

**RESIDENTIAL ZONED LAND TAX
SUPPLEMENTAL MAP 2023**

**MAYO COUNTY COUNCIL
RECEIVED
29 MAY 2023
PLANNING & DEVELOPMENT**

LANDOWNER SUBMISSION TO MAYO COUNTY COUNCIL



29th May 2023

1. INTRODUCTION.

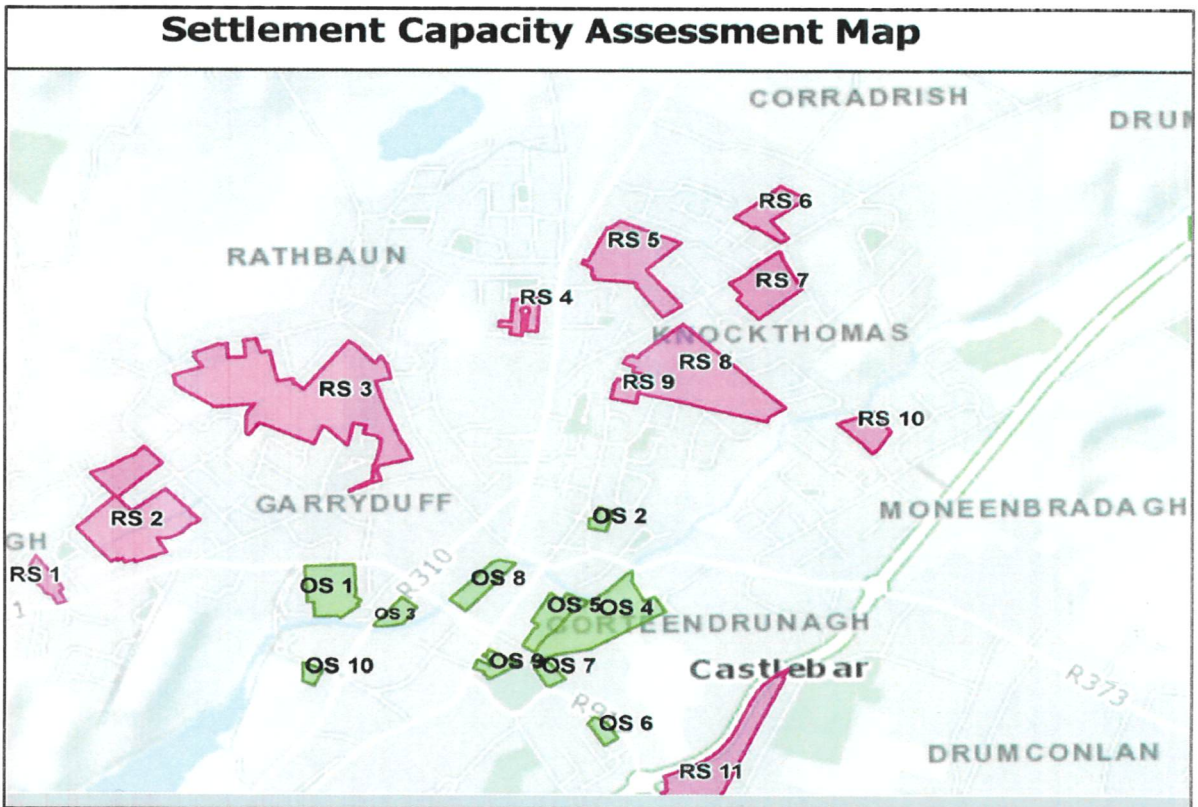
This submission on the Residential Zoned Land Tax - Supplemental Map 2023 is being made by [redacted] registered owners of the land shaded red on Map [redacted] - Property No. 1

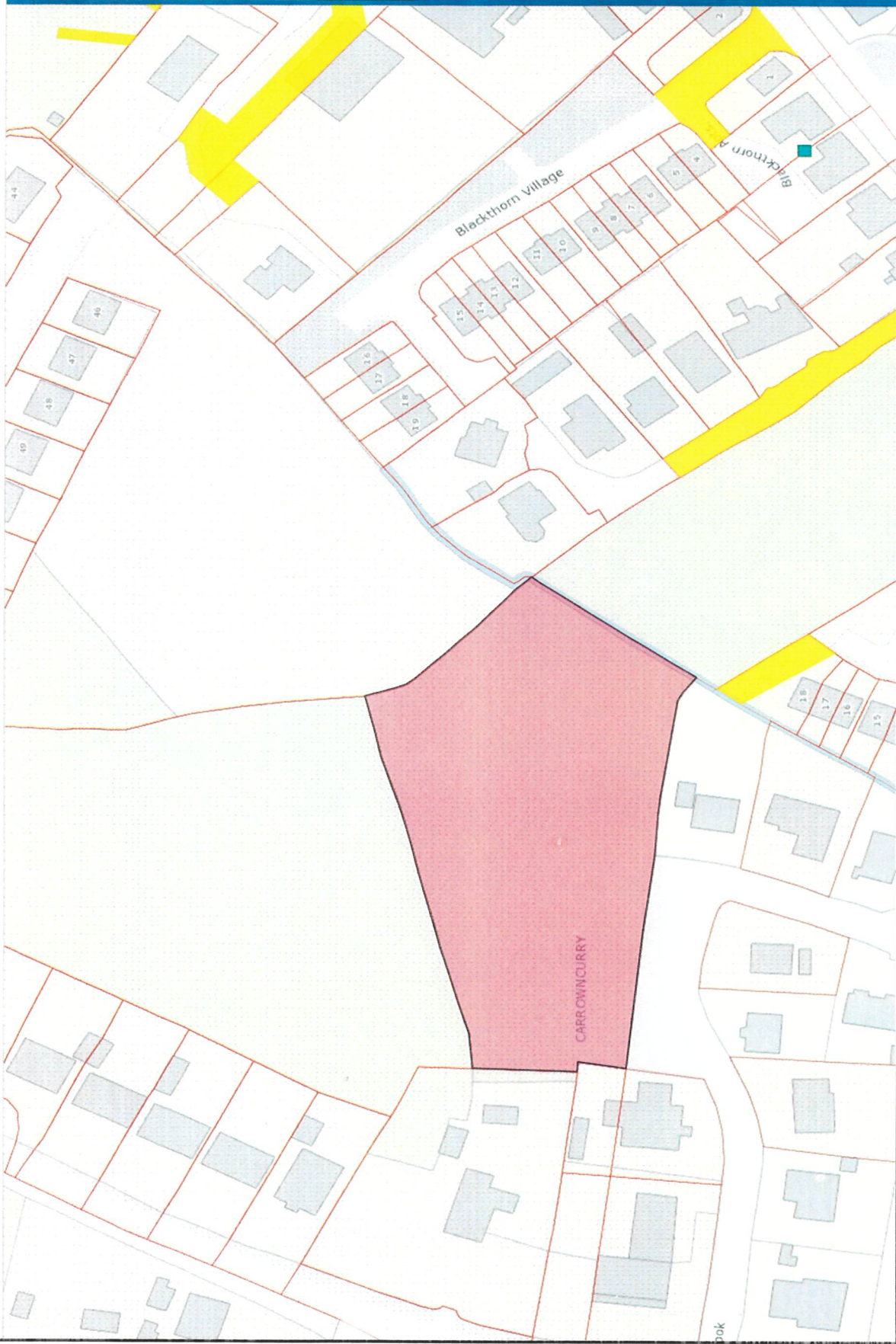
2. IDENTIFICATION OF THE LAND.

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.

Appendix 1 – Settlement Capacity Assessment and Map

New Residential					Services				
Site No.	Location	Area - Hectare	Zoning	Tier	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	✓	✓	✓	✓	✓





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

Add to Basket

Create Alert

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

View Basket

Print Current View

Help

Residential Zoned Land Tax

Department of Housing, Local Government and Heritage

Find address or place



Legend

Residential Zoned Land Tax - Supplemental

Map

- Residential
- Mixed Use

Rathdown Ave

MAP Z

RS 5

Castlehill Pk

Blackthorn Village

Wheatfield Manor

Greenfields

R310 Thornbrook

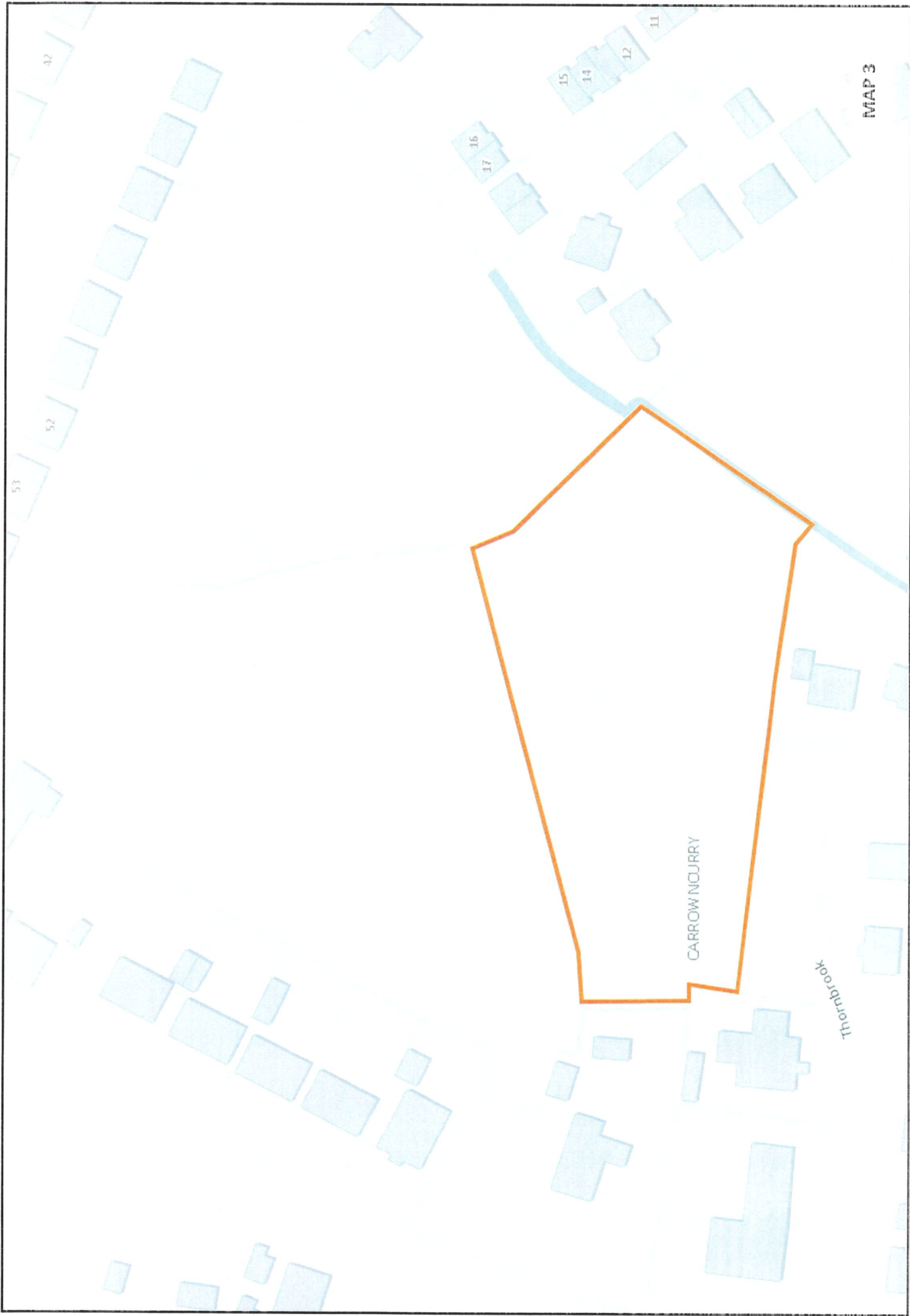
Pontoon Drive

Water'sville

The Brambles

Clydagh Pk

Glentern



3. REQUEST TO EXCLUDE LAND FROM THE SUPPLEMENTAL MAP.

Mayo County Council is hereby requested exclude the land as 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

“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 Folio [REDACTED] Property No. 1 cannot be accessed 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, third-party ownerships and there is no right-of-way or right-of access to our land from the Turlough Road.

Thornbrook: The land between the southern boundary of our property is in a separate, third-party ownership and secondly 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 a possible access from the Brambles 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 western boundary of our property abuts a private dwelling which is in separate, third-party ownership and there is no right-of-way or right-of access to our land from the Pontoon Road.

For the same reasons as above our land cannot be served by public footpaths, public lighting, or the public water supply (on the assumption that the public watermain runs 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 the Moran 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 in the ownership of a number of third-parties over which I have no legal interest and whose agreement for access to any of the nearby public roads is entirely outside of our control.

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.

