



**County Wicklow Residential Zoned Land Tax (RZLT)**

**Submission Template**

**A: Details of person / representative / agent making submission**

Name	[REDACTED]
Address	[REDACTED]
Phone No.	[REDACTED]
Email Address	[REDACTED]

**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	Ashford
Landowner name	[REDACTED]
Landowner address	[REDACTED]
Landowner phone	[REDACTED]
Landowner email	[REDACTED]
Address of site	Rosanna, Ashford, Co. Wicklow
Site description	Rosanna walled garden
Site Area	1.3 hectares

Maps / information to accompany submission	Check
Have you included the <b>required</b> 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?	Yes
Have you included proof of ownership?	Yes

Are you:	Check
Challenging the inclusion of certain lands on the map?	Yes
Challenging the date that lands are considered to be 'in scope'?	No
Requesting a change in zoning?	No
Identifying additional lands that you believe should be shown on the maps?	No

### Grounds for your submission (please see advice at end of this document)

Section 653B TCA 1997 provides that RZLT is to apply to land which "it is **reasonable to consider may have access, or be connected to, public infrastructure and facilities**, including roads and footpaths, public lighting, foul sewerage drainage ..."

The Guidelines for Planning Authorities dated June 2022 provide further guidance at 3.1.1 stating that "the land must be connected to, have access to public infrastructure and facilities necessary for dwellings to be developed." Also, it is a requirement that "provision has been made in existing infrastructure for connection to the land."

It is noted that planning permission has been secured on this land for the building of 4 once off houses. However, currently, the land is not connected to public water and foul sewerage services listed in S653B above and was not so connected on 1 January 2022. Also, provision has not been made in existing infrastructure for such connection, which is located 250ms away from the land as shown on the attached maps.

The Planning Guidelines state at 4.1.1 that land should not be considered to be within the scope of RZLT where "significant works are required to enable connection to services which are outside the control of the applicant or

the relevant planning authority to enable".

Importantly, in relation to land on which planning permission has been secured, the Guidelines at 4.1.1(ii) state "in particular, where planning permissions have been granted subject to requirements for significant infrastructure to be delivered by infrastructure providers, this land should not be considered to be "in-scope.

In terms of the ability to connect to public infrastructure services, the Planning Guidelines at 4.1.1 (iii) provides guidance stating that "where the infrastructure is located adjoining, intersecting, at a boundary or corner of a landbank, in a nearby public road, or is connected to an existing development adjoining the landbank, the lands should be considered to be "connected" or "able to connect" and therefore are in-scope."

In case of the land called the Rosanna Walled Garden, the nearest available public infrastructure is c.250m distance away and is shown on the attached map. The is clearly not adjoining, intersecting or at a boundary or corner of the land. As such under the terms of the Guidance, these lands should not be regarded as able to connect to the necessary infrastructural services in order for development to begin without the carrying out of "significant works".

I am therefore writing to request that these lands be removed from the RZLT map on the grounds that they were not connected to the required public infrastructural services on 1 January 2022 to allow development to begin. Furthermore, these lands were physically not located close enough to such services meaning that as required by S653B TCA 1997, it was not reasonable to consider that these lands have access to such public infrastructure services. Significant works would be required in order to make such connection and where this is the case, the Guidelines provide that such lands should be outside the scope of RZLT.

### C: Third Party Submission

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

<b>Are you:</b>	<b>Check</b>
<b>Challenging the inclusion of certain lands on the map?</b>	



**Challenging the date that lands are considered to be 'in scope'?**

**Identifying additional lands that you believe should be shown on the maps?**

**Grounds for your submission** (please see advice at end of this document)

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

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

Land that meets the criteria for inclusion on the map, and therefore liable to the RZLT, is land that –

- 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.
- 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.
- 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.

but which is not –

- land that, while zoned residential, is an authorised development used to carry on a trade or profession by a business liable to pay commercial rates, and which provides services to residents of adjacent residential areas.
- land that is zoned for a mixed used purpose (including residential) unless it is reasonable to consider that such land is vacant or idle.
- land that is required for, or occupied by, other uses such as social, community or governmental infrastructure, including education and healthcare facilities, facilities used for the purposes of public administration, transport facilities and infrastructure, utilities, energy or telecommunications infrastructure and facilities; water and wastewater infrastructure and facilities, waste management and disposal infrastructure, recreational infrastructure including sports facilities and playgrounds.
- land that is subject to a statutory designation that may preclude development.

- land in respect of which the Derelict Sites Levy is payable.

> Back

**Folio Number** WW25298F  
**Title Level** Freehold  
**Plan Number** A5G32  
**Property Number** 1  
**Area of selected plans** 1.30 hectares.  
**Number of Plans on this folio:** 1  
**Address** Rossana Upper, Ashford, Co. Wicklow, A67 TN97

Add to Basket

Create Alert

\*PPA 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 Compliant Map



National Mapping Agency

CENTRE  
COORDINATES:  
ITM 727486.698401

PUBLISHED:  
18/06/2020 ORDER NO.:  
50124679\_1

MAP SERIES:  
1:2,500 MAP SHEETS:  
3962-D

COMPILED AND PUBLISHED BY:  
Ordnance Survey Ireland,  
Phoenix Park,  
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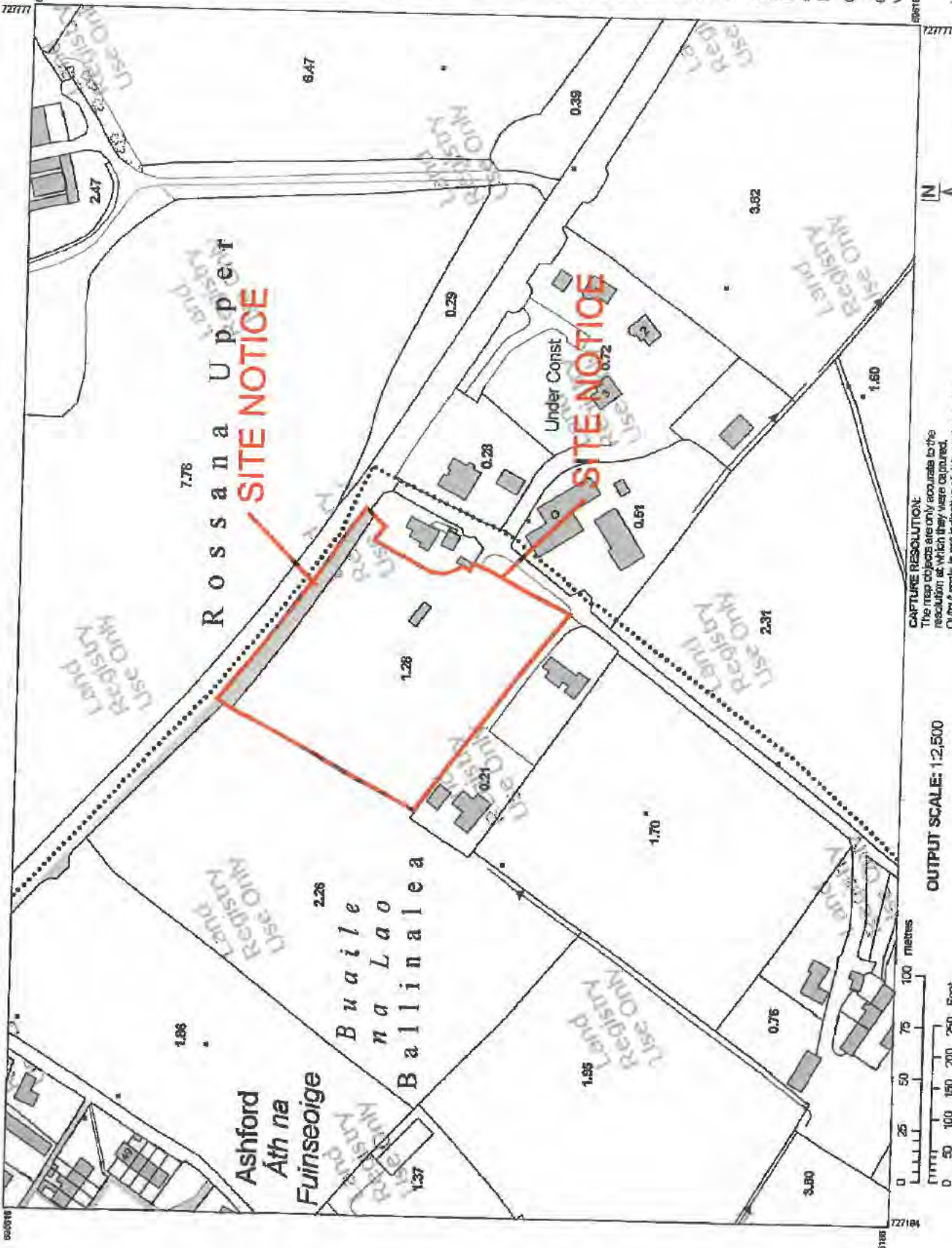
The representation on this map  
of a road, track or footpath  
is not evidence of the existence  
of a right of way.

Ordnance Survey maps  
never show legal property  
boundaries, nor do they  
show ownership of  
physical features.

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2020  
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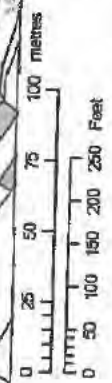
LEGEND:

<http://www.osi.ie>  
search 'Large Scale Legend'



**CAPTURE RESOLUTION:**  
The map objects are only accurate to the  
resolution at which they were captured.  
Output scale is not indicative of data capture scale.  
Further information is available at  
<http://www.osi.ie> search 'Capture Resolution'

OUTPUT SCALE: 1:2,500







# Land Registry

County Wicklow

Folio 25298F

## 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) A5G32 on the Registry Map, situate in the Townland of BALLINALEA, in the Barony of NEWCASTLE, in the Electoral Division of GLENEALY.	From Folio WW5442N

Land Registry

County Wicklow

Folio 25298F

Part 1(B) - Property  
Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares) :	Plan:	Folio No:
1	1	D2018LR004922G	10-JAN-2018		DME9Q	WW41800F


Land Registry

County Wicklow

Folio 25298F

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	<del>26 AUG 2003 D2003KW010819K Agecroft Enterprises Limited (Limited Liability Company) of Larkins Cross, Wexford, County Wexford is full owner.</del>
	Cancelled D2014LR102831G 16-OCT-2014
2	16-OCT-2014 D2014LR102831G 



# Land Registry

County Wicklow

Folio 25298F

## Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<p><del>The property is subject to the provisions prohibiting letting, subletting or subdivision specified in Section 12 of the Land Act, 1965, and to the provisions restricting the vesting of interests specified in Section 45 of the said Act in so far as the said provisions affect same.</del></p> <p style="text-align: center;">Cancelled <span style="float: right;">D2014LR102831G</span> <span style="float: right;">16-OCT-2014</span></p>
2	<p><del>26-AUG-2003 D2003KW010819K</del></p> <p><del>Charge for present and future advances repayable with interest.  ** (Maximum Duty €630.00 paid) ** ALLIED IRISH BANKS plc is owner of this charge. Certificate of Charge issued. Rule 156</del></p> <p style="text-align: center;"><del>The Certificate as to the registration, as required by Section 99 of the Companies Act 1963, has not been produced. Note: The ownership of this charge has been transferred and is now registered on folio WW988 entry no. 3.</del></p> <p style="text-align: center;"><del>Cancelled <span style="float: right;">D2015LR121316H</span> <span style="float: right;">17-SEP-2015</span></del></p>
3a	<p>16-OCT-2014 D2014LR102831G</p> <p>Charge for present and future advances repayable with interest. AIB MORTGAGE BANK is owner of this charge as tenant in common in undivided shares, the owner's share at any time being the proportion that the debt owing to the owner secured by the charge bears to the total debt owing to the owners in common secured by the charge.</p>
3b	<p>16-OCT-2014 D2014LR102831G</p> <div style="background-color: black; width: 100%; height: 100px; margin-top: 10px;"></div>

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday 15 December 2022 10:16  
**To:** Planning - Forward Planning; Planning - Planning and Development Secretariat  
**Subject:** RZLT submission on draft map - Rosanna walled gardens, Ashford  
**Attachments:** ROSANNA.zip

Dear Sirs,

Please see attached submission in respect of the RZLT draft map.

Regards

Mary Byrne