

File With _____

SECTION 131 FORM

Appeal NO: ABP 318166-23Defer Re O/H ☐Having considered the contents of the submission dated/ received 3/11/23

from

Landowner Patrick Cusack
via agent

I recommend that section 131 of the Planning and Development Act, 2000

be/not be invoked at this stage for the following reason(s): No new material issuesE.O.: Daniel O ConnorDate: 3/11/23

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Tom O'Flynn
CONSULTING ENGINEER

F.CIBSE, M.IEI, C.Eng.
Registered & Insured BER Assessor.
Thermographer (Thermal Imaging)



New Line,
Carrigane,
Mitchelstown,
Co.Cork.

Tel : 087-2683587

Email : tomoflynn@yahoo.ie

An Bord Pleanála,
64 Marlborough Street,
Dublin 1.
D01 V902

2nd November 2023

Your Case Number: ABP-318166-23
Planning Authority Reference Number: S5/23/90
My Client: Patrick Cusack.

Re: Whether the construction of a field access and associated roadway on to a cul-de-sac at field os or is not development and is or is not exempted development – at – Upper Burncourt, Burncourt, Co. Tipperary.

Dear Sir / Madam,

I wish to make a submission / observation on behalf of my client, Patrick Cusack.

On 31st March 2023, a Declaration under Section 5 of the Planning and Development Act 2000, was granted, for the above development, by Tipperary Co Council, under Ref Number S5/23/16. There were no appeals / objections to said Declaration and my client duly commenced works.

The current appeal to An Bord Pleanála dated 28th September 2023 (Your Case Number: ABP-318166-23) is outside the period for consideration and is well and truly "Time Barred".

Therefore, this appeal should not be considered.

We trust you will give the foregoing due consideration and that you will allow this development to proceed.

Yours Sincerely,



TOM O'FLYNN

AN BORD PLEANALA	
LDG- _____	
ABP- _____	
03 NOV 2023	
Fee: € _____	Type: _____
Time: _____	By: <i>RG 1057</i>

Chartered Engineer (C.Eng, M.IEI)

Registered Domestic BER Assessor