



An
Bord
Pleanála

Board Direction
BD-006500-20
ABP-307312-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/09/2020.

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 6 as follows.

Reasons and Considerations as follows.

Reasons and Considerations

Having regard to:

- The provisions of the Kildare County Council Development Contribution Scheme 2015-2022; and
- The nature of the permitted and existing developments on the site;

The Board considers that the terms of the Development Contribution Scheme has not been properly applied and Condition No. 6 shall be amended as follows;

The developer shall pay to the planning authority a financial contribution of €22,538.65 (twenty two thousand five hundred and thirty eight euro and 65 cent) in respect of public infrastructure and facilities benefitting 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 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 An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Board Member:

Date: 18/09/2020

Terry Prendergast