



Board Direction

Ref: PL09.245469

The submissions on this file and the Inspector's report were considered at a Board meeting held on January 20th 2016.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended. The Board also decided that the planning authority be directed, as follows:

Amend condition 13 as follows.

13. The developer shall pay to the planning authority a financial contribution of €8,178.73 (eight thousand, one hundred and seventy eight euro and 73 cents) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Reasons and Considerations, as per Inspector's recommendation as follows.

Having regard to the provisions of the adopted Development Contribution Scheme for the town of Naas 2011-2018 and as amended with revised rates which were applied in September 2013, to the submissions received including the planning authority's response to the grounds of appeal the Board has concluded that the levy in condition no. 13 be amended and that the amount stated in condition no. 13 be amended to €8,178.73.

Board Member: _____ Date: 20.01.16
Paul Hyde