



An
Bord
Pleanála

Board Direction
BD-00064-18
ABP-300522-17

The submissions on this file were considered at a Board meeting held on March 5th 2018.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended, and considered that, in the particular circumstances of the case, no Inspector's report was required. The Board also decided that the planning authority be directed to remove condition no. 16 and the reason therefor, for the following reasons and considerations:

Reasons and Considerations

Having regard to the documentation submitted by the applicant as part of the appeal, which confirms that the subject development is required to ensure compliance with the Nitrates Directive 2007, and the confirmation from the Planning Authority in its response to the appeal that it accepts that no contribution should be applied, it is considered that the terms of the Kildare County Council Development Contribution Scheme 2015-2022 were not properly applied in this instance, in that the exemption under Part 12, section (n) of the Scheme is applicable.

Board Member

Date: 6th March 2018

Philip Jones