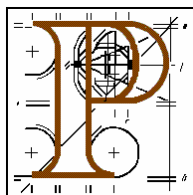


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2010

Kildare County

Planning Register Reference Number: 10/1093

An Bord Pleanála Reference Number: PL 09.238555

APPEAL by Lidl Ireland GmbH care of Tom Phillips and Associates of Marlinstown Office Park, Mullingar, County Westmeath in relation to the application by Kildare County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 11 of its decision made on the 8th day of February, 2011.

PROPOSED DEVELOPMENT: Construction of a single storey extension with a flat roof and an enclosed external plant area adjoining the proposed extension, finished with materials consistent with the existing store, internal modifications/connections to the existing store and all associated site works located to the western side of the existing Lidl Licenced Discount Foodstore on a site of 0.7505 hectares. The extension measures 104 square metres gross floor space increasing the gross floor space of the store from 1,648 square metres to 1,752 square metres, all at site at the Lidl Store, Straffan Road, Maynooth, County Kildare.

DECISION

The Board considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 11 and directs the said Council under subsection (10) (b) of section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, to REMOVE condition number 11 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the current Kildare County Development Plan 2011 -2017, which identifies maximum car parking standards for development, the terms of the Kildare County Council/ Naas Town Council/Athy Town Council Development Contribution Scheme which states that any shortfall in parking standards will require a development contribution, the extent of car parking available after the completion of the proposed development, the car parking analysis undertaken and supported by car parking survey, the Board is satisfied that no parking shortfall arises. The Board, therefore, removes condition number 11.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2011.