

RZLT 24-004

Senior Executive Officer  
Planning Department  
Mayo Co Council Offices  
The Mall  
Castlebar  
Co. Mayo



Co. Mayo

24<sup>th</sup> March 2024

Comhairle Chontae Mhuigheo  
Corporate Affairs

27 MAR 2024

Received

Re: Landowner submission in relation to draft RZLT map

Dear Sir /Madam

I wish to request the exclusion of the Land from the local authority map on the basis that it does not meet the criteria for being in scope. I enclose an OS map showing the property, a Letter from my solrs affirming my legal interest, a letter from my engineers and some pictures.

The Land does not meet the criteria in Section 653 of the Tazes Consolidation Act 1997. The Land does not have (i) road access or (ii) access to public foul sewer drainage necessary for dwellings to be developed.

#### Particulars

- The lands are located 65 metres off the public road at the back of several houses & gardens at Convent Road, Claremorris. I attach a picture of the road. **Please see Exhibit A attached.**
- Access from these lands is via a **3.3m width** and **65 metres laneway** onto Convent Rd, Claremorris. **Please see Exhibit B attached.**
- The lands do not have access to public roads, footpaths and services necessary for development.
- The 3.3 metre laneway is insufficient for (i) road access (ii) footpaths and (iii) sight lines to enable development.
- I only own the Land parcel MOLA00002132 and do not own any adjoining lands. **See Solrs Letter and map attached at Exhibit C.**

#### Historic Planning Application

The lands were part of a wider joint planning application [redacted] with an adjoining third party landowner, [redacted] lands along with two other adjoining landowners provided sufficient road frontage to enabled public road access in line with planning guidelines. **Please refer to a Letter from my Engineers at Exhibit D attached.**

**Summary**

My lands are "landlocked" and require the agreement of third-party landowners to facilitate access for dwellings to be developed.

I cannot compel any adjoining landowners to provide their lands for access to my lands.

In order for the lands to be developed, sufficient road access & connection to services would require access over 3rd party lands that are in private ownership.

The Residential Zoned Land Tax Guidelines for Local Authorities specifically state *"If the works required to connect the land to services are materially significant, for example require access to 3rd party lands which are in private ownership or would require CPO or planning permission in themselves, then the land should be considered to be out of scope"*.

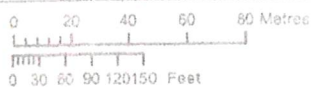
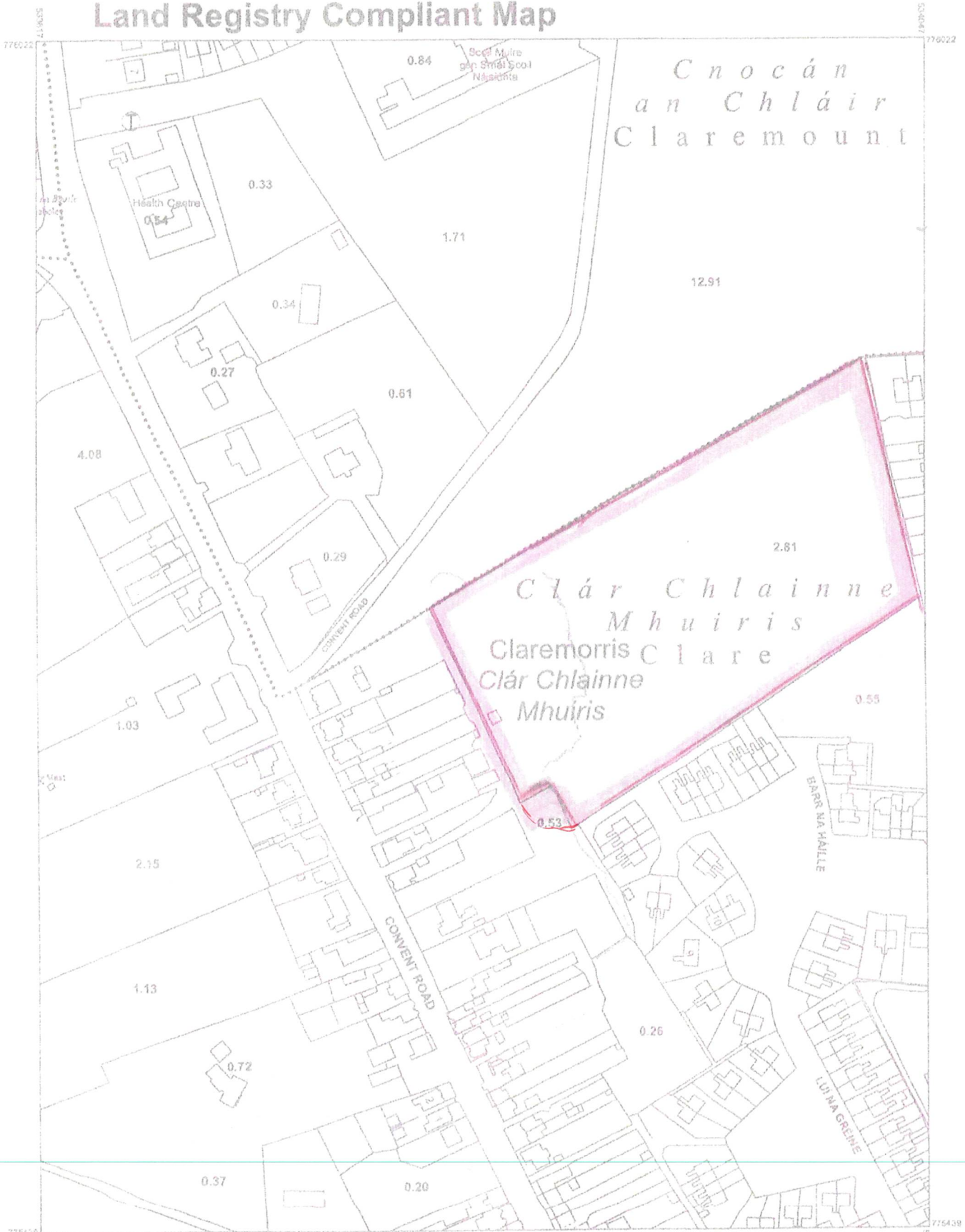
On the above basis, the Land should be excluded on the final map of the residential zoned land tax.

Yours faithfully

[Redacted signature block]

OS MAP.

# Land Registry Compliant Map



OUTPUT SCALE: 1:2,500



CENTRE  
COORDINATES:  
ITM 533832.775731

PUBLISHED: 10/12/2022  
ORDER NO.: 50307271\_1  
MAP SERIES: 1:1,000, 1:2,500, 1:2,500, 1:2,500  
MAP SHEETS: 2275-13, 2275-A, 2275-B, 2275-C

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LEGEND:  
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16:45

85%



Convent Rd

County Mayo





# Convent Rd

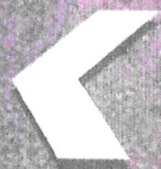


65 metre

3.3 m  
width

LANEWAY

SITE  
ENTRANCE





26 April 2023

Our Ref: RMC- RC-Claremorris

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

Dear Sirs/ Madam

**OUR CLIENT:** [REDACTED]

**PROPERTY:** [REDACTED]

We confirm that we act for the above named. We confirm that our client is the sole legal and beneficial owner of the lands outlined in pink on the enclosed map.

We further confirm that our client does not own nor have any entitlement to own any lands adjoining the lands outlined in pink on the enclosed map.

Yours faithfully

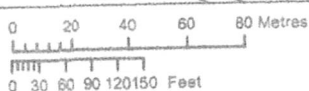
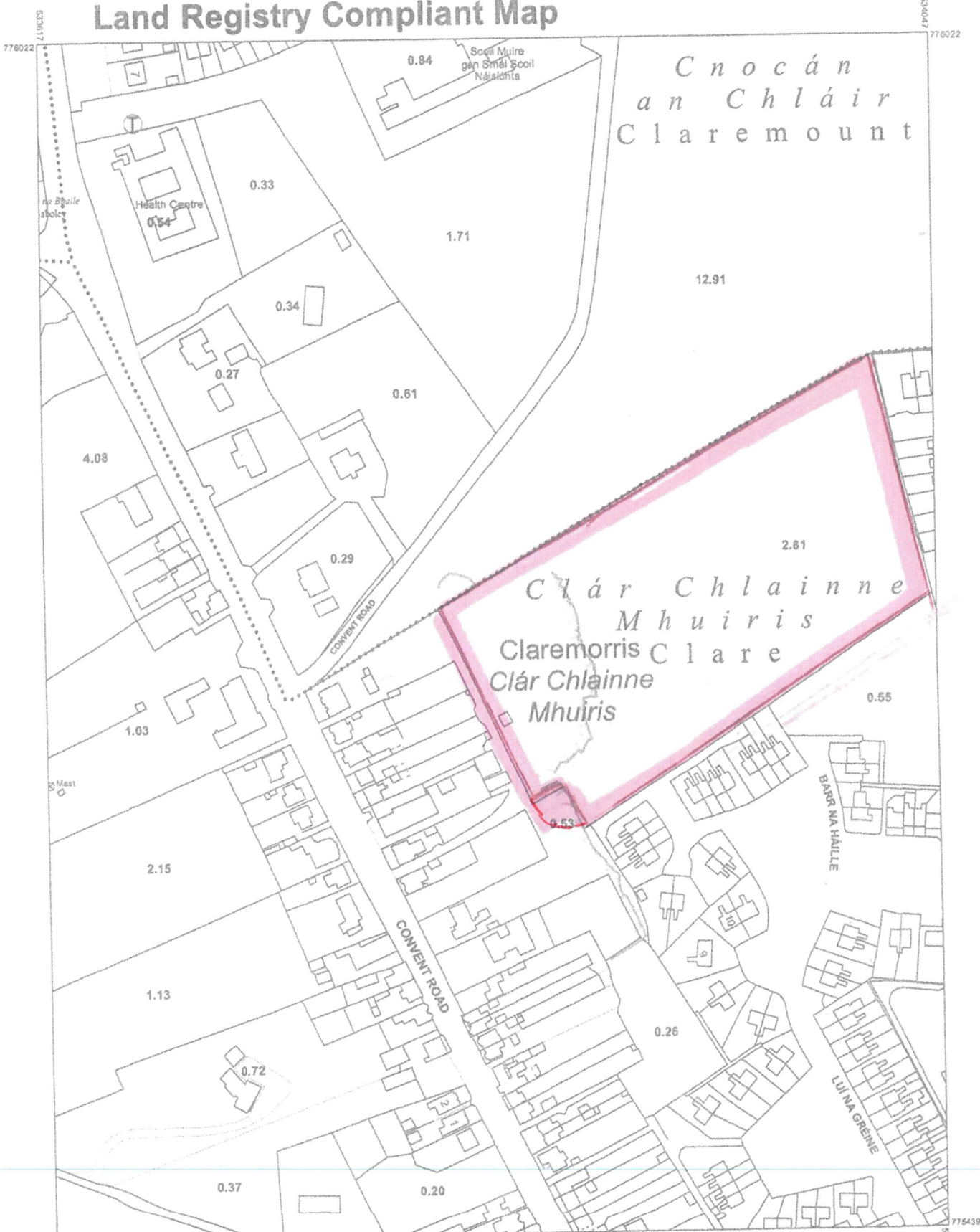
*RMC Solicitors*  
**RMC Solicitors**

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E: regina@rmcsolicitors.ie

# Land Registry Compliant Map

Cnocán  
an Chláir  
Claremount

Clár Chlainne  
Mhuiris  
Claremorris Clare  
Clár Chlainne  
Mhuiris



OUTPUT SCALE: 1:2,500



CENTRE  
COORDINATES:  
ITM 533832,775731

PUBLISHED: 10/12/2022  
 ORDER NO.: 50307271\_1  
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**LEGEND:**  
<http://www.osi.ie>; search 'Large Scale Legend'

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An Bord Pleanála  
64 Marlborough St,  
Rotunda,  
Dublin 1,  
D01 V902

**Re: Landowner submission in relation to draft RZLT map**

Dear Sir/Madame,

I refer to the above land parcel [REDACTED] I confirm that I am a planning consultant and familiar with these lands.

I confirm that the land parcel [REDACTED] does not have public road access suitable for development of housing and cannot be developed in accordance with current planning rules and regulations without access over adjoining lands in third party ownership. The current agricultural access roadway is approximately 3.3m wide which is insufficient for any form of development.

I confirm that a previous planning permission [REDACTED] referred to in the Chief Executives Order [REDACTED] in his letter of 30th March 2023, consisted of land parcel [REDACTED] and other lands belonging to three adjoining landowners so as to provide sufficient road access.

Consequently, the land Parcel ID [REDACTED] cannot be developed on its own as it does not have public road access suitable for development of housing and should be removed from the RZLT maps.

Kind Regards,

A handwritten signature in black ink, appearing to read 'David Deane', written over a horizontal line.

David Deane of Deane Associates  
Chartered Building Engineer