



THORNTON O'CONNOR
TOWN PLANNING

***Submission In Respect Of The Material Amendments To
The Draft Meath County Development Plan 2021-2027***

**In Respect Of Lands Proposed To Be Rezoned From
Objective 'A2' – New Residential To Objective 'G1' -
Community Infrastructure At Killegland, Ashbourne,
County Meath**

Submitted on Behalf of Ashcroft Developments

June 2021

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

Tuesday, 29th June 2021

Dear Sir/ Madam,

RE: SUBMISSION IN RESPECT OF THE MATERIAL AMENDMENTS TO THE DRAFT MEATH COUNTY DEVELOPMENT PLAN 2021-2027 IN RESPECT OF LANDS PROPOSED TO BE REZONED FROM OBJECTIVE 'A2' – NEW RESIDENTIAL TO OBJECTIVE 'G1' - COMMUNITY INFRASTRUCTURE AT KILLEGLAND, ASHBOURNE, COUNTY MEATH

1.0 INTRODUCTION

1.1 Purpose of this Submission

Thornton O'Connor Town Planning¹ have been retained by Ashcroft Developments² to prepare this Submission to Meath County Council in relation to lands that they recently purchased at Killegland, Ashbourne, County Meath, which are subject to a proposed rezoning as part of the Material Amendments to the *Draft Meath County Development Plan 2021-2027*. The Material Amendments to the *Draft Meath County Development Plan 2021-2027* was published on Monday 21st May 2021 thus the final day for Submissions on this phase of public consultation is Tuesday, 29th June 2021.

The lands subject to this submission are located at Killegland, Ashbourne, County Meath and are shown in Figure 1.1 below.

¹ No. 1 Kilmacud Road Upper, Dundrum, Dublin 14, D14 EA89

² Unit 4, Leopardstown Business Park, Ballyogan Road, Dublin, D18KX88



Figure 1.1: Map Showing the Location of the Lands Subject to this Submission Outlined in Red.

Source: Myplan.ie, OSI Map, annotated by Thornton O'Connor Town Planning, 2021.

Key Point:

The purpose of this Submission is to demonstrate that the rezoning of the subject lands from their current Objective 'A2' (New Residential) to 'G1' (Community Infrastructure) as proposed as part of the Material Amendments to the *Draft Meath County Development Plan 2021-2027* is not in the interest of proper planning and sustainable development of Ashbourne thus our Client strongly opposes the proposed rezoning of the subject lands.

The site subject to this Submission is ideally located to accommodate much needed homes and would represent the natural extension of the existing residential area. We highlight that there is currently a live application at the subject site for the construction of 31 No. residential units that is being considered by Meath County Council (Reg. Ref.: 211037) and is due to be determined by 22nd July 2021.

In our opinion the rezoning of the subject lands to Objective 'G1' - Community Infrastructure has not been duly considered and will create an abundance of issues for the future growth of Ashbourne. Section 6.0 of this report will demonstrate the critical rationale that supports our Client's strong opposition to the aforementioned rezoning.



1.2 Format of Submission

The following is the format of this submission:

Section 1 provides the **Introduction of the Submission**;

Section 2 provides an **Executive Summary of the Submission**;

Section 3 sets out the **Site Location, Context and Planning Status** of the Subject Lands;

Section 4 provides an Overview of the **Material Amendments and Chief Executive's Opinion**;

Section 5 provides an Overview of the **Timeline of Site Acquisition where Ashcroft Developments had no Knowledge of the Proposed Rezoning at Time of Purchase**;

Section 6 details the **Rationale for Vehement Opposition to the Proposed Amendment**;

Section 7 provides an overview of the **Ashcroft Developments and The Potential Implications to the Company if the Lands are Rezoned as Proposed**; and

Section 8 provides the **Conclusion**.

2.0 EXECUTIVE SUMMARY

This Submission relates to lands which have an area of 0.84 Ha and are located to the south of Killegland Cemetery, to the west of Bourne View housing estate and to the east of the Churchfields housing estate. The lands are currently zoned for residential development and were recently purchased by Ashcroft Developments, a relatively small scale builder with a strong reputation for the delivery of high quality yet affordable homes in Co. Meath.

Ashcroft Developments signed contracts for the purchase of the lands on 23rd December 2020, and they were completely unaware that there was any risk to the zoning of the lands at the time of their purchase. Councillor Alan Tobin made our Client aware of the proposed Ashbourne Material Amendment No. 8 on 20th May 2021, eight days after the sale was closed. The Material Amendment proposes to amend the zoning of the subject lands from Objective 'A2' – New Residential to Objective 'G1' Community Infrastructure. The rationale for the rezoning is to facilitate the delivery of an access road and carpark to an envisioned park on lands further to the south.

This proposal was devastating to Ashcroft Developments as they had paid residential values for the lands – in the interests of transparency the Elected Members should note that the price paid for the lands is €1,050,000 (one million and fifty thousand). In addition to that sum, Ashcroft Developments paid stamp duty, legal costs and design team planning application costs which were also substantive. A planning application was lodged in respect of the lands on 28th May 2021 and is currently under consideration by Meath County Council (Reg. Ref.: 211037).

Ashcroft Developments have successfully developed many high quality homes in Co. Meath including 47 No. houses in Bettystown and 68 No. houses in Berford in Duleek. Ashcroft are currently on site (foundation level) with a later phase of 34 No. houses in Berford in Duleek with those dwellings at site foundation level and expected to be delivered in Summer 2022. Ashcroft Developments are a relatively small scale business that employs 14 No. full-time persons and a variety of sub-contractors predominantly from the Meath area. Ashcroft Developments have advised that due to the high price paid for the subject lands, the Company cannot sustain the financial losses that will incur if the lands are rezoned as proposed. Thus, a small business would be forced to close with the loss of jobs and the completion of the Duleek housing scheme would also be put at risk.

It is understood that a planning decision cannot be based on financial circumstances but in our opinion, it is key that the 'full picture' is understood. There are clearly alternative options that do not affect the residential zoned lands. There is an existing access to the proposed park via 'Churchfields' that could easily provide the access point for a park. Similarly, the subject lands comprise just 2.5% of the area of the total park envisaged (0.84 hectares of a total 33 hectare area). Thus, we submit the car parking area could easily be provided elsewhere on lands that are not zoned for housing development.

There is an urgent need for new homes in Ashbourne and Co. Meath generally, with demand significantly exceeding supply. There are no new homes on the market in Ashbourne and there is a live planning application for 19 No. two storey dwelling houses and 12 No. duplex units at the subject site (Meath County Council Reg. Ref.: 211037). Thus, the subject lands, which are bounded to the east and west by housing development, have the potential to provide urgently needed new homes on an infill site within easy walking distance of the town centre.

We agree with the opinion of the Chief Executive that the subject lands should remain zoned for residential use as they will support the consolidation of Ashbourne. We further concur with the comments of the Chief Executive that the most appropriate forum to consider the needs and requirements of any new park for the town is via the imminent renewal of the *Ashbourne Local Area Plan*, where the needs and requirements of the town can be considered on a more micro scale. The current proposal for the park appears rushed and premature.

Has the indicative layout for the park been designed with any specialist inputs such as landscape architects? How has the scale of the required park been identified? Is the layout of the park the optimum to create connected and safe spaces? Will 'neighbourhood watch' groups be needed to police the car park area at the subject lands as the entire eastern boundary is lacking in passive surveillance as it abuts the rear gardens of houses (back to back housing as proposed in the planning application is the only way to design out this risk).

The park appears to be significantly overscaled and we question whether the costs of delivering the recreational area are understood? In an effort to ensure that decision making is informed, our Client retained Mitchell McDermott's Construction Consultants to advise on the likely costs of delivering the 33 hectare area envisioned. The construction cost is identified to be in excess of €20 million (specifically €20,135,000) and the annual maintenance costs are projected to be €550,000 per annum. On that basis will the park actually be delivered? Should the park proposal be 'paused' and 'revisited' as part of the consideration of the Local Area Plan where the exacting needs, requirements, costs, and budgets can be considered in greater detail?

Should the delivery of high quality housing on zoned land be halted to allow for this park that may never be delivered?



Figure 2.1: Computer Generated Image of the Proposed Housing Development at the Subject Lands Subject to Meath County Council Reg. Ref. 211037.

Source: Declan Duffy Architect, MRIAI.

3.0 SITE LOCATION, CONTEXT, ACCESSIBILITY AND PLANNING STATUS

3.1 Site Location and Description of the Subject Lands

The subject lands, which have an area of 0.84 Ha, are currently greenfield in nature and are located to the south of Killegland Cemetery, to the west of Bourne View housing estate and to the east of the Churchfields housing estate. There are greenfield lands located to the south of the subject site. The subject lands essentially form an infill site between the existing residential areas of Bourne View and Churchfields housing estates. An Image of the subject lands is provided below:



Figure 3.1: View of the Subject Lands when viewed from Churchfields Housing Estate with the Rear of Properties in Bourne View in the Background.

Source: Google Maps, annotated by Thornton O'Connor Town Planning, 2021

3.2 Surrounding Context of the Subject Lands

The subject lands are located to the south-west of Ashbourne, County Meath. Ashbourne is strategically located in close proximity to the M2 Motorway which provides easy accessibility to the M50 motorway.

The immediate context of the subject lands is predominantly residential dwellings in the form of 2 No. storey semi-detached housing in Bourne View and Churchfields housing estates. As previously outlined the south of the site is greenfield in nature, and currently in agricultural use.

The subject lands are excellently located to benefit from a broad range of services and amenities in the surrounding area including a neighbourhood centre comprised of approximately 10 No. commercial units located at the junction of Bourne Avenue and Castle

Way c. 600 m (c. 7 No. min walk) to the east. Ashbourne Town Centre is located approximately 1.1 km (c. 13 No. min walk) to the north, a Lidl supermarket is located within 750 m (c. 9 min walk), St Declan's National School within 450 m (c.5 No. min walk), Coláiste De Lacy Secondary School within 1.2 km (c.15 No. min walk) and Donaghmore Ashbourne GAA Club within 950 m (c.11 No. min walk).



Figure 3.2: Aerial View of the Subject Lands and Surrounding Context.

Source: Thornton O'Connor Town Planning, annotated by Thornton O'Connor Town Planning, 2021.

3.3 Accessibility of the Subject Lands

The subject lands have very good accessibility through the existing road networks and the provision of public transport. In addition, existing pedestrian and cycle paths connect the subject lands to Ashbourne Town Centre.

Pedestrian and Cycle Network

The lands subject to this report are located in an existing residential area where pedestrian and cycle networks have been developed. Ashbourne Town Centre is located less than 1 km to the north-east of the subject lands, a 13 No. minute walking distance/ 4 No. minute cycle.

Road Network

The R135 runs through Ashbourne connecting to the M2 (Ashbourne Bypass) at Nine Milestone to the south and at Rath to the north. The M2/N2 is one the primary roads connecting Dublin to Northern Ireland and the wider surrounding road network.

We highlight that Dublin Airport is a c. 20 No. minute drive and Dublin City a c.35 No. minute drive from Ashbourne.

Bus Services

The nearest bus stop to the subject lands is the Bourne Avenue Bus Stop, located 1 km (c. 13 No. minute walk) to the east of the subject lands. The Bourne Avenue Bus Stop is serviced by a number of public transport providers as set out below:

Bus Eireann Services

- **Route No. 103** – Dublin - Ashbourne - Ratoath - Tayto Park, a 20 No. minute frequency (6 am – 11 pm);
- **Route No. 103X** – Dublin - Ashbourne – Navan, a 20 No. minute frequency (5 pm – 7 pm);
- **Route No. 105** – Drogheda - Ashbourne - Ratoath – Blanchardstown, a 30 No. minute frequency (8 am – 10 pm); and
- **Route No. 109A** – Dublin Airport/City Centre - Ashbourne - Ratoath - Dunshaughlin - Navan – Kells, a 1 No. hour frequency (8 am – midnight).

Ashbourne Connect

- **Route No. 193** – Ashbourne – Dublin City Centre, 7 No. services daily; and
- **Route No. 194** – Ashbourne – Dublin City Centre – Ratoath 2 No. services daily.

Go-Ahead Ireland

- **Route No. 197** – Swords – Ashbourne, a 1 No. hour frequency (6 am – 10 pm).



Figure 3.3: Aerial Image Showing the Walking Route from the Subject Lands to Bourne Avenue Bus Stop.

Source: Thornton O'Connor Town Planning, Annotated by Thornton O'Connor Town Planning, 2021.

3.4 Planning Status of the Subject Lands

3.4.1 Zoning

The subject lands are currently zoned 'A2' New Residential as part of the *Meath County Development Plan 2013 – 2019* and are situated within the settlement boundary of Ashbourne. An extract from the current Development Plan is provided below for reference:

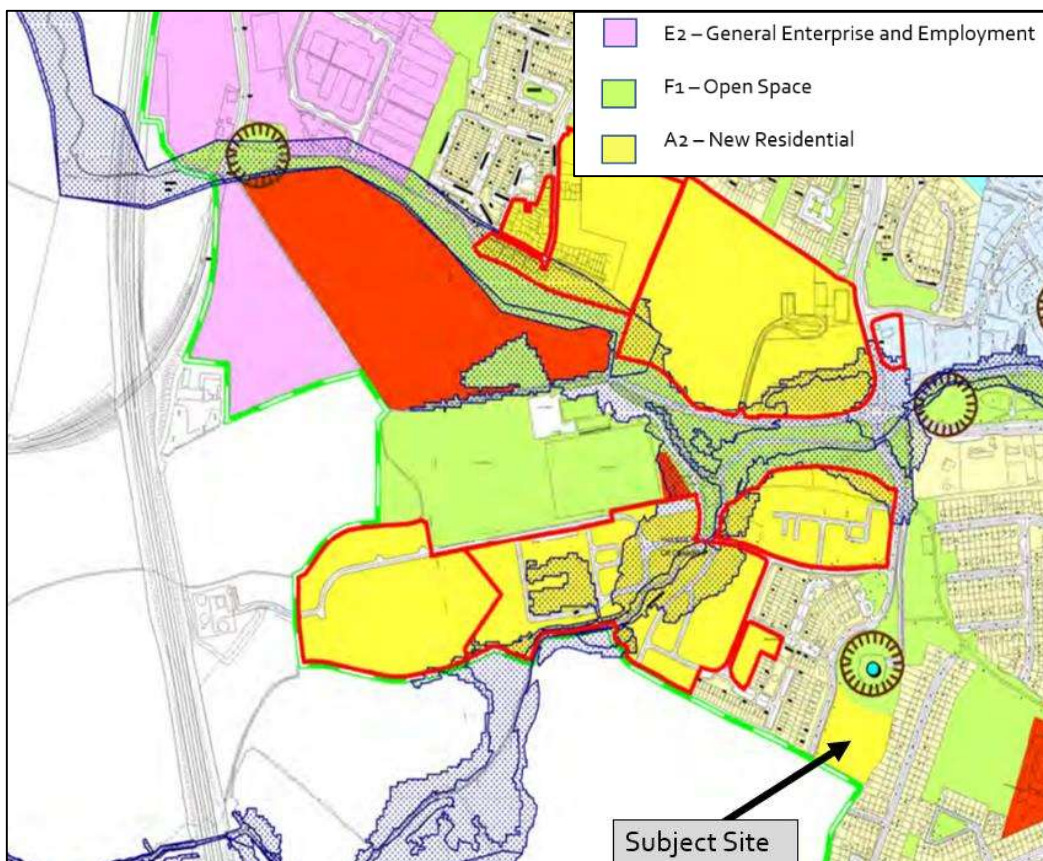


Figure 3.4: Extract from the Current Development Plan indicating the Subject Lands.

Source: The *Meath County Development Plan 2013 – 2019*, annotated by Thornton O'Connor Town Planning, 2021.

There was no change to the existing zoning of the subject lands in the *Draft Meath County Development Plan 2021-2027* (formerly cited as 2020 -2027). An extract from the *Draft Plan* is provided below for reference:



Figure 3.5: Zoning of the Subject Lands as indicated in the *Meath County Draft Development Plan 2021 – 2027*.

Source: *Draft Meath County Development Plan 2021-2027*, annotated by Thornton O'Connor Town Planning, 2021.

However, the *Material Amendments to the Draft Meath County Development Plan 2021 -2027* illustrate that the subject lands are now subject to a proposed rezoning from their current Objective 'A2' – New Residential to Objective 'G1' Community Infrastructure.

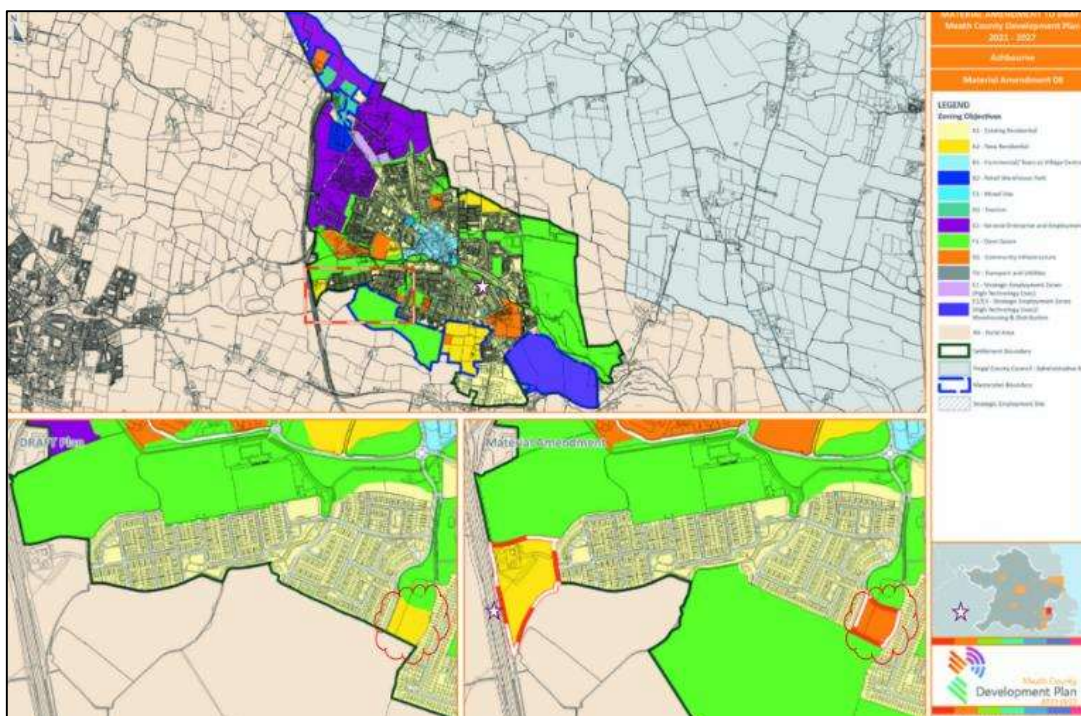


Figure 3.6: Extract from the *Material Amendments to the Draft Meath County Development Plan 2021-2027* identifying the Now Proposed Rezoning.

Source: *Material Amendments to the Draft Meath County Development Plan 2021-2027*, annotated by Thornton O'Connor Town Planning, 2021.

As described in Section 4.0 of this Submission, the proposal to rezone the lands has emanated from a motion put forward by a number of Elected Representatives. Our Client was completely unaware of the motion at the time of his recent purchase of the lands in May 2021. Our Client was made aware of the motion just as a retained design team was finalising an application for development at the lands. That application was subsequently lodged and will be assessed in accordance with the current zoning of the site as 'New Residential'.

3.1.2 Live Planning Application

A summary of the live Planning Application pertaining to our Client's lands is set out in the table below.

Reg. Ref.	211037
Applicant	Killegland Estates Limited
Application Date	28 th May 2021
Proposed Development	A residential development on a 0.84ha site, including 19no. two-storey houses (8 x 3-bed and 11 x 4-bed houses) and three-storey residential block containing 12no. dwelling units (6 x 3-bed maisonettes above 6 x 2-bed ground floor-floor apartments), together with new access road from the existing Churchfields estate, bin storage, parking, cycle parking, an

[illegible]

Source: Meath County Council Planning File (MCC Reg. Ref.: 211037).

Key Point: The scheme will provide 19 No. two storey houses and 12 No. duplex apartments together with a new access road from the Churchfields estate. The developer of the site, Ashcroft Development Group, has an established reputation as a small scale and reliable housebuilder in Meath having completed a number of successful developments in the County. The scheme will provide high quality yet affordable homes for the local community and a computer generated image (CGI) of the proposed development is shown in Figure 3.8 below. Importantly, the scheme will provide for back-to back housing to the eastern side of the site to remove potential for anti-social behaviour that currently exists by having no passive surveillance where the back gardens of dwellings at Bourne View abut the subject lands.



Figure 3.8: Computer Generated Image of the Proposed Development at the Subject Lands

Source: Declan Duffy Architect, MRIAI, 2021.

The residential development is an appropriate design response to the infill nature of these lands which are bounded on two sides by existing residential development and to the north by a cemetery. It is noted that the design of the development has made provisions for future vehicular and pedestrian access to the agricultural lands to the south to maximise potential for connectivity and permeability.

4.0 OVERVIEW OF PROPOSED MATERIAL AMENDMENT AND CHIEF EXECUTIVE'S RECOMMENDATION NOT TO REZONE OUR CLIENT'S LANDS

As previously highlighted, there was no change proposed to our Client's lands as part of the *Draft Meath County Development Plan 2021 – 2027*. The *Draft Plan* was on display from the 18th December to 6th March 2020 and invited submissions from members of the public.

In response to the submissions made regarding our Client's lands, the *Chief Executive's Report* published 13th August 2020 provided a summary of themes raised. In response to the submission made, the Chief Executive was of the following opinion:

'This issue was previously raised and considered part of the NOMS.

The subject lands extend to c.o.8ha in area abutting Killegland graveyard to the south and between two residential developments 'Churchfields' and 'Bourne View'. The graveyard and its surrounding lands to the north of the site have an area of c.o.93ha. The Council is presently progressing the development of a Linear Park along the Broadmeadow River to the north of the site. When completed this will be a quality recreational amenity for local residents. This will be the focal point for the provision of future open space in this part of Ashbourne.

The subject site is an infill site which would support the consolidation of development within the built up area of Ashbourne. This is accordance with national policy set out in the NPF whereby National Policy Objective 3c requires at least 30% of all new homes to be delivered within the existing built up footprint of settlements.

As part of any development of these lands an appropriate provision of open space would be required to be provided for future residents.' [Our Emphasis].

Key Point: Thus, the Chief Executive's recommendation was that no change would be made to the Draft Plan and that the subject lands would most appropriately be used for the delivery of housing.

4.1 Notice of Motion Pertaining to Our Client's Land's

A number of Councillors subsequently put forward a Motion to rezone the subject lands to open space. The rationale put forward by the Councillors for the rezoning of our Client's lands as set out in the *Chief Executive's Report on Notices of Motion* dated October 2020 and published 10th May 2021 is provided below:

'Joint Motion from Ashbourne Municipal District Councillors Alan Tobin, Conor Tormey, Suzanne Jamal, Aisling O'Neill and Amanda Smith. To rezone this 3 acre site, that has a protected structure, the Killegland graveyard, from residential A2 to F1 open greenspace.

*The Killegland park zoning of 33 hectares **plus the dezoning of this small 3 acres site are critical to the development of a park in the area.** The vision here is to use a one way system for vehicular traffic to a designated entrance into the adjoining 33 hectare site (see previous joint motion). **A small lane already exists up to the entrance to the***

graveyard, this would lead in to a proposed designated car park, cycle park and pedestrian walkway into the Killegland Park. It would also provide parking for people visiting the graveyard. [Our Emphasis].

'Exiting the area would be through the main thoroughfare in Churchfields, allowing for the retention of the native hedgerows and also ensuring that no residents are inconvenienced with additional vehicular traffic near existing housing units in Churchfields.

In this 3 acres area, a small maintenance area, designated charge points, information boards and an outdoor educational facility could be provided for, so the nearby schools could use it for outdoor class activities and learning. In this new Covid reality, outdoor educational space will be most welcomed.'

Our Response:

The '3 acre site' referred to in the above motion is the site subject to this report. It should also be noted that the land is now subject to a rezoning to Objective 'G1' – Community Infrastructure, not Objective 'F1' as referenced above.

We highlight that any future public park particularly of the scale envisioned will need to be subject to a detailed traffic and transportation assessment thus it should be noted that the access strategy as referred to in the Motion is purely indicative at this stage until such required assessments are undertaken.

Notwithstanding this, we question the implications of a '*proposed designated car park, cycle park and pedestrian walkway into the Killegland Park*' on the residential amenity of directly opposing existing residential houses in Churchfields and Bourne View? Will the car park be closed off at night to prevent groups congregating at this location? Will 'neighbourhood watch' groups provide local level policing of this area?

The rationale put forward by the Councillors for the Motion also stated:

'Residents in nearby Bourne View, West View and Churchfields have already expressed concerns over the sites current residential zoning.'

Our Response:

We acknowledge the concerns of the local residents in the vicinity of our Client' lands however it is our professional planning opinion that the solution is not to rezone the lands and undermine the assessment of the Planning Authority. It is the role of the Development Management process to ensure that any housing to be delivered on the lands does not compromise the amenity of existing residents. It is vital that the residents are equally informed of the issues that arise on Public Open Space/ Community Infrastructure where it is not appropriately located i.e., anti-social behaviour.

We submit that the delivery of public open space in tandem with residential development will ensure necessary passive surveillance for this location. In addition, there is very little housing choice in Ashbourne and in June 2021 there are no currently new homes available to purchase in Ashbourne. Thus, the delivery of 31 No. high quality new homes will provide housing choice for

local families that may wish to purchase a new home within the town or for family members that have not yet been successful in purchasing their first home.

The rationale put forward by the Councillors for the Motion also stated:

'The Chief Executives recommendation on previous motion no. 303, does not take into account the new recommendation to zone what are known locally as Hoste's lands, on the r135 south of Ashbourne, the original preferred site of the park which will now be Strategic Industrial zoning.

The site has pedestrian and cycling linkages to the greenspace in Garden City and Crestwood and also is in very close proximity to Linear Park zone 4 (newly refurbished playground area) and the proposed Linear park zone 3 (promised as far back at 2003 and still off limits to the people of Ashbourne).'

Our Response:

Thornton O'Connor Town Planning have been in discussions with the agent for the adjacent landowner to the south and we are of the understanding that as part of any future development of their lands, the landowner is willing to provide a more suitably scaled park of approximately 8 hectares which would be located to the southwest of the subject lands and would connect into the envisaged linear park along the Broadmeadow River. This appropriately sized public park would provide ample opportunity for connective and safe public open space for the community of Ashbourne.

The Councillors also stated that:

'If this opportunity is not grasped now, we as a group feel that an integral properly landscaped and designed park could never become a reality as the space offers an exceptional opportunity for the town that will make Ashbourne a very attractive place to live, raise a family and generate new business in.

The residential zoning we would like moved to a site to the west of Churchfields that was part of the original land holding for that development. As per recommendations, we are told that we cannot zone additional land but we can move residential lands to different locations. (See joint motion 4)' [Our Emphasis].

Our Response:

Thornton O'Connor Town Planning have carried out a desk based assessment on the lands to the west of Churchfields and are strongly of the opinion that our Client's lands are more appropriate for the sequential development of residential development in Ashbourne. It should be noted that there is a live planning application for a residential development currently being determined by Meath County Council on the lands subject to this report (Reg.Ref. 211037). As demonstrated by the CGI in Figure 3.8, the scheme provides a very attractive design solution for the site that includes open space and also provides affordable homes to be built by a small scale house builder with a strong reputation in Co. Meath.

In our opinion, the lands to the west of Churchfields identified by the Elected Councilors to be rezoned to Objective 'A2' – New Residential will be subject to significant site constraints arising from the M2 including but not limited to unwarranted levels of noise, landscaping buffers and undesirable aspects from windows. It is our understanding that these lands are subject to flooding and are not suitable for residential development which is classed as a vulnerable use. Furthermore, we highlight that this portion of land is further removed from Ashbourne Town Centre (c. 25 No. minute walk), thus residential development on the outskirts of the town next to the M2 will encourage car dependency.

This is discussed in further detail at Section 6.o of this report.

The rationale for Motion No. 112 further states that:

In the attached photo, the proposed zoning change is in green area with linkages to nearby greenspace amenities, the blue arrows.'



Figure 4.1: Photograph attached to Motion No. 112.

Source: *Meath County Development Plan 2021-2027, Chief Executive's Report Notices of Motion.*

Our Response:

The attached photo serves to highlight the premature nature of the plans which are lacking in input from a landscape architect. Have environmental and ecological considerations been considered in the designation of the parklands? Should the selection criteria include maximising opportunities for natural amenity and biodiversity including mature trees, riverbanks, indigenous features connected to nature and fauna habitats? Substantial portions of the proposed park are under intensive tillage farming and thus future opportunities may be limited in the desired biodiversity levels required in parklands.

The blue arrows emphasis the north-south connections arriving at our Clients lands but fail to demonstrate how these proposed 'Community Zoned Lands' would function on an east-west axis given the infill nature of the site with existing residential houses situated on 2 No. sides. In particular, how will the delivery of a carpark deal with the vulnerable eastern boundary of the subject lands which is not subject to passive surveillance as it abounds the rear gardens of dwellings? In our opinion, back-to-back housing at this location is the most suitable method of designing out dangerous spaces.

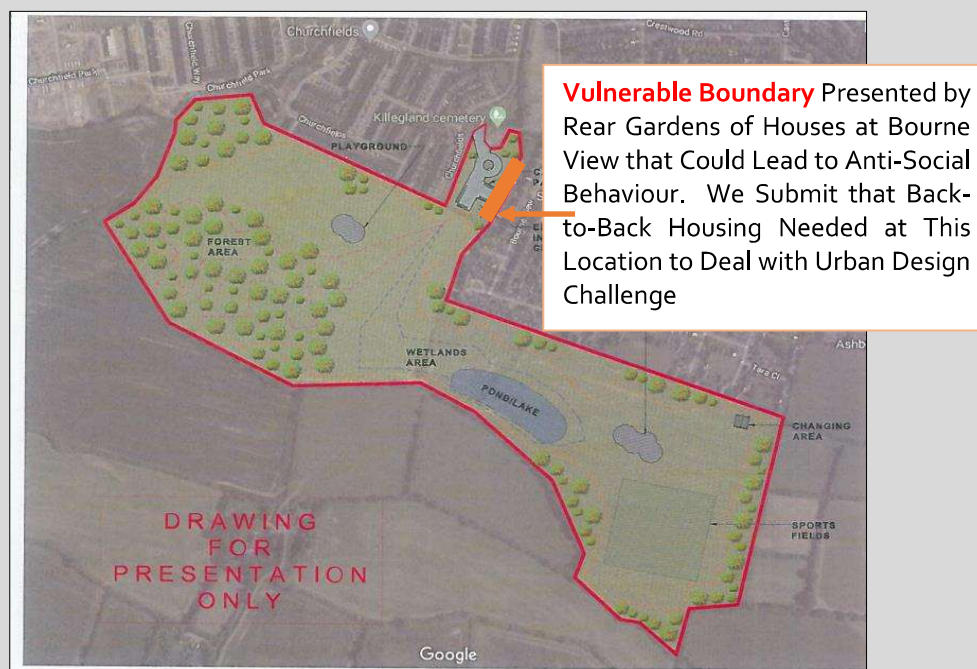


Figure 4.2: Site Layout Plan of Proposed Park, as annotated by Thornton O'Connor Town Planning to Show the Area with No Passive Surveillance at Subject Site.

Source: Tom Byrne Designs, prepared for Councillor Alan Tobin.

4.2 Chief Executive's Response to the Notice of Motion

In response to Motion No. 112, the Chief Executive had the following comments:

*'The subject lands have an area of c.o.8ha abutting Killeghland graveyard to the south and between two residential developments 'Churchfields' and 'Bourne View'. The graveyard and its surrounding lands to the north of the site have an area of c.o.93ha. The Council is **presently progressing the development of a Linear Park along the Broadmeadow River to the north of the site.** When completed this will be a quality recreational amenity for local residents. **This will be the focal point for the provision of future open space in this part of Ashbourne.** The subject site is an infill site which would support the consolidation of development within the built up area of Ashbourne. This is in accordance with national policy set out in the NPF whereby National Policy Objective 3c requires at least **30% of all new homes to be delivered within the existing built up footprint of settlements.** As part of any development of these lands an appropriate provision of open space would be required to be provided for future residents. In relation to the zoning of 7 acres of lands to between Churchfields and the M2 please refer to 163 MH-C5-341 which relates to these lands. The requirement for any additional residential zoning will be further assessed as part of the Ashbourne LAP process. It should also be noted that these lands are subject of **significant potential flood risk** and it is not considered appropriate to zone such lands for vulnerable uses such as residential. Given that no detailed SFRA has been carried out on such lands and to support this NoM, it is **strongly advised that these lands should not be zoned** (sic).' [Our Emphasis].*

Our Response:

The Chief Executive makes a number of compelling arguments in regards to the Motion to rezone our Client's lands from Objective 'A2' – New Residential to Objective 'G1' Community Infrastructure which we firmly concur with. The Chief Executive refers to existing plans for public open space that runs east-west through Ashbourne. It is our understanding that these lands have been identified by Meath County Council to represent a central location for the divergence of public open space in the future. We firmly state that the rezoning of our Client's lands to provide Community Infrastructure will seriously undermine the principles of proper planning and sustainable development of Ashbourne.

Our Client's lands are bound by existing residential development on 2 No. sides, thus are infill in nature. The Chief Executive correctly points out that the residential development of these lands would be consistent with National Policy Guidance which encourages residential development in existing urban areas.

The rezoning of lands to the west of Churchfield in the absence of a site-specific flood risk assessment is premature. Ultimately, the rezoning of our lands from Objective 'A2' – New Residential to Objective 'G1' - Community Infrastructure will result in the quantum of residential zoned lands available for development in Ashbourne being reduced given the potential flood risk of the site adjacent to the M2.

4.3 Special Meetings of Meath County Council

Special Meetings of Meath County Council took place between October 2020 and March 2021. The Minutes of the Special Planning Meetings were published on 10th May 2021. The Notice of Motion (No. 112) raised in the Special Planning Meeting relevant to our Client's lands related to the change of use of our Client's lands from Objective 'A2' – New Residential to Objective 'G2' – Community Infrastructure. The Motion put forward by Councilors Tobin, Tormey, Jamal Smith and O'Neill was subject to a roll call vote on the Chief Executives recommendation not to rezone the lands. The Chief Executive's recommendation was not agreed and the Notice of Motion was adopted.

The proposed rezoning of our Client's Lands from Objective 'A2' – New Residential to Objective 'G2' – Community Infrastructure is therefore now included in the *Material Alterations to the Draft Meath County Development Plan 2021 – 2021* as follows:

'To amend the zoning from A2 New Residential to G1 Community Infrastructure (lands to the east of Churchfields) and to amend the zoning from R/A Rural Amenity to A2 New Residential. (adjacent the motorway)'

The Material Amendments to the Draft Plan states that the Objective G1 – Community Infrastructure is to *'provide for necessary community, social, and educational facilities'*. The proposed Material Amendment No. 8 is shown in the below image for reference:

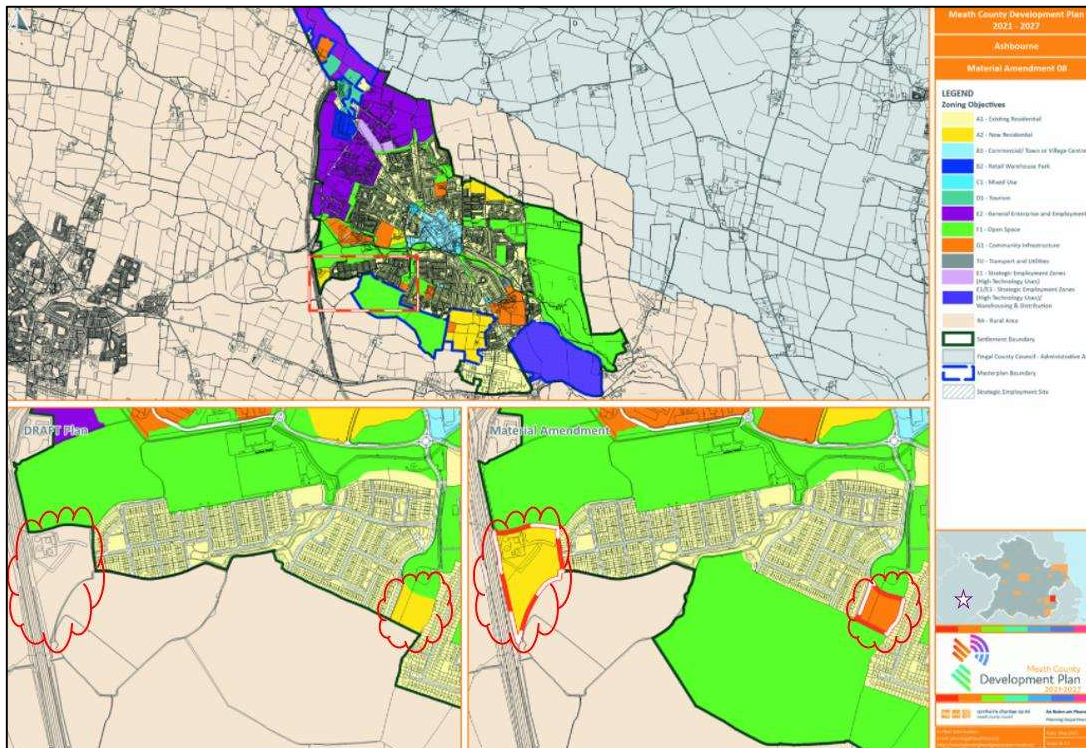


Figure 4.3: Extracts from the Zoning Map at Draft Stage and Material Amendments Stage (Proposed Ashbourne Amendment No. 8) with the Subject Lands and Lands to the West of Churchfields Identified.

Source: Material Amendment to Draft CDP Map Summary (arcgis.com), Annotated by Thornton O'Connor Town Planning, 2021

Key Point:

The Chief Executive has presented legitimate concerns and issues associated with the rezoning of the infill lands between Churchfields and Bourne View from Objective 'A2' – New Residential to Objective 'G1' – Community Infrastructure. We strongly agree with the opinion of the Chief Executive and re-iterate that our Client's lands are excellently suited to the delivery of high quality residential units that would contribute to the overall housing stock in Ashbourne.

The park as envisaged has an area of 33 hectares. The subject lands have an area of 0.84 Ha. Thus, the subject lands represent just 2.5% of the entire envisaged park area. In our opinion, given the subject lands are the only residentially zoned lands to be included in the park and having regard to their very small scale nature in the scheme of the park envisaged, they should be omitted and more appropriately used for the delivery of urgently needed housing.

5.0 TIMELINE OF SITE ACQUISITION – ASHCROFT HAD NO KNOWLEDGE OF THE PROPOSED MOTION TO REZONE THE SUBJECT LANDS AT TIME OF PURCHASE

Our Client, Ashcroft Developments, are small-scale active housebuilders and it is important to place on record that they had no knowledge of the proposed Motion to rezone the lands subject to this report prior to a phone call from Councillor Alan Tobin on 20th May 2021. A timeline of site acquisition is provided below to aid in the understanding of our Client's complete shock as to the proposal in the first instance and secondly their vehement opposition to the proposed rezoning of the lands now in their ownership as it has the potential to compromise their plans to deliver a high quality residential scheme on the lands.

5.1 Timeline of Site Purchase & Planning Application

Our Client's interest in the lands began in March 2020. At this juncture, we note that the *Draft Meath County Development Plan 2020 – 2026* (subsequently changed to *Draft Meath County Development Plan 2021 – 2027*) had been published. There were no changes proposed to the subject lands in that document (as previously outlined at Section 4.o).

The key dates relating to the acquisition of the site and the timeline for the proposed Material Alteration are summarised below for reference.

Site at Killegland, adjacent to Churchfields			
		Today's date: 02.06.21	
Timelines of Site Purchase & Planning Application		Timelines of Material Alteration Process	
Event	Date	Event	Date
A Ashcroft expression of interest to purchase land	31.03.20	B Chief Executives Report 13-08-20 C.E recommended no change to zoning	13.08.20
C Formal offer to purchase land through Lisneys	14.09.20		
D Venders agent intention to enter sale contract	02.11.20		
E Sale Agreed - Heads of Terms	13.11.20		
F Binding contract signed	23.12.20		
H Sale Closed	12.05.21	G Special Planning Meeting - NOM 112 to rezone A2 to G1	21.01.21
J Archaeological Investigations on site	20.05.21	I Minutes of Special Planning Meetings published	12.05.21
L Planning Application	28.05.21	K *Councillor Alan Tobin - telephoned Ashcroft	20.05.21
		M Public Display of material Alteration Amendments	31.05.21
		N Submissions on Material Alterations by	29.06.21
* Ashcroft become aware of Material Alteration for 1st time			

Figure 5.1: Timeline of Ashcroft Development Group's Involvement with the Subject Lands.

Source: Ashcroft Developments, 2021.

Key Point: As demonstrated in Figure 5.1 above, our Client completed the purchase of the subject lands on 12th May 2021 and 8 No. days later on 20th May 2021 they were made aware that the lands are proposed to be rezoned to community use. At the time of closing the sale, our Client and their retained design team were in the final stages of preparing a planning application and thus in addition to the substantive costs of purchasing the residentially zoned lands, our Client has also incurred full design team fees for the design of the scheme and preparation of the application for 31 No. homes.

In the interest of clarity and to demonstrate that our Client did in fact undertake the appropriate due diligence, we highlight that a planning search was undertaken on 7th May 2021 (see Figure 5.2 below) prior to the closing of the sale on 12th May 2021. At this juncture, Ashcroft Developments were still not made aware of the intention to rezone their lands as the planning search only references the current zoning pertaining to the lands.

Brady & Co. Law Searchers, 3 Inns Quay, Dublin, D07 PW4F, Ireland
Planning Authority Search

Brady & Co.
Searching Intelligence

At the Offices of:	Meath County Council
Date:	7 th May 2021
Premises:	Lands at Killelland, Ashbourne, Co. Meath
Our Ref.:	21F00049
Zoning (to include Flooding, ACA, SPA, NHA etc.)	Part zoned 'To provide for new residential communities with ancillary community facilities, neighbourhood facilities and employment uses as considered appropriate for the status of the centre in the Settlement Hierarchy'. Part zoned 'To provide for and improve open spaces for active and passive recreational amenities'.
Road Proposals / Road Widening	Nil
Compulsory Purchase Orders	Nil
Enforcements	Nil
Protected Structures	Nil
Recorded Monuments	Nil
Planning Applications	Nil

Brady & Co.
(Law Searchers) Ltd

Figure 5.2:

Planning Search Undertaken by Brady & Co. Law Searchers on 7th May 2021

Source:

Brady & Co. Law Searchers

A planning application was lodged on the subject lands on 28th May 2021 for a residential development comprising 19 No. two storey dwelling houses and 12 No. duplex units and is due for determination by Meath County Council by 22nd July 2021. If granted, our Client intends to deliver the residential development imminently to provide new housing for the town that is in significant demand.

Key Point: Our Client, Ashcroft Developments were not aware of any intentions to rezone their lands to 'G1' – Community Infrastructure until the 12th May 2021, when they had already bought the subject lands and were in the final stages of preparing a planning

application. Ashcroft Developments had at this juncture a multidisciplinary team of consultants appointed and an application nearing completion.

We highlight that through no fault of our Client, who had carried out all relevant and legal searches of the lands, they were blindsided by Councillor Alan Tobin's phone call and the subsequent knowledge that they had just purchased lands at residential values that may be subject to an amended zoning that will not permit the housing development envisaged.

6.0 RATIONALE FOR VEHEMENT OPPOSITION TO THE PROPOSED AMENDMENT TO REZONE OUR CLIENT'S LANDS FROM OBJECTIVE 'A2' – NEW RESIDENTIAL TO OBJECTIVE 'G1' - COMMUNITY INFRASTRUCTURE

6.1 A Planning Application Has Been Submitted In Respect Of The Lands Subject To The Rezoning Submission And Thus There May Be A Grant Of Planning Applying To The Lands At The Time Of Adoption Of *The Meath County Development Plan 2021 -2027*

A planning application (Meath County Council Reg. Ref.: 211037) was lodged on the lands subject of this rezoning submission on 28th May 2021 for a residential development comprising 19 No. two storey dwelling houses and 12 No. duplex units (contained in a single three storey building). An extract from the proposed site plan is provided below for reference and an image of the scheme is also repeated for ease of reference.



Figure 6.1: Extract from the Proposed Site Plan.

Source: Meath County Council Online Planning File (Ref. 211037).



Figure 6.2: Computer Generated Image of the Proposed Development at the Subject Lands.

Source: Declan Duffy Architect, MRIAI.

As part of the planning application the Planning Consultant, Armstrong Planning, made a compelling case for the development of the residential scheme on appropriately zoned lands. The planning application highlights that: '*...the application site has been added to the Council's Vacant Sites Register meaning that there is **strong encouragement on the part of the County Council to have this site brought forward for residential development as soon as possible***'. The application is currently being determined by Meath County Council and a decision is due 22nd July 2021.

The application currently being considered by Meath County Council represents a natural extension of the Churchfields Housing Estate and is supported by National Planning Policy which actively seeks the consolidation of residential development in existing urban areas. The residential development, if granted, would provide an appropriate response to the site characteristics including the rear of properties on Bourne View which abut the subject lands to the east, existing houses in Churchfields to the west, the cemetery to the north and the agricultural lands to the south. As mentioned previously in this report, the site layout includes an access route to the lands to the south (which are subject to a motion to be rezoned to Objective 'F1') to ensure that the lands to the south can be developed in the future.

Key Point: The Objective of 'G1' zoned lands is '*to provide for necessary community, social and educational facilities*'. We highlight that if granted, Ashbourne Developments will have 5 No. years to implement their permission thus in our professional planning opinion the proposed rezoning of our Client's lands is premature pending the determination of the active planning application. We highlight that the the Planning Department of Meath County Council will

carry out their assessment of the as-lodged residential development in accordance with the current zoning of the lands which is for 'New Residential' development. If permission is granted and the lands subsequently rezoned as proposed, the residential development will represent a non-conforming use.

6.2 Public Spaces Need to be Connected and Safe – The 'Entrance' to the Park Cannot be Safe as it Abuts Rear Garden Boundaries Where There is No Passive Surveillance

It is very important to highlight to the Elected Members that the provision of a public park to the rear of existing residential development could result in a massive problems for the town as from an urban design perspective it will create opportunities for anti-social activities. The provision of an unsurveilled car park has the potential to have significantly negative impacts on the quality of life of residents in the area. The key concern in this regard is that the entrance and car park to the proposed public park will be located to the rear of residential properties along Bourne Avenue which has the potential to create security concerns for residents.

Key Point: A key concept underpinning the Ashbourne Public Realm Strategy 2018 is the idea that public spaces should be 'connected and safe.' The provision of a 33 No. hectare park at an edge of town location with no passive surveillance of the eastern side of the car park would contravene the objectives of the Ashbourne Public Realm Strategy.

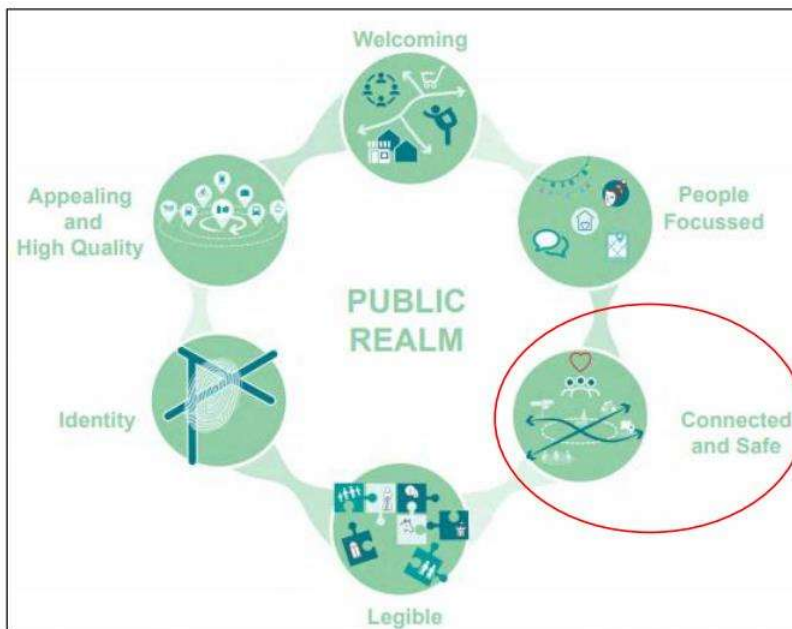


Figure 6.3: Objectives for a Successful Public Realm

Source: Ashbourne Public Realm Strategy (2018), annotated by Thornton O'Connor Town Planning, 2021.

6.3 A Suitably Scaled Park could be Delivered, if required, on Lands Further to the South, Without Impacting the Subject Zoned Lands. The Subject Zoned Lands are Not Integral to the Delivery of the Park and would have a Much Greater Benefit to the Town in Providing Urgently Needed New Homes

The Draft Meath County Development Plan 2021 outlined that:

'Open space can be categorised as having a regional, county, or local function. It is important to ensure that the County is well served by an adequate network of open spaces. The key town of Navan has a regional park, Ashbourne and Dunboyne will also require the provision of regional scale parkland type facilities. Sites for regional parks in Dunboyne and Ashbourne have been identified in the written statement of these towns in Volume 2'

The Draft Plan further elaborates that:

'This Plan provides an opportunity to enhance the provision of green infrastructure in Ashbourne through the progression of the Linear Park. This Park will extend the length of the Broadmeadow River from the Ballybin Road, adjacent to Donaghmore GAA grounds, through Castlelands and Killegland, across and along the existing playground through to the open space at Deer Park and on to the Milltown Road.

There is an opportunity to deliver this park as part of a mixed use development that would include public amenities, residential, and employment uses' [Our Emphasis].

Thornton O'Connor Town Planning have identified the areas referred to the in the Draft Plan which in our opinion is the logical greenway network, utilising the natural biodiversity of the Broadmeadow river as a connection throughout this area of Ashbourne.



Figure 6.4: Location of Linear Park Identified as Part of the Draft Plan Stage with Our Client's Lands Identified by a Yellow Star.

Source: Google Earth, annotated by Thornton O'Connor Town Planning, 2021.

We note that at the Draft Plan stage it was recognised that:

'In recognition of the demand for additional areas of active open space c.6.2 hectares of lands have been identified for open space uses adjacent to Donaghmore/Ashbourne GAA club.

- *Improve community and recreational infrastructure by identifying suitable lands for the development of a town park at regional scale that will provide a focal point for social and recreational amenities.'*

We emphasise that now as part of the *Material Amendments to the Draft Plan* it is proposed to rezone the lands adjacent to the GAA grounds as Open Space, in addition to the lands to the south of our Client's lands. Furthermore, it is proposed to rezone our Client's lands to Community Infrastructure, which we understand from the Notice of Motion made by Elected Councillors will facilitate access and carparking to serve the envisaged regional park.

Key Point: It should be understood that our Client's lands are not the sole access to the proposed Objective 'F1' lands. There are numerous access points to the current agricultural lands to the south of our Client's lands from surrounding neighbouring developments as shown in the images below. The subject lands also include a Right of Way to lands to the south (which is reflected in the roads layout of the application lodged at the land (Reg. Ref.: 211037)) and thus if granted the residential development on our Client's lands will not limit the future potential for a park on the much larger landholding further to the south.



Figure 6.5: Aerial Photographs of the Future Potential Connections to the Proposed Objective 'F1' Lands to the South.

Source: Google Maps, 2021.

It is our opinion that it is genuinely unrealistic for the quantum of public open space as now shown to be developed during the lifetime of forthcoming Development Plan or in the medium term. An extract from the current Development Plan, Draft Development Plan and Material Amendments to the Draft Plan is provided below for reference and illustrates the dominance of proposed Objective 'F1' – Open Space zoned lands.

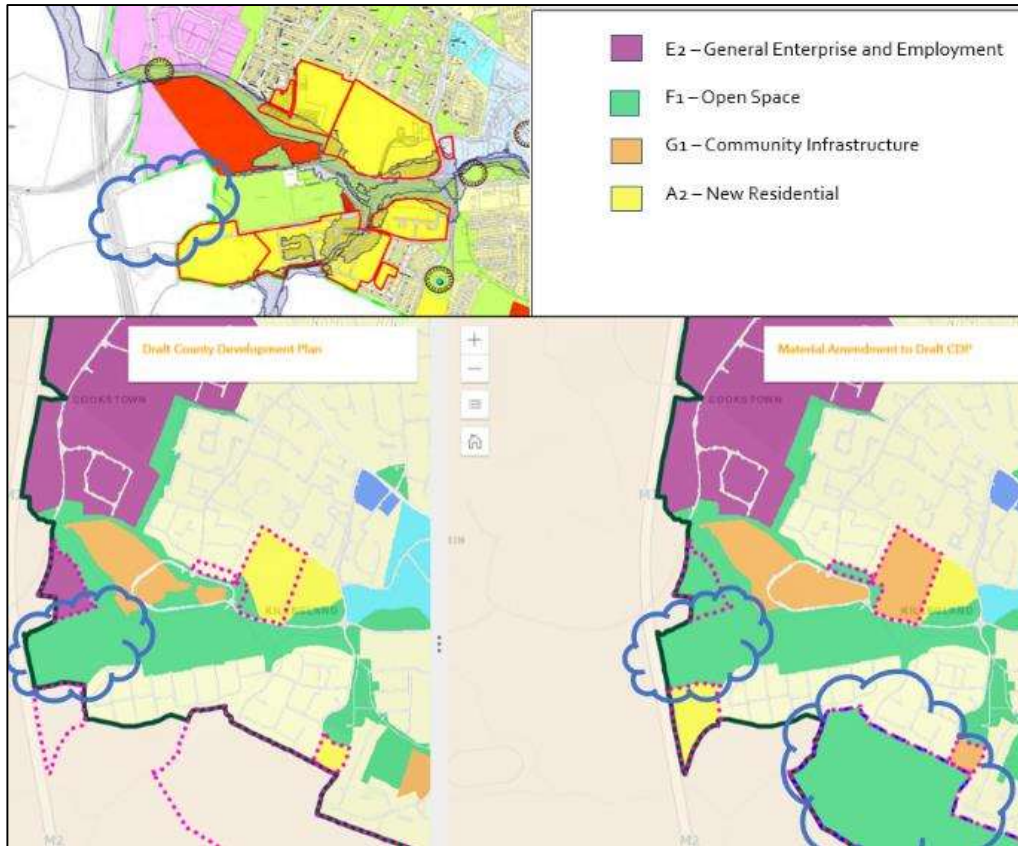


Figure 6.6: Extracts from the current Development Plan, Draft Development Plan and Material Amendments to the Draft Plan illustrating the extent of lands proposed to rezoned to Objective 'F1' – Open Space.

Source: Material Amendment to Draft CDP Map Summary (arcgis.com), Annotated by Thornton O'Connor Town Planning, 2021

6.4 Material Alteration Proposes to Relocate Residential Zoning From Subject Lands to a Less Suitable Site for Housing Development

Lands located to the west of Churchfields are proposed to be zoned Objective 'A1' in lieu of our Client's land's. The proposed material amendment is identified in the below image for reference:

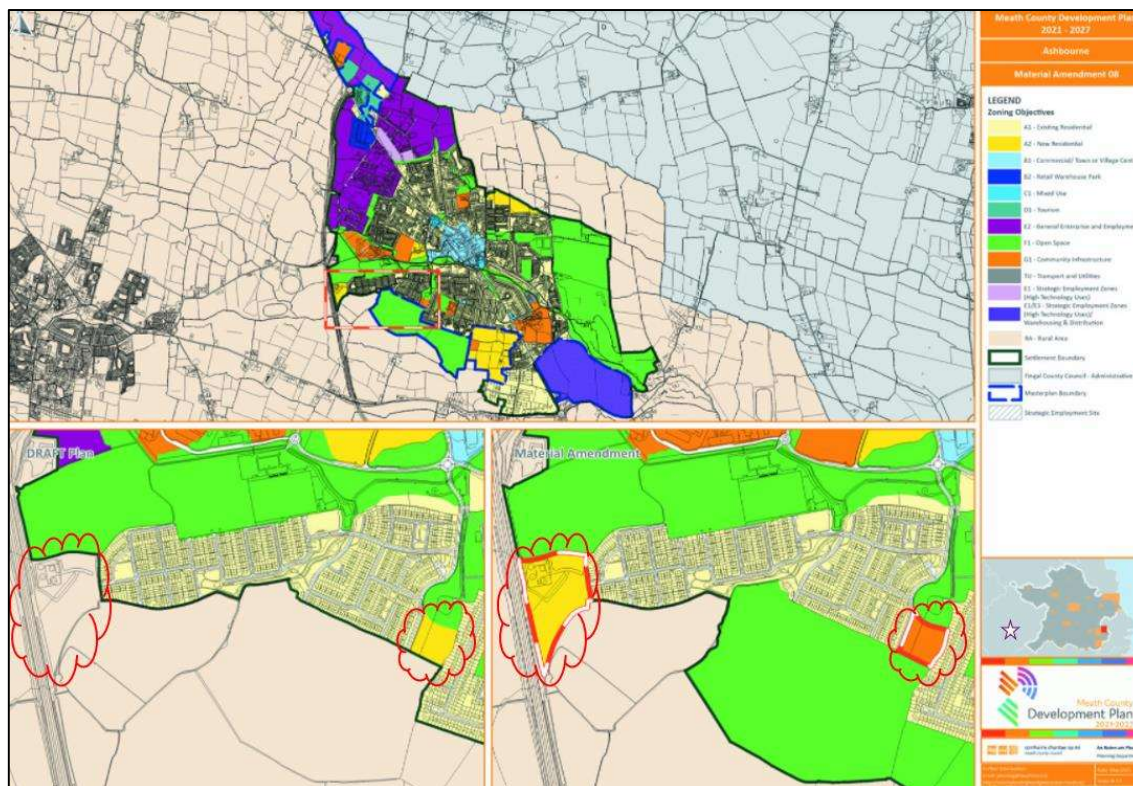


Figure 6.7: Extracts from the Zoning Map at Draft Stage and Material Amendments Stage (Proposed Ashbourne Amendment No. 8) with the Subject Lands and Lands to the West of Churchfields Identified.

Source: Material Amendment to Draft CDP Map Summary (arcgis.com), Annotated by Thornton O'Connor Town Planning, 2021

Thornton O'Connor Town Planning have carried out a high level comparison of the 2 No. sites to demonstrate that our Client's currently zoned lands are much more appropriate for residential development than those proximate to the M2 motorway.

	West of Churchfields	East of Churchfields (Lands Subject to this Report)
Current Zoning	Unzoned Agricultural Lands	Objective A2 – New Residential
Current Status	No Application	Live Planning Application for 31 No. Homes
Proposed Zoning	Objective A2 – New Residential	Objective G1 – Community Infrastructure
Surrounding Context	Residential to the east and M2 motorway to the west	Residential Development on 2 No. sides – Infill
Distance from Ashbourne Town Centre	c. 1.8 km (22 No. minutes)	c. 1 km (13 No. minutes)
Flood Risk	Reported Flood Risk (Site Specific Assessment has not been undertaken)	Flood Zone C

Key Point: In our professional planning opinion the lands subject to this report are optimally located for residential development and their development should be considered preferential for the sequential development of high quality homes in Ashbourne. When a comparison is undertaken between the subject lands and the lands west of Churchfields (where it is proposed to relocate the residential zoning objective), it is clear that the subject lands are closer to the town, do not have flood risk concerns and are currently subject to a live application and thus will likely be able to deliver urgently needed new housing in a shorter timeframe.

6.5 The Current Supply of Housing Available In Ashbourne Is Not Adequate to Meet Demand And Has Resulted In A Drastic Increase in House Prices

The *Q1 Daft.ie House Price Report*³ detail the average house list prices nationwide, with Meath recording a 7.5% jump in house prices when compared to the same period last year. This rise has placed purchasing a property beyond the reach of many individuals and families and the onus is now on increasing the supply of housing to meet the growing demand.

It is evident that there is a national critical shortage of residential units throughout the country including Ashbourne, Co. Meath, yet our Client's currently Objective 'A2' lands which is wholly suitable for development (where there is an active planning application) is subject to a Notice of Motion to rezone the lands to Objective 'G1' – Community Infrastructure.

Key Point: We question why the focus of preparing the forthcoming *Meath County Development Plan 2021 -2027* is focused on the provision of community infrastructure and public open space over much needed residential dwellings? Particularly as the subject zoned lands are not integral to the delivery of the park as access can be facilitated via an existing access route at Churchfields.

A Meath Chronicle article entitled; *'Rapid sales of houses off the plans highlight shortage of housing in Meath'*⁴ dated April 22nd, 2021, depicts a lack of affordable properties in the nearby town of Priestown, Kilbride:

'Cllr Conor Tormey of Ashbourne was speaking after his firm, Tormey Lee, saw 11 houses in a development at Priestown, Kilbride, snapped up in six hours last week. "These were three-bedroom homes sold off the plan in the second phase of the development," Cllr Tormey says. "They were asking €420,000, and we have a waiting list of almost 200 people for them.'

Another Meath Chronicle article of note entitled *'County Development Plan fails to recognise there is a housing crisis in Meath'*⁵ was dated December 1st, 2020 and relates to a similar theme. The author acknowledges a growing social housing list of 4,000 No. applicants and the limited ability of lands at Ashbourne and Ratoath to address this growing number:

³ https://www1.daft.ie/report/2021-Q1-houseprice-daftreport.pdf?d_rd=1

⁴ <https://www.meathchronicle.ie/2021/04/22/rapid-sales-of-houses-off-the-plans-highlight-shortage-of-housing-in-meath/>

⁵ <https://www.meathchronicle.ie/2020/12/01/county-development-plan-fails-to-recognise-there-is-a-housing-crisis-in-meath/>

'Ratoath and Ashbourne municipal districts had no land left for local authority housing.'

Thornton O'Connor Town Planning carried out a desk based search of properties for sale in the Ashbourne area on the 18th June 2021 which demonstrated that there were just 19 No. properties for sale on that date. The properties ranged in price in from €180,000 to €950,000.

It is important to note that none of the 19 No. listed properties for sale in Ashbourne are newly built developments.

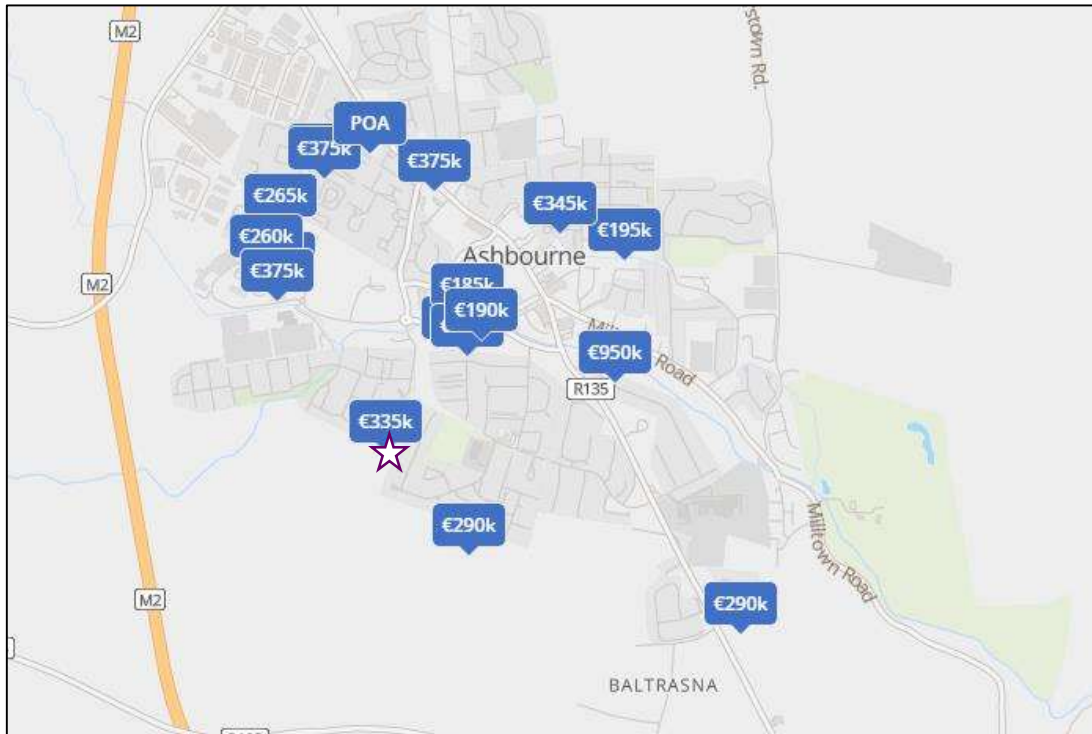


Figure 6.8: Number of Units for Sale in Ashbourne in Proximity to the Subject Lands (Identified by a Star).

Source: Daft.ie, annotated by Thornton O'Connor Town Planning, 2021.

Key Point: Our Client, Ashcroft Development Group, is committed to constructing a high quality residential development on these lands subject to receiving a grant of planning from Meath County Council under MCC Reg. Ref. 211037. It should be noted that the Ashcroft Developments have a reputation of successfully delivering high quality residential units throughout the country, including at Bettystown, County Meath and Duleek, County Meath.

Images of the developments previously delivered by Ashcroft Developments are provided below.



Figure 6.9: Selection of Images of Residential Developments Delivered at Affordable Prices by Ashcroft Developments.

Source: www.ashcroft.ie, 2021.

6.6 The Rezoning of Our Client's Lands to Provide Community Infrastructure to Facilitate the Delivery of Public Open Space on Lands to the South that May Not Be Delivered During the Lifetime of the Forthcoming Development Plan is Not Reasonable

Notwithstanding our Client's legitimate concerns regarding the tangible lack of residential units available in Ashbourne or the financial implications that rezoning the lands will have on the Ashcroft Developments, it appears illogical that the lands are intended to be used as an (unnecessary) access and carpark to serve an envisaged public open space to the south when they could be providing sought after family homes. An access to the proposed parkland is available without the subject site and sufficient non-residential lands are provided on the large landholding to the south to ensure that a car park can be provided.

In considering the demand for residential development in Ashbourne, it should be acknowledged that Meath County Council already have a plan for a Linear Park along Broadmeadow River to serve the Ashbourne Community which is more centrally located to serve the Ashbourne Community than the site to the south of Client's lands. In addition to this, lands adjacent to the GAA grounds are also subject to proposed rezoning to Objective

'F1' – Open Space, representing an overall significant increase of Open Space in Ashbourne. We question where the people utilising these community infrastructure and open space facilities going to live?

Key Point: We highlight that there are significant costs associated with the delivery of a park of this scale, in addition we note that the lands are in private ownership and thus there will be substantive land acquisition costs. We query whether Meath County Council have the resources to deliver a 'regional' scale park that had not been anticipated and which is not supported by the Chief Executive who recommended that the Notice of Motion not be accepted by Elected Councillors.

6.7 There are Significant Costs Associated with the Development of a Park of this Scale – Are the Costs Fully Understood and Will the Park Ever be Delivered?

Given the ambiguity of information provided in the Notice of Motion regarding the construction and delivery of a park of this scale and the associated uncertainty as to how and when it will be delivered, our Client has retained Mitchell McDermott Construction Consultants⁶ to prepare a cost plan on the Ashbourne Public Park based on the information publicly available. The full cost plan is available as Appendix A to this Submission.

Mitchell McDermott Construction Consultants estimate that the construction cost of delivering the park would be **€20,135,000.00**. It should be noted that this is based on the basic construction of the park with no contingency for any abnormalities that may arise throughout the design or construction phases. The estimated figure also **excludes** costs of the following:

Vat	Development Contributions	Legals
Tender Inflation	Capital Contributions for Service Connections	Valuers
Site Acquisition	Bonds	Accountancy Costs
Planning and Statutory Fees	Professional Fees	Finance Costs
Works outside the Boundary of the Site	Owners Insurances	Diversion of Existing Services
Abnormal Ground Conditions	Covid-19 Implications	Brexit
Irrigation	Rock	

Notwithstanding the substantial investment that the public park project would require to get to the delivery stage, Mitchell McDermott Construction Consultants also estimate that the annual maintenance cost of a park of this scale would be **€550,000**.

Key Point: The key question is whether the Elected Councillor Members have anticipated this significant cost that Meath County Council would have to absorb in delivering this community infrastructure and public open space? Is such a budget available and if not will the park ever be delivered?

⁶ No. 72 Leeson Street Upper, Donnybrook, Dublin 4

7.0 AN OVERVIEW OF ASHCROFT AND POTENTIAL IMPLICATIONS TO THE COMPANY IF THE LANDS ARE REZONED AS PROPOSED

7.1 Overview of Ashcroft Developments

Ashcroft Developments is a small Irish residential property development group who have delivered a number of high quality residential schemes in recent years including 47 No. starter homes at 'Eastham Square', Bettystown, Co. Meath and 68 No. starter homes at Berford, Duleek. Ashcroft are currently on site (foundation level) with a later phase of 34 No. houses in Berford in Duleek with those dwellings at site foundation level and expected to be delivered in Spring 2022.

Our Client Ashcroft Developments is also the parent company for Killegland Estates Limited, the applicant of the active application for 31 No. units at the site subject to this report (Meath County Council Reg. Ref.: 211037).

Alan Brunton, Director of the Ashcroft Developments has gained an excellent reputation for the delivery of high quality schemes over the past 20 No. years and currently employs 14 No. full-time persons and a variety of sub-contractors predominantly from the Meath area.

Ashcroft Developments have genuine concerns that the proposed rezoning of their lands in Ashbourne from the Objective 'A2' – New Residential to Objective 'G1' – Community Infrastructure will have detrimental impacts on the survival of the company.

7.2 Potential Implications to Ashcroft Developments if Lands are Rezoned

As outlined in detail at Section 5.1, Ashcroft Developments contracted to purchase the subject lands in Ashbourne in December 2020 with the intention of imminently developing a residential scheme. Our Client's were not aware of any intentions to rezone their lands to 'G1' – Community Infrastructure until the 12th May 2021, when they had already bought the subject lands and were in the final stages of preparing a planning application. We highlight that there is a significant disparity between the value of Community Infrastructure zoned lands and Residential zoned lands. Ashcroft Developments paid €1,050,000 (one million and fifty thousand) for the subject residential site. In addition to that sum, it should be noted that Ashcroft Developments paid stamp duty, legal costs and design team planning application costs for the active planning application (Reg. Ref.: 211037) which were also substantive.

Regrettably given that Ashcroft Developments is not a large developer, if these lands are rezoned, we are advised that the company may not be capable of financially absorbing the loss in land value.

The resultant impacts will not only impact the future of Ashcroft Developments but the completion of their residential schemes currently at construction phase including the scheme previously referred to in 'Berford' Duleek, Co. Meath.

Key Point: Through no fault of our Client's who had carried out all required due diligence of the subject lands prior to purchase of the lands, the proposed rezoning (if it proceeds as proposed prior to our Client's securing a residential permission on the lands,) has the potential to permanently damage Ashcroft Developments.

Whilst we understand that financial circumstances should not be a factor in making planning decisions, given that Ashcroft Developments lands are the only residential zoned lands included in the proposed park area and given the proposed park can be developed without the Ashcroft Development lands, in our opinion it is important to be honest and transparent about the recent price paid for the land and the impacts of the proposed rezoning.

6.0 CONCLUSION

The purpose of this submission is to oppose the proposed amendments made as part of the *Material Amendments to Draft Meath County Development Plan 2021-2027*. As part of these amendments, the subject lands are proposed to be rezoned from their current 'A2' New Residential to G1 'Community Infrastructure' to facilitate access and carparking for an envisioned 33 No. hectare public park.

As noted throughout this report, there is a live planning application at the subject lands (under Meath Reg. Ref.: 211037) for the construction of 31 No. residential units. We submit that the delivery of these units will provide high quality residential homes which are currently in short supply in Ashbourne as demonstrated in this report.


We strongly agree with the opinion of the Meath County Council Chief Executive that the subject lands should remain zoned for residential use as they will support the consolidation of Ashbourne. We further concur with the comments of the Chief Executive that the most appropriate forum to consider the needs and requirements of any new park for the town is via the imminent renewal of the Ashbourne Local Area Plan, where the needs and requirements of the town can be considered on a more micro scale.

Furthermore, we reiterate that the rezoning of the subject lands appears rushed and premature and in our professional planning opinion is not in the interests of proper planning and sustainable development.

We trust that due consideration will be given to the role of the subject site in the overall future development of Ashbourne.

Thank you for considering this proposal.

Yours Sincerely

A handwritten signature in black ink that reads 'Sadhbh O'Connor'.

Sadhbh O'Connor
Director
Thornton O'Connor Town Planning



Appendix A: Mitchell McDermott Construction Consultants Cost Plan

OMC Nr.1 (Rev.1)

for

Ashbourne New Public Park

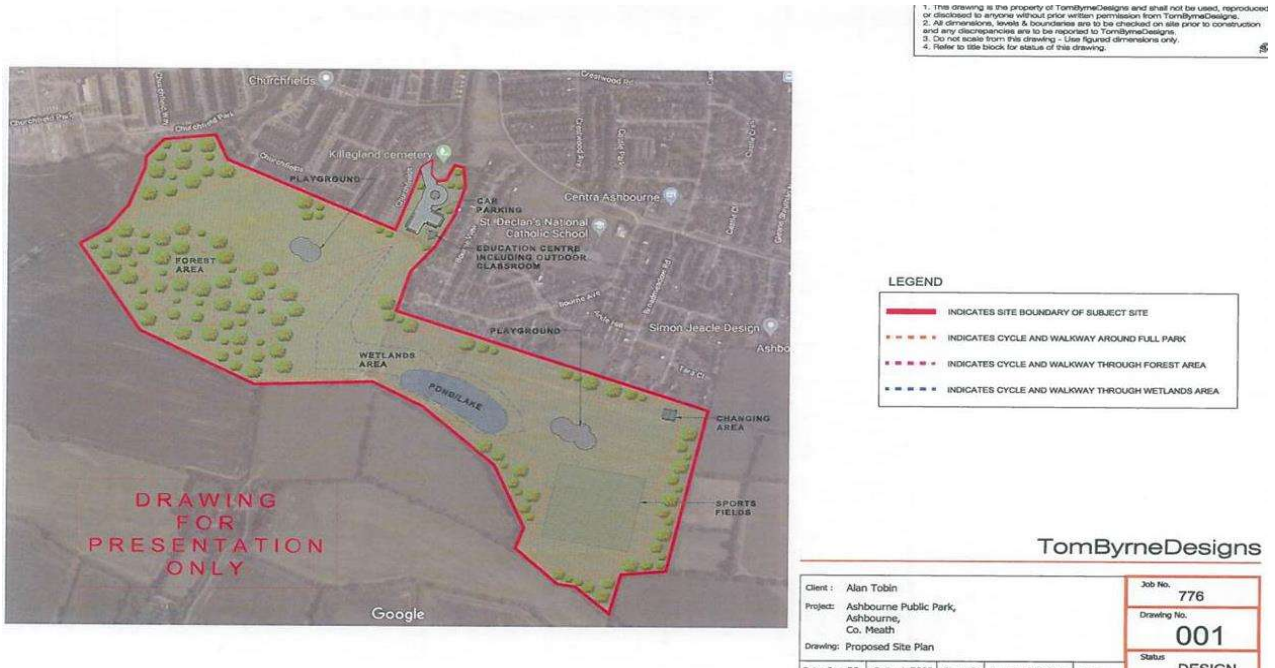
for

Thornton O'Connor

29 June 2021

NOTES/ASSUMPTIONS

basis of costs Costs are based on the below sketch received from Thornton O' Connor on the 16 June 2021. We have received no further information at present.



prepared site Costs include for general cutting and filling to the site. There is no allowance made for abnormal ground conditions, rock below ground etc.

ancillary site structures We have included an allowance for ancillary site structures such as shelters, canopies to the park for shelter or picnic area's.

site enclosures We have included for a 1.2m high timber fence to the perimeter of the park.

roads , paths and pavings We have included an allowance for paths for the cycle and walk ways as indicated on the legend and a new carpark to the education centre

site services piped and ducted We have included an allowance for site services piped and ducted for drainage to the changing area, education centre and sports field.

site services mainly electrical We have included an allowance for site ducting and lighting to cycle and walk ways.

site fittings We have included allowance for playgrounds, benches, picnic benches, directional signage.

landscaping We have included allowance for new trees, grass and pond/lake as indicated on the drawing, allowance for planting and shrubbery and we have included an allowance for a new sports field.

building works There is no gross floor area schedule for the new education centre including the outdoor classroom, therefore we have included an allowance for this facility

maintenance works We have provided an indicative costs for the annual maintenance costs of the park.

OVERALL SUMMARY

overall summary The construction costs for the project are summarised below. Please read in conjunction with Assumptions and Exclusions.

Section	GFA (sq m)	Unit Cost	Total €
Prepared Site	330,000 sq m	€6.50/sq m	2,145,000
Education Centre	1 Item	€3,000,000	3,000,000
Changing Area	1 Item	€500,000	500,000
Ancillary Site Structures	1 Item	€1,000,000	1,000,000
Site Enclosures	1 Item	€700,000	700,000
Roads, paths, pavings	1 Item	€3,150,000	3,150,000
Site services piped and ducted	1 Item	€500,000	500,000
Site services mainly electrical	1 Item	€2,300,000	2,300,000
Site fittings	1 Item	€1,100,000	1,100,000
Landscaping, Playground, Pitches, Ponds	1 Item	€5,740,000	5,740,000
TOTAL			20,135,000
Maintenance Costs	1 Year	€550,000/annum	

EXCLUSIONS

exclusions The following items are excluded from the Cost Document:

1. VAT
2. Tender Inflation from June 21
3. Site Acquisition
4. Planning and Statutory Fees
5. Development Contributions
6. Capital Contributions for Services connections
7. Bonds
8. Professional Fees
9. Legals
10. Valuers
11. Accountancy Costs
12. Finance Costs
13. Works outside the boundary of the site
14. Owner Insurances
15. Diversion of existing services
16. Abnormal ground conditions
17. Covid-19 implications
18. Brexit
19. Irrigation
20. Rock

