



An
Bord
Pleanála

Board Direction
BD-014253-23
ABP-314674-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 24/10/2023.

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:

Amend condition Number Seven as follows:

The developer shall pay to the planning authority the sum of €56,290.00 in respect of public infrastructure and facilities benefiting 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 2023-2029 adopted by Kildare County Council 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.

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.

Reasons and Considerations

Having regard to the submissions made on the file, the nature of the development proposed and the provisions of the Kildare County Council Development Contribution Scheme, 2023-2029, that came into force on 1st January 2023, the Board considers that the terms of the Development Contribution Scheme had not been properly applied in respect of Condition Number Seven (noting that a new development contribution scheme has been made since the planning authority issued their planning decision) and directs the said Council to AMEND Condition Number Seven to reflect the requirement to pay €56,290 to the planning authority, in respect of the elements of the development for which retention development is sought and that are liable for development contributions, broken down as follows:

- The attic conversions for use as domestic storage equating to **€11,966** based on €62 per sq.m x 193 sq.m of gross floor area (GFA);
- The basement area equating to **€39,618** based on €62 per sq.m x 639 sq.m of GFA;
- The storage/ agricultural shed equating to **€490** based on €5 per sq.m x 98 sq.m of GFA;
- Staff accommodation equating to **€4,216** based on €62 per sq.m x 68 sq.m of GFA

Board Member:



Patricia Calleary

Date: 24/10/2023