



An
Bord
Pleanála

Board Order
ABP-319188M-24

Planning and Development Acts 2000 to 2022

Amendment of Board Order

Planning Authority: Kildare County Council.

Planning Register Reference Number: 23588.

Development Concerned: Retention of two steel garden sheds (with a combined floor area of 23 square metres) constructed at the rear of existing back garden space at Mollyware Court, Courtown Road, Kilcock, County Kildare.

WHEREAS the Board made a decision to grant permission subject to conditions in relation to the above-mentioned development by Order dated the 1st day of October, 2024:

AND WHEREAS it has come to the attention of the Board that that a clerical error had occurred and that it is appropriate to attach a financial contribution condition in accordance with section 48 of the Planning and Development Act, 2000, as amended, as the Board had omitted to attach a development contribution.

AND WHEREAS the Board considered that the correction above-mentioned error would not result in a material alteration of the terms of the development the subject of the permission or 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 persons who had made submissions or observations 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 by the inclusion of a further condition as set out below:

4. 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 within three months from 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. 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.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 15 day of November 2024.