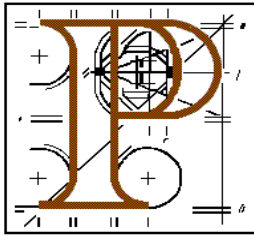


An Bord Pleanála



Board Direction

Ref: 09.246482

The submissions on this file and the Inspector's report were considered at a Board meeting held on 25th, August 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 27, as follows.

(27) Std. S.48 specified in the amount of €4244.00

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development and to the planning history of the site and to the provisions of the Kildare County Council Development Contribution Scheme 2015-2022 the Board considered that subject to the proper application of the scheme the proposed development should be levied €2175.00 in respect of the proposed additional residential floor area i.e. the residential floor area now being proposed in excess of the residential floor area to be demolished (being 385 sq.m. proposed less 341.5 sq.m. existing = 43.5 sq.m. @ €50.00 per sq.m. = €2175.00). The Board further considered that subject to the proper application of the scheme the games room proposed for retention should be levied in the sum of €2069.00 (being 75.2 sq.m. @ a rate pursuant to section 8(xiv) of the Scheme of €27.51 per sq.m).

Board Member: _____ Date: 25th, August 2016
Paddy Keogh

Note: In applying a financial levy under the Scheme in respect of the floor area of the games room proposed for retention it was the majority view of the Board (2 : 1) that having regard to the details of the Kildare County Council Development Contribution Scheme 2015-2022 which does not provide for any exemption in respect of planning permissions for retention of development and to the previously unauthorised nature of the development failure to levy a financial contribution in respect of this element of the development would not provide for the proper application of the scheme.

[Please issue a copy of the Board Direction with the Board Order]