

**Our ref: CP19001Lt.WCC.RZLT.Fassaroe**

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Date: 20 December 2022

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**Re: Submission on Draft RZLT Mapping – Lands at Fassaroe, Bray, Co. Wicklow**

Dear Sir / Madam,

RPS is instructed by [REDACTED] to lodge this submission on its behalf in respect of lands in its ownership at Fassaroe, Bray, Co. Wicklow. [REDACTED] seeks to have these lands removed from the Draft RZLT Map published by Wicklow County Council on the grounds that their inclusion is not in accordance with the criteria set out at section 653B of the Taxes Consolidation Act, 1997 as amended.

We enclose as part of this submission:

- Ordnance Survey Site Location Maps at 1:2,500 (4 No. sheets) identifying the lands
- A report by RPS setting out the basis on which it is requested that these lands be excluded from the RZLT Map.

We trust that this information is sufficient to enable the Planning Authority to consider this matter. Should you require any further information however, such as proof of ownership, please be in touch.

Yours faithfully,

for RPS Group Limited



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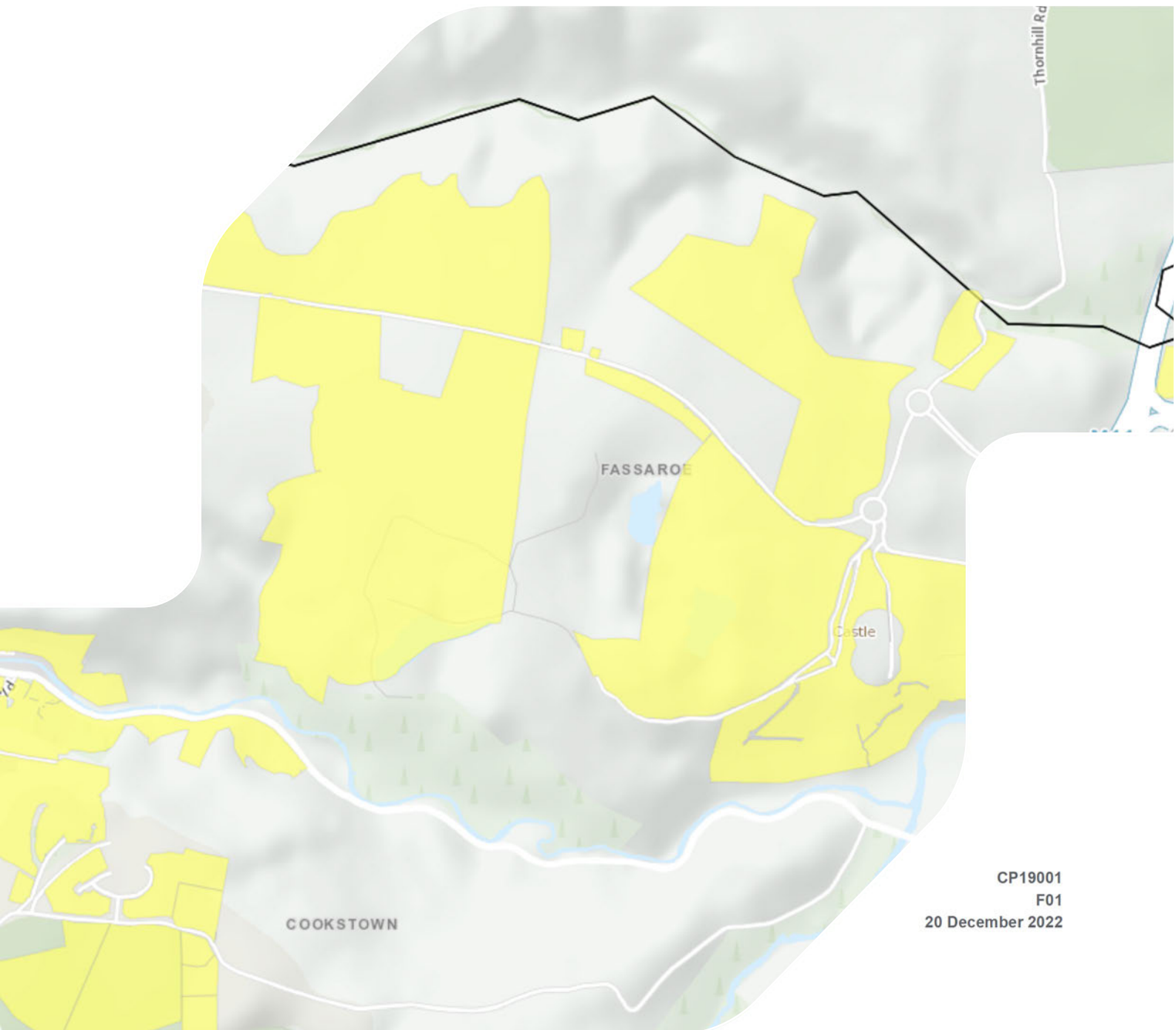
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# SUBMISSION ON DRAFT RESIDENTIAL ZONED LAND TAX MAPPING

Lands at Fassaroe, Bray, Co. Wicklow



**Lands at Fassaroe, Bray, Co. Wicklow**

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# 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 Draft Residential Zoned Land Tax (RZLT) Map published on 1<sup>st</sup> November 2022.

This submission relates to lands at Fassaroe, Bray which are in the ownership of [REDACTED].

It is submitted that WCC has incorrectly considered the combined three main criteria ((a), (b) and (c)) of section 653B of the Taxes Consolidation Act, 1997 as amended. On detailed inspection of the provisions of section 653B and applying it to the Fassaroe lands at present, it is respectfully submitted that it is not possible to accurately map specific areas and quantum of land within the overall residential zoned lands at Fassaroe that would comply with the three main criteria.

The Draft RZLT Map incorporates all R-HD New Residential – High Density and all RE- Existing Residential zoned lands at Fassaroe. The current statutory planning policy context of these lands however, which enshrines a phased approach to development, does not allow for the immediate development of the entirety of these lands. Furthermore, the Bray Environs Transport Study (BETS) (compliance with which is supported by both the WCDP and the Bray MD LAP), makes provision for an immediate first phase development of 650 No. dwellings only at Fassaroe. The BETS sets out a requirement for an Implementation Plan to be prepared by WCC (in consultation with other stakeholders) for further phases of development at Fassaroe. The purpose of that Implementation Plan is to outline any further transport requirements to serve future phases up to the full build out of Fassaroe. Pending the preparation of such a Plan and given the provisions of BETS there is no clarity on what transport infrastructure and services are required for future phases. It is submitted that the inclusion of any R-HD or undeveloped RE zoned lands for development in excess of 650 No. dwellings is therefore contrary to the provisions of section 653B (b) of the Taxes Consolidation Act, 1997 as amended.

Furthermore, given the current statutory planning policy context of residential zoned lands at Fassaroe and the non-geographic specific nature of the phasing provision provided for in BETS, it is submitted that it is not possible to identify a specific parcel of land within the Fassaroe within which Phase 1(a) will be accommodated. That first phase parcel of land to which the 650 No. units relates can reasonably only be confirmed when planning permission is in place. While ABP is currently considering an SHD application for 650 No. dwellings at Fassaroe (ABP Ref. ABP-313314-22) no permission is yet confirmed. Until such a permission is in place it will not be possible to definitively identify and accurately map a specific area for Phase 1(a) development which will comply with section 653B(b).

Accordingly, it is submitted that no R-HD or RE zoned lands should be included at the present time within the RZLT Map.

Notwithstanding this contention, it is noted that the Draft Map also failed to exclude land that will be integral to occupation by infrastructure and recreational facilities. In the event that any part of the Fassaroe lands are deemed to comply with the three main criteria of section 653B, the Map needs to exclude land occupied by existing infrastructure and associated wayleaves and which will be occupied in the future by a range of infrastructural requirements that will need to be accommodated within the residential zoned lands. Land required for such uses must be omitted under the provisions of section 653B(iii).

The location and extent of land required for this infrastructure will impact the location and quantum of residual residential zoned land that will be physically capable of accommodating residential development. In the absence of certainty on the location and quantum of land that will be required for infrastructure, and consequently the land that will physically accommodate housing, it is not possible to accurately map land the exact location and quantum of lands that will comply with certainty with section 653B(c).

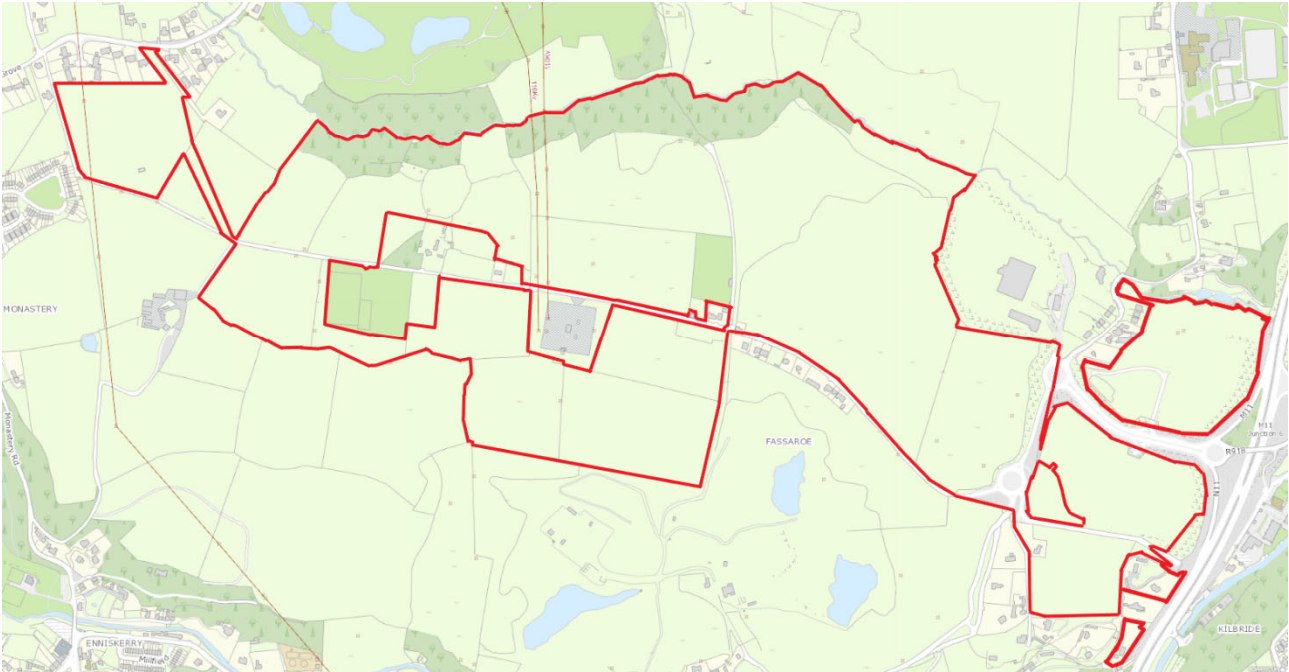
Based on the foregoing, it is submitted that it is not possible at this time to confirm compliance with the three main criteria on any specific part of the Fassaroe lands. Accordingly, no residential lands at Fassaroe should be included in the RZLT Map at present.

We set out the detailed basis for this submission in the following sections.



## 2 [REDACTED] OWNED RESIDENTIAL ZONED LANDS AT FASSAROE

[REDACTED] is the owner of a substantial landbank at Fassaroe as identified in **Figure 2.1**.



**Figure 2-1:** [REDACTED] Owned Lands at Fassaroe

### 3 CURRENT STATUTORY PLANNING POLICY CONTEXT

The statutory planning context for the new development lands at Fassaroe are set by the Wicklow County Development Plan 2022 (WCDP) 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.

#### 3.1 Wicklow County Development Plan 2022

The WCDP 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 WCDP 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. A number of particular relevance are set out below:

***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.***

***RPO 4.40: To support ongoing investment in public transport infrastructure, including the appraisal, planning and design of the LUAS extension to Bray. The development of Bray-Fassaroe should be undertaken in collaboration between Wicklow County Council, Dún Laoghaire-Rathdown County Council and the transport agencies to ensure the delivery of enabling transportation infrastructure and services.***

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 12.0 sets out goals which it states shall be at the core of all aspects of the transportation objectives of the plan, one of which is to facilitate modal shift to more sustainable transport option by (amongst other measures):

***“Support of investment programmes and any associated infrastructure development that deliver improvements to public transport infrastructure and services, in particular the upgrading of the Dublin – Rosslare train line, improved DART Services, bringing the Luas or other mass transit to Bray and Fassaroe and the development of improved bus services in all parts of the County.”***

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”.***

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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.”*

Chapter 12 contains a number of objectives which guide the timing and order of development at Fassaroe linked to transport related provisions.

CPO 12.21 seeks:

*“To promote the development of transport interchanges and ‘nodes’ where a number of transport types can interchange with ease. In particular [amongst other provisions]:*

*...*

***to promote the linkage of the Luas extension or other mass transit to Bray town centre, Bray train station and Fassaroe”;***

CPO 12.24 aims:

*“To facilitate, through both the zoning of land and the tie-in of new facilities with the development of land with the application of supplementary development contributions, the extension of the Luas or other mass transit to Bray town centre, Bray train station and Fassaroe.”*

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.”***



### 3.1.1 Summary of Strategic Statutory Policy Provisions of CDP with reference to Development at Fassaroe

In summary, strategic statutory policy for development at Fassaroe as provided for in the CDP provides as follows:

- Development at Fassaroe is dependent of the delivery of various transport infrastructure.
- Development at Fassaroe is to be progressed on a phased basis when certainty on the need for and delivery of various transport infrastructure identified in the Bray and Environs Transport Study is confirmed
- The County Council supports the delivery of the transport infrastructure set out in the Bray and Environs Transport Study to facilitate the full build-out of Fassaroe.
- Development at Fassaroe is to be undertaken in collaboration between Wicklow County Council, Dún Laoghaire-Rathdown County Council and the transport agencies to ensure the delivery of enabling transportation infrastructure and services.
- Supports the extension of the Luas or other mass transit to Fassaroe.

All of this policy combined, provides for a phased approach to development at Fassaroe in parallel with a programme of delivery of a number of identified transport requirements as identified in the Bray and Environs Transport Study.

## 3.2 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 3.1** 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 2.1 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 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.

The LAP identifies the strategic role of the Fassaroe lands for the expansion of Bray. 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.**”*

Section 2.2.7 contains policy relating to infrastructure and services, some of which affects lands at Fassaroe. Relevant policy provision comprises the following:

*“The key factor influencing the future development of the Bray MD is the adequacy and the improvement of the roads and transportation infrastructure in the area. The key investment priorities for this area as set out in the County Development Plan are:*

.....

- *significant improvements to the Dublin-Rosslare rail line, **the extension of Luas or other mass transit to Bray town centre, Bray Station and Fassaroe**, the provision of car and bus park-and-ride facilities and improved penetration of local bus services in designated growth towns; and*

.....

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With respect to road connections within and between the settlements in the District, the key priorities are:

- To secure the development of a significantly improved or alternative route to Enniskerry, via the new development zone at Fassaroe; such a route will provide both an alternative safer access route to Enniskerry from the N11 but also a more direct route to Bray centre, the key service location for the area;
- To enhance pedestrian and cycling infrastructure within settlements and between settlements where possible, including the development of 'green routes.'

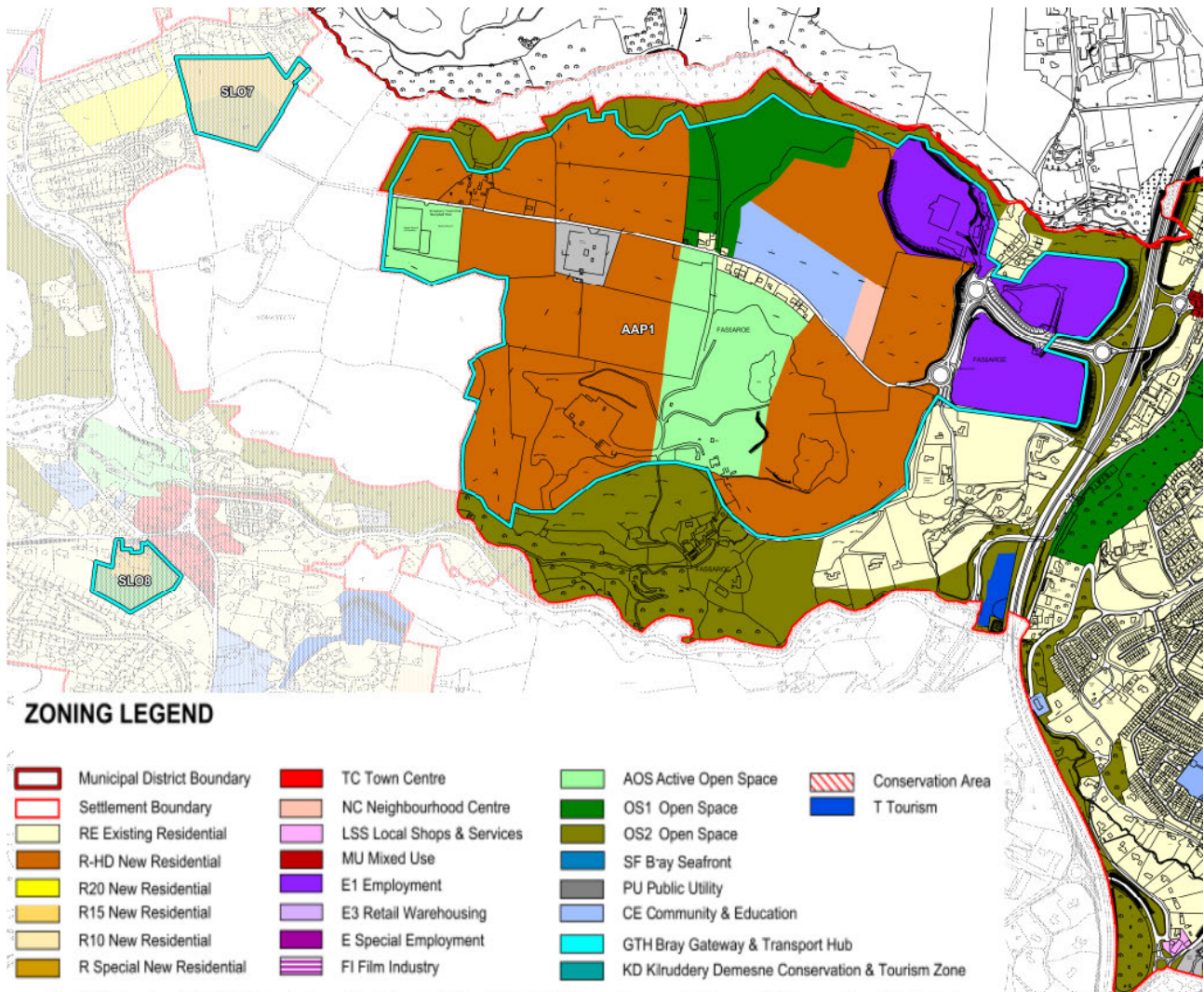


Figure 3-1: Extract from Map No. 2 of Bray MD Local Area Plan, showing Land Use Zoning for Lands at Fassaroe

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.”*

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Chapter 6 of the LAP relates to Community Development. It sets out existing education facilities within the area and also identifies ‘additional lands zoned / identified for school expansion / new schools’. Within Fassaroe such identified lands in Chapter 6 comprise 5 hectares which are zoned objective CE (Community and Education) as well as 1.6 hectares which are zoned objective R-HD (New Residential – High Density).

Chapter 8 of the Plan provides policy in respect of various types of infrastructure. With reference to Roads and Transportation, the LAP states that it has been crafted with a number of goals in mind, one of which is:

*“To promote development that delivers improvements to public transport services, in particular the upgrading of the Dublin – Rosslare train line, improved DART Services, bringing the LUAS or other mass transit to Bray and Fassaroe and the development of improved bus services;”*

A number of relevant Transport Objectives contained in the LAP are set out below:

Public Transport Objective PT3 seeks:

*“To promote the development of transport interchanges and ‘nodes’ in the Bray MD where a number of transport types can interchange with ease. In particular [amongst other]:*

....

- *to promote the linkage of the Luas extension or other mass transit to Bray town centre, Bray train station and Fassaroe; with respect to the major development area of Fassaroe, west of the N11, **the development of this area shall make provision for mass transit such as Luas or BRT, including any necessary infrastructure such as stabling;***
- *to improve existing and provide new footpath / footway linkages to existing / future transport interchange locations; and in particular, the provision of a pedestrian link/shortcut shall be investigated between the centre of Enniskerry and the proposed BRT/LUAS terminus in Fassaroe.”*

Public Transport Objective PT5 states:

*“To facilitate, through the zoning of land, the tie-in of new facilities with the development of land and the application of supplementary development contributions, **the extension of the LUAS or other mass transit to Bray town centre, Bray train station and Fassaroe.**”*

Roads Objective RO4 is as follows:

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

- (a) ***The development of this area shall include the provision of an access road from the N11 to Ballyman Road;** the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a ‘by-pass’; the design and location of this route shall not affect the functionality of the major open space as a single park and an innovative design solution where park crossing is necessary will be required; access to the lands zoned for new residential in SLO-10 at Monastery shall be from Ballyman Road and any access road shall be designed to form an element of the future Fassaroe – Monastery link road.*
- (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.”*

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.



## Lands at Fassaroe, Bray, Co. Wicklow

The LAP sets out 12 no. objectives with which the Action Area Plan and development of the lands 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**
  - Phase 1
    - Road link from N11 to Ballyman Road
    - Passive Park (minimum of 8ha)
    - Active Open Space / Sports Zone (minimum of 14 ha)
    - Site identified and reserved for school campus
    - Neighbourhood Centre
    - Up to 2,000 residential units
  - Phase 2
    - Identification and reservation of site for additional primary school
    - Remainder of residential units
2. **The development of this area shall include the provision of an access road from the N11 to Ballyman Road; the scale of such a route shall reflect its primary function as a service road for a new neighbourhood, rather than that of a 'by-pass'; the design and location of this route shall not affect the functionality of the major open space as a single park and an innovative design solution where park crossing is necessary will be required.**
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.**
4. **The development of this area shall make provision for Luas or other mass transit public transport services, and any necessary infrastructure such as depots / stabling.**
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.**
8. **The neighbourhood centre zone and major park shall be accessible to all areas by high quality, direct and safe pedestrian and cycle routes.**

### 3.2.1 Summary of Statutory Policy Provisions of Bray MD LAP with reference to Development at Fassaroe

In summary, the key statutory policy provisions of the Bray MD LAP which guide development at Fassaroe provide for the following:

- A phased approach to development.
- The phasing and roll out of development at Fassaroe shall be accompanied by the appropriate transport services and scale as set out in the Bray and Environs Local Transport Study.
- Development at Fassaroe must provide / provide for a number of key items of infrastructure including:
  - the extension of Luas or other mass transit to Fassaroe;
  - an access road from the N11 to Ballyman Road;
  - 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;
  - Pedestrian and cycle connections.

In short, the LAP requires a phased approach to development in parallel with the delivery of transport infrastructure to be set out in the Bray and Environs Transport Study. The LAP also requires the provision of specific transport infrastructure within the zoned lands.

### 3.3 Bray and Environs Transport Study

While not in itself a statutory document, the Bray and Environs Transport Study 2019 (BETS) is referenced in both the Bray MD LAP and the Wicklow County Development Plan. Both of these plans 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 was “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 the 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.”*

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

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.”**



## Lands at Fassaroe, Bray, Co. Wicklow

As noted above the BETS is not in itself a statutory planning document. However, it does consider and identify the particular measures and objectives set out within the statutory Bray MD LAP which would facilitate and promote the implementation of all of the transportation interventions and actions recommended in BETS which apply to the Bray Municipal District. In particular, BETS identifies how the provisions of BETS will apply to development at Fassaroe having regard to the LAP. Section 3.7.4 states,

*“This study sets out the roads and transportation requirements to facilitate the development of Fassaroe, west of the N11; in particular the delivery of mass public transit to the area with connections to Bray town centre, Bray station, Old Connaught and Woodbrook DART. The LAP makes provision for all of the interventions required to deliver such a services, in particular through delivery of Objectives PT1, PT2, PT3, PT5, PT7, R01, R02, R04, R07, R10.*

*The development of Phase 1 (a) of Fassaroe is recommended to be undertaken in a manner consistent with section 3.2 of this study. Further development is recommended to be subject to the development of an implementation plan by WCC in collaboration with NTA and TII.”*

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.”***

### 3.3.1 Summary of Policy Provisions of Bray and Environs Transport Study with reference to Development at Fassaroe

In summary, the key policy provisions of the BETS in respect of development at Fassaroe are:

- An initial phase of development of c650 No. dwellings can be accommodated if specified transport related requirements and application requirements are met.
- Further phases of development beyond 650 No. houses are recommended to be subject of a detailed phasing and Implementation Plan to be prepared by Wicklow County Council with inputs from TII and NTA.

## 3.4 Planning History and Application of Planning Policy Context by Wicklow County Council and An Bord Pleanála

A Strategic Housing Development application was lodged for development at Fassaroe by ██████ in 2022. This application is currently 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 clear insight into how both of these planning authorities consider how the current planning policy context of the Fassaroe lands should be applied.

Section 247 pre-application consultation commenced with Wicklow County Council in 2020 initially contained a proposal for 1,084 No. residential units. In the course of these consultations the Planning Authority noted the recommendation of BETS for an Implementation Plan for development in excess of 650 No. houses. As the establishment of an Implementation Plan for the full build out of Fassaroe was not a formal statutory requirement however, the applicant 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. to accommodate design refinements.

In its Opinion issued to ABP in respect of the proposal for 1,161 No. units, 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.”*

## Lands at Fassaroe, Bray, Co. Wicklow

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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 absence of an Implementation Plan by WCC (to have been agreed with other relevant stakeholders) the applicant subsequently revised the proposal to reduce the quantum of development to 650 No. dwellings in line with that identified as a first phase of development for Fassaroe of 650 No. units in advance of the preparation of an Implementation Plan for further phases.

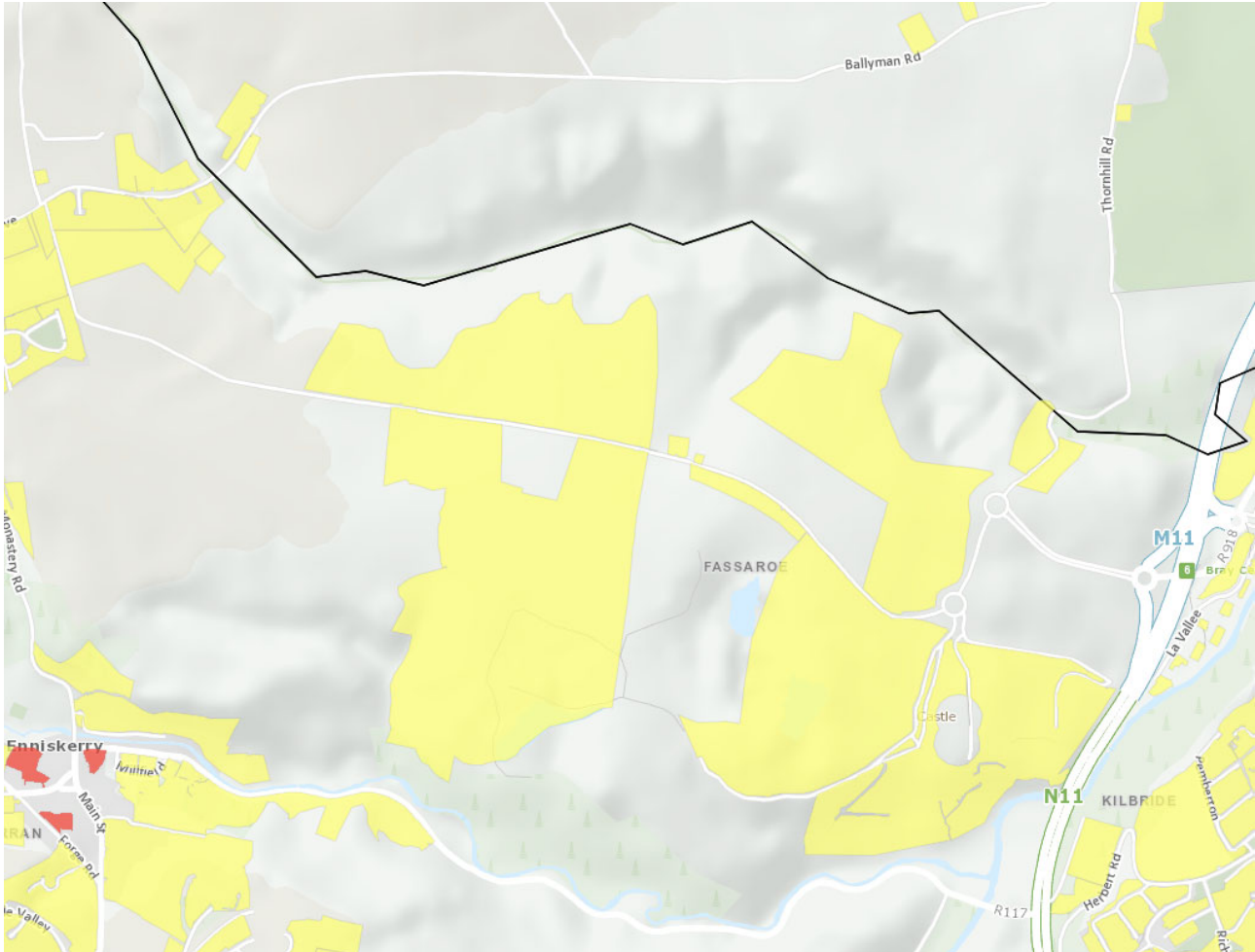
### 3.5 Key Conclusions of Statutory Planning Policy Context

We note the following key conclusions in respect of the statutory planning policy context:

- While there are currently 78.78 ha of land zoned for New Residential purposes at Fassaroe under the Bray MD LAP, both the County Development Plan and the Bray MD LAP provide for a phased approach to development at Fassaroe in line with the delivery of various transport infrastructure.
- Both the County Development Plan and the Bray MD LAP provide that the roll out of development at Fassaroe should be aligned with the transport provisions identified in BETS.
- On the basis of recent pre-planning consultation for development at Fassaroe, neither Wicklow County Council nor An Bord Pleanála will support the principle of development in excess of 650 No. dwellings at Fassaroe at present in the absence of an Implementation Plan (as recommended in BETS) for further phases of development at Fassaroe.
- While BETS is not a statutory document in itself, both ABP and WCC have recognised the provisions within the statutory documentation that development at the lands be in accordance with the provisions of BETS.
- In the absence of an Implementation Plan, given the pre-application commentary of WCC and ABP it is assumed both planning authorities would consider development in excess of 650 No. dwellings at Fassaroe to be premature as the Implementation Plan must consider what further transport measures are required for the full build out of Fassaroe.
- The WCDP and the Bray MD LAP identify a number of transport infrastructure requirements within the Fassaroe lands themselves which will have significant land requirements within the ‘New Residential’ zoned landbank.

## 4 PROPOSED RESIDENTIAL ZONED LAND TAX MAP

**Figure 4.1** below presents an extract from the Draft RZLT Map for County Wicklow identifying lands included at Fassaroe. This map includes the entirety of the lands at Fassaroe zoned R-HD – New Residential as well as those zoned RE- Existing Residential.



**Figure 4-1: Extract from WCC Draft RZLT Map showing Lands Identified at Fassaroe**

The inclusion of all of these lands within the Draft RZLT Map assume that:

- All of the zoned lands could be immediately subject of planning applications and immediate development.  
This assumption is contrary to the statutory planning policy context set out in section 3 above.
- All of the zoned lands are available for residential land.  
This assumption fails to make any provision for existing or proposed infrastructural requirements across the lands.

## 5 DRAFT MAP CONTRARY TO SECTION 80 OF THE FINANCE ACT 2021 AND SECTION 653B OF THE TAXES CONSOLIDATION ACT, 1997 AS AMENDED

### 5.1 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,*
- (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.*

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

The Draft Map for Fassaroe includes all land which is zoned for residential use. While section 653B(a)(i) provides for the inclusion of residential zoned land, there are various other criteria set out in section 653B as quoted above, which must also be met, but which have clearly not been considered or applied by Wicklow County Council in its generation of the Draft Map in respect of the Fassaroe area.

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), (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.

## 5.3 Inclusion of any land R-HD zoned land in excess of that required for 650 No. Dwellings is Contrary to section 653B(b)

As set out in section 5.1 and 5.2 above, the inclusion of a zoning objective for residential use (or mixed use including residential) is not sufficient basis alone for including lands within the RZLT Map. The second main criteria that must also be satisfied is that it is 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”*

In the case of the residential zoned lands at Fassaroe, while they can easily be connected to foul and surface water drainage, water supply, public lighting, roads and footpaths and public infrastructure facilities, these lands are subject to the requirements of the Bray Environs Transport Study (BETS) by reason of section 4.2 and Objective CPO 12.64 of the Wicklow County Development Plan and Objective No. 5 set out for AAP 1 in the Bray MD LAP. The BETS recommends the need for a phasing and Implementation Plan to be prepared to determine what transport infrastructure and services may be required for development of further phases of development at Fassaroe beyond an initial Phase 1(a) development of c.650 No. dwellings. In the course of pre-application consultation undertaken for a recent SHD application (decision pending from An Bord Pleanála), both Wicklow County Council and An Bord Pleanála have indicated that in the absence of such an Implementation Plan any development in excess of the c650 No. units initial phase of development would be considered premature development by them.

It is entirely illogical and unreasonable that Wicklow County Council (and Bord Pleanála) have on the one hand advised that development at Fassaroe in excess of c650 No. houses would be premature pending an Implementation Plan while on the other it now proposes to include all residential zoned lands at Fassaroe within a RZLT Map. In the absence of an Implementation Plan, the Planning Authority and An Bord Pleanála have resisted proposals by ██████████ for housing quantum above 650 No. units on the basis of prematurity. How then can it suggest that the entirety of the residential lands at Fassaroe meet the criteria of section 653B (b), when it has not even confirmed what transport infrastructure and services will be required for the further phases of development.

As stated in the BETS, responsibility for the preparation of a phasing and Implementation Plan lies with Wicklow County Council with input from the NTA and TII. BETS advises that when this plan has been agreed with all agencies, then the full build-out of Fassaroe could proceed on that basis. The Implementation Plan will specify what infrastructure and what level and frequency of services is necessary for different phases of development.

Until this phasing and Implementation Plan is prepared and agreed, it cannot reasonably be concluded that all of the residential zoned lands at Fassaroe may be connected to the transport infrastructure and services necessary, as they are not yet even defined by WCC.

Having regard to the foregoing then, at a maximum, only lands which would accommodate 650 No. units may potentially be considered for inclusion in the RZLT Map. Further consideration of this potential provision is set out in **Section 5.4**.



## 5.4 Current Statutory Policy and / or Consent Context Does Not Support the Identification of a Specific Parcel of Land which Complies with s653B(b)

As set out in previous sections, BETS, makes provision for an initial phase of development at Fassaroe of c650 No. dwellings only, and both the Bray MD LAP and the Wicklow County Development Plan require development at Fassaroe to be undertaken in accordance with the BETS.

While BETS limits the first phase of development to c.650 No. units, it does not identify any particular parcel of land within Fassaroe on which these units shall be accommodated. Under the current planning policy provision, the location of these lands will be confirmed through the development management process when planning permission is secured. Until such time as permission is granted it is impossible to confirm exactly which lands within Fassaroe will deliver that Phase 1(a) development. It could be accommodated on both R-HD and RE zoned lands. It is respectfully submitted therefore, that it is impossible to identify which lands within Fassaroe can reasonably be confirmed to have access to or be connected to the transport services specified within BETS for the initial c.650 No. unit development.

As set out above, there is currently a Strategic Housing Development application before An Bord Pleanála incorporating 650 No. dwellings. **Figure 5.1** (provided at larger scale in **Appendix A**) includes a map showing the extent of residential zoned lands on which the current proposed SHD application for 650 No. dwellings is accommodated. This comprises a total of 12.39 hectares. Within this area a number of further exclusions under section 653B(iii) would also apply and which is discussed further in **section 5.5** below. When permission is granted for this first phase of development it will confirm the appropriate parcel of land that will accommodate the Phase 1(a) development provided for in BETS. Until the permission is granted however, there is no statutory policy or consent basis to conclude that any specific parcel of lands within Fassaroe complies with section 653B(b) in respect of transport infrastructure and services. It could be any parcel(s) of residential zoned land.

Under section 653C(1)(a) of the Taxes Consolidation Act, 1997 as amended the land to be included on the RZLT Map should be considered to satisfy the relevant criteria by the local authority on 2 October 2022 (one month prior to 1 November 2022 – the date of publication of the Draft Map). As no permission confirming the location of the 650 No. Phase 1(a) development was in place on 2 October 2022 (and no policy provision confirms a specific location either) then it is respectfully submitted that Wicklow County Council cannot at this time reasonably identify a particular parcel of land at Fassaroe equating to a first Phase development of c650 No. units to satisfy the requirements of section 653B(b). Until such a permission is granted, under the current planning context, no R-HD lands at Fassaroe should be included in the RZLT Map. Accordingly, all of the residential zoned lands at Fassaroe should be excluded from the RZLT Map.

Lands at Fassaroe, Bray, Co. Wicklow

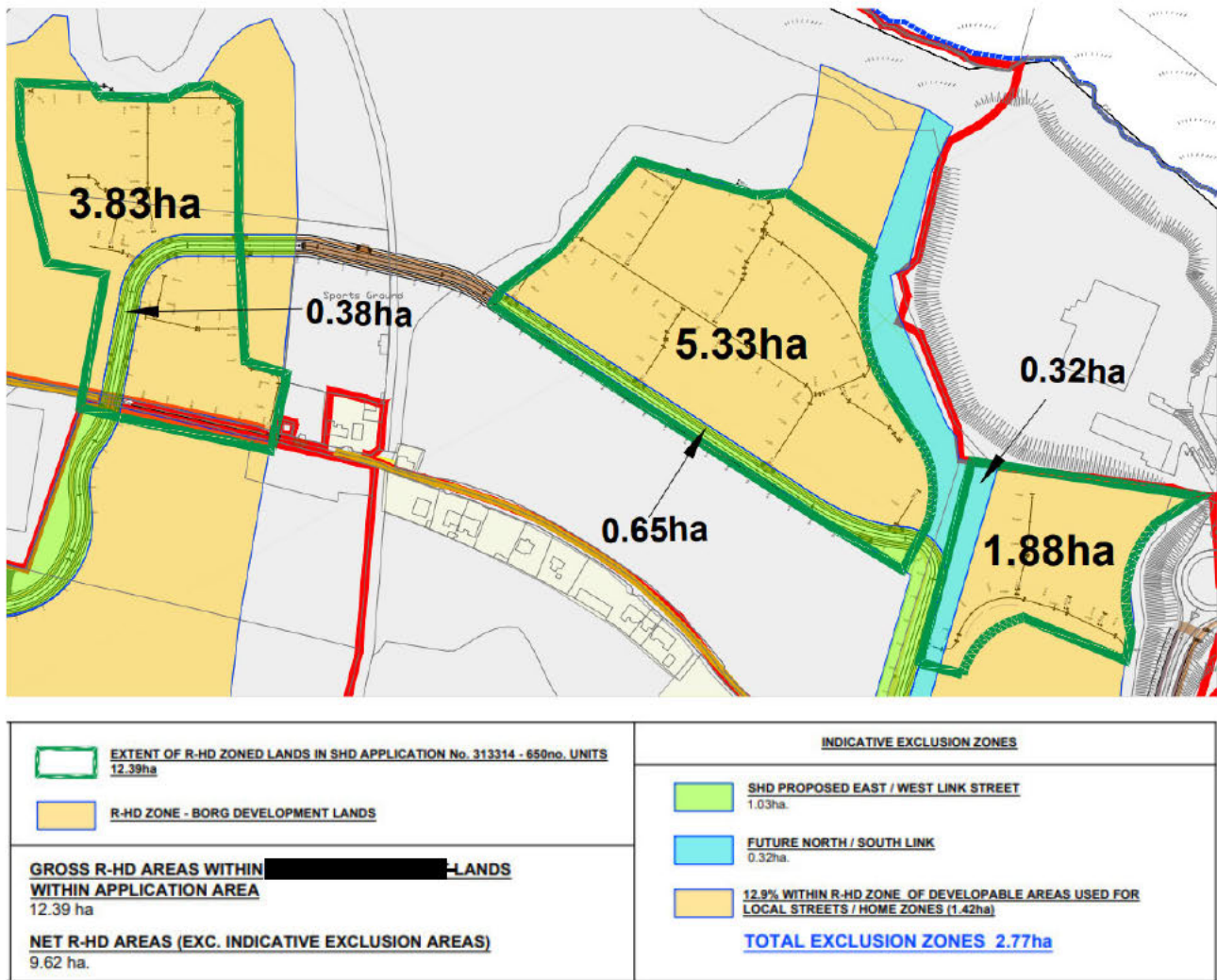


Figure 5-1: Map showing the Extent of Residential Zoned Lands on which the Current Proposed SHD Application for 650 No. dwellings is Accommodated (see Appendix A for larger scale map)

### 5.5 Inclusion of lands which should be excluded under section 653B(iii)

As set out in sections 5.3 and 5.4 above it is submitted that no residential zoned lands at Fassaroe whatsoever should be included within the RZLT Map at this time as it cannot reasonably comply with the provisions of section 653B(b).

However, even if the lands, or part thereof to accommodate Phase 1(a) of 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 R-HD zoned lands at Fassaroe in the RZLT Map in the first instance, we are concerned that there appears to have been no attempt by the Planning Authority to consider the various exclusions specified in section 653B(iii). Section 3.2 above identifies a number of significant infrastructural requirements for Fassaroe set out in the Bray MD LAP. The provision of these various infrastructural elements will have significant landtake requirements. These infrastructural elements are as follows:

- Land required for east west distributor, including cycle / pedestrian provisions (to be excluded under s653B(iii)(II)).

## Lands at Fassaroe, Bray, Co. Wicklow

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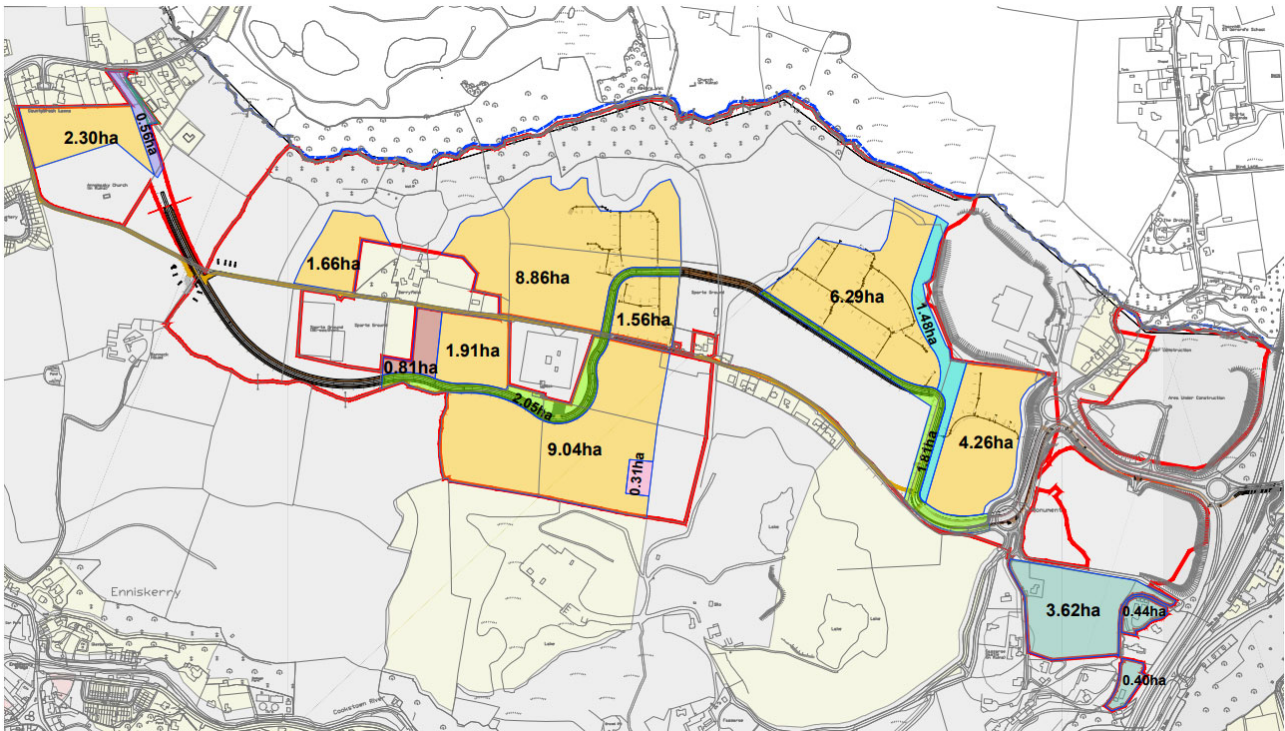
- Land required for N-S connector – including the potential land for Luas / other mass transit (to be excluded under s653B(iii)(II)).
- Creche sites – reasonable that 4 No. facilities may be required on entire Fassaroe AAP lands (to be excluded under s653B(iii)(I)), with 2 No. to be provided on ██████████ 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 ██████████ 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 elements (other than the existing watermain wayleaves) is not currently known, **Figure 5.2** (provided at larger scale in **Appendix A**) below presents a map showing the indicative locations and likely land requirements which would be necessary to accommodate these various elements insofar as they would likely relate to lands in the ownership of ██████████, and which should be excluded under section 653B(iii). Of the total approx. 47.36 ha of residential zoned lands in ██████████ ownership, the approximate amount of land which would be required to accommodate the various infrastructural requirements (and which would fall under the exclusion criteria of section 653B(iii)) is estimated at approx. 12.22ha. In due course then, the Net residential zoned land at Fassaroe in the ownership of ██████████ which will reasonably be available for phased delivery of housing will be approx. 35.14 ha.

A number of these exclusions fall within the area of the proposed initial 650 No. unit SHD application currently before An Bord Pleanála. The total extent of residential zoned land on which development is proposed under the SHD application is approx. 12.39 ha. Exclusion areas as provided for in section 653B(ii) (and as proposed under the current application) comprise 2.77ha. Thus, the net residential zoned land that would accommodate the initial 650 No. unit application is 9.62ha.



Lands at Fassaroe, Bray, Co. Wicklow



<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> R-HD ZONE - BORG DEVELOPMENT LANDS (42.9ha.)</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> R-E ZONE - BORG DEVELOPMENT LANDS (4.46ha.)</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightyellow; border: 1px solid black; margin-right: 5px;"></span> R-HD ZONE - OTHER LANDHOLD OWNERS</li> <li><span style="display: inline-block; width: 15px; border-bottom: 2px solid red; margin-right: 5px;"></span> OVERALL BORG DEVELOPMENT LANDS</li> </ul>	<p><b>INDICATIVE EXCLUSION ZONES</b></p>
<p><b>GROSS R-HD / R-E AREAS WITHIN BORG DEVELOPMENT LANDS</b> 47.36 ha</p> <p><b>NET R-HD / R-E AREAS (EXC. INDICATIVE EXCLUSION AREAS)</b> 35.14 ha</p>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: purple; border: 1px solid black; margin-right: 5px;"></span> EXISTING PORTION OF LINK STREET ALREADY CONSTRUCTED 0.56 ha</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> INDICATIVE EAST / WEST LINK STREET 3.86 ha</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: cyan; border: 1px solid black; margin-right: 5px;"></span> INDICATIVE NORTH / SOUTH LINK 1.48 ha</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> INDICATIVE CRECHE SITE 0.31 ha</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: brown; border: 1px solid black; margin-right: 5px;"></span> POTENTIAL STABLING AREA FOR TRANSPORT 0.81 ha</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> 12.9% WITHIN R-HD AND R-E ZONES OF DEVELOPABLE AREAS USED FOR LOCAL STREETS / HOME ZONES (5.20ha)</li> </ul> <p style="text-align: center;"><b>TOTAL EXCLUSION ZONES 12.22ha</b></p>

Figure 5-2: Map of Indicative Locations and Land Requirements of Infrastructure to be Excluded under Section 653B(iii)

### 5.6 Uncertainty on Location and Landtake Requirements of Necessary Infrastructure Means it is Not Possible to Confirm Lands which would Fall Within Criteria 653B(c)

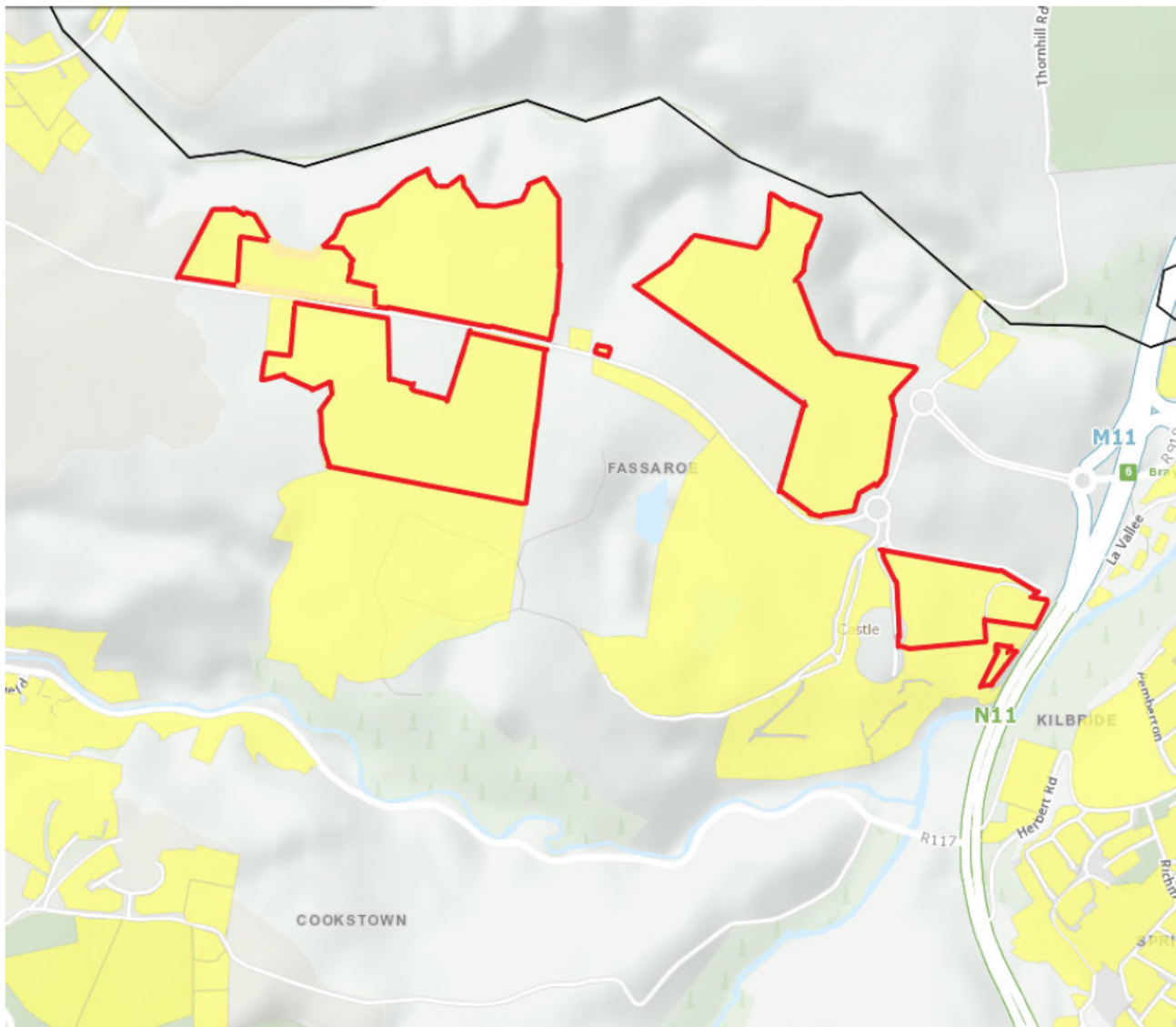
Further to the requirements for exclusion under section 653B(iii), the uncertainty around the exact location and land requirements of the various infrastructural elements also means that it is not possible at this time (in advance of phased planning applications being brought forward) to confirm the exact areas and quantum of the lands on which dwellings will physically be accommodated. In this regard, we respectfully submit that it is not possible for the Planning Authority to reasonably conclude exactly on which areas of the overall R-HD lands the provision of houses will be precluded due to their physical condition of accommodating infrastructure, and consequently exactly what parts and quantum of the R-HD lands at Fassaroe would comply with section 653B(c) of the Act for inclusion on a map.

On this basis, we respectfully submit that it is not possible at this time to confirm or map any exact location or quantum of R-HD lands at Fassaroe which would fall within criteria 653B(c).

## 6 CONCLUSION

Based on all of the foregoing, we respectfully submit that no residential zoned lands at Fassaroe should be included in the current Wicklow County Council RZLT Map as it is not possible at this time to confirm an exact location or quantum of land which would comply with all three criteria of section 653B(a), (b) and (c) of the Taxes Consolidation Act, 1997 as amended.

For clarity and in conclusion, **Figure 6.1** presents an extract of the Draft RZLT Map and identifies the [REDACTED] lands which this submission seeks to have removed from the map. While this map identifies only [REDACTED] owned lands, and this submission is made in respect of same, it is noted that the provisions set out in the foregoing sections would also apply to other residential zoned lands at Fassaroe.



**Figure 6-1:** [REDACTED] Owned Lands at Fassaroe Requested to be Excluded from RZLT Map

Pending the preparation and adoption of a phasing and Implementation Plan by Wicklow County Council for further phases of development beyond the initial Phase 1(a) development of c650 No. houses provided for in BETS, it is not possible to confirm what transport infrastructure and level of service will be required for future phases. Both Wicklow County Council and An Bord Pleanála have both already suggested that development in excess of 650 No. units at Fassaroe would be premature pending the provision of an Implementation Plan. In this regard, R-HD lands for future phases of development in excess of 650 No. units cannot reasonably be confirmed to clarify with section 653B(b) at this time.



## Lands at Fassaroe, Bray, Co. Wicklow

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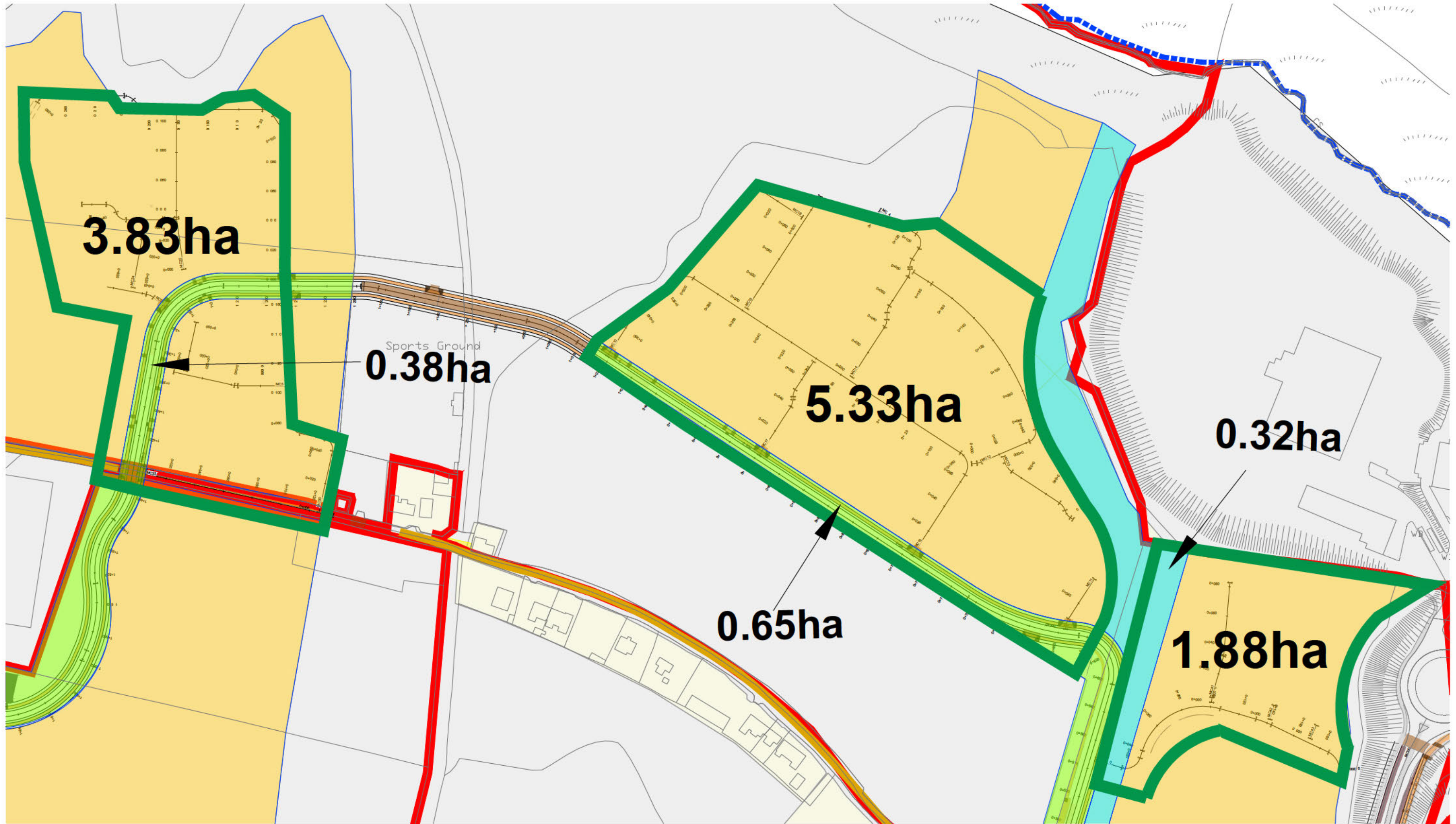
While BETS does specify the transport requirements for the initial phase of development of 650 No. houses, neither the Bray MD LAP nor the Wicklow County Development Plan specifies a geographic area of the site on which this first phase of development shall be accommodated. This location will only be confirmed when a permission is granted. Accordingly, until permission is granted for a first phase of development then it is not possible to confirm an exact location or quantum of development that would comply with section 653B(b) even for that first phase of development.






The overall development of the Fassaroe lands requires various infrastructural provisions which will have significant landtake requirements. The location and extent of land required for this infrastructure will impact the quantum of residual land that will be physically capable of accommodating residential development. In the absence of certainty on the location and quantum of land that will physically accommodate housing it is not possible to accurately map land that will comply with certainty with section 653B(c).

Apart from failing to give due consideration to the three main criteria of section 653B, Wicklow County Council in its preparation of the Draft RZLT Map also failed to consider the various further exclusions provided for in section 653B. Notwithstanding our submission that no lands at Fassaroe should be included in the RZLT Map at this time due to failure to meet the three main criteria, we respectfully submit that the provisions of section 653B(iii) would require the exclusion of significant areas of land from the RZLT Map.

A large, light gray graphic element with rounded corners and a notch on the right side. Inside the notch, the text 'Appendix A' is written in a bold, dark red font, and 'Figures 5.1 and 5.2' is written below it in a dark gray font. A dark red, curved shape is positioned within the notch, partially overlapping the text.

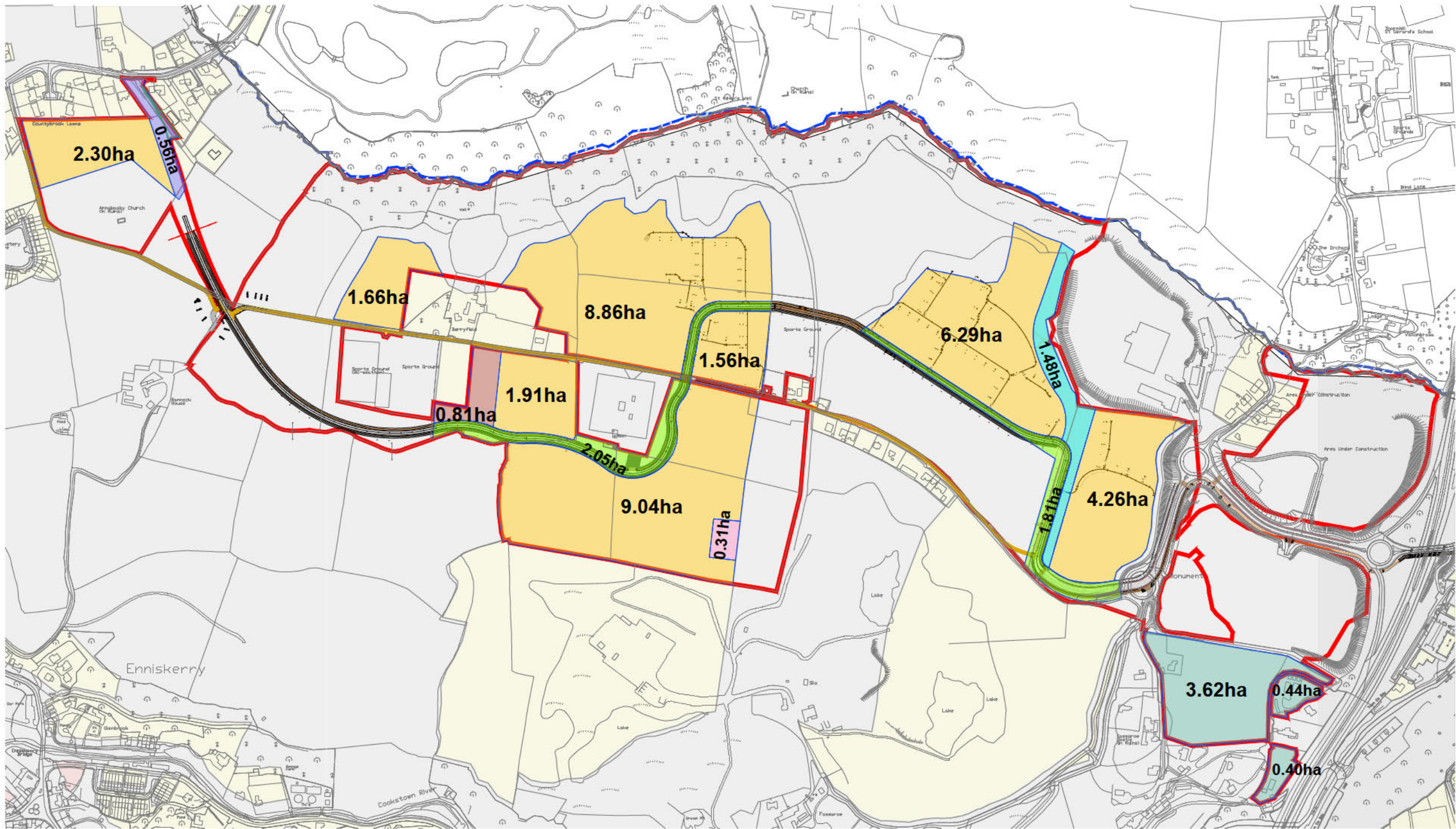
**Appendix A**  
Figures 5.1 and 5.2



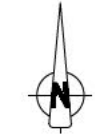
<b>LEGEND</b>	 <b>EXTENT OF R-HD ZONED LANDS IN SHD APPLICATION No. 313314 - 650no. UNITS</b> 12.39ha	<b>INDICATIVE EXCLUSION ZONES</b>
	 <b>R-HD ZONE - BORG DEVELOPMENT LANDS</b>	 <b>SHD PROPOSED EAST / WEST LINK STREET</b> 1.03ha.  <b>FUTURE NORTH / SOUTH LINK</b> 0.32ha.  <b>12.9% WITHIN R-HD ZONE OF DEVELOPABLE AREAS USED FOR LOCAL STREETS / HOME ZONES (1.42ha)</b>
<b>GROSS R-HD AREAS WITHIN BORG DEVELOPMENT LANDS WITHIN APPLICATION AREA</b> 12.39 ha		
<b>NET R-HD AREAS (EXC. INDICATIVE EXCLUSION AREAS)</b> 9.62 ha.		

  
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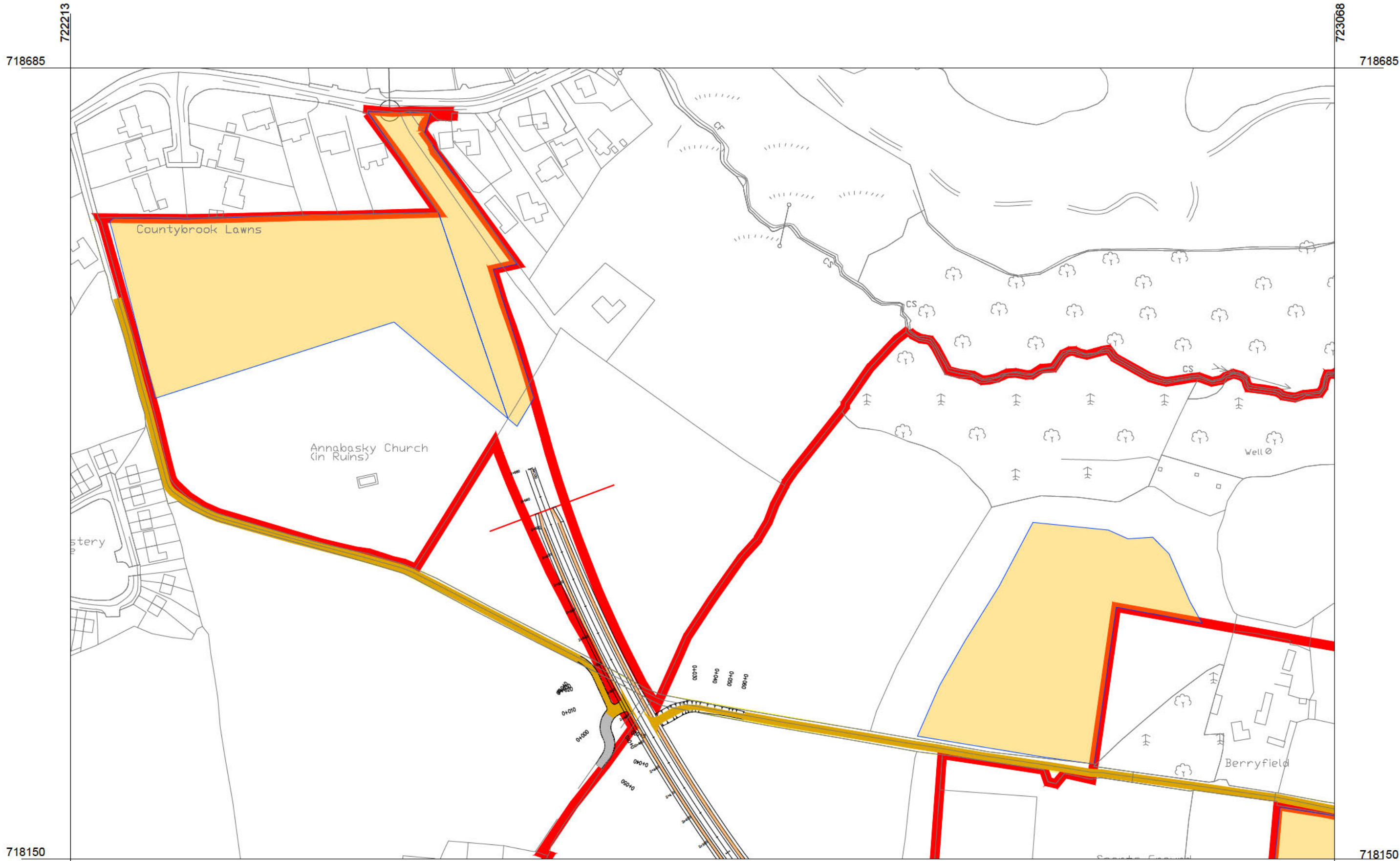
LEGEND	INDICATIVE EXCLUSION ZONES	
	<p><b>R-HD ZONE - BORG DEVELOPMENT LANDS (42.9ha.)</b></p> <p><b>R-E ZONE - BORG DEVELOPMENT LANDS (4.46ha.)</b></p> <p><b>R-HD ZONE - OTHER LANDHOLD OWNERS</b></p> <p><b>OVERALL BORG DEVELOPMENT LANDS</b></p>	<p><b>EXISTING PORTION OF LINK STREET ALREADY CONSTRUCTED</b> 0.56 ha</p> <p><b>INDICATIVE EAST / WEST LINK STREET</b> 3.86 ha</p> <p><b>INDICATIVE NORTH / SOUTH LINK</b> 1.48 ha</p> <p><b>INDICATIVE CRECHE SITE</b> 0.31 ha</p> <p><b>POTENTIAL STABLING AREA FOR TRANSPORT</b> 0.81 ha</p> <p><b>12.9% WITHIN R-HD AND R-E ZONES OF DEVELOPABLE AREAS USED FOR LOCAL STREETS / HOME ZONES (5.20ha)</b></p> <p><b>TOTAL EXCLUSION ZONES 12.22ha</b></p>
<p><b>GROSS R-HD / R-E AREAS WITHIN BORG DEVELOPMENT LANDS</b> 47.36 ha</p> <p><b>NET R-HD / R-E AREAS (EXC. INDICATIVE EXCLUSION AREAS)</b> 35.14 ha</p>		





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LEGEND	
	R-HD ZONE - BORG DEVELOPMENT LANDS (42.9ha.)
	R-E ZONE - BORG DEVELOPMENT LANDS (4.46ha.)
	OVERALL BORG DEVELOPMENT LANDS



FASSAROE MAP 1 OF 4  
1:2500 @A3

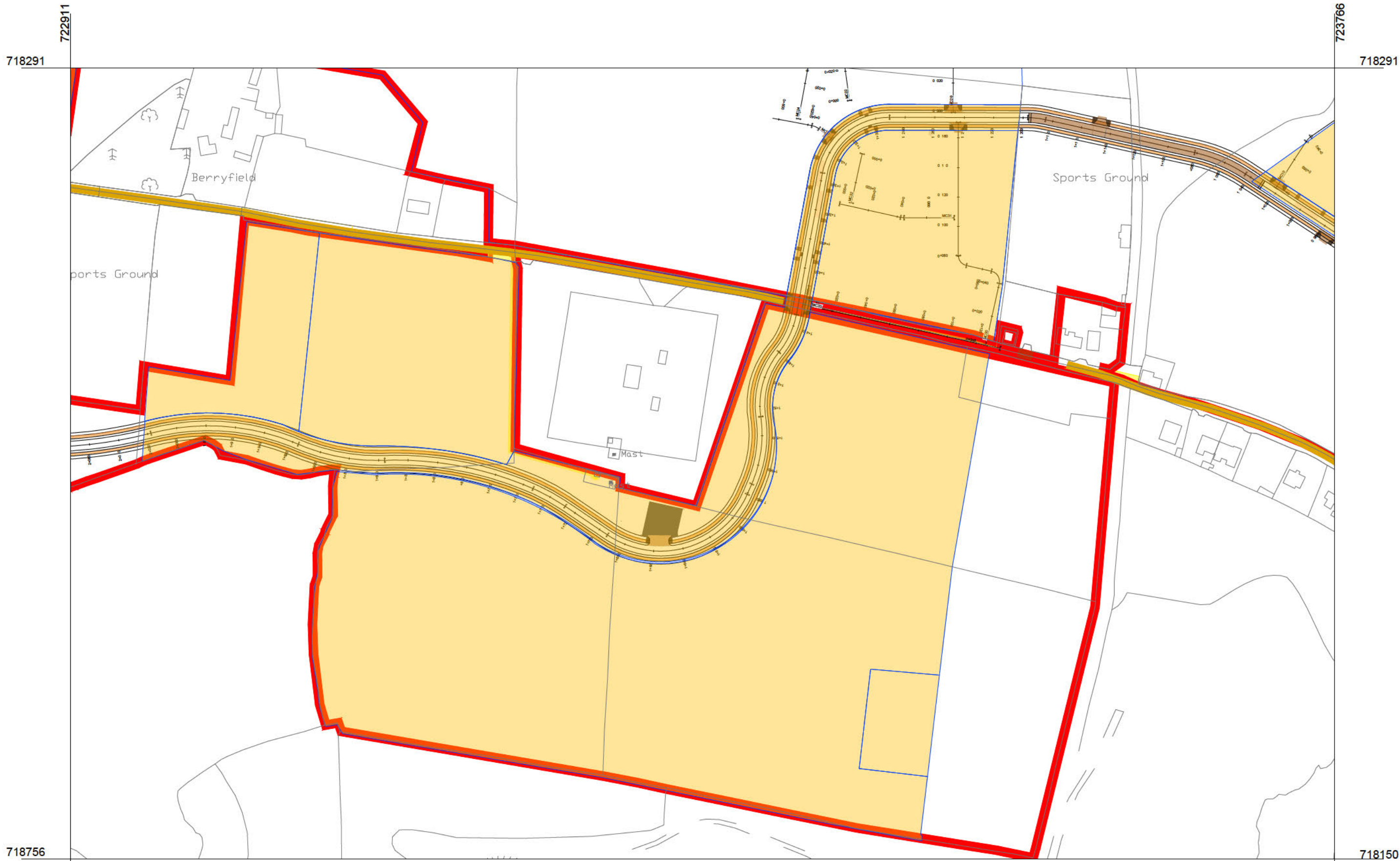
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housinggov.ie/maps.argois.com/apps/webappviewer

718685 722213 723068 718685

718150 722213 723068 718150





LEGEND	
	R-HD ZONE - BORG DEVELOPMENT LANDS (42.9ha.)
	R-E ZONE - BORG DEVELOPMENT LANDS (4.46ha.)
	OVERALL BORG DEVELOPMENT LANDS



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FASSAROE MAP 2 OF 4  
1:2500@ A3



718441

723766

718441

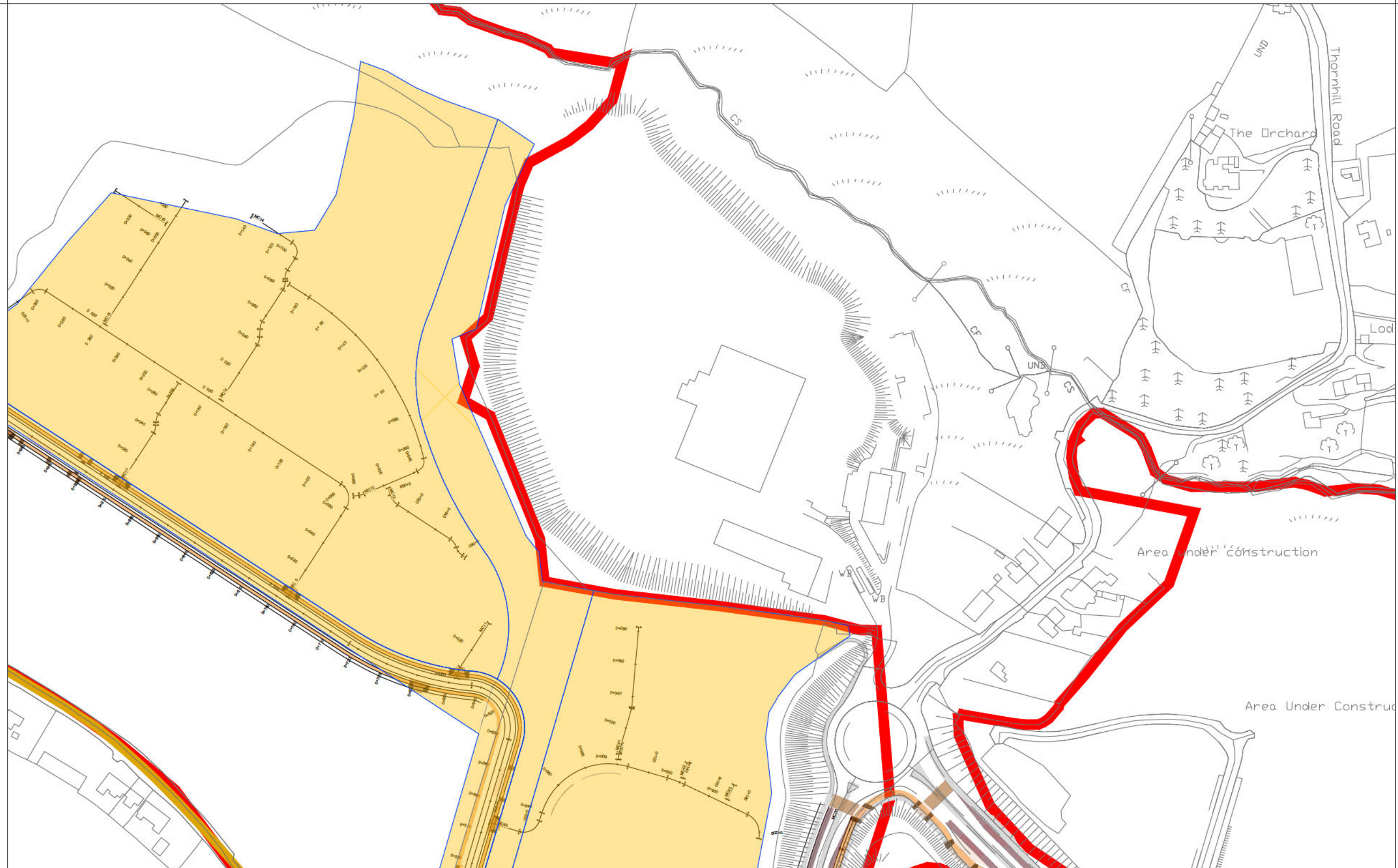
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**LEGEND**

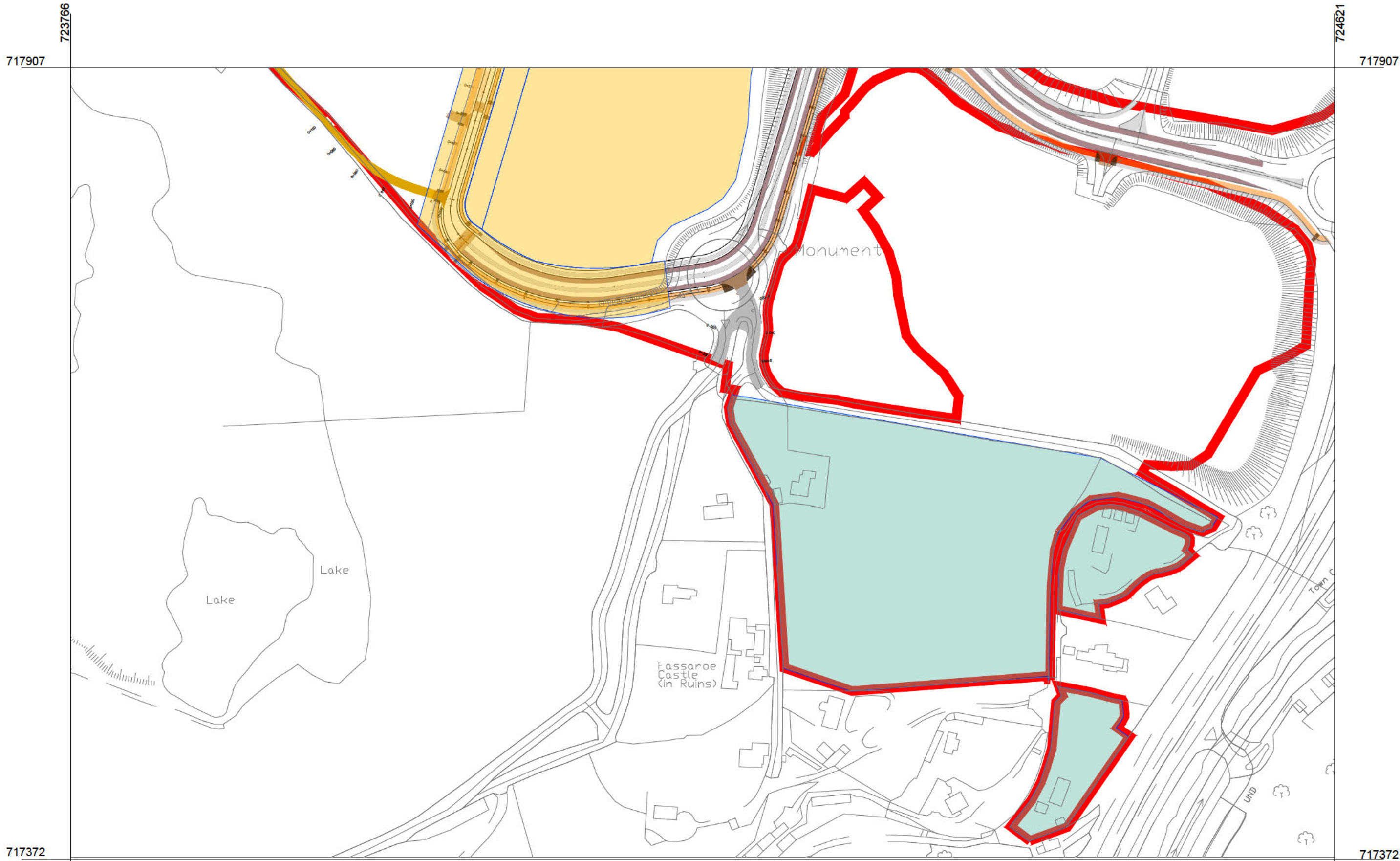
- R-HD ZONE - BORG DEVELOPMENT LANDS (42.9ha.)**
- R-E ZONE - BORG DEVELOPMENT LANDS (4.46ha.)**
- OVERALL BORG DEVELOPMENT LANDS**





**FASSAROE MAP 3 OF 4**  
**1:2500 @ A3**

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<b>LEGEND</b>		<b>R-HD ZONE - BORG DEVELOPMENT LANDS</b> (42.9ha.)
		<b>R-E ZONE - BORG DEVELOPMENT LANDS</b> (4.46ha.)
		<b>OVERALL BORG DEVELOPMENT LANDS</b>



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**FASSAROE MAP 4 OF 4**  
**1:2500 @ A3**