



An
Bord
Pleanála

Board Direction
BD-012187-23
ABP-312334-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/05/2023.

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:

In accordance with section 48 of the Planning and Development Act 2000, as amended, based on the reasons and considerations set out below, the Board considered that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council to REMOVE condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to:

(a) the provisions of the Kilkenny County Development Contribution Scheme 2016-2017 which includes an exemption for masts and antennae and other apparatus for communication purposes that form part of the National Broadband Scheme or



subsequent endorsed initiative as defined by the Department of Communication, Energy and Natural Resources; and

(b) the information submitted in conjunction with the application and appeal,

it is considered that the proposed development constitutes part of the Government endorsed national roll out of broadband services, and that the terms of the Development Contribution Scheme have not been properly applied.

Board Member: Eamonn Patrick Kelly Date: 16/05/2023
Eamonn Patrick Kelly

