



An
Bord
Pleanála

Board Order ABP-309880-21M

Planning and Development Acts 2000 to 2021

Amendment of Board Order

Planning Authority: Kildare County Council

Planning Register Reference Number: 20/7459

Development Concerned: The construction of 20 number dwellings comprising of six number three bed, two storey, semi detached dwellings (House Type D), 12 number four bed, two storey, detached dwellings (House Type A, B, B1, C, C1,) and two number four bed, detached bungalows (House Type E). Also, new vehicular entrance to public road, separate pedestrian link to Church View Estate, open space, landscaping, boundary treatment, roads, paths, parking, partial piping of ditch along western boundary and all associated site works including attenuation chamber on a site immediately west and north of Church View Estate, Nurney, County Kildare, as amended by the further public notice received by the planning authority on the 16th day of February, 2021.

WHEREAS the Board made a decision to grant permission, subject to conditions, in relation to the above-mentioned development by Order dated the 21st day of September, 2021,

AND WHEREAS it has come to the attention of the Board that due to a clerical error a condition in relation to Section 47 of the Planning and Development Act 2000, as amended, was omitted,

AND WHEREAS the Board considered that the correction of the above-mentioned error would not result in a material alteration of the terms of the development, the subject of the decision,

AND WHEREAS having regard to the nature of the issue involved, the Board decided not to invite submissions in relation to the matter from persons who had made submissions or observations in relation to the appeal 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 23 of its Order and the reason therefor shall be as follows:

23. Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, as amended, that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.



Paul Hyde

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

Dated this 14th day of May 2022