

# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Kildare County**

**Planning Register Reference Number: 17/84**

An Bord Pleanála Reference Number: PL 09.248352

**APPEAL by** Thomas Malone care of Brian Connolly Associates of The Studio, Wood's Way, Clane, 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 11 of its decision made on the 22<sup>nd</sup> day of March, 2017.

**PROPOSED DEVELOPMENT:** Construction of an extension to the side of an existing agricultural outbuilding and all associated ancillary site works at Fleshtown, Sallins, 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 11 and directs the said Council to REMOVE condition number 11 and the reasons therefor.

## REASONS AND CONSIDERATIONS

Having regard to:

- (a) the provisions of the Kildare County Development Contribution Scheme, 2015-2022 which includes an exemption for the first 600 square metres of non-residential development on any agricultural landholding;
- (b) the floor area of the development in question of 259.63 square metres; and
- (c) the fact that the existing agricultural developments on the landholding predate the introduction of development contribution schemes;

the Board considered that the terms of the Development Contribution Scheme have not been properly applied, and the removal of condition number 11 is, therefore, appropriate.

## 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.

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

**Dated this      day of                              2017.**