

Pauline Conway

From: Pauline Conway
Sent: Tuesday 20 December 2022 13:00
To: [REDACTED]
Subject: RE: SUBMISSION IN RESPECT OF WICKLOW COUNTY COUNCIL'S RESIDENTIAL ZONED LAND TAX DRAFT MAP IN RESPECT OF LANDS AT BLESSINGTON DEMESNE, BLESSINGTON, CO. WICKLOW

A Chara,

I wish to acknowledge receipt of your email submission with attachments regarding lands at Blessington Demesne, Blessington, Co. Wicklow being included on the draft map for RZLT.

Mise le meas,

Pauline Conway,
Planning Development & Environment.

From: Katie McKay [REDACTED]
Sent: Tuesday 20 December 2022 10:34
To: Residential Zoned Land Tax
Subject: SUBMISSION IN RESPECT OF WICKLOW COUNTY COUNCIL'S RESIDENTIAL ZONED LAND TAX DRAFT MAP IN RESPECT OF LANDS AT BLESSINGTON DEMESNE, BLESSINGTON, CO. WICKLOW

To Whom It May Concern,

We have been retained by [REDACTED] to make this Submission to Wicklow County Council in respect of Wicklow County Council's Residential Zoned Land Tax Draft Map. This Submission relates to lands in the ownership of [REDACTED] at Blessington Demesne, Blessington, Co. Wicklow.

Attached please find the Submission, as well as Ordnance Survey Map and Proof of Ownership (Folios and Folio Map).

Yours faithfully,
Katie McKay

Katie McKay
Executive Planning Consultant



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Registered in Ireland No: 583144

Land Registry

County Wicklow

Folio 28751F

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>A plot of ground being part of the Townland of BLESSINGTON DEMESNE and Barony of TALBOTSTOWN LOWER containing 1.8211 Hectares shown as Plan(s) BAE3R edged RED on the Registry Map (OS MAP Ref(s) 3610-D).</p> <p>The Registration does not extend to the mines and minerals</p>	From Folio WW5588

Land Registry

County Wicklow

Folio 28751F

Part 1(B) - Property

Parts Transferred

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







Land Registry

County Wicklow

Folio 28751F

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	
5	 <p data-bbox="1295 1606 1477 1638">10-DEC-2007</p>
6	 <p data-bbox="1295 1795 1477 1827">19-DEC-2014</p>

Land Registry

County Wicklow

Folio 28751F

7	<p>10 [REDACTED] [REDACTED] 61Y</p>	<p>[REDACTED]</p>	<p style="text-align: center;">Cancelled</p> <p style="text-align: center;">D2014LR133677Q</p> <p style="text-align: right;">19-DEC-2014</p>
8	<p>[REDACTED] D2007KW025461Y</p>	<p>[REDACTED]</p>	<p style="text-align: center;">Cancelled</p> <p style="text-align: center;">D2014LR133677Q</p> <p style="text-align: right;">19-DEC-2014</p>
9	<p>[REDACTED] D2007KW025461Y</p>	<p>[REDACTED]</p>	<p style="text-align: center;">Cancelled</p> <p style="text-align: center;">D2014LR133677Q</p> <p style="text-align: right;">19-DEC-2014</p>
10	<p>[REDACTED] D2016LR142873R D2014LR133677Q</p>	<p>[REDACTED]</p>	<p style="text-align: center;">Note. Description altered, 24 Oct 2016, see Instrument number D2016LR142873R</p> <p style="text-align: center;">Cancelled</p> <p style="text-align: center;">D2018LR022757Q</p> <p style="text-align: right;">15-FEB-2018</p>
11	<p>[REDACTED] D2018LR022757Q</p>	<p>[REDACTED]</p>	<p style="text-align: center;">Cancelled</p> <p style="text-align: center;">D2018LR022757Q</p> <p style="text-align: right;">15-FEB-2018</p>

~~1~~ 19-DEC-2014
D2014LR133677Q

~~No registration under a Disposition by the Registered Owner is to be made without the prior consent being obtained of NORTHERN TRUST FIDUCIARY SERVICES (IRELAND) LIMITED of George's Court, 54-62 Townsend Street, Dublin 2 before registration may be made.~~

Cancelled

D2018LR022757Q

15-FEB-2018

Land Registry

County Wicklow

Folio 28751F

Part 3 - Burdens and Notices of Burdens

No.	Particulars
■ D2003KW015264U	[REDACTED]
■ D2003KW015264U	[REDACTED]
■ D2005KW016218P	[REDACTED]

Land Registry

County Wicklow

Folio 28751F

4	<p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
5	<p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
6	<p>[Redacted]</p> <p>[Redacted]</p>	<p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>

Land Registry

County Wicklow

Folio 32851F

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) BT94C on the Registry Map, situate in the Townland of BLESSINGTON DEMESNE , in the Barony of TALBOTSTOWN LOWER , in the Electoral Division of BLESSINGTON containing .333 hectares.</p> <p>The Registration does not extend to the mines and minerals</p>	From Folio WW5588N

Land Registry

County Wicklow

Folio 32851F

Part 1(B) - Property

Parts Transferred

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

Land Registry

County Wicklow

Folio 32851F

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	15 MAY 2007 D2007KW009429G		Cancelled	D2007KW025461Y 10-DEC-2007
2	15 MAY 2007 D2007KW009429G		Cancelled	D2007KW025461Y 10-DEC-2007
3	15 MAY 2007 D2007KW009429G		Cancelled	D2007KW025461Y 10-DEC-2007
4	15 MAY 2007 D2007KW009429G		Cancelled	D2007KW025461Y 10-DEC-2007
5	15 MAY 2007 D2007KW009429G		Cancelled	D2007KW025461Y 10-DEC-2007
6	10 DEC 2007 D2007KW025461Y		Cancelled	D2014LR133677Q 19-DEC-2014
7	10 DEC 2007			

Land Registry

County Wicklow

Folio 32851F

	D2007KW025461Y	[REDACTED]	Cancelled	D2014LR133677Q 19-DEC-2014
8	10 DEC 2007 D2007KW025461Y	[REDACTED]	Cancelled	D2014LR133677Q 19-DEC-2014
9	10 DEC 2007 D2007KW025461Y	[REDACTED]	Cancelled	D2014LR133677Q 19-DEC-2014
10	19 DEC 2014 D2016LR142873R D2014LR133677Q	[REDACTED]	Note. Description altered, 24 Oct 2016, see Instrument number D2016LR142873R	Cancelled D2018LR022757Q 15-FEB-2018
11	15-FEB-2018 D2018LR022757Q	[REDACTED]		

~~1 19 DEC 2014 D2014LR133677Q No registration under a Disposition by the Registered Owner is to be made without the prior consent being obtained of NORTHERN TRUST FIDUCIARY SERVICES (IRELAND) LIMITED of George's Court, 54-62 Townsend Street, Dublin 2 before registration may be made.~~

Cancelled D2018LR022757Q 15-FEB-2018

Land Registry

County Wicklow

Folio 32851F



No.	Particulars
1	15 MAY 2007 Charge for present and future advances repayable with interest. [Redacted] [Redacted] Cancelled D2014LR029198U 20-MAR-2014
2	14 JAN 2008 [Redacted] [Redacted] is also registered as a burden on folio [Redacted] Cancelled D2015LR012361E 30-JAN-2015

Land Registry

County Wicklow

Folio 38064F

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) A50YN on the Registry Map, situate in the Townland of BLESSINGTON DEMESNE, in the Barony of TALBOTSTOWN LOWER, in the Electoral Division of BLESSINGTON. The Registration does not extend to the mines and minerals	From Folio WW28494F
2	The property shown coloured Red as plan(s) C83BA on the Registry Map, situate in the Townland of BLESSINGTON DEMESNE, in the Barony of TALBOTSTOWN LOWER, in the Electoral Division of BLESSINGTON. The Registration does not extend to the mines and minerals	From Folio WW25702F

Land Registry

County Wicklow

Folio 38064F

Part 1(B) - Property

Parts Transferred

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

Land Registry

County Wicklow

Folio 38064F

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	<p>28 AUG 2014 [REDACTED]</p> <p>D2014LR086234A [REDACTED]</p> <p>Cancelled D2018LR022757Q 15-FEB-2018</p>
2	<p>15-FEB-2018 [REDACTED]</p> <p>D2018LR022757Q [REDACTED]</p>

~~1 28 AUG 2014 No registration under a disposition by the registered owner is to be made without consent of Northern Trust Fiduciary Services (Ireland) Limited of Georges Court, 54 62 Townsend Street, Dublin 2~~

~~D2014LR086234A~~

Cancelled D2018LR022757Q 15-FEB-2018

Land Registry

County Wicklow

Folio 38064F

Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<p>11-MAR-2003 D2003KW003204N</p> <p>The right to enter unto the lands for the purpose of installing a sewage pipe and such other easements as specified in Instrument no. D2003KW003204N in favour of The County Council of the County of Wicklow, its workmen, servants or agents, affecting the part of the property no.1 shown coloured yellow on Plan A50YN of the Registry Map(O.S. 3601/C.D)</p>
2	<p>16-JAN-2004 D2004KW000719M</p> <p>The property is subject to the easements, rights and privileges specified in Instrument No. D2004KW000719M made between James O' Leary of the one part and The Minister for Education and Science, the registered owner of Folio WW25717F, his successors, assigns and others as specified therein of the other part affecting the part of the property nos. 1 shown as plans A50YN thereof on the Registry Map (O.S. 3610/A, C, D)</p>
3	<p>12 AUG 2005 D2005KW012082W</p> <p>Charge for present and future advances repayable with interest. **(Maximum Duty €630 paid)** ULSTER BANK IRELAND LIMITED is owner of this charge. Certificate of Charge issued. Rule 156</p> <p style="text-align: center;">Note this charge is also registered on folio WW28494F</p> <p style="text-align: center;">Cancelled D2015LR150360B 27-NOV-2015</p>
4	<p>06 AUG 2003 D2003KW009794J</p> <p>Charge for present and future advances repayable with interest. **(Maximum Duty €630 paid)** Ulster Bank Ireland Limited is owner of this charge. Certificate of Charge issued. Rule 156</p>

Land Registry

County Wicklow

Folio 38064F

~~Note: The certificate as to registration required by Section 99 of the Companies Act, 1963 has not been produced.~~

~~Note: this charge is registered also on folio WW29614F.~~

~~Note: This Charge is registered also on Folio WW38216F and WW38064F.~~

Cancelled

D2015LR150360B

27-NOV-2015

5

19-AUG-2005
D2005KW012539M

[REDACTED]

Note: This lease burden ranks in priority to the charge at entry no. 4

6

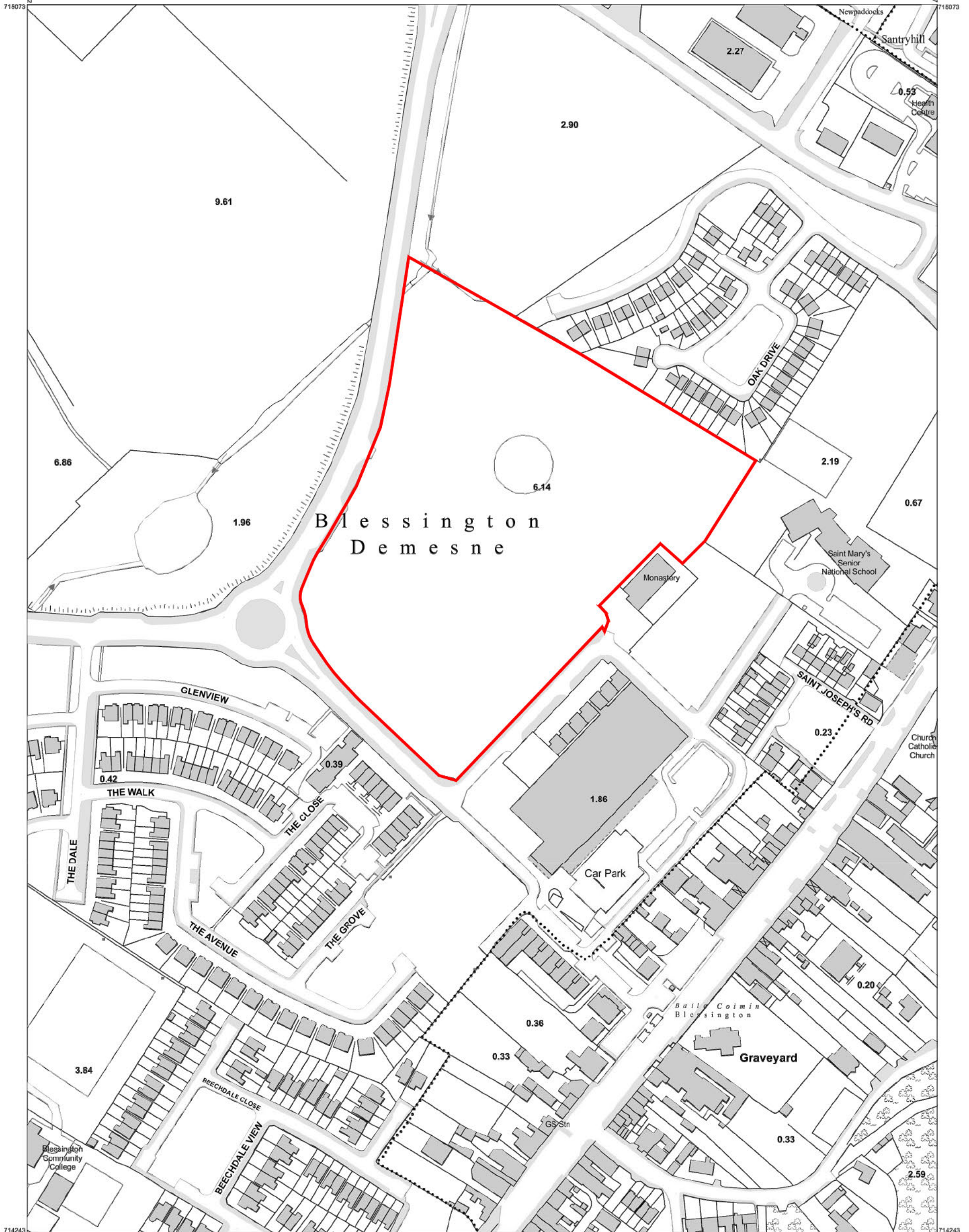
28-AUG-2014
D2014LR086234A

[REDACTED]

Planning Pack Map

PLANNING APPLICATION:
Proposed Phase 1 Development at Cookehill, Blessington.

Tyler Owens Architects
The Mash House, Distillery Road, Dublin 3.
E-mail: info@tylerowens.ie



OUTPUT SCALE: 1:2,500



CENTRE COORDINATES:
ITM 697990,714658

ORDER NO.: 50038213_1
PUBLISHED: 11/12/2018

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LEGEND:
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The Property Registration Authority
An tÚdarás Clárúcháin Maoine
Folio: WW38064F

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- Subleasehold

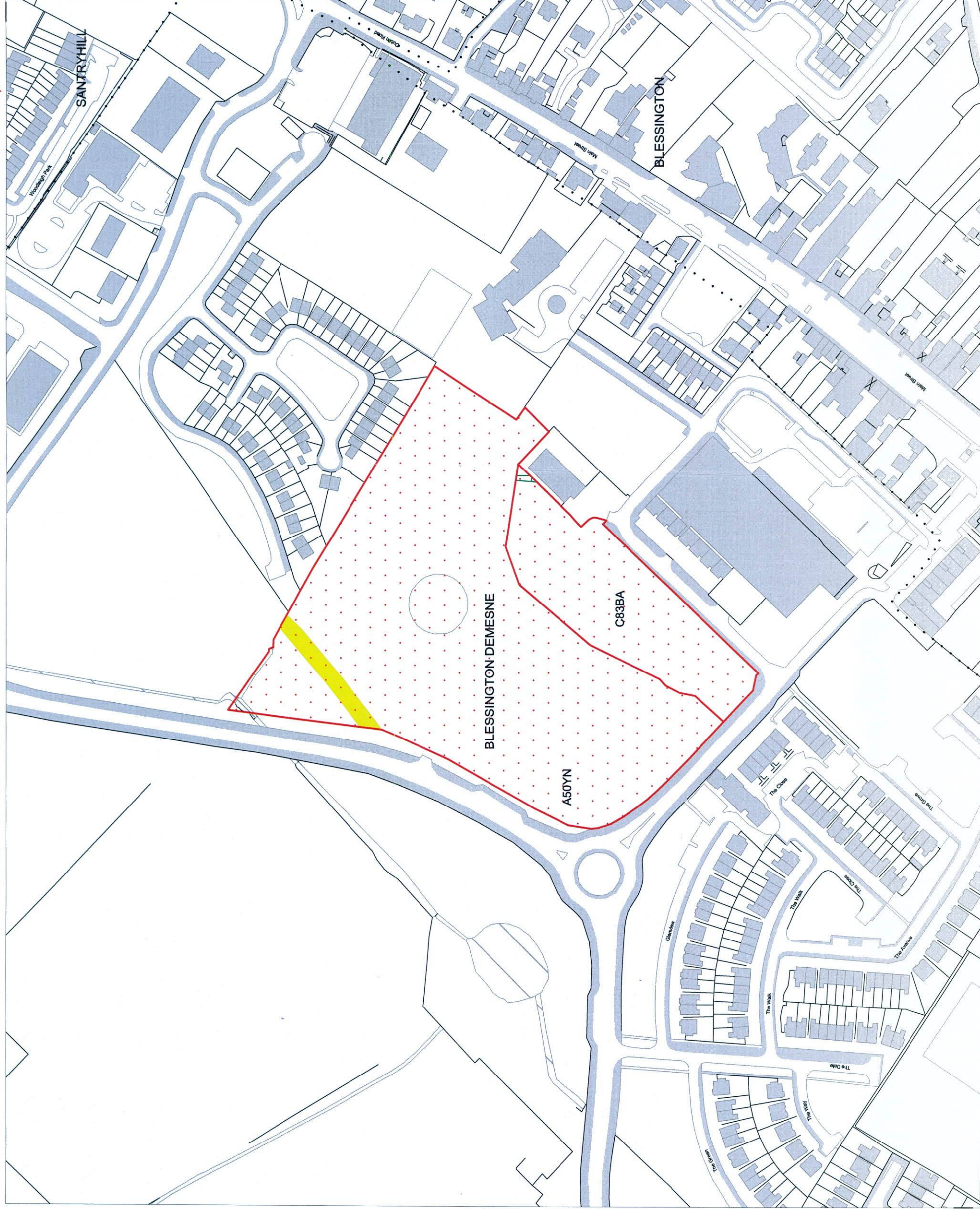
Burdens (may not all be represented on map)

- 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.



RZLT, C/O Administrative Officer
Planning Department
Wicklow County Council
County Buildings
Whitegates
Wicklow Town
A67 FW96

Tuesday, 20th December 2022

To Whom It May Concern

RE: **SUBMISSION IN RESPECT OF WICKLOW COUNTY COUNCIL'S RESIDENTIAL ZONED LAND TAX DRAFT MAP IN RESPECT OF LANDS AT:**

BLESSINGTON DEMESNE, BLESSINGTON, CO. WICKLOW

1.0 INTRODUCTION

1.1 Purpose of this Submission

Thornton O'Connor Town Planning¹ have been retained by [REDACTED] to prepare this Submission to Wicklow County Council in respect of Wicklow County Council's *Residential Zoned Land Tax Draft Maps*, the preparation of which was introduced under the *Finance Act 2021*. This Submission relates to lands in the ownership of [REDACTED] at Blessington Demesne, Blessington, Co. Wicklow.

On 1st November 2022, Wicklow County Council published the requisite *Residential Zoned Land Tax Draft Maps* that identify lands within its functional area that are considered to be 'suitably zoned and connected to, or has access to services'³ and thus 'In Scope' for tax purposes.

The *Residential Zoned Land Tax Draft Maps* prepared by Wicklow County Council include lands at Blessington Demesne, Blessington, Co. Wicklow which are in the ownership of [REDACTED] Limited. An extract from the relevant *Residential Zoned Land Tax Draft Map*, annotated to highlight the extent of the lands subject to this Submission is included overleaf (Figure 1.1):

¹ No. 1 Kilmacud Road Upper, Dundrum, Dublin 14, D14 EA89

² Block B Maynooth Business Campus, Straffan Road, Maynooth, Co. Kildare, W23 W5X7

³ As set out in Section 3.1 of the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)*.

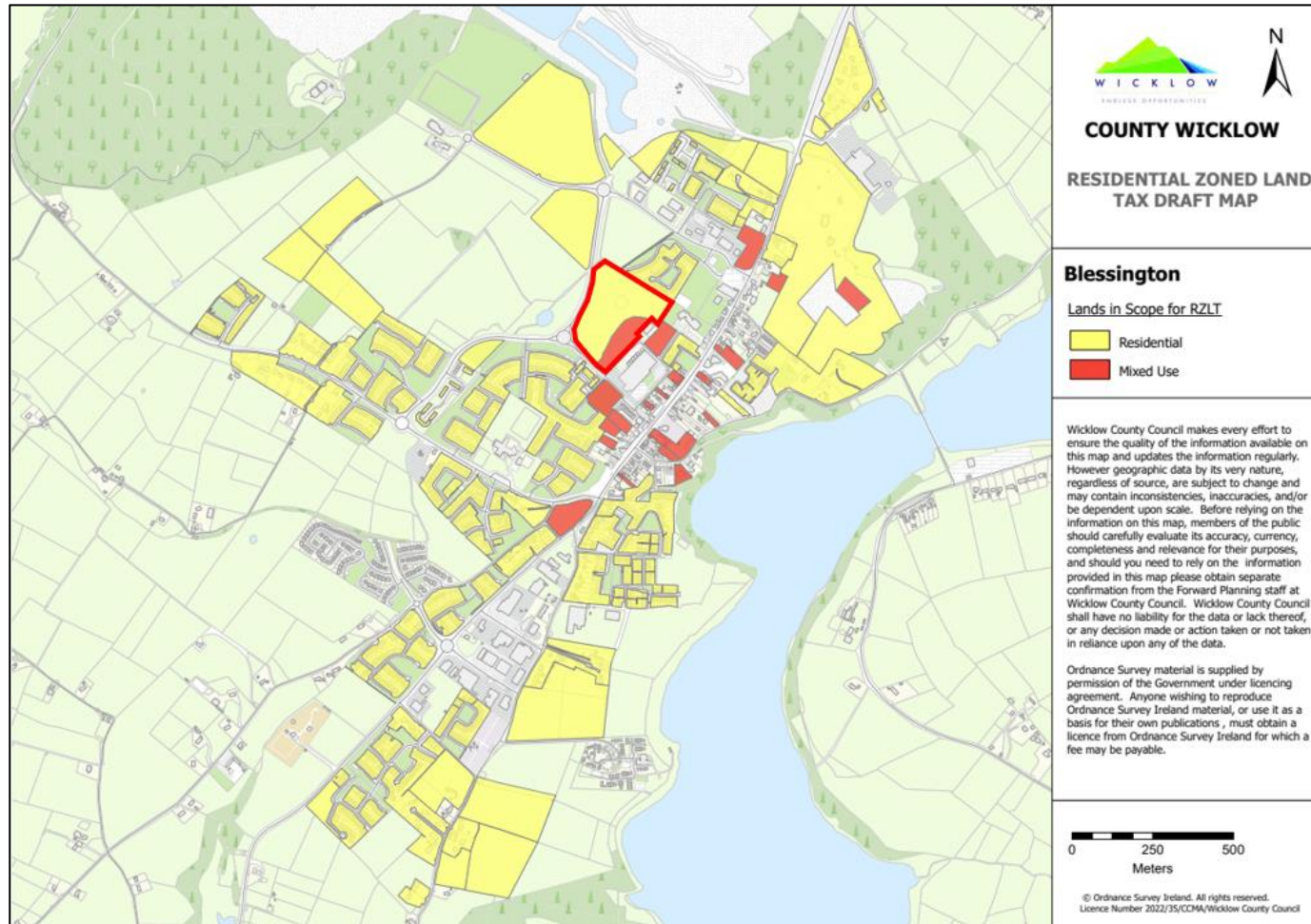


Figure 1.1: Extract from Wicklow County Council's *Blessington Residential Zoned Land Tax Draft Map* with the Indicative Boundary of the Lands Subject to this Submission Outlined in Red

(Source: Wicklow County Council's *Blessington Residential Zoned Land Tax Draft Map*, Annotated By Thornton O'Connor Town Planning, 2022)

This Submission to Wicklow County Council in respect of the *Blessington Residential Zoned Land Tax Draft Map* is made without prejudice to any future attempts to secure/implement a Planning Permission on the lands subject to this Submission.

Key Point: The purpose of this Submission is to provide information to Wicklow County Council that demonstrates that the lands in the ownership of [REDACTED] at Blessington Demesne, Blessington, Co. Wicklow, which are subject to this Submission, **do not meet** the qualifying criteria set out in Section 653B of the *Finance Act 2021* for inclusion on the 'Draft Map'.

The development of the lands subject to this Submission, as detailed herein, is dependent upon the construction of the Northern Section of the Blessington Inner Relief Road on lands in the ownership of a Third Party, and not that of [REDACTED] or an Affiliated Company) or Wicklow County Council, and the upgrading of the Blessington Wastewater Treatment Plant which has no available capacity at present. The development of the lands subject to this Submission is additionally further precluded by the presence of 3 No. Recorded Monuments on site.

Thus, this Submission, which is made in accordance with Section 653D of the *Finance Act 2021*, is **seeking the exclusion** of the aforementioned lands at Blessington Demesne from the 'Supplemental Map' and 'Final Map' on the basis that the lands do not meet the qualifying criteria.

1.2 Format of this Submission

The following is the format of this Submission:

Section 1 provides the **Introduction** to this Submission;

Section 2 provides an overview of the **Subject Site – Location, Description and Context**;

Section 3 provides an overview of the **Residential Zoned Land Tax – Scoping In/Out**, having specific regard to the lands subject to this Submission;

Section 4 presents the **Rationale for Scoping Out – Clear Impediment to Development**; and

Section 5 sets out the **Concluding Remarks**.

2.0 SUBJECT SITE – LOCATION, DESCRIPTION AND CONTEXT

2.1 Site Location and Description

The lands subject to this Submission, which are greenfield in nature, are positioned to the south of Oak Glen Residential Development at Blessington Demesne, approximately 300 metres (as the crow flies), at its closest, to the north-northwest of Blessington Town Centre (Figure 2.1). As shown in Figure 2.1 below, the subject site is generally bound to the north by Oak Glen Residential Development and undeveloped lands, to the south by a Local Access Route, to the east by New Town Centre, and to the west by Oak Drive.



Figure 2.1: Aerial Image Showing the Lands Subject to this Submission (Indicatively Outlined in Red) and Surrounding Context

(Source: Google Earth, Annotated By Thornton O'Connor Town Planning, 2022)

2.2 Site Context

The immediate environs of the lands subject to this Submission are principally characterised by Residential Development and Retail Development, with, *inter alia*, Health Services and Facilities and Educational Facilities also located within its vicinity. The area, as illustrated in Figure 2.1 above, additionally comprises undeveloped lands, such as the lands to the north-west of the lands subject to this Submission. The character of these lands is subject to change in the future, with the lands identified in the *Blessington Local Area Plan 2013-2019* for Residential Development (Figure 2.2).

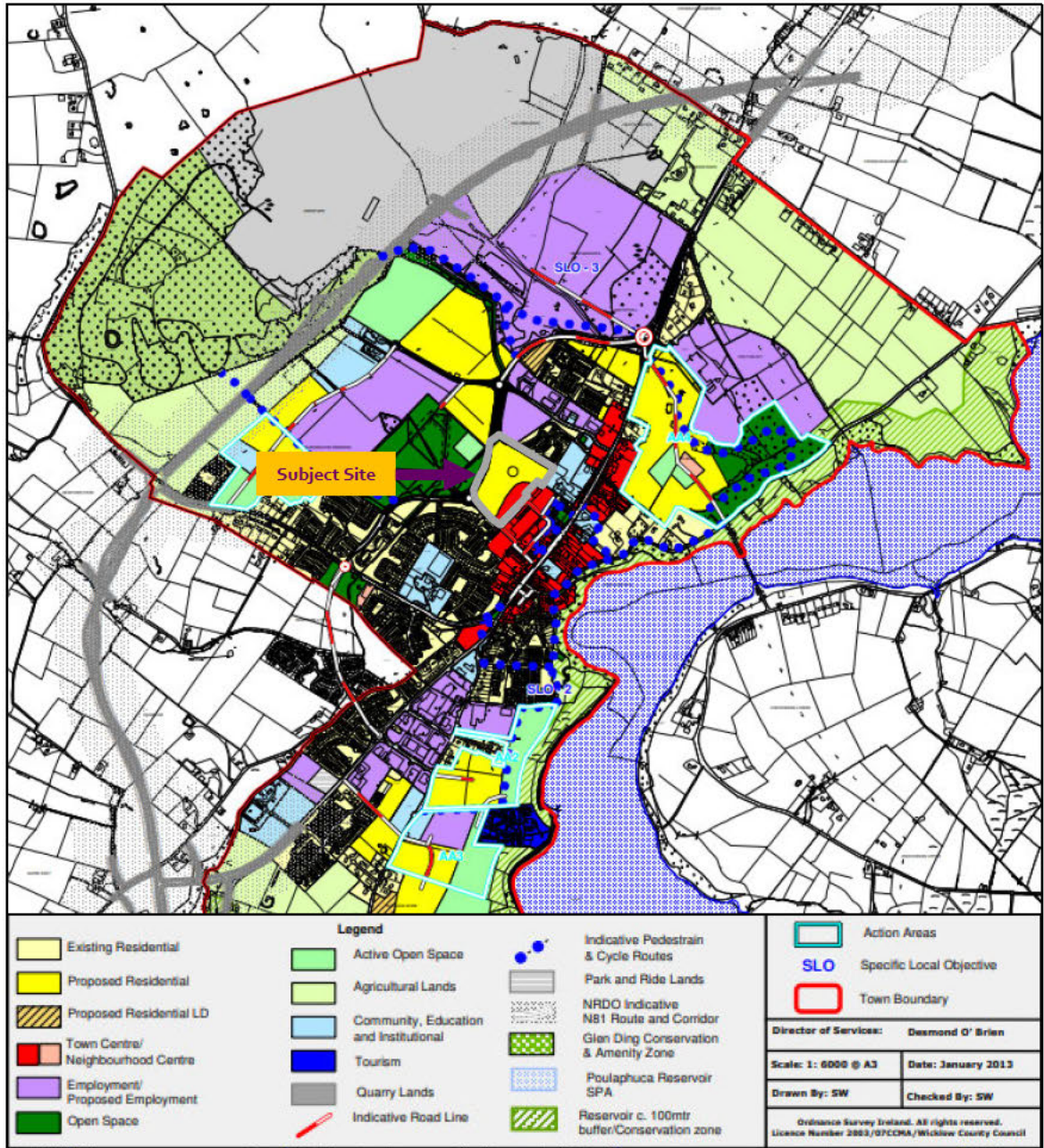



Figure 2.2: Land Use Zoning Map with the Lands Subject to this Submission Indicatively Outlined in Grey

(Source: Blessington Local Area Plan 2013-2019 – Land Use Zoning Map, Annotated By Thornton O'Connor Town Planning, 2022)




3.0 RESIDENTIAL ZONED LAND TAX – SCOPING IN/OUT

Having regard to the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)*, a Scoping Exercise, which is graphically illustrated below, has been undertaken by Thornton O'Connor Town Planning to determine if the lands subject to this Submission at Blessington Demesne, Blessington, Co. Wicklow meet the qualifying criteria to be within the scope of the Residential Zoned Land Tax.

Step 1

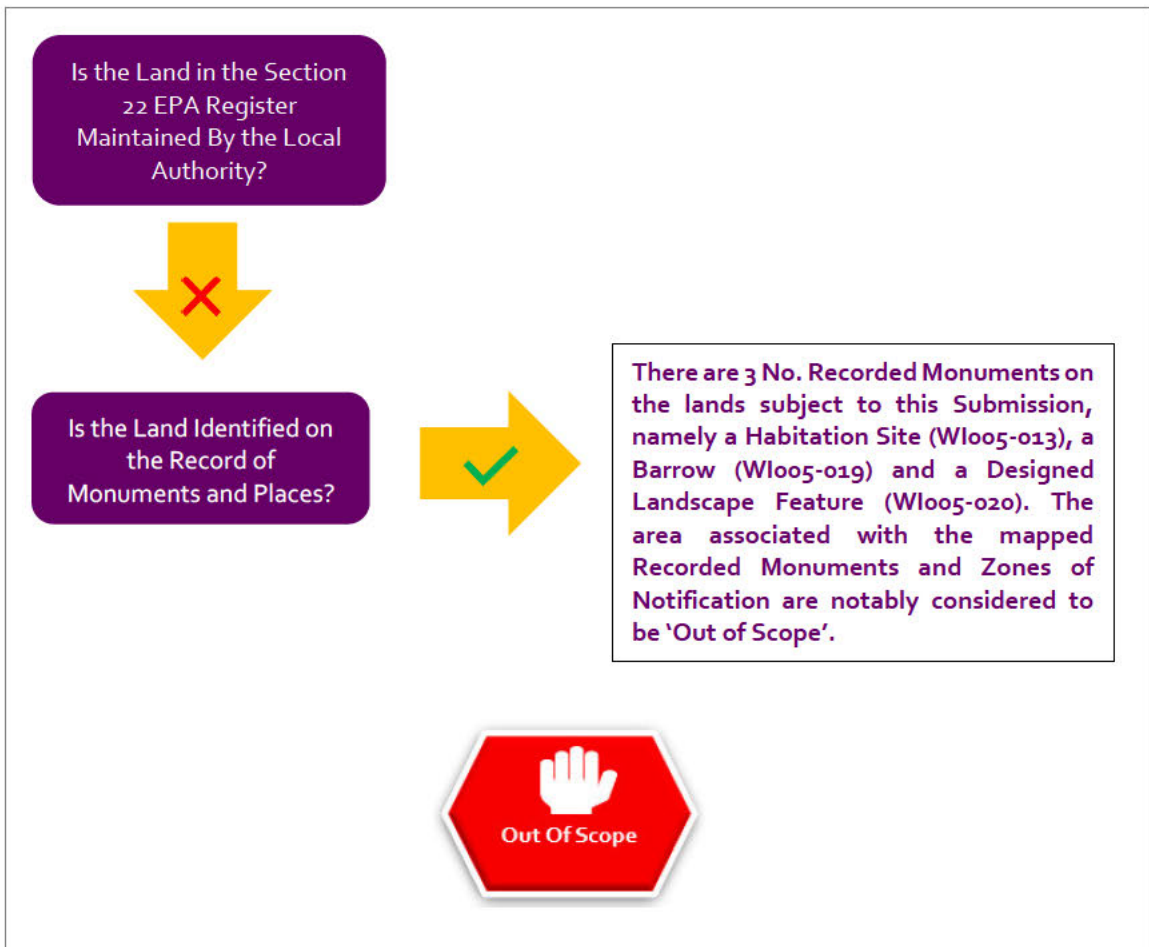
<p>Is Residential Permitted in Principle?</p> 	<p>The lands subject to this Submission at Blessington Demesne, as shown in Figure 2.2 above, are principally zoned 'Proposed Residential' in the <i>Blessington Local Area Plan 2013-2019</i>, with a small component thereof zoned 'Town Centre' therein. In the context of Zoning Objectives 'Proposed Residential' and 'Town Centre', Residential is 'Permitted in Principle'.</p>
---	--

Step 2

<p>Connected to or Capacity for Road Infrastructure?</p> 	<p>Whilst the lands subject to this Submission at Blessington Demesne are bound by Oak Drive and a Local Access Route, the development of same, as noted in Conditions attached to the Residential Developments permitted under Wicklow County Council Reg. Ref. 20184 / An Bord Case Reference PL27.308578 and Wicklow County Council Reg. Ref. 20362, is dependent upon the construction of the Northern Section of the Blessington Inner Relief Road. As the aforementioned Northern Section of the Blessington Inner Relief Road is to be constructed on lands which are not in the ownership of Glenveagh Homes Limited (or an Affiliated Company) or the Local Authority, the lands subject to this Submission are thus considered to be 'Out of Scope'.</p>
<p>Connected to or Capacity for Footpaths?</p> 	
<p>Connected to or Capacity for Public Lighting?</p> 	
<p>Connected to or Capacity for Surface Water?</p>	



Step 3



4.0 RATIONALE FOR SCOPING OUT – CLEAR IMPEDIMENT TO DEVELOPMENT

The lands subject to this Submission at Blessington Demesne, Blessington, Co. Wicklow, as detailed in Section 3.0 above and elaborated upon herein, are considered 'Out of Scope' as they do not satisfy the qualifying criteria.

4.1 The Development of the Lands Subject to this Submission is Dependent Upon the Construction of the Northern Section of the Blessington Inner Relief Road on Lands Owned By a Third Party

The development of the lands subject to this Submission, as noted in both Condition No. 4 attached to the *Board's Order* issued in respect of the Phase 1 Development on the lands subject to this Submission (An Bord Case Reference PL27.308578) and Condition No. 8 attached to the *Notification of Grant of Permission* issued in respect of the Phase 2 Development on the lands subject to this Submission (Wicklow County Council Reg. Ref. 20362), is dependent upon the construction of the Northern Section of the Blessington Inner Relief Road:

'a) No development shall commence on site until the Road Authority has confirmed in writing that the construction of the northern section of the Blessington Inner Relief Road, from the existing northern roundabout on the Blessington Inner Relief Road to the N81 at Santryhill, has commenced.

b) No occupation of any dwelling shall commence until the Road Authority has confirmed in writing that the northern section of the Blessington Inner Relief Road, from the existing northern roundabout on the Blessington Inner Relief Road to the N81 at Santryhill, has been fully constructed.' [Our Emphasis]

The aforementioned Condition No. 8 attached to the *Notification of Grant of Permission* issued in respect of the Phase 2 Development (Wicklow County Council Reg. Ref. 20362) is similarly attached to the *Board's Order* issued in respect of the Phase 1 Development (An Bord Case Reference PL27.308578).

The lands upon which the aforementioned Northern Section of the Blessington Inner Relief Road is to be constructed on are notably in the ownership of a Third Party, and thus not in the ownership of Glenveagh Homes Limited (or an Affiliated Company) or Wicklow County Council:

'The existing Blessington Inner Relief Road and associated access roads were developed as part of the overall development of the Town Centre & Residential Developments permitted in early 2000's under PRR 00/3687 and PRR 01/4436. Part of the Blessington Inner Relief Road as identified under those permissions has yet to be completed i.e. the northern section which was to be provided within Roadstone lands.' [Our Emphasis] – Extract from Wicklow County Council Reg. Ref. 20184 Planning Report

As regards Road Infrastructure, the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)* sets out the following regarding same in considering the scope of lands:

'Construction of significant sections of new road access across other landholdings, should be discounted with the exception of Local Authority owned lands, where use and access are a matter for the authority.' [Our Emphasis]

It is clear, having regard to the foregoing extract from the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)*, that:

- The required construction and/or upgrade of Road Infrastructure on other landholdings, where the land is not in the control of the Landowner or Local Authority, to facilitate the development of lands which are in the control of the Landowner (as is the case with the lands subject to this Submission) results in the lands being considered 'Out of Scope'.

Having regard to the dependency of the development of the lands subject to this Submission on the construction of the Northern Section of the Blessington Inner Relief Road on lands in the ownership of a Third Party, the lands subject to this Submission are considered 'Out of Scope'.

4.2 The Development of the Lands Subject to this Submission is Dependent Upon the Upgrading of the Blessington Wastewater Treatment Plant

The development of the lands subject to this Submission, as noted by Wicklow County Council in considering the Residential Development proposed on the lands subject to this Submission under Wicklow County Council Reg. Ref. 20184 and 20362, is overloaded and needs to be upgraded prior to the connection of the aforementioned Residential Developments to the Irish Water Network:

'The current Wastewater Treatment Plant in Blessington is overloaded, and the upgrade [to] this treatment plant, which has permission, will be required to be operational prior to the connection of the development, as identified in the report from Irish Water. This can be conditioned.' [Our Emphasis]

Whilst the Blessington Wastewater Treatment Plant is being upgraded (the timeframe associated with which is unknown), the lack of available capacity therein is preventing the development of the lands subject to this Submission.

As regards Wastewater Treatment Plants Capacity, the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)* sets out the following:

'Where capacity exists in wastewater treatment plants [which is not the case in this instance] or water supply plants for a settlement, all lands which are zoned and connected or able to be connected to the relevant network should be considered in scope until such time as the capacity is confirmed to have been utilised.' [Our Emphasis]

It is clear, having regard to the foregoing extract from the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)*, that **where a Wastewater Treatment Plant has no available capacity, as is the case in the Blessington Wastewater Treatment Plant which any development of the lands subject to this Submission would connect to, then the lands should be considered 'Out of Scope' until such a time that capacity becomes available.**

4.3 The Lands Subject to this Submission Comprise Several Recorded Monuments

The lands subject to this Submission, as previously detailed herein and illustrated in Figure 4.1 below, comprise 3 No. Recorded Monuments, namely a Habitation Site (Wl005-013), a Barrow (Wl005-019) and a Designed Landscape Feature (Wl005-020).

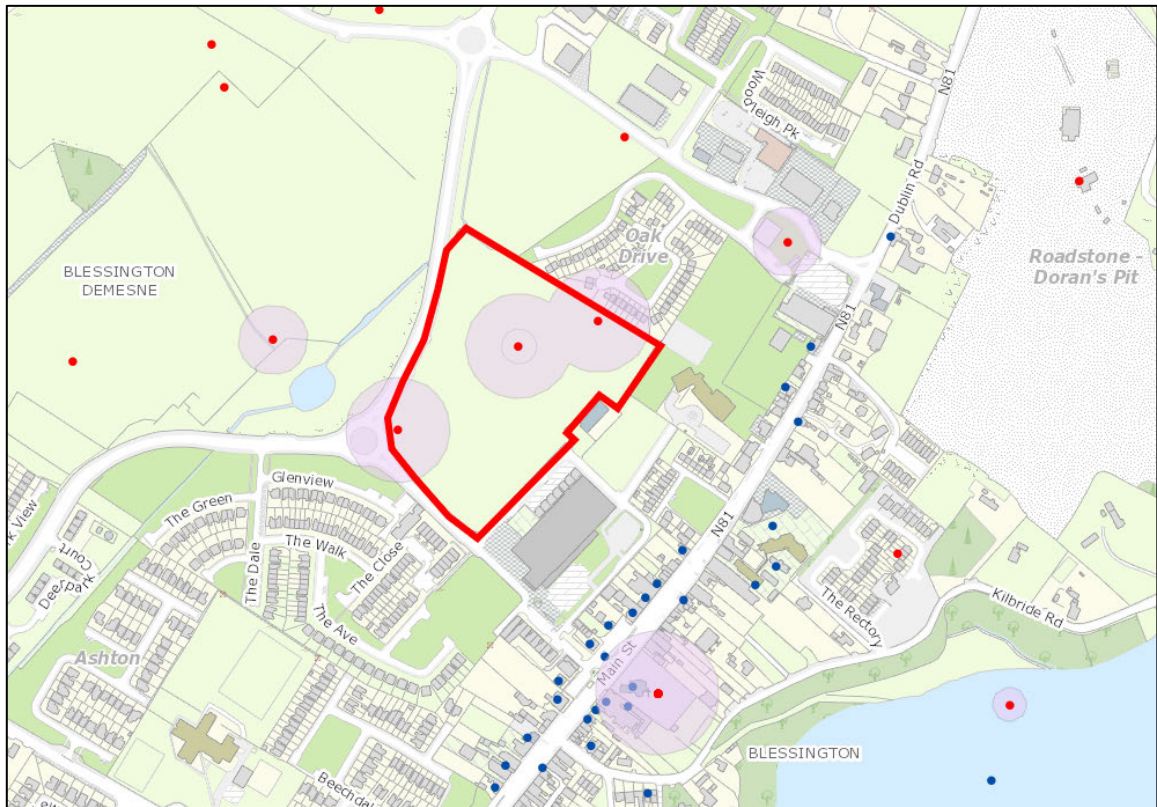


Figure 4.1: Map Showing the 3 No. Recorded Monuments and Associated Zones of Notification on the Lands Subject to this Submission (Indicatively Outlined in Red)

(Source: National Monuments Service Historic Environment Viewer, Annotated By Thornton O'Connor Town Planning, 2022)

As regards Archaeology, the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)* states that:

'Additionally, where zoned, serviced greenfield lands are known to contain significant archaeological remains, identified on the Record of Monument and Places (RMP) within Development Plans or Local Area Plans, then the area comprising either the known extent of the archaeological remains or the zone of notification should be excluded for the purpose of the mapping for the tax measure (see section 653B(c) of the legislation).' [Our Emphasis]

It is clear, having regard to the foregoing extract from the *Residential Zoned Land Tax – Guidelines for Planning Authorities (June 2022)*, that where greenfield lands, such as the lands subject to this Submission, comprise Records Monument(s) and/or Zone(s) of Notification that the extent of same should be excluded from the *Residential Zoned Land Tax Map*.

5.0 CONCLUSION

The key purpose of this Submission is to demonstrate to Wicklow County Council that the lands in the ownership of Glenveagh Homes Limited at Blessington Demesne, Blessington, Co. Wicklow which are subject to this Submission **do not meet** the qualifying criteria set out in Section 653B of the *Finance Act 2021* for inclusion on the 'Draft Map'.

The development of the lands subject to this Submission, as demonstrated herein, is dependent upon the construction of the Northern Section of the Blessington Inner Relief Road on lands in the ownership of a Third Party, and the upgrading of the Blessington Wastewater Treatment Plant, and as such the lands subject to this Submission are considered '**Out of Scope**'. The development of the lands subject to this Submission is additionally further precluded by the presence of 3 No. Recorded Monuments on site.

We trust the content of this Submission will be duly considered and we look forward to receiving confirmation⁴ that the subject lands are considered 'Out of Scope' as they do not satisfy the qualifying criteria and will thus be excluded from the 'Supplemental Map' and 'Final Map'.

Yours faithfully,

A handwritten signature in black ink that reads "Patricia Thornton".

Patricia Thornton
Director
Thornton O'Connor Town Planning

⁴ Not later than 1st April 2023 in accordance with Legislation.