



An  
Coimisiún  
Pleanála

**Direction**  
**CD-021849-26**  
**ACP-324024-26**

The submissions on this file were considered at a meeting held on 30/01/2026.

The Commission decided to grant leave to appeal based on the reasons and considerations set out below.

**Planning**

Commissioner: *Eamonn James Kelly*

Date: 30/01/2026

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Eamonn James Kelly

**DRAFT WORDING FOR ORDER**

**Reasons and Considerations**

It is considered that it has been shown that -

- (i) the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of Condition number 9 imposed by the planning authority to which the grant is subject, and

- (ii) the imposition of Condition number 9 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

### **Reasons and Considerations**

Having regard to Condition number 9, the Commission considers that the removal of construction access via Mount Green Road constitutes a material change to the development as set out in the application and further information submitted. While the condition itself did not stipulate an alternative construction access, the Commission considered that construction access via the alternative access referred to in the submissions on file, i.e., through Caisleán Nua, would materially affect the applicant's enjoyment of their land adjoining the land in respect of which it has been decided to grant permission.