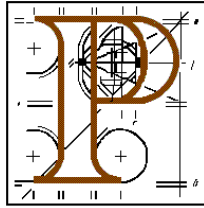


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 16/443

An Bord Pleanála Reference Number: PL 09.246923

APPEAL by Michael Purcell care of MCD Civil Engineering Consultants Limited of Stanhope Street, Athy, 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 8 of its decision made on the 22nd day of June, 2016.

PROPOSED DEVELOPMENT: Change of use from banking hall to retail unit and all ancillary development works at Edmund Rice Square, Athy, 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 8 and directs the said Council to REMOVE condition number 8 and the reason therefor.

REASONS AND CONSIDERATIONS

Having regard to:-

- (a) the established use on the site as a banking hall,
- (b) the general arrangements regarding payment of development contributions and implementation of the scheme, and
- (c) the provisions of the Kildare County Development Contribution Scheme, in particular section 12, paragraph g,

the Board considered that the terms of the Scheme had not been properly applied in this instance.

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.