

Carlow County Council  
Athy Road,  
Carlow  
R93 E7R7

01-Apr-2024

**Subject:**

*Residential Zoned Land Tax (RZLT) - Annual Draft Map 2024 Submission: Request for removal of Parcel IDs CWLACW54, CWLACW55 & CWLACW71 for lands at Moanacurragh & Blackbog Road from RZLT Map*

Dears,

Please find below detail of request to remove below lands from Parcel IDs CWLACW55, CWLACW54 & CWLACW71 from the RZLT Map.

As the owner of the lands below, I request to deem these lands as out of scope of the RZLT Map 2024, as they do not fit the criteria for a variety of reasons. Each parcel is listed below with the relevant key information per parcel. I would welcome your review & agreement to remove the lands from the maps.

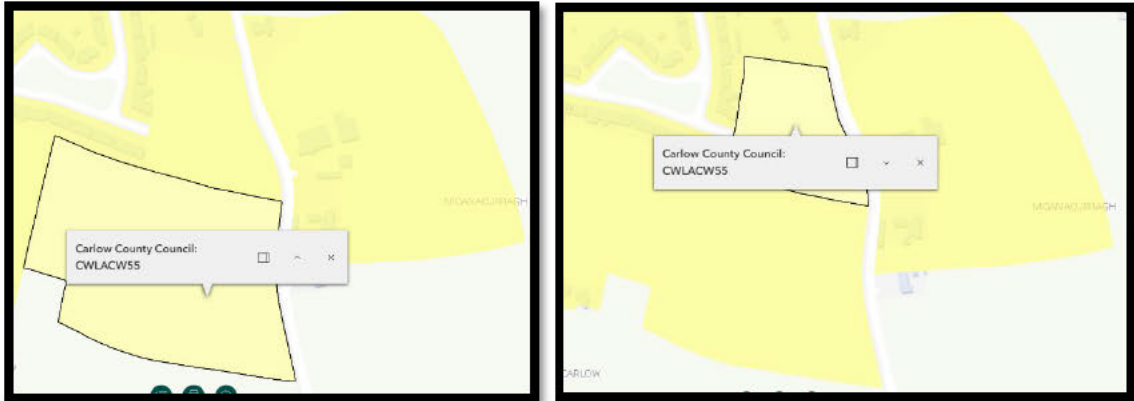
In summary, the lands in question are in agricultural use, do not have direct access to services, & for some parcels do not have fundamentals such as access to roads, footpaths & lighting.

In addition, under the “Project Carlow 2040: A Vision for Regeneration”, a masterplan has been developed for the sites under the control of the Carlow Council. Should it not be the case that Carlow Town Council should undertake a masterplan for larger parcels of privately – owned land Within the town boundary, taking into consideration the “Project Carlow 2040: A Vision for Regeneration”, any plans for SETU & plans for the outer relief road, in order to develop a harmonised overall vision for the area.

Therefore until a masterplan is developed by Carlow County Council & a clear plan of development for the area, these lands should be out of scope from the RZLT.

<b>Location:</b>	<b>Blackbog Road, Carlow Town</b>
<b>Main challenges:</b>	Lack of direct access to Foul & Water Services Inaccurate measurement of distance to services by Uisce Eireann
<b>Parcel ID(s):</b>	CWLACW55
<b>Object ID(s):</b>	31 & 37

**Map(s) showing lands subject to Submission:**



**Rationale for Removing from RZLT Maps:**

Object IDs 31 & 37 contained within Land Parcel ID CWLACW55 should be removed from the RZLT map/deemed out of scope for the following reasons:

The Finance Act 2021, section 80-653B, Clause (b) stipulates that the land *“may have access or be connected to public infrastructure and facilities...”*

Uisce Eireann have outlined using GIS data, that indicates that a sewer exists 280m away in the south-western corner of Green Road Housing estate, accessible via Green Road Adjoining the western boundary of the land parcel. Please find attached evidence that the distance is actually 335m (Attached Doc #1). This demonstrates a fundamental error in Uisce Eireann’s report, and this does not afford us confidence in the report.

See below evidence that it would be unreasonable to consider that the lands identified would have access to or be connected to public infrastructure & facilities necessary for dwellings to be developed, hence the lands in question should be removed from the map.

1. **Foul Water:** The suggested route by Uisce Eireann is via a mature housing estate “Green Road” and the distance to access the sewers is 335m, and would necessitate substantial disturbance & costs prohibitive to facilitate connection. The topography of the land would indicate a pumping station will be necessary for the foul services.
2. **Surface Water:** The topography of the land flows naturally to South-Western corner of the site & is in the opposite direction to accessing the existing sewer services at Green Road. This issue was discussed at length with Carlow Town Council engineers & hence it was suggested to access surface & foul

services via Borlum Wood (see point 5 below)

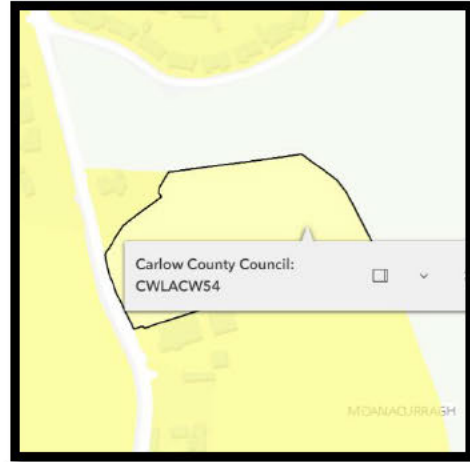
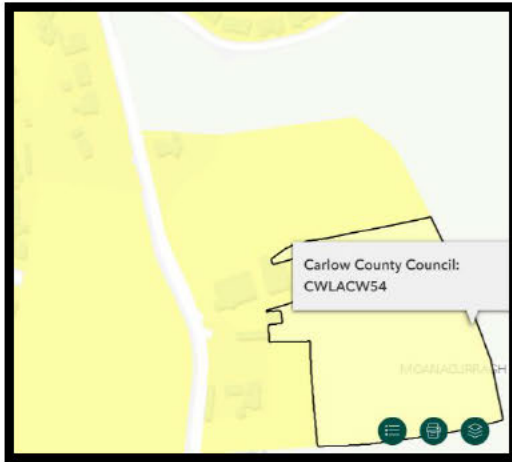
3. It must be highlighted that the aforementioned disturbance to access services via the length of 335m of Green Road for access to foul services, will not only affect the residents of Green Road, but would significantly impact staff & students of SETU, as Green Road Estate is a key overflow parking for the University.
4. A site inspection was carried out by Dean Design Engineering in Sept 2016, which included discussions with planners/engineers from Carlow County Council. It resulted in identifying two key issues in the relation to servicing these lands, and the engineer determined that the lands are unserviceable for surface water & foul/sewerage. (Attached Doc. #2) No improvements or alterations in access to services has occurred since 2016, hence this determination still stands.
5. The alternative route necessary due to the topography issues previously suggested (05/5525 & 06/930) was to go through the south-western boundary of the site (CW-55) via Borlum Wood housing estate (which was taken in charge), it was & is a still an unviable option, due to a ransom strip / wayleave preventing access to services.
6. Vacant site register (VS-18-15-folio 26848F): In November 2018, Carlow County council confirmed that this site was not to be included on the Vacant Site Register owing to the fact that there was no direct access to services.

If Carlow County Council include these lands on the map, in effect permission is being granted for 335m of Green Road housing estate to be excavated to facilitate access to services located in the south-western corner of the estate, and confirm that the services on Green Road will have the capacity to support the development of these lands in both foul sewer, notwithstanding the issues with surface water.

If the land is not deemed out of scope of the Residential Zoned Land Tax map, we will rely on Carlow County Council's inclusion of the lands, as confirmation of the statement above.

<b>Location:</b>	<b>Moanacurragh, Blackbog Road, Carlow Town</b>
<b>Main challenges:</b>	Lack of direct access to Services (Footpaths , Lighting, Water & Foul) Landlocked
<b>Parcel ID(s):</b>	CWLACW54
<b>Object ID(s):</b>	34 & 39

**Map(s) showing lands subject to Submission:**



**Rationale for Removing from RZLT Maps:**

Object IDs 34 & 39 contained within Land Parcel ID CWLACW54 should be removed from the RZLT map for the following reasons:

The Finance Act 2021, section 80-653B, Clause (b) stipulates that the land “*may have access or be connected to public infrastructure and facilities...*”

Uisce Eireann have outlined using GIS data, that indicates that a sewer exists 170m away in the North-Eastern corner of Monacurragh Housing estate, accessible via Monacurragh road, adjoining the northeastern boundary of the land parcel. Please note the distance is actually 254m. This demonstrates a fundamental error in Uisce Eireann’s report, and this does not afford us confidence in the report.

We can clearly evidence, as outlined below, that in reality there is no possibility of access to services, and hence the lands in question should be removed from the map.

1. According to the “Residential Zoned Land Tax - Guidelines for Planning Authorities : Appendix 4”, (Source: [0ef2fe7e-0c38-4879-8c7c-c6412482e65d.pdf \(www.gov.ie\)](https://www.gov.ie/public/attachments/gov-ir-c6412482e65d.pdf) ) the land must be connected to services.

The land in question does not have access to Footpaths, the width of the roadway precludes the addition of footpath. Additionally there is no public lighting near this parcel of land, hence per Appendix 4, this parcel of land is deemed “No – Out of Scope” per Appendix 4, Step 2 (ii), and therefore should be removed from the RZLT map.

## Appendix 4. Assessment checklist for land in scope - residential

Residential Zoned Land Area			
Step 1	→ Is Residential Permitted in Principle	→ Yes - Move to Step 2	No - Out of Scope
Step 2 (see S.653B(b))	→ Is the land connected to or able to be connected to services?		
i)	Road Infrastructure	→ Yes - move to step ii)	No - Out of Scope
ii)	Footpaths	→ Yes - move to step iii)	No - Out of Scope
iii)	Public Lighting	→ Yes - move to step iv)	No - Out of Scope
iv)	Surface Water	→ Yes - move to step v)	No - Out of Scope
v)	Waste Water	→ Yes - move to step vi)	No - Out of Scope
vi)	Water Supply	→ Yes - move to next step	No - Out of Scope
Stage 1		→ All yes responses? Land is in scope - move on to Exclusions	Any no responses? Land is out of scope. Do not place on maps

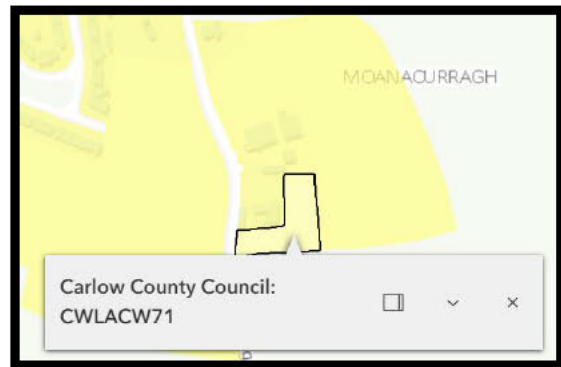
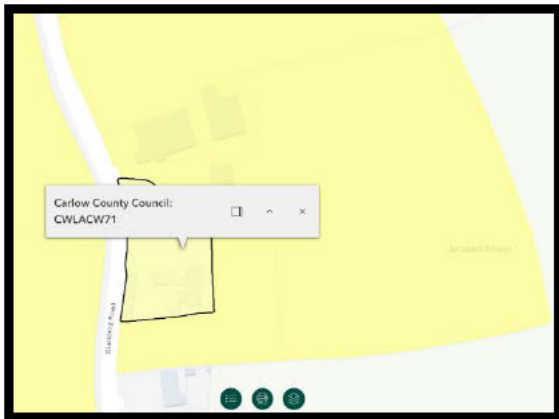
2. Additionally, it must be pointed out that in order for the lands to gain access to the sewer as outlined by Uisce Eireann, it would require for the roads in Monacurragh Housing Estate to be excavated. It must be highlighted that the aforementioned disturbance to access services via the length of 254m of Monacurragh Estate for access to foul services, will significantly affect the residents of the estate.
3. Object ID #34 is land-locked & has no access to roadway, footpaths, lighting & surface water & foul.

If Carlow County Council include these lands on the map, in effect they are giving permission for 254m of Monacurragh housing estate to be excavated to facilitate access to services located in the North-Eastern corner of the estate, and confirm that the services on Monacurragh road will have the capacity to support the development of these lands in both surface & foul sewer.

If the land is not deemed out of scope of the Residential Zoned Land Tax map, we will rely on Carlow County Council's inclusion of the lands, as confirmation of the statement above.

<b>Location:</b>	<b>Moanacurragh House, Blackbog Road, Carlow Town</b>
<b>Main challenges:</b>	Existing residence already paying Property Tax Lack of direct access to Services
<b>Parcel ID(s):</b>	CWLACW71
<b>Object ID(s):</b>	627, 628, 629

**Map(s) showing lands subject to Submission:**



**Rationale for Removing from RZLT Maps:**

Object IDs 627, 628 & 629 contained within Land Parcel ID CWLACW71 should be removed from the RZLT map for the following reasons:

The Finance Act 2021, section 80-653B, Clause (b) stipulates that the land *"may have access or be connected to public infrastructure and facilities..."* & section 80-653C 4.d *"residential properties, notwithstanding that they may be included on the draft map, shall not be chargeable to the residential zoned land tax"*.

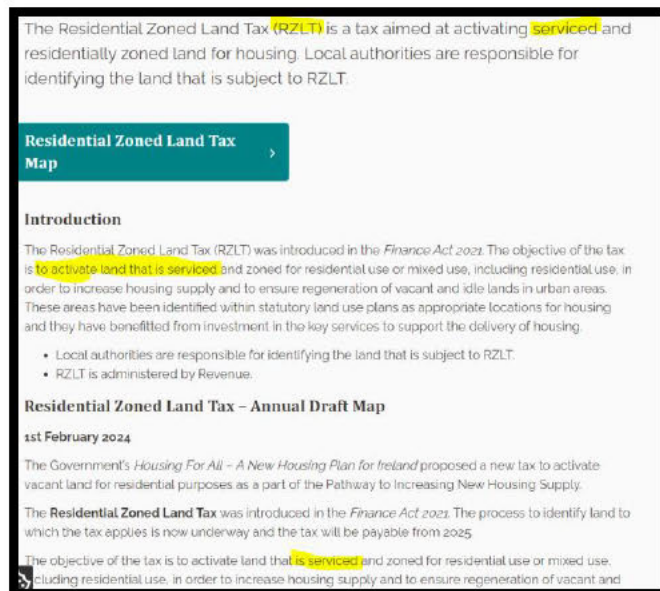
This parcel of land includes private dwelling & garden, as well as the farmyard & buildings associated with the running of the dairy farm.

1. Property tax is paid on this property, therefore this should be excluded from the RZLT map.
2. The land associated in this parcel ID is an active dairy farm, farmed continuously for generations.
3. According to the "Residential Zoned Land Tax - Guidelines for Planning Authorities : Appendix 4", (Source: [Oef2fe7e-0c38-4879-8c7c-c6412482e65d.pdf \(www.gov.ie\)](https://www.gov.ie/en/publications-and-statements/publication/Oef2fe7e-0c38-4879-8c7c-c6412482e65d.pdf) ) the land must be connected to services.

The land in question does not have access to Footpaths, the width of the road precludes the addition of footpath.

	<p>Additionally there is no public lighting near this parcel of land, hence per Appendix 4, this parcel of land is deemed “No – Out of Scope” per Appendix 4, Step 2 (ii), and therefore should be removed from the RZLT map.</p> <p>If Carlow County Council include these lands on the map, in effect they are giving permission for 254m of Monacurragh housing estate to be excavated to facilitate access to services located in the North-Eastern corner of the estate, and confirm that the services on Monacurragh road will have the capacity to support the development of these lands in both surface &amp; foul sewer.</p> <p>If the land is not deemed out of scope of the Residential Zoned Land Tax map, we will rely on Carlow County Council’s inclusion of the lands, as confirmation of the statement above.</p>
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In summary, and to further demonstrate that the lands at Moanacurragh & Blackbog Road, contained in parcel IDs CWLACW54, CWLACW55 & CWLACW71 should not be included in the RZLT maps, and should be deemed out of scope, is that according to the definition of the purpose & application of the RZLT as shared on Carlow County Council website, is that the tax is aimed at activating “Serviced” land & the objective of the tax is to “activate land that is serviced”, all the lands above are not serviced, and so it would be incorrect for Carlow County Council to include these lands on the map, as it is in complete contradiction to their own information shared with the public. (Source: [Residential Zoned Land Tax | Carlow Co Co](#))



I trust that you agree that we have demonstrated that these lands are out of scope & should not be included in the RZLT maps.

Yours sincerely,  
