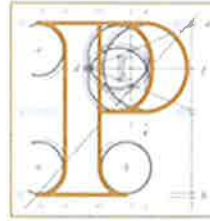


**Our Case Number:** ACP-323932-25



**An  
Coimisiún  
Pleanála**

Westmeath County Council  
c/o Barry McCann  
Civic Centre  
Church Street  
Athlone  
N37 P2T5

**Date:** 07 MAY 2026

**Re:** Proposed development comprising of 94 no dwelling units, Lissywollen, Westmeath  
Lissywollen, County Westmeath

Dear Sir / Madam,

An order has been made by An Coimisiún Pleanála determining the above-mentioned case. A copy of the order is enclosed.

In accordance with section 146(3) of the Planning and Development Act, 2000, as amended, the Commission will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. In addition, the Commission will also make available the Inspector's Report and the Direction on the decision on its website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Coimisiún Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Commission at [laps@pleanala.ie](mailto:laps@pleanala.ie)

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaio Áitiúil</b>	<b>LoCall</b>	1800 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
<b>Ríomhphost</b>	<b>Email</b>	<a href="mailto:communications@pleanala.ie">communications@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Yours faithfully,



Lauren Griffin  
Executive Officer  
Direct Line: 01-8737244

AA11

2505 YAM 5 0

Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1800 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[communications@pleanala.ie](mailto:communications@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902



An  
Coimisiún  
Pleanála

## Commission Order ACP-323932-25

---

**Planning and Development Act, 2000, as amended**

**Planning Authority: Westmeath County Council**

**Application** by Westmeath County Council for approval under section 177AE of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including a Natura Impact Statement, lodged with An Coimisiún Pleanála on the 9<sup>th</sup> day of December 2025.

**Proposed Development:** To construct new houses and apartments. The proposed development will comprise of 94 number dwelling units, consisting of 86 houses and eight apartments. The proposed works also include for car parking, hard and soft landscaping, site clearance works, access roads, footways, public lighting, connections, drainage, mains water and electrical power connected to existing services and all ancillary site development works.

All located at Lissywollen TD., Athlone, County Westmeath.

### Decision

**APPROVE** the above proposed development based on the reasons and considerations set out below.

## Reasons and Considerations

In performing its functions in relation to the making of its decision, the Commission was consistent with Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, and the requirement to, in so far as practicable, perform its functions in a manner consistent with Climate Action Plan 2024 and Climate Action Plan 2025 and the national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans set out in those Plans and in furtherance of the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.

The Commission also had regard to the following in coming to its decision:

1. European legislation, including of particular relevance:
  - (a) Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union,
  - (b) Directive 2011/92/EU (The Environmental Impact Assessment Directive) as amended by Directive 2014/52/EU as implemented by Article 94 and Schedule Six (paragraphs one and two) of the Planning and Development Regulations 2001, as amended, and
  - (c) Directive 2000/60/EC, the Water Framework Directive and the requirement to exercise its functions in a manner which is consistent with the provisions of the Directive, and which achieves or promotes compliance with the requirements of the Directive.
2. National and regional planning and related policy, including:
  - (a) national policy with regard to targeted growth in appropriate locations, particularly the National Planning Framework First Revision April 2025 and National Policy Objectives 42 and 43, and
  - (b) the objectives and targets of Ireland's 4th National Biodiversity Action Plan 2023-2030.

3. Regional and local planning policy, including:
  - (a) The Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031 including Regional Policy Objectives 4.4 – 4.10, and
  - (b) Westmeath County Development Plan 2021-2027 and the Athlone Town Development Plan 2014-2020.
4. Other relevant national policy and guidance documents.
5. The nature, scale and design of the proposed development as set out in the planning application and the pattern of development in the vicinity.
6. The likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European Sites.
7. The Natura Impact Statement submitted.
8. The submissions and observations made in connection with the planning application.
9. The report and the recommendation of the Inspector, including the examination, analysis and evaluation undertaken in relation to appropriate assessment.

#### **Appropriate Assessment: Stage 1:**

The Commission noted that the proposed development is not directly connected with or necessary for the management of a European Site. The Commission completed an appropriate assessment screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the screening report for appropriate assessment submitted with the application and the report and screening assessment completed by the Inspector. The Commission agreed with the Inspector's assessment and conclusion that the European Sites for which there is potential for significant effects are Lough Ree Special Protection Area (Site Code: 004064) and Lough Ree Special Area of Conservation (Site Code: 000440).

The Commission concluded, in agreement with the Inspector, that appropriate assessment is required for those European Sites.

### **Appropriate Assessment: Stage 2:**

The Commission considered the Natura Impact Statement and associated documentation submitted with the application, the mitigation measures contained therein, the submissions and observations on file, and carried out an appropriate assessment of the implications of the proposed development for European Sites in view of the conservation objectives for Lough Ree Special Protection Area (Site Code: 004064) and Lough Ree Special Area of Conservation (Site Code: 000440). The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment and to allow it to reach complete, precise and definitive conclusions for appropriate assessment:

In completing the assessment, the Commission considered, in particular, the likely direct and indirect impacts arising from the proposed development, both individually and in combination with the other plans and projects and taking into account any mitigation measures which are included as part of the current proposal, in view of the conservation objectives for the European Sites.

The Commission accepted and adopted the appropriate assessment carried out in the Inspector's report with respect to the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the Sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of European Sites, in view of the Sites' conservation objectives of those Sites and there is no reasonable scientific doubt as to the absence of such effects.

The conclusion is based on a complete assessment of all aspects of the proposed project, both alone and in combination with other plans and projects of relevance and took into account all submissions received during the course of the application.

### **Environmental Impact Assessment Screening:**

The Commission completed an environmental impact assessment screening of the proposed development and considered that the Environmental Impact Assessment Screening Report and other documents and drawings submitted by the local authority identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment.

Having regard to:

- (a) the nature and scale of the proposed development, which is below the threshold in respect of Class 10(iv) of Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended,
- (b) the location of the site on Land Use Zoning Objectives. O-LZ1: 'To provide for residential development, associated services and to protect and improve residential amenity' under the Athlone Town Development Plan 2014-2020,
- (c) the pattern of development in surrounding area,
- (d) the availability of mains water and wastewater services to serve the proposed development,
- (e) the location of the development outside of any sensitive location specified in Article 299(C)(1)(v) of the Planning and Development Regulations, 2001, as amended,
- (f) the guidance set out in the "Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development", issued by the Department of the Environment, Heritage and Local Government, August, 2003,
- (g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended, and,
- (h) The features and measures proposed by the local authority envisaged to avoid or prevent what might otherwise be significant effects on the environment, including measures identified in the Ecological Impact Assessment Report, Natura Impact Statement, Arboricultural Report, pre-construction Construction

Environmental Management Plan, Archaeology Report, Design Manual for Quality Housing.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an Environmental Impact Assessment Report is not required.

### **Proper Planning and Sustainable Development/Likely effects on the environment**

The proposed development is in accordance with aims and objectives of the Westmeath County Development Plan 2021-2027 and the Athlone Town Development Plan 2014-2020, is therefore acceptable in principle. In particular, the proposed development accords with Core Strategy Policy Objective 2.2 concerning the growth of Athlone, Core Strategy Policy Objective 3.3 concerning the provision of social and affordable housing and Core Strategy Policy Objective 3.14 concerning provision of universal design units. Subject to conditions, the Commission concludes that the residential development, is in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions.

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

2. The mitigation measures contained in the submitted Natura Impact Statement shall be implemented.

**Reason:** To protect the integrity of European Sites.

3. All works shall be supervised by an on-site Ecological Clerk of Works who will report on compliance with the relevant mitigation measures. The Ecological Clerk of Works shall be empowered to halt works where they consider that the continuation of the works is likely to result in a significant pollution or siltation incident or impact on protected habitats or species, and on-site works will cease until authorised to continue by the local authority. A compliance monitoring report shall be prepared by the Ecological Clerk of Works and shall be submitted to the local authority at the end of the main construction period.

**Reason:** To ensure compliance with mitigation measures and to protect biodiversity.

4. The proposed development shall be amended as follows:
  - (a) Bicycle spaces to be provided in accordance with table 16.3 'Cycle Storage Standards' of the Westmeath County Development Plan 2021-2027: one private secure bicycle space per bed space (with a minimum provision of two spaces per dwelling, and design ensuring access does not require bicycles to pass through living areas) and one visitor bicycle space per two housing units.
  - (b) Car parking to reflect the maximum levels set out in table 16.2 under Core Strategy Policy Objective 16.36 of the Westmeath County Development Plan 2021-2027 (including provision of visitor, disabled and Electric Vehicle bays).
  - (c) Bathroom windows to be obscured.

Revised drawings showing compliance with these requirements shall be placed on the file and retained as part of the public record. The proposed development to be carried out in accordance with these specifications.

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

5. Artificial lighting shall be designed in accordance with the 2023 Bat Conservation Trust Lighting Guidance (GN08/23 Bats and Artificial Lighting at Night). A lighting plan shall be placed on the file prior to commencement of development. Lighting to meet the following specifications:
- (a) Colour temperature (less than 2,700 Kelvins),
  - (b) Light distribution (luminaire's beam less than 80 degrees).
  - (c) Illuminance (less than five lux for pedestrian and decorative surfaces).
  - (d) Luminance (100 cd/m<sup>2</sup> (candelas per square meter) or less).
  - (e) Colour rendering index (CRI) (exterior lighting should not exceed CRI Ra90).
  - (f) Energy efficiency (40 lumens per watt or greater).
  - (g) Use low and fully shielded/cowled downward-pointing lights, smart sensors and trimming (part-night lighting) schemes.
  - (h) Avoid upward and horizontal facing lighting.
  - (i) Conserve dark areas, particularly around native vegetation and any areas that may be in use by bats, birds and nocturnal mammals.

**Reason:** To minimise disturbance-related impacts on protected species.

6. Prior to the commencement of development activity, protective fencing in accordance with best practice, shall be installed to protect all trees identified to be retained. The fencing shall be installed in such a manner as to provide protection to the critical root zone of trees to be protected and it shall be retained on site until all construction works are completed. No soil, spoil, construction material or waste will be stored or tipped within the fenced off area and no construction plant or vehicles will be parked within the spread of

trees/hedgerows identified to be retained. The fencing shall be retained until such time as works are completed.

**Reason:** To the interest of protecting biodiversity value within the site.

7. The local authority shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts, 1930) to carry out pre-development archaeological testing in areas of proposed ground disturbance and prepare an Archaeological Impact Assessment Report to be submitted to the local authority to be held on file, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record (archaeological excavation) and/or monitoring may be required. Any further archaeological mitigation requirements following consultation with the National Monuments Service, shall be complied with by the local authority. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to the local authority. The local authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work.

**Reason:** To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

8. Prior to commencement of works, the local authority shall prepare a final Construction Environmental Management Plan, which shall be adhered to

during construction. This plan shall reflect all required mitigation for the project and provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste. The Construction Environmental Management Plan shall be placed on the file and retained as part of the public record, prior to the commencement of works.

**Reason:** In the interest of public safety and amenity.

9. Prior to the commencement of development, the local authority shall enter into a connection agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and/or wastewater collection network.
- (a) All development to be carried out in compliance with Uisce Éireann's Standard Details and Codes of Practice.
  - (b) Where build over of Uisce Éireann assets is proposed, confirmation of feasibility of diversion(s) from Uisce Éireann is required prior to works commencing.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.



---

**Mary Henchy**

**Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.**

Dated this 6<sup>th</sup> day of May 2026



### Fógra faoi Athbhreithniú Breithiúnach

Athbhreithniú breithiúnach ar chinntí An Coimisiún Pleanála faoi fhorálacha na nAchtanna um Pleanáil agus Forbairt (arna leasú)

Ní fhéadfaidh duine ar mian leis nó léi agóid a dhéanamh in aghaidh bhailíocht chinneadh de chuid an Coimisiún é sin a dhéanamh ach trí athbhreithniú breithiúnach. Tá forálacha in Alt 50, 50A agus 50B den Acht um Pleanáil agus Forbairt 2000, arna leasú, maidir le dúshlán i leith bhailíocht chinneadh an Coimisiún.

Ní féidir bailíocht cinnidh arna ghlacadh ag an gCoimisiún a cheistiú ach amháin trí iarratas a dhéanamh ar athbhreithniú breithiúnach faoi Ordú 84 de Rialacha na nUaschúrteanna (S.I. Uimh 15 de 1986). Ceanglaíonn fo-alt 50(6) den Acht um Pleanáil agus Forbairt 2000 go gcaithfear aon iarratas ar chead chun iarratas a dhéanamh ar athbhreithniú breithiúnach a dhéanamh laistigh de 8 seachtaine ó dháta chinneadh an Coimisiún, seachas cinntí a dhéantar de bhun feidhme aistriithe chuig an gCoimisiún faoi Chuid XIV den Acht um Pleanáil agus Forbairt 2000, i gcás nach mór aon iarratas ar chead chun iarratas a dhéanamh ar athbhreithniú breithiúnach, mar atá leagtha amach i bhfo-alt 50(7), a dhéanamh laistigh de 8 seachtaine ag tosú ar an data ar ar tugadh fógra faoi chinneadh an Coimisiún ar dtús (nó mar a cheanglófar faoin achtú ábhartha, ar aistriodh feidhmeanna faoi chuig an gCoimisiún, a foilsíodh den chéad uair). Tá no tréimhsí ama seo faoi réir aon sineadh a fhéadfaidh an Ard-Chúirt a cheadú de réir fho-alt 50(8).

Sonraítear in alt 50A(3) nach ndeonófar cead d'athbhreithniú breithiúnach mura bhfuil an Chúirt sásta (a) go bhfuil forais shubstaintiúla ann chun a áitiú go bhfuil an chinneadh neamhbhailí nó gur choir é a chur ar neamhní agus (b) go bhfuil leas leordhóthanach ag an iarratasóir san ábhar is ábhar don iarratas nó i gcásanna a bhaineann le measúnú tionchair timpeallachta ar comhlacht é a chomhlíonann critéir shonraithe.

Tá forálacha in alt 50B maidir le costais imeachtaí athbhreithnithe bhreithiúnaigh áirithe san Ard-Chúirt; de bhun Alt 50B(1), tá feidhm ag alt 50B maidir leis na himeachtaí seo a leanas:

- (a) imeachtaí san Ard-Chúirt mar athbhreithniú breithiúnach, nó trí chead a lorg chun iarratas a dhéanamh ar athbhreithniú breithiúnach, ar -
  - (i) aon chinneadh nó chinneadh airbheartaithe a rinneadh nó a airbheartaítear a rinneadh,
  - (ii) aon ghníomh a rinneadh nó a airbheartaítear a rinneadh,
  - (iii) aon mhainneachtain aon ghníomh a dhéanamh, de bhun forála reachtúla a thugann éifeacht
    - I. d'fhoráil de Threoir EIA 85/337/CEE arna leasú lena mbaineann Airteagal 10a (arna cur isteach le Treoir 2003/35/CE) den Treoir sin,
    - II. do Threoir SEA 2001/42/CE, nó
    - III. d'fhoráil de Threoir IPPC 2008/1/CE a bhfuil feidhm ag Airteagal 16 den Treoir sin maidir léi, nó
    - IV. d'Airteagal 6(3) nó 6(4) den Treoir maidir le Gnáthóga; nó
- (b) achomharc (lena n-áirítear achomharc de chás ráite) chun na Cúirte Uachtaraí i gcoinne breithe ón Ard-Chúirt in imeacht dá dtagraítear i mír (a);
- (c) imeachtaí san Ard-Chúirt nó sa Chúirt Uachtarach le haghaidh faoisimh eatramhach nó idirbheitheach i ndáil le himeacht dá dtagraítear i mír (a) nó (b).

Is i an fhoráil ghinearálta atá in alt 50B(2) ná go n-íocfaidh gach páirtí in imeachtaí lena mbaineann an t-alt a chostais féin. Féadfaidh an Chúirt, áfach, costais a dhámhachtain in aghaidh aon pháirtí in imthosca sonraithe. Tá foráil ann freisin go ndéanfaidh an Chúirt chostas imeachtaí nó cuid de chostais den sort sin a dhámhachtain d'iarratasóir, a mhéid a eiríonn leis an iarratas faoiseamh a fháil, i gcoinne freagróra nó páirtí fógra, nó an dá cheann, a mhéid a chuir an chaingean nó an t-easnamh ar thaobh an fhreagróra nó an pháirtí fógra go páirteach leis an bhfaoiseamh atá á fháil.

Tá eolas ginearálta ar nósanna imeachta athbhreithnithe bhreithiúnaigh ar fail anseo a leanas, [www.citizensinformation.ie](http://www.citizensinformation.ie).

Séanadh: Mar eolas atá an méid thuas ceaptha. Ní airbheartaíonn sé a bheith ina léirmhíniú ceangailteach ó thaobh dlí ar na forálacha ábhartha agus bheadh sé inmholta do dhaoine atá ag smaoineamh ar chaingean dlí comhairle dlí a lorg.

### Judicial Review Notice

Judicial review of An Coimisiún Pleanála decisions under the provisions of the Planning and Development Act 2000 (as amended)

A person wishing to challenge the validity of a Commission decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000, as amended, contain provisions in relation to challenges to the validity of a decision of the Commission.

The validity of a decision taken by the Commission may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(6) of the Planning and Development Act 2000 requires that any application for leave to apply for judicial review must be made within 8 weeks of the decision of the Commission, save for decisions made pursuant to a function transferred to the Commission under Part XIV of the Planning and Development Act 2000, where any application for to apply for judicial review must, as set out in sub-section 50(7), be made within 8 weeks beginning on the date on which notice of the decision of the Commission was first sent (or as may be the requirement under the relevant enactment, functions under which are transferred to the Commission, was first published). These time periods are subject to any extension which may be allowed by the High Court in accordance with sub-section 50(8).

Section 50A(3) states that leave for judicial review shall not be granted unless the Court is satisfied that (a) there are substantial grounds for contending that the decision is invalid or ought to be quashed and (b) that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the costs of certain judicial review proceedings in the High Court; pursuant to Section 50B(1), Section 50B applies to the following proceedings:

- (a) proceedings in the High Court by way of judicial review, or of seeking leave to apply for judicial review, of –
  - (i) any decision or purported decision made or purportedly made,
  - (ii) any action taken or purportedly taken,
  - (iii) any failure to take any action, pursuant to a statutory provision that gives effect to
    - I. a provision of the EIA Directive 85/337/EEC as amended to which Article 10a (as inserted by Directive 2003/35/EC) of that Directive applies,
    - II. the SEA Directive 2001/42/EC, or
    - III. a provision of the IPPC Directive 2008/1/EC to which Article 16 of that Directive applies, or
    - IV. Article 6(3) or 6(4) of the Habitats Directive; or
- (b) an appeal (including an appeal by way of case stated) to the Supreme Court from a decision of the High Court in a proceeding referred to in paragraph (a) or (b);
- (c) proceedings in the High Court or the Supreme Court for interim or interlocutory relief in relation to a proceeding referred to in paragraph (a) or (b).

The general provision contained in section 50B(2) is that in proceedings to which the section applies each party shall bear its own costs. The Court however may award costs against any party in specific circumstances. There is also provision for the Court to award costs of proceedings or a portion of such costs to an applicant, to the extent that the applicant succeeds in obtaining relief, against a respondent or notice party, or both, to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on [www.citizensinformation.ie](http://www.citizensinformation.ie).

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.