

**RESIDENTIAL ZONED LAND TAX
SUPPLEMENTAL MAP 2023**

LANDOWNER SUBMISSION TO MAYO COUNTY COUNCIL



29th May 2023

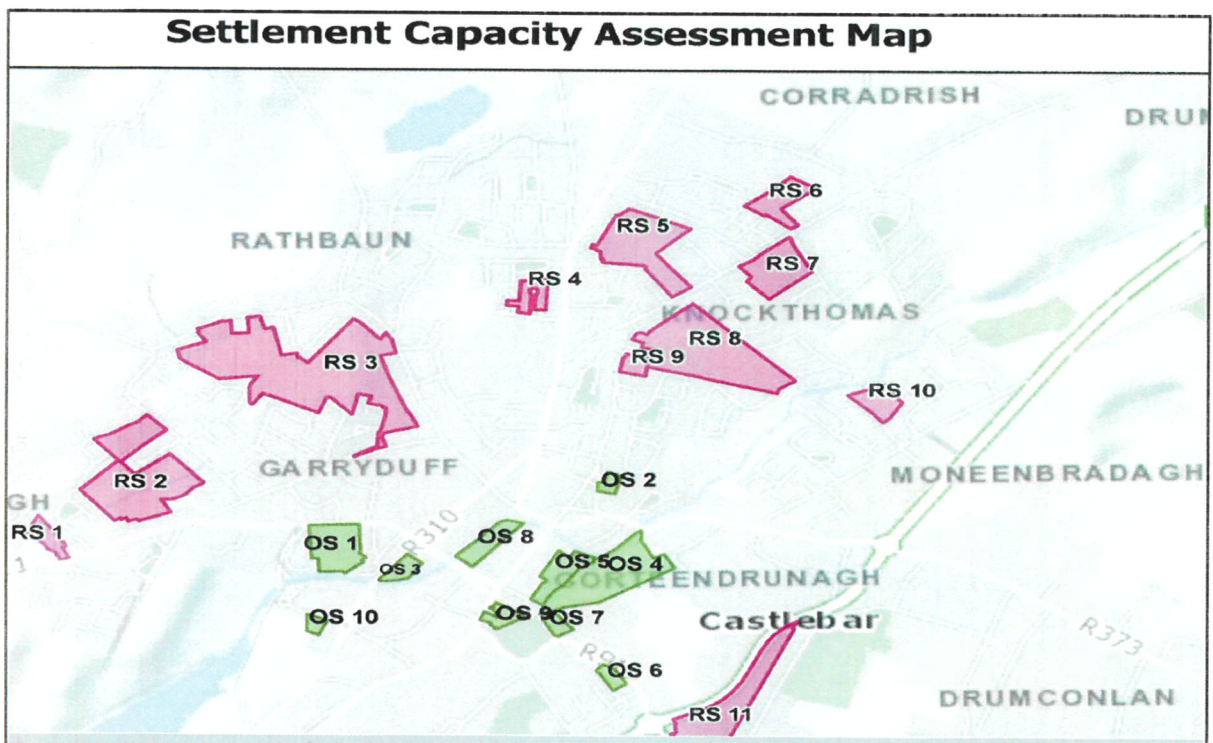
1. INTRODUCTION.

This submission on the Residential Zoned Land Tax - Supplemental Map 2023 is being made by [REDACTED] registered owners of the land shaded red on Map 1 below [REDACTED] Property No. 1.

2. IDENTIFICATION OF THE LAND.

The land in question is part of those lands identified as "RS 5" Turlough Road New Residential in Appendix 1 Settlement Capacity Assessment and Map of the Draft Castlebar Town and Environs Local Area Plan 2023 – 2029.

Site No.	Location	Area - Hectare	Zoning	Tier	Services				
					Lighting	Footpath	Water	Foul/Storm Sewer	Road
RS 1	Newport Rd	0.65	New Residential	1	✓	✓	✓	✓	✓
RS 2	Garryduff	5.39	New Residential	1	✓	✓	✓	✓	✓
RS 3	Glenfort/ Rathbawn/ Ballinaglough	11.1	New Residential	1	✓	✓	✓	✓	✓
RS 4	Watersville	0.71	New Residential	1	✓	✓	✓	✓	✓
RS 5	Turlough Rd	3.56	New Residential	1	✓	✓	✓	✓	✓
RS 6	Turlough Rd	1.25	New Residential	1	✓	✓	✓	✓	✓
RS 7	Turlough Rd	2.02	New Residential	1	✓	✓	✓	✓	✓



1. INTRODUCTION.

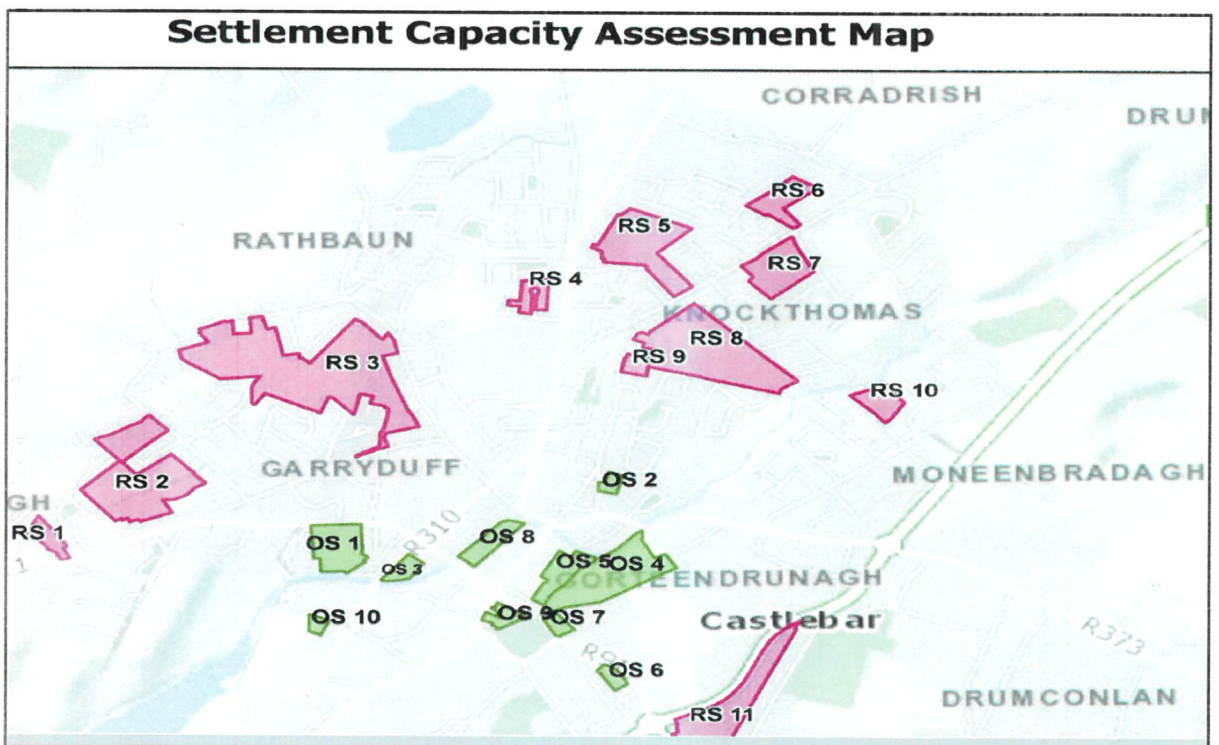
This submission on the Residential Zoned Land Tax - Supplemental Map 2023 is being made by [redacted] shaded red on Map 1 below [redacted]

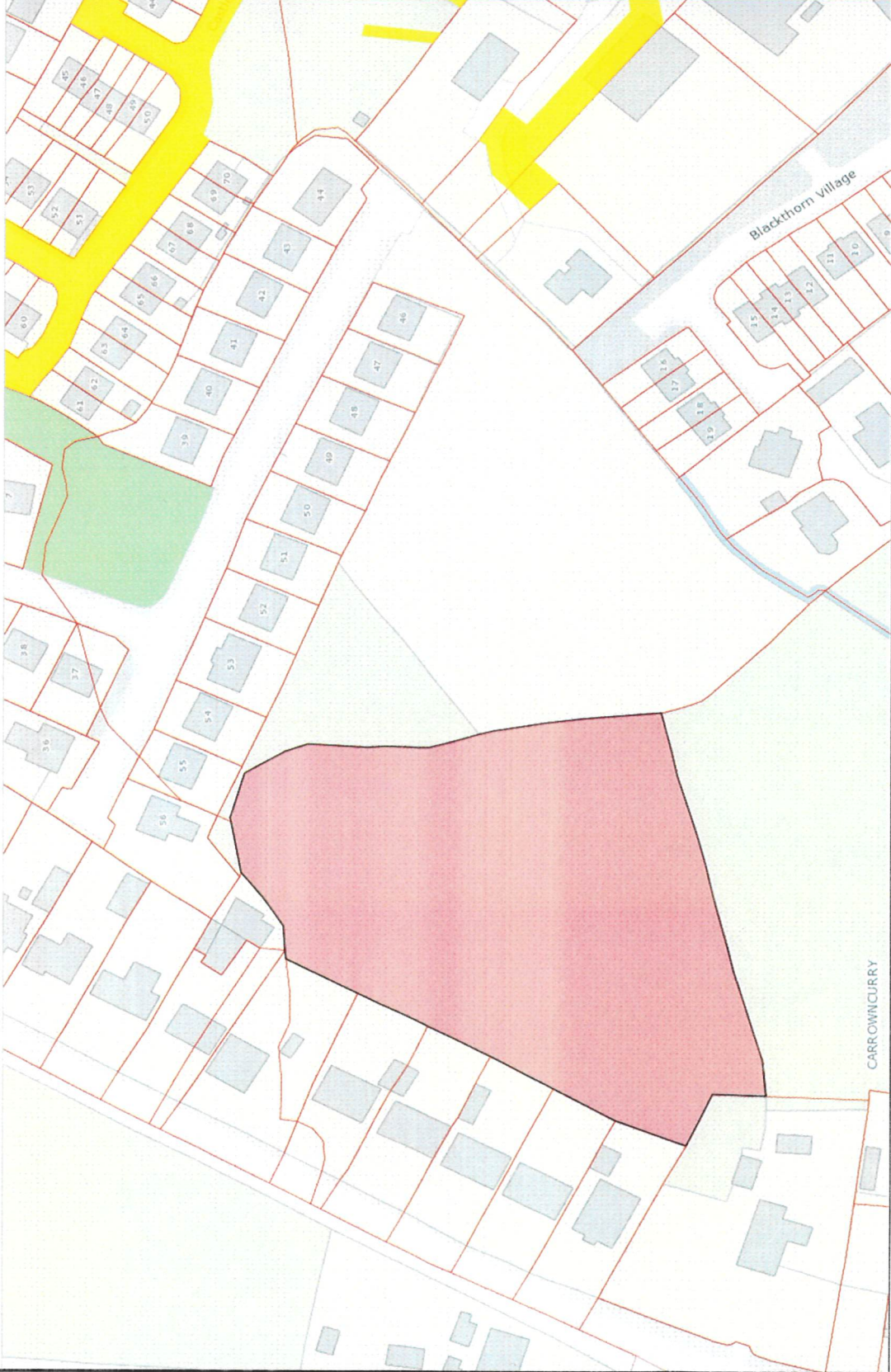
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The land in question is part of those lands identified as "RS 5" Turlough Road New Residential in Appendix 1 Settlement Capacity Assessment and Map of the Draft Castlebar Town and Environs Local Area Plan 2023 – 2029.

Appendix 1 – Settlement Capacity Assessment and Map

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RS 4	Watersville	0.71	New Residential	1	✓	✓	✓	✓	✓
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> Back

Folio Number
Title Level
Property Number
Area of selected plans
Number of Plans on
this folio:
Address

Add to Basket

Create Alert

*PRA Boundaries and Plan Area are not
conclusive. See [Section 6\(2\) of
Registration of Title Act 2006](#) and [Rule 8\(3\)
of the Land Registration Rules 2012](#).

View Basket

Print Current View

Help

CARROWCURRY

Blackthorn Village

Find address or place

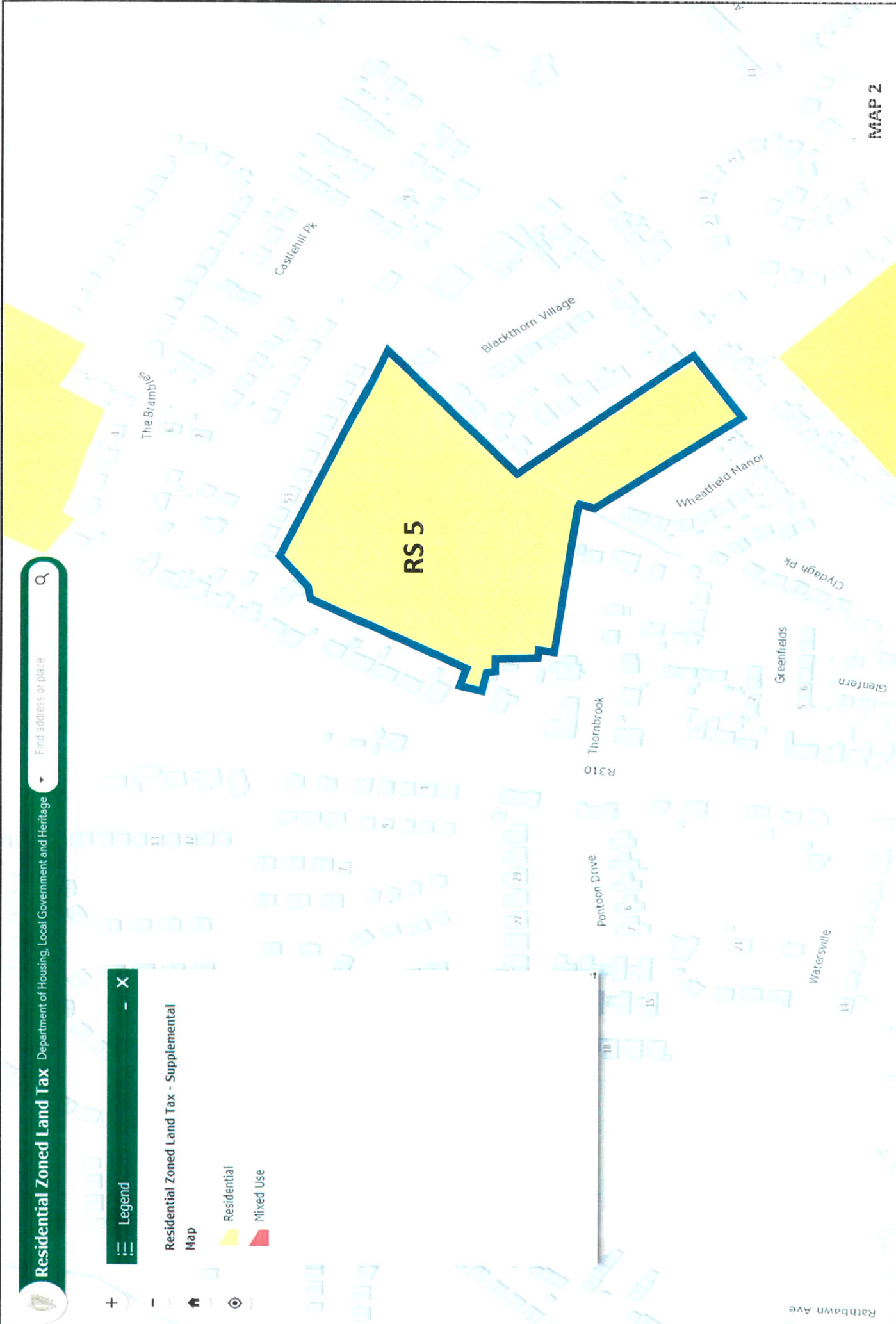
Legend

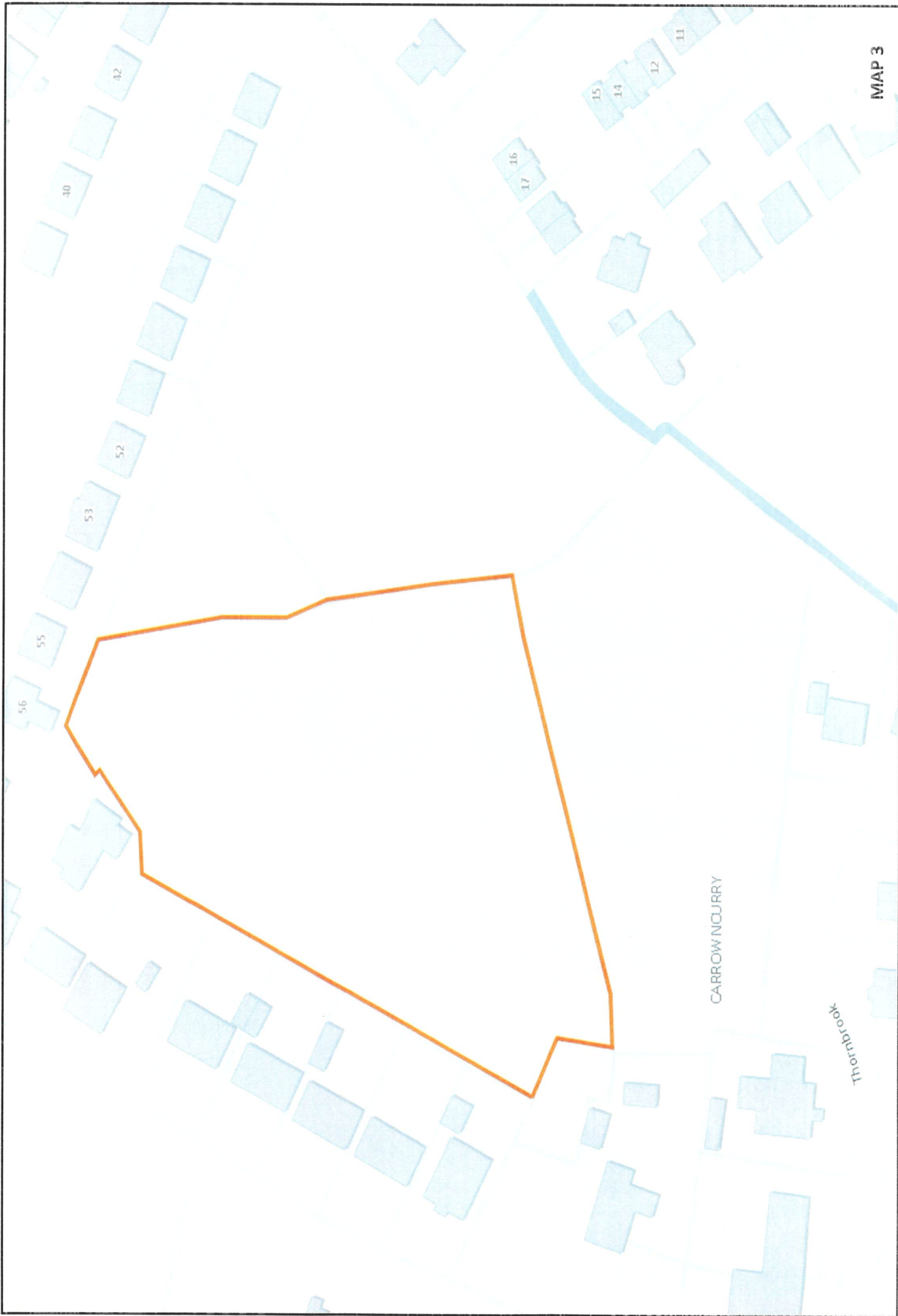
Residential Zoned Land Tax - Supplemental

Map

- Residential
- Mixed Use

RS 5





3. REQUEST TO EXCLUDE LAND FROM THE SUPPLEMENTAL MAP.

Mayo County Council is hereby requested exclude the land delineated on Map 3 above from the County Mayo Residential Zoned Land Tax Supplemental Map as published on the 1st of April 2023 on the ground that the land **does not meet the criterion set out Section 653B (b) of the Taxes Consolidation Act 1997 as it not reasonable** for the council to consider that the land delineated on Map 3 above 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 on our land.

4. JUSTIFICATION FOR THE EXCLUSION OF LAND.

Under paragraph (b) of Section 653B of the Taxes Consolidation Act 1997 the council must consider 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,....”

It is our contention that our land identified on Map 3 above **does not** have access to or can be connected to a number of the public infrastructure and facilities cited in Section 653B (b) of the Taxes Consolidation Act 1997, in particular public roads and footpaths, public lighting, and public water supply all of which are necessary for dwellings to be developed on that land.

Access to Public Infrastructure.

The lands comprising [REDACTED] cannot be accessed from any of the public roads in the vicinity.

Turlough Road: The land between the Turlough Road south-east of our property shown on Map 2 - RS 5 is in two separate parcels of land in third-party ownership and there is no right-of-way or right-of access to our land from the Turlough Road.

Thornbrook: The southern boundary of our property abuts the only area of open space in the Thornbrook Housing Estate. I do not know if the road in Thornbrook Housing Estate has been taken over by Mayo County Council but any access from Thornbrook to our property is through third-party lands.

The Brambles: The land between the Brambles north-east of our property is in separate third-party ownership and there is no right-of-way or right-of access to our land from the Brambles. Additionally Planning Permission P00/483 indicates that a dwelling is to be constructed on the site at the end of the Brambles cu-de-sac blocking any access through the third-party lands to our property.

Pontoon Road: The south- western boundary of our property [REDACTED] Number 7 - Property No. 1 adjoins the private dwelling of [REDACTED] Access from the Pontoon Road to the lands comprising [REDACTED] Number 7 - Property No. 1 could only be achieved by utilising the existing narrow private

residential access to the dwelling which is fully contained within the curtilage of the dwelling. The existing residential access does not and could not meet the minimum standards as set out in the Design Manual for Urban Roads and Streets (DMURS) May 2019 (Version 1.1). There is no right-of-way or right-of access from the Pontoon Road to the lands in Folio [REDACTED] Property No. 1.

For the same reasons as above our property cannot be served by public footpaths, public lighting, or the public water supply (on the assumption that the public water mains run along the public road).

The only public infrastructure that our property appears to have access to is the public foul sewerage system and the public storm-water system.

5. REQUEST FOR A CHANGE OF ZONING.

As the owners of the land in question we hereby request Mayo County Council to change the zoning of our land from "New Residential" as shown on Map 1 – Land Use of the Draft Castlebar Town and Environs Local Area Plan 2023 - 2029 to "Agriculture" which is the current use of the land, members of [REDACTED] family have the use of these land for the grazing of sheep and cattle.

6. CONCLUSION.

As set out in Section 4 above our property cannot be developed for Residential Development as it is enclosed by lands on three sides that is in the ownership of a number of third-parties over which we have no legal interest and whose agreement for access to any of the nearby public roads is entirely outside of our control. The only possible access would have to utilise our private residential access through the curtilage of our dwelling and to which we would not consent as it would severely impact on the existing residential amenity of our dwelling.

In the absence of access, or the possibility of connection to public infrastructure, particularly roads, footpaths, public lighting, and water supply, it is unfeasible and unrealistic for this land to be developed as "New Residential" in accordance with the Draft Castlebar Town and Environs Local Area Plan 2023 – 2029. In such circumstances the zoning objective for our land does not meet the requirement that development objectives must be realistic and capable of implementation as referred to in the Development Plan Guidelines of July 2022 and is therefore contrary to the proper planning and sustainable development of the area.

