

An  
Bord  
Pleanála

**Board Order**  
**ABP-320789-24**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 24/60494**

**Appeal** by EirGrid Plc care of Jacobs Engineering Ireland Limited of 2<sup>nd</sup> Floor Termini, 3 Arkle Road, Sandyford Business Park, County Dublin 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 19 of its decision made on the 15<sup>th</sup> day of August, 2024.

**Proposed Development:** Construction of a new 220 kV Gas Insulated Switchgear (GIS) building (83.5 metres long by 18.5 metres wide (25.1 metres including staircases), 17 metres in height) (1,637 square metres); construction of a new 110kV GIS building (68.8 metres long by 15.4 metres wide (22 metres including staircases), 15 metres in height) (1,138 square metres); both of the GIS Buildings will have eight number associated lightning protection spikes/rods on each of the roofs (three metres in height); construction of four number 220/110kV power transformers to include connections to the new GIS buildings; two number 220kV and one number 110kV line/cable interface towers and associated removal of three number existing end masts and overhead line and cable works; three number lightning masts (height 22 metres); cable connections to the 220kV GIS and 110kV buildings; new 4.5 metres wide internal access road and 10 number new permanent car parking

spaces; associated site excavation, infrastructural and site development works, and above and below ground boundary treatment and landscaping including palisade fencing (2.6 metres height), lighting and surface water drainage and foul water tank; associated demolition of existing bungalow farmhouse and agricultural buildings (1,112 square metres floorspace total) to facilitate the proposed development and all ancillary and associated temporary works to facilitate the development at the construction stage, including construction access track, temporary construction compound/site laydown areas and cable connection for the existing Derryiron Maynooth 110kV overhead line at Maynooth 220kV/110kV Substation and adjacent undeveloped lands, in the townlands of Taghadoe and Windgates, County Kildare on a site measuring 20.3 hectares. Planning permission is sought for a period of 10 years.

## **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 19 and directs the said Council to AMEND condition number 19 so that it shall be as follows for the reason stated.**

19. The applicant/developer shall pay to Kildare County Council the sum of €387,750.00 (three hundred and eighty seven thousand, seven hundred and fifty euro only) being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare County Council on the 19<sup>th</sup> day of December 2022 in accordance with section 48 of the Planning and Development Act 2000, as amended. Payments of contributions are strictly in accordance with section 34 of the Development Contribution Scheme adopted by Kildare County Council.

**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

The development is a class of development where a development contribution is applicable, that being pursuant to section 8.5 Miscellaneous of the Kildare County Council Development Contribution Scheme 2023-2029.

The Board considered that the class of development in its entirety should be considered under section 8.5 Miscellaneous of the scheme. The Board did not agree with the planning authority that the buildings fall under class section 8.2 Non-residential Development of the scheme.

The Board decided that the contribution applicable is calculated as follows:

€30 per sq.m. for the 220kV GIS Building (1,637 sq.m.)	= €49,110
€30 per sq.m. for the 11kV GIS Building (1,138 sq.m.)	= €34,140
€15,000 per ha. for 'open' area for 20.3 ha.	= €304,500
<b>TOTAL</b>	<b>= €387,750</b>

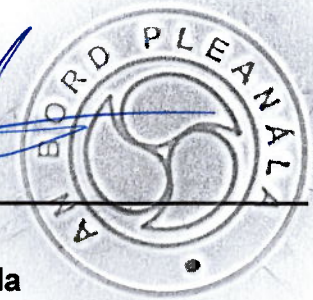
In deciding not remove Condition Number 19 in its entirety as recommended by the Inspector, the Board did not agree that the proposed development is not a class of development that is specified in the adopted Kildare County Council Development Contribution Scheme 2023-2029. The Board found that the class of development is captured under section 8.5 Miscellaneous of the said scheme. The Board noted and considered the Inspector's reference to another appeal relating to the application of a Development Contribution Scheme but noted that that reference related to another planning authority and not the Kildare County Council Development Contribution Scheme 2023-2029, the Board considered that the said scheme did capture the class of development proposed and hence a development contribution was applicable.



**Tom Rabbette**

**Member of An Bord Pleanála**

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



Dated this 10<sup>th</sup> day of April 2025