



An  
Bord  
Pleanála

**Board Direction**  
**BD-000599-18**  
**ABP-300226-17**

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The submissions on this file were considered at a Board meeting held on 02/07/2018.

The Board decided to dismiss this appeal under section 138 (1)(b)(i) of the Planning and Development Act, 2000, as amended, based on the following reasons and considerations.

### **Reasons and Considerations**

The grounds of appeal relate solely to matters regarding legal issues of title, and do not raise planning issues in relation to the development for which retention and planning permission has been sought. The matters of title are specifically legal matters, and the resolution of these matters does not come within the remit of the Board. Furthermore, the Board was satisfied based on the information on the file, that issues in relation to surface water drainage design could be adequately addressed by compliance with condition No. 2 of the grant of retention and proposed planning permission by Kilkenny County Council.

The Board is therefore satisfied that, in the particular circumstances, this appeal should not be further considered by it, having regard to the nature of the appeal.

**Board Member:**

**Date:** 02/07/2018

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Maria FitzGerald