

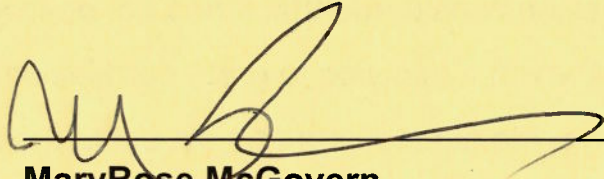
An
Coimisiún
Pleanála

Commission Direction
CD-000387
LV-500968-CK-26

The submissions on this file were considered at a meeting held on 02 April 2026.

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

Planning Commissioner:


MaryRose McGovern

Date:

2nd day of April 2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Under section 37(6) of the Planning and Development Act 2000, as amended, the Commission may, within 4 weeks from the receipt of the application, grant the applicants leave to appeal where the applicants show 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 conditions imposed by the planning authority to which the grant is subject, and
- ii) that the imposition of such conditions will materially affect the applicant's enjoyment of the land or reduce the value of the land.

In considering the request for leave to appeal, the Commission had regard to the conditions attached to the grant of planning permission by the planning authority and the documentation submitted by the applicant seeking leave to appeal. The Commission considered that it has not been shown that 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 conditions imposed by the planning authority to which the grant is subject.

The Board considered that the imposition by the planning authority of condition 1, requiring the proposed development to be carried out in accordance with the plans and particulars lodged with the planning authority on the 9th day of July 2025, as amended by way of further information received on the 18th day of December 2025, and the 29th day of January 2026, and unsolicited further information received on the 28th day of July 2025 and the 8th day of August 2025, save where amended by the terms and conditions of the permission granted, did not materially change the proposed development and did not result in the development being materially different from the development in respect of which permission was sought.

Consequently, the Commission considered that the applicants do not meet the criteria for leave to appeal, as set out under section 37(6) of the Planning and Development Act 2000, as amended, and on this basis, the Commission decided to refuse the appeal.