



An
Bord
Pleanála

Board Order ABP -318147-23

Planning and Development Acts 2000 to 2022

Planning Authority: Kildare County Council

Planning Register Reference Number: 23/60058

Appeal by Catherine Farooq of 9 Millbrook Villas, Naas, 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 8 of its decision made on the 8th day of September, 2023.

Proposed Development: (A) Demolition of the existing dwelling and (B) construction of replacement of dwelling and all associated site works and services at 9 Millbrook Villas, 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 been properly applied in respect of condition number 8 and directs the said Council to ATTACH condition number 8 and the reason therefor.

Reasons and Considerations

Having regard to:

- (a) the Naas Local Area Plan 2021-2027,
- (b) the Kildare County Council Section 48 Development Contributions Scheme 2023-2029, and
- (c) the submissions made in the appeal,

the Board considered that the terms of the Development Contribution Scheme were correctly applied in respect of Condition number 8, as the Scheme specifies a rate of contributions for new residential development, and only provides for Exemptions and Reductions in very specific instances, which do not apply in this instance as:

- (i) the subject site is not located in an area zoned 'Town Centre', or within an area identified as either 'Regeneration Lands' or a 'Key Regeneration Site' in the Naas Local Area Plan 2021-2027,
- (ii) the proposed development does not constitute an extension of an existing dwelling, and
- (iii) the proposed replacement dwelling would not be replacing an existing building which suffered "extensive damage by subsidence, flood or fire".


Liam McGree

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 31 day of OCTOBER 2024