



An  
Bord  
Pleanála

## Board Order ABP 318062-23

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### Planning and Development Acts 2000 to 2022

**Planning Authority:** Kildare County Council

**Planning Register Reference Number:** 23/60019

**Appeal** by Natalia Syrenkova care of DalyHudson Building Surveying and Architecture of Barret House, Market Square, Kildare Town, 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 9 of its decision made on the 24<sup>th</sup> day of August, 2023.

**Proposed Development:** The following alterations to previously granted planning permission under register reference number 22/885; (1) retain existing and amp, original roof and reconfigure first floor layout within existing roof heights, (2) alterations to existing floor layout and elevations to accommodate new floor configuration, (3) retain existing single-storey projections to rear dwelling and incorporate into dwelling as ancillary uses, and (4) new entrances to each house and all associated site works at 203a Moorefield Park, 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 9 and directs the said Council to AMEND condition number 9 so that it shall be as follows for the reason stated.**

9. The developer shall pay to the planning authority a financial contribution of €1,860 (one thousand, eight hundred and sixty euro) 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 prior to commencement of development 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. The application of any indexation required by this condition 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.

**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 nature of the permitted development, the planning history relating to the site, to the provisions of the Kildare County Development Contribution Scheme 2015-2022 and to the provisions of the Kildare County Development Contribution Scheme 2023-2029, it is considered that the financial contribution requirement contained in condition number 9 of planning register reference number 23/60019 should be amended to €1,860 (one thousand, eight hundred and sixty euro).

[The financial contribution applicable in this instance relates solely to the additional floor area permitted under planning register reference number 23/60019 above that previously permitted under planning register reference number 21/1775, being 30 square metres (that is, 169 square metres – 139 square metres = 30 square metres). The rate to be applied is €62 per square metres in accordance with the Development Contribution Scheme 2023-2029, resulting in a financial contribution of €1,860 (that is, €62 by 30 square metres = €1,860)].



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Tom Rabbette

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

Dated this 11<sup>th</sup> day of July 2024