



An  
Bord  
Pleanála

Board Order  
ABP-321457-24

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Westmeath County Council**

**Planning Register Reference Number: 2460229**

**Application for Leave to Appeal** against the decision of the planning authority by Emma Lynch care of Denis Finn of Camelot, Castletown, Devlin, County Westmeath, having an interest in land adjoining the land in respect of which Westmeath County Council decided on the 20<sup>th</sup> day of November, 2024 to grant subject to conditions a permission to Anthony Kelly Construction care of LMP Architecture of Lilliput, Lough Ennell, Mullingar, County Westmeath.

**Proposed Development:** Variations to approved mixed use development granted planning permission under planning reference 20/6219 as follows. (A) Omission of basement storage and plant areas throughout. (B) Block B Unit 16 change of use from ground floor commercial to one-bedroom apartment and Unit 18 change of use from ground floor commercial to two-bedroom apartment including extended floor area, omission of pedestrian entrance from Kilskyre Road and minor variations to north and east elevations at ground floor level, revised internal layouts and provision of private open space. (D) Block A Unit 1 commercial unit. Omit basement access stairs and extend floor area to 102 square metres at Clonmellon Center, Clonmellon, County Westmeath.

## Decision

**REFUSE** leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

## Reasons and Considerations

The applicant for leave to appeal has not demonstrated that the development as granted permission by the planning authority differs materially from that as indicated in the plans and particulars submitted with the application subject of Westmeath County Council planning register reference number 2460229. The applicant for leave to appeal has not cited any conditions imposed by the planning authority that causes the development as granted permission to differ from the development as proposed in the plans and particulars submitted with the application. The Board does not consider that any of the conditions imposed by the planning authority causes the development as granted permission to differ materially from that as submitted to the authority in the first instance. The Board hereby refuses leave to appeal.

  
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Tom Rabbette

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

Dated this 13<sup>th</sup> day of Jan. 2025.