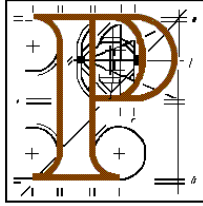


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Meath County

Planning Register Reference Number: RA/161176

An Bord Pleanála Reference Number: PL 17.247914

APPEAL by Iftikar Ullah Khan of Gittens Murray Architects Limited of 5 William Street, Kilkenny in relation to the inclusion of special contribution condition number 15 by Meath County Council in its decision made on the 20th day of December, 2016.

PROPOSED DEVELOPMENT: Change of two storey house type with detached garage to the previously granted planning permission planning register reference number RA/160186, DA40501 and all associated site development works at 32 Kribensis Manor, Williamstown Stud, Clonee, County Meath.

DECISION

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended by section 30 of the Planning and Development Act, 2010, based on the reasons and considerations under, directs the said Council, under section 48 (13) of the 2000 Act, to **REMOVE** condition number 15 and the reasons therefor.

REASONS AND CONSIDERATIONS

It is considered that the financial contribution levied under condition number 15 was not in accordance with the provisions of Section 48 of the Planning and Development Act, 2000, as amended, in that it had not been demonstrated that the public infrastructure and facilities that are the subject matter of the financial contribution (that is, the provision of a footpath and public lighting along the R149 for the full frontage of the site) would involve exceptional costs nor that they would benefit the proposed development, which is merely for a change of house type for one dwelling within a residential development which was authorised by a previous planning permission and in respect of which residential development contributions under the terms of the then Development Contribution Scheme, had already been paid.

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 2017.