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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 18/6201**

**APPEAL** by Waterways Ireland of 18<sup>th</sup> Lock, Thomastown, Killucan, County Westmeath against the decision made on the 17<sup>th</sup> day of May, 2019 by Westmeath County Council to grant subject to conditions an outline permission to Joe Ganly care of The Planning Partnership of 29 Oliver Plunkett Street, Mullingar, County Westmeath for the proposed development.

**Proposed Development:** Outline permission for the demolition of the existing dwellinghouse on the site and includes details of siting and layout of the 54 number two-storey residential units of which 28 number three bed semi-detached, 8 number three bed terraced, 16 number four bed semi-detached and 2 number four bed detached are proposed. The application includes the requisite details to support an application in outline namely the requisite road and water services to facilitate the development and ancillary works above and below ground, all at Athlone Road, Charlestown, Mullingar, County Westmeath, a site of 2.29 hectares.

**Decision**

**REFUSE** outline permission for the above proposed development in accordance with the reasons and considerations set out below.

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

1. Having regard to the provisions of the Ministerial Guidelines, the Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in 2009, specifically paragraph 5.11 and Appendix A: Measuring residential density, and the Urban Development and Building Heights Guidelines for Planning Authorities prepared by the Department of Housing, Planning and Local Government in December 2018, specifically SPPR 4, it is considered that the net density of the proposed development, at this residentially zoned outer suburban/greenfield site on the periphery of a large town, which excludes the open space in the area zoned for open space to the south, would be excessively low and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. It is considered that the design of the proposed development would constitute a poor quality and inefficient layout and would, therefore, be contrary to the Ministerial Guidelines, the Sustainable Residential Development in Urban Areas' Guidelines for Planning Authorities published by the Department of Environment, Heritage and Local Government in May 2009, specifically paragraph 3.3 and Box 2: Best Practice Design Manual criteria. Furthermore, and in terms of the differing policies and objectives, both national and local, which apply inside and outside development plan boundaries, it is considered that the proposed development would comprise a poor response to the potential of the site to provide a firm boundary to the south western growth of the town, which demands a high quality of design and layout, and would seriously injure the residential amenity of future occupants. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant outline permission, the Board considered that the net density of the proposed development would be excessively low, that the design would constitute a poor quality and inefficient layout, and would comprise a poor response to the potential of the site to provide a firm boundary to the south western growth of the town.

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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**