



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/1068

Appeal by Lorcan Burke care of Patrick M. Kerr Architect of 39A Maynooth Road, Celbridge, County Kildare 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 7 of its decision made on the 20th day of November, 2019.

Proposed Development: Change of use of part of the ground floor of existing Light Industrial Building from existing office and associated use to new commercial use for the storage, sorting, preparation/assembly, and distribution of flowers and flower arrangements (both for off site distribution and on line sales), for new retail sales area, and to include alterations to front façade with new entrance doors, over head canopy/awning and new high level façade signage, and for minor alterations to existing car parking to front, and other minor internal and external associated works, all located at Rye River Brewing Company, Donaghcumper, Dublin Road, Celbridge, County Kildare

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, 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 7 and directs the said Council to REMOVE condition number 7 and the reasons therefor.

Reasons and Considerations

Having regard to the nature of the proposed and previously permitted uses of the floor area the subject of the permitted change of use, to the lack of any material intensification of demand on existing infrastructure or requirement for new or upgraded infrastructure arising from the permitted change of use, and to the provisions of Section 12(g) of the adopted Kildare County Council Development Contribution Scheme 2015-2022 which provides for a 100% reduction in contribution charges where the development does not lead to the need for new or upgraded infrastructure/services or significant intensification of demand placed on existing infrastructure, it is considered that the provisions of the adopted contribution scheme have not been properly applied such that condition number 7 attached to planning reference 19/1068 should be omitted in its entirety.

