An Coimisiún Pleanála

Commission Direction
CD-001455
LV-502235-CK-26

The submissions on this file were considered at a meeting held on 27 October 2026.

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

Planning Commissioner:

MaryRose McGovern

Date: **27th day of October 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 applicant leave to appeal where the applicant shows 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) the imposition of such conditions will materially affect the applicant's enjoyment of the land or reduce the value of the land.

The Commission, having considered the information available on the file, 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 the conditions imposed by the planning authority to which the grant is subject.

The Commission considered the 13 no. conditions attached to permission reference number 26/1077 and the Commission was satisfied that the conditions attached in the notification to grant permission, do not materially change the development as proposed, and was satisfied that the imposition of those conditions do not materially affect the applicant's enjoyment of the land.

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