

David Behan

From: K K Kenny <kkballylin@gmail.com>
Sent: Tuesday 17 February 2026 17:32
To: Appeals2
Subject: Submission For File SU19.323676

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Please Find attached files for file SU19.323676

- 01 Submission For File SU19.323676
- 02 Owners Original Map Bog Plot
- 03 Location Of Disputed Site-Moore Site
- 04 Owners letter stating ownership and resisting transfer
- 05 Peter Moores Folio Number
- 06 Boundary Map Submission- Location

 01 Submission For File SU19.323676.docx

 02 Location Of Disputed Site-Moore Site.jpg

 03 Owners Original Map Bog Plot.jpg

 04 Owners Letter Stating Ownership and resisting transfer.jpg

 05 Boundary Map Submission Moore-Location.jpg

 06 Peter Moores Folio Number.jpg

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KK Kenny



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Submission On File SU19.323676

Planning submission – inclusion of lands without owner consent and active dispute with the Ombudsman

I wish to make a submission in relation to the above planning application, reference number SU19.323676, and in particular to the inclusion of lands located at Lisdermot Ferbane Co Offaly in the above Planning File.

I wish to formally object to the inclusion of this site (map attached) within the red line boundary of the planning application.

The lands concerned were included in the application without the consent of the legal owner and against the express wishes of the owner and persons lawfully using the lands.

I am aware that an applicant is not required to be the owner of land in order to apply for planning permission. However, it is a fundamental requirement that an applicant has the legal right to make an application over the lands concerned and that the application accurately represents the applicant's legal and factual position in relation to the site.

In this case, the ownership and entitlement to include these lands is actively disputed.

I wish to advise the planning authority that the circumstances surrounding the inclusion of these lands have been formally referred to the Office of the Ombudsman and are currently the subject of an open complaint and investigation.

Accordingly, the legitimacy of the applicant's claim to include these lands in the planning application is now formally in dispute.

In these circumstances, I respectfully submit that the planning authority should treat the application with caution insofar as it relates to the lands in

question and should not determine or rely upon disputed claims of ownership, control or entitlement over the site.

I further submit that the planning authority should not grant permission in respect of the disputed lands while the matter remains under investigation by the Ombudsman, as to do so would risk facilitating development on lands where the applicant's entitlement to include the site has not been established.

For the avoidance of doubt, this submission relates solely to the inclusion of the disputed lands within the application boundary and does not constitute consent to any development on those lands.

I respectfully request that this submission be taken into full consideration in the assessment of the application.

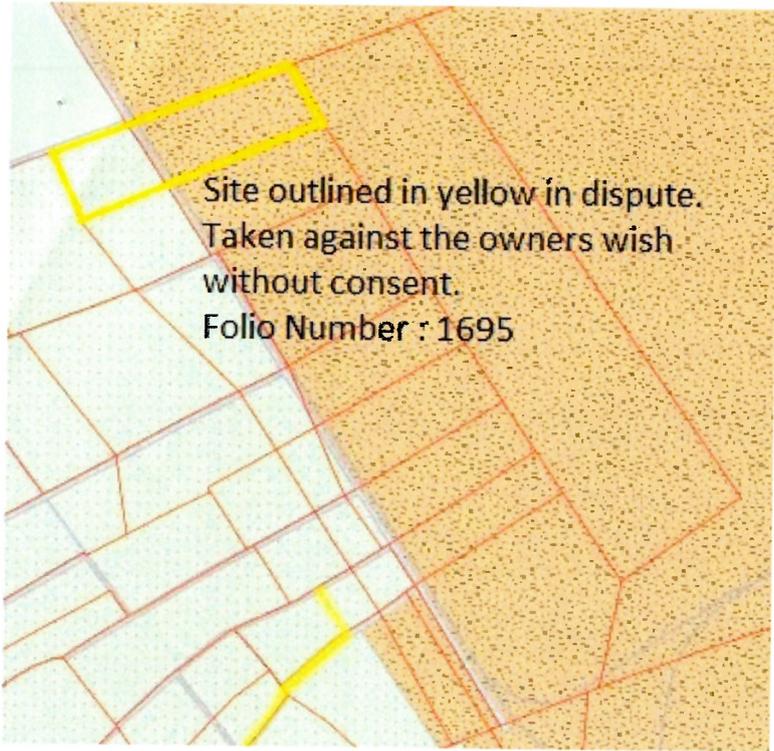
Yours faithfully,

Breda Kenny
Ballylin Ferbane Co. Offaly – R42E954

17th. February 2026

Please find attached :

- 02 Owners Original Map Bog Plot
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New Road
Ballylin
Febare.

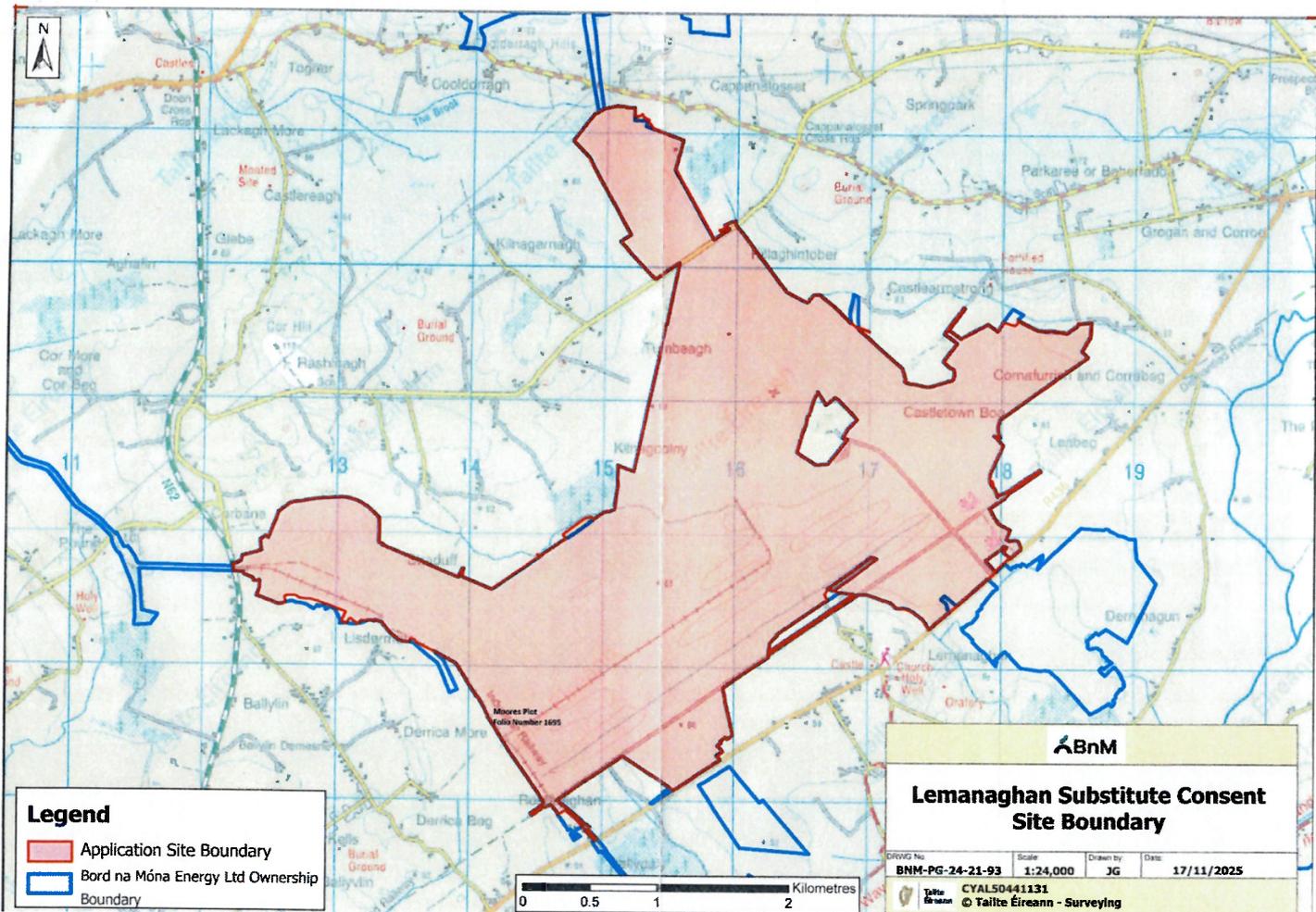
Your Ref
D2021LR024986X

Dear Ms Power

Further to your latest letter dated 28th June
2023, as this property is legally in our family
name Folio No 0412313F, (proper folio no), I
have no need to apply to a court, for
what is legally our family property.

Yours sincerely.

Mr Peter Moore.



Legend

- Application Site Boundary
- Bord na Móna Energy Ltd Ownership Boundary

BnM

Lemnaghan Substitute Consent Site Boundary

DRAWING No BNM-PG-24-21-93	Scale 1:24,000	Drawn by JG	Date 17/11/2025
CYAL50441131 © Tailte Éireann - Surveying			



Irish Land Commission
Land Act, 1963, Section 14

Estate of I.L.C. (O'He Egan & Ore) Rec.No R 7985 etc. County Offaly
S/P 18

On reading Notice dated 9 October 1964 of the Irish Land Commission that in pursuance of the above Act they intend to make an Order appointing Patrick Moore of Ballylin, Furbans, Co. Offaly as a person appearing to them to be in receipt of the rents and profits or to have the control and management of the lands described in the First & Second Schedules hereto to be the nominee of all persons interested in the said lands for the purpose of the Exchange of part of the land described in the First Schedule hereto for the land described in the Second Schedule hereto, vesting of the land described in the Second Schedule and consolidation thereof with that part of the land described in the First Schedule not exchanged, now IT IS HEREBY ORDERED by the Irish Land Commission pursuant to the provisions of Section 14 of the Land Act, 1963, that the said Patrick Moore be and is hereby appointed Land Commission Nominee for the purpose aforesaid.

W. L. Linnard

M. J. Clancy

Commissioner

Date 14.0 NOV 1964

FIRST SCHEDULE

(Land part of which is to be transferred to the Land Commission in exchange for the land described in the Second Schedule).

Polio No.	County	Collection No.	Registered Owner
1695	Offaly	88/767 (4-24-614)	Peter Moore

SECOND SCHEDULE

(Land to be provided by the Land Commission in exchange for part of the land described in the First Schedule).

Register No.	Allottee	Townland	Collection No.	Advance
8	Mary Moore w/w	Derrica More	4/24/5742	-