

An  
Bord  
Pleanála

Board Order  
ABP-319969-24

---

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 23155**

**Appeal** by Denis Leonard of Trim Road, Kinnegad, County Westmeath against the decision made on the 30th day of May, 2024 by Westmeath County Council to grant subject to conditions a permission to Simco Ventures Limited care of O'Halloran and Rooney Architects Limited of 3 The Beehives, Ballinderry, Mullingar, count Westmeath in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Proposed works to existing hotel to consist of alterations to existing elevations, inclusive of new shopfront, internal alterations to three number existing bedrooms to front at first floor level, conversion of existing function room/nightclub and ancillary areas to provide 11 number new bedrooms with new car parking area provided at rear (11 number spaces) and all ancillary site works at The Phoenix, Main Street, Kinnegad, County Westmeath.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

Having regard to

- the provisions of the Westmeath County Development Plan 2021-2027, including the Mixed-Use zoning objective of the site and policy objective CPO 6.27, relating to the development of high-quality tourist accommodation,
- the location of the site on Main Street within the town,
- the nature and most recent use of the existing structure on site and
- the plans and details submitted with the application, and
- the report and recommendation of the Planning Inspector,

it is considered that, subject to conditions, the proposed development would be in accordance with the objectives for the site as set out in the development plan and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 3<sup>rd</sup> day of May 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Prior to the commencement of development, revised plans shall be submitted for the written agreement of the planning authority which shall provide for:
  - (a) The omission of bedroom number one located on the ground floor and the amalgamation of this floor area with the restaurant.
  - (b) A revision of the ground floor layout at the entrance to the proposed development, to provide additional circulation space in the vicinity of the stairs and to avoid obstruction and congestion immediately inside the entrance doors.

**Reason:** In the interest of the amenities of the occupants of the development.

3. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface and/or permeable surface finishes;
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
- (c) details of proposed boundary treatments at the perimeter of the site, including heights, materials and finishes.
- (d) timescale for implementation.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

**Reason:** In the interest of visual amenity.

4. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

**Reason:** In the interest of visual amenity.

5. All external shopfronts and signage shall be in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to the provision of such shopfronts and signage. Where agreement cannot be reached between the developer and the local

authority the matter shall be referred to An Bord Pleanála for determination. The signage shall be lit by external illumination only.

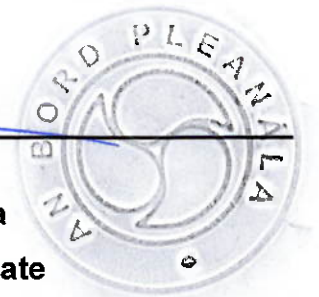
**Reason:** In the interest of visual amenity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme (Class 16: Shortfall in provision of car-parking) made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

  
Liam Bergin

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



Dated this 18<sup>th</sup> day of November 2024.