

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 16/146

An Bord Pleanála Reference Number: PL 09.246569

APPEAL by Sean and Sarah Gannon care of Barry Lyons Designs of 5 Roseville, Naas, County Kildare in relation to the application by Kildare County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 13 of its decision made on the 13th day of April, 2016.

PROPOSED DEVELOPMENT: Change of use of the existing two-storey building from assessment clinic use to a single dwelling (area 297.7 square metres) and the demolition of an existing, single storey extension to the rear (area 29.8 square metres) in addition to all associated and ancillary site and ground works on the site at Moyvane, Dublin Road, Naas, County Kildare.

DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 13 and directs the said Council to REMOVE condition number 13 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to the submissions on file, the response of the planning authority and to the grounds of appeal, the Board considered that the terms of the Kildare County Development Contribution Scheme were not correctly applied and that the condition should be removed.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.