

**DIRECTION IN THE MATTER OF SECTION 31
OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended)
WESTMEATH COUNTY DEVELOPMENT PLAN 2021-2027**

“Development Plan” means the WESTMEATH COUNTY DEVELOPMENT PLAN 2021-2027

“Planning Authority” means Westmeath County Council

WHEREAS the powers and duties of the Minister for Housing, Local Government and Heritage under the Planning and Development Act 2000 (as amended), other than the power to prosecute an offence, have been delegated to the Minister of State at the Department of Housing, Local Government and Heritage pursuant to the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2020 (S.I. 559 of 2020).

WHEREAS the Minister of State at the Department of Housing, Local Government and Heritage in exercise of the powers conferred on him by Section 31 of the Planning and Development Act 2000 (as amended) ("the Act"), and consequent to a recommendation made to him by the Office of the Planning Regulator under Section 31AN(4) of the Act hereby directs as follows:

- (1) This Direction may be cited as the Planning and Development (Westmeath County Development Plan 2021-2027) Direction 2022.
- (2) The Planning Authority is hereby directed to take the following steps:
 - (i) Delete wind energy policy objective CPO 10.143 in its entirety from Section 10.23.2 of the Development Plan as per the Chief Executive’s recommendation.

STATEMENT OF REASONS

I. Pursuant to Section 31(1)(a)(i)(II) and Section 31(1)(b)

The Minister is of the opinion that the Development Plan has failed to implement a recommendation made to the planning authority by the Office and that the Development Plan as made fails to set out an overall strategy for the proper planning and sustainable development of the area.

II. Pursuant to Section 31(1)(ba)(i)

The Westmeath County Development Plan 2021-2027 is inconsistent with the policy objectives of the National Planning Framework, specifically NPO 55, which states that it is an objective to ‘promote renewable energy use and generation at appropriate locations.....to meet national objectives towards achieving a low carbon economy by 2050’, and the requirements for the planning authority to comply with, and the development plan to be consistent with, the aforementioned National Policy Objective under Sections 10(1A) and/or 12(11) read in conjunction with Section 12(18);

III. Pursuant to Section 31(1)(c)

The Development Plan does not have adequate regard to Ministerial Guidelines issued under Section 28 of the Act, specifically the requirement under the Wind Energy Development Guidelines for Planning Authorities (2006) that the development plan must achieve a reasonable balance in responding to overall Government Policy on renewable energy, enabling the wind energy resources of the planning authority’s area to be harnessed in a manner that is consistent with proper planning and sustainable development in order to provide a plan-led context to the assessment of individual wind energy development proposals.

IV. Pursuant to Section 31(1)(ba)(i) & (ii)

The Development Plan contains conflicting objectives on wind energy development such that the Policy objectives supporting wind and renewal energy development in chapters 10 and 11 of the adopted Development Plan cannot be

achieved having regard to the separation distances required by wind energy policy objective CPO 10.143.

GIVEN under my hand,

A handwritten signature in blue ink, appearing to read "Peter Burke". The signature is written in a cursive style with a large initial "P".

Minister for Local Government and Planning

28th Day of September 2022.