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**'Draft Roscommon County Development Plan 2021 – 2027'**

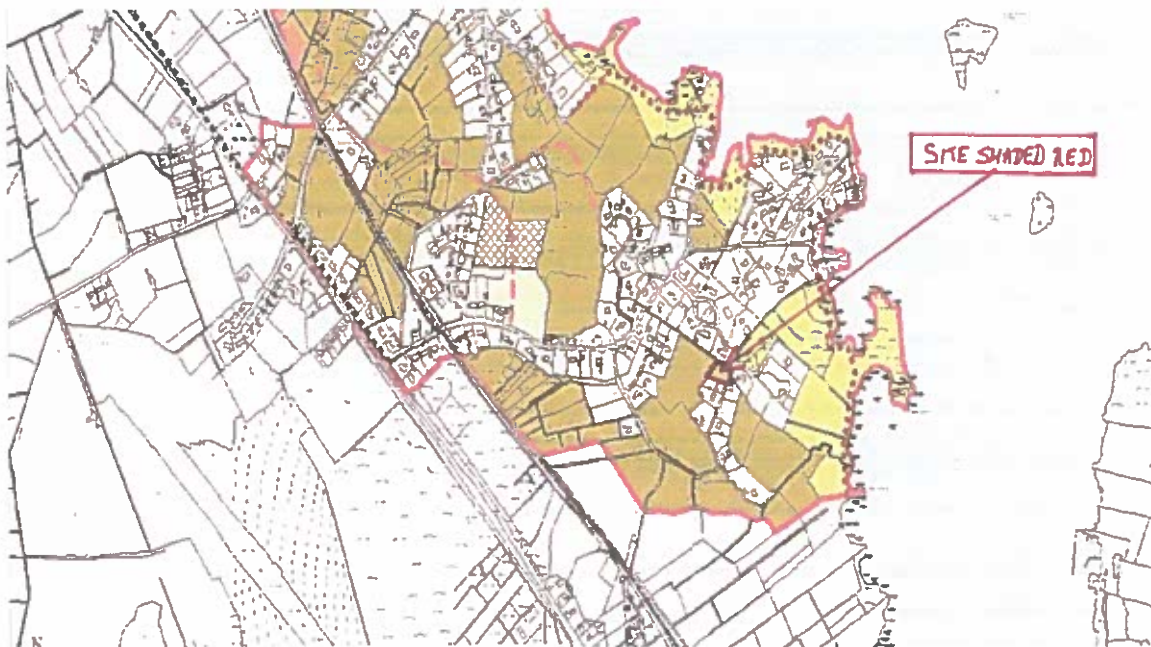
Planning Department,  
Roscommon County Council,  
Áras an Chontae,  
Roscommon, F42 VR98.

30th June 2021.

**Re: Submission to the Draft Roscommon County Development Plan 2021-2027 – Lands at Barrymore, Kiltoom, Athlone, Co Roscommon on behalf of Denise Dunning.**

Dear Sir/Madam,

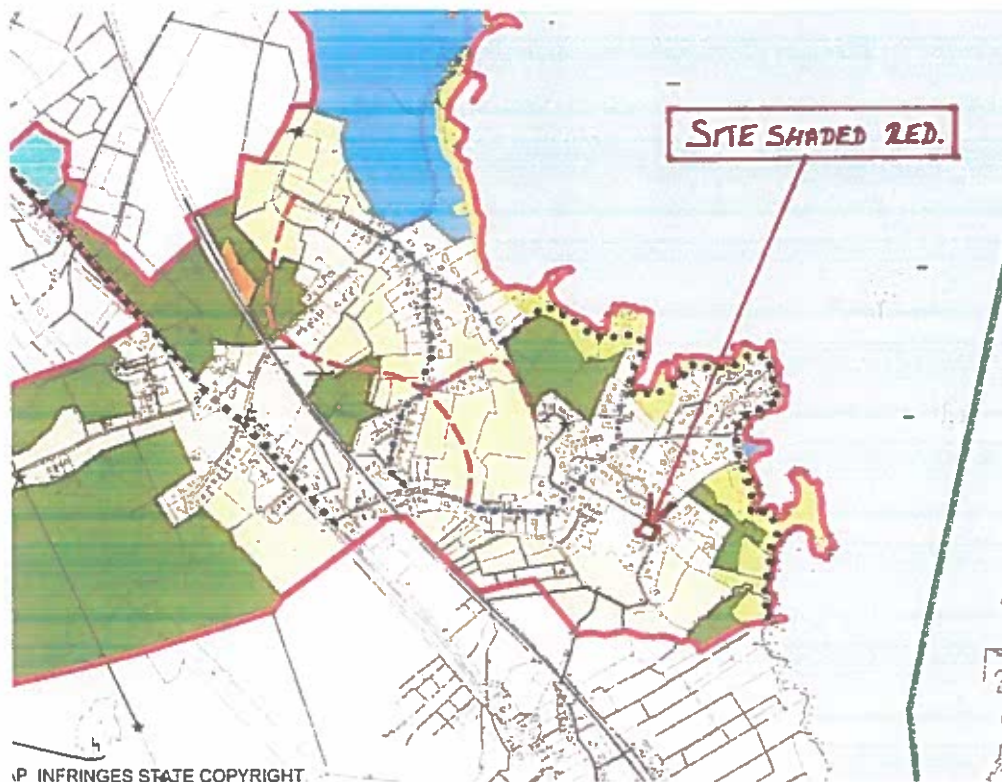
On behalf of our client, Denise Dunning, we wish to make a submission to Roscommon County Council in respect of the Draft Roscommon County Development Plan 2021-2027. This submission relates to lands at Barrymore, Kiltoom, Athlone, Co Roscommon as identified in Figure 1 below. A Land Registry folio & map, RN9666F of the lands are enclosed with this submission. These lands are currently located within the settlement boundary of the Hodson Bay/Barrymore Area Plan in the Roscommon County Development Plan 2014-2020.



**Figure 1 - Subject Lands as per Roscommon County Development Plan 2014-2020 (Shaded red)**



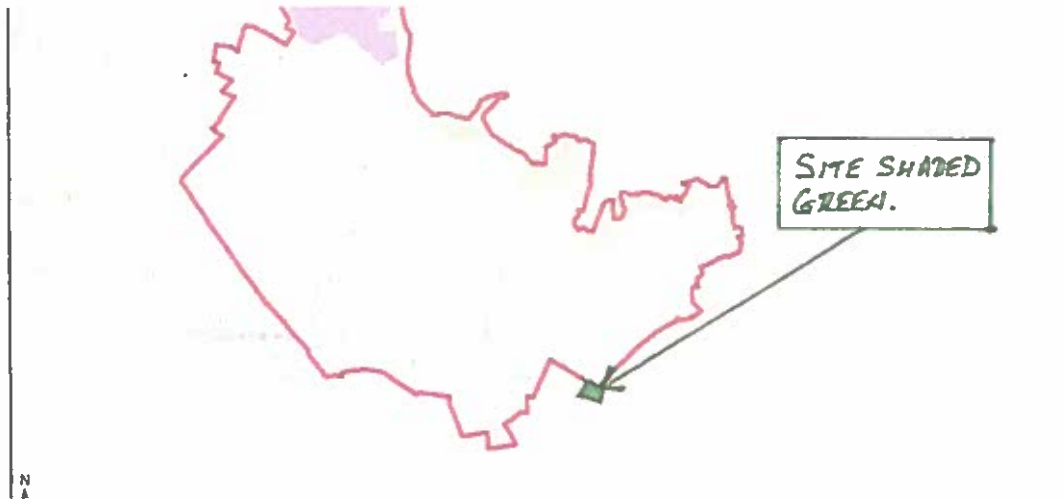
In the Hodson Bay/Barrymore Area Plan 2008 – 2014 the site was zoned as Existing Residential as identified in Figure 2 below. This was an accurate description of the area. Examination of the lands & its environs clearly indicate that this 0.16 hectare site located at the end of a cul-de-sac in an established serviced residential area is not agricultural land. In the Hodson Bay/Barrymore Area Plan in the Roscommon County Development Plan 2014-2020 the subject lands in conjunction with part of folio RN2340F were re-zoned from Existing Residential to Transitional Agriculture despite the fact that they were two separate land holdings & our clients land has access to water, sewerage and the existing road network & is located at the end of a cul-de-sac in an established serviced residential area.



**Figure 2 - Subject Lands as per Roscommon County Development Plan 2008-2014 (Shaded red)**

We note that as part of the Draft Roscommon County Development Plan 2021-2027 and the Draft Hodson Bay/Barrymore Area Plan it is proposed to amend the settlement boundary resulting in these lands being outside the settlement (See Figure 3 below)





**Figure 3- Subject Lands as per Draft Roscommon County Development Plan 2021-2027 (lands shaded green)**

The subject lands extend to approximately 0.16 Ha in area and are currently zoned TA – Transitional Agriculture in the Hodson Bay/Barrymore Area Plan in the Roscommon County Development Plan 2014-2020. The pattern of development in the locality is characterised by one off detached houses fronting onto the local road network.

Table 2.3 of the Draft CDP 2021-2027 identifies the Hodson Bay/Barrymore area as a serviced settlement. The Draft CDP identifies serviced settlements as "Settlements that are serviced by public sewerage and have a capacity to facilitate a degree of residential demand".

It is noted that the Hodson Bay/Barrymore Area Plan states the following in respect of Residential Development in the Plan Area: 'Residential development proposals arising within the settlement boundary of Hodson Bay/Barrymore, should provide access to existing infrastructure i.e., water, sewerage and the existing road network.' It should be noted by the Planning Authority that the subject lands are serviced by water, sewerage, and the existing road network (See Figure 4 below).



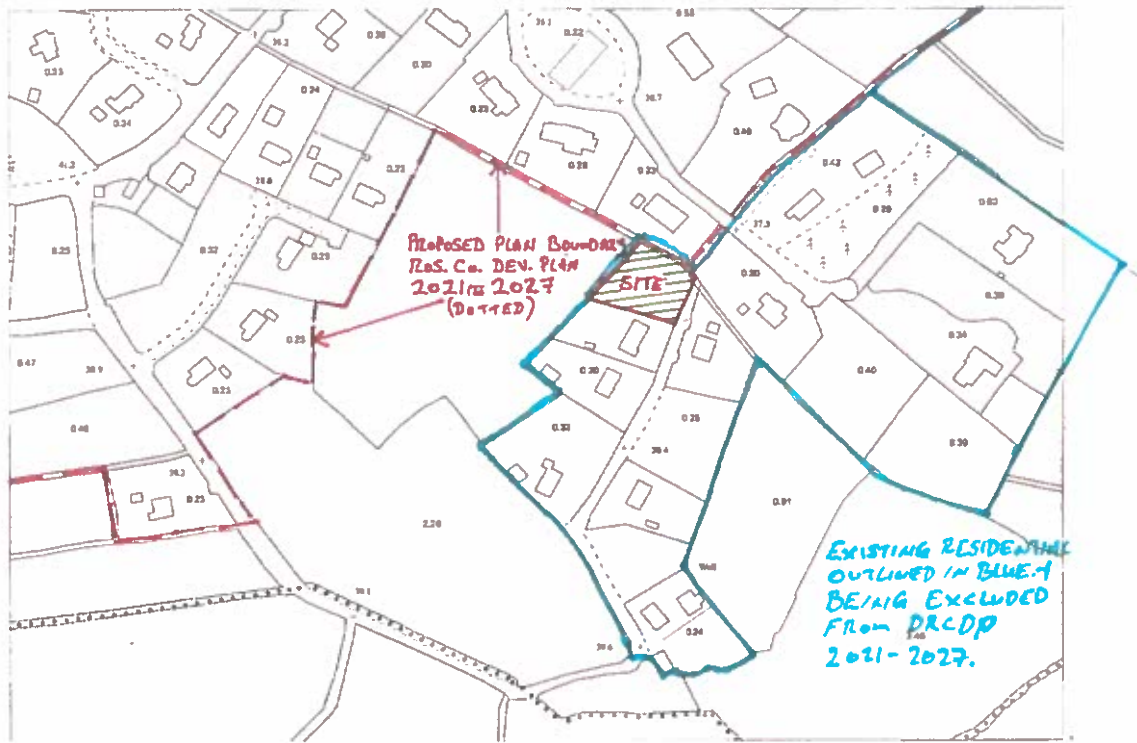
**Figure 4: Existing Water & Sewer Mains (Subject lands in red)**

On the basis of the above, it is reasonable to conclude that lands which are located within existing residential settings, and which are serviced by water, sewerage, and the existing road network, should remain within the settlement boundary to facilitate the development of housing, in line with the Core Strategy of the Draft CDP 2021-2027. Furthermore, we would respectfully suggest that, in light of the significant investment made by Roscommon County Council & Irish Water in the Barrymore area in terms of providing the Treatment Plant and associated infrastructure, the availability of development lands within the settlement boundary should be maximised. Removing the subject lands from within the settlement boundary (as proposed by the Draft CDP) renders their development potential limited to those who can demonstrate a Rural Housing Need at this location. Given the presence of existing infrastructure serving the site, it is considered that the proposed removal of the lands from the LAP boundary would not constitute proper planning and sustainable development.

We note that the Draft CDP proposes 2 no. land use zoning objectives for the Plan Area namely, Leisure Tourism/Amenity & Green Belt. It should be noted by the Planning Authority that the subject lands are not affected by either of these land use zonings nor will the provision of residential development on the subject lands infringe in any way on these land use zoning objectives. It is also noted that significant amounts of land previously zoned as Greenbelt are being re-zoned as Leisure Tourism/Amenity use while established existing residential lands are being removed from the plan boundary indicated in the Draft Roscommon County Development Plan 2021-2027 and the Draft Hodson Bay/Barrymore Area Plan.

Figure 5 indicates the subject lands & established existing residential lands being removed from the plan boundary proposed in the Draft Roscommon County Development Plan 2021-2027 and the Draft Hodson Bay/Barrymore Area Plan. It also indicates the plan boundary proposed in the Draft Roscommon County Development Plan 2021-2027 and the Draft Hodson Bay/Barrymore Area Plan.





**Figure 5 showing the subject lands, established existing residential lands being removed from the plan boundary & the plan boundary proposed in the Draft Roscommon County Development Plan 2021-2027 and the Draft Hodson Bay/Barrymore Area Plan.**

The lands are not the subject of any flood risk, ecological, environmental or archaeological designations/constraints. We note that Section 4.3 of the current Local Area Plan states that it is an objective

*"To ensure the proper planning and development of the Hodson Bay/ Barrymore area, the Council will require that housing proposals do not cause traffic or environmental problems or damage visual amenity, and that all new residential accommodation is designed to modern standards of energy consumption, convenience and sanitation."*

The provision of residential development on the subject lands would not result in any traffic or environmental problems or damage visual amenity. On this basis, and considering that the lands are serviced, the provision of residential development on the lands would accord with the proper planning and sustainable development of the area. Therefore, it is considered reasonable to request that the subject lands remain within the settlement boundary of the Hodson Bay/Barrymore Area Plan.

The Planning Authority will note that the lands were the subject of a planning application ref-PD/17/237 which was refused on a housing need basis. The planners report stated that-

*"The Planning Authority is satisfied that the subject site can accommodate a dwelling from a technical perspective in that the topography of the lands & the pattern of development in the vicinity lends itself to suitable proposals. ...."*

Nearby family land formed part of a grant of permission for the development of 2 no. houses under PD/19/78. On the basis of this it is considered that there is precedent for residential development on the subject lands and that the lands should retain the benefit of inclusion in the settlement



boundary & be eligible for housing development. As noted above the proposed amendment to the settlement boundary identified in the Draft CDP will have a significant negative impact on the development potential of these lands.

It is noted that Section 4.2.1 of the current Development Plan states that:

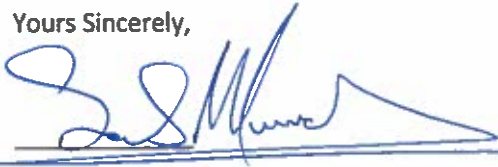
“It is imperative that those areas which are more remote and potentially do not have direct access to a public sewer system should be developed over the longer term. It should be noted that planning permissions will only be approved within the Area Plan boundary once it is proven that sewerage with adequate capacity is available for the development.”

It is considered appropriate to limit new development proposals in areas which have no direct access to the public sewer system. However, the inverse of this provision is also applicable i.e., that lands which do have direct access to the public sewer system should be able to facilitate development.

Based on the matters set out above we would respectfully request that the settlement boundary for the Hodson Bay/Barrymore Area identified in the Draft Roscommon County Development Plan 2021-2027 is extended to include the subject lands in the adopted Development Plan. We trust that this submission will be given due consideration in the preparation of the Roscommon County Development Plan 2021- 2027.

If you have any queries, please do not hesitate to contact me on 087 2222874.

Yours Sincerely,



Seamus Murray.



# Land Registry

County Roscommon

Folio 9666F

## Register of Ownership of Freehold Land

### Part 1(A) - The Property

Note: Unless a note to the contrary appears, neither the description of land in the register nor its identification by reference to the Registry Map is conclusive as to boundaries or extent

No.	For parts transferred see Part 1(B) Description	Official Notes
1	<p>The property shown coloured RED as Plan(s) 428 on the Registry Map, situate in the Townland of BARRY MORE, in the Barony of ATHLONE SOUTH, in the Electoral Division of KILTOOM.</p> <p>The registration does not extend to the mines and minerals.</p>	From Folio RN1245F

Land Cert Issued: Yes

Page 1 of 4

Collection No.:



# Land Registry

County Roscommon

Folio 9666F

## Part 1(B) - Property Parts Transferred

No.	Prop No:	Instrument:	Date:	Area (Hectares):	Plan:	Folio No:





# Land Registry

County Roscommon

Folio 9666F

## Part 2 - Ownership

Title ABSOLUTE

No.	The devolution of the property is subject to the provisions of Part II of the Succession Act, 1965		
<u>1</u>	<del>17-FEB-1986</del> N1216/86	<del>PATRICK O'BRIEN of [REDACTED], COUNTY ROSCOMMON is full owner.</del>  Cancelled	<del>29-APR-2016</del>  D2016LR059936X
	Land Cert Application No.:	633581542941	
	Date:	18-APR-1988	
	Issued To:	WALKER O'CARROLL & HOGAN SOLRS.	
	Address:	ATHLONE CO. WESTMEATH	
<u>2</u>	29-APR-2016 D2016LR059936X	DENISE DUNNING of [REDACTED] Galway is full owner.	County



# Land Registry

County Roscommon

Folio 9666F

## Part 3 - Burdens and Notices of Burdens

No.	Particulars
1	<del>The property is subject to the provisions prohibiting letting, subletting or subdivision specified in Section 12 of the Land Act, 1965, and to the provisions restricting the vesting of interests specified in Section 45 of the said Act in so far as the said provisions affect same.</del>
2	L.R.6/77641 L.R.8/77641 The property is subject to the fishing rights and fisheries (if any) excepted by Order of the Land Commission.





# The Property Registration Authority

## An tÚdarás Clárúcháin Maoine

Official Property Registration Map  
This map should be read in conjunction with the folio.

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

For details of the terms of use, and limitations as to scale, accuracy and other conditions relating to Land Registry Maps, see [www.pra.ie](http://www.pra.ie)

This map incorporates Ordnance Survey Ireland (OSi) mapping under a licence from OSi. Copyright © OSi and Government.

(centre-line of parcel(s) edged)

- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 61(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

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.landregistry.ie](http://www.landregistry.ie)

The registry operates a non-conclusive boundary system. The Map identifies properties not boundaries meaning neither the land in a register map is identification by reference to a registry map is conclusive as to the boundaries or extent (see Section 85 of the Registration of Title Act, 1964). As Inse Section 62 of the Registration of Deed and Title Act 2006.

