

David Behan

From: K K Kenny <kkballylin@gmail.com>
Sent: Tuesday 17 February 2026 15:57
To: Appeals2
Subject: Submission For File SU19.323676
Attachments: C Submission Letter 04.pdf

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Please find attached documents for Submission on File SU19.323676



_01 Lands Unregistered Used In Planning Application.jpg



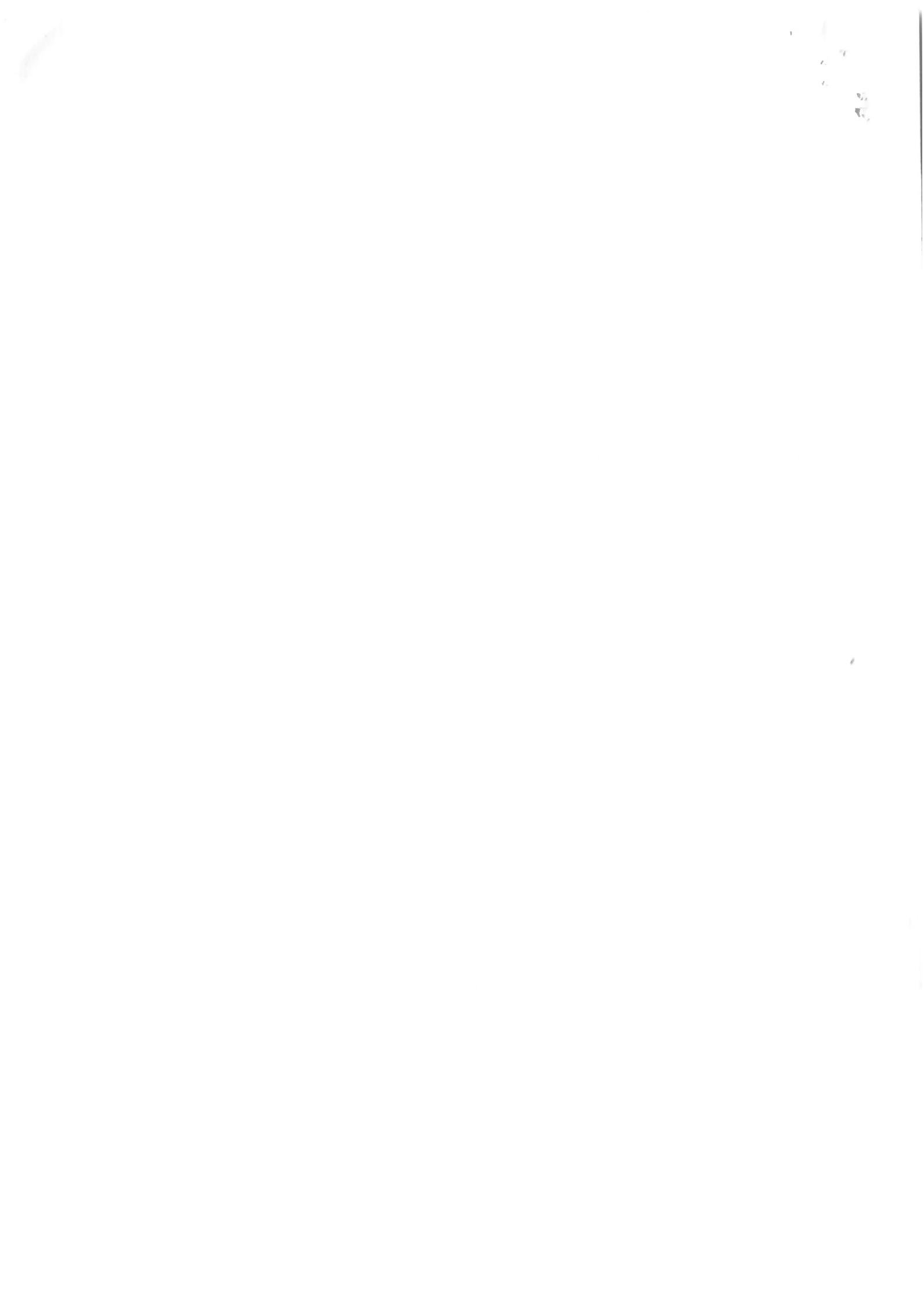
_02 Unregistered Lands Used In Planning.jpg



_03 Boundary Map Submission.jpg



Virus-free www.avast.com



Planning reference: [SU19.323676]

Address : Lemonaghan Bog, Ballycumber Co. Offaly

Name : Grainne Kenny

Ballylin

Ferbane

Co. Offaly

I wish to make a submission in respect of the above planning application.

I am a local user of lands within the application boundary at **Lemonaghan Bog** application ref. **(SU19.323676)** and I currently exercise use of part of the lands included within the red line boundary of this application.

Some of the lands included in the application are **not in the registered ownership of the applicant** and continue to be used by local residents.

The applicant claims a beneficial interest in the lands concerned.

I dispute that the applicant holds a sufficient legal or beneficial interest in all of the lands included in this planning application.

In particular:

- the applicant is not the registered owner of certain parcels of land included within the application site, and
- those parcels continue to be actively used by local residents.
- The applicant who claims a beneficial interest must show an **actual legal basis** (e.g., trust, contract, transaction) — not just that they used the land.

In these circumstances, it is not clear that the applicant is entitled to make a planning application in respect of all of the lands shown within the application boundary.

I respectfully request that the Planning Authority require the applicant to clearly identify and demonstrate their legal or beneficial interest in each land parcel included in the application, and where the applicant is not the owner and does not hold a sufficient beneficial interest, to provide the written consent of the relevant landowners, in accordance with the Planning and Development Regulations.

I further request that the Planning Authority seek clarification from the applicant by way of a request for further information in relation to their interest in the lands concerned.

As the applicant acquired the lands within the red boundary by Compulsory Purchase Order I request that the applicant provide proof of payment for all lands acquired.

In the absence of clear evidence of a legally recognized beneficial interest, the applicant is not entitled to include these lands within the application boundary without the written consent of the relevant landowners and users.

In the interest of justice if the above arguments are not satisfactorily answered the application will have to be deemed invalid.

Thanking You

Grainne Kenny



Property Details

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Folio Number	OY23555F
Title Level	Freehold
Plan Number	CQ0H9
Property Number	2
Area of selected plans	76.13 hectares.
Number of Plans on this folio:	6
Address	Not Available

[Highlight All Plans](#)

[Add to Basket](#) [Create Alert](#)

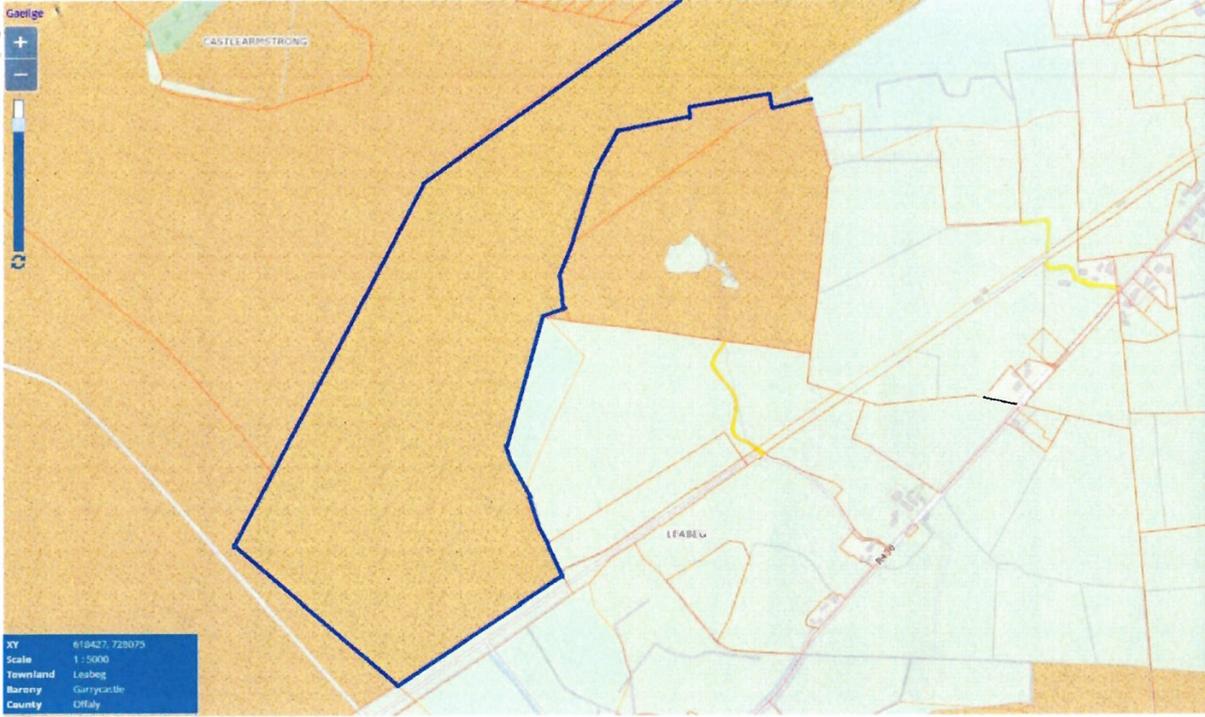
The following Applications are Pending on this Folio

D2024LR164988R	For Further Attention
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*Táilte Éireann Registration Boundaries and Plan Area are not conclusive. See [Section 62\(2\) of Registration of Title Act 2006](#) and [Rule 8\(2\) of the Land Registration Rules 2012](#).

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XY 618427, 728075
Scale 1:5000
Townland Leabeg
Barony Garrycadda
County Offaly

Property Details

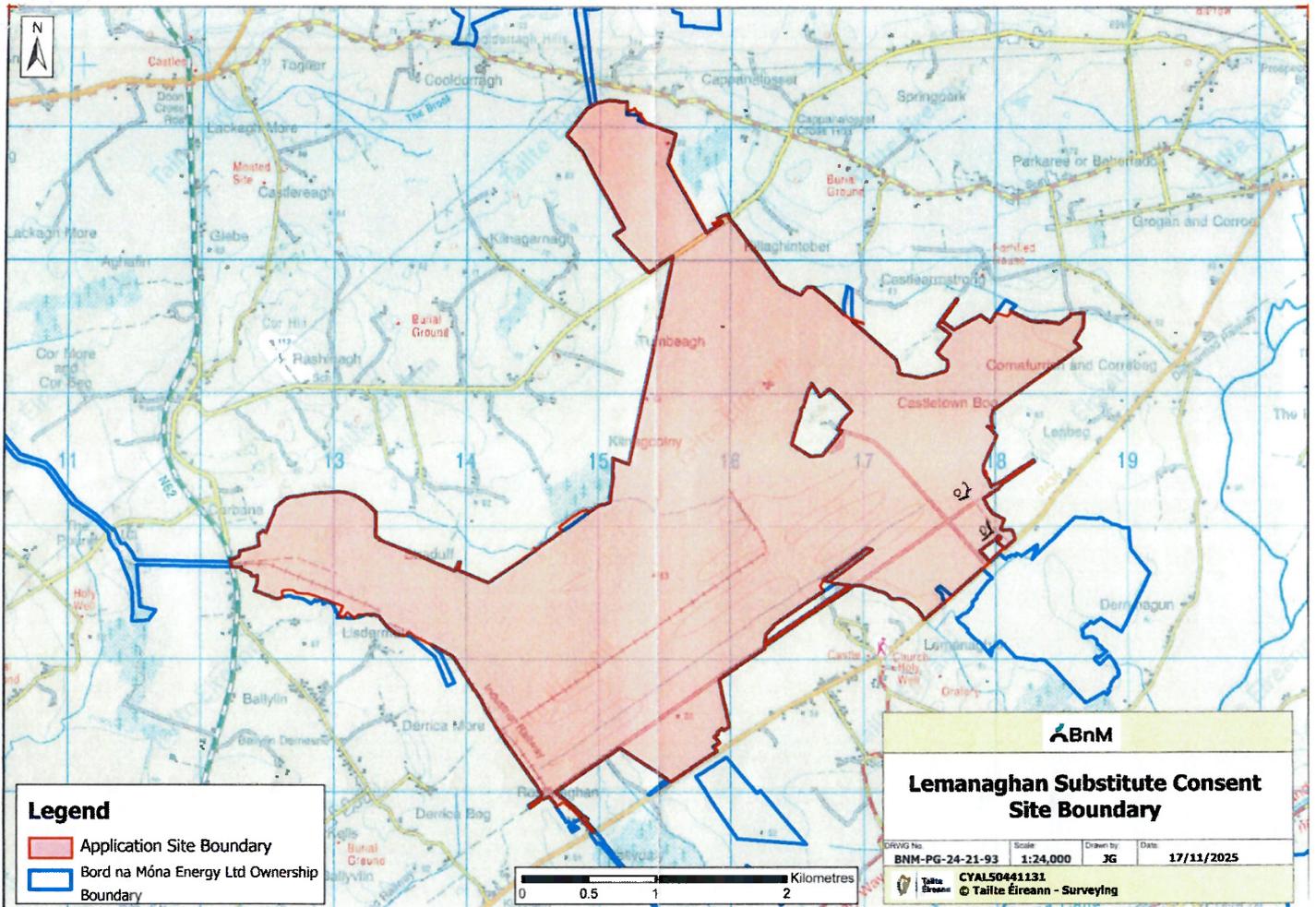
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The area selected is not registered with the Land Registry. Information about this property may be available from the Registry of Deeds.

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Legend

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

BnM

**Lemnaghan Substute Consent
Site Boundary**

DRAWING No.	Scale	Drawn by	Date
BNN-PG-24-21-93	1:24,000	JG	17/11/2025

CYAL50441131
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