

Planning and Development Consultant.

Unit B 1 Laurel Lodge Business Centre,
Laurel Lodge, Castleknock,
Dublin 15.

Phone/Fax: 01-822 96 82
Mobile: 08 7-99 78 393
E-mail: broganjim@eircom.net

Senior Executive Officer,
Planning Department,
Meath County Council,
Buvinda House,
Dublin Road,
Navan,
Co. Meath.
C15 Y291.

5th March 2020

My Ref: 1845/Stamullen

Re: DRAFT MEATH COUNTY DEVELOPMENT PLAN 2020-2026.

Dear Sir/Madam,

Introduction

1. I act on behalf of Mr. Patrick Dunphy, [REDACTED] My client owns a largely undeveloped block of land, covering an area of c.3.29ha., used occasionally for grazing, on the south-eastern side of Main Street adjacent to St. Patrick's Roman Catholic Church in the southern half of the settlement of Stamullen in Co. Meath (Refer: Appendix 1). It lies between Main Street and the Delvin River.
2. My client's land is sub-divided into four distinct land use zones, in the current Meath County Development Plan 2013-2019, as varied (Refer: Appendix 2 – 'Stamullen Land Use Zoning Objectives Map. The riverside area along the south-eastern edge of my client's landholding, which covers c.1.307ha, is subject to Land Use Zoning Objective "F1 – Open Space – To provide for and improve open spaces for active and passive recreational activities". The area to the north-west of the riverside area, between it and Main Street, comprises three zones: - (i) a wedge-shaped area sited along its south-western boundary with a very narrow road frontage on Main Street, which is subject to Land Use Zoning Objective "B1 – Commercial/Town or Village Centre – To protect, provide for and/or improve town and village centre facilities and uses"; (ii) The area to the north-east of (i) which occupies the centre of my client's land holding. It has an extensive frontage along Main Street and is c.1.025ha in extent. It is subject to Land Use Zoning Objective "G1 – Community Infrastructure - To provide for necessary community, social and educational facilities." It shares this zoning objective with a

relatively small area adjoining it, which is occupied by the town's Roman Catholic Church, which is a Protected Structure, a single storey building, formerly used as a school, which now functions as a community centre/overspill area for church services, and car parking facilities for both uses; (iii) the remaining area of my client's land, which lies to the north-east of the lands zoned 'G1' – "Community Infrastructure" and has a frontage along Main Street. It is zoned "B1 – Commercial/Town or Village Centre - To protect, provide for and/or improve town and village centre facilities and uses". My client's family home, which is now unoccupied, stands on the roadside frontage of this land. The aggregate area of the 'B1' zoned lands at (i) and (iii) above is c.0.97ha. The above-mentioned zoning provisions have remained unchanged on the 'Land Use Zoning Objectives Map – Stamullen' which has just been published in the new Draft Meath County Development Plan 2020-2026 (Refer: Appendix 3).

3. I have been instructed by my client to request on his behalf that on the basis of this submission, that the central area of land, referred to above at (ii) (Refer: Appendix 4) be rezoned from "G1 – Community Infrastructure - To provide for necessary community, social and educational facilities" to "B1 – Commercial/Town or Village Centre – To protect, provide for and/or improve town and village centre facilities and uses" in the new Meath County Development Plan 2020-2026.

The Submission

4. In the existing Written Statement for Stamullen as presented in Volume 5 of the Meath County Development Plan, 2013-2019, as varied, reference is made to the existing community facilities in Stamullen consisting of "the church, community hall, GAA grounds, pharmacy, and national school". The national school on the Cockhill Road is stated to comprise of 19 no. classrooms on a full school campus, split between old and new school buildings. The land upon which the school is located is zoned "G1 – Community Infrastructure - To provide for necessary community, social and educational facilities". Additional land was zoned in the Development Plan around the school to allow for its further extension, if required. Reference is also made to St. Patrick's GAA Club which relocated its club facilities to the Cockhill Road in the proximity of the school. They comprise 3 no. playing pitches, an all-weather pitch, a community sports complex with an attached covered grandstand, consisting of a community sports hall and changing facilities, community activity and meeting rooms. The Club's lands are zoned primarily "F2 – Open Space – To provide for and improve open spaces for active and passive recreational amenities" in the Development Plan. This particular area, following these developments, has become the focal point of community based

activities in the area. The Council is also committed in the current Development Plan to supporting their expansion.

5. Stadalt House and its grounds, which are at the southwestern extremity of the town, is another area, referred to in the Written Statement in the context of its consideration of the subject of 'Community Facilities and Open Space' in Stamullen. It has been developed as a contemporary 'Physical Sensory and Intellectual Disability Centre' offering a residential service for adults with a primary intellectual (mild/moderate/severe) or cognitive disability. It continues to evolve through broadening the range of residential facilities and ancillary training/therapeutic services being provided on site. The Development Plan, by way of a specific objective, seeks to facilitate its continued operation and expansion. The House and grounds are zoned "G1 – Community Infrastructure - To provide for necessary community, social and educational facilities".
6. The Council's existing Policies in relation to the development of Community Facilities in Stamullen as expressed in the Development Plan's Written Statement are: -
 - "CF POL 1 To protect the sites of existing facilities and support their further development.*
 - CF POL 2 To facilitate the provision of a new Health Centre on appropriately zoned lands."*
7. Turning now to the new Draft Meath County Development Plan 2020-2026, the extent of the areas zoned 'G1 – Community Infrastructure' on the 'Land Use Zoning' map for Stamullen has remained unchanged, except for the addition of an area designated as 'Residential Phase II (Post 2019)' in the current Development Plan, which lies to the north/north-east of the Stadalt House lands which is proposed for rezoning as 'G1 – Community Infrastructure' lands. This area, according to the Written Statement for Stamullen in the Draft Development Plan, would appear to have been identified for the future potential development of a public playground (Section 5.7 'Social Infrastructure').
8. In section 2.0 "Town Context/Character" of the above-mentioned Draft Written Statement for Stamullen, reference is made to a "cluster of community facilities on the Cockhill Road consisting of St. Patrick's National School and St. Patrick's GAA Club" which are identified as providing "a strong community focus in this area of town."
9. The subject of community/education facilities, to which land use zoning objective 'G1 – Community Infrastructure' relates, is covered in Section 5.7 "Social Infrastructure" in the Draft Written Statement. It states that the Council is committed to supporting community groups and organisations in the delivery of vital social and community

facilities within the town. It is also indicated that it is important that any development fronting Main Street maintains links to the Delvin River, thereby ensuring adequate connectivity and permeability to the future public park, proposed alongside the river. Reference is also made to it being an objective of the Council to identify appropriate lands to accommodate a new graveyard, subject to all relevant tests being carried out.

10. The Town Development Policy Statement for Stamullen, as expressed in the Draft Written Statement is: -

“STA POL 1 To promote the sustainable growth of Stamullen and consolidate to be a Self-Sustaining Town and a local service centre.”

11. The Town Development Objectives related to ‘Social Infrastructure’ are: -

“STA OBJ 16 To facilitate the delivery of a town playground on lands identified east of Stadalt House or alternatively on land zoned as open space along the Delvin River.

STA OBJ 17 To identify suitable lands for a new graveyard when necessary subject to completion for necessary testing.

“STA OBJ 18 To provide for the expansion of existing community facilities on lands surrounding Stadalt House subject to the availability of services.”

12. The review of the relevant provisions of the existing Development Plan and the Draft Development Plan, detailed above, reveals that there is no specific community or educational use proposed for development on my client’s lands, nor is there any specific Town Development Objective relating to the land, the development of which would be facilitated by its current ‘G1 – Community Infrastructure’ zoning objective. The focus of future community related development in Stamullen may at one time have been on that area, by reason of its proximity to the Parish Church and school. Circumstances have, however, changed significantly in the interim. With the closure of the school and the relocation and expansion of the GAA club’s facilities, the focus has moved, as acknowledged in the Draft Development Plan, to Cockhill Road and also to Stadalt House and the lands in its vicinity, arising from the community based developments on those lands. In fact, as I have already indicated above, the extent of the area of the land zoned for that purpose at the latter location has been extended to cater for a specific community based use i.e. future public playground.

13. There is, as I have stated, no indication in the Draft Development Plan as to the intended use for my client’s lands in the context of any future community/social infrastructural development in Stamullen. In the absence of any specific Town Development Policy or Town Development Objective relating to its development for that

purpose, there is no longer, in my submission, any tenable grounds for the continued retention of 'G1 – Community Infrastructure' as the land use zoning objective for the subject lands. The effect of its retention is to sterilise the land to accommodate a range of uses for which there is no evidence of need at this location. 'Need' is, I would submit, a critical consideration, given the zoning objective refers to "necessary" community, social and education facilities.

14. The above-mentioned area of my client's land, zoned 'G1 – Community Infrastructure' , with the exception of the Church and community centre, adjoins lands to the east and west which are in his ownership and are zoned 'B1 – Commercial/Town or Village Centre'. It is my submission on his behalf that the subject lands should be rezoned for the same purpose – "B1 – Commercial/Town or Village Centre - "To protect, provide for and/or improve towns and village centre facilities and uses" in the new Meath County Development Plan 2020-2026.

15. The rezoning of the land for 'B1' purposes, having regard to the following guidance presented in relation to this zone in the Draft County Development Plan: -

"The primary land use in B1 zones is employment generating, service and retail. In order to achieve balanced development and create vibrant urban communities, residential use can also be considered on these lands. In order to ensure the delivery of commercial uses commensurate with the status of the settlement the percentage of residential development in 'B1' zones shall generally not exceed 30% of the quantum of development in any proposal in Key Towns, Self-sustaining, Growth Towns, Self Sustaining Towns. Exceptions may be facilitated on a case by case basis."

would greatly broaden the range of developments possible on the land and, accordingly, enhance its development potential. It would also continue to facilitate the development of many uses classified as 'Permitted Uses' or 'Open for Consideration Uses' in a 'G1 – Community Infrastructure' zone.

16. The subject land lies wedged, as I have already indicated, between two parcels of land zoned 'B1'. I would contend that, with its current zoning objective, this has had a compromising impact on the development prospects for both these areas. The rezoning of the land to 'B1 – Commercial/Town or Village Centre' would have the effect, I submit, of releasing for development those adjoining lands, in particular the area to the west, which has a very narrow restricted frontage in a hazardous location on Main Street. The consolidation of my client's lands in their entirety as a 'B1' zone at this location will, I would submit, greatly improve the prospects of development locating in

this area, which heretofore would have been deterred by the intrusive presence of the 'G1 – Community Infrastructure' zoned land.

17. In addition to the above, there will, in my submission, be other benefits to be derived from the rezoning of the land. For example, the subject land is located on the inner curve of a bend on Main Street. The street at this location has a continuous white line running along the centre of the carriageway. The bend on the road seriously restricts the visibility, in particular, in a south-westerly direction of cars exiting the car parking facilities at this location. The development of my client's lands would facilitate the removal of the above-mentioned bend, allow for the provision of a footpath on the south-eastern side of the road, and create a much safer environment for all forms of traffic, vehicular, cyclist and pedestrian, using Main Street, and also for traffic using the above-mentioned car parking facilities.
18. The improvements in the prospects of developing this land as a consequence of the proposed change in zoning would also expedite the creation of linkages through the lands to the proposed riverside walk beside the Delvin River which is an objective of the Draft Development Plan and to which reference was made earlier in this submission. The development of the subject land would also provide a much more attractive and safe setting for the riverside walk than would arise if it is left in an undeveloped state, which will be the inevitable consequence if the zoning for 'G1 – Community Infrastructure' purposes is retained on these lands.
19. The subject land is an infill site within the town centre of Stamullen. Its status as a town centre location is evidenced by the fact that the lands to the north, west and east are all zoned 'B1 – Commercial/Town or Village Centre' except for the Church/former school. Its re-zoning as a 'B1' zone within this context and subsequent development in accordance with the provisions of that zoning objective is, I would contend, compatible with the achievement of a number of objectives for Stamullen as presented in the Draft Written Statement for the town: -

"STA OBJ 3 To maintain and enhance the compact mixed use town centre as the primary location for retail and commercial services.

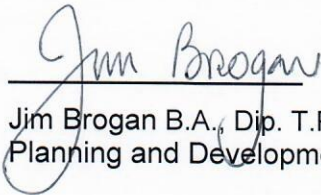
STA OBJ 4 To adopt a sequential approach to development infill town centre sites shall be prioritised for retail and commercial developments in advance of other sites within the town, except in exceptional circumstances.

STA OBJ 19 To facilitate infill and other developments within the town centre in the context of their contribution towards the enhancement of

the existing streetscape and visual amenities of the central part of Stamullen.”

Conclusion

20. To conclude, it is my submission on behalf of my client that, in the light of the reasons and considerations outlined above, there is a compelling case to be made for the rezoning of the subject lands on the Main Street in Stamullen from “G1 – Community Infrastructure – To provide for necessary community, social and educational facilities” to “B1 – Commercial/Town or Village Centre – To protect, provide for and/or improve town and village centre facilities and uses”. I request, therefore, on behalf of my client that, on the basis of this submission, the Draft Meath County Development Plan 2020-2026 be amended to allow the rezoning of the central area of land, referred to above at (ii) above (Refer: Appendix 3) from “G1 – Community Infrastructure - To provide for necessary community, social and educational facilities” to “B1 – Commercial/Town or Village Centre – To protect, provide for and/or improve town and village centre facilities and uses” for inclusion in the new Meath County Development Plan 2020-2026.



Jim Brogan B.A., Dip. T.P., M.I.P.I., Dip. L.S., Dip. Arb., F.C.I. Arb., B.L.
Planning and Development Consultant

Appendix 1.

Lands at Main Street, Stamullen, in the ownership of Mr. Patrick Dunphy outlined in red.



The Property Registration Authority
An údarás
Clárúcháin Maoine
Folio: MH15484F

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

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(centre-line of parcel(s) edged)

Freehold

Leasehold

Sub-Leasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

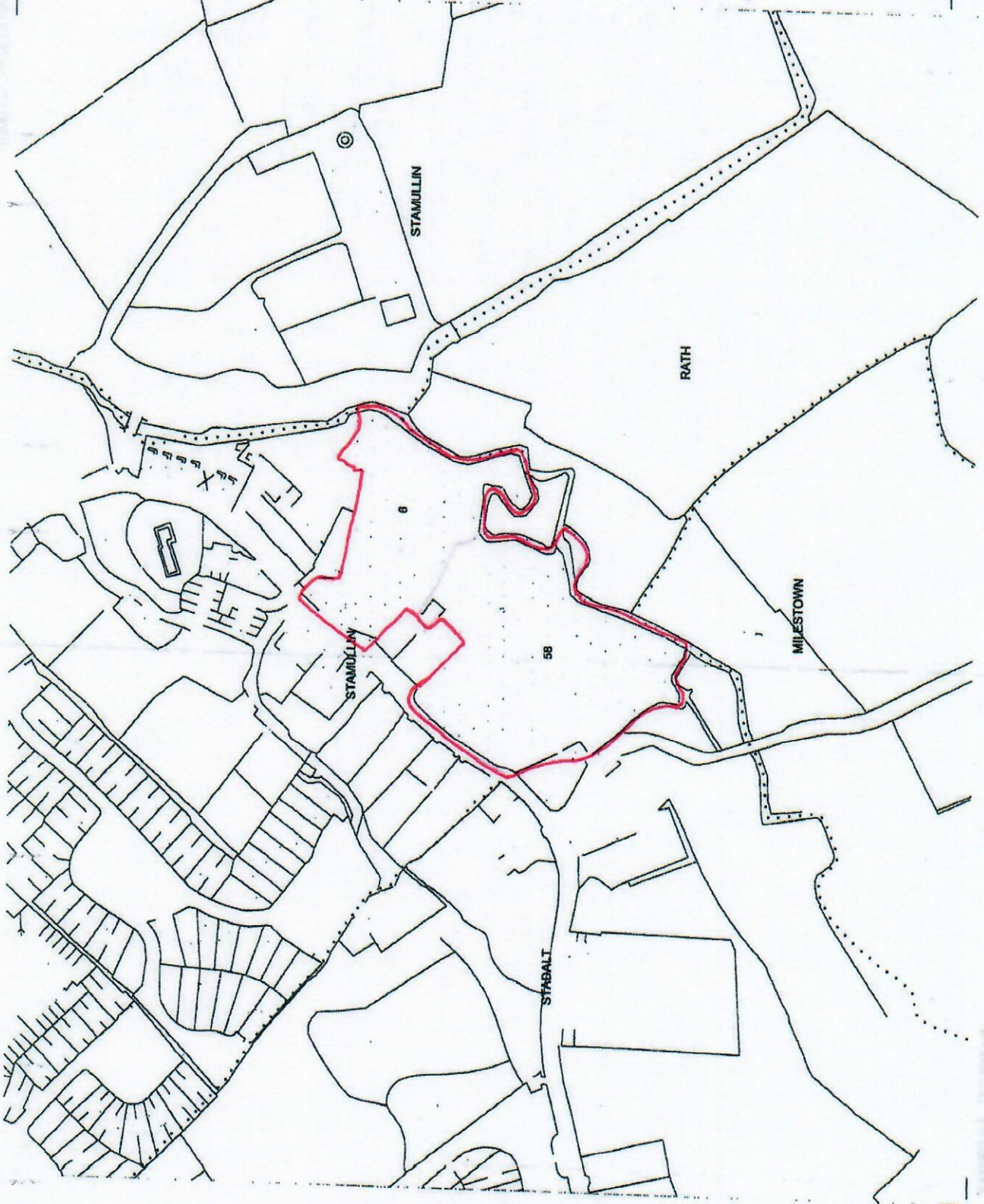
Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at:

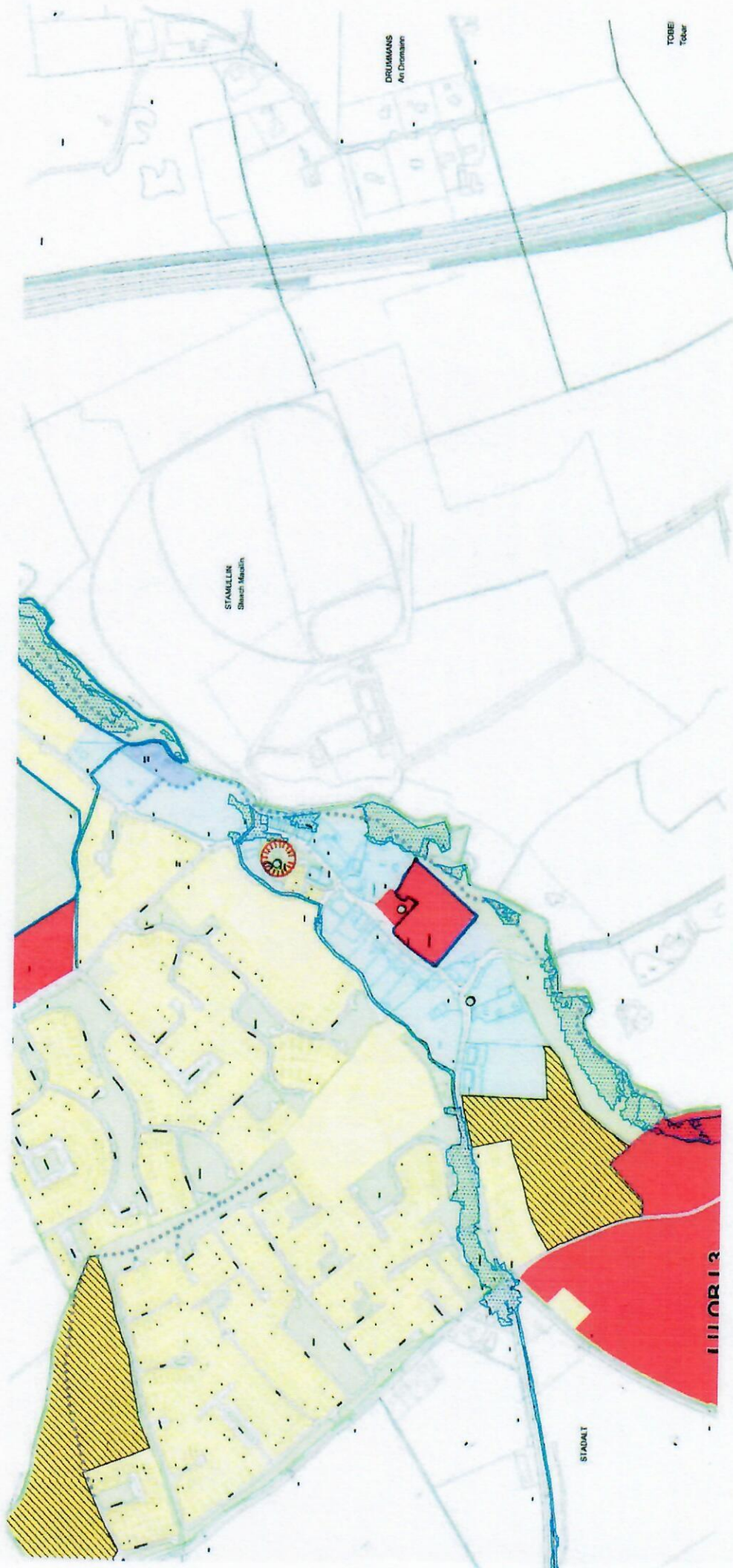
www.lsa.ie

(see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



Appendix 2.

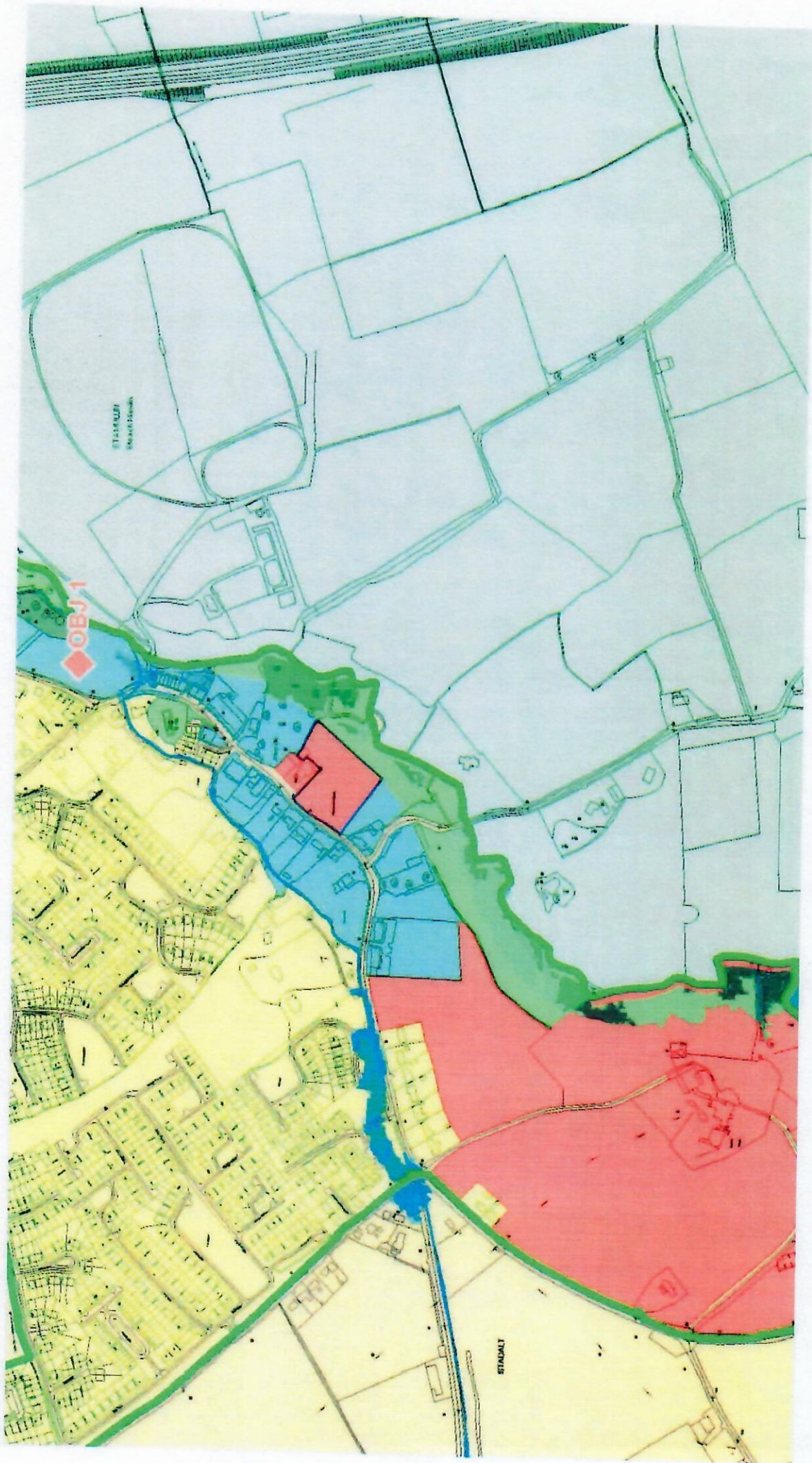
Meath County Development Plan 2013-2019
Extract – Stamullen Land Use Zoning Objectives Map –
Site to be re-zoned from ‘G1 – Community Infrastructure’ to ‘B1
– Commercial/Town or Village Centre’ outlined in blue.



Meath County Development Plan 2013-2019
 Extract – Stamullen Land Use Zoning Objectives Map –
 Site to be re-zoned from 'G1 – Community Infrastructure' to 'B1 – Commercial/Town or Village Centre' outlined in blue.

Appendix 3.

Draft Meath County Development Plan 2020-2026
Extract – Stamullen Sheet No. 39 (a) Land Use Zoning –
Site to be re-zoned from ‘G1 – Community Infrastructure’ to ‘B1
– Commercial/Town or Village Centre’ outlined in blue.



Draft Meath County Development Plan 2020-2026
Extract – Stamullen Sheet No. 39 (a) Land Use Zoning –
Site to be re-zoned from 'G1 – Community Infrastructure' to 'B1 – Commercial/Town or Village Centre' outlined in blue.

Appendix 4.

Area of land at Main Street, Stamullen, to be re-zoned from 'G1 – Community Infrastructure' to 'B1 – Commercial/Town or Village Centre' outlined in blue.



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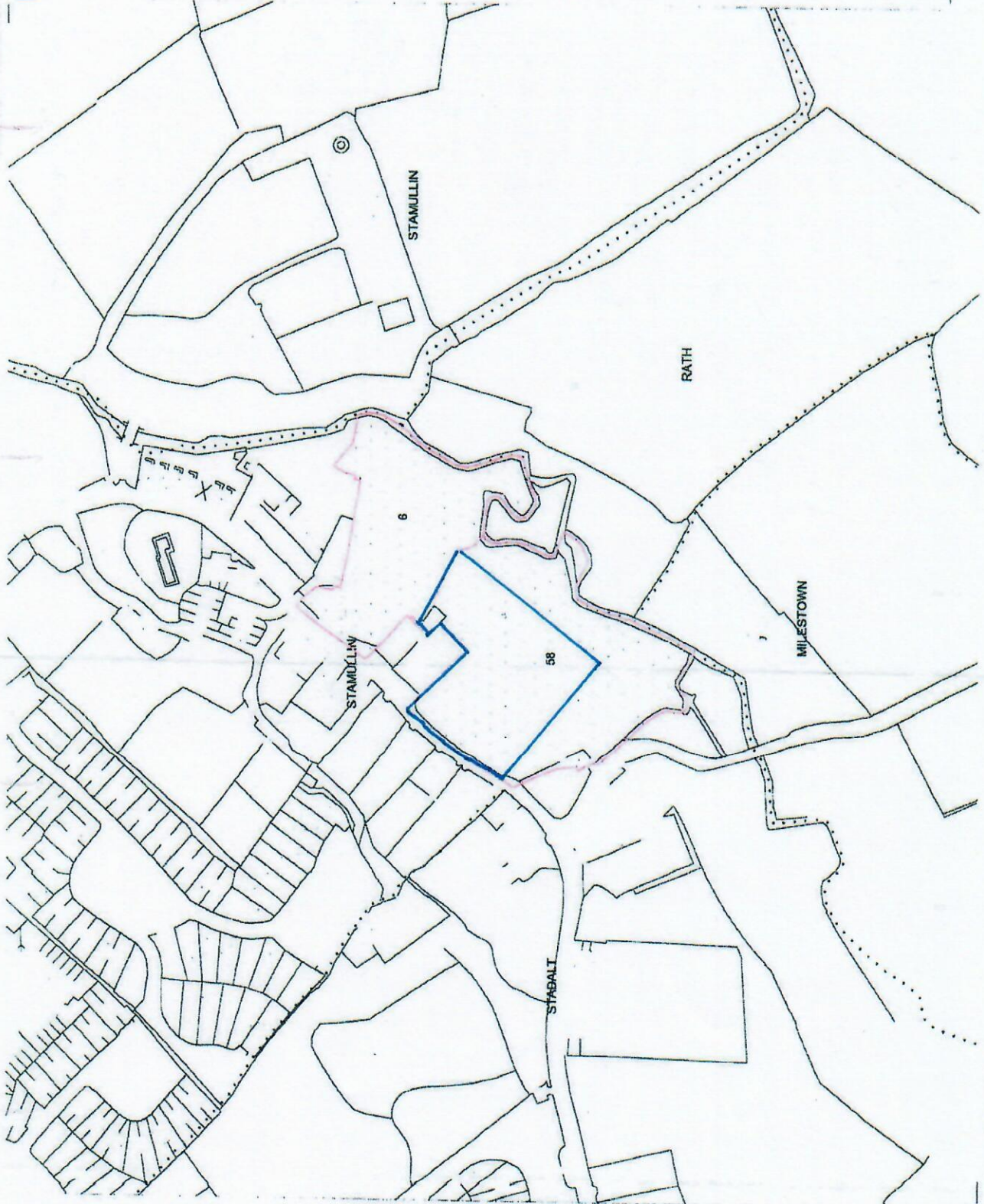
Well

Pump

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The Property Registration Authority is a State Body established under the Property Registration Act, 1964. The Property Registration Authority is responsible for the registration of interests in land and the issue of title deeds. The Property Registration Authority is a State Body established under the Property Registration Act, 1964. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act, 2006.



1:2500 Scale