



An  
Bord  
Pleanála

**Board Direction**  
**BD-006740-20**  
**ABP-307506-20**

---

The submissions on this file and the Inspector's report were considered at a Board meeting held on 20/10/2020.

The Board decided to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to the conclusion of the Planning Inspector and the Planning Authority that the proposed development was in material contravention of the Kiltiernan – Glenamuck Local Area Plan 2013 (2023) (in terms of its phasing plan , which allows for 700 units for Phase 1) and that the statutory requirements relating to public notices and a Material Contravention Statement had not been complied with by the applicant, the Board considers that it is precluded from and would not have jurisdiction to consider whether to grant permission in the absence of those statutory requirements being met.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was satisfied that the it would not have jurisdiction to determine an application which was in Material Contravention of the Kiltiernan – Glenamuck Local Area Plan 2013 (2023) if the statutory requirements relating to public notices and a Material Contravention Statement had not been complied with .

**Board Member**

**Date:** 20/10/2020

---

Paul Hyde