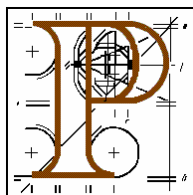


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Naas Town

Planning Register Reference Number: 12/500057

An Bord Pleanála Reference Number: PL 73.241472

APPEAL by Rebecca Owen care of Brian Connolly Associates of The Studio, Wood's Way, Clane, County Kildare in relation to the application by Naas Town Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 27 of its decision made on the 29th day of November, 2013.

PROPOSED DEVELOPMENT: Subdivision of existing building into three units and change of use from warehousing to childrens dance studio at first floor, yoga studio to front of ground floor and merging the rear ground floor with Unit 4 for use as a children's play area and all ancillary site works at Unit 5 Monread Commercial Park, Naas, County Kildare.

DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had been properly applied in respect of condition number 27 and directs the said Council under subsection (10) (b) of section 48 of the 2000 Act, to ATTACH the said condition number 27 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the terms of the Development Contribution Scheme, it is considered that the planning authority had properly applied the provisions of the scheme and no further reductions or exemptions apply in this instance.

In deciding not to accept the Planning Inspector's recommendation to reduce the amount of financial contribution levied, the Board considered that the provisions of the Draft Development Contribution Guidelines for Planning Authorities published by the Department of the Environment, Community and Local Government are only applicable in the context of and following the review of an individual Development Contribution Scheme by a planning authority.

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 2013.