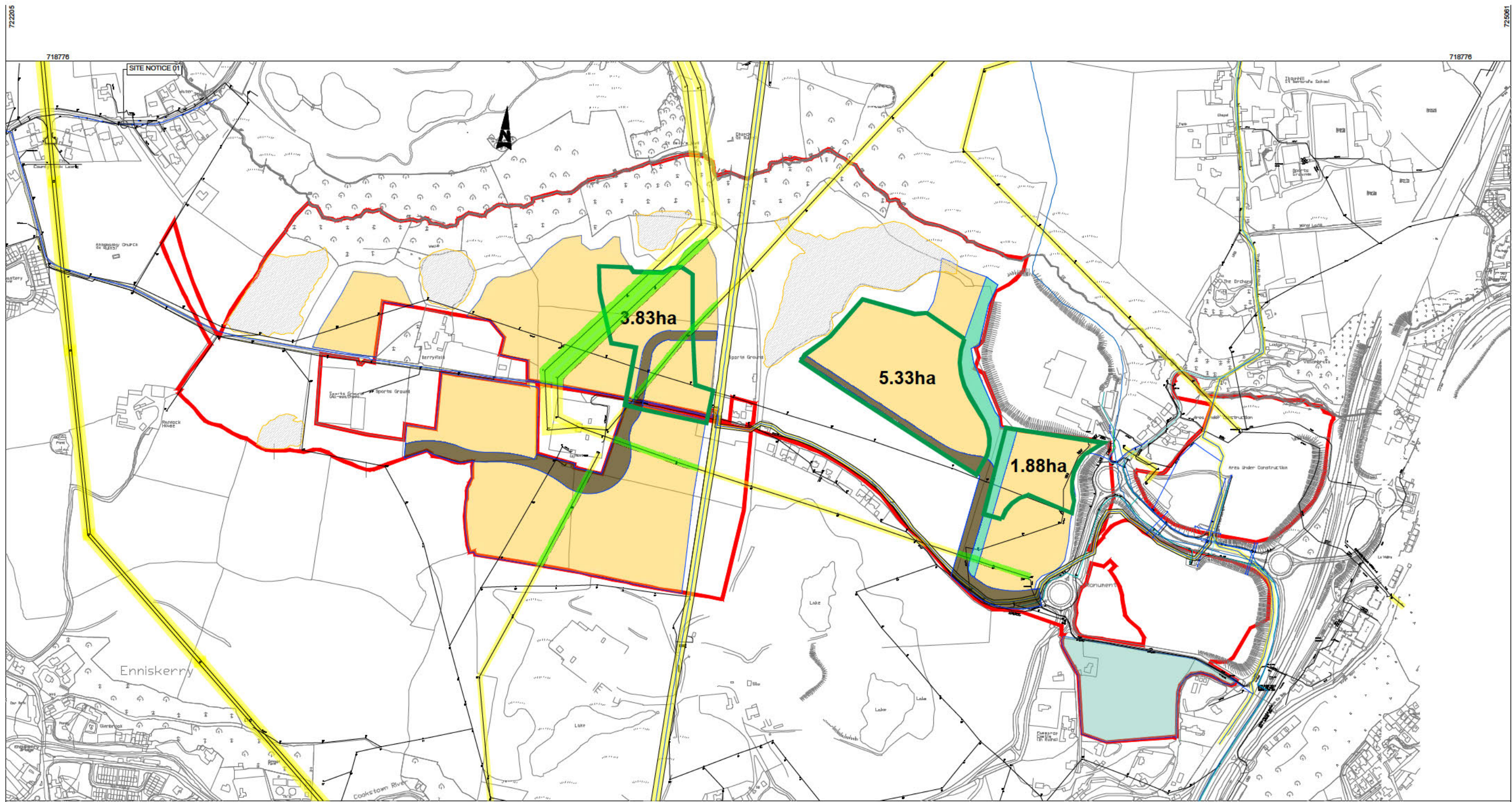
SENIOR EXECUTIVE OFFICER

 **PLANNING DEVELOPMENT & ENVIRONMENT**



Appendix F

**Land Requirements of
Existing ESB Infrastructure
and Proposed Strategic
Transport Infrastructure to be
Excluded under Section
653B(iii)**



- Existing OHL exclusion - 2.41 Hectares
- Proposed access road exclusion area - 3.68 Hectares
- Bus way exclusion area - 1.48 Hectares
- Area of current SHD application - 11.04 Hectares

LEGEND		
	 R-HD ZONE - [REDACTED] LANDS (40.04ha.)	
	 R-E ZONE - [REDACTED] LANDS (3.63ha.)	
	 OVERALL [REDACTED] LANDS	



Reproduced under License
 No. CYAL50317410
 Copyright Ordnance Survey
 Ireland.
 RZLT base map extracted on 2022.12.07 from:
housing.gov.ie/maps/argis.com/apps/webappviewer

FASSAROE MAP E
 1:7500 @A3

722005

725001

718776

718776

717372

717372

722005

725001



County Wicklow Residential Zoned Land Tax (RZLT)

Submission Template

A: Details of person / representative / agent making submission

Name	Maria Lombard. RPS
Address	RPS, Innishmore, Ballincollig, Co. Cork B31 KR68 (include Eircode please)
Phone No.	021 – 466 5900
Email Address	Maria.lombard@rpsgroup.com

If you are the landowner of the lands that are the subject of this submission, or making the submission on behalf of the landowner, please complete Part (B) of this form.

If you are not the landowner of the lands that are the subject of this submission or making the submission on behalf of the landowner, (i.e. you are a 'third party') please complete Part (C) of this form.

Please be advised that personal information will be redacted before publishing.

B: Landowner Submission

Town	Bray (Fassaroe)
Landowner name	████████████████████
Landowner address	██████████ ██████ ██████ (include Eircode if known)
Landowner phone	██████████
Landowner email	████████████████████
Address of site	Fassaroe, Bray, Co. Wicklow (include Eircode if known)
Site description	(if address is unclear)
Site Area	43.67ha

Maps / information to accompany submission	Check
Have you included the required Ordnance Survey map showing the lands at an appropriate scale i.e. 1:1000 in urban areas or 1:500 in rural area, clearly identifying the map in question?	✓
Have you included proof of ownership?	✓

Are you:	Check
Challenging the inclusion of certain lands on the map?	✓
Challenging the date that lands are considered to be 'in scope'?	
Requesting a change in zoning?	
Identifying additional lands that you believe should be shown on the maps?	

Grounds for your submission (you can set out grounds on this form, or attach a separate document)

Please see Advice Note 1 at end of this document with respect to the grounds for inclusion for the RZLT.

Please see Advice Note 2 at end of this document with respect to requests for a change in zoning.

See enclosed Report for grounds of submission

C: Third Party Submission

Town	
Landowner name	(if known)
Landowner address	(include Eircode if known)
Landowner phone	(if known)
Landowner email	(if known)
Address of site	(include Eircode if known)
Site description	(if address is unclear)
Site Area	(if known)

Please include a map if available

Please be advised that where we cannot identify the land we may not be able to take your submission into account.

Are you:	Check
Challenging the inclusion of certain lands on the map?	
Challenging the date that lands are considered to be 'in scope'?	
Identifying additional lands that you believe should be shown on the maps?	
<p>Grounds for your submission (please see Advice Note. 1 at end of this document)</p> <p>(you can set out grounds on this form, or attach a separate document)</p>	

Criteria for inclusion on the map - any submission to exclude or include land should make reference to these criteria:

Land is deemed in scope for the RZLT is lands that –

- (a) is included in a development plan, in accordance with section 10(2) (a) of the Act of 2000, or local area plan, in accordance with section 19(2)(a) of the Act of 2000, zoned -
 - (i) solely or primarily for residential use, or
 - (ii) for a mixture of uses, including residential use,
- (b) it is reasonable to consider may have access, or be connected, to public infrastructure and facilities, including roads and footpaths, public lighting, foul sewer drainage, surface water drainage and water supply, necessary for dwellings to be developed and with sufficient service capacity available for such development, and
- (c) it is reasonable to consider is not affected, in terms of its physical condition, by matters to a sufficient extent to preclude the provision of dwellings, including contamination or the presence of known archaeological or historic remains,

but which is not land -

(i) that is referred to in paragraph (a)(i) and, having regard only to development (within the meaning of the Act of 2000) which is not unauthorised development (within the meaning of the Act of 2000), is in use as premises, in which a trade or profession is being carried on, that is liable to commercial rates, that it is reasonable to consider is being used to provides services to residents of adjacent residential areas,

(ii) that is referred to in paragraph (a)(ii), unless it is reasonable to consider that the land is vacant or idle,

(iia) the development of which would not conform with -

(I) in a case in which the land is zoned in a development plan, the phased basis in accordance with which development of land is to take place under the plan, as detailed in the core strategy included in that plan in accordance with section 10(2A)(d) of the Act of 2000, or

(II) in a case in which the land is zoned in a local area plan, the objective, consistent with the objectives and core strategy of the development plan for the area in respect of which the local area plan is prepared, of development of land on a phased basis, included in the local area plan in accordance with section 19(2) of the Act of 2000,

on the date on which satisfaction of the criteria in this section is being assessed,

(iii) that it is reasonable to consider is required for, or is integral to, occupation by -

(I) social, community or governmental infrastructure and facilities, including infrastructure and facilities used for the purposes of public administration or the provision of education or healthcare,

(II) transport facilities and infrastructure,

(III) energy infrastructure and facilities,

(IV) telecommunications infrastructure and facilities,

(V) water and wastewater infrastructure and facilities,

(VI) waste management and disposal infrastructure, or

(VII) recreational infrastructure, including sports facilities and playgrounds,

(iv) that is subject to a statutory designation that may preclude development, or

(v) on which the derelict sites levy is payable in accordance with the Derelict Sites Act 1990.

Advice Note 2

Rezoning request

Where land is identified on the annual draft map as being subject to the residential zoned land tax and where the land identified on the draft map is included in a development plan or local area plan in accordance with section 10(2)(a) or 19(2)(a) of the Act of 2000 zoned -

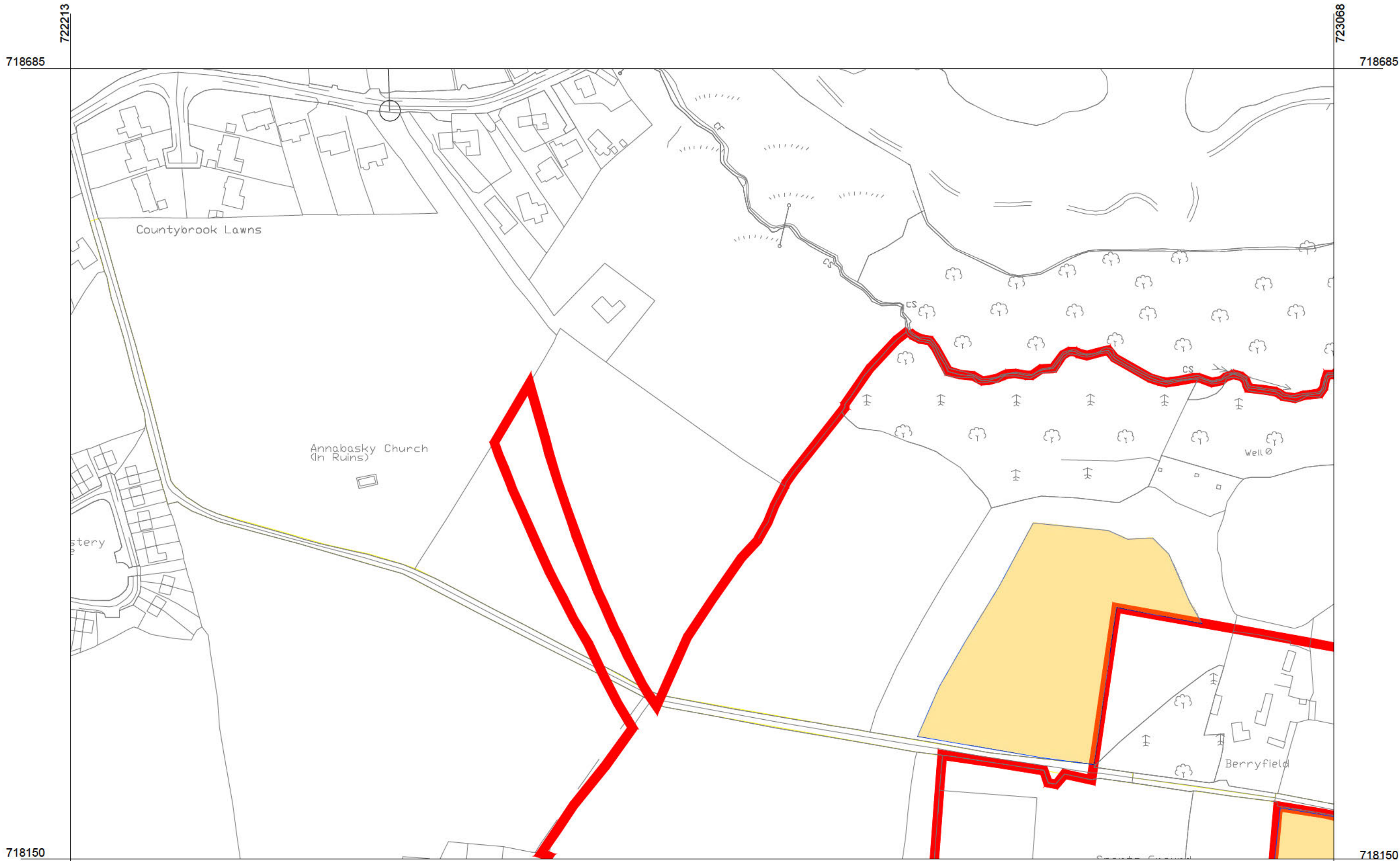
- (i) solely or primarily for residential use, or
- (ii) for a mixture of uses, including residential use,




a person may on or before **31 May 2024**, in respect of aforementioned land that such a person owns, make a submission to Wicklow County Council requesting a variation of the zoning of that land.

Any such submission should include evidence of ownership, detailed reasons for any rezoning request, along with a map to a scale of 1:1,000 (urban) or 1:2,500 (rural) clearly identifying the relevant plot of land.

Any such written rezoning requests received by 31 May 2024 other than such elements of a submission which may constitute personal data, shall be published on the website maintained by Wicklow County Council concerned not later than 10 June 2024.

All rezoning requests made will be considered by Wicklow County Council having regard to the proper planning and sustainable development of the area.



LEGEND		R-HD ZONE - [REDACTED] LANDS (40.04ha.)
		R-E ZONE - [REDACTED] LANDS (3.63ha.)
		OVERALL [REDACTED] LANDS

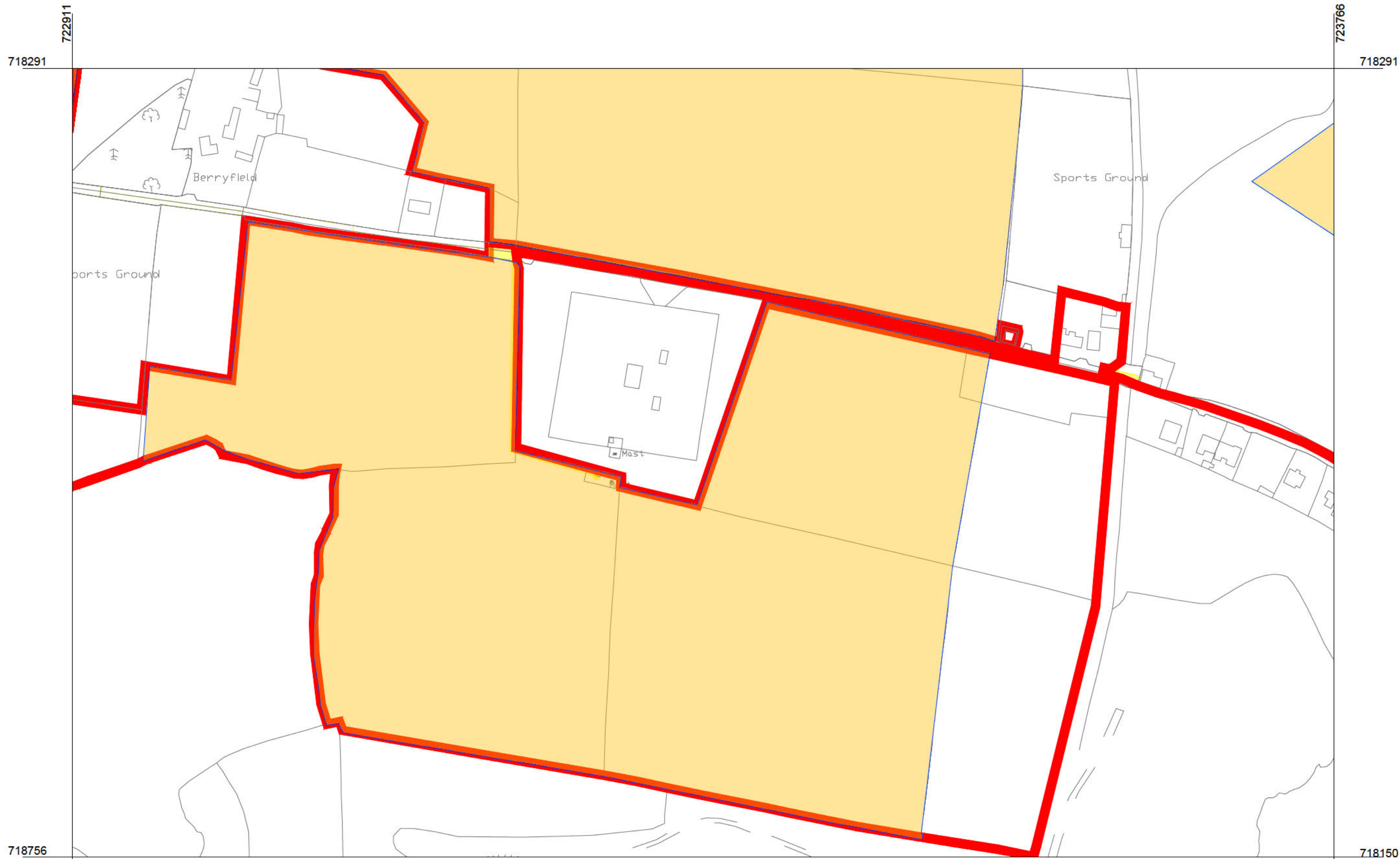





Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP 1 OF 4
1:2500 @A3

723068 718685 718150 722213



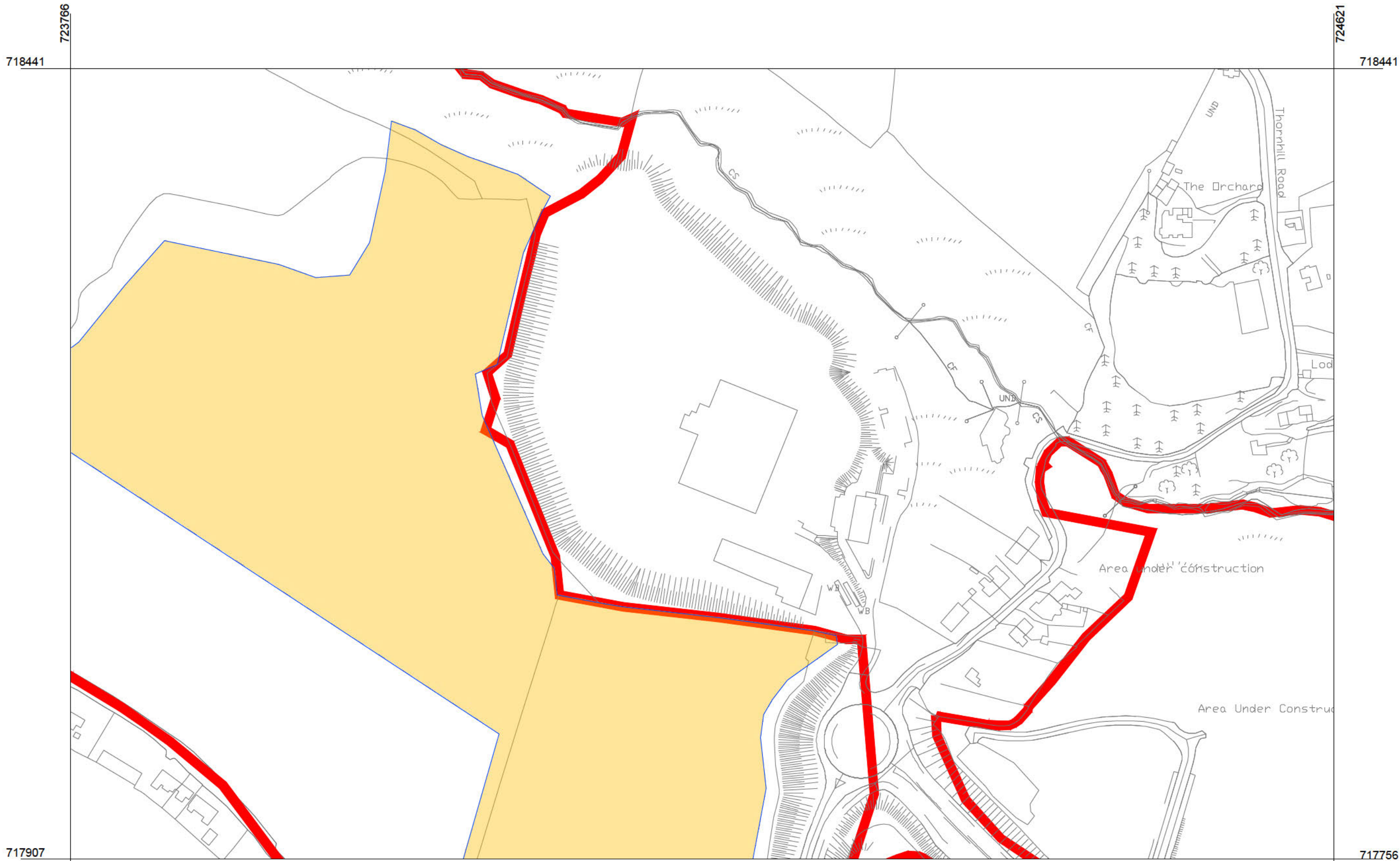
LEGEND	 R-HD ZONE - [REDACTED] LANDS (40.04ha.)
	 R-E ZONE - [REDACTED] LANDS (3.63ha.)
	 OVERALL [REDACTED] LANDS






Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP 2 OF 4
1:2500@ A3



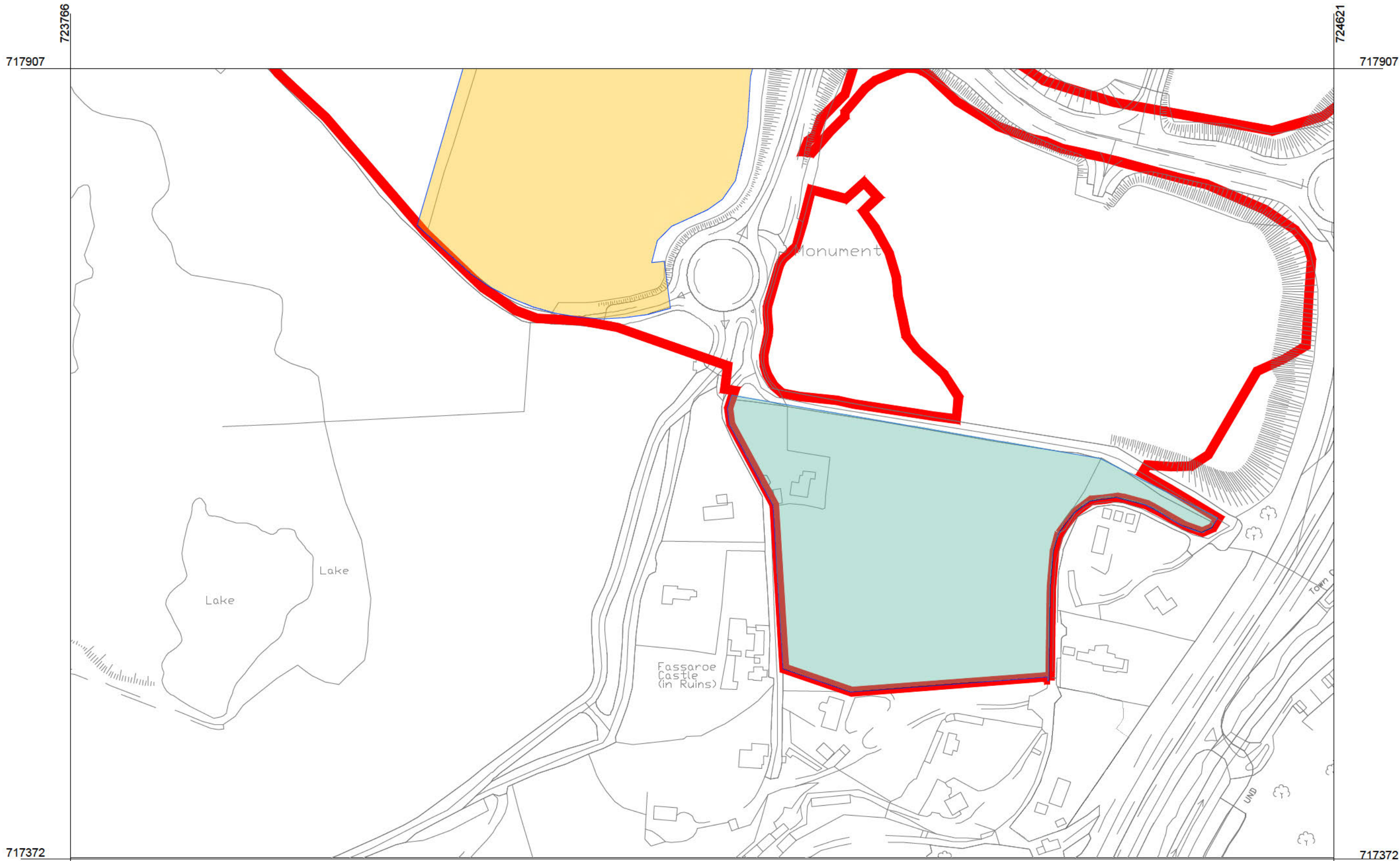
LEGEND	
	R-HD ZONE - [REDACTED] LANDS (40.04ha.)
	R-E ZONE - [REDACTED] LANDS (3.63ha.)
	OVERALL [REDACTED] LANDS






FASSAROE MAP 3 OF 4
1:2500 @ A3

Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer



LEGEND	
	R-HD ZONE - [REDACTED] LANDS (40.04ha.)
	R-E ZONE - [REDACTED] LANDS (3.63ha.)
	OVERALL [REDACTED] LANDS



Reproduced under License
No. CYAL50317410
Copyright Ordnance Survey
Ireland.

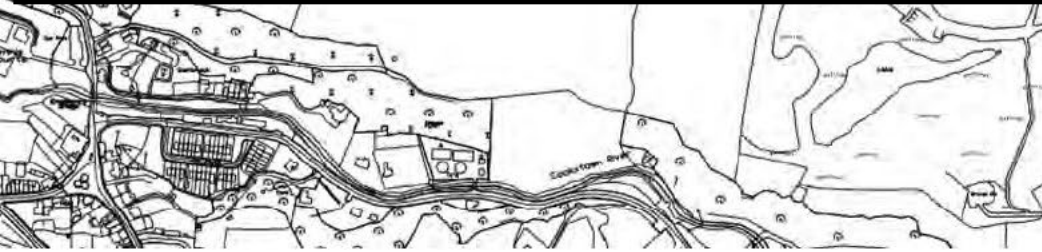
RZLT base map extracted on 2022.12.07 from:
housinggov.ie/maps.arogis.com/apps/webappviewer

FASSAROE MAP 4 OF 4

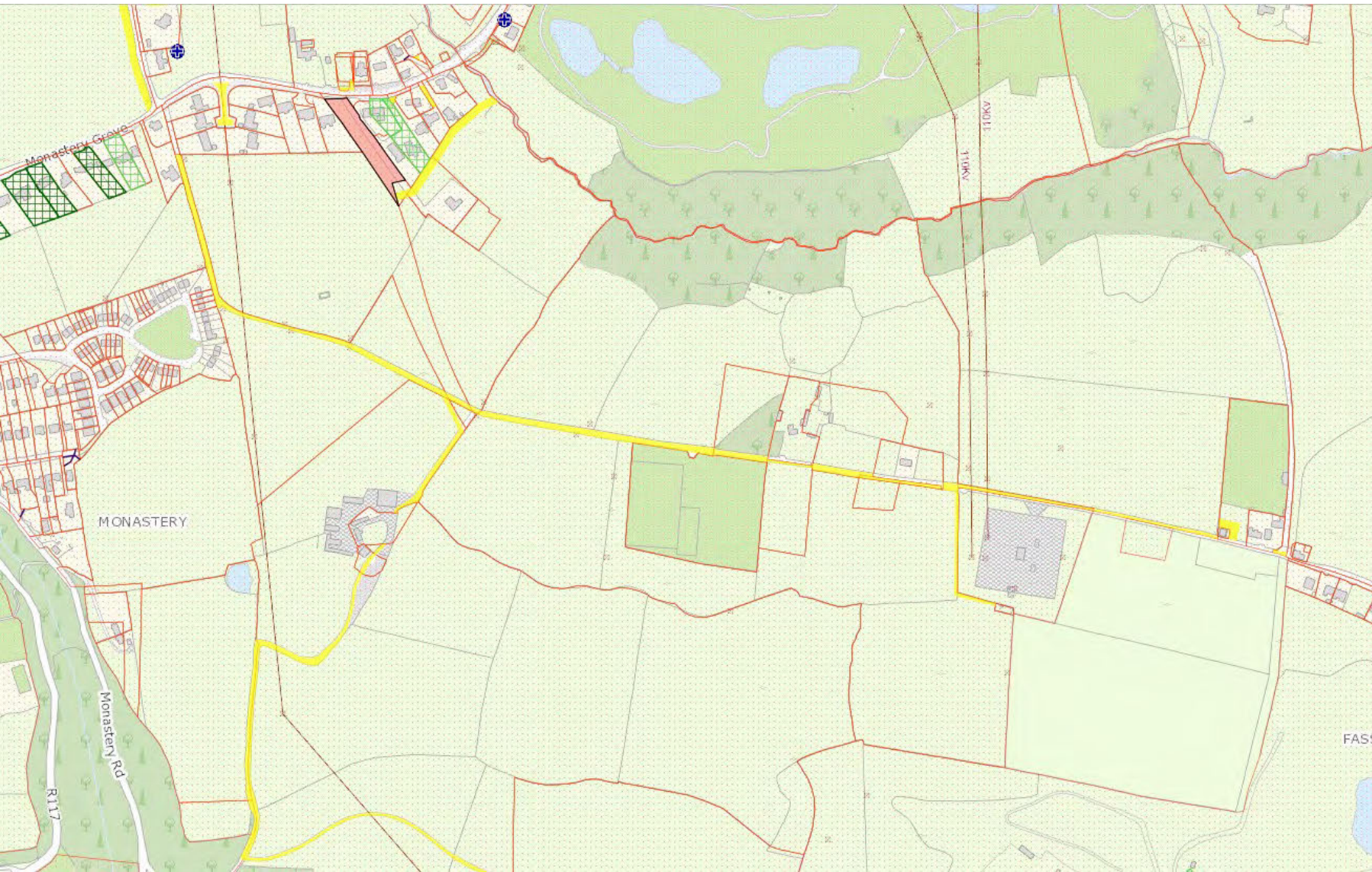
1:2500 @ A3



Explanatory Map for General Location of Folios and Legal Agreements for [REDACTED] Lands at Fassaroe



Folio WW38809F



Property Details

> Back

Folio Number	WW38809F
Title Level	Freehold
Plan Number	DAQ6B
Property Number	2
Area of selected plans	0.32 hectares.
Number of Plans on this folio:	3
Address	Not Available

[Highlight All Plans](#)

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

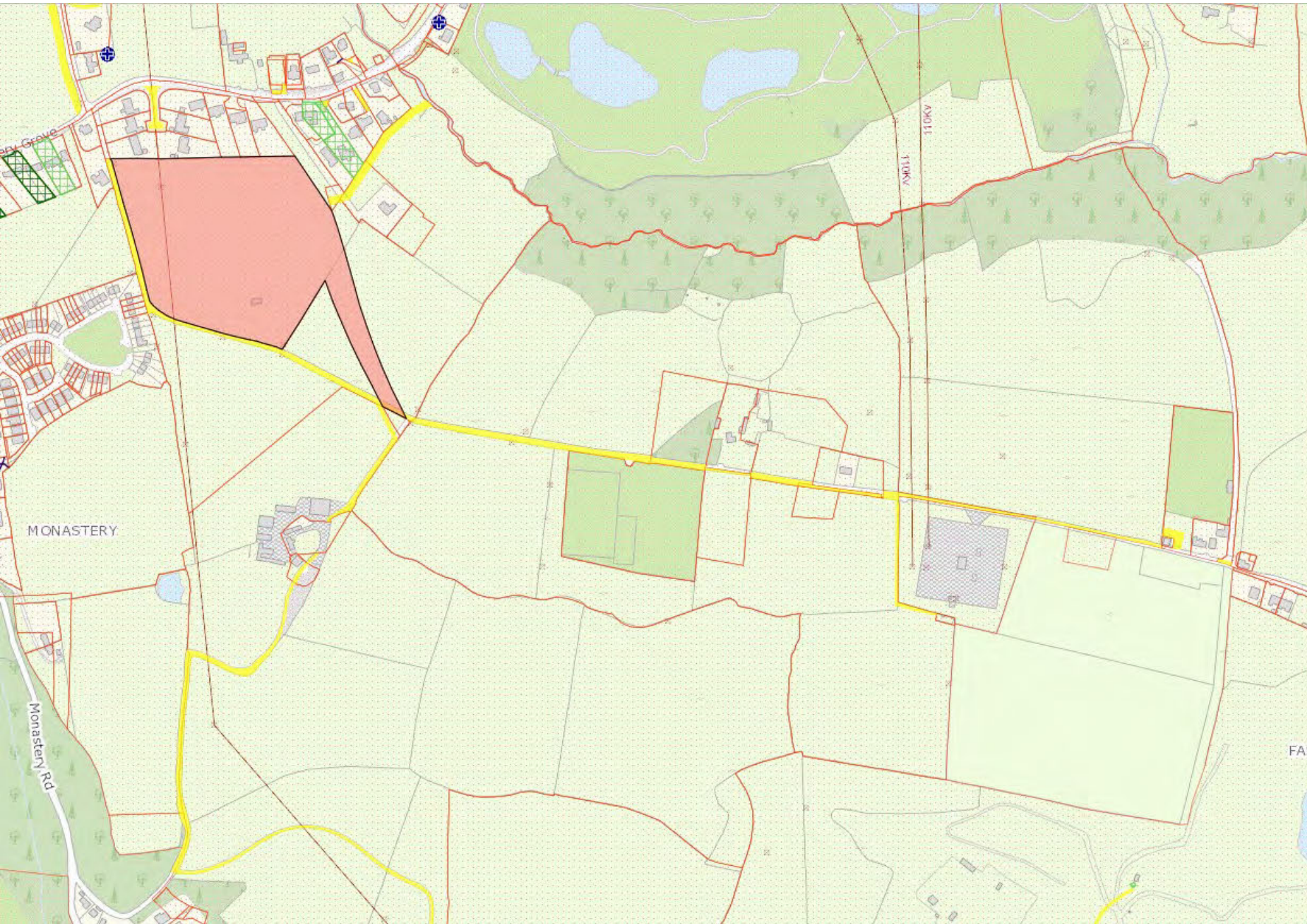
D2020LR138925D	Mapped
D2021LR056910B	Mapped
D2021LR100123Y	Queried
D2021LR137027D	Awaiting Attention

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

Help



> Back

Folio Number WW38809F
Title Level Freehold
Plan Number DAQ51
Property Number 1
Area of selected plans 5.56 hectares.
Number of Plans on this folio: 3
Address Not Available

Highlight All Plans

Add to Basket

Create Alert

The following Applications are Pending on this Folio

D2020LR138925D	Mapped
D2021LR056910B	Mapped
D2021LR100123Y	Queried
D2021LR137027D	Awaiting Attention

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

View Basket

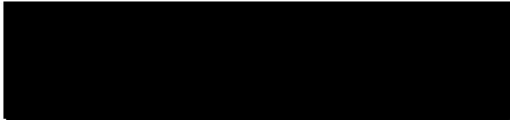
Print Current View

Help



The Property Registration Authority
An tÚdarás Clárúcháin Maoine

Land Registry Sealed and Certified Copy Folio (& Filed Plan)




This page forms part of the official document. Do not detach.

RECEIVED

Folio Number: WW38809F
Application Number: P2020LR044266N
Your Reference: Coj/143/0008

This document comprises an office copy of the Land Registry record for the above mentioned folio/filed plan as of the date appearing.

Details of **dealings pending** (if any) on the enclosed folio/filed plan are listed in the **Schedule** below.


An officer duly authorised by the Property Registration Authority.

Schedule



Notes:

1. Filed plans should be read in conjunction with the Register. The description of the land in the Register or on the filed plan is not conclusive as to the boundaries or extent of the land (see Section 85 of the Registration of Title Act 1964, as substituted by Section 62 of the Registration of Deeds and Title Act, 2006).
2. Filed plans greater than A3 in size may be provided as separate A3 tiles with an overlap and print gutter. When aligning the tiled sheets, customers are advised to use the underlying topographical detail.
3. On receipt of this record, please check to verify that all the details contained therein are correct. If this is not the case, please return the document to the Property Registration Authority immediately.

Land Registry

County Wicklow

Folio 38809F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	Description	Official Notes
1	<p style="text-align: center;">For parts transferred see Part 1(B)</p> <p>The property shown coloured Red as plan(s) DAQ51 on the Registry Map, situate in the Townland of MONASTERY, in the Barony of RATHDOWN, in the Electoral Division of ENNISKERRY.</p> <p>The Registration does not extend to the mines and minerals</p>	From Folio WW37038F
2	<p>The property shown coloured Red as plan(s) DAQ6B on the Registry Map, situate in the Townland of MONASTERY, in the Barony of RATHDOWN, in the Electoral Division of ENNISKERRY.</p> <p>The Registration does not extend to the mines and minerals</p>	From Folio WW24866F

Land Registry

County Wicklow

Folio 38809F

Part 1 (B) - Property
Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:


Land Registry

County Wicklow

Folio 38809F

Part 2 - Ownership

Title ABSOLUTE

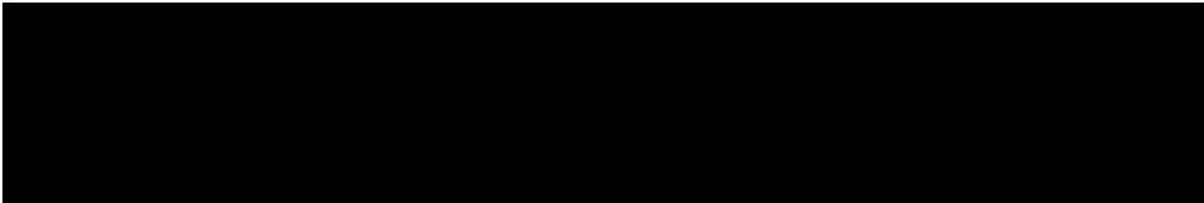
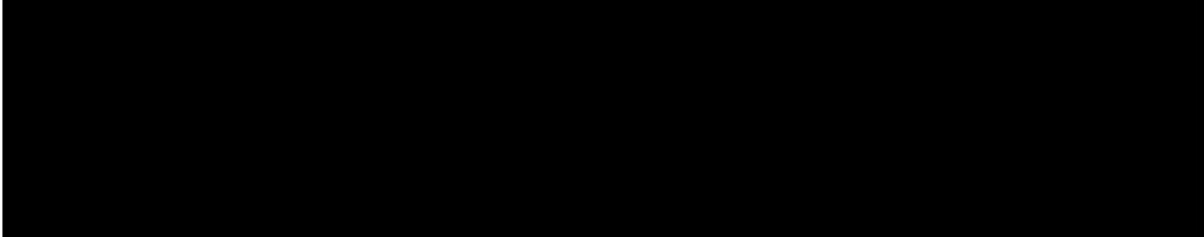

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	

Land Registry

County Wicklow

Folio 38809F

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	
2	
3	



The Property Registration Authority
An tÚdarás
Clárúcháin Maoine
Folio: WW38809F

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see www.prsa.ie.

This map incorporates Ordnance Survey Ireland (OSI) mapping data under a licence from OSI. Copyright © OSI and Government of Ireland.

(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold

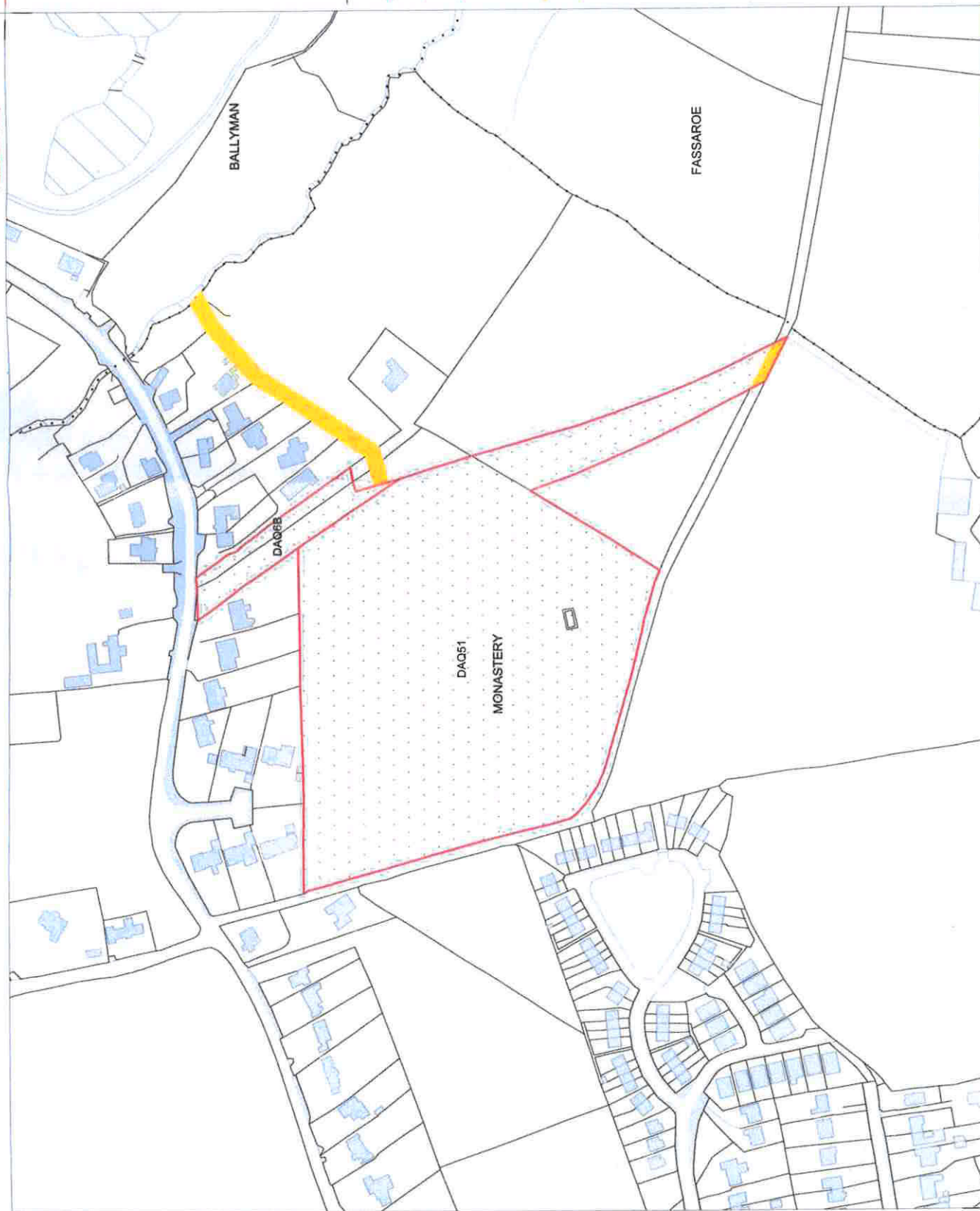
Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit



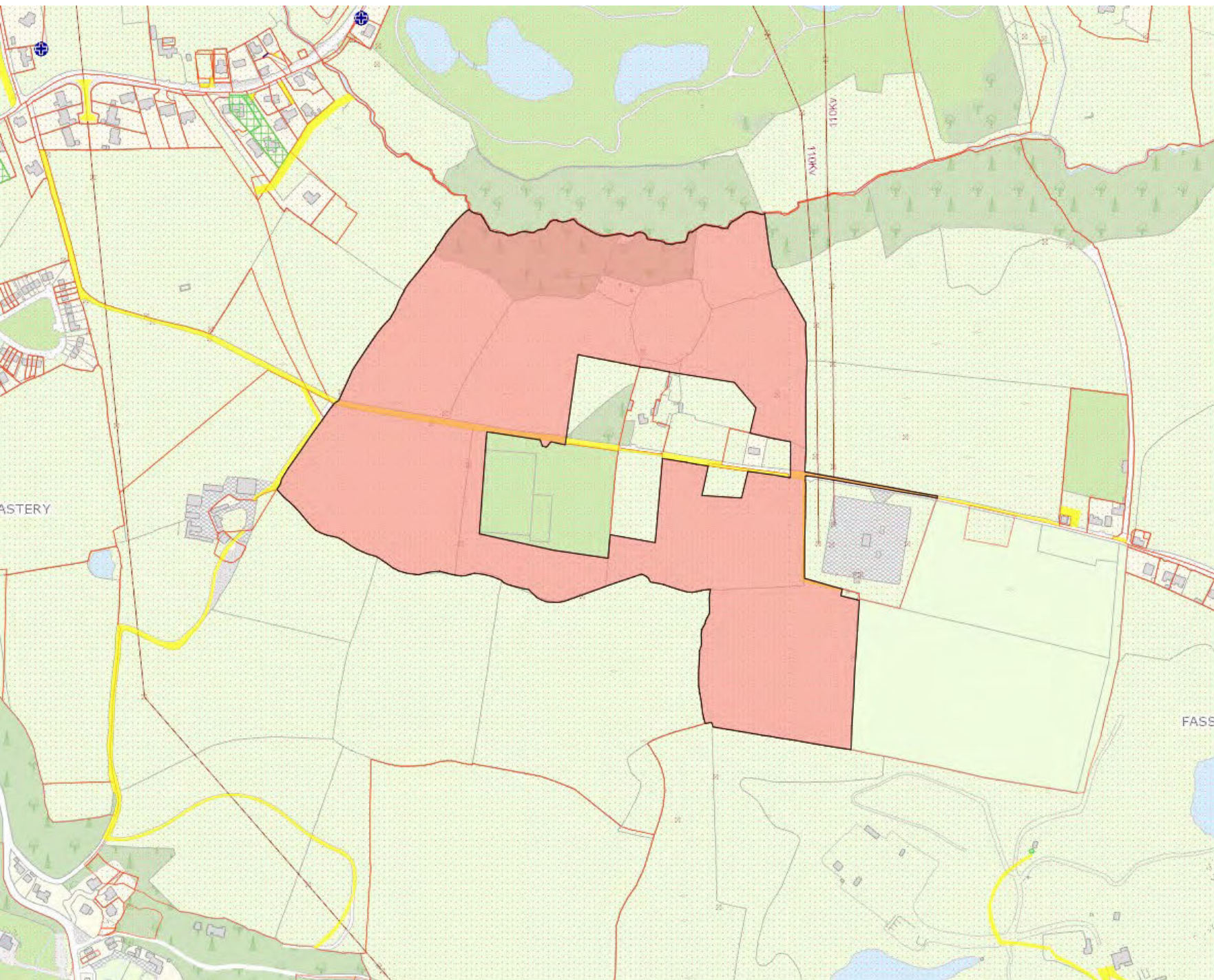
A full list of burdens and their symbology can be found at: www.landdirect.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



1:2500 Scale
Page 5 of 6

Folio WW31574F



Property Details

> Back

Folio Number	WW31574F
Title Level	Freehold
Plan Number	4238
Property Number	2
Area of selected plans	24.16 hectares.
Number of Plans on this folio:	2
Address	Not Available

[Highlight All Plans](#)

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

D2020LR138925D	Mapped
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

Help

Land Registry

County Wicklow

Folio 31574F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent


No.	For parts transferred see Part 1(B) Description	Official Notes
1	The property shown coloured Red as plan(s) 27 on the Registry Map, situate in the Townland of FASSAROE , in the Barony of RATHDOWN , in the Electoral Division of KILMACANOGE . The Registration does not extend to the mines and minerals	From Folio WW10772N
2	The property shown coloured Red as plan(s) 4238 on the Registry Map, situate in the Townland of FASSAROE , known as BERRYFIELD LANE, ENNISKERRY, BRAY , in the Barony of RATHDOWN , in the Electoral Division of KILMACANOGE . The Registration does not extend to the mines and minerals	From Folio WW4238N

Land Registry

County Wicklow

Folio 31574F

Part 1(B) - Property
Parts Transferred

No.	Prop No:	Instrument:	Date:	Area(Hectares):	Plan:	Folio No:
1	2					


Land Registry

County Wicklow

Folio 31574F

Part 2 - Ownership

Title ABSOLUTE

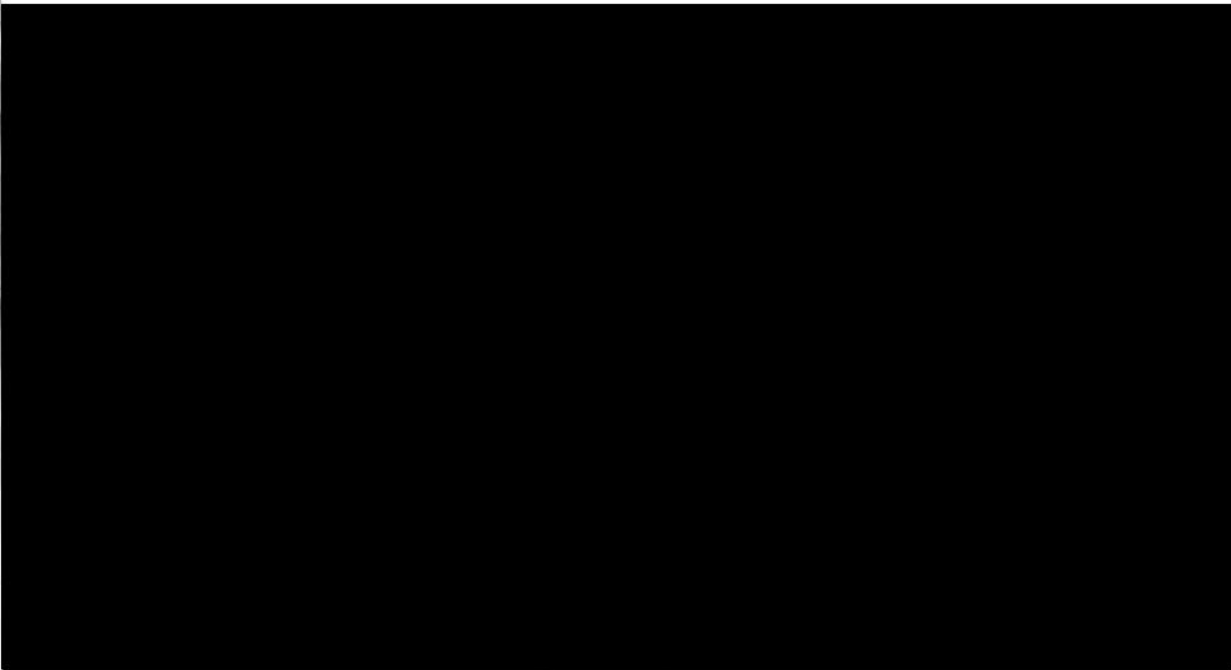


No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	

Land Registry

County Wicklow

Folio 31574F

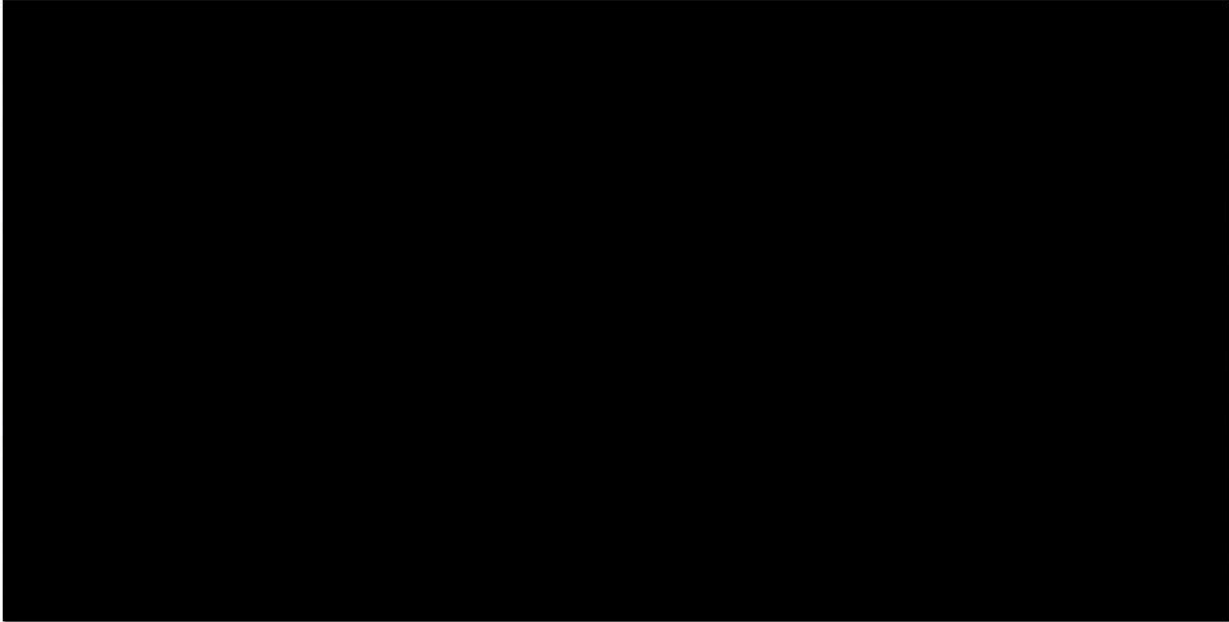
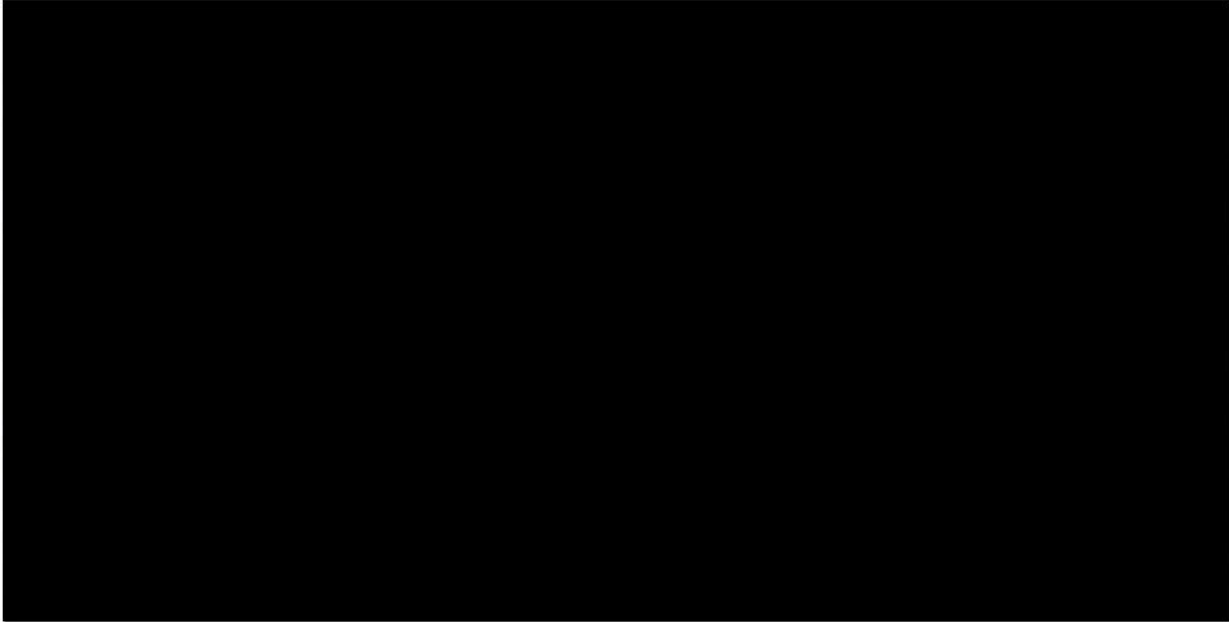
Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	
2	
3	

Land Registry

County Wicklow

Folio 31574F

4	
5	

The Property Registration Authority An tÚdarás Clárúcháin Maoine



Official Property Registration Map

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale accuracy is limited to that of the original OSI Map Scale.

For details of the terms of use, and limitations as to scale, accuracy and other conditions relating to Land Registry Maps, see www.pra.ie.

This map incorporates Ordnance Survey Ireland (OSi) mapping data under a licence from OSi. Copyright © OSi and Government of Ireland.

(centre-line of parcellis; edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(See Section 8(b)(ii) of Registration of Title Act, 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

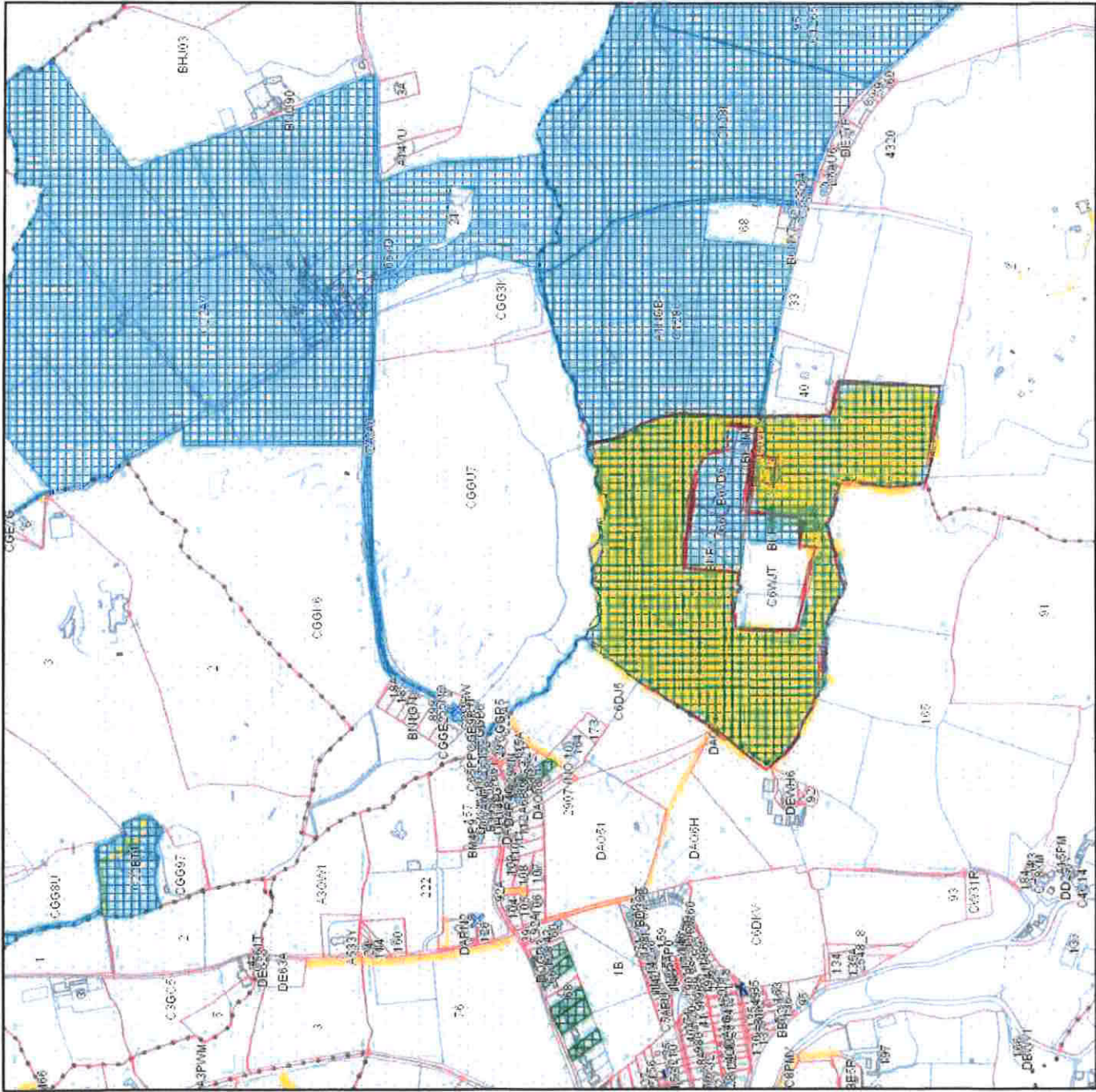
Burdens (may not all be represented on map)

- Right of Way / Wayleave
- Turbary
- Pipeline
- Well
- Pump
- Septic Tank
- Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

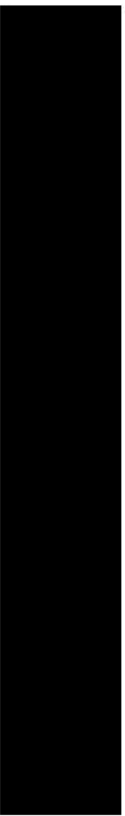
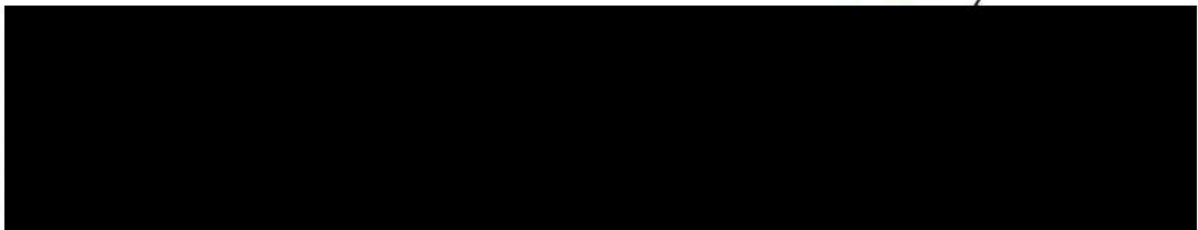
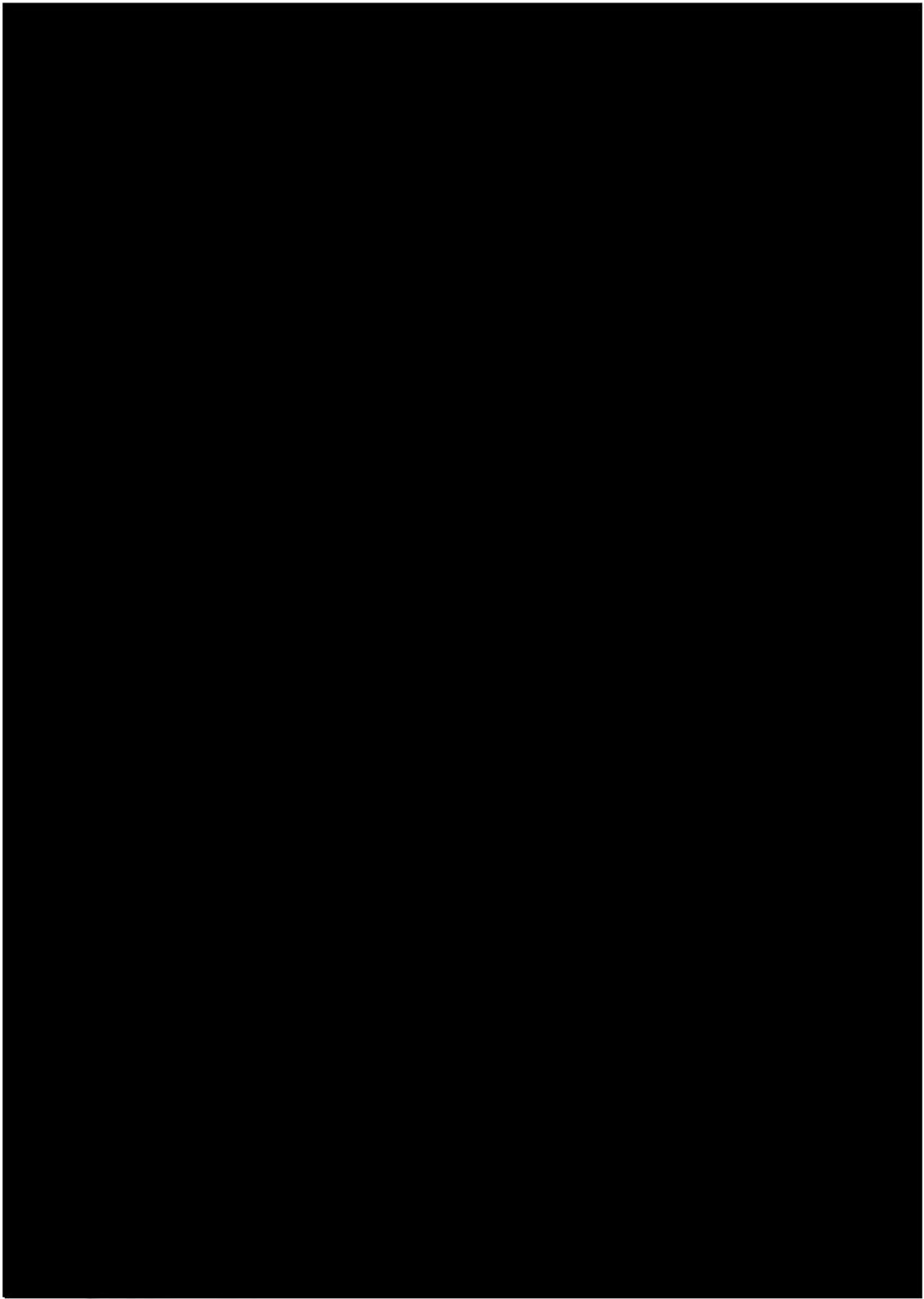
The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent.

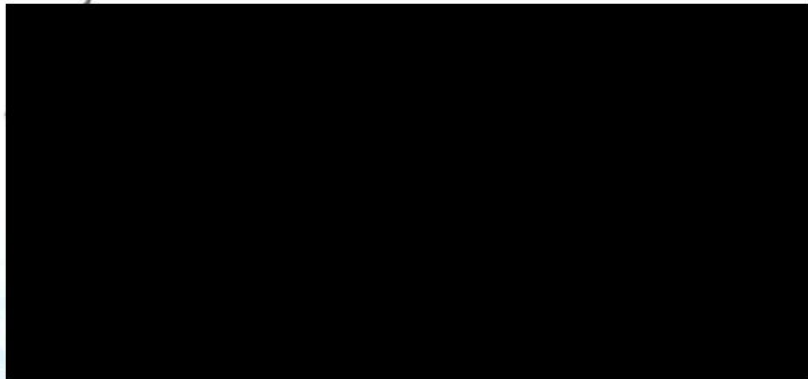
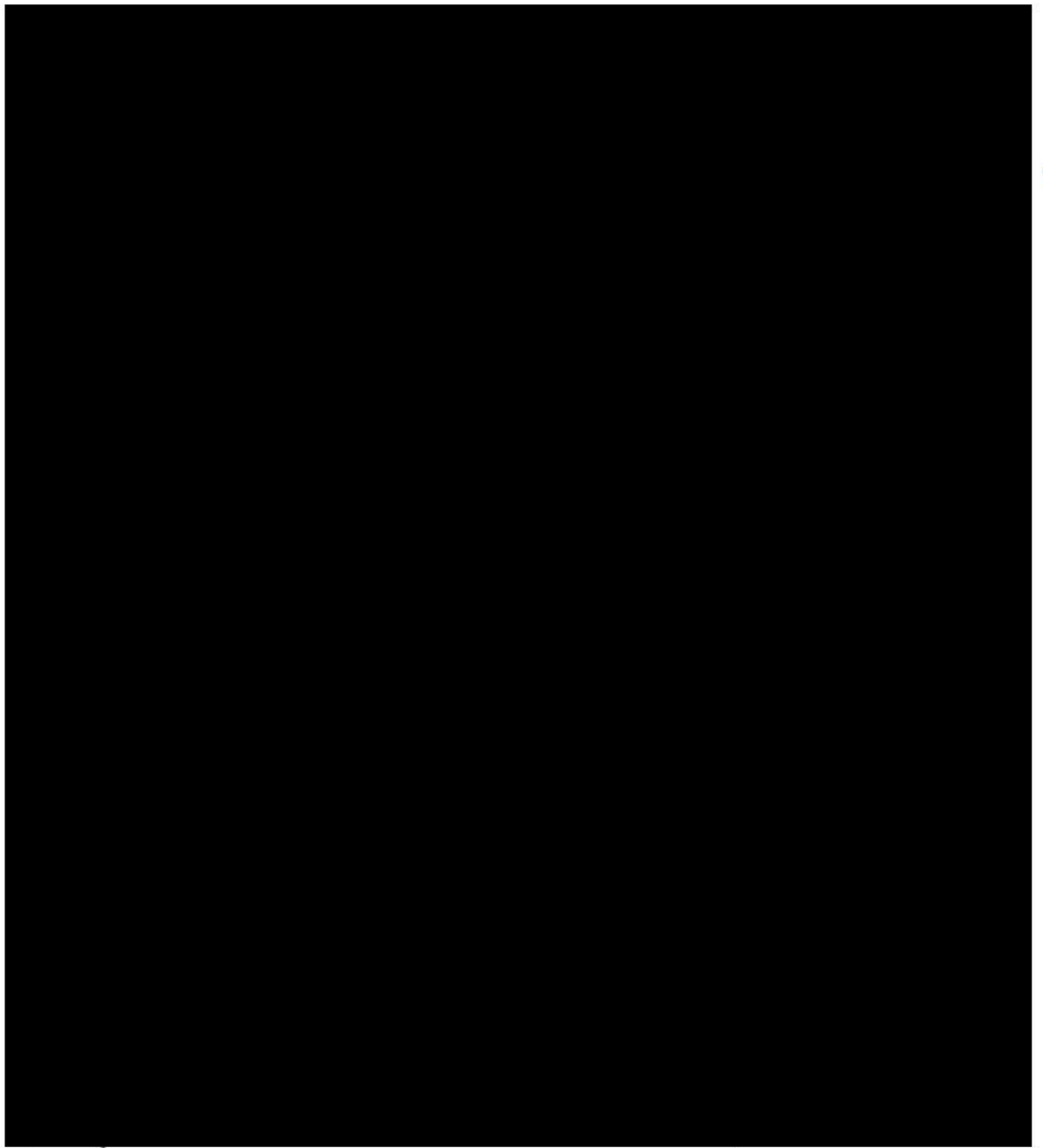
(see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



Former Roe Lands (Strong's Farm)









[Redacted]

[Redacted]

158
→

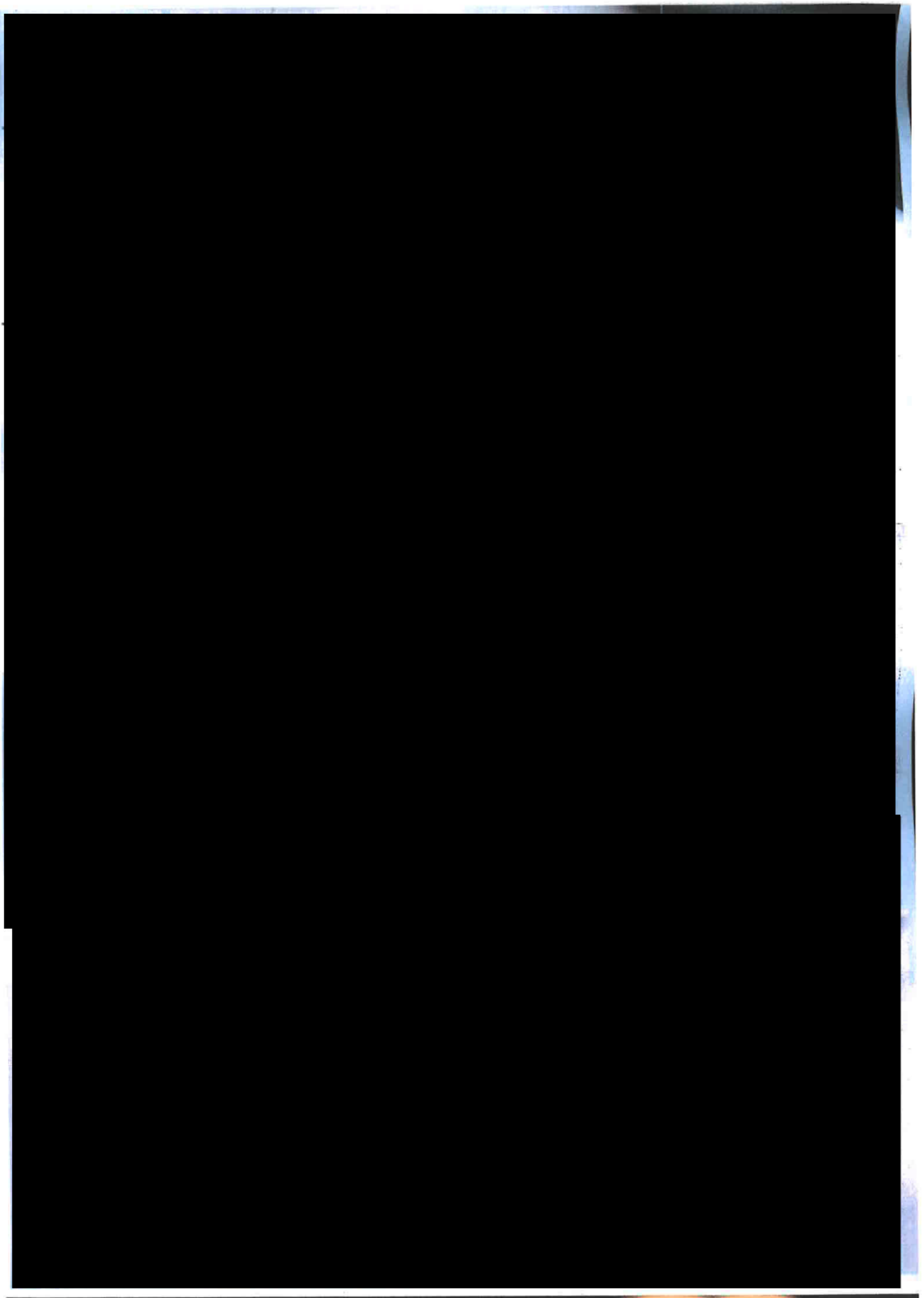
[Redacted]

[Redacted]

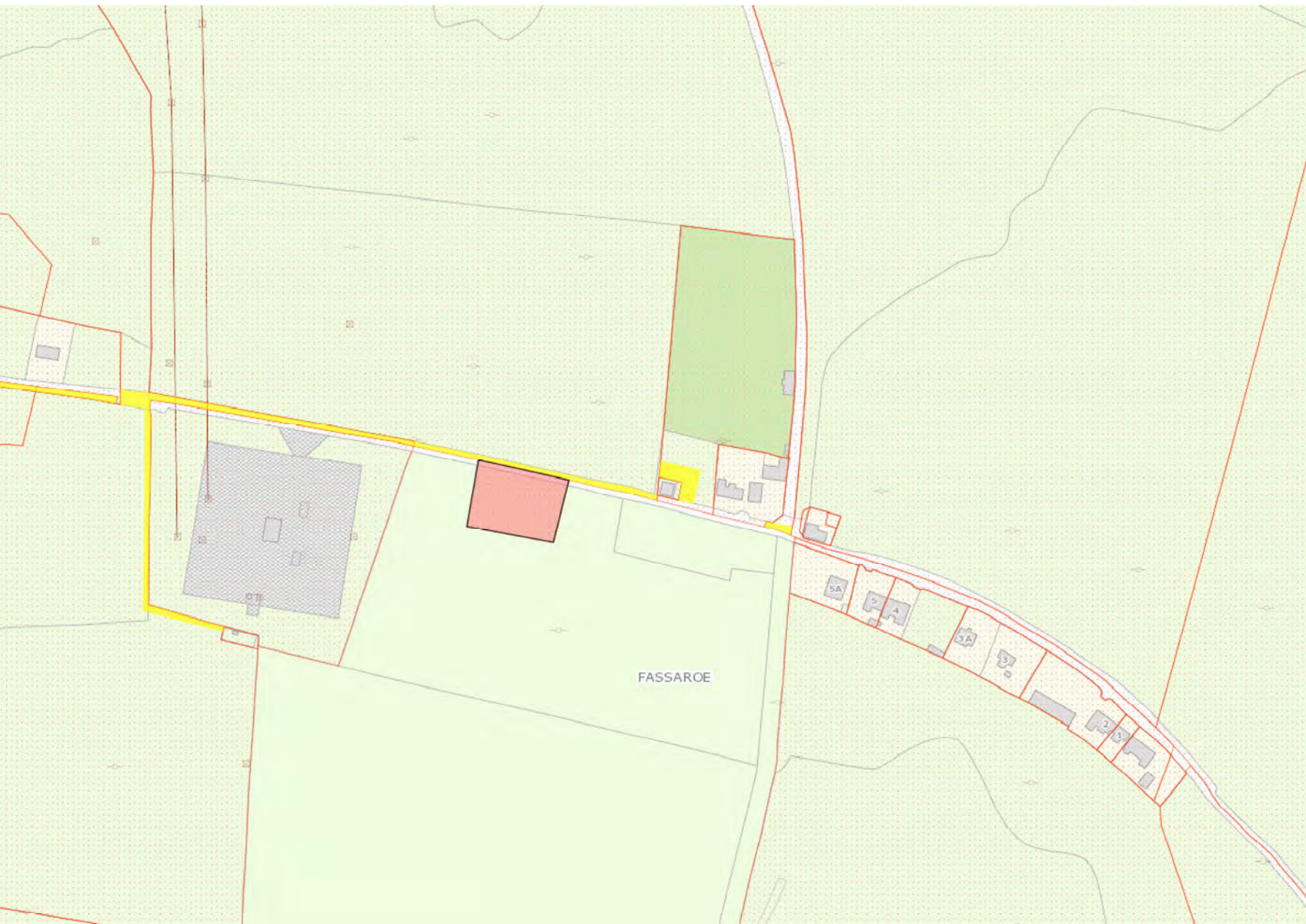
[Redacted]

[Redacted]





Folio WW435F



> Back

Folio Number	WW435F
Title Level	Freehold
Plan Number	33
Property Number	1
Area of selected plans	0.25 hectares.
Number of Plans on this folio:	1
Address	Not Available
<input type="button" value="Add to Basket"/>	
<input type="button" value="Create Alert"/>	

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

Help

Land Registry

County Wicklow

Folio 435F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

For parts transferred see Part 1(B)

No.	Description	Official Notes
1	<p>A plot of ground being part of the Townland of FASSAROE and Barony of RATHDOWN shown as Plan(s) 33 edged RED on the Registry Map (OS MAP Ref(s) 3/16).</p> <p>The Registration does not extend to the mines and minerals</p>	Instrument Q2621/71

Land Registry

County Wicklow

Folio 435F

**Part 1(B) - Property
Parts Transferred**

No.	Prop No:	Instrument:	Date:	Area (Hectares):	Plan:	Folio No:


Land Registry

County Wicklow

Folio 435F

Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	
2	
3	
4	

Land Registry

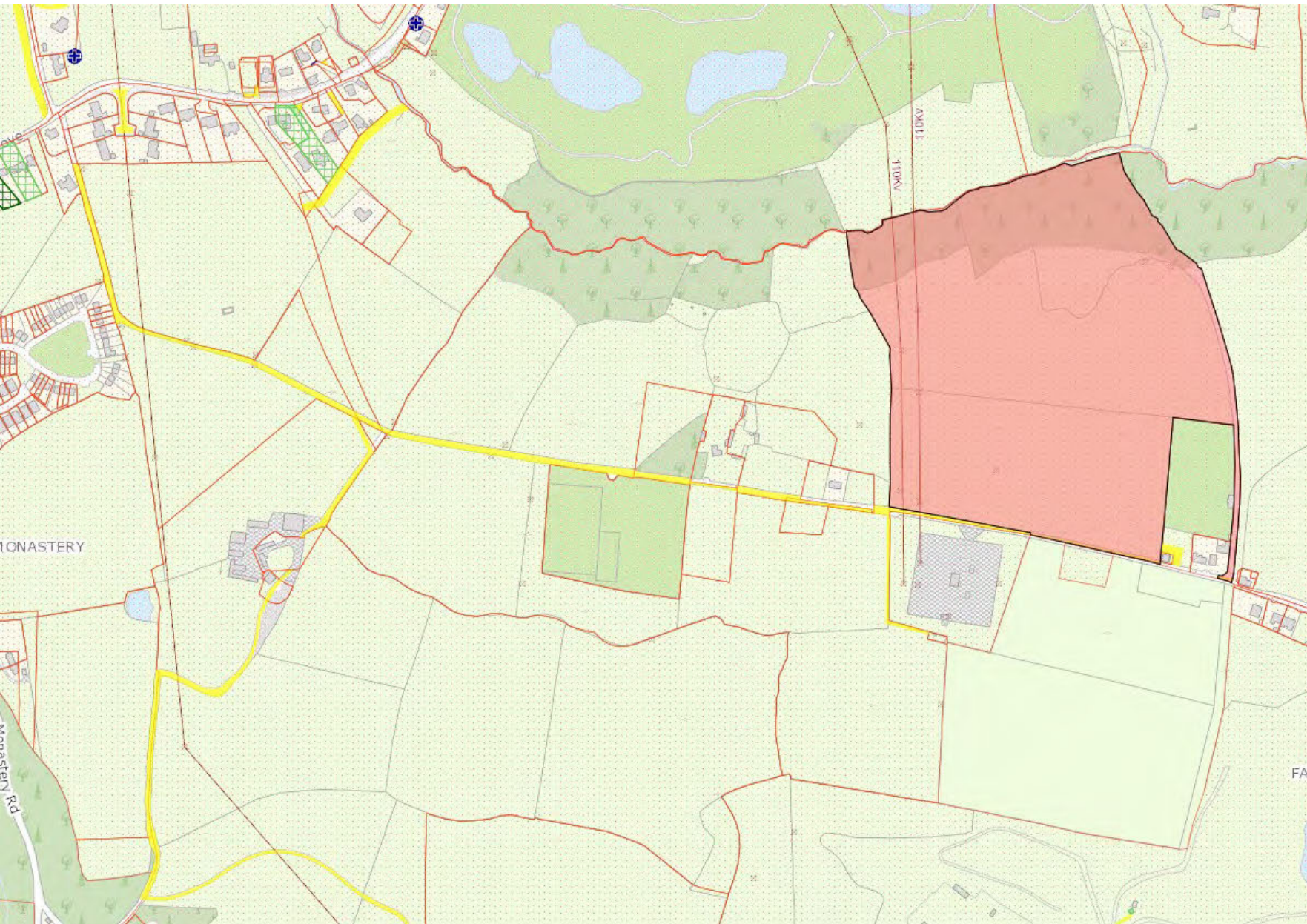
County Wicklow

Folio 435F

Part 3 - Burdens and Notices of Burdens

No.	Particulars

Folio WW21286F



Property Details

> Back

Folio Number	WW21286F
Title Level	Freehold
Plan Number	A1NGB
Property Number	1
Area of selected plans	16.02 hectares.
Number of Plans on this folio:	1
Address	Not Available

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

D2020LR138925D	Mapped
D2021LR016056K	Awaiting Attention
D2021LR028030P	Awaiting Attention
D2021LR034116G	Awaiting Attention
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

Help

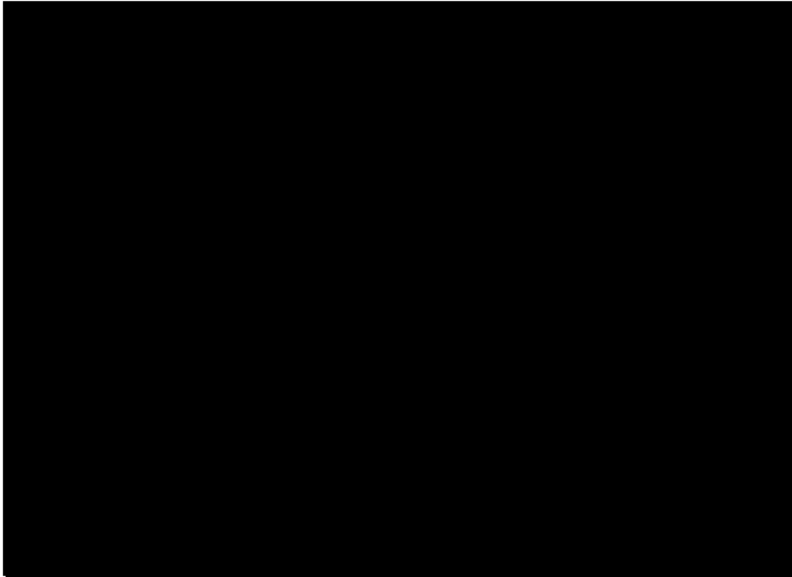
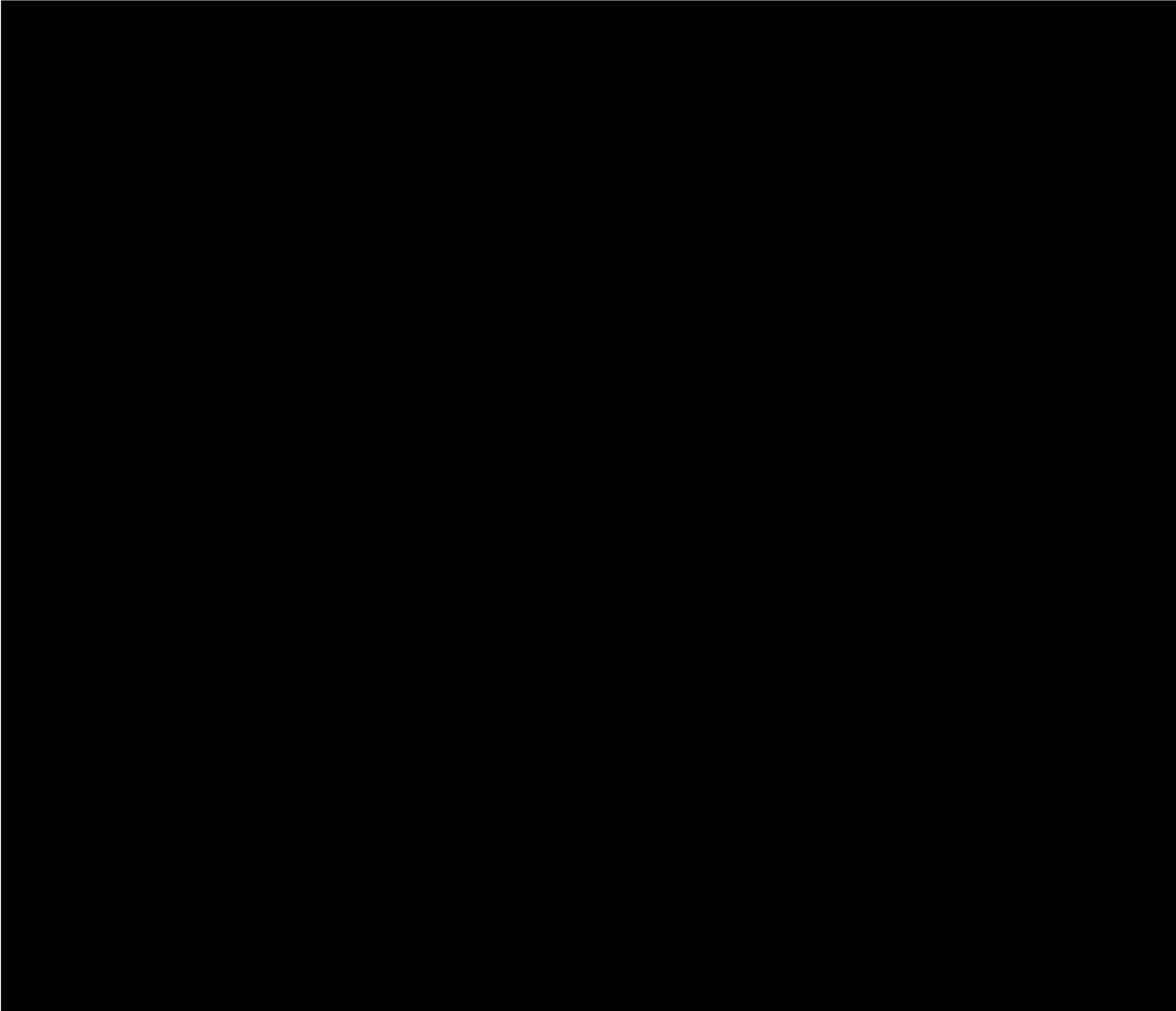


PROPERTY REGISTRATION AUTHORITY

COUNTY WICKLOW

FOLIO WW21286F



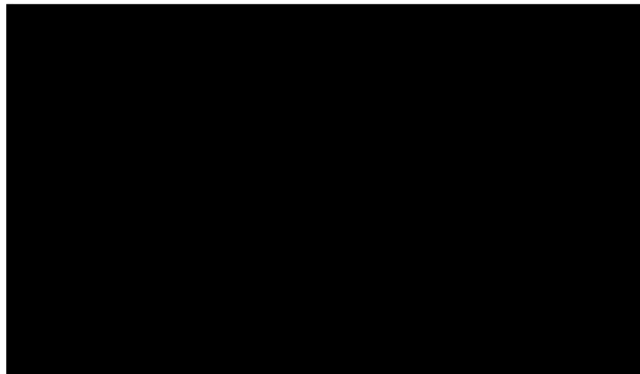


PROPERTY REGISTRATION AUTHORITY

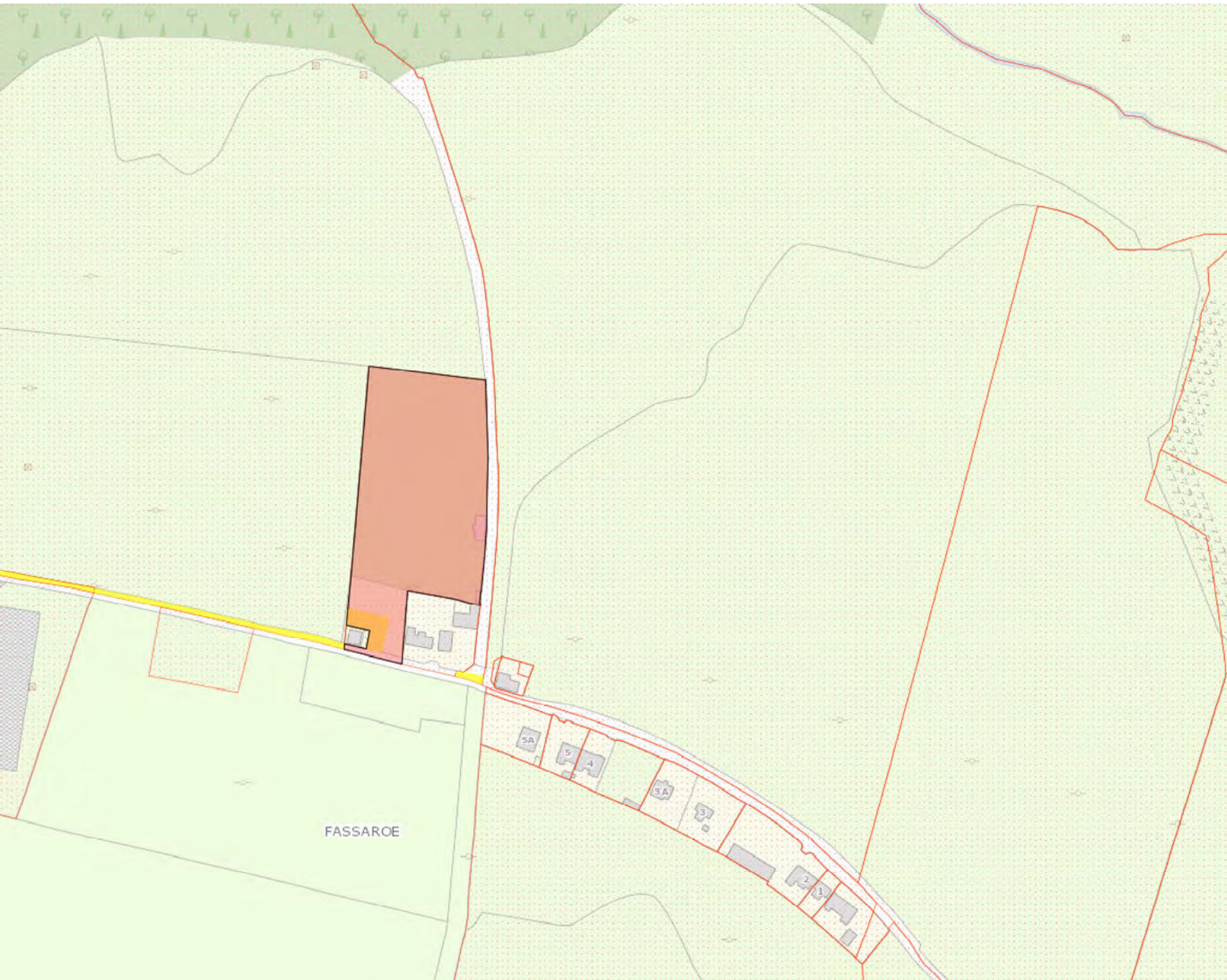
COUNTY WICKLOW

FOLIOS WW21286F

TRANSFER



Folio WW14823F



Property Details

> Back

Folio Number	WW14823F
Title Level	Freehold
Plan Number	68
Property Number	1
Area of selected plans	1.24 hectares.
Number of Plans on this folio:	1
Address	Not Available

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

D2020LR138925D	Mapped
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

Help

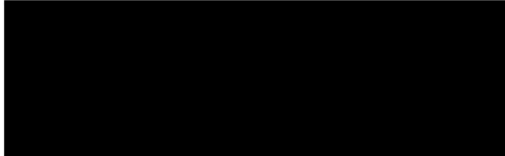
RECEIVED

11 AUG 2020



The Property Registration Authority
An tÚdarás Clárúcháin Maoine

Land Registry Sealed and Certified Copy Folio (& Filed Plan)



This page forms part of the official document. Do not detach.

Folio Number: WW14823F
Application Number: P2020LR056463H
Your Reference: Coj134/0008

This document comprises an office copy of the Land Registry record for the above mentioned folio/filed plan as of the date appearing.

Details of **dealings pending** (if any) on the enclosed folio/filed plan are listed in the **Schedule** below.

An officer duly authorised by the Property Registration Authority.



Schedule

Notes:

1. Filed plans should be read in conjunction with the Register. The description of the land in the Register or on the filed plan is not conclusive as to the boundaries or extent of the land (see Section 85 of the Registration of Title Act 1964, as substituted by Section 62 of the Registration of Deeds and Title Act, 2006).
2. Filed plans greater than A3 in size may be provided as separate A3 tiles with an overlap and print gutter. When aligning the tiled sheets, customers are advised to use the underlying topographical detail.
3. On receipt of this record, please check to verify that all the details contained therein are correct. If this is not the case, please return the document to the Property Registration Authority immediately.

Folio Number: WW14823F
Date Printed: 07/08/2020

Application Number: P2020LR056463H
Page 1 of 6

Land Registry

County Wicklow

Folio 14823F

Register of Ownership of Freehold Land

Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>The property shown coloured RED as Plan(s) 68 on the Registry Map, containing 1.12 Hectares, situate in the Townland of FASSAROE, in the Barony of RATHDOWN, in the Electoral Division of KILMACANOGE.</p> <p>The registration does not extend to the mines and minerals.</p>	From Folio WW4238

Land Registry

County Wicklow

Folio 14823F

Part 1(B) - Property
Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares):	Plan:	Folio No:
1	1	[REDACTED]				

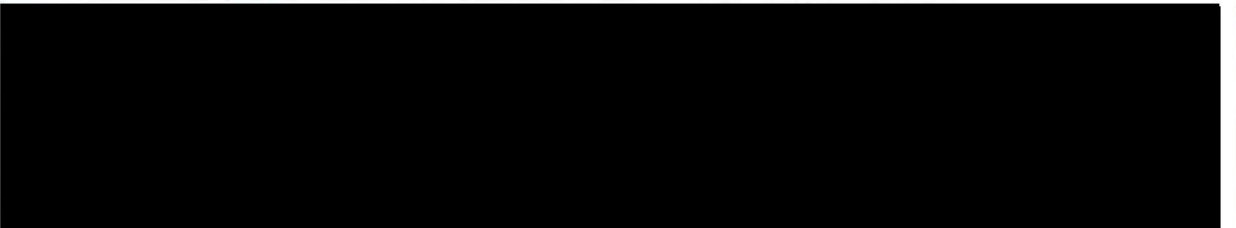

Land Registry

County Wicklow

Folio 14823F

Part 2 - Ownership

Title ABSOLUTE

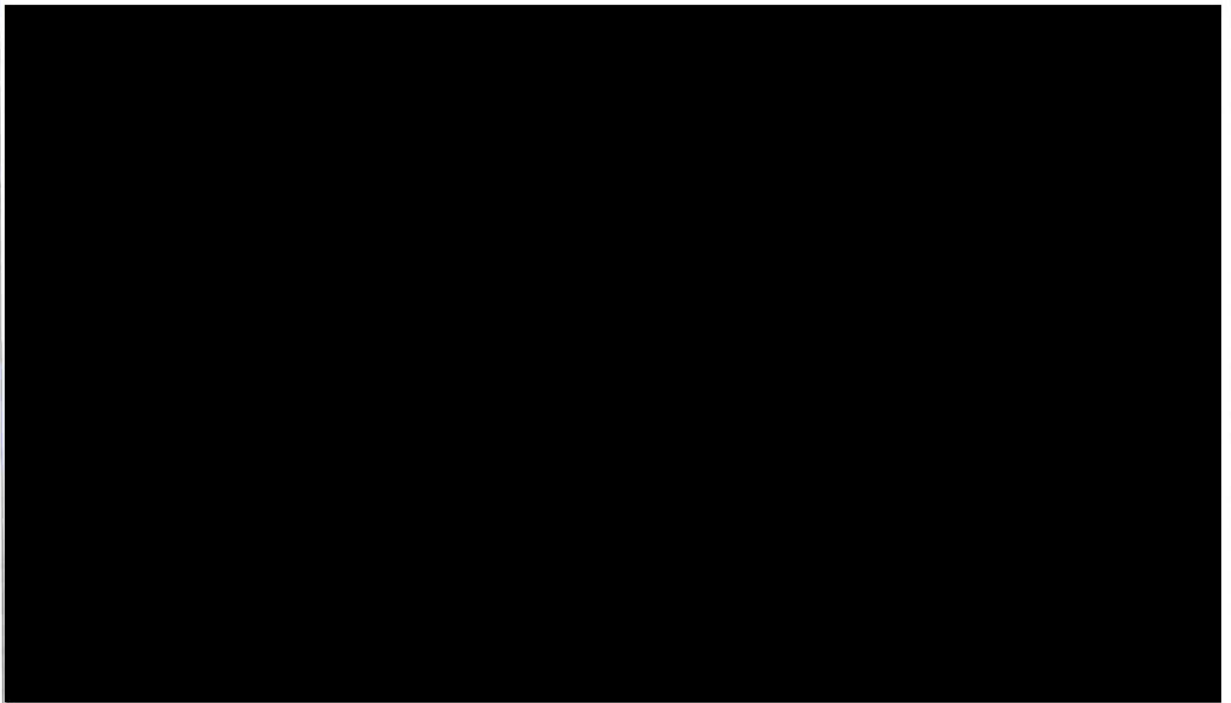
No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965
1	
2	

Land Registry

County Wicklow

Folio 14823F

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	
2	
3	
4	



The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine

Folio: WW14823F




This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see www.prsa.ie.

This map incorporates Ordnance Survey Ireland (OSI) mapping data under a licence from OSI. Copyright © OSI and Government of Ireland.

(centre-line of parcel(s) edged)

-  Freehold
-  Leasehold
-  SubLeasehold

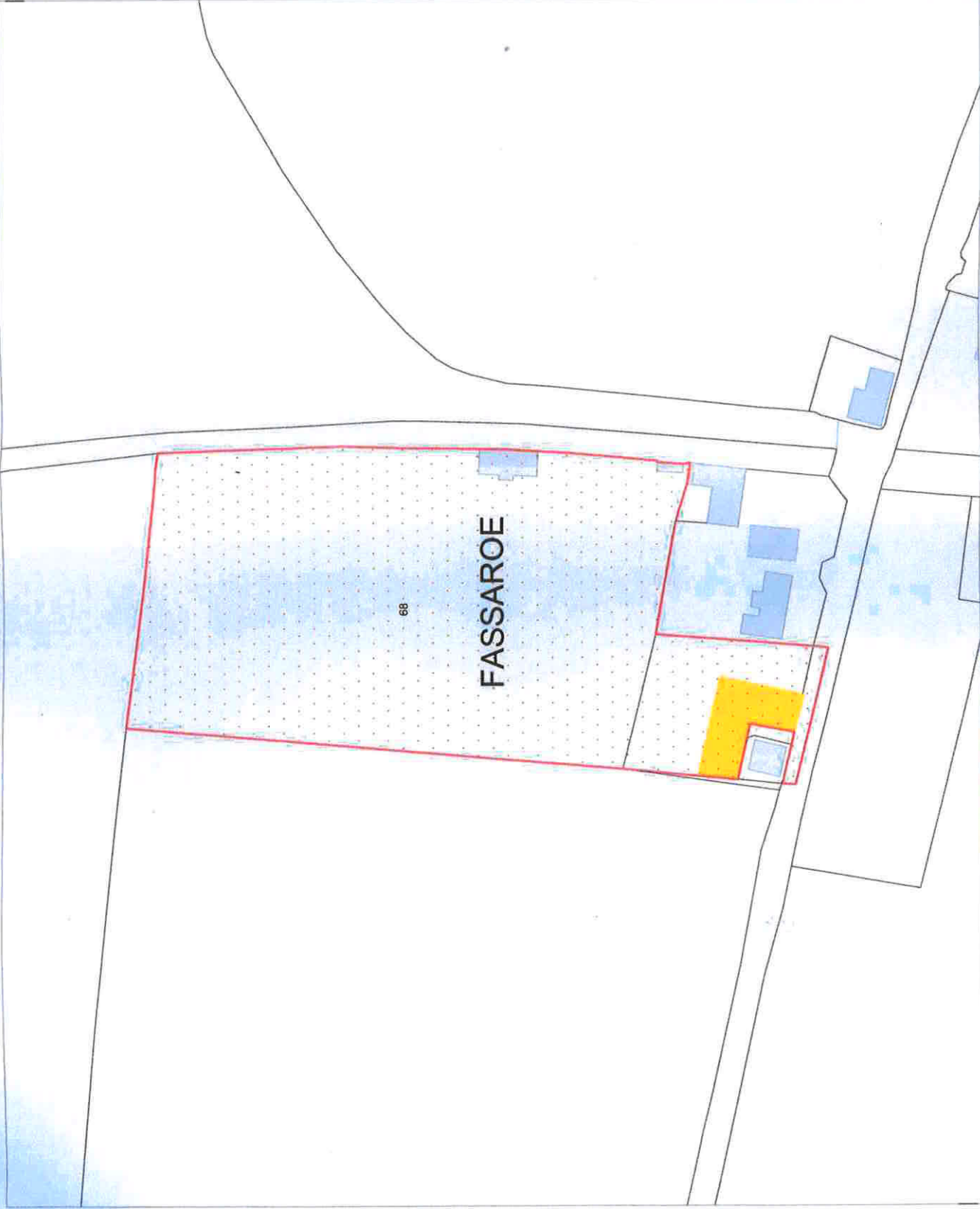
Burdens (may not all be represented on map)

-  Right of Way / Wayleave
-  Turbary
-  Pipeline
-  Well
-  Pump
-  Septic Tank
-  Soak Pit



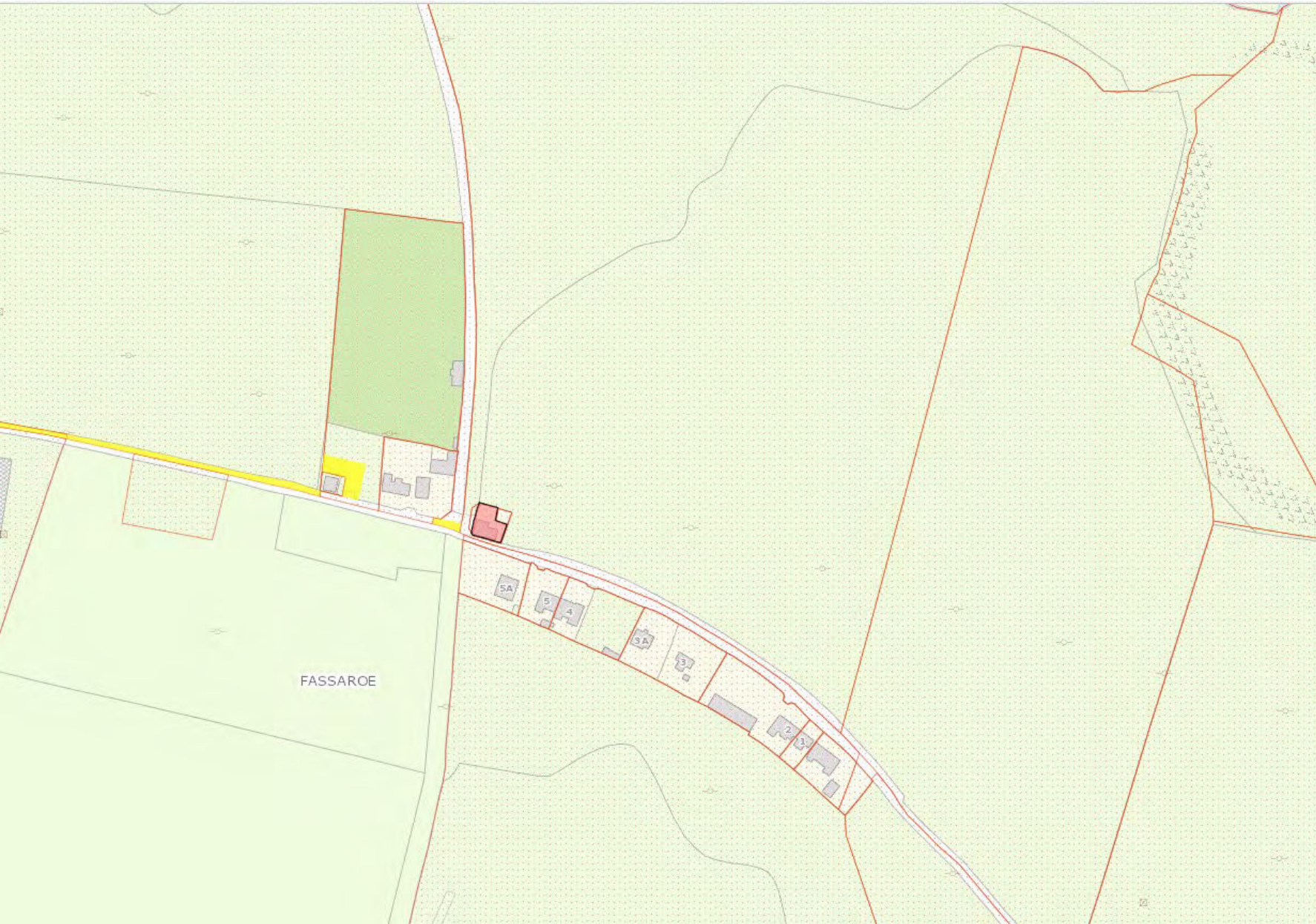
A full list of burdens and their symbology can be found at: www.landdirect.ie

The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



1:1000 Scale

Folios WW7173F and WW8686F



Property Details

> Back

Folio Number	WW7173F
Title Level	Freehold
Plan Number	51
Property Number	1
Area of selected plans	Not available.
Number of Plans on this folio:	1
Address	Kimberley Cottage, Berryfield Lane, Fassaroe, Bray, Co. Wicklow, A98 VY68

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

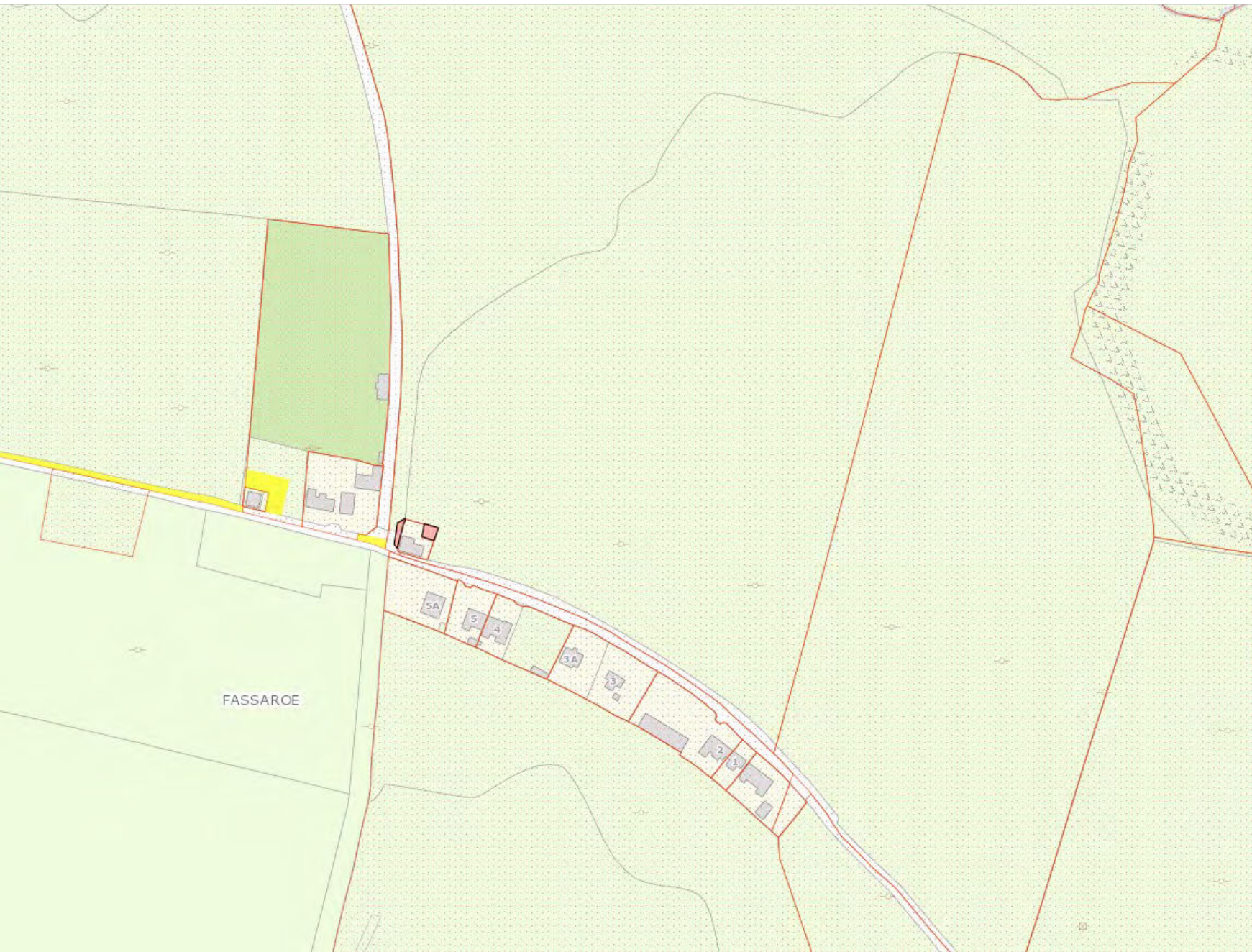
D2020LR138925D	Mapped
D2021LR016160J	Awaiting Attention
D2021LR028126X	Awaiting Attention
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

[Help](#)



Property Details

> Back

Folio Number	WW8686F
Title Level	Freehold
Plan Number	52
Property Number	1
Area of selected plans	Not available.
Number of Plans on this folio:	2
Address	Not Available

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

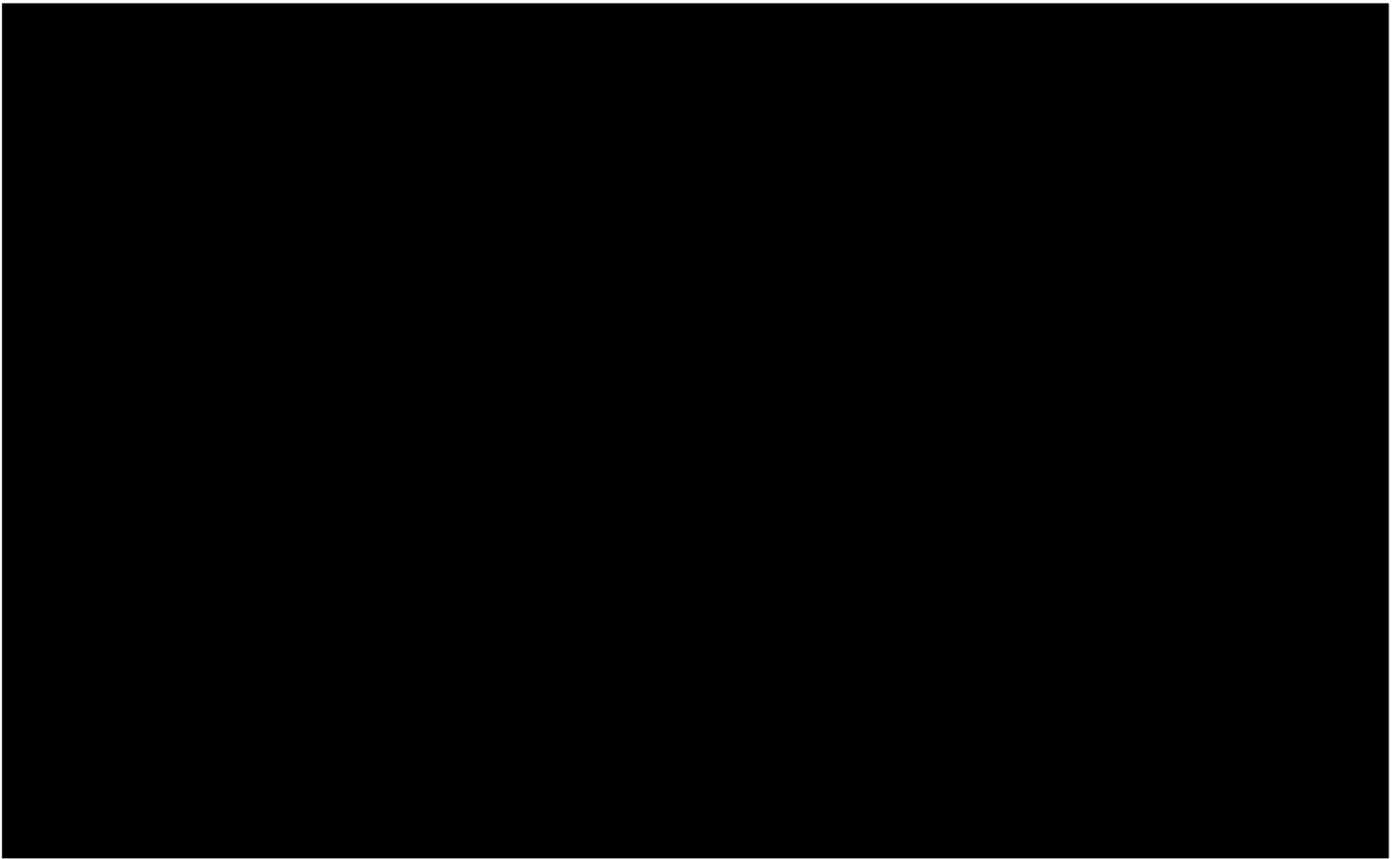
D2020LR138925D	Mapped
D2021LR016160J	Awaiting Attention
D2021LR028126X	Awaiting Attention
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

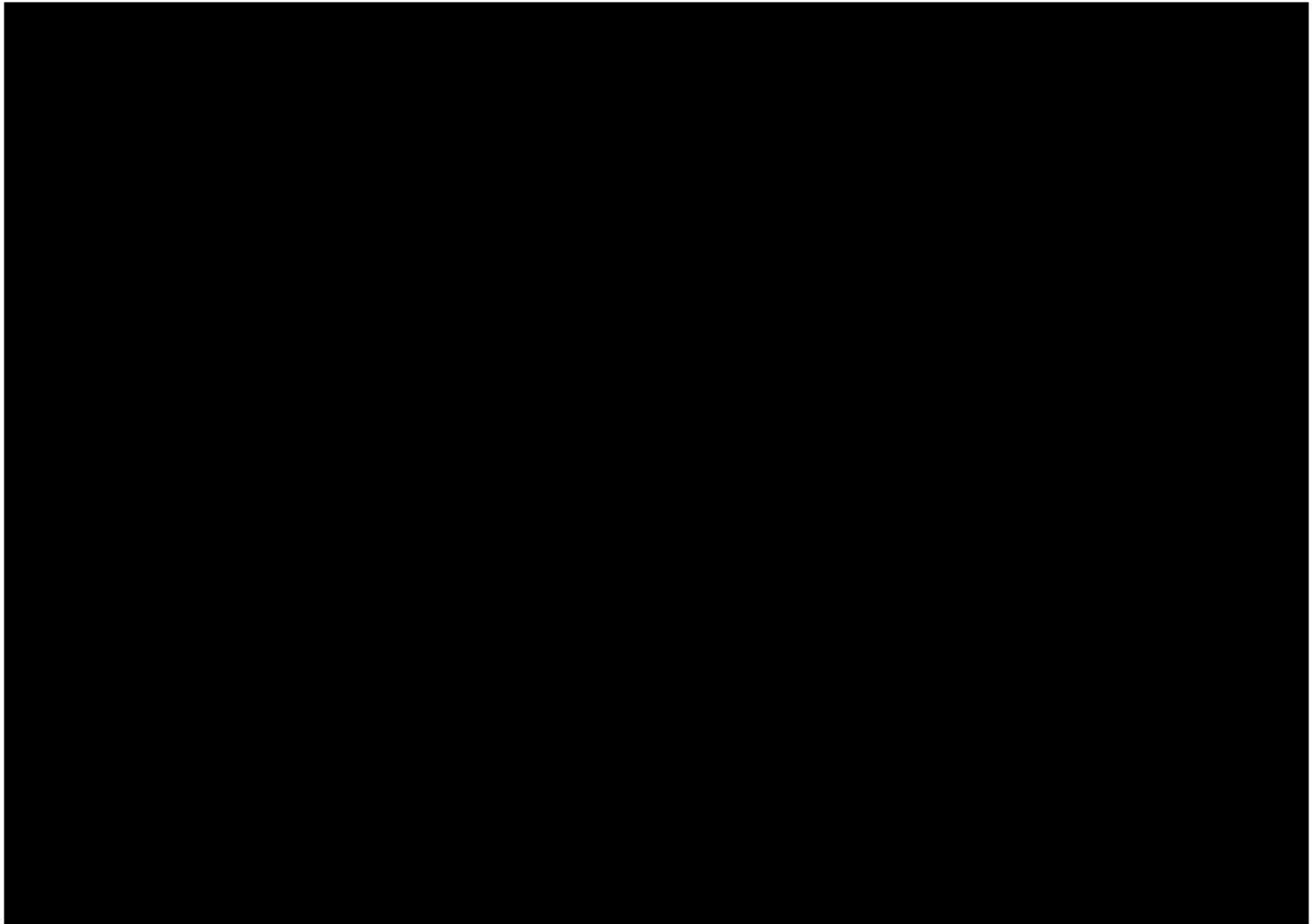
Help

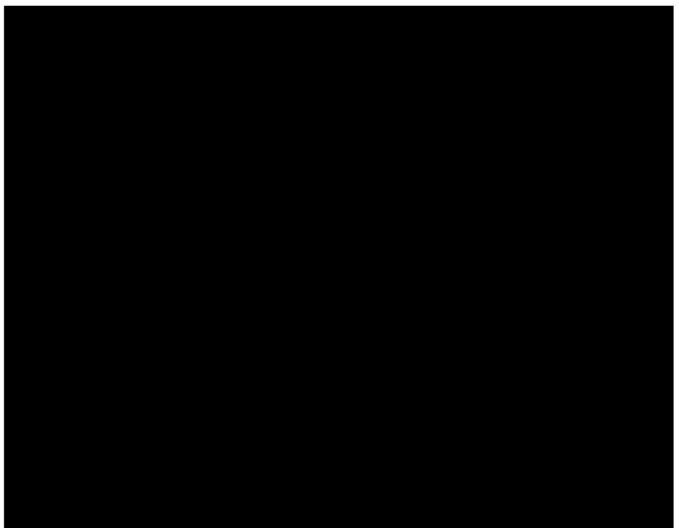
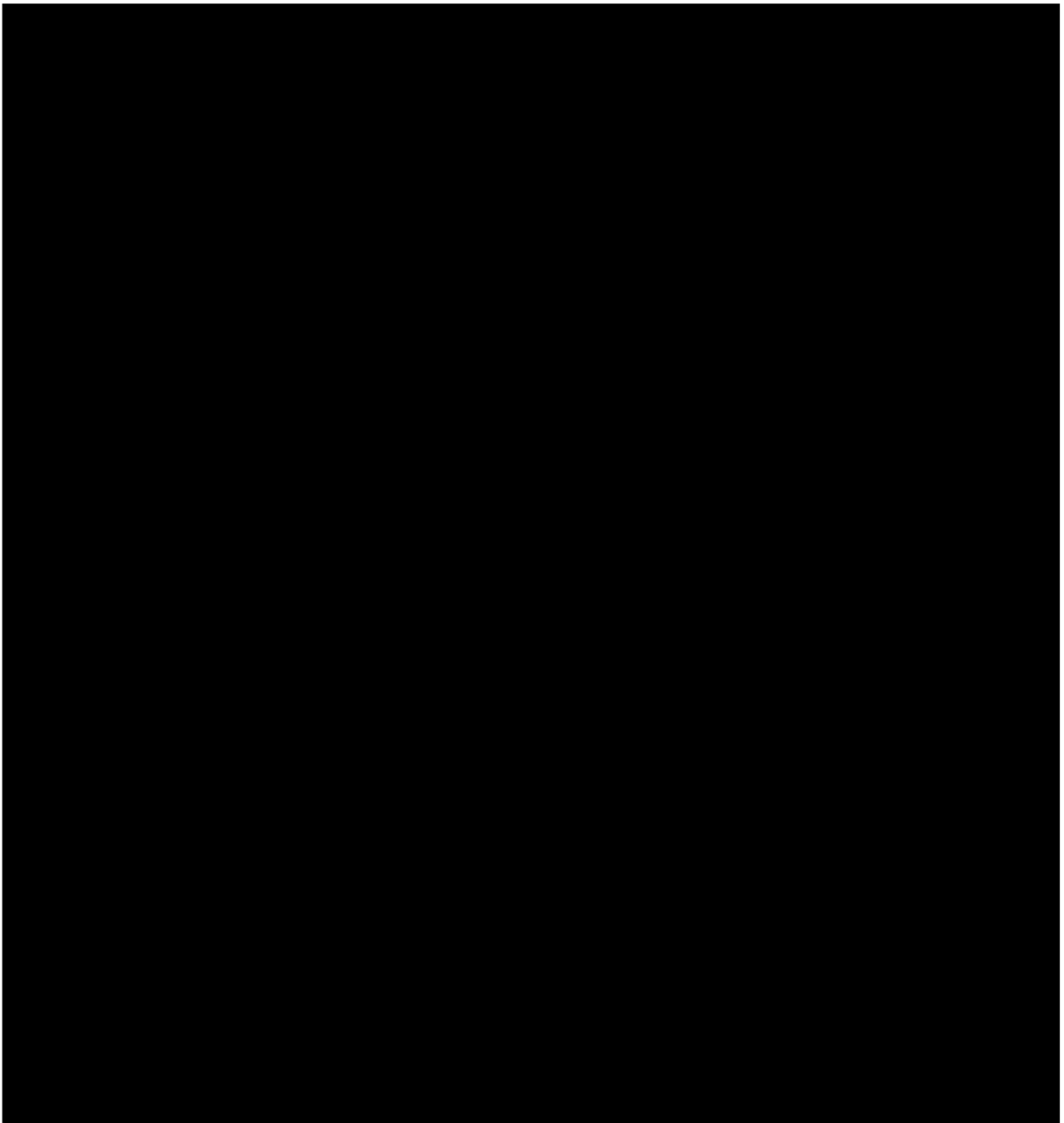


PROPERTY REGISTRATION AUTHORITY

COUNTY WICKLOW

FOLIO 7173F & 8686F



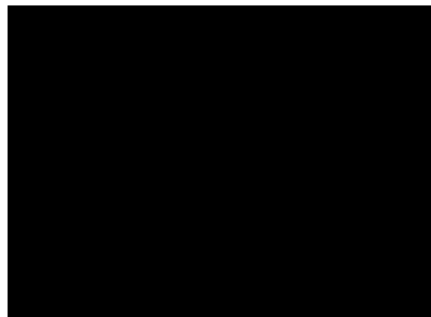


PROPERTY REGISTRATION AUTHORITY

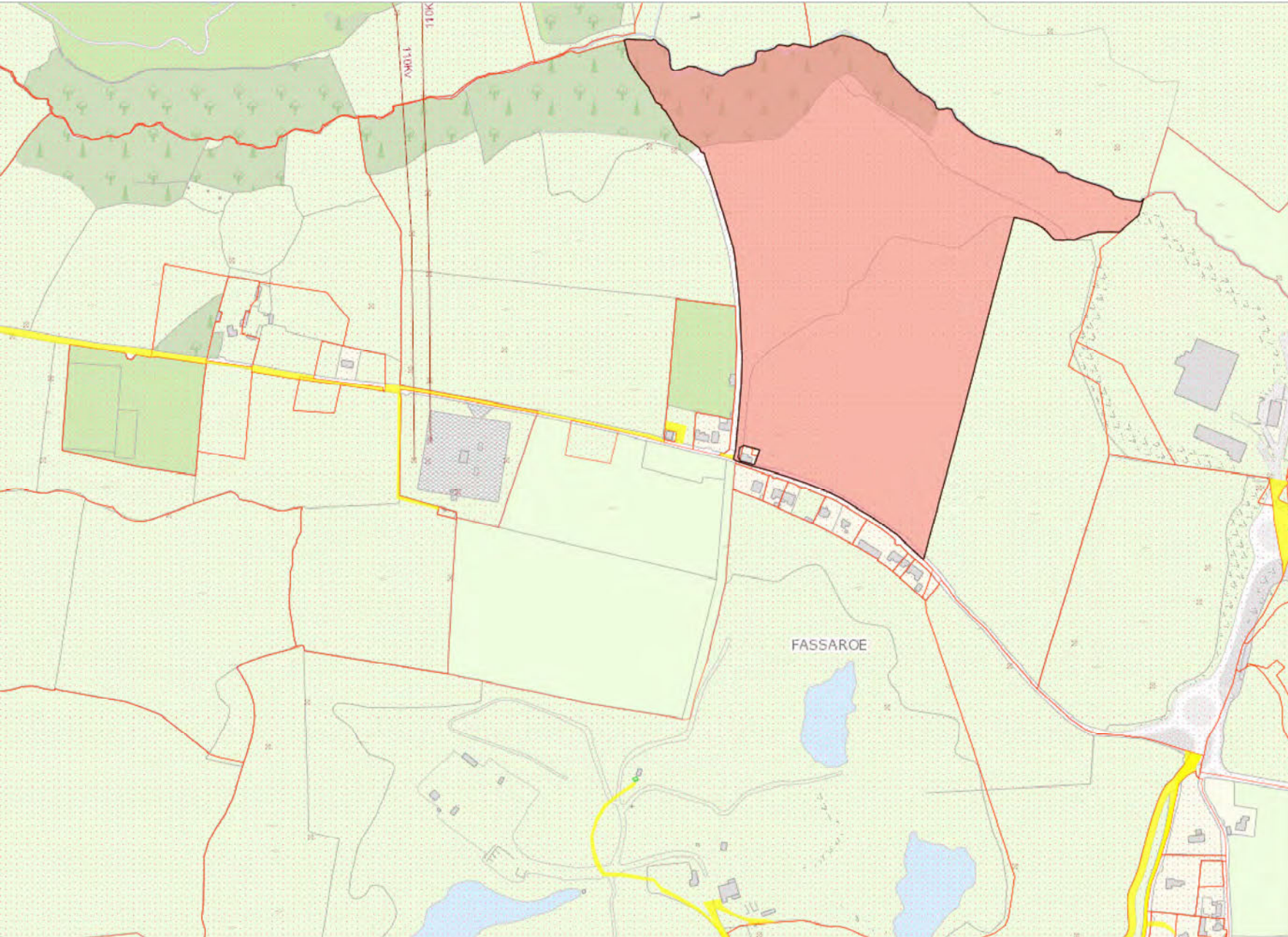
COUNTY WICKLOW

FOLIOS WW7173F

TRANSFER



Folio WW57



> Back

Folio Number	WW57
Title Level	Freehold
Plan Number	3
Property Number	1
Area of selected plans	18.79 hectares.
Number of Plans on this folio:	1
Address	Not Available
Add to Basket	Create Alert

The following Applications are Pending on this Folio

D2020LR138925D	Mapped
D2021LR016065M	Awaiting Attention
D2021LR028154C	Awaiting Attention
D2021LR034304J	Awaiting Attention
D2021LR100123Y	Queried
D2022LR174186T	For Further Attention

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

[Help](#)

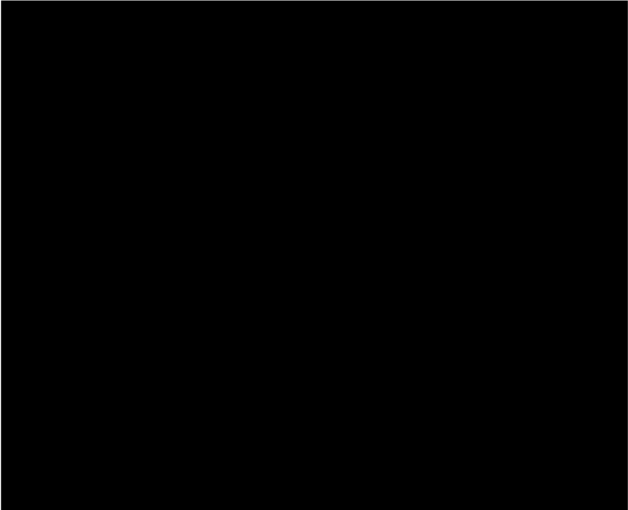
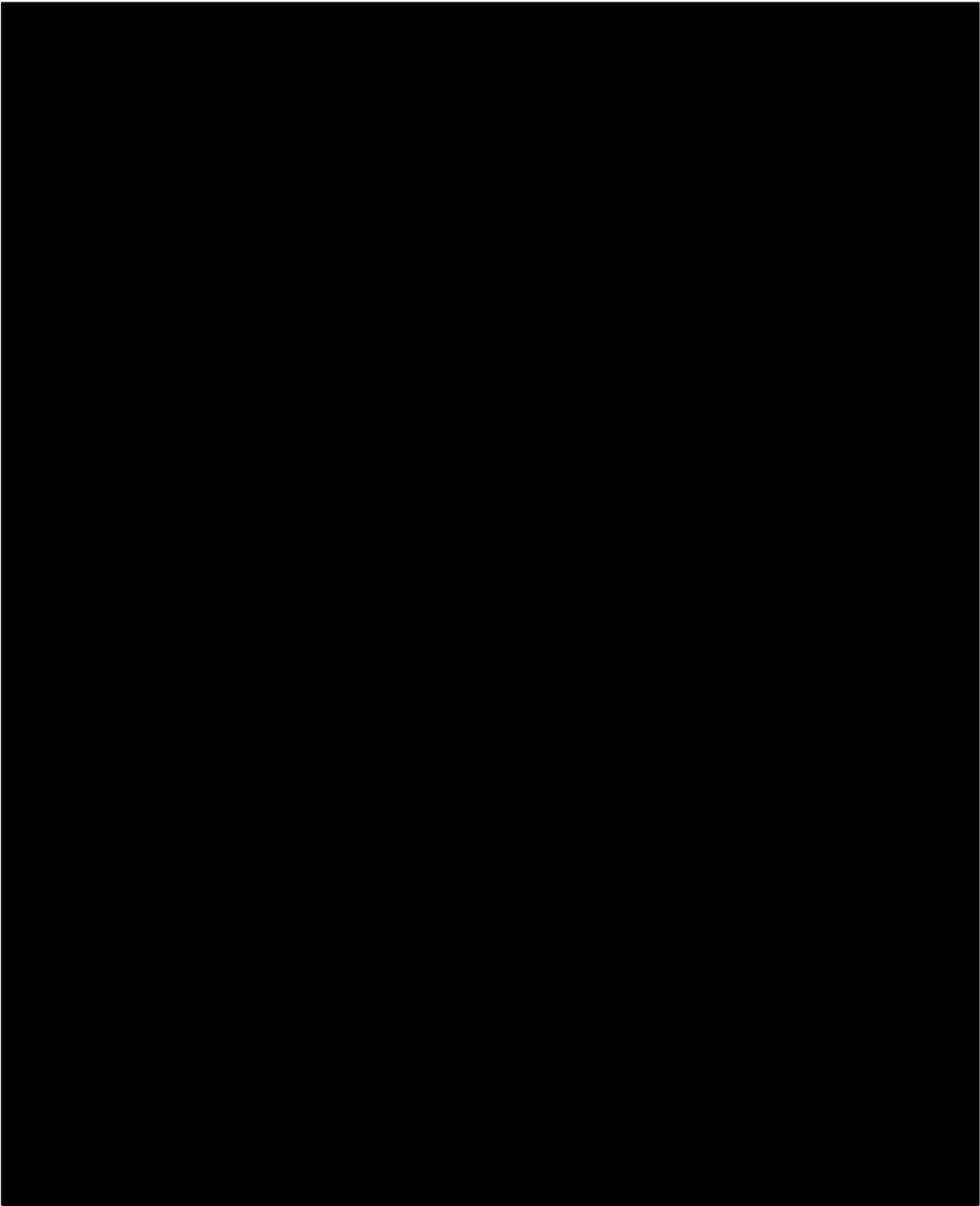


PROPERTY REGISTRATION AUTHORITY

COUNTY WICKLOW

FOLIO WW57



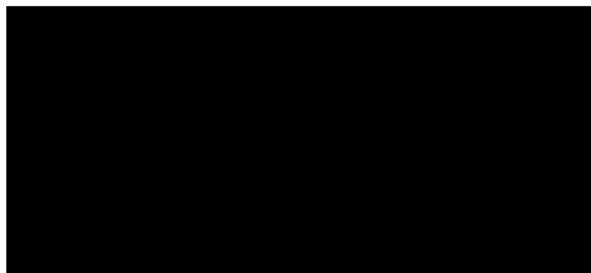


PROPERTY REGISTRATION AUTHORITY

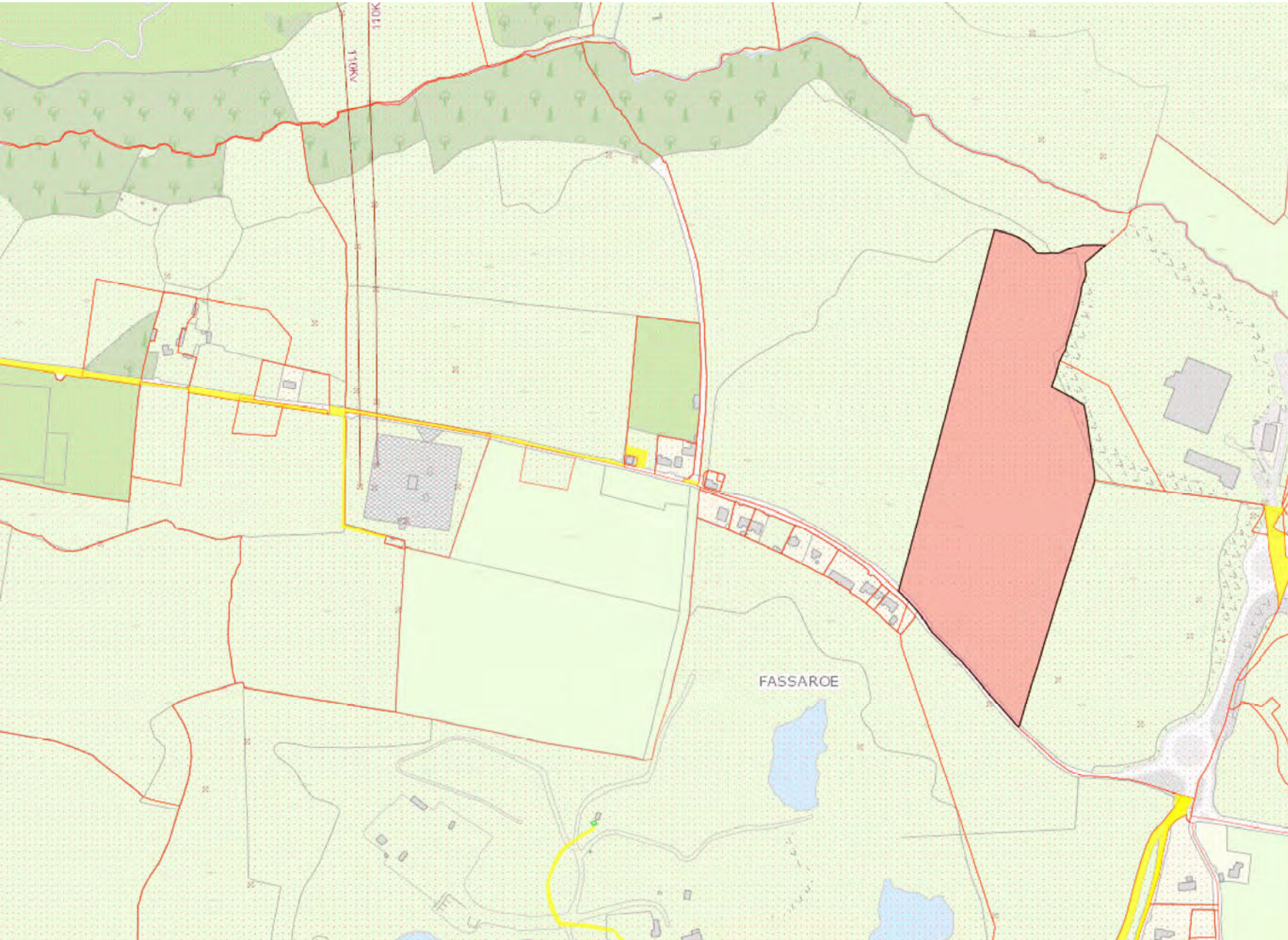
COUNTY WICKLOW

FOLIOS WW57

TRANSFER



Folio WW23459F



> Back

Folio Number	WW23459F
Title Level	Freehold
Plan Number	95
Property Number	1
Area of selected plans	7.92 hectares.
Number of Plans on this folio:	1
Address	Not Available

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

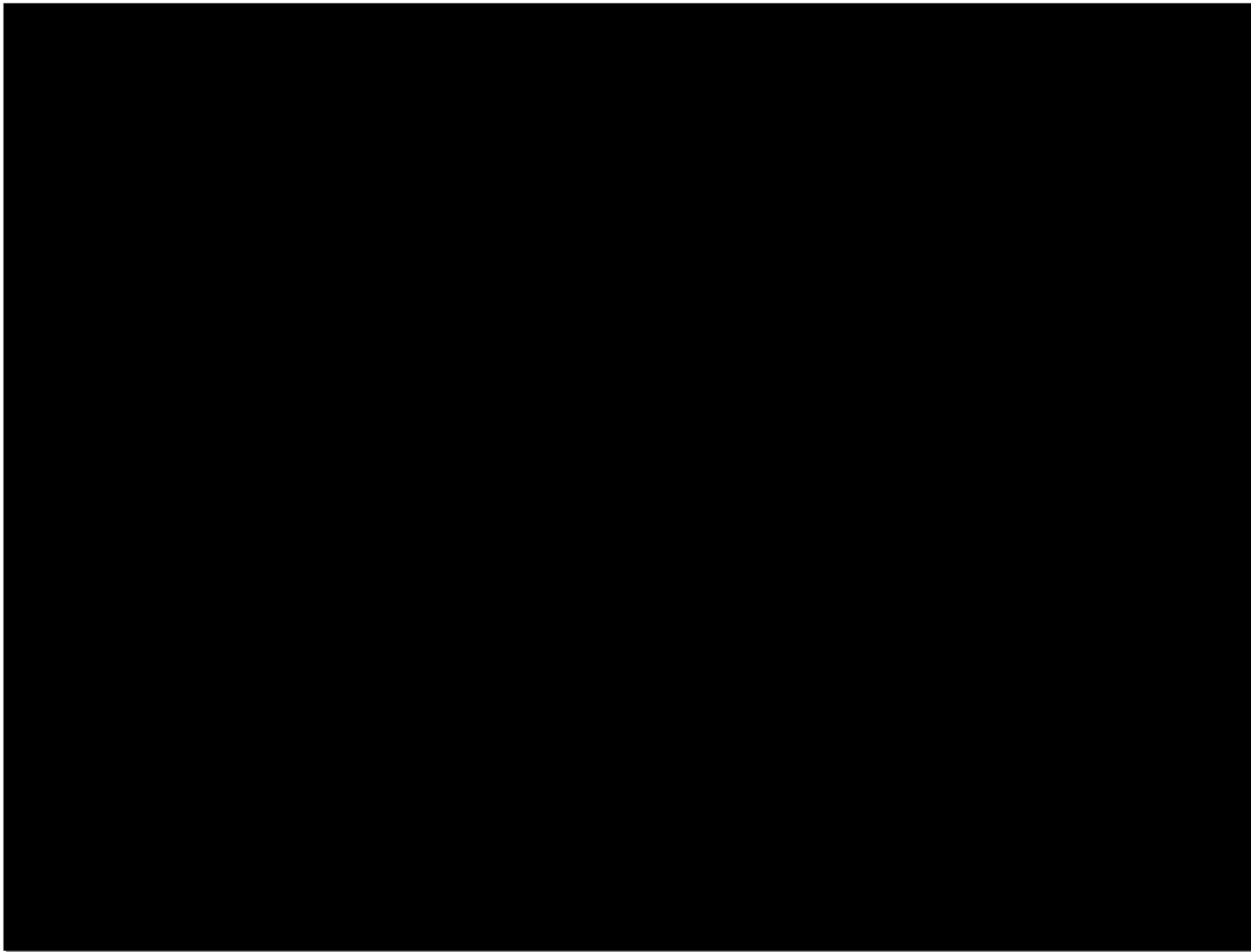
D2020LR138925D	Mapped
D2021LR016089W	Awaiting Attention
D2021LR027878J	Awaiting Attention
D2021LR034136M	Queried
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

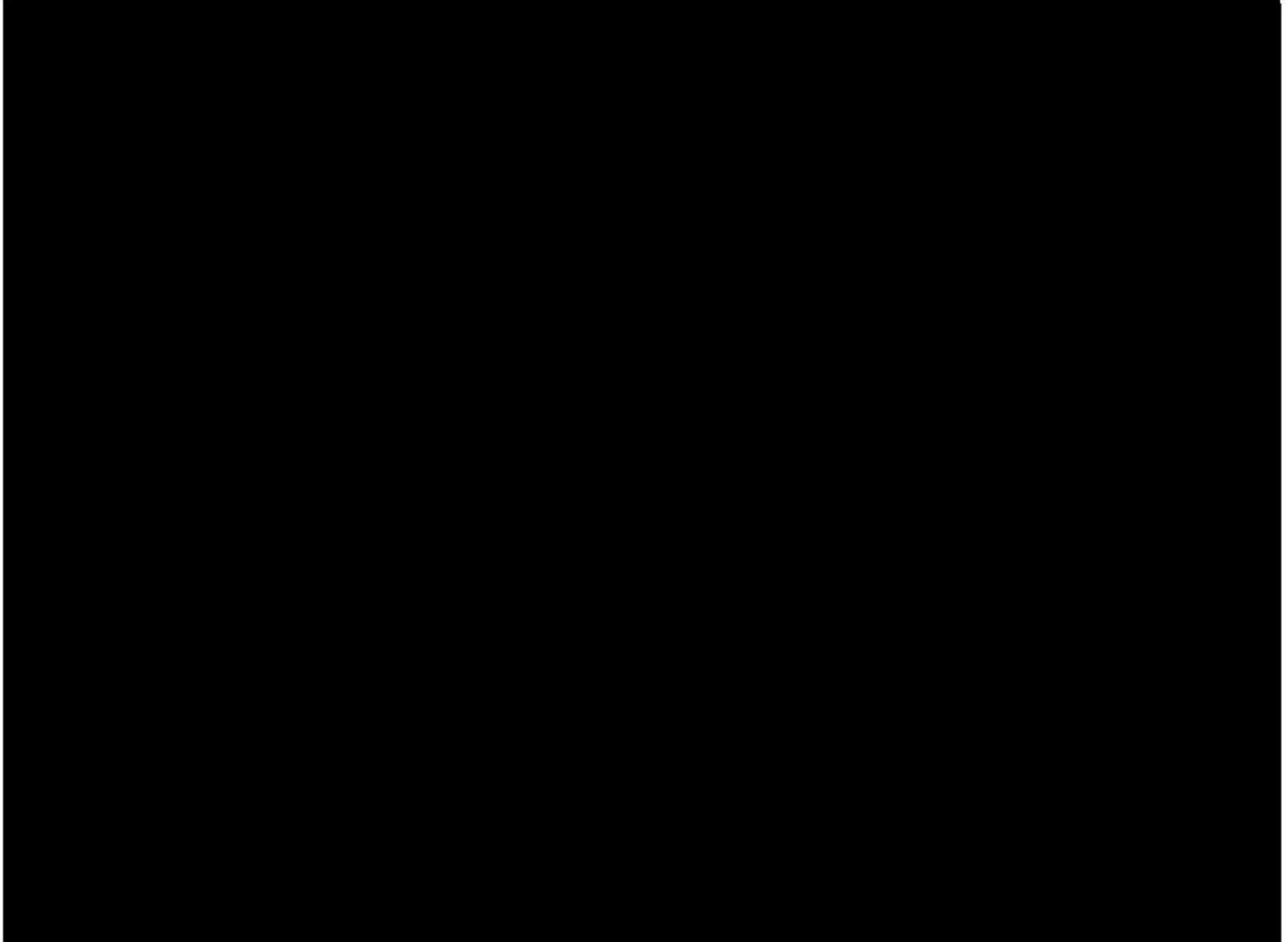
[Help](#)

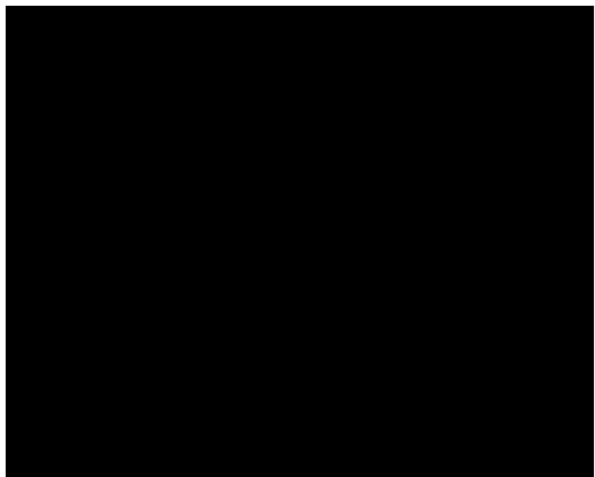
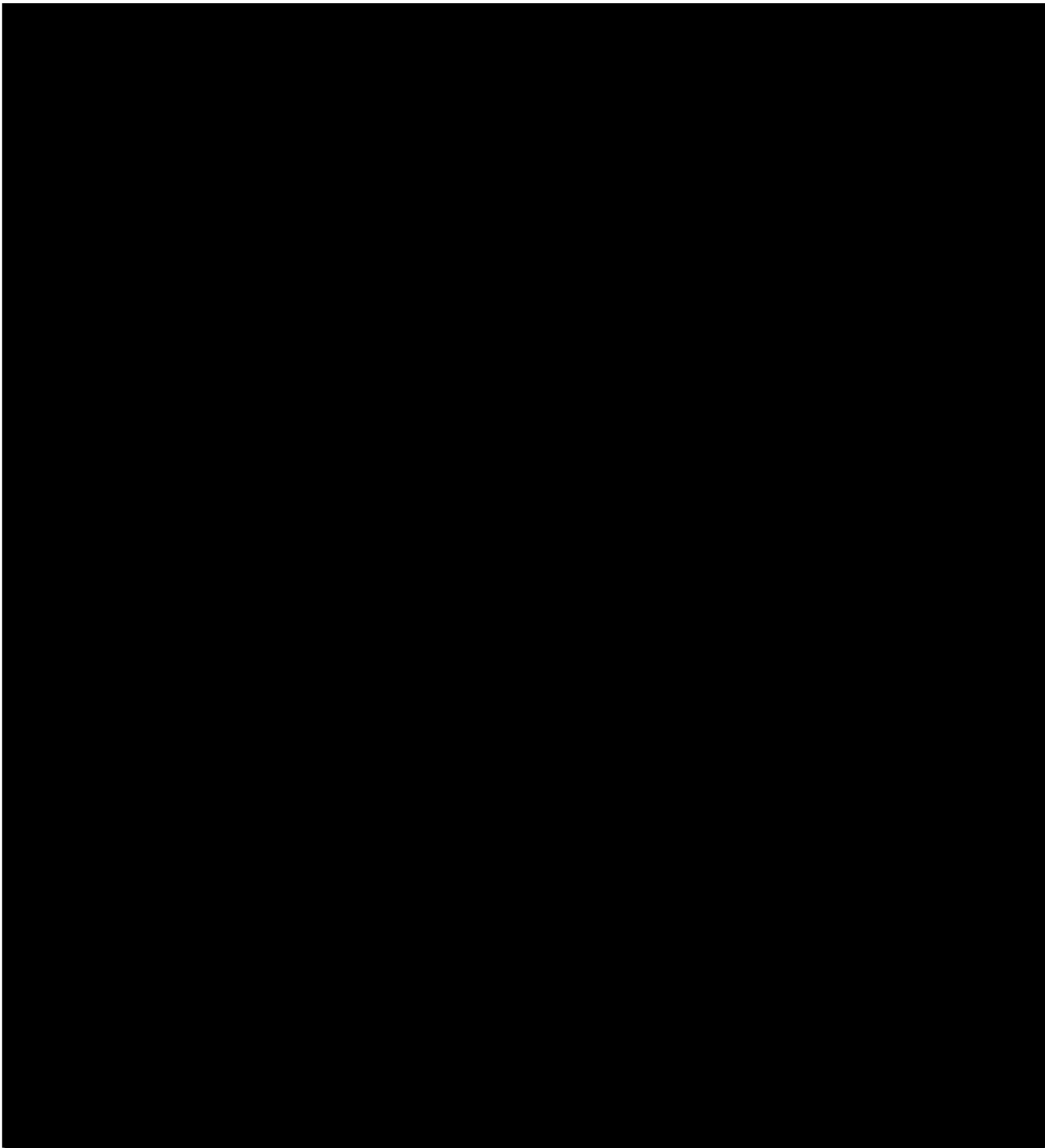


PROPERTY REGISTRATION AUTHORITY

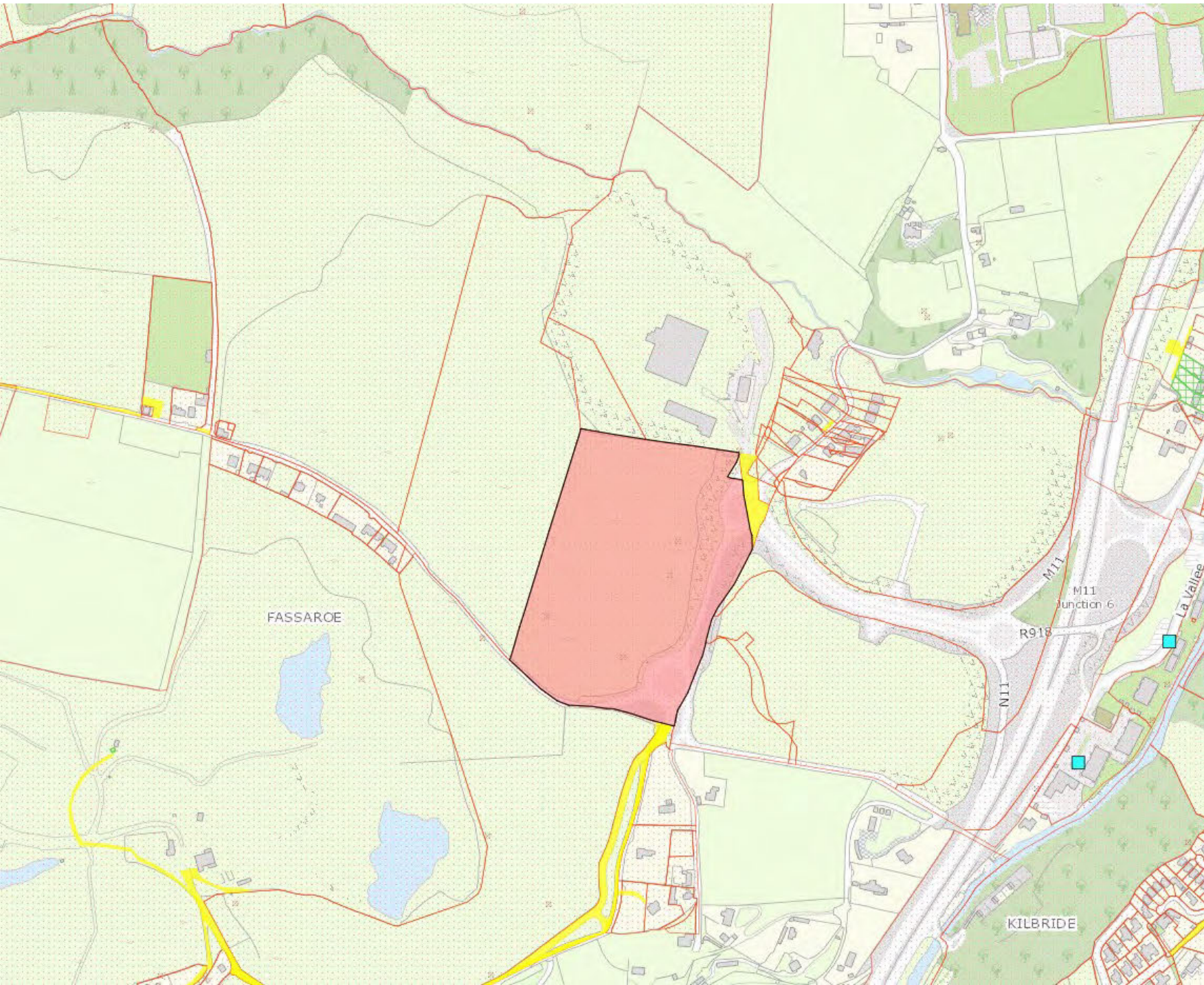
COUNTY WICKLOW

FOLIO WW23459F





Folio WW23457F



> Back

Folio Number	WW23457F
Title Level	Freehold
Plan Number	94
Property Number	1
Area of selected plans	7.83 hectares.
Number of Plans on this folio:	1
Address	Not Available

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

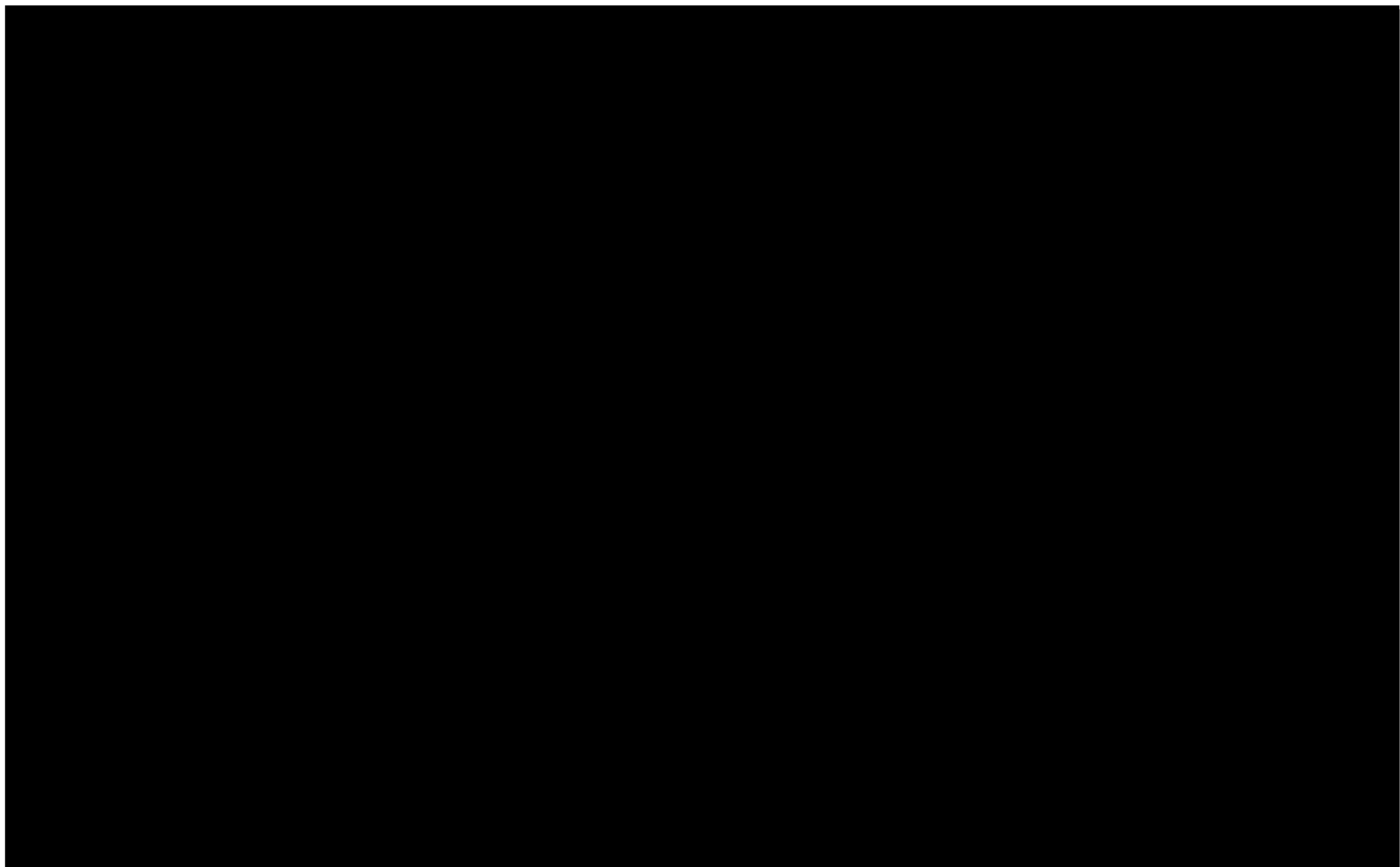
D2020LR138925D	Mapped
D2021LR016091P	Awaiting Attention
D2021LR028043V	Awaiting Attention
D2021LR034297G	Mapped
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

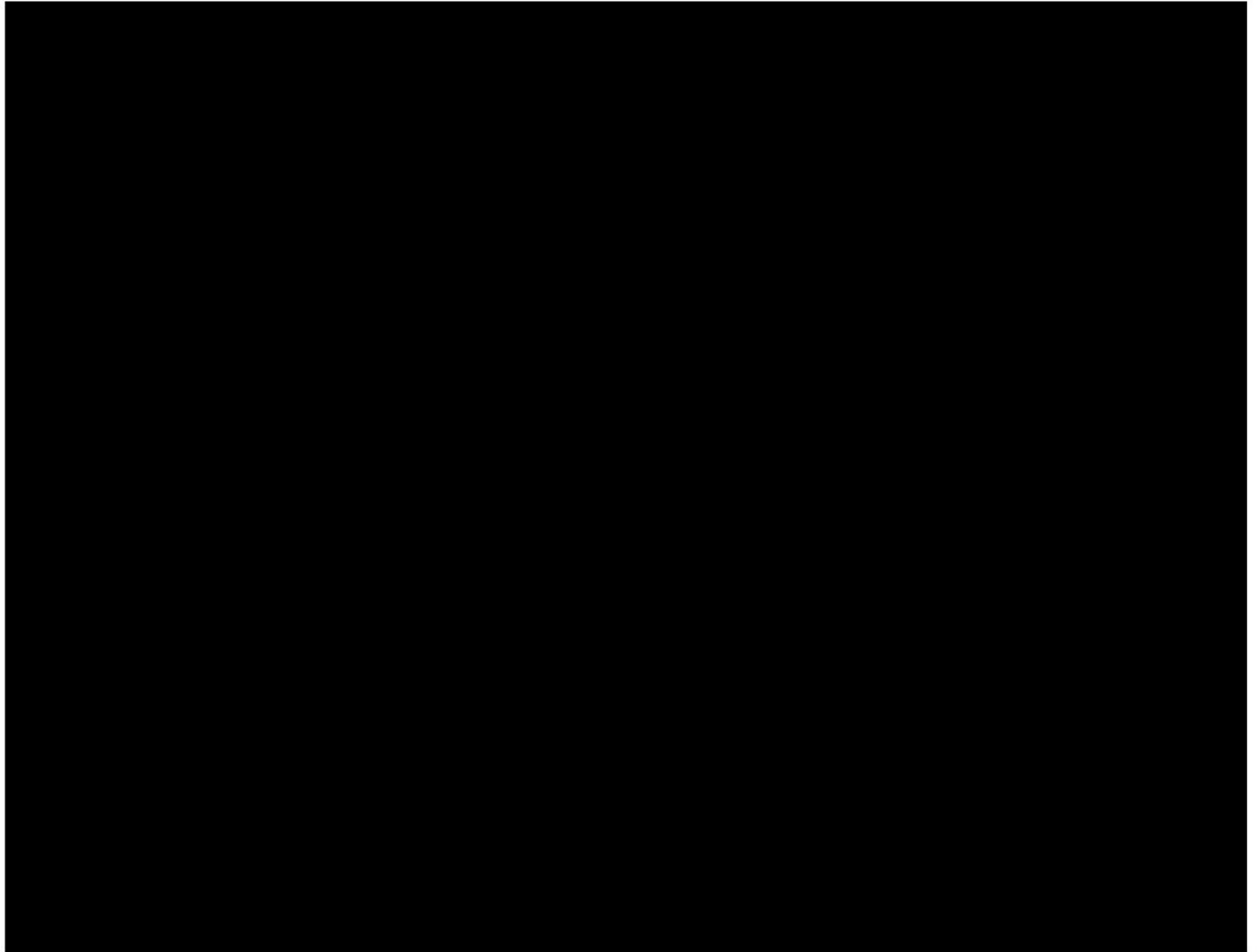
[Help](#)

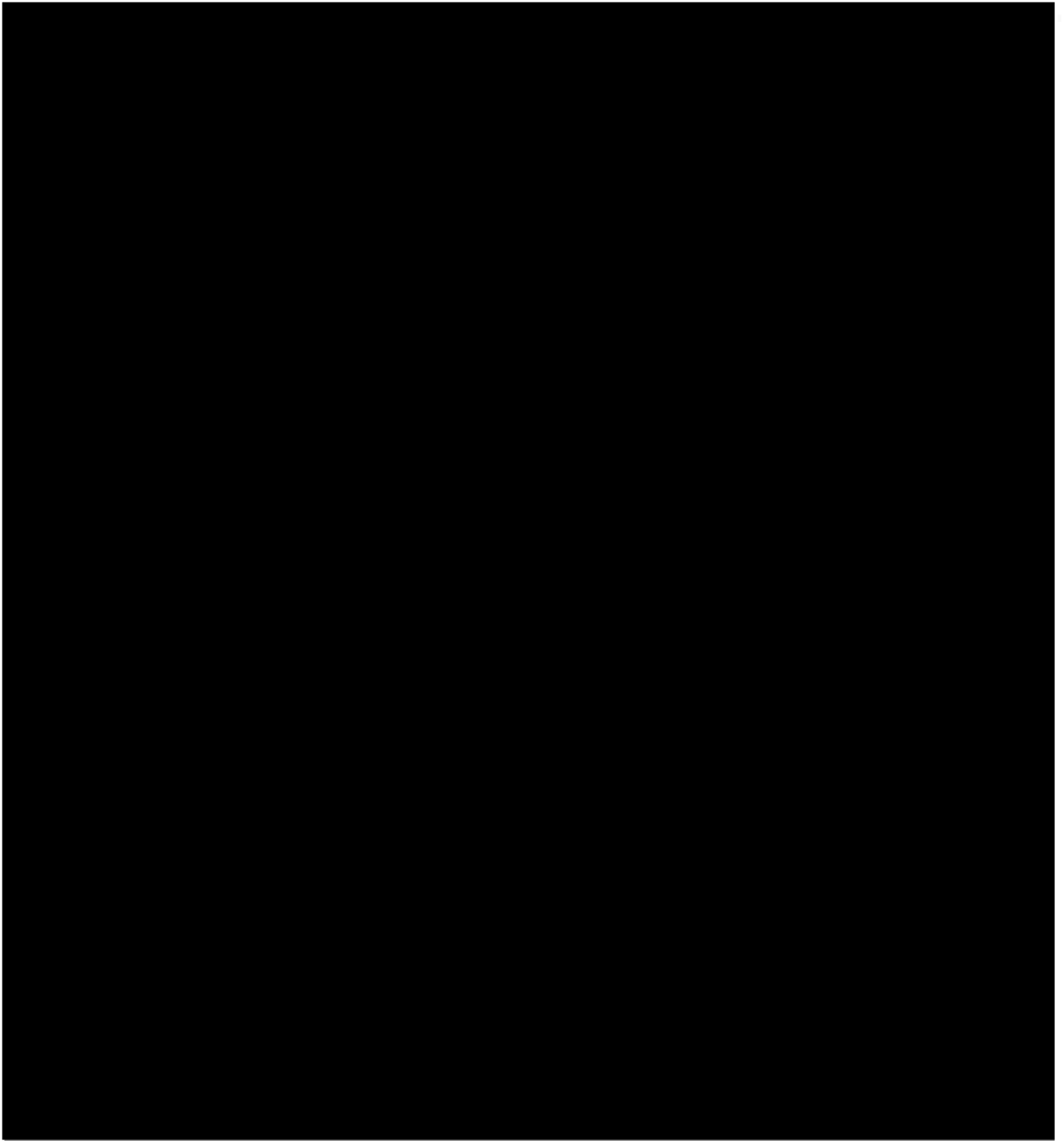


PROPERTY REGISTRATION AUTHORITY

COUNTY WICKLOW

FOLIO WW23457F



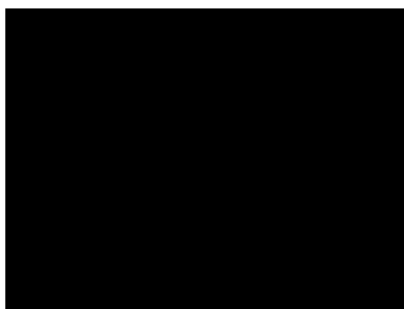


PROPERTY REGISTRATION AUTHORITY

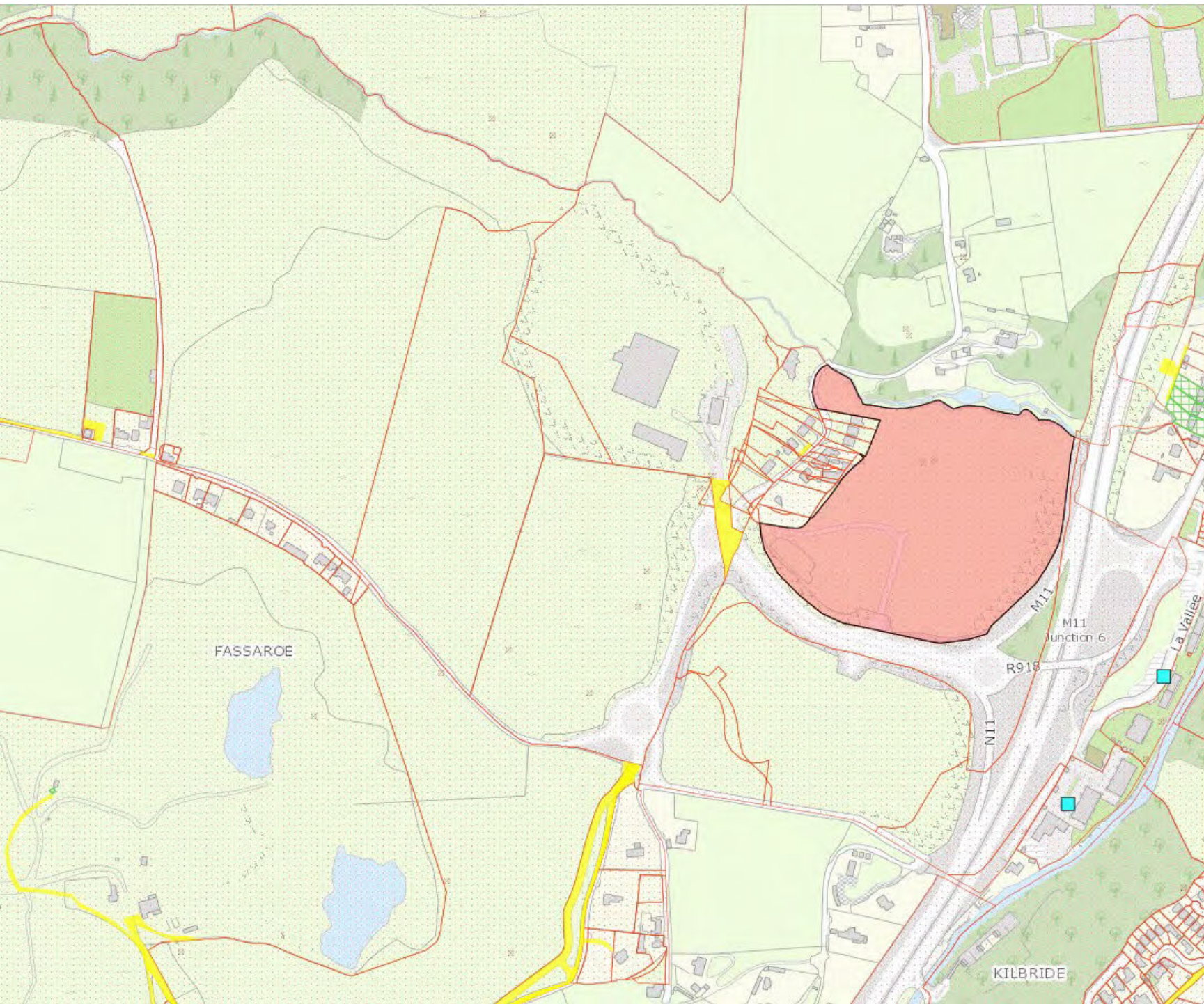
COUNTY WICKLOW

FOLIOS WW23457F

TRANSFER



Folio WW20697F



Property Details

> Back

Folio Number	WW20697F
Title Level	Freehold
Plan Number	93
Property Number	1
Area of selected plans	7.62 hectares.
Number of Plans on this folio:	3
Address	Not Available

[Highlight All Plans](#)

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

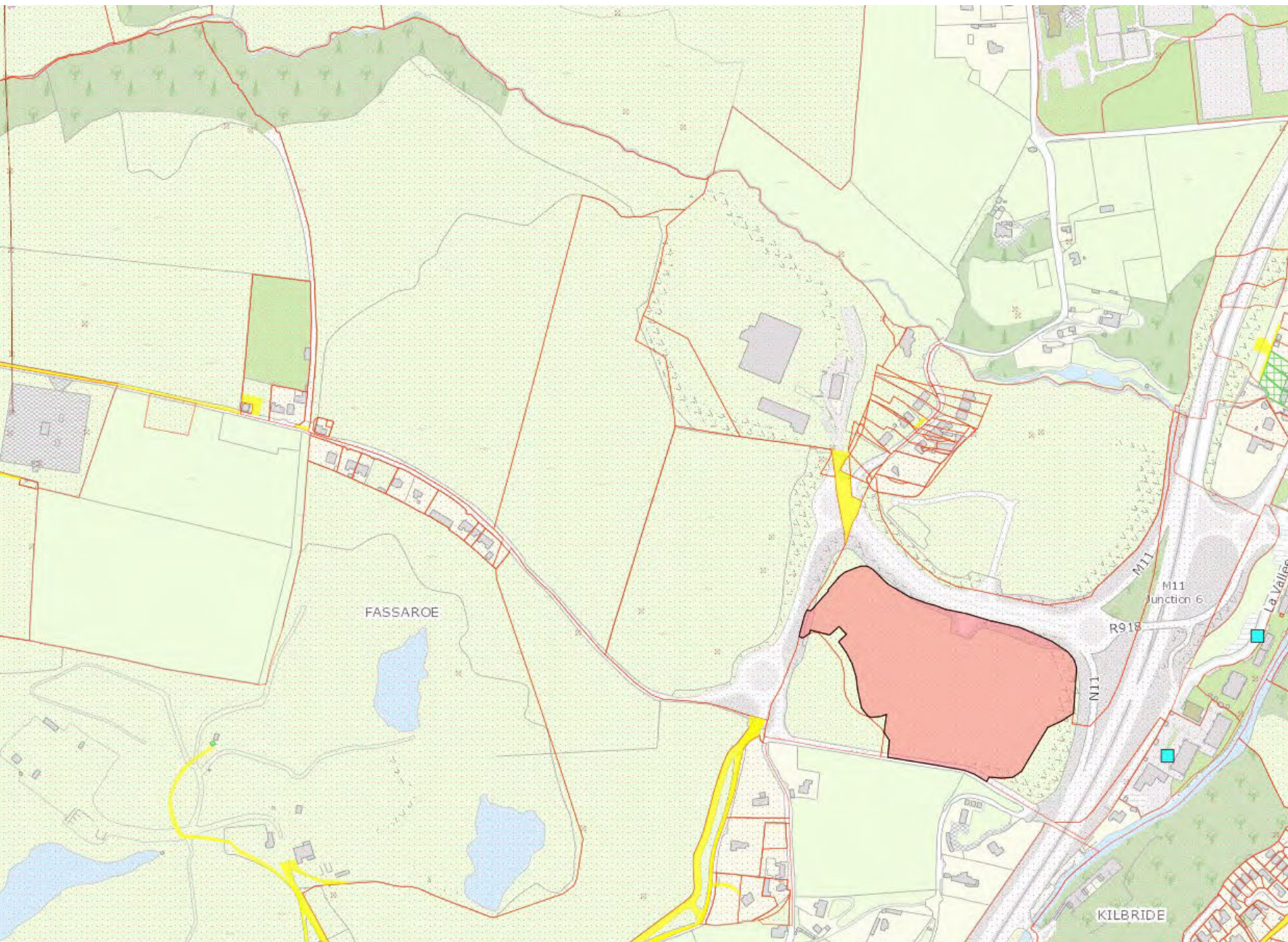
D2020LR138397B	For Further Attention
D2020LR138925D	Mapped
D2020LR150268P	Mapping Query
D2021LR016047J	Awaiting Attention
D2021LR034598U	Awaiting Attention
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

[View Basket](#)

[Print Current View](#)

Help



Property Details

> Back

Folio Number	WW20697F
Title Level	Freehold
Plan Number	92
Property Number	1
Area of selected plans	5.41 hectares.
Number of Plans on this folio:	3
Address	Not Available

[Highlight All Plans](#)

[Add to Basket](#) [Create Alert](#)

The following Applications are Pending on this Folio

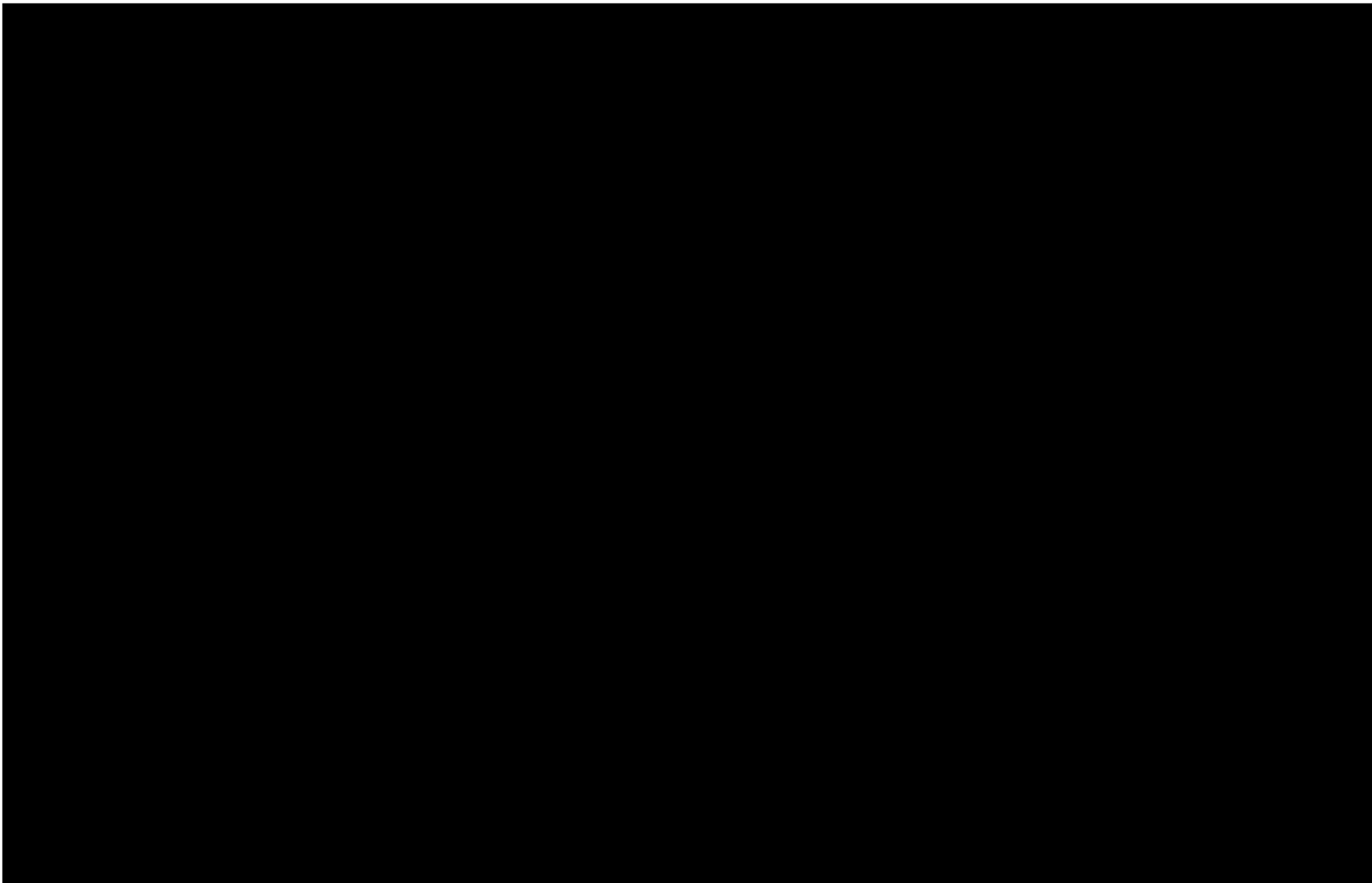
D2020LR138397B	For Further Attention
D2020LR138925D	Mapped
D2020LR150268P	Mapping Query
D2021LR016047J	Awaiting Attention
D2021LR034598U	Awaiting Attention
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area **are not conclusive**. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

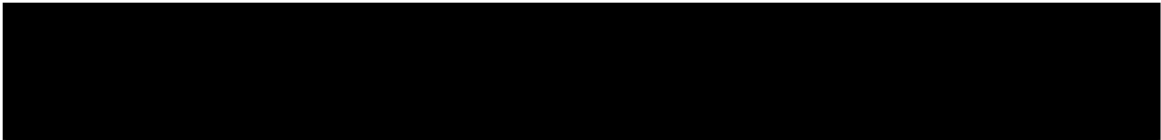
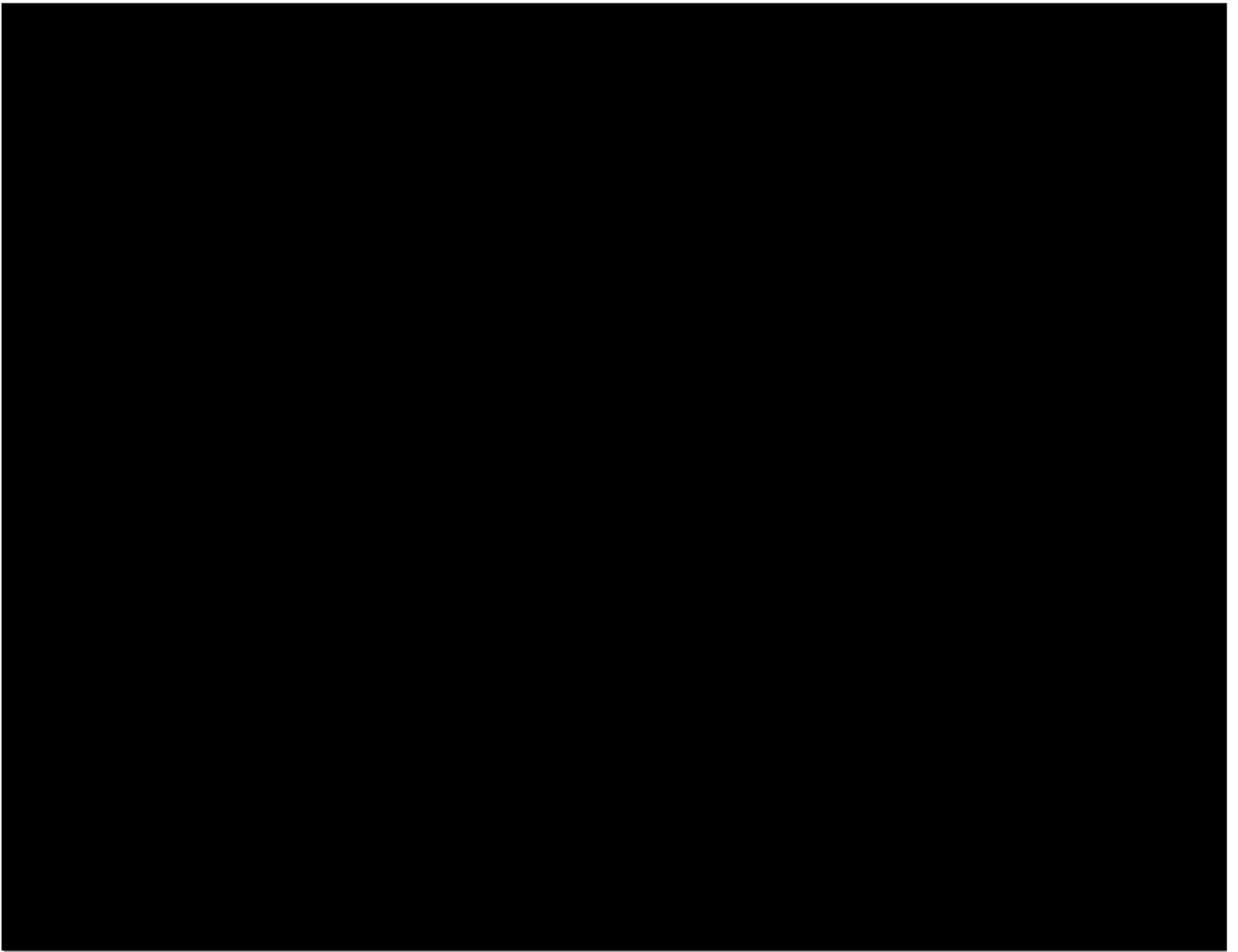
[View Basket](#)

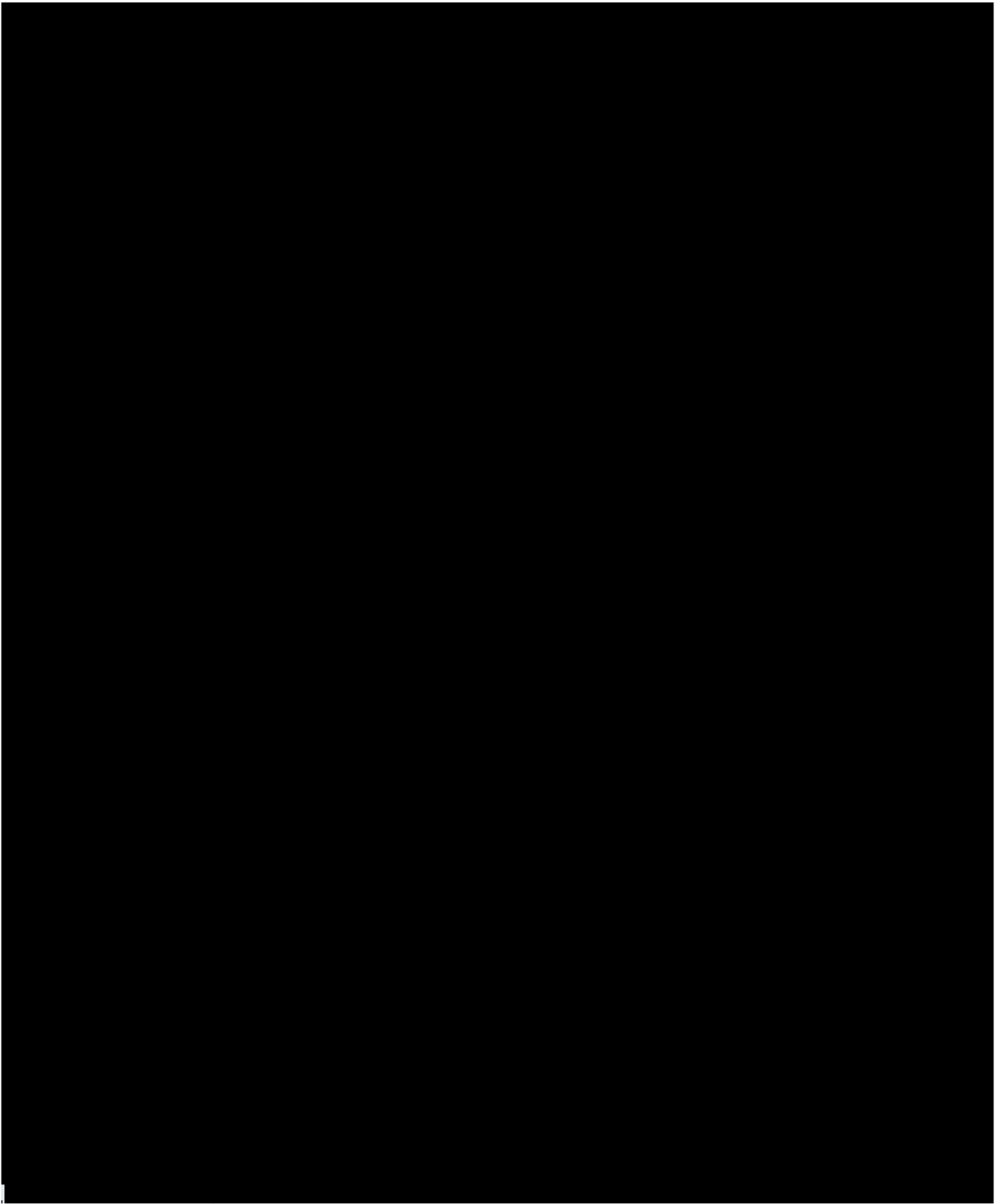
[Print Current View](#)

Help



PROPERTY REGISTRATION AUTHORITY



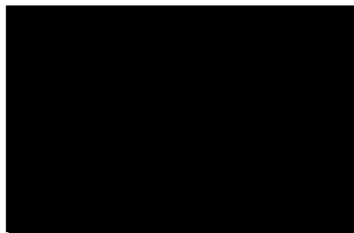


PROPERTY REGISTRATION AUTHORITY

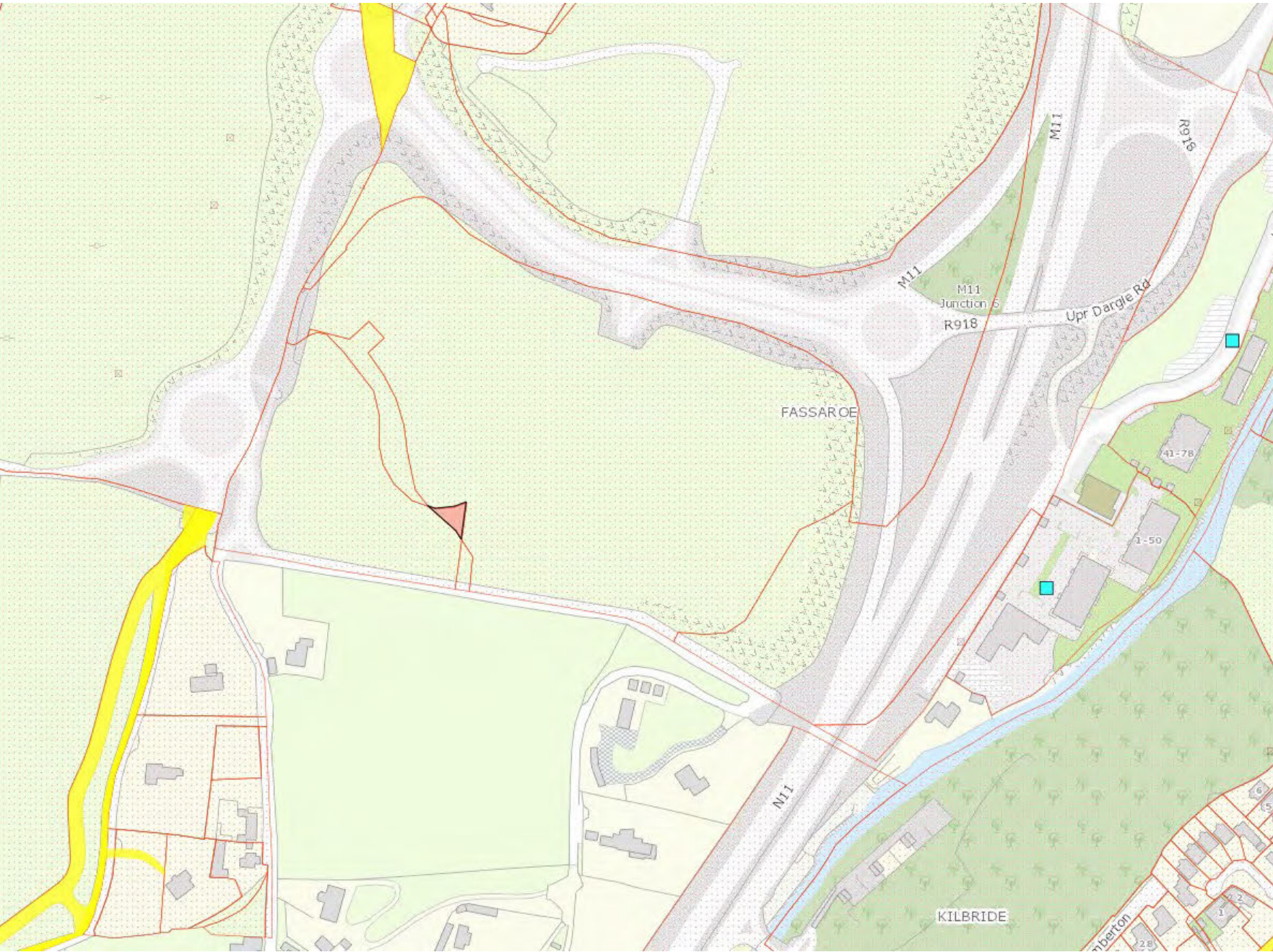
COUNTY WICKLOW

FOLIOS WW20697F

TRANSFER



Folio WW43270F



Property Details

> Back

Folio Number	WW43270F
Title Level	Freehold
Plan Number	DTP7V
Property Number	1
Area of selected plans	Not available.
Number of Plans on this folio:	1
Address	Not Available

Add to Basket

Create Alert

The following Applications are Pending on this Folio

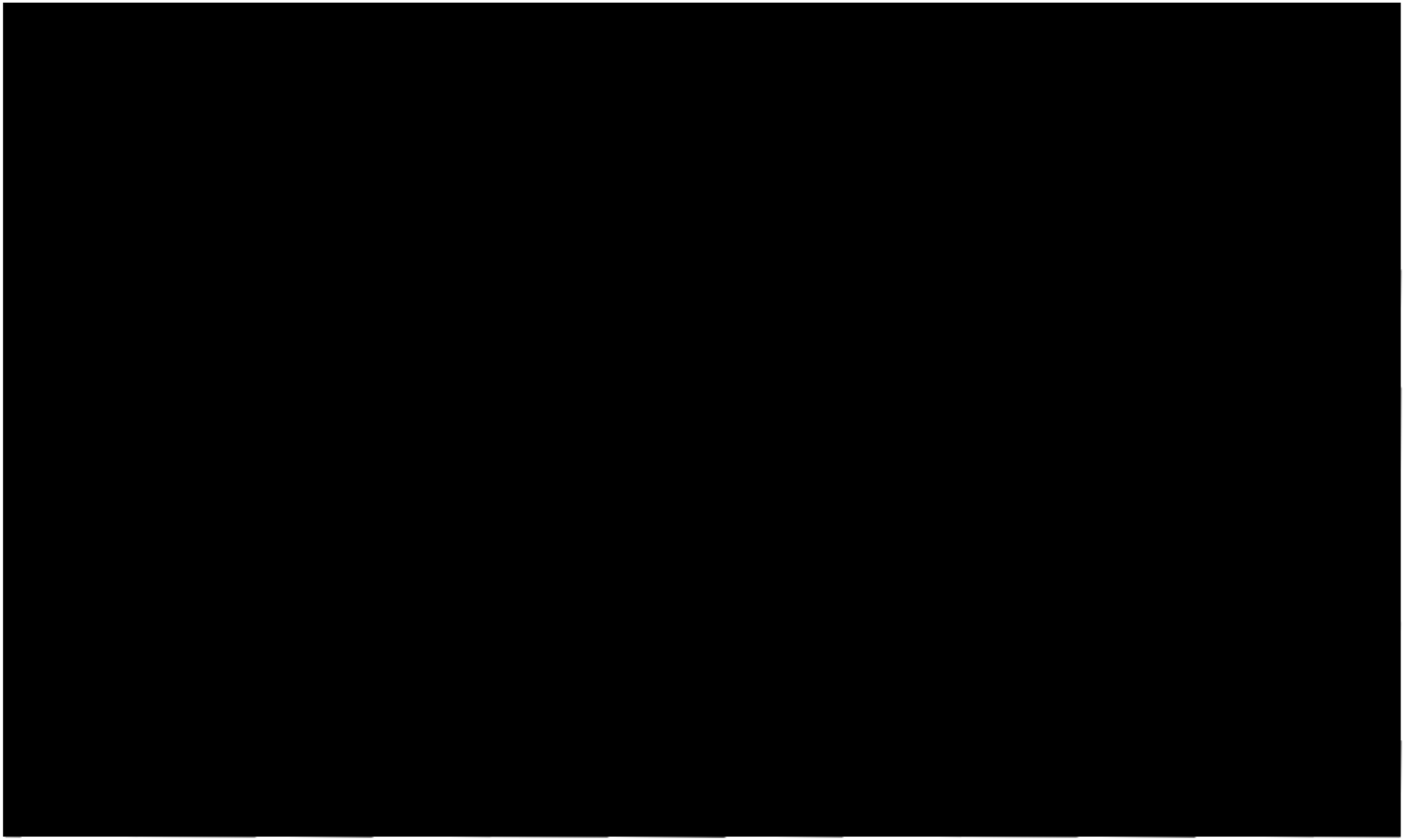
D2020LR138925D	Mapped
D2021LR016043D	Awaiting Attention
D2021LR028175J	Awaiting Attention
D2021LR034733E	Awaiting Attention
D2021LR100123Y	Queried

*PRA Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(3\) of the Land Registration Rules 2012](#).

View Basket

Print Current View

Help

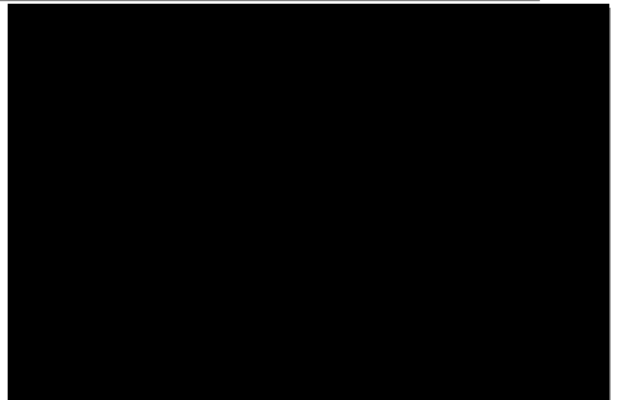
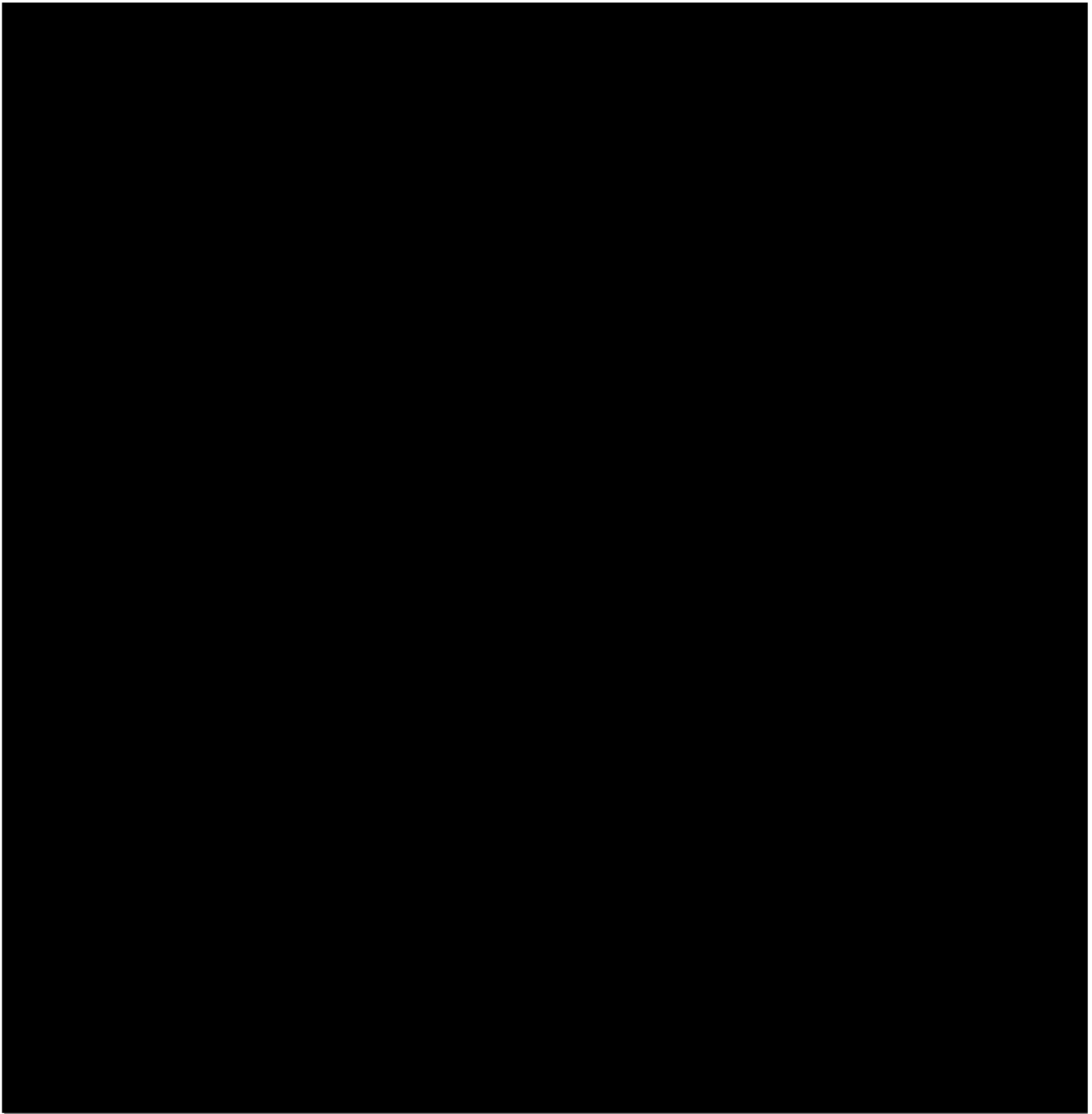


PROPERTY REGISTRATION AUTHORITY

COUNTY WICKLOW

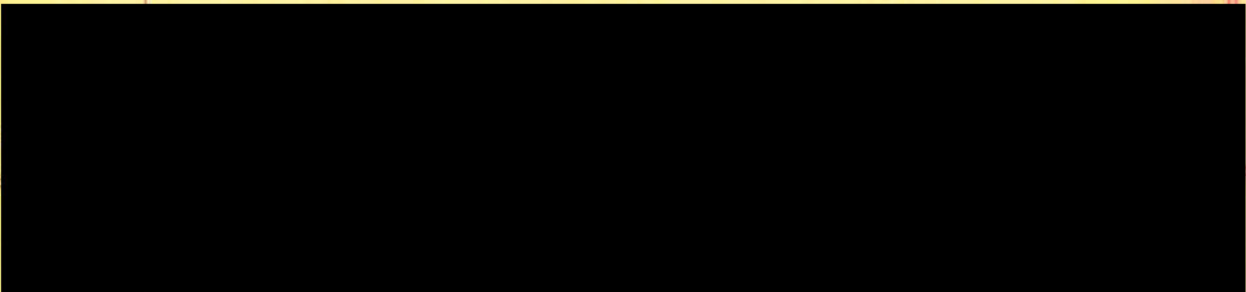
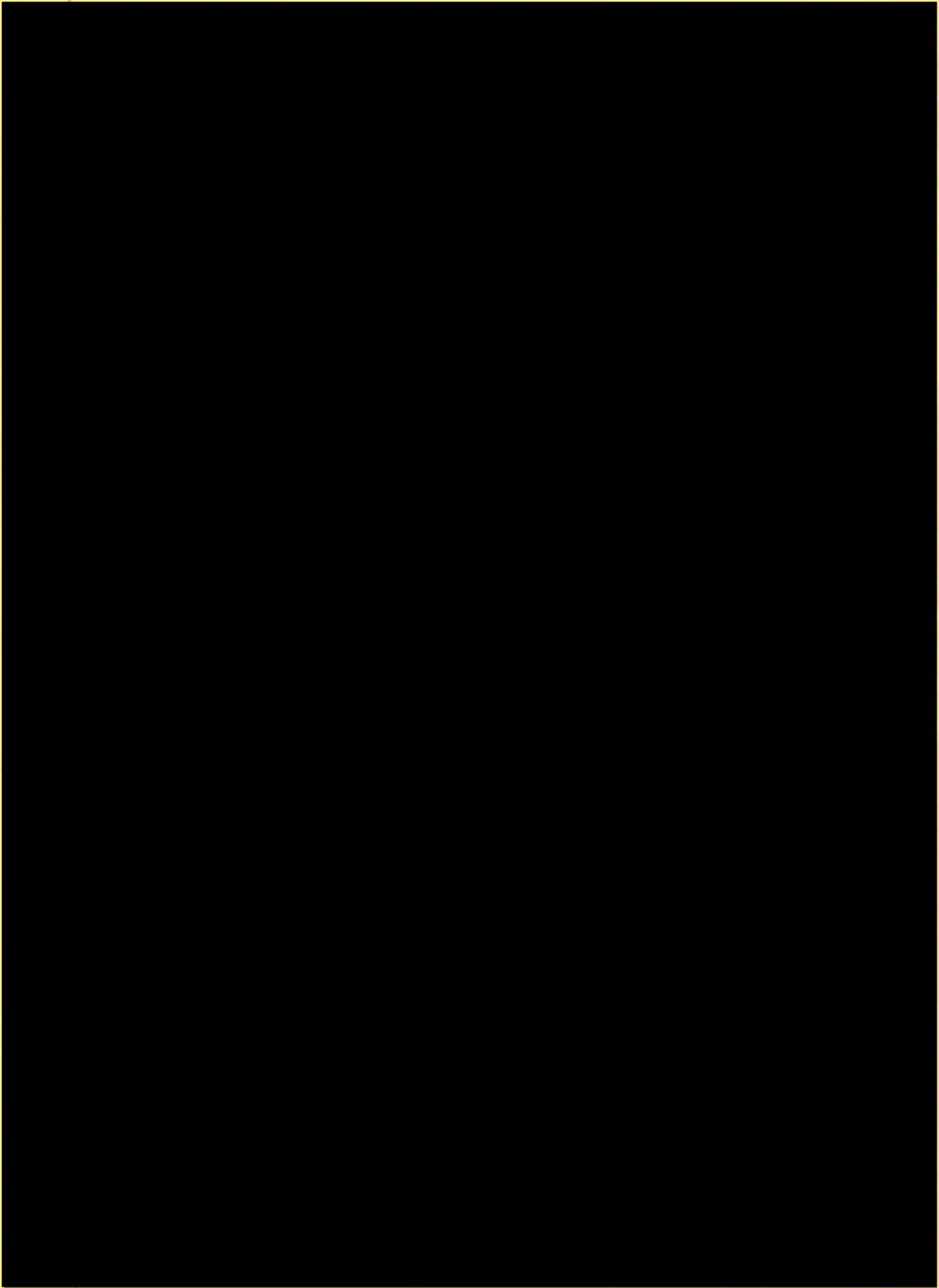
FOLIO WW43270F

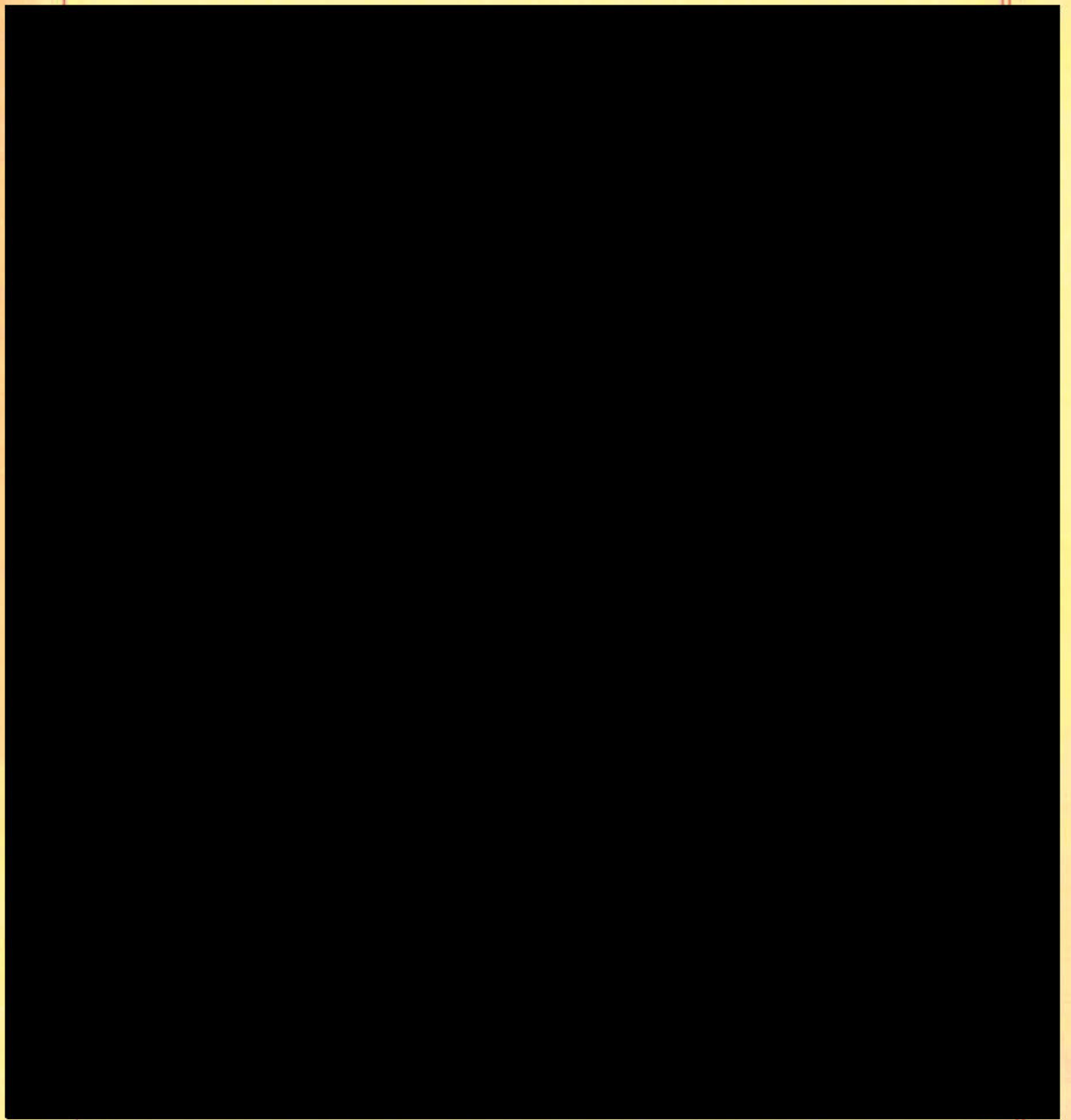


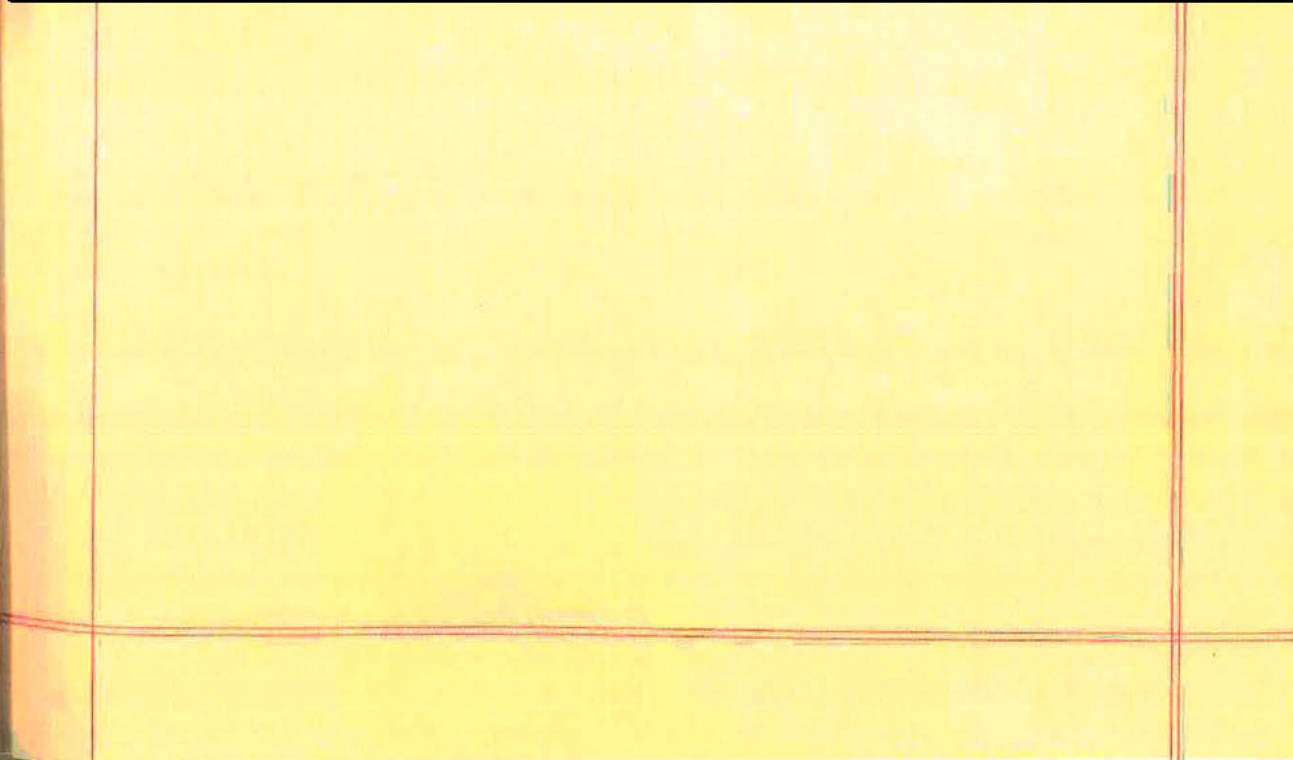


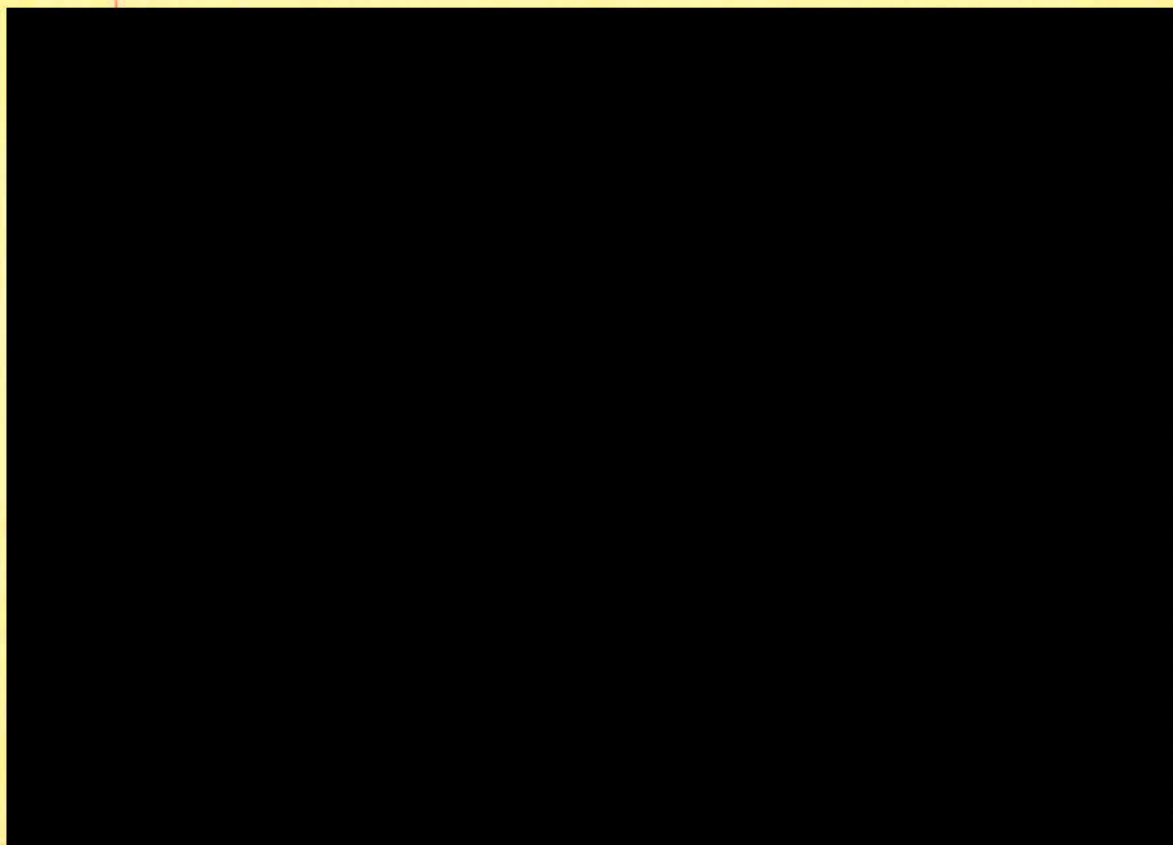
Barr an Boreen









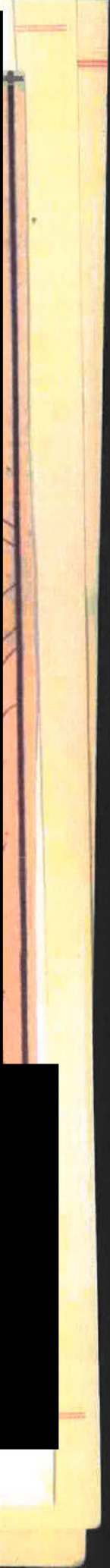
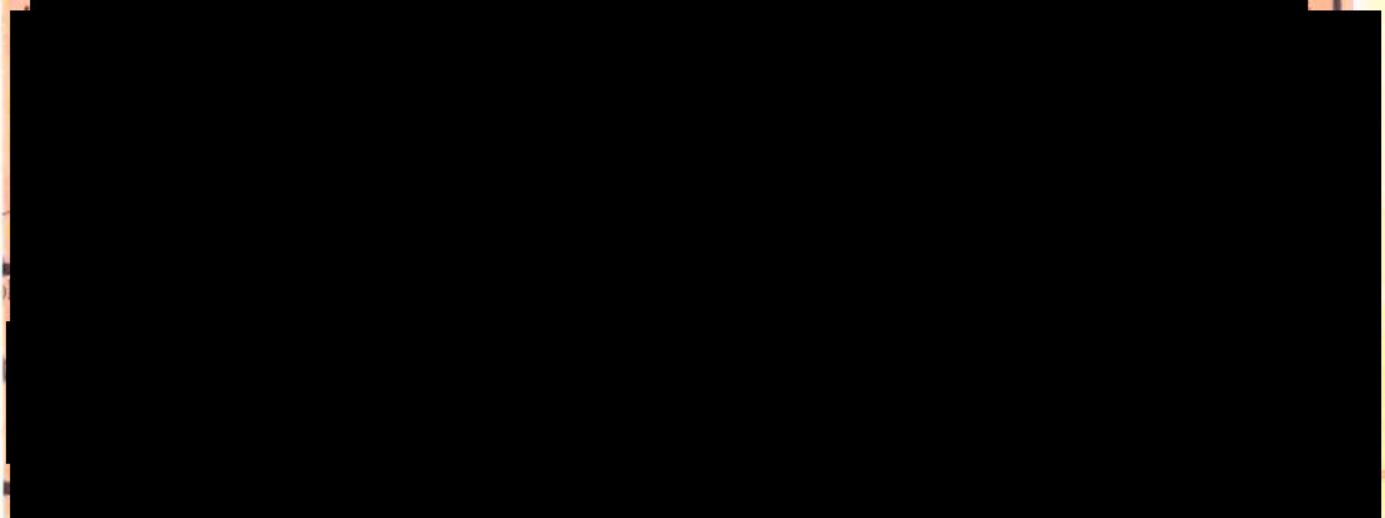
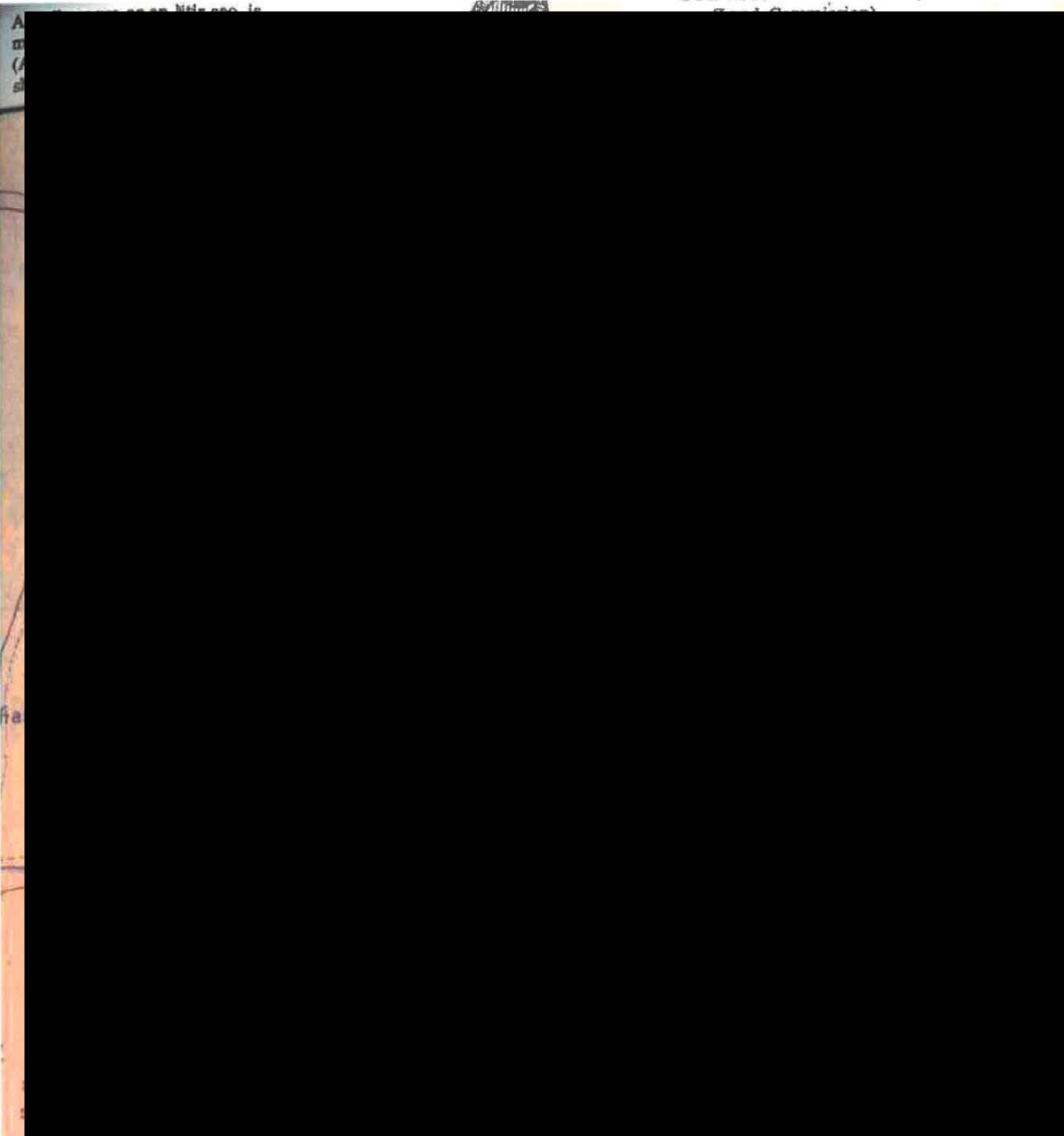


A
m
(
s

ADDITIONS

1777-1781

fa



Former Somerville Large Lands

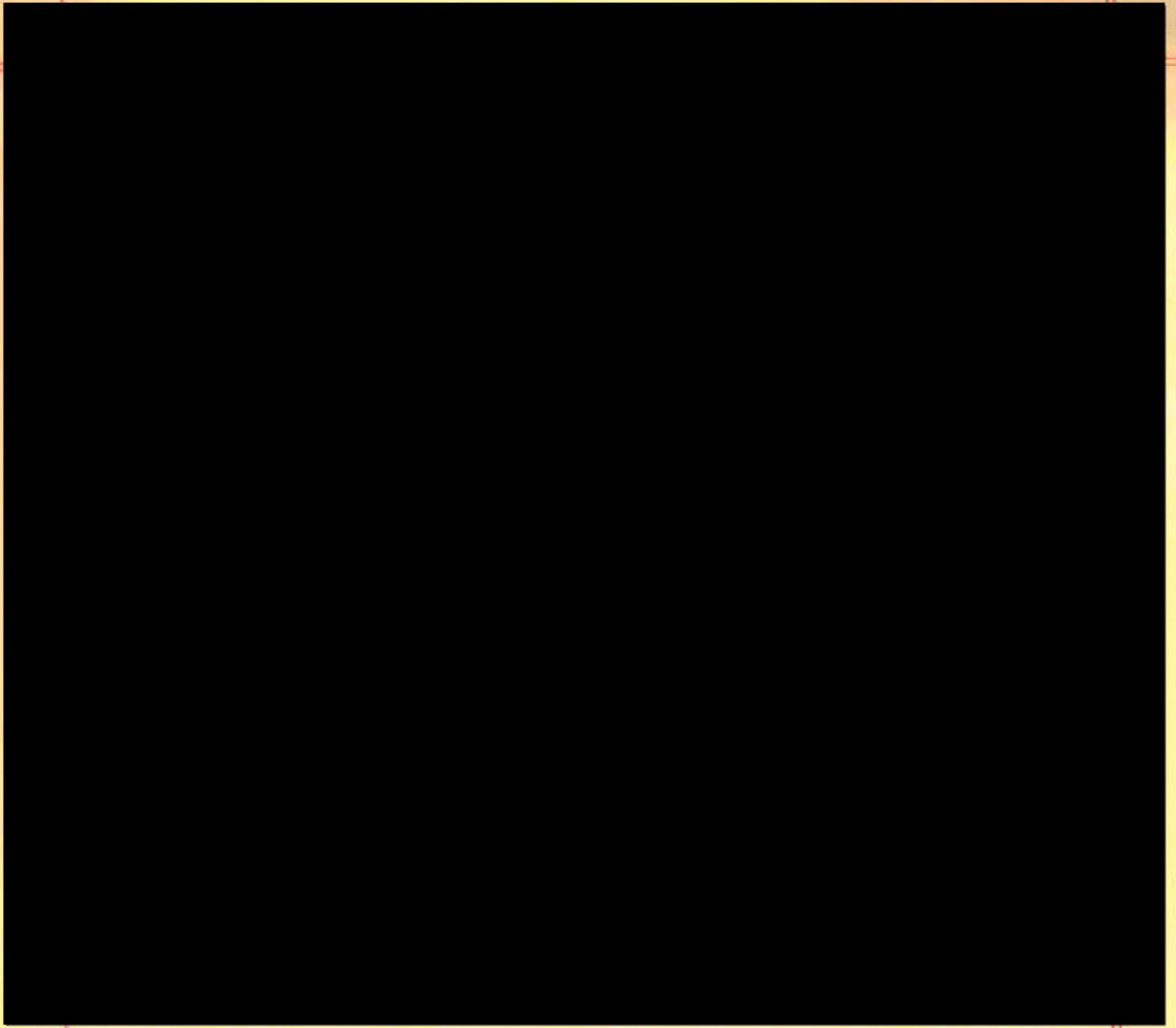


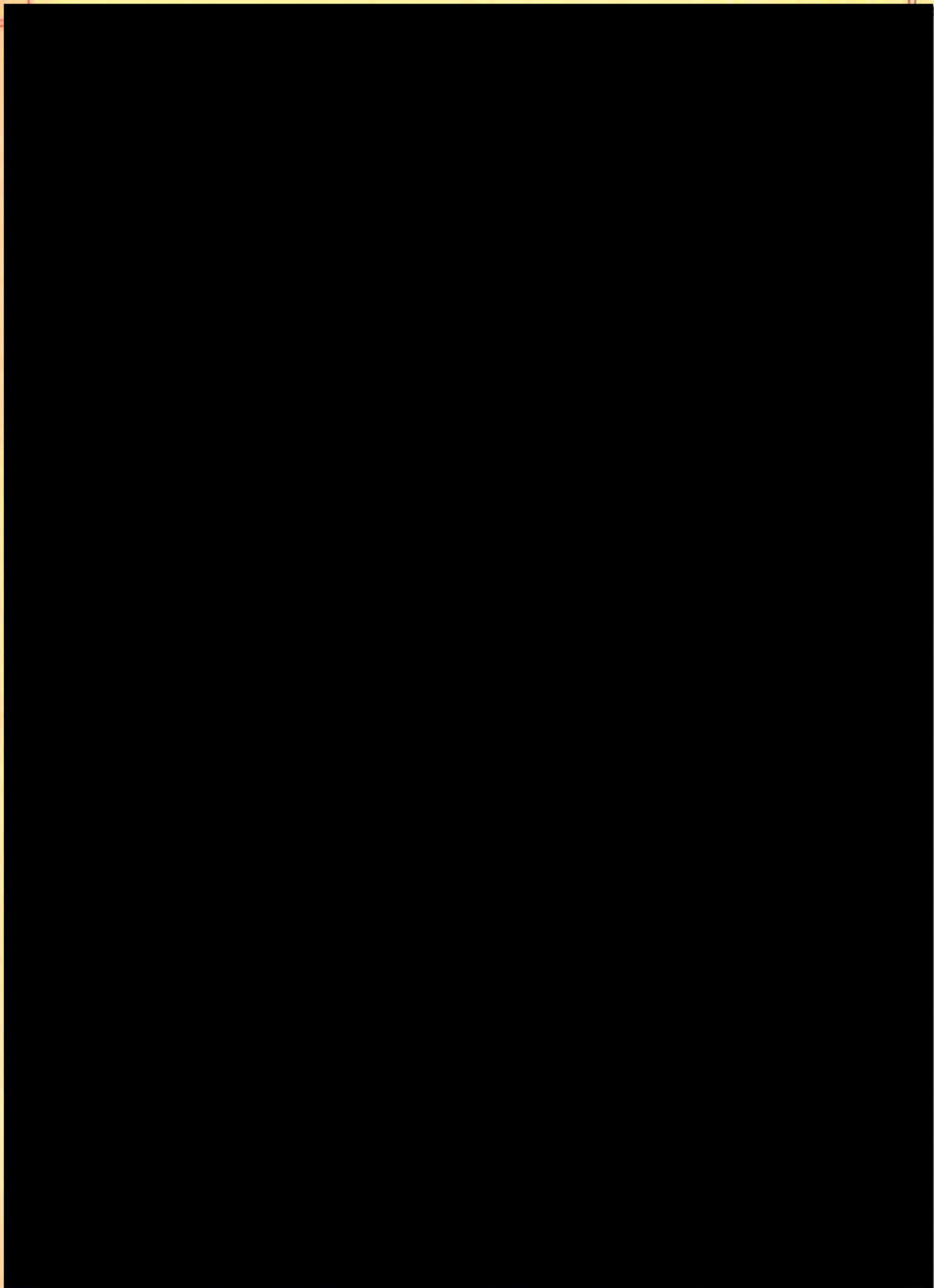
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A large, empty rectangular area with a light yellow background occupies the lower half of the page. This area is bounded by thin red lines, suggesting it was part of a table or a structured document. The interior of this area is completely blank, with no text or data visible.



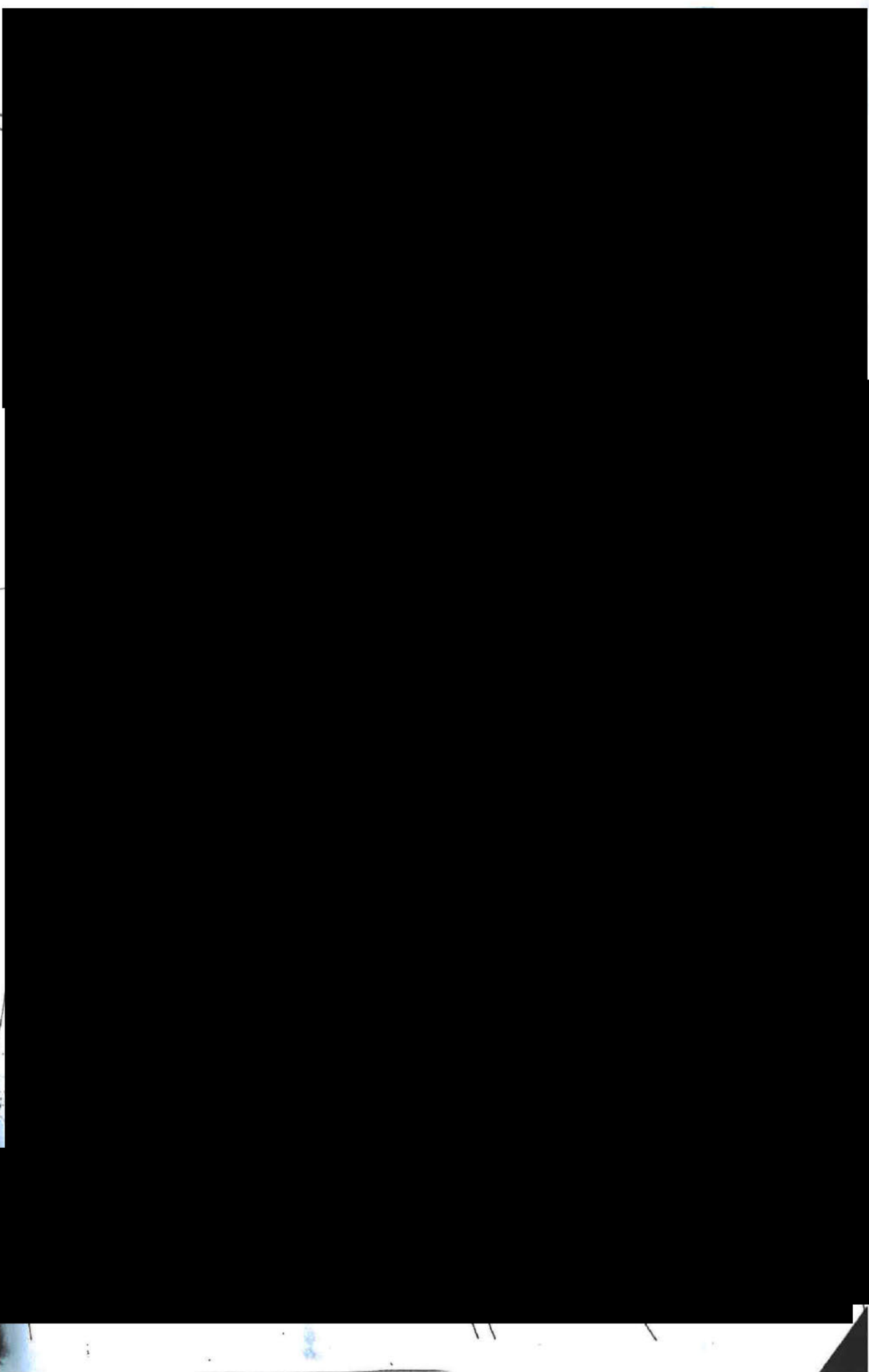
[REDACTED]

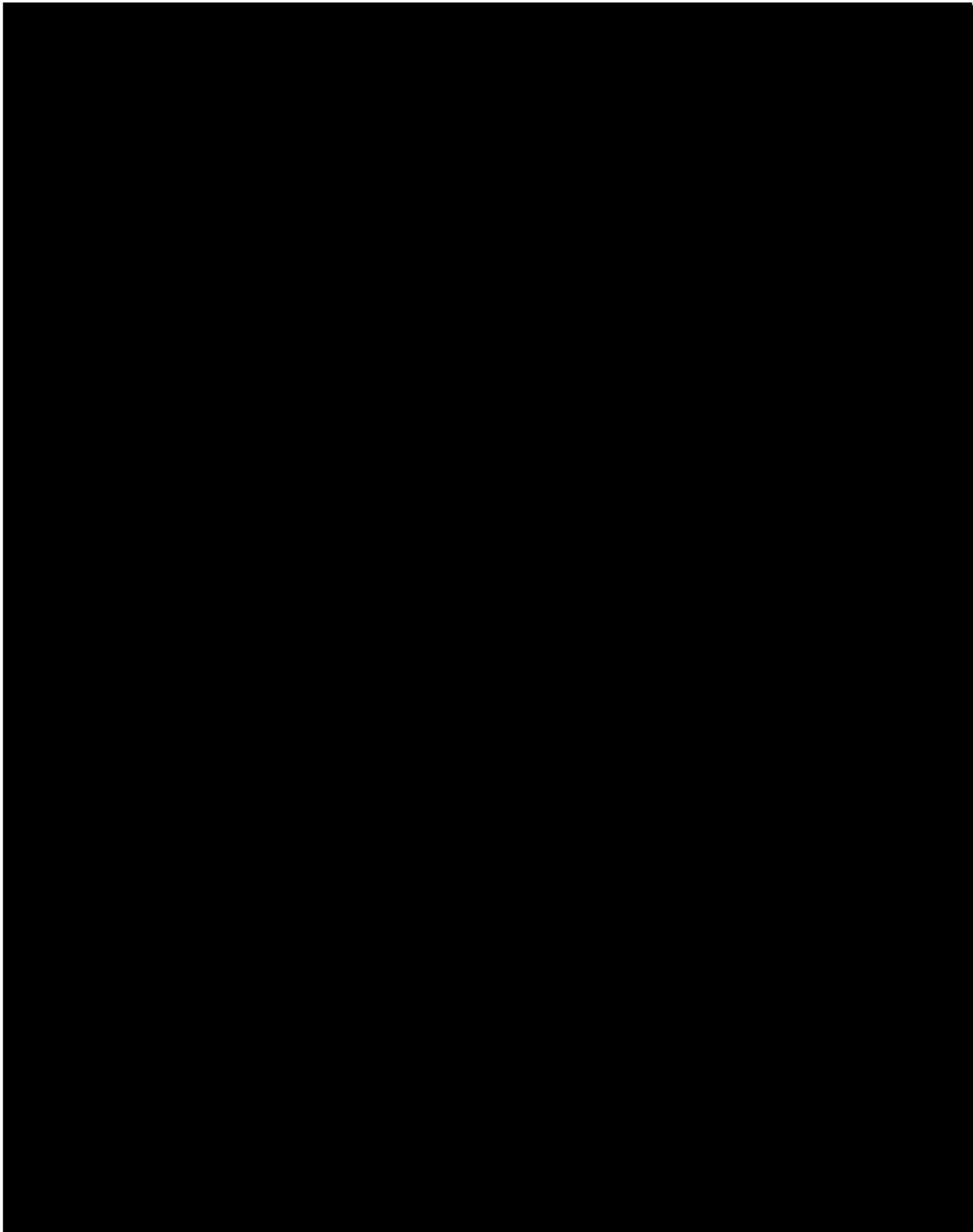
[REDACTED]

100

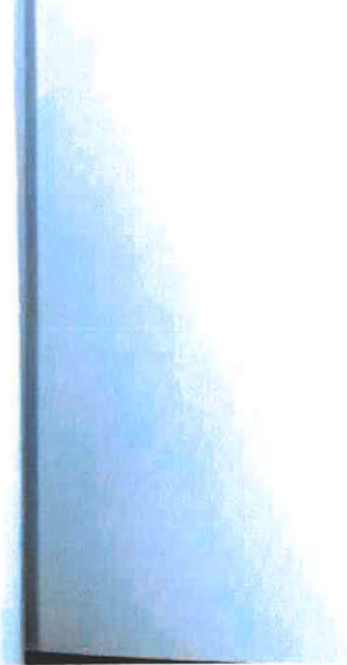
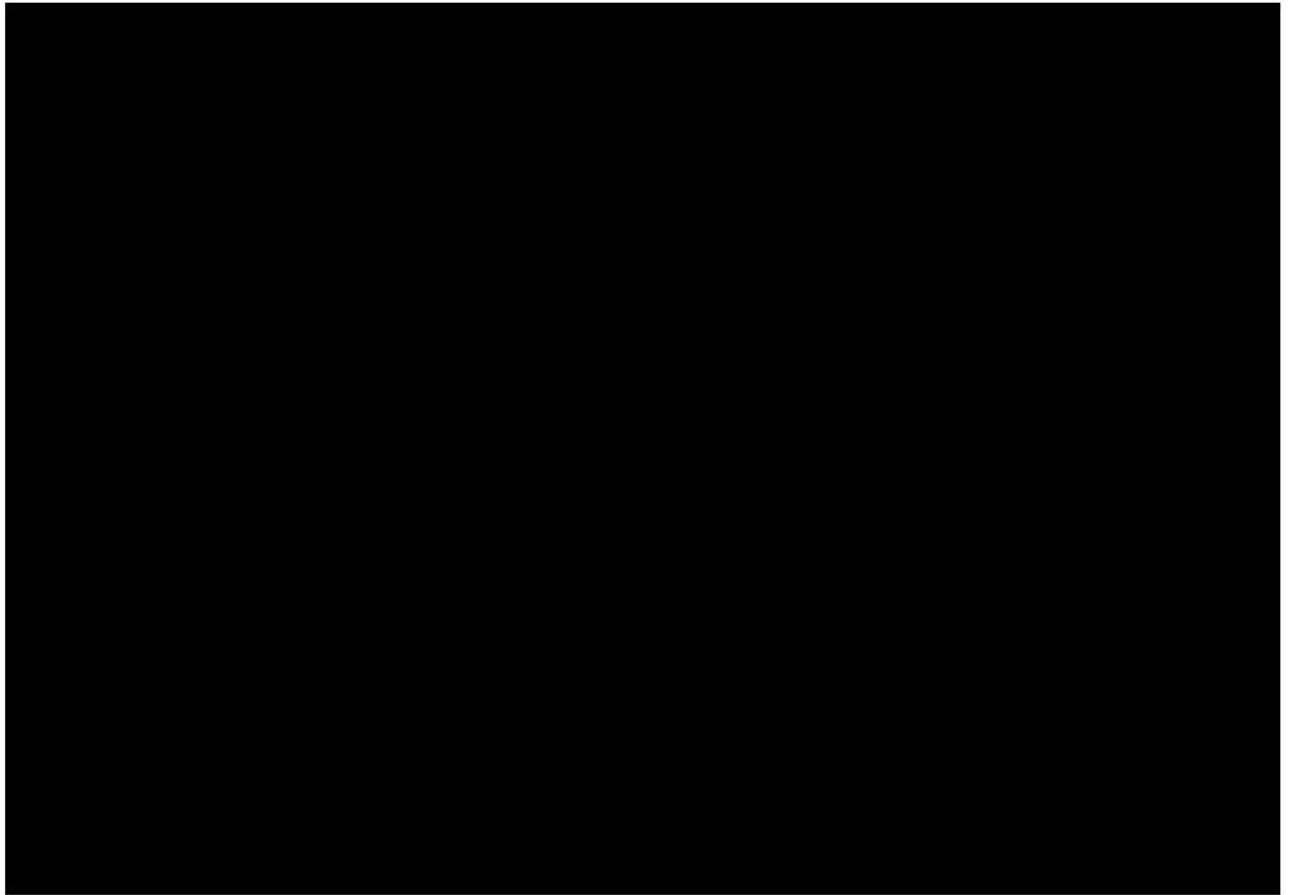
100

100











CONFIDENTIAL

"Marylands" No. 2 St. Valery 