



An
Bord
Pleanála

Board Order ABP-317887-23M

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/642

Proposed Development: Retention of detached single storey timber cabin and its associated works, including private car parking spaces etc., and permission for the relocation of the timber cabin to connect it to the rear of the existing dwellinghouse to form an extension to the house, demolition of the existing shed to rear of existing house, relocation of car space to rear and revision of entrance to rear car parking space off laneway and all associated alterations to boundary treatment, all located at the rear garden of 715 Courtown Road, Kilcock, County Kildare with access of rear mews laneway.

WHEREAS the Board made a decision to grant subject to conditions a permission to Nuala Donagher care of Patrick M. Kerr Architecture of 39A Maynooth Road, Celbridge, County Kildare by Order dated the 14th day of May, 2024,

AND WHEREAS it has come to the attention of the Board that a section 48 contribution condition should have been attached in its decision to grant subject to conditions,

AND WHEREAS the Board considered that the correction of the above-mentioned omission would not result in a material alteration of the terms of the permission, 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 any person who had made submissions or observations to the Board 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 a section 48 contribution condition is attached as follows:

7. 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 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.


Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board

Dated this 24th day of July 2024.