

An
Bord
Pleanála

Board Order
ABP-315110-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 21/1647

Appeal by Hanlon Concrete Product Limited care of Earth Science Partnership Limited Consulting Engineers, Geologists and Environmental Scientists of Tonranny, Westport, County Mayo 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 27th day of October, 2022.

Proposed Development: The extension to a yard and a retention application for the existing yard and manufacturing buildings/plant and all associated ancillary facilities within an existing quarry complex at Lowtown, Robertstown, Naas, County Kildare.

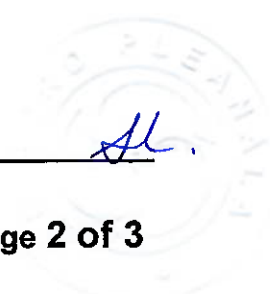
Decision

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 AMEND condition number 11 so that it shall be as follows for the reason stated.

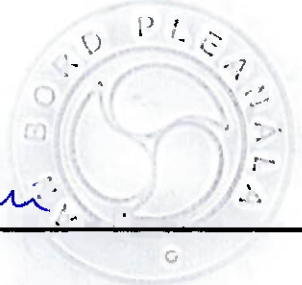
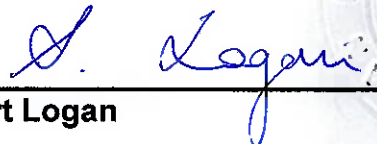
11. The developer shall pay to the planning authority a financial contribution of €141,399.19 (one hundred and forty one thousand, three hundred and ninety nine euros and nineteen cents) in respect of public infrastructure and facilities benefiting development in the area of the planning authority that 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 within three months of the date of this Order 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.

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.



Reasons and Considerations

Having regard to the submissions made on the file, the nature of the development proposed, the provisions of the Kildare County Council Development Contribution Scheme 2015 to 2022 and the report of the Planning Inspector submitted, the Board considers that the terms of the Development Contribution Scheme had not been properly applied in respect of Condition Number 11, and directs the said Council to amend Condition Number 11, as set out above, to reflect the requirement to pay €141,399.19 to the planning authority, in respect of the development for which permission and permission for retention is sought and that are liable for development contributions.



Stewart Logan

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this 3rd day of April 2024.