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Bord  
Pleanála

**Board Direction**

**PL09.248650**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 30<sup>th</sup> August 2017.

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, to Amend condition number 10 as follows:

### **Condition**

10. The applicant/developer to pay to Kildare County Council the sum of ~~€~~**€42.20** being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare county Council on 5th November 2015 in accordance with Section 48 of the Planning and Development Act 2000 as amended. Payments of contributions are strictly in accordance with Section 13 of Development Contribution Scheme adopted by Kildare County Council on 5th November 2015.

**Reason:** It is considered reasonable that the development should make a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority.

## **Reasons and Considerations**

Having regard to

- (a) the general arrangements regarding payment of development contributions and implementation of the scheme;
- (b) the extent of existing and permitted agricultural developments on the landholding;
- (c) the provisions of the Kildare County Development Contributions Scheme,

Therefore, the terms of the Kildare County Development Contribution Scheme have not been properly applied in this case. It is therefore considered that Condition number 10 be amended.

## **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.

**Board Member**

**Date:** 5<sup>th</sup> September 2017

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Maria FitzGerald