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Bord  
Pleanála

**Board Direction**  
**PL09.248743**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on 7<sup>th</sup> November 2017.

The Board treated this case under section 48 of the Planning and Development Act, 2000. The Board decided, generally in accordance with the inspector's recommendation and based on the Reasons and Considerations set out below, that the planning authority be directed as follows:

Amend condition number 15 (€8,745)

### **Reasons and Considerations**

Having regard to the terms of the Kildare Development Contribution Scheme 2015 – 2022 and the planning history of the site, it is considered that the residential use of the site was extinguished with the construction of the dwelling permitted under 07/2417. It is considered that the now proposed residential development does not represent the retention of an existing residential use and therefore comprises an additional intensification on public infrastructure. The Board is satisfied that no exemptions apply to the development in question and that the terms of the scheme have been properly applied by the planning authority in principle. It is noted that the contribution included the garage area, which is not subject to a development contribution, as has been conceded by the planning authority. The levy as required is therefore €8,745.00.

**Board Member**

**Date:** 10<sup>th</sup> November 2017

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Conall Boland