



Planning and Development Acts 2000 to 2019

Amendment of Board Order

Planning Authority: Kildare County Council

Planning Register Reference Number: 19/376

Development Concerned: An amendment to part (approximately 2.85 hectares) of a residential development permitted under Kildare County Council register reference number 10/673 (as extended under register reference number 16/6), and as amended under register reference number 17/565. The proposed amendments would result in an increase in the number of permitted residential units from 65 number units to 82 number units (an additional 17 number units) by replacing 51 number permitted units (comprising two number five-bed detached dormer bungalows (Type D); one number five-bed detached house (Type C1); 18 number three-bed semi-detached houses (Type A2); 23 number four-bed semi-detached houses (Type B1); five number four bed semi-detached corner houses (Type B2); and two number four-bed detached houses (TypeB3)), with 68 number revised dwellings consisting of: 28 number three bed semi-detached houses (Type A2); 33 number four bed semi-detached houses (Type B1); and seven number four bed semi-detached corner houses (Type B2). The proposed development also includes modifications to the permitted site layout, including reconfiguration of the internal road and drainage layout, revised car parking

provision, reorientation and consolidation of the public open space (increase of 0.11 hectare), together with a revised culvert location and design, an ESB substation and all associated site and development works at a site on the western side of Barberstown/Maynooth Road, Straffan, County Kildare.

WHEREAS the Board made a decision to grant permission subject to conditions in relation to the above-mentioned development by order dated the 14th day of October, 2019,

AND WHEREAS it has come to the attention of the Board that due to a clerical error an amendment to condition number 11 is required in order to clarify the said permission,

AND WHEREAS the Board considered that the clarification of the above-mentioned matter would not result in a material alteration of the terms of the development,

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from person who had made submissions or observations in relation to the other matter the subject of this amendment,

NOW THEREFORE in accordance with section 146A(1) of the Planning and Development Act 2000, as amended, the Board hereby amends the above-mentioned decision so that condition number 11 of its Order and the reason therefor shall be as follows:

11. The developer shall pay to the planning authority a financial contribution 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 made 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. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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.

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

Dated this day of 2020.