



Planning and Development Act 2000, as amended

Planning Authority: Offaly County Council

Planning Register Reference Number: 25/82

Appeal by Anthony Cocoman against the decision made on the 27th day of April, 2026 by Offaly County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Levelling of agricultural lands by the importation of clean, uncontaminated soil and stone materials under Article 27 of the European Communities (Waste Directive) Regulations 2011, as amended. an Article 6(3) of the Habitats Directive screening for appropriate assessment report has been prepared in respect of the proposed development, all at Ballykillkeen, Shean, Edenderry, County Offaly.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection

(1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 11 and the reason therefor.

Reasons and Considerations

Having regard to the nature, scale and limited duration of the development proposed, along with its relationship with adjoining permitted development, it is considered that, when taken together with condition number 6(c) of the planning authority's decision which requires any damage to the public road to be made good prior to the completion of the development, the attachment of condition number 11 is unjustified and unwarranted.



Patricia Calleary

Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.

Dated this 12th day of August 2026