



## Board Direction

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Ref: PL09.245965

The submissions on this file and the Inspector's report were considered at a Board meeting held on April 12<sup>th</sup> 2016.

The Board decided to treat this case under section 139 of the Planning and Development Act, 2000. The Board also decided, based on the Reasons and Considerations set out below, that the planning authority be directed, as follows:

Amend condition number 28 as follows

28. The developer shall pay to the planning authority a financial contribution of **€14,224** (fourteen thousand, two hundred and twenty four euro) being a rate of €56 x 254m<sup>2</sup> ie Floor area of 372m<sup>2</sup> – 118m<sup>2</sup> 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 the 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 the Board to determine.

**Reason:** It is a requirement of the Planning and Development Act 2000 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

Having regard to the correspondence received from the planning authority and the contents thereof the Board considered it was appropriate to apply a figure of €14,224 being the correct amount due under the Kildare Development Contribution Scheme.

Board Member: \_\_\_\_\_ Date: 12.04.16  
Paul Hyde