

To Chief Executive, Cathaoirleach and each member of Meath County Council

13.4 ACRES OF LAND AT MOUNT DUTTON, STONEY ROAD OLDCASTLE

CURRENTLY ZONED A2 OF LAP

21st June 2021

1. Introduction

Dear Chief Executive, Cathaoirleach and Members,

I act for clients, including an original owner, a Chartered Accountant with a highly reputable practice for over 30 years. He, with others, have also been involved as developers and builders for over 20 years. They built over 300 units of housing and industrial properties in County Kildare and County Westmeath, including a large nursing home in Westmeath.

He, with the other partners, acquired the lands at Mount Dutton, Stoney Road, Oldcastle in late 2005 for €2,650,000 plus stamp duty and fees.

My clients were somewhat dismayed to recently hear that a proposal to de-zone 7 acres of this 13.4-acre landholding (leaving 6.4 acres remaining), currently zoned A2 was passed at a council meeting on a proposal from a local councillor and the zoning transferred to another piece of land in Oldcastle. My client does not feel that this is fair or appropriate and considers that the matter has not been duly considered in the context of the proper planning and sustainable development of the area.

There has been a long planning history and facilitatory relationship between the council and the landowner, including numerous meetings between the planning department officials and other council departments.

Before I detail the planning history of this site, it is important that I explain the current ownership, which is far removed from the rumour that this land is owned by a so-called "vulture fund". The land is currently owned by established developers with over 35 years residential development experience. They have recently completed a residential development in Kildare of which over 30 homes were acquired by a Housing Association. From discussions this housing association and others have confirmed an interest in homes in Mount Dutton. They acquired the land in 2018 after the loan was called in by the bank in 2013 because of delays in getting planning permission and lack of housing demand at the time. Subsequent, to the loan being called in, one of the original owners sadly died. My client's involvement with the original owner was to engage as a consultant because of his long interest as part-owner since the original purchase. He has subsequently become a stakeholder in the company.

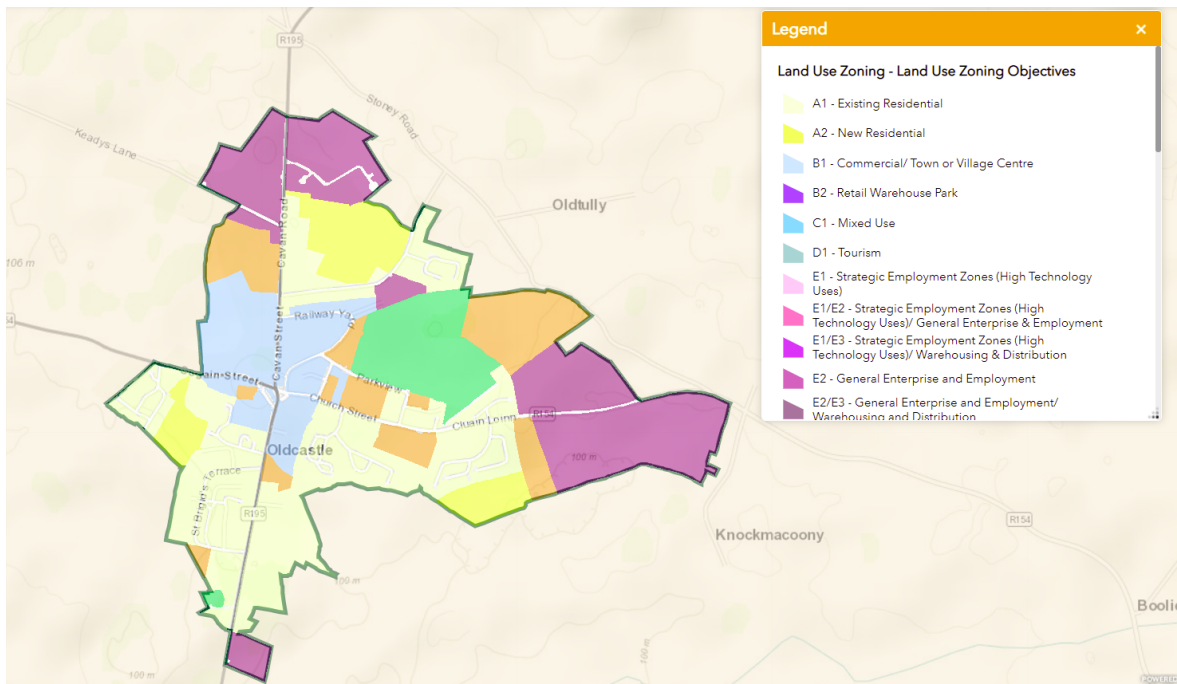
2.0 Site Location and Description

Figure 2.1.: Subject Site Location

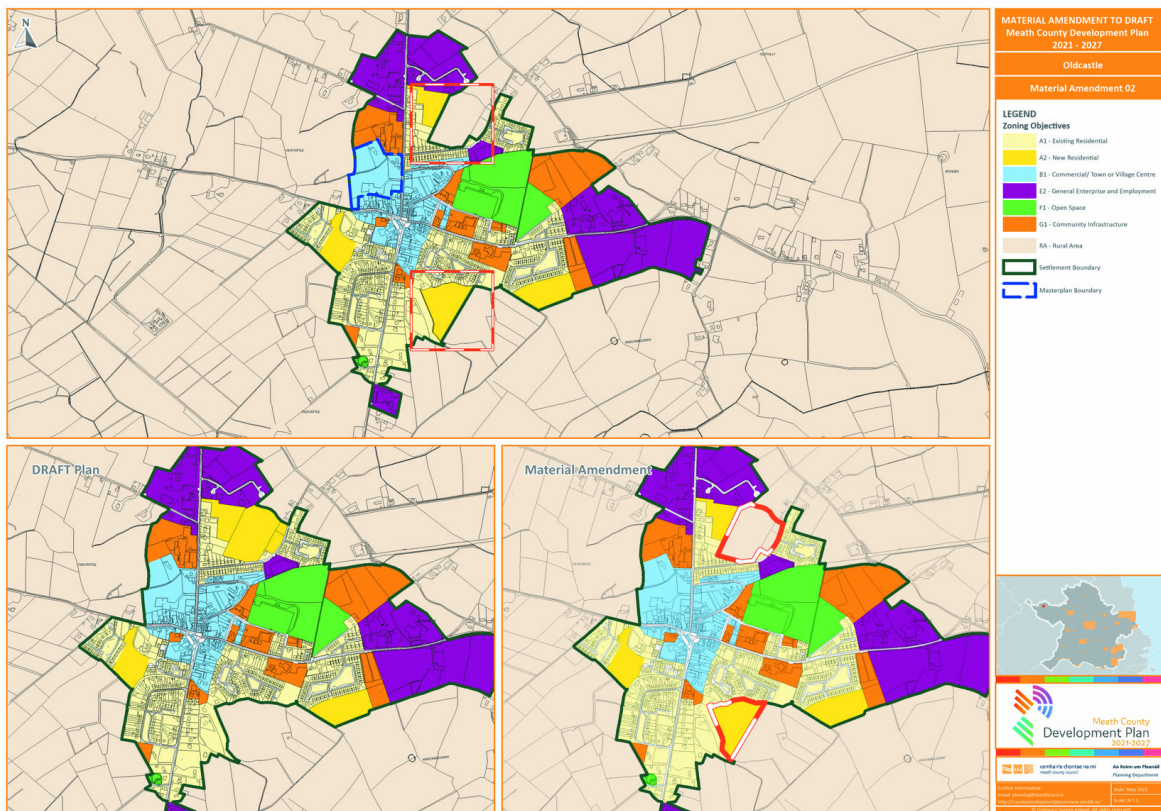


The subject site is located in the north-east area of Oldcastle. The lands stand at 13.4 acres (5.42ha). The proposed access point is on the western most point of the site on Cavan/Virginia Street.

3.0 Existing Meath County Development Plan



4.0 Proposed De-zoning Map Below:



5.0 Planning History

A full architectural, engineering and planning design team has been working since mid-2018 to prepare a proper sustainable plan for the lands in Mount Dutton.

The site already has the benefit of a clear archaeological report, foul water survey and a clear Natura Impact Statement. It is important to note that any other newly zoned lands applying for permission will be subject to the same assessments and no guarantee that there will not be prohibitive findings.

The owners since 2005 and current developers since 2018 to-date have spent enormous time and fees ensuring that this site is ready to develop subject to planning approval. There have been approximately and in excess of €100,000 spent on planning consultants, environmental surveys, architectural fees plus other professional fees.

Below is a full Planning History of the subject site:

- 2008: Planning Permission for a residential development of 112 houses was applied for. This was refused on grounds that this proposed development was premature due to lack of demand and that there was no Waste Treatment Plant in the town. Recent waste spillages to the river Inny were cited.
- 2010: A Framework Plan was prepared for the lands and planning permission for a modern 75 bed Nursing Home was applied and on the site taking up to 4 acres of the land. This application was refused. There was an appeal made to An Bord Pleanála which was refused because they were led to believe that without the new town treatment plant, the application was premature. (See Attached)
- 2011: Planning was applied for on this site for a development of 53 two storey houses comprising of 6 no 2 bed semi-detached, 9 no 2 bed terraced houses, 34 no 3 bed semi-detached houses, 2 no 4 bed semi-detached houses and 2 no 4 bed detached houses and ancillary site works. We were refused marginally as it was pre the water treatment plant, although imminent, and again deemed premature. Also, a reason given was that the exit to the Virginia road, shown on the map at Mount Dutton at the Virginia road, was too tight.
- 2012: Archaeological Report issued by Wolfhound Archaeology. Results found the site was clean and fit for purpose. (See Attached)
- 2018: Following the purchase, the new owners began tirelessly preparing plans for its proper development, building on all the previous substantial work, including commissioning a report from Insight Consultants, advisors, prepared by a planning consultant and engineer, Henry Van der Kamp (enclosed), in February 2018. The preparation of the report involved discussions with Meath County Council.

- Having regard to the imminent adoption of a new Meath County Development plan, it was decided to postpone lodging a further planning application for the site. However, the County Development Plan was significantly delayed.

6.0 Current situation

These lands at Mount Dutton, circa 13.4 acres, are totally within the curtilage of town centre and have been Zoned, subject to planning, as A2, A3, for the last 10 years. This site is within 5 minutes walking distance to centre ACA.

With its strategic location close to Virginia, the M3 and the Meath Boyne Valley tourist route it is close to many amenities for all ages. With social and affordable living so important for the future and promoted by all political parties in Ireland, this site is a perfect location.

Plans are completed for house types, infrastructure, suitable and affordable pricing, and a large modern Nursing Care facility. See enclosed modern house types recently purchased by the Housing Association.

This development will provide employment for up to one hundred people in nursing care and business for local suppliers and food stores, medical practitioners, and pharmacies.

7.0 Conclusion

Planning permission will be sought on 13.4 acres for housing and a modern Nursing Home.

The site is clean, has services and has no archaeological or environmental issues.

There was no activity with the council planning section recently as these new plans were being drafted, the development plan was delayed, and Covid-19 occurred.

My clients are committed equally to this development as we believe in its capability and what it can generate for the community of Oldcastle.

The recent move to de-zone 7 acres will impact significantly on the ability to deliver a sustainable cohesive development which will benefit the town and provide much needed local housing and other facilities and services. The exit on the Virginia road is very narrow and was cited as a reason for refusal by planning. It is also contrary to all planning policy for rural development and reduces the opportunity for Oldcastle to have a viable residential population, to shop and live in the town, supporting local schools, community, and sporting facilities.

The proposal to revise the 'other' 7 acres to agricultural is not feasible as these lands are situated in a town development location. Such a zoning is in our view contrary to local planning and sustainable living.

My clients are strongly objecting to the de-zoning of our land as effectively it makes their property worthless as indicated above and destroys 13 years of hard work. We believe the council's approach to this de-zoning is an unprecedented action, is inherently wrong and we are absolutely at a loss as to how a last-minute zoning change could possibly be considered for 'ready to go' housing lands effectively in a town centre setting, which have been the subject of considerable planning consultation with the council for over 13 years.

Yours sincerely,

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Chartered Surveyor and Town Planner

Barrister-at-Law