

An
Bord
Pleanála

Board Order
ABP-315151-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 22/660

Appeal by Natalia and Alan Nolan care of DHArchitectural of Clownings, Newbridge, 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 12 of its decision made on the 27th day of October, 2022.

Proposed Development: The development includes the following, (a) retention and completion of recessed entrance, (b) retention and completion of barn type structure containing seven number stables, tack room, hay/machinery store, (c) retention of farm access roadways and landscaping works, and (d) permission for new horse walker unit and switch room, along with all associated site development and facilitating works all at Sycamore Stables, Greatconnell, Newbridge, County Kildare.

Decision

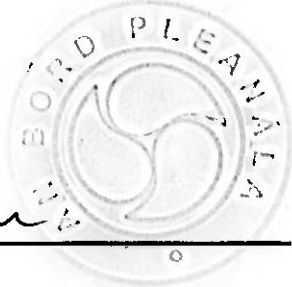
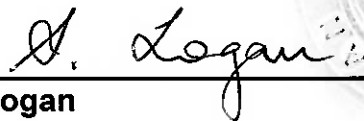
The Board, in accordance with Section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 12 and directs the said Council to AMEND condition number 12 so that it shall be as follows for the reason stated.

12. The developer shall pay to the planning authority a financial contribution of €3,845.14 (three thousand eight hundred and forty five euro and fourteen cent) 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 adopted Kildare County Development Contributions Scheme 2015-2022, and specifically to the exemption provided for equine related development, and also noting that no exemptions or waivers shall apply to any developments subject to retention permission, the Board was satisfied that, in accordance with the Inspectors Report on the matter, an amended Condition Number 12 was warranted in order to correctly apply the terms of the Kildare County Development Contributions Scheme 2015-2022.



Stewart Logan

Member of An Bord Pleanála

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

Dated this *26th* day of *March* 2024.