



An
Bord
Pleanála

Inspector's Report

ABP-321376-24

Development	Change of use from previously permitted office development to hotel with ancillary facilities and all associated site works.
Location	Cloghanboy (Homan), and Cloghanboy (Strain) [townlands], Athlone, Co. Westmeath
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	2460191
Applicant(s)	Avenir Assets Management DAC
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Declan and Bridget Lough
Observer(s)	None
Date of Site Inspection	19 th February 2025

Inspector

Emma Nevin

1.0 Site Location and Description

- 1.1. The appeal site is triangular in nature, with a stated area of 0.87 ha. and is located to the north of Athlone town centre. The appeal site consists of scrubland with high level tree planting along the western and northern boundaries, and a 1.8m high post and wire fence along the southern boundary parallel to the public footpath. The site is bound by the Brawney Road to the south, the R915 Ballymahon Road to the west and the N6 slip Road to the north. The site is narrowest at the eastern end and widens out along the R915. The site slopes gently away to the east and significantly towards the northern boundary and there is an existing large mound of earth within the site.
- 1.2. The site is opposite Athlone Tennis Club lands and the Athlone Regional Sports Centre/Skate Park.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - a change of use and plan to the office building permitted under Reference 22/337 to a construct a part 8 and part 10 storey hotel with 192 no. bedrooms, lounge, bar, restaurant / dining, gym / spa, conference and meeting room facilities, alongside reception, kitchen, storage, staff welfare and service areas.
 - Plant areas with rooftop and integrated room space, bicycle storage and ancillary works including water/wastewater services, surface water drainage, hard and soft landscaping, signage, and all other site development works.
 - Access will be from the Brawney Road, utilising previously permitted entrances, 3 storey parking deck and site substation.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority granted permission, following further information request, on 6th November 2024, subject to 16 conditions, which included the following:

- Condition 2 related infrastructural works at the junction of Brawney Road and the Ballymahon Rd/ N55 roundabout and along the extent of the subject site of Brawney Road.
- Condition 3 related to Road Safety Audit.
- Condition 5 relates to Uisce Eireann.
- Conditions 6, 7 and 8 are standard conditions.
- Conditions 9, 10, 11 and 12 relate to construction, demolition, operational waste, and the use of cranes on site.
- Condition 13 relates to archaeology.
- Condition 14 relates to landscaping.
- Condition 15 related to Development Contributions.
- Condition 16 relates to the occupancy of the car park.

3.2. Planning Authority Reports

3.2.1. Planning Reports dated 25th July 2024 and 5th November 2024 have been provided.

3.2.2. This planning application was assessed under the Westmeath County Development Plan, 2021 – 2027.

3.2.3. The first planners report considered it necessary to seek further information on the following items:

- A Traffic and Transport Assessment.
- A Road Safety Audit.
- A Daylight and Sunlight Analysis.
- A Visual Impact Assessment.

3.2.4. The planners report concluded that the further information sufficiently addressed all items under the further information request, and it was considered that having regard to *“the plans and particulars submitted with the application and my inspection of the site, it is considered that the proposed development, would not impact negatively on architectural, archaeological and natural heritage, would not injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience”*, and *“Having considered the plans and particulars, together with the reports and submissions received in association with the development proposal, it is considered that the development is consistent with national, regional and local policy and as such is in accordance with the proper planning and sustainable development of the area and as such a grant of permission is recommended”*, subject to the conditions in schedule two, would be in accordance with the proper planning and development of the area, subject to 16 no. conditions, noted in Section 3.1.1 above.

3.2.5. Other Technical Reports

- District Engineer: No objections subject to conditions.
- Environment Section No objections subject to conditions.
- CFO Comments received discussed within planners' report.

3.3. **Prescribed Bodies**

- Department of Defence No comments received.
- EHO Comments received, the developer should contact their office to liaise.
- Uisce Eireann: No comments received.
- Failte Ireland: No comments received.
- Transport Infrastructure Ireland (TII): Comments received discussed within planners' report.

3.4. **Third Party Observations**

3.4.1. One third party submissions were received, the main issues raised within which can be summarised as follows:

- Amazed that the previous application was granted permission.
- Existing traffic congestion in this area leading up to the roundabout, extracts from an independent report conducted in 2005 on the Ballymahon roundabout was submitted.
- Impact on traffic congestion from the proposed development.
- Proposed height is excessive.
- Privacy concerns due to overlooking.

4.0 Planning History

4.1. The following planning history on site is of relevance to the instant appeal.

- ABP-317796-23/23/60149: Permission was refused on appeal to An Bord Pleanála on 25th April 2024 for erection of an 18m high monopole telecommunications support structure together with antennas, dishes and associated telecommunications equipment all enclosed in security fencing.

Reason for refusal: *“Having regard to the coverage data presented with the application and appeal the Board is not satisfied of the need for the proposed telecommunications support structure together with antennas, or that alternative methods of providing the necessary coverage have been adequately explored, accordingly the proposed development would give rise to unnecessary proliferation of such infrastructure, would contravene policy objectives CPO 10.184 and CPO 16.58 as set out in the Westmeath County Development Plan 2021-2027, and would be contrary to the proper planning and sustainable development of the area”.*

- 22/337: Permission granted by the local authority on 11th August 2022 for construction of a 7 to 9-storey office building providing office space, meeting room, staff welfare, reception, service areas and all ancillary site development works. The proposed development includes (1) demolition of existing ESB substation kiosk and construction of new substation at eastern end of site; (2) construction of office building (10,137 square meters) comprising Block A (7 storeys) and Block B (9 storeys) with interconnecting link bridge between first and sixth floor levels and outdoor terrace at sixth floor in Block A and eight

floor in Block B; (3) construction of 3 storey parking deck; (4) ancillary site development works including new entrances and internal access road, car and bicycle parking, water/wastewater services, surface water drainage, hard and soft landscaping, signage, rooftop plant and photovoltaic panels and all other site development works. The proposed development will be accessed from the Brawney Road.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Westmeath County Development Plan 2021-2027 is the relevant development plan.

5.1.2. Relevant Development Plan Policies and Objectives:

- Section 9.9 Tourism Infrastructure Policies and Objectives:
 - P-TI1 To facilitate the development of high quality tourist accommodation such as hotels, hostels, B&Bs/Guesthouses, etc. at suitable locations in Athlone, subject to attaining a high standard of design, the provision of adequate infrastructure and compliance with development management standards.

5.2. Athlone Town Development Plan 2014 – 2020

5.2.1. The site is zoned 'Commercial' within the Athlone Town Development Plan with a stated objective *"To provide for commercial development which does not need to be located in the town centre or retails warehousing zone"*.

5.2.2. Relevant LAP Policies and Objectives:

- General Economic Development Policy Objectives
 - P-EC1 To accelerate the sustainable development of the linked gateway town of Athlone, in a structured and cohesive way, recognising its importance as a key driver of economic growth for the region.

- P-EC13 To promote, protect, improve, encourage and facilitate the development of tourism in Athlone as an important contributor to job creation in the town.
- Tourism Policies and Objectives:
 - P-TRM1 To promote the linked gateway town of Athlone as an urban tourism destination in its own right and as an access point to a collection of wider county tourist attractions.
 - P-TRM2 To promote Athlone as a national and international tourist destination in cooperation with other agencies, such as Fáilte Ireland and Waterways Ireland.
 - P-TRM3 To continue to encourage and promote the sustainable development of a range of quality tourism facilities, attractions and accommodation within the town.
 - P-TRM13 To encourage the development of Athlone as a national conference destination.
- Tourism Infrastructure Policies and Objectives

P-TI1 To facilitate the development of high quality tourist accommodation such as hotels, hostels, B&Bs/Guesthouses, etc. at suitable locations in Athlone, subject to attaining a high standard of design, the provision of adequate infrastructure and compliance with development management standards.
- National Road Policy Objectives
 - P-NR1 To safeguard the strategic role of the N6 Bypass and associated junctions in catering for the safe and efficient movement of interurban and inter-regional traffic.
 - P-NR4 To prevent the undermining of the strategic transport function of national roads, including junctions, by providing an adequate local transport infrastructure, as advocated in the DEHLG/DoT/DTO publication "Traffic Management Guidelines".

- O-NR1 To require all applications for significant development proposals to be accompanied by a Traffic and Transport Assessment (TTA) and Road Safety Audit (RSA) to be carried out by suitably competent persons, in accordance with the NRA's Traffic and Transport Assessment Guidelines.
- O-NR2 To reinforce linkages between Athlone and the Northern Development Area/ Border Region/ Northern Ireland by strengthening the N55 route.

5.3. Lissywollen South Framework Plan 2018-2024

5.3.1. The subject site is zoned Commercial and identified as Area 1 in the "Land Use & Function" map of Lissywollen South Framework Plan 2018-2024.

5.3.2. Area 3 – Sports and Recreation:

- O-LUF2 To provide for a high-quality commercial development at the western approach into the plan area befitting of the site's high-profile siting.
- O-LUF12 To promote high quality architect designed innovative layouts and energy efficient design.
- O-LUF13 To consider opportunities for higher buildings where they provide a clear benefit for legibility and identity for the area, and where they are compatible with the skyline and development management standards prescribed in the Athlone Town Development Plan 2014-2020.

5.4. National Planning Framework

5.4.1. The NPF provides an overarching policy and planning framework for the social, economic and culture development of the country. NPO 11 is noted which states "*In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth*".

5.4.2. I reference the following in relation to Athlone:

“NPO 2b - The regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and Drogheda-Dundalk-Newry cross-border networks will be identified and supported in the relevant Regional Spatial and Economic Strategy.

NPO 7 - Apply a tailored approach to urban development, that will be linked to the Rural and Urban Regeneration and Development Fund, with a particular focus on:

- *Strengthening Ireland’s overall urban structure, particularly in the Northern and Western and Midland Regions, to include the regional centres of Sligo and Letterkenny in the North-West, Athlone in the Midlands and cross-border networks focused on the Letterkenny-Derry North-West Gateway Initiative and Drogheda-Dundalk-Newry on the Dublin-Belfast corridor”.*

5.5. Eastern and Midlands Regional Spatial and Economic Strategy

- 5.5.1. The Eastern and Midlands Regional Spatial and Economic Strategy (RSES) recognises the major contribution that rural areas make towards regional and national development in economic, social and environmental terms. The RSES aims to strengthen the fabric of rural Ireland, supporting rural towns and communities as well as the open countryside, improving connectivity, and supporting job creation, particularly in a more diverse range of sectors.
- 5.5.2. The RSES supports the consolidation of the town and village network, to ensure that development proceeds sustainably and at an appropriate scale, level, and pace in line with the Core Strategies of County Development Plans.
- 5.5.3. Section for 4.5 of the RSES states that the delivery ambitious population targets will be contingent on the development of zoned lands within the footprint of the town. ‘In particular, the development of the strategic landbank at Lissywollen South, also offers the opportunity to develop a new urban quarter extending from the town centre, while the development of Monksland / Bellanamullia lands supports the continued development of the Athlone West area’.
- 5.5.4. Regional policy objectives for Athlone include: RPO 4.7: to *“Support the development of a cross sectoral approach to promote Athlone as a key tourism destination in the Midlands, building on Fáilte Ireland’s Hidden Heartlands brand and the forthcoming Shannon Tourism Masterplan to develop the recreation and amenity*

potential of waterways including the River Shannon and Lough Ree and the development of a greenway network including the Galway to Dublin Cycleway”.

5.6. Ministerial Guidelines

5.6.1. Section 28 Guidance

- Urban Development and Building Height Guidelines, 2018.
- Spatial Planning and National Roads Guidelines for Planning Authorities, 2012.

5.7. Natural Heritage Designations

5.7.1. The subject site is not located within or adjacent to any European Site. The closest European Sites, part of the Natura 2000 Network, are:

- Middle Shannon Callows SPA (Site Code 004096) located c. 1.5km, from the application site.
- River Shannon Callows SAC (Site code 000216) located c.1.5km from the application site.
- Lough Ree SAC (Site Code 000440) located c.1.8km from the application site; and
- Lough Ree SPA (Site code 004064) located c.1.8km from the application site.

5.8. EIA Screening

5.8.1. I refer the Board to the completed Form 1 and Form 2 in Appendix 1.

5.8.2. Having regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. One appeal has been received from Declan and Bridget Lough. The grounds of the appeal are summarised as follows: -

Increased traffic:

- The submission of Transport Infrastructure Ireland is referenced.
- In 2005 it was considered that the existing roundabout was in a state of congestion – copy of independent report provided.
- Traffic has increased by circa 20% from 2005 – 2019.
- The OSR report stated in the 2022 assessment that there will be a link between Brawney Road to the R196, this link road has not started.
- There is no data within the ORS report to show traffic on the R196 during peak times and with the additional residential units proposed in the area it is hard to see how the link road will alleviate traffic.
- Queuing problems at the Ballymahon roundabout.
- The TII submission states the same wording in 2022 and 2024.

Height of the proposed development:

- The height of the building will lead to a loss of privacy of the front facing bedrooms.
- The proposal is not in keeping with the height of buildings in the vicinity.

6.2. Applicant Response

- 6.2.1. A detailed response was received dated 8th January 2025 by the applicant's agent in respect to the issues raised in the third party appeal and can be summarised as follows:

- The 2019 ORS data was validated against 2024 counter traffic data located along the N6 national road.

- This indicated a 2.3% increase in traffic volumes between 2019 and 2024 which was factored into the modelled data.
- The ORS response statement addresses the appellants reference to a 2005 traffic report, stating that the traffic and, transport and zoning context have changed significantly in the intervening years rendering the data irrelevant.
- It is assumed that the 2005 traffic report was prepared for the appellants in support of their hotel application on adjacent lands. The full report has not been submitted.
- The appellants application for a hotel was refused on traffic grounds on the basis that access was contingent on direct modifications to the national road network, which is not the case in the instant application.
- The potential cumulative impacts of all recent large-scale developments in the vicinity have been taken into consideration in the modelling.
- The delivery of the Lissywollen Avenue link road is a requirement of the adjacent SHD permission, and the development of this scheme will result in significantly enhanced provision of sustainable travel infrastructure.
- The appellants refer to a TII submission which states that the proposed development would create an adverse impact on the national road and associated junction.
- The proposed vehicular and pedestrian access are off Brawney Road. No works are proposed to a national road.
- The Traffic and Transport Assessment prepared by ORS and submitted by way of further information concludes that the additional of traffic from the proposed development at the Ballymahon roundabout will result in a slight increase in the ratio of flow to capacity and queue lengths during both the AM and PM peaks, however the increase attributable to the development is minimal and is not expected to have a detrimental effect on the junctions overall operation.
- The access arrangements in the proposed development remain all unaltered from the permitted development.

- It is considered that the proposed hotel use will give rise to fewer peak hour traffic journeys relative to the previously permitted office development.
- The proposed hotels generated trips will be more evenly distributed throughout the day compared to the permitted office generated trips which would be concentrated during the peak hours.
- The TII submissions in relation to the 2022 and 2024 applications includes generic text and provides no site-specific detail or basis for review as to why the proposal may impact on the national road network. A post decision submission from the TII is on file in which they accept the council decision and requested a design report be submitted prior to the commencement in relation to condition two of the council's grant of permission. The applicant has no objection to the preparation of this report.
- The proposed development represents a reduction in height from the permitted office block, with block A being reduced by 1.45metres and block B having a reduction of 1.25metres.
- The change of use results in a reduction in fenestration and when coupled with the height reduction this will further reduce any perceived visual impact.
- There is a substantial separation distance between the appellants' house and the proposed development of 61 metres, which is traversed by 3 no. lane raised carriage road. There is also significant boundary planting.
- The landscaping plan also includes proposals for additional planting, which will screen the appellants home and mitigate any impact.
- In relation to both the 2022 and 2024 application, it has been demonstrated to the satisfaction of the Council that the development will not have an adverse impact on the local environment including the appellants residential amenity.
- The proposed development represents a reduction in the height of the previously permitted scheme.
- The Lissywollen South Framework Plan promotes height at key locations, such as the subject site.

6.3. Planning Authority Response

6.3.1. No response received from Westmeath County Council.

6.4. Observations

6.4.1. None received.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the third party appeal (the subject matter of this appeal), the applicants' response, the site inspection and having regard to the relevant policies, objectives, and guidance, I am satisfied that the main issues to be considered are those raised in the grounds of appeal, and no other substantive issues arise. The main issues in determining this appeal are as follows:

- I. Principle of Development
- II. Traffic and Transportation Issues
- III. Building Height and Impact on Residential Amenity
- IV. Appropriate Assessment, and
- V. Other Matters.

7.2. This assessment represents my de novo consideration of all planning issues material to the proposed development.

7.3. Principle of Development

7.3.1. The appeal site is located within the boundary of the Athlone Town Development Plan 2014-2020. It also forms part of the Lissywollen South Framework Plan 2018-2024.

7.3.2. Both the Athlone Town Development Plan 2014-2020 and the Lissywollen South Framework Plan 2018-2024 have expired and were not incorporated into the Westmeath County Development Plan, 2021-2027.

7.3.3. The appeal site is zoned Commercial and identified as Area 1 in the "Land Use & Function" map of Lissywollen South Framework Plan 2018-2024 and is the only

parcel of land zoned for commercial use within the Lissywollen South Framework Plan.

- 7.3.4. The appeal site also has a land use zoning objective 'Commercial' within the Athlone Town Development Plan, 2014-2020, with an objective "O-LZ5" stating *"To provide for commercial development which does not need to be located in the town centre or retails warehousing zone"*.

I note that hotel use is open for consideration on lands zoned for commercial use.

- 7.3.5. As the subject lands were zoned under the LAP, their current status is unzoned. However, this alone does not preclude the consideration of the development in accordance with the Development Plan. For instance, Section 6.5 'Tourism Infrastructure and Visitor Services' of Chapter 6 of the Westmeath Development Plan states.

"The Council recognises that the provision of accommodation such as hotels, guesthouses, hostels, caravan and camping sites are essential to enable growth in the tourism sector. The Council shall support the development of tourism in the county by encouraging the provision of a wide range of tourist accommodation types and restricting development that would be likely to reduce the capacity of the resource or have a detrimental impact on the local environment. In general, such developments shall be encouraged to locate within or in close proximity to existing towns and villages where they can avail of existing public services, commercial and community facilities".

- 7.3.6. I note that the Lissywollen South Framework Plan 2018-2024, had not expired at the time of the planning authority's assessment of the proposed development.

Conclusion:

- 7.3.7. Having regard to the most recent zoning objective pertaining to these lands, I do not consider that the zoning status of the lands to be an impediment to their development and that the principle of the proposed development to be acceptable on these lands. Furthermore, the applicant had engaged in pre-application consultations with the planning authority and has designed the site layout in accordance with the provisions of the LAP.

7.3.8. As the issue of zoning does not form part of the grounds of appeal, I will continue my assessment to include the relevant issues raised in the appeal.

7.4. Traffic and Transportation Issues

- 7.4.1. The main concerns raised in the appeal relate to the increased traffic, congestions at the existing roundabout, the data submitted as part of the planning application does not show traffic on the R196 during peak times noting the additional residential units proposed in the vicinity and the link road between Brawney Road to the R196, which has not commenced. The appeal also references the report from TII and a 2005 report in relation to traffic at the existing roundabout.
- 7.4.2. The applicant responded to the third party appeal and notes the ORS data using 2019 data against 2024 data, existing traffic conditions, the proposed use in respect to trip generation, the delivery of the link road which is a requirement of and adjacent residential development, the referenced reports and the location of the proposed entrance off Brawney Road, with no works proposed to a national road.
- 7.4.3. The proposed development will be served by a vehicular entry and exit and pedestrian/cyclist entrance to the Brawney Road, as permitted under Ref: 22337, with no modifications proposed to the permitted entrances under the amending permission. The proposed entrance is well set back from the existing Ballymahon Road roundabout and is splayed with adequate sightlines in both directions. As such, I am satisfied with the proposed access/egress arrangement to the development site.
- 7.4.4. The applicant's response includes a report from ORS in relation to the traffic related concerns. I also note the planning application was accompanied by a Traffic Impact Report, which includes a review of the potential transport impacts of the proposed hotel development. The report considers that the previous Traffic and Transport Assessment sufficiently covers the proposed change of use.
- 7.4.5. In relation to the relationship of the proposed development and the roundabout and junction with the N6, the Traffic Impact Report submitted as part of the planning application, presents a comparison on the anticipated trip generation resulting from the permitted office development (Table 1) compared to the proposed hotel use (Table 2).

Table 1

Traffic from Office Development – permitted Ref: 22337			
Time Range	Arrivals	Departures	Total
08:00-09:00	161	15	176
17:00-18:00	6	111	117

Table 2

Traffic from Hotel Development – proposed			
Time Range	Arrivals	Departures	Total
08:00-09:00	23	50	73
17:00-18:00	65	56	121

- 7.4.6. The submitted Traffic and Transport Assessment estimates that proposed development will generate a total of 73 trips during the AM peak, which is lower than the traffic generated by the permitted office development. During the PM peak, the traffic generated by the hotel slightly surpasses that of the office development, this is assumed to be a result of the restaurant element proposed in the hotel. However, I note that the overall traffic generated by the hotel remains lower than that of the permitted office development. The reduction in traffic generation from the office development to a hotel development amounts to a 34% reduction in traffic movements.
- 7.4.7. I acknowledge that the traffic volumes have increased from the time period 2005 to 2019, and I note that the applicant states that the 2019 data used in the ORS Transport Assessment was validated against 2024 traffic counter data, which indicated a 2.3% increase in traffic volumes between 2019 and 2024, this has been factored into the modelling data. Based on the information submitted I am satisfied that the data submitted reflects an accurate representation of anticipated traffic volumes at the development site.
- 7.4.8. Noting the proposed use subject to this appeal, the information submitted and following my site inspection, which took place midweek late afternoon, I am satisfied

that the nature of the development will generate traffic outside of the peak AM and PM times and will not generate excessive traffic volumes to further worsen the existing traffic conditions, which would be expected at this junction with the N6 and the Ballymahon Road along a route into Athlone town. At time of my inspection there was no traffic build up on either arm of the Ballymahon roundabout.

- 7.4.9. The report received from Transport Infrastructure Ireland (TII) has been raised in the appeal, which expressed concerns in relation to the operation and safety of the nation road network. I note the contents of the report received from TII, however, the proposed development does not access or alter the existing N6 route, and therefore has no impact on this national route, as such I do not consider that the concerns of TII, are warranted in this case. Furthermore, as noted above, the proposed development will not generate excessive traffic at this location. I also note that the planning authority and District Engineer has no objection to the proposed development.
- 7.4.10. I also note Condition 2 of the local authority grant of permission, which requires detailed designs for all required infrastructural works at the junction of Brawney Road and the Ballymahon Rd/ N55 roundabout and along the extent of the subject site of Brawney Road to be submitted and agreed prior to the commencement of development on site. I concur with this requirement and recommend the inclusion of a similar condition in the event of a grant of permission.
- 7.4.11. The reference to the upgrade works and link road between Brawney Road to the R196, which has not commenced, is noted, however the delivery of this link road is the requirement of an adjoining residential permission granted by the local authority and not that of the applicant under this planning application. In any event the proposed upgrades, when delivered will improve the existing conditions at this location.
- 7.4.12. While not specifically raised in the appeal, I noted that the existing pedestrian facilities external to the site are to a good standard, with availability for pedestrians to access the site directly from the Brawney Road, with footpaths linking towards the adjoining footpaths and the roundabout, as such I consider that the site is adequately served by existing pedestrian infrastructure.

- 7.4.13. In terms of internal pedestrian infrastructure within the proposed development site, a network of interconnecting footpaths within the site provides permeability between the car park and main hotel building and to the adjacent pedestrian network along the Brawney Road. I consider the internal pedestrian infrastructure within the proposed site to be acceptable.
- 7.4.14. Adequate car parking and cycle parking provisions have been provided to serve the proposed development. A condition will be included in respect to the provision of EV charging facilities within the development.

Conclusion:

- 7.4.15. To conclude, while the proposed development will increase the number of trips and traffic generated in the area overall, I am satisfied that the peak times of these trips will be generated outside of the peak AM and PM congestion periods experienced at the adjoining Ballymahon roundabout to the west of the site and as such will not have a significant negative impact on the existing road network at this location, nor will the development impact on any proposed road upgrades to the wider vicinity. I am also satisfied that the existing footpaths in the vicinity can accommodate the proposed development and will not result in a traffic or pedestrian hazard.
- 7.4.16. I also consider that the matters raised by the appellant in relation to historical road data and assessments i.e. 2005 as referenced in the appeal in relation to traffic congestion, have been addressed and considered as part of the proposal as presented in the information submitted as part of the planning application and appeal in relation to the proposed use.

7.5. Building Height and Impact on Residential Amenity

- 7.5.1. The appeal expresses concerns in respect to the overall height of the proposal which is not consistent with adjoining buildings and will lead to a loss of privacy of the front facing bedrooms.

Building Height:

- 7.5.2. In respect to the proposed height of the building, I note that permission was granted for an office development comprising of two blocks, Block A had an overall height of 31.8 metres and Block B had an overall height of 39.8 metres with the development consisting of a part 7 floor and part 9 floor building. In terms of the height, I consider

that the principle of a taller building has been established at this location under the previous permission Ref: 22337.

- 7.5.3. Under the instant proposal the proposed hotel will also comprise of two main blocks consisting of Block A with an overall height of 30.3 metres and Block B extending to an overall height of 38.5 metres and will consist of a part 8 and part 10 storey hotel building, car parking block and all associated works. Block B will be located to the western portion of the site and Block A will be located to the eastern portion of the site. The soft 'rounded' corners of the 2 individual blocks with their stepped design from 10 storey down to 8 storeys provides a varied visual form and assists in reducing the bulk of the buildings. The overall mass of the buildings is broken down by the solid/void ratio on the façade and setbacks of upper levels.
- 7.5.4. The applicant in their response to the appeal highlight the overall reduction in height of the building now proposed and consider the site to be a gateway site on which the development of a landmark project is fully in line with regional and local policies.
- 7.5.5. The site is located at the intersection of the N6 National Road, the Ballymahon Road and the Brawney Road roundabout. The Athlone Regional Sports Centre, which extends to two floors approximately in height is located to the southeast of the site with residential dwellings located to the west/north-west across the Ballymahon Road. Athlone is identified as a 'regional growth centre' in the RSES and given the location of the site adjacent to a national road and at a roundabout junction on the outskirts of Athlone town, I consider that the site location could accommodate a building of increased height, which will create a landmark building at this location.
- 7.5.6. I also reference the Lissywollen South Framework Plan which states, "that the existing Brawney Road currently acts a distributor road and lacks character" and that this road shall function as an urban avenue and accordingly should be suitably landscaped to visually enhance this important route".
- 7.5.7. The Plan states that *"the urban form plays an important role in the character expression of the area that will vary in accordance with the differing land use and functions. Character can be enhanced by variety and diversity in the built form coupled within an innovative and interesting layout allowing for local landmarks, features or key buildings creating recognisable places that can aid navigation as well as creating a unique sense of place. Variation in form, height and density contributes*

to distinct physical characteristics as well as reflecting the types of activities while offering diversity and choice”.

7.5.8. The Plan further states that *“variation in form, height and design detailing of key corner buildings and buildings which terminate vistas will be promoted, both within housing layouts and also at identified sites including: ‘Gateway’ entrances/Urban Design Gateways to the site, via the main arterial road; Significant junctions along the proposed Lissywollen Avenue; Corner sites where buildings turn the corner and address both streetscapes and Community/Recreational buildings”.*

7.5.9. The ‘Urban Development and Building Height Guidelines for Planning Authorities’ 2018, states that building heights must be generally increased in appropriate locations. There is a presumption in favour of buildings of increased height in our town/city cores and in other urban locations. *“Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views”.*

7.5.10. The proposed site is located in an urban context, on a new distributor road of Lissywollen Avenue. The appeal site is within walking and cycling distance to Athlone train station, the town centre, is in close proximity to a bus stop and just north of the Old Rail Trail Greenway and as such is considered a strategic growth area.

Conclusion:

7.5.11. Therefore, I am satisfied that the proposed height of the building would be acceptable at this strategic gateway location and will create a focal landmark building on the approach into Athlone and as viewed from the N6 National Road and is consistent with the previously permitted height under Ref: 22337.

Impact on Residential Amenities:

7.5.12. I acknowledge that the proposed development, given its overall height, will be visible from the nearest residential sites to the west, which are situated across the Ballymahon Road. However, the nearest residential dwellings are some 60.7 metres

from the appeal site. There is also significant existing boundary planting to the Ballymahon Road side with additional planting proposed within the development site.

Conclusion:

- 7.5.13. Having regard to the separation distance of the proposed hotel building across the Ballymahon Road and given the use associated with the building, I do not consider that the development would give rise to overlooking of the nearest adjoining residential dwellings and as such would not impact negatively on adjoining residential amenity.

7.6. Appropriate Assessment

- 7.6.1. I have considered the proposed development in light of the requirements of S177U the Planning and Development Act 2000 as amended.
- 7.6.2. The subject site is not located within or adjacent to any European Site. The closest European Sites, part of the Natura 2000 Network, are:
- Middle Shannon Callows SPA (Site Code 004096) located c. 1.5km, from the application site.
 - River Shannon Callows SAC (Site code 000216) located c.1.5km from the application site.
 - Lough Ree SAC (Site Code 000440) located c.1.8km from the application site; and
 - Lough Ree SPA (Site code 004064) located c.1.8km from the application site.
- 7.6.3. The proposed development is located to the north of Athlone town centre in a strategic location and comprises the change of use from previously permitted office building to hotel building with ancillary facilities and all associated site works.
- 7.6.4. Having considered the nature, scale, and location of the proposed development I am satisfied that it can be eliminated from further assessment because it could not have any appreciable effect on a European Site.
- 7.6.5. The reason for this conclusion is as follows:
- Scale and nature of the development

- The location of the development in a serviced urban area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.

7.6.6. I consider that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on a European Site and appropriate assessment is, therefore, not required.

7.7. Other Matters

7.7.1. Conditions:

As noted in Section 3.1.1 above, the local authority recommended a grant of permission subject to 16 no. conditions. Several conditions have specific requirements and given the nature and scale of the development, I concur with the local authority and recommend the inclusion of similar conditions in this instance.

8.0 Recommendation

8.1. I recommend that planning permission be granted for the development subject to conditions as set out below, for the following reasons and considerations.

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Westmeath County Development Plan 2021-2027, the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the development would be appropriate in terms of the proposed use, scale, height and design, would not adversely impact on the residential amenity of neighbouring properties by reasons of overlooking, overbearing, nor impact on the character or visual amenity of the area and would be acceptable in terms of traffic and pedestrian safety. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 11th day of October 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 commencement of development the developer shall submit for the written agreement of the planning authority detailed designs for all required infrastructural works at the junction of Brawney Road and the Ballymahon Rd/ N55 roundabout and along the extent of the subject site of Brawney Road. When agreed these infrastructural works shall be fully completed prior to occupation of the proposed development. Reason: In interest of road and traffic safety and in conjunction with development in proximity of the site.
3.	The 3-storey car park hereby permitted shall be solely used in conjunction with the associated hotel accommodation only and shall not be used for commercial purposes, unless otherwise authorised by way of planning consent. Reason: In the interests of clarity and orderly development.
4.	Prior to commencement of development the developer shall submit the following to the Planning Authority for written agreement: (a) A Stage 3 Road Safety Audit for the proposed development, carried out in accordance with current TII guidelines.

	(b) Prior to first occupation of the development the developer shall submit for the written agreement of the planning authority a revised plan highlighting the recommendations from the Road Safety Audit. (c) Proposed roadside trees and landscaping shall be located so as not to impede or damage the public lighting and surface water sewer systems. (d) Prior to first occupation of the development details of the Mobility Management Plan Coordinator shall be forwarded to the Planning Authority. Reason: In interest of road and traffic safety.
5.	Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The brick colour/finish to be used shall be the same as that used on the adjoining existing development. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
6.	The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority. Reason: In the interests of sustainable drainage.
7.	That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works and the applicant shall comply with the requirements of the planning authority for such works and services. Reason: To protect the amenities of the area.
8.	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.

	Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the residential amenities of property in the vicinity.
9.	No signs, symbols or advertisements, shall be erected (included those which are “exempted development”) on site without planning permission having first been obtained. Reason: In the interests of visual amenity and to maintain proper planning control over the proposed development.
10.	Details of the proposed lighting design shall be agreed in writing with the planning authority prior to the commencement of development. The luminaries shall be mounted so as to minimise the potential of obtrusive light, glare and light pollution into neighbouring lands or other sensitive receptors. Reason: In the interests of environmental protection.
11.	a) The developer shall install and maintain sufficient grease traps, through which all wastewater from any kitchen / food preparation area. The grease trap shall conform to Irish Standard EN1825-1 Grease Separators – Part 1 (Principles of design, performance and testing, marking and quality control) and I.S. EN 1825-2 Grease Interceptors – Part II (Selection of nominal size, installation, operation and maintenance) published by the National Standards Authority of Ireland. b) Prior to commencement of development, the developer shall submit for the written agreement of the planning authority an Operational Waste Management Plan and when approved the development shall be carried out in accordance with the approved plans and particulars. The OWMP shall provide a strategy for storing, handling, collection and transport of wastes generated on site. and shall aim to ensure maximum recycling, re-use and recovery of waste with diversion from landfill. The OWMP shall

	accommodate the provision for separate waste collection of recyclable, food and residual waste streams (3 bin system). c) The proposed oil interceptor shall be a Class 1 separator complying with the requirements of BS EN 858-1. The developer shall ensure a maintenance contract for the regular servicing of the interceptor installation remains in place for duration of the operation of the separator. d) All mitigation measures identified in the Acoustic Design Report shall be incorporated into the development. e) There shall be no clearly audible tonal component or impulsive component in the noise emission from the proposed development at any noise sensitive location at both construction stage and operational stage. Reason: In the interests of environmental protection and orderly development.
12.	Prior to the commencement of development, the developer shall provide 30 days notification to the Property Management Branch of the Department of Defence for the use of any cranes. Reason: In the interest of air traffic and public safety.
13.	Prior to commencement of development on this site and unless otherwise agreed in writing with the Planning Authority: a) The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, should be undertaken until the archaeological assessment has been completed and commented on by the Department of Housing, Local Government and Heritage and the written approval of the Planning Authority. b) The archaeologist shall carry out any relevant documentary research and inspect the development site. As part of the assessment a programme of test excavation shall be carried out at locations chosen by the

	archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the National Monuments Service. c) Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the National Monuments Service. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required. Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.
14.	The landscaping scheme shown on drawing number Drawing No ATH-HJL-S-XX-DR-A-0007, as submitted to the planning authority on the 4th day of June, 2024 shall be carried out within the first planting season following substantial completion of external construction works. In addition to the proposals in the submitted scheme, shall be carried out to the requirements of the Planning Authority. the following shall be carried All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority. Reason: In the interest of residential and visual amenity.
15.	All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site. Reason: In the interest of visual amenity.
16.	The parking areas serving the hotel development shall be provided with functional electric vehicle charging points to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply with

	these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of sustainable transportation.
17.	A Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The CEMP shall include but not be limited to construction phase controls for dust, noise and vibration, waste management, protection of soils, groundwaters, and surface waters, site housekeeping, emergency response planning, site environmental policy, and project roles and responsibilities. Reason: In the interest of environmental protection, residential amenities, public health and safety and environmental protection.
18.	Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. Reason: In the interest of reducing waste and encouraging recycling.
19.	Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network. Reason: In the interest of public health and to ensure adequate water/wastewater facilities.
20.	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 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.
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Emma Nevin
Planning Inspector

27th February 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	321376-24			
Proposed Development Summary	Change of use from office to hotel with ancillary facilities and all associated site works.			
Development Address	Cloghanboy (Homan) and Cloghanboy (Strain) townlands, Athlone, Co. Westmeath			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X	
		No		
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes		N/A		
No	X		Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		
Yes	X	Class 10 Infrastructure Projects (b) (i)	192 bedroom hotel, car park and ancillary accommodation	Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	X	Preliminary Examination required
Yes		Screening Determination required

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	321376-24	
Proposed Development Summary	Change of use from office to hotel with ancillary facilities and all associated site works.	
Development Address	Cloghanboy (Homan) and Cloghanboy (Strain) townlands, Athlone, Co. Westmeath	
The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.		
	Examination	Yes/No/ Uncertain
Nature of the Development. Is the nature of the proposed development exceptional in the context of the existing environment. Will the development result in the production of any significant waste, emissions, or pollutants?	Change of use from office to hotel with ancillary facilities, car park and all associated site works. However, the proposal is not considered exceptional in the context of the existing urban environment. The proposal will be connected to the existing system.	No
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?	Site measuring 0.87 ha. The total combined proposed floor area for the proposed hotel development 11,812 sq. m. The proposal is not considered exceptional in the context of the existing urban environment.	No

Are there significant cumulative considerations having regard to other existing and / or permitted projects?	No.	
Location of the Development Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species? Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area, including any protected structure?	The appeal site is note located within any Natura site. The closest such sites are at an approximate distance of 1.5km from the application site: • Middle Shannon Callows SPA (Site Code 004096). • River Shannon Callows SAC (Site code 000216). • Lough Ree SAC (Site Code 000440). • Lough Ree SPA (Site code 004064). No other nearest European site is located above 1km from the site and therefore can be excluded in terms of the potential for effects on other European sites during construction and operational phases of the proposed development.	No
Conclusion		
There is no real likelihood of significant effects on the environment. EIA is not required.		

Inspector: _____

Date: 27th February 2025

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)