



An
Bord
Pleanála

Board Direction
BD-017934-24
ABP-318147-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 21/10/2024.

The Board treated this case under section 48 of the Planning and Development Act, 2000, as amended.

The Board also decided that the planning authority be directed, as follows:

Attach condition number 8 (payment of a financial contribution of €20,150.00)

Reasons and Considerations:

Having regard to:

- (a) the Nass Local Area Plan 2021-2027,
- (b) the Kildare County Council Section 48 Development Contributions Scheme 2023-2029,
- (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 no. 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
- (iii) The proposed replacement dwelling would not be replacing an existing building which suffered "extensive damage by subsidence, flood or fire"

Board Member:


Liam McGree

Date: 22/10/2024