

An
Bord
Pleanála

Board Order
ABP-311259-21

Planning and Development Acts 2000 to 2021

Planning Authority: Kildare County Council

Planning Register Reference Number: 21/23

Appeal by Narmah Investments Limited care of Patrick M. Kerr Architecture of 39A Maynooth Road, Celbridge, 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 14 of its decision made on the 4th day of August, 2021.

Proposed Development: Change of use of part of ground floor and part of first floor of existing premises from previous retail/commercial use to café/food and beverage use (for consumption on the premises) with associated toilet and ancillary accommodation, to include new external seating to front, and all associated works as shown. Development will also include material alterations to existing protected structure, to facilitate the works including the removal of existing non-original stairs and associated partitions and structures, and replacement with new rear stairs over three floors with new second floor rear extension at roof level to access existing second floor, removal and replacement of non-original fabric including windows and door to front façade, non-original roof slates, replaced with new natural slate to main roof, removal of extended second floor dormer to front and reinstatement of roof and new dormer to rear, reconstruction of extended dormer to rear and

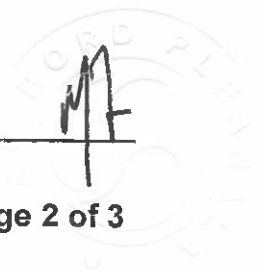
associated works at ground, first and second floors and other minor internal and external alterations and refurbishment/restoration of affected interior. Works include removal of existing signage to front and for new replacement signage at Roseville House, Main Street, Celbridge, County Kildare (a Protected Structure).

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 14 and directs the said Council to REMOVE condition number 14 and the reason therefor.

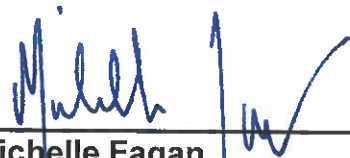
Reasons and Considerations

Having regard to the nature of the development which is a Change of Use from 'retail/commercial' to 'café/food and beverage', the provisions of the Kildare County Council Development Contribution Scheme 2015-2022 which provides for a 100% reduction in contribution charges for a Change of Use permission, it is considered that, the proposed development would not require new or upgraded infrastructure/services, would not lead to significant intensification of demand placed on existing infrastructure, and therefore, the provisions the Development Contribution Scheme have not been properly applied in this case.

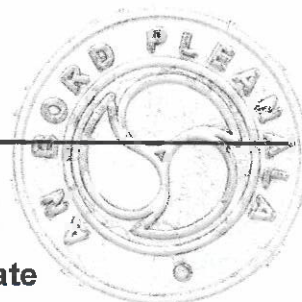


Matters Considered

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.



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



Dated this ^{1st} day of *March* 2022