

An
Coimisiún
Pleanála

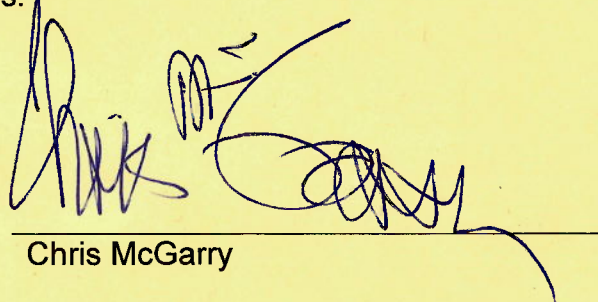
Direction
CD-020625-25
ACP-323003-25

The submissions on this file were considered at a meeting held on 09/09/2025.

The Commission 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.

Planning

Commissioner:


Chris McGarry

Date: 10/09/2025

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the nature of the appeal, which is confined to a sole issue - that the ownership of the property is in dispute - to the response to the appeal from the applicant, received by the Commission on 21/07/2025, containing Folio detail in relation to the subject site, to section 5.14 of the, 'Development Management Guidelines for Planning Authorities' published by the Department of the Environment, Heritage and Local Government, published in 2007, which states, 'the planning system is not designed as mechanism for resolving disputes about title to land or premises or rights over land' and to Section 34(13) of the Planning and Development

2000, as amended, which states that a person is not entitled solely by reason of a permission to carry out any development, the Commission determined that the nature of the appeal is such that the grounds of appeal set out do not relate to any material planning consideration relevant to the substance of the application. In this regard the Commission determined that the provisions of Section 138(1)(b)(1) apply. In reaching this determination, all parties to the appeal are reminded of the provisions of Section 34(13) of the Planning and Development Act 2000, as amended.