



Planning and Development Acts 2000 to 2019

Planning Authority: Kildare County Council

Planning Register Reference Number: 20/60

Appeal by EFIV Irish Property ICAV care of Tom Phillips and Associates of 80 Harcourt Street, 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 6 of its decision made on the 23rd day of March, 2020.

Proposed Development: The proposed development specifically relates to Building Number 3 and Building Number 4 located to the north-east of the centre of the site. (No alteration to the balance of the development is sought by this Application). The development for which retention permission is sought consists of: the change of use of Building Number 3 from its permitted warehouse use (Register Reference Number 95/923) to manufacturing use (4,421 square metres gross floor area including ancillary offices at ground floor and first floor level); and the change of use of part of Building Number 4 from its permitted manufacturing use (Register Reference Number 95/923) to office use (9,002 square metres gross floor area). The development for which retention permission is sought also consists of: the provision of ancillary office space at first floor level within Building Number 4 (246 square metres gross floor area); and all other associated site development works above and below

ground. The site is principally bounded by; Barnhall Road to the north; Celbridge Road to the east; Barnhall Rugby Football Club to the south; and by grounds associated with Castletown House to the west at Liffey Business Campus (formerly known as the Hewlett Packard Campus), Barnhall Road, Leixlip, 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 6 and directs the said Council to AMEND condition number 6 so that it shall be as follows for the reason stated.

6. The developer shall pay to the planning authority a financial contribution of €22,538.65 (twenty-two thousand five hundred and thirty-eight euro and 65 cent) in respect of public infrastructure and facilities benefitting 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.

