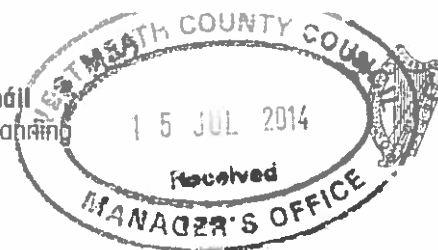




Comhshaol, Pobal agus Rialtas Áitiúil  
Environment, Community and Local Government

Óifig an Aire Tithíochta agus Pleanáil  
Office of the Minister for Housing and Planning



For the Attention of: Pat Gallagher, Chief Executive Officer, Westmeath County Council.

County Buildings,  
Mullingar,  
County Westmeath

**Section 31 of the Planning and Development Act 2000, as amended  
by the Planning and Development (Amendment) Act 2010  
Decision to Issue a Direction relating to the  
Westmeath County Development Plan 2014-2020**

Dear Chief Executive Officer

I am writing to you in connection with the draft Ministerial Direction of February 2014.

I have now considered the report and recommendation prepared by the Inspector, my letter of 29 April refers, pursuant to s.31 of the Planning and Development Act 2000, as amended. I have also considered the written submissions and observations received on the Inspectors report in relation to the Westmeath County Development Plan 2014-2020.

Having considered the said report and recommendations, and the written submissions, I have decided that a material amendment to the draft direction of February 2014 is required.

TAKE NOTICE that on 10th day of July, 2014 I have issued a Direction pursuant to Section 31 of the Planning and Development Act 2000 (as amended). A copy of this Direction is attached to this letter.

**MEASURES UNDER THE DIRECTION**

In light of the foregoing, the plan which sets out the objectives for the County of Westmeath is to be amended as follows:

- a) Amend the written statement in respect of the Wind Energy Policies and Objectives (Chapter 10 - Energy & Communications; Section 10.6 - Wind Energy Policies and Objectives) by deleting the following text that makes up the zoning objective "P-WIN6".

*To require a setback distance from residential dwellings of ten times the height of Industrial Wind Turbines. In the context of this policy, industrial/large-scale energy*



*production projects are defined as follows: Projects that meet or exceed any of the following criteria:*

- *Height: over 100m to blade tip, or*
- *Scale: More than 5 turbines, or*
- *Output: Having a total output of greater than 5MW*

b) Remove the 6.No sites identified as a "Consolidation Site" zoning objective from the plan/map referenced as Map 38 of October 2013 entitled "Glasson Zoning Map" which sets out the zoning objectives for Glasson as included in the Westmeath County Development Plan 2014-2020 approved on 21 January 2014.

#### **STEPS TO BE TAKEN**

The Planning Authority is required, pursuant to Section 31(2) of the Planning and Development Act 2000 (as amended) to comply with this Direction.

The Westmeath County Development Plan 2014-2020 must therefore be altered as indicated above, and the Planning Authority should ensure that copies of the Development Plan as altered are available for inspection at its offices and on its website. The Planning Authority should also publish notice of the making of the Direction and alteration to the Plan, and post a copy of such notice on its website.

My officials remain available to assist you, as necessary, in complying with the foregoing process.

Yours sincerely,



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Jan O'Sullivan, T.D.,  
Minister for Housing and Planning,  
Department of the Environment, Community and Local Government

Copied to:

Cathaoirleach, Town Hall, Westmeath County Council  
BMW Regional Assembly, The Square, Ballaghaderreen, Co. Roscommon

**DIRECTION IN THE MATTER OF SECTION 31  
OF THE PLANNING AND DEVELOPMENT ACT 2000  
(AS AMENDED BY S.21 OF THE PLANNING AND DEVELOPMENT  
(AMENDMENT) ACT 2010)**

**WESTMEATH COUNTY DEVELOPMENT PLAN 2014-2020 DIRECTION 2014**

“Development Plan” means the Westmeath County Development Plan 2014-2020

“The Planning Authority” means Westmeath County Council

**WHEREAS** the functions of the Minister for the Environment, Community and Local Government under the Planning and Development Acts 2000 to 2014, other than Chapter 1 of Part VI of the Planning and Development Act 2000, have been delegated to the Minister of State at the Department of the Environment, Community and Local Government pursuant to the Environment, Community and Local Government (Delegation of Ministerial Functions) Order 2012 (S.I. 148 of 2012).

**WHEREAS** the Minister of State at the Department of the Environment, Community and Local Government is, for the reasons set out in the Statement of Reasons hereto, of the Opinion that

- (i) Westmeath County Council in making the Westmeath County Development Plan 2014-2020 has ignored or has not taken sufficient account of the submissions made by the Minister for the Environment, Community and Local Government in November 2013,

and

- (ii) the Westmeath County Development Plan 2014-2020 is not in compliance with the requirements of s.10, s.12, s.27 and s.28 of the Planning and Development Act 2000 (as amended).

**NOW, THEREFORE** in exercise of the powers conferred on her by s.31 of the Planning and Development Act 2000 (as amended), the Minister of State at the Department of the Environment, Community and Local Government hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Westmeath County Development Plan 2014-2020) Direction 2014.

(2) The County Council of Westmeath is hereby directed to take the following steps with regard to the Westmeath County Development Plan 2014-2020 ("the Development Plan").

- i. The written statement in respect of the Wind Energy Policies and Objectives (Chapter 10 - Energy & Communications; Section 10.6 - Wind Energy Policies and Objectives) is to be amended by deleting Policy P-WIN6 and the following text in the Westmeath County Development Plan 2014-2020

<i>P-WIN6</i>	<i>To require a setback distance from residential dwellings of ten times the height of Industrial Wind Turbines. In the context of this policy, industrial/large-scale energy production projects are defined as follows: Projects that meet or exceed any of the following criteria: - Height: over 100m to blade tip, or - Scale: More than 5 turbines, or - Output: Having a total output of greater than 5MW</i>
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- ii. The plan/map entitled "Glasson Zoning Map" (Date: October 2013, Map Ref: 38) which sets out the zoning objectives for Glasson is to be removed. For ease of reference a copy of the said plan/map indicating lands outlined by red-dotted lines with the zoning objective "Consolidation Site" is attached as Appendix 1 to this direction.

And

A new map referenced entitled "Glasson Zoning Map" (Date: February 2014, Map Ref: 38) is to be inserted removing the zoning objective of "Consolidated Site". For ease of reference a copy of the said plan/map is attached as Appendix 2 to this direction.

The effect of this amendment will be that the lands with zoning objective of "Consolidation Site" as included in the adopted Westmeath County Development Plan 2014-2020 will revert to no zoning objective.

### STATEMENT OF REASONS

- 1) A written submission on the proposed material alterations to the draft development plan was made to Westmeath County Council on behalf of the Minister for the Environment, Community and Local Government in November 2013.

The written submission outlined that the proposed amendments concerning the Planning Authority's policy framework for wind energy projects would be significantly inconsistent with:

- The Wind Energy Guidelines, (issued under section 28 of the Planning and Development Acts, in 2006);
- The Midland Regional Authority Regional Planning Guidelines, in relation to the areas identified as suitable for wind energy/renewable energy development;
- National targets for generation of energy consumption from renewable energy sources by 2020, (as derived from EC Directive 2009/28 on the promotion of the use of energy from renewable resources); and
- National Government policy commitments to increase on and offshore wind energy production indicated in the Strategy for Renewable Energy 2012-2020.

The written submission raised concerns with the consolidation sites at Glasson having regard to the prioritisation for development at gateway settlements and compliance with the justification test under the Planning System and Flood Risk Management Guidelines (November 2009)

- 2) The decision by the members to alter the policies and objectives in regard to the wind energy objectives and the proposed rezoning of land as outlined in this direction does not provide for proper planning and sustainable development and therefore the Westmeath County Development Plan 2014-2020 is not in compliance with the requirements of s.10, s.12, s.27 and s.28 of the Planning and Development Act 2000 (as amended).

GIVEN under my hand,



Minister of State  
at the Department Environment, Community and Local  
Government

this 10<sup>th</sup> day of July 2014

APPENDIX 1

