An Coimisiún Pleanála

Commission Direction
CD-001400
PL-501588-GY-26

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

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

Planning Commissioner: _____

Stephen Bohan

Date: **5th day of October 2026**

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 lands is in dispute and which contains Folio detail in relation to the subject site, to the response to the appeal from the applicant, to section 5.13

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 decided to dismiss the current referral case under section 138(1)(b)(i) of the Planning and Development Act, 2000, as amended.

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.