

**AN BORD PLEANÁLA**  
LDG- 066952-23  
ABP- \_\_\_\_\_  
e info@tpa.ie 04 OCT 2023  
w www.tpa.ie  
Fee: € 220 type: Chp  
Time: \_\_\_\_\_ By: [Signature]

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Wednesday, 4<sup>th</sup> October 2023  
[By Hand]

**FIRST PARTY (DEVELOPMENT CONTRIBUTION ONLY) APPEAL**

Dear Sir / Madam

**RE: APPEAL AGAINST DEVELOPMENT CONTRIBUTION CONDITION (CONDITION NO. 53) IN RELATION TO A NOTIFICATION OF DECISION TO GRANT PERMISSION FOR THE PROPOSED DEVELOPMENT OF KILDARE INNOVATION CAMPUS (KIC), BARNHALL ROAD, LEIXLIP, CO. KILDARE, W23 X93P AND INCLUDING LANDS WITHIN THE M4 AND BARNHALL MEADOWS**

**KILDARE COUNTY COUNCIL REG. REF. 23/60047**

**1.0 INTRODUCTION**

**1.1 Purpose of this Appeal**

This First Party Development Contribution Appeal has been prepared by Tom Phillips + Associates, Town Planning Consultants, 80 Harcourt Street, Dublin 2 on behalf of the Applicant, The Davy Platform ICAV for and behalf of the Liffey Sub-Fund<sup>1</sup>.

The appeal relates to a Decision by Kildare County Council to issue a *Notification of Decision to Grant Planning Permission* (by order dated 7<sup>th</sup> October 2023), for development which proposes the development of an integrated masterplan proposal that includes for the expansion of the existing campus, allowing for a mix of Deep Technology, ICT, Data Centre and Innovation uses. The proposed development will be supported by on site energy infrastructure including a new replacement 110kV Substation and Energy Centre.

<sup>1</sup> 49 Dawson Street, Dublin 2, D02 PY05.

**TOWN PLANNING CONSULTANTS**

Directors: Tom Phillips BA MRUP MA (Arch Des) MRTPI RPI (Managing) Gavin Lawlor FRCI Sr MRUP MRPI Jerry Lacey BA (Hons) MBS/MBA/ACMA John Gannon BA (Hons) MRUP MRPI and Stephen Barrett BA (Spatial Planning) Dip. ERM MRPI Associates: Aoife McCarthy BA (Hons) MRUP (Hons) MRPI Brian Minogue BA (Spatial Planning) Hons. MRPI Julie Costello BA MRUP MRPI Laura Finn BA (Hons) Dip. ERM Dip. EA MSc MRPI Lizzie Donnelly BA (Hons) BA (Planning) MRTPI MRPI Orla Casey BA (Hons) MRUP MRPI and Sine Kelly BA (Hons) Land Use MRUP BA Dip. PM MRPI AARL  
Registered: Tom Phillips and Associates Limited Registered in Ireland no. 353333 Registered Office: 80 Harcourt Street, Dublin 2, D02 F449 Ireland



The development for which permission was granted also consists of the demolition of existing Buildings No's 7, 8 and 9 (total gfa c. 84,838sqm<sup>2</sup>) and the construction new buildings and infrastructure with a total gfa c. 152,773sqm.

We welcome the positive Decision of Kildare County Council to grant planning permission. However, we submit that Condition No. 53 has been incorrectly applied and does not conform to the '*Development Contribution Guidelines*', published by the Department of the Environment, Community and Local Government in January 2013.

In this regard, the Planning Authority has failed to take account of the levies already paid in relation to the existing buildings to be demolished as part of the proposed development. The Buildings' in question (i.e. Buildings' 7, 8 & 9) have already been levied for Development Contributions in the previous permissions which consented to their development. Therefore, in line with the '*Development Contribution Guidelines*', the planning authority is required to charge only net additional development in cases of redevelopment projects (*e.g. a redevelopment totaling 200m<sup>2</sup> of which 150m<sup>2</sup> is replacing existing development, contribution should only be levied on the additional 50m<sup>2</sup>*). The current condition no. 53 as drafted will result in "double charging" for the redevelopment of existing buildings 7, 8 & 9, which is contrary to national planning guidance.

Further, we say that the proposed development will only result in an increased demand on services/infrastructure where there has been a net increase in floor area. The floor area to be demolished relates to manufacturing and floor space of an industrial nature which would have similar service requirements as the proposed redevelopment. It is noted that the Planning Authorities internal departments did not identify significant requirement for increased services/infrastructure with the Kildare County Council Planners Report confirming at Section 1.10 that no objections were raised from the referrals process. As such, we consider that the application of condition 53 as drafted is onerous and inequitable.

This Appeal is made under the provisions of Sections 139 and 48 (10)(b) of the Planning & Development Acts 2000 (as amended) and relates to Development Contributions levied on the development.

A cheque in the sum of €220 representing the Appeal fee for a Development Contribution Only Appeal is enclosed.

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<sup>2</sup> Inclusive of mezzanine's



## 2.0 CONDITION BEING APPEALED

### 2.1 Condition No. 53 – Section 48 Development Contribution

Condition No. 53 attached to the *Notification of Decision to Grant Permission* states that:

*"The Applicant/Developer to pay to Kildare County Council the sum of €9,471,938.40 being the appropriate contribution to be applied to this development in accordance with the Development Contribution Scheme adopted by Kildare County Council on 19th 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 on 19th December 2022.*

*Note: Please note water and wastewater development contribution charges now form part of the water connection agreement, if applicable, with Irish Water.*

*Reason: It is considered that the developer should make a contribution in respect of public infrastructure and facilities benefitting development in the area of the Planning Authority."*

The Applicant requests that the amount of the above development contributions payable be reduced to **€5,240,922.00** to take account of the already levied floor space relating to existing buildings 7, 8 & 9 which are to be demolished as part of the redevelopment project and based on the grounds of this appeal, which are set out below.

## 3.0 RELEVANT HISTORY & CURRENT PROPOSAL

Kildare Innovation Campus is located at Barnhall Road, Leixlip, Co. Kildare. The Campus measures c. 80.56 hectares including 10 No. buildings an ESB substation and car parking areas. Previously, the facility was owned and operated by Hewlett Packard. Hewlett Packard developed the Campus from the mid-1990s, primarily as a production facility for its print cartage manufacturing business. However, HP Inc. closed this element of its business in 2017. The current landowners purchased the site in early 2021.

The current proposed development project relates to the redevelopment and expansion of the existing campus. The description for which planning permission is sought is set out in the statutory notices as follows:

- Demolition of existing Buildings No's 7, 8 and 9 (total gfa c. 84,838sqm<sup>3</sup>).
- Existing Buildings No's 1 – 6 will be retained for deep tech and innovation related uses (total gfa c. 42,862sqm)
- Construction of 2 no. new deep tech buildings and 4 no. new data centre buildings, all including ancillary office spaces. The deep tech buildings will have an overall maximum height of c.16m and vary in size from 30,945sqm – 41,190sqm with a combined total gfa of c. 72,135 sqm. The data centres will be c.15 m in height to parapet and c.16.5m in height to top of roof plant screening. The data centres will

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<sup>3</sup> Inclusive of mezzanine levels



- vary in size from 13,225 sqm – 21,000 sqm with a combined total gfa of c. 76,225sqm. All buildings will be provided with Solar PV panels at roof level and green walls along selected elevations.
- The new deep tech buildings (A1 & A2) will be provided with service yard areas, loading docks, car parking, access roads, security fencing/gates and landscaping. The deep tech buildings will include rainwater harvesting tanks and green roofs over office areas.
  - Each data centre (B1, C1, C2 & C3) will include data halls, admin blocks (comprising offices, breakroom, loading dock, storage, and ancillary areas) and a variety of mechanical and electrical plant areas/structures including battery storage rooms and mechanical rooms. Car parking, access roads, security fencing/gates, gate houses and landscaping will also be provided.
  - B1 will include 14 no. fuel oil generators, MV rooms and associated mechanical flues. C1 - C3 will each include 22 no. fuel oil generators, MV rooms and associated mechanical flues (each c.18.6m high). Car parking, access roads, security fencing/gates, gate houses and landscaping will also be provided.
  - 2 no. district heating pump house areas and inground piping for district heating system.
  - Construction of a Replacement 110kV Gas Insulated Switchgear (GIS) Substation adjacent to the existing 110kV Rinawade Substation. The current Air Insulated Switchgear (AIS) substation known as the Rinawade 110kV sub is fed by 2 x 110kV Overhead lines. The new substation will connect to these overhead lines via short runs of underground cable. The replacement 110kV substation will include 6 No. transformers, with client control building and a 2 storey GIS substation building within a 2.4m high fenced compound.
  - Decommissioning and removal of the existing 110kV Rinawade substation.
  - Construction of an on-site energy centre to provide dispatchable power to the national electrical grid. The Energy Centre will include 9 no. gas powered combustion turbine generators (CTG's) and 9no. flues with a maximum height of c.15 metres. The turbines will be enclosed by a screen wall c.14m in height. The energy compound will include all required infrastructure including 2no. back-up fuel oil (HVO) tanks, an administration building, pump house, fire water tank, access roads, 14no. parking bays, security fencing etc.
  - Provision of a Gas Networks Ireland (GNI) gas skid surrounded by a 2.4m high fence and access from Celbridge Road (R404). The GNI skid will replace the existing gas skid along Celbridge Road.
  - Provision of a GNI AGI (Above Ground Installation) including 1no. kiosk building, c3.2m high, surrounded by a 2.4m high fence.
  - Closure of the existing main entrance to the campus on Celbridge Road and reinstatement of the boundary.
  - Construction of a new signalised entrance/exit on Celbridge Road c. 80metres north of the existing main entrance.
  - Use of the existing secondary entrance/exit off Barnhall Road Roundabout in the south-east as a principal entry/exit.
  - Construction of internal access roads, footpaths and cycle paths including a publicly accessible link road between Celbridge Road (R404) to the east and Barnhall Road (R449) to the west.



- Construction of a new pedestrian and cycle overpass across the M4 motorway and pedestrian/cycle path adjacent to lands known as the Wonderful Barn Allotments; the overpass will link the new publicly accessible link road within Kildare Innovation Campus to the entrance of Barnhall Meadows estate.
- Undergrounding and diversion of the existing overhead 10 Kv/20kv overhead line adjacent to the M4 motorway.
- The pedestrian and cycle route within the Kildare Innovation Campus will provide a link from the new public link road, along the protected view corridor (between Castletown Estate & Wonderful Barn) to the north-eastern boundary of Castletown Estate.
- The provision of a net increase of 678 new car spaces, resulting in a total of 2291 car spaces across the site (including a total of 244 EV car spaces).
- The provision of a new private EV Bus charging hub with parking for 10no. electric buses.
- The provision of a net increase of 310 new bicycle spaces, resulting in a total of 350 bicycle spaces across the site.
- The diversion of the c. 500 m stretch of an existing 1.5 m culvert, located to the north of the site along the existing loop road, southwest by c. 60 m; the diverted culvert will be located along the proposed link road.
- All associated site development works, drainage and services provision, landscaping, boundary treatments (including security fencing), and associated works.

A copy of the existing Site Layout and the proposed Site Masterplan by RKD Architects is included as Appendix A to this submission and includes the gfa's of the existing buildings on site and the gfas of the proposed redevelopment project. As referenced in the development description above and as can be determined from review of the drawings within Appendix A, the buildings to be demolished as part of the proposal are existing Buildings 7, 8 and 9.

Building No. 7 was permitted under KCC Reg. Ref: 96/1287. Having regard to the information contained within the relevant planning file the permitted use of Building No. 7 is manufacturing. The Building is described as having a floor area of 29,144sqm (See Fig 3.1 below).

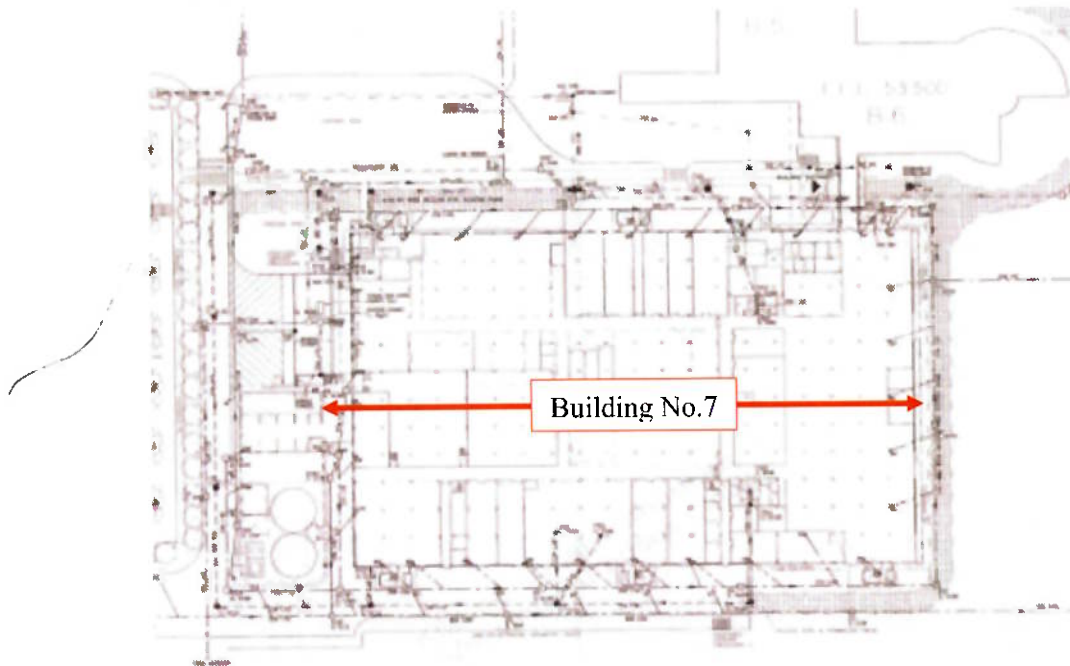


Fig 3.1: Extract from Drawing No. C1015 – P1 by Robinson Keefe Devane, submitted under KCC Reg. Ref. 96/1287 showing Building No. 7 ("Manufacturing") Source: Kildare County Council online planning search facility, annotated by TPA, 2023

The Building is identified as having a floor area of 29,144sqm within the relevant site notice. However, from inspection of the drawings on file, it is clear that a number of mezzanine levels were included which brings the total floor area of Building No. 8 to 49,661sqm.



Fig 3.2: Extract from Drawing No. A/2003 – V2 by Robinson Keefe Devane, submitted under KCC Reg. Ref. 97/893 showing Building No. 8 ("Manufacturing") Source: Kildare County Council online planning search facility, annotated by TPA, 2023.





KCC Reg Ref: 96/1287 was issued with a grant of planning permission on 1<sup>st</sup> November 1996 and included Condition No. 17 amongst others. Condition No.17 stated:

17. Before development is commenced the developer to arrange for the payment to Kildare County Council of contribution of €99,600 towards expenditure which the Council has or may incur in respect of the provision of services which facilitate the proposed development.

REASON: The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.

Fig 3.3: Extract from Notification of KCC Decision Reg. Ref: 96/1287

The contributions listed in condition no.17 applied to the entirety of the development permitted by Application Reg Ref: 96/1287. The required contributions have been paid in full. We understand that this is not disputed by KCC.

Building No's. 8 & 9 were permitted under KCC Reg Ref: 97/893. Having regard to the information contained within the relevant planning file the permitted use of Building No. 8 is manufacturing and Building No. 9 is an energy center. Building No. 8&9 were described as having a gfa of 34,870sqm in the relevant statutory notices. We understand that c.31,122sqm is associated with Building No.8, c.2,262sqm is associated with Building No. 9 and the balance is associated with the service and pedestrian links.

KCC Reg Ref: 97/893 was issued with a grant of planning permission on 19<sup>th</sup> August 1997 and included Condition No. 18 and Condition No. 19 amongst others.

Condition No.18 stated:

18. Before development is commenced the developer to arrange for the payment to Kildare County Council of contribution of £300,160 towards expenditure which the Council has or may incur in respect of the provision of services which facilitate the proposed development.

REASON: The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.

Fig 3.4: Extract from Notification of KCC Decision Reg. Ref: 97/893



Condition No.19 stated:

19. Before development is commenced the developer to arrange for the payment to Kildare County Council of contribution towards expenditure which the Council has or may incur in respect of the provision of road improvement services which facilitate the proposed development. The amount to be agreed between the applicant and the Council before development commences.

REASON: The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.

Fig 3.5: Extract from Notification of KCC Decision Reg. Ref: 97/893

Notably, a letter confirming compliance with conditions 18 and 19 is registered on the planning file (Appendix B).

In summary, the floor areas associated with these permitted buildings are as follows:

- Building no. 7 (Manufacturing): 49,661sqm
- Building no. 8 (Manufacturing): 31,122sqm
- Building No. 9 (Energy Centre): 2,262sqm
- Service & Pedestrian access: 1,486sqm
  
- Total (building's 7, 8 & 9): 84,531sqm<sup>4</sup>

The levies for these permitted buildings have been paid previously. We understand that this is not disputed.

<sup>4</sup> It is noted that the total is less than the overall to be demolished. The total to be demolished includes additional mezzanine areas.





#### 4.0 GROUNDS OF APPEAL

##### 4.1 *Development Contributions have previously been paid – Condition No. 53 results in double-charging*

The *Development Contribution Guidelines*, published by the Department of the Environment, Community and Local Government in January 2013. The Kildare County Council Development Contributions Scheme 2023-2029, which forms part of the County Development Plan, states that:

*"The Development Contribution Scheme has been prepared in accordance with the following guidance documents:*

- *Development Contributions Guidelines for Planning Authorities (Department of the Environment, Community and Local Government, January, 2013).*
- *Departmental Circulars PL3/2013, PL15/2013, PL18/2013, PL032018."*

*[Emphasis added]*

The '*Development Contribution Guidelines*' states that planning authorities "**are required**" to include the following in their development contribution schemes:

*"provision to charge only net additional development in cases of redevelopment projects (e.g. a redevelopment totalling 200m<sup>2</sup> of which 150m<sup>2</sup> is replacing existing development, contribution should only be levied on the additional 50m<sup>2</sup>)".*

Specifically, in relation to "double charging", the *Development Contribution Guidelines* state that:

*"The practice of "double charging" is inconsistent with both the primary objective of levying development contributions and with the spirit of capturing "planning gain" in an equitable manner. Authorities are reminded that any development contribution already levied and paid in respect of a given development **should be deducted from the subsequent charge so as to reflect that this development had already made a contribution.**"*

*[Emphasis added.]*

An Bord Pleanála has acknowledged this approach to "double charging" on a previous grant of permission by Kildare County Council for the Kildare Innovation Campus. In September 2020, An Bord Pleanála issued Decision (ABP Ref. 307312) significantly reducing the sum attached as Condition no. 6 (KCC Reg. Ref. 20/60) from €742,363.39 to €22,538.65. The Inspector in that case stated that:

*"Having regard to the foregoing, I consider that the previously permitted floor areas, **where development contributions have already been paid** and where the*



*change of use does not lead to new or upgraded infrastructure or services or to a significant intensification of demand on existing services, is not liable to be charged a second time under the terms of the Scheme. Therefore, I consider that the floor area provided subsequent to P.A. Reg. Ref. 95/923, which is 415sqm, is liable for development contributions under the terms of the Scheme. This results in an amended development contribution of €22,538.65 (415sqm x €54.31 per sqm)."*

[Emphasis added.]

As identified above, the previous permissions (Reg. Ref. 96/1287 & Reg. Ref. 97/893) included a number of conditions requiring the payment of development contributions<sup>5</sup> to KCC. These contributions were based on the use of Building no. 7 and 8 as Manufacturing and Building No 9 as an Energy Centre. As such, contributions were charged on a total floor area of 84,531sqm as they relate to Building's No. 7, 8 & 9.

The current proposal seeks to develop 152,773.2sqm new gross floor area as identified in the KCC Development Contributions Sheet (Appendix C). The KCC development contribution condition has been based on the new gross floor area and has failed to take into account the levies previous paid and therefore results in 'double-charging' clearly contradicting the 'Development Contribution Guidelines'.

#### **4.2 Re-Development Project/Replacement floorspace will not result in the need for new or upgraded infrastructure/services or result in a significant intensification of demand placed on existing infrastructure**

The KCC Development Contributions Scheme includes two key types of contributions. One for 'Residential Development' and once for 'Non-Residential Development'. It is noted that 'manufacturing' or 'industrial' (as per the permitted Building 7, 8 & 9) would sit within the 'Non-Residential' charge as would the proposed 'Data Centre' and 'Deep Tech' development. As such, both land uses attract the same levy. Further to this, it is considered that the nature, scale and intensity of the proposed development would have similar or lesser demand on services and existing infrastructure in the surrounding area. This is clarified through the comparison of the relevant requirements for drainage, traffic access, employment numbers etc between the historic land use and the proposed development. As such, it is evident that the now proposed replacement of Buildings 7, 8 and 9 would not result in significant intensification of demand on infrastructure. An increase in demand on infrastructure will only arise as a result of the net increase in floor area. As such, it is clearly in equitable to 'double-charge' where there is no net increase in floor area.

<sup>5</sup> Condition No.17 on 96/1287 and Condition No's 18 & 19 on 97/893



#### 4.3 Application of Ministerial Guidelines

Section 28 of the Planning and Development Act, 2000 (as amended) sets out the following inter-alia:

*"(1) The Minister may, at any time, issue guidelines to planning authorities regarding any of their functions under this Act and planning authorities shall have regard to those guidelines in the performance of their functions.*

.....

*(2) Where applicable, the Board shall have regard to any guidelines issued to planning authorities under subsection (1) in the performance of its functions.*

*(3) .....*

**[Our Emphasis]**

The Development Contributions, *Guidelines for Planning Authorities* were prepared by the Department of the Environment, Community and Local Government in January 2013 and issued by Minister for the Environment, Community and Local Government and Minister of State for Housing and Planning. As such, a planning authority and the Board are required to have regard to the guidelines in the performance of its functions. The KCC Development Contributions Scheme includes reference to the 'Development Contributions, *Guidelines for Planning Authorities*' and notes that the Development Contribution Scheme has been prepared in accordance with the guidelines. Notwithstanding this, it is clear from review of the KCC Development Contributions Scheme that they have not been prepared in accordance with the 'guidelines' and have failed to include a measure to ensure that no 'double-charging' will occur for redevelopment projects.

The 'Development Contribution Guidelines' states that planning authorities "are required" to include the following in their development contribution schemes:

*"provision to charge only net additional development in cases of redevelopment projects (e.g. a redevelopment totalling 200m<sup>2</sup> of which 150m<sup>2</sup> is replacing existing development, contribution should only be levied on the additional 50m<sup>2</sup>)".*

No such measure has been included in the Kildare Development Contribution Scheme, furthermore, no reference is provided to state why the required measure has been excluded, as such the scheme contravenes the Ministerial Guidelines.

Notwithstanding this, Section 28(2) of the Planning and Development Act, 2000 (as amended), requires the Board to have regard to the Ministerial Guidelines in determining this appeal, as such, it is considered that the issue of 'double-charging' is required to be addressed and rectified through a revised calculation.



## **5.0 CONCLUSION**

The Applicant is fully disposed to making a contribution towards works that will facilitate development in the area of the subject site.

However, it is considered that the Planning Authority has erred in calculating the correct development contributions amount in this instance, and has not correct regard to Development Contributions, *Guidelines for Planning Authorities* were prepared by the Department of the Environment, Community and Local Government in January 2013 in the application of the 'Kildare County Council Development Contribution Scheme 2023-2029'. This has resulted in a significantly inflated rate of €9,471,938.40.

The financial contribution chargeable in respect of the proposed development should only be charged on the net increase in gross floor area as per the Ministerial Guidelines. Floor area which has already been subject to development contributions through parent permissions should be discounted. This has been clearly demonstrated in the above history and submitted grounds of appeal.

We request the Board to reduce the amount of Condition No. 52 of the permission to **€5,240,922.00** to reflect the actual increase in net gross floor space proposed.

We look forward to receipt of the Board's Decision in due course, and would be happy to provide any clarification or further information if requested.

Yours faithfully

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**Brian Minogue**  
**Associate**  
**Tom Phillips + Associates**



## APPENDIX A – KIC PROPOSED & EXISTING SITE LAYOUTS

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( )





APPENDIX B – CONFIRMATION OF COMPLAINE WITH LEVIES KCC REG. REF: 97/893

8 December 2008

Our Ref: AS-97/893  
Your Ref: LMU 5240/123

Ms. Lorraine Murphy  
Matheson Ormsby Prentice  
Solicitors  
70 Sir John Rogerson's Quay  
Dublin 2

**Re: Planning permission ref. 97/893 – Hewlett Packard Ltd.  
Development at Barnhall Parsonstown, Rinawade, Leixlip, Co. Kildare.**

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Dear Ms. Murphy,

Thank you for your recent letter and payment of €30.00 for letter of compliance in respect of financial contributions imposed under the above permission. Receipt number PLG1/0/51660 issued in respect of same (copy enclosed for your records)

**I confirm that all contributions in respect of financial condition no.s 18 & 19 of pl. ref. 97/893 have been paid and complied with in full.**

If you have any queries, or require any further information, Development Contributions, Planning Section, (045) 980843 are dealing with this matter

Yours Sincerely,

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A. Rowan  
Senior Executive Officer  
Planning Department





**APPENDIX C – KCC DEVELOPMENT CONTRIBUTIONS SHEET (KCC REG. REF: 23/60047)**





**DEVELOPMENT CONTRIBUTIONS - 23/60047 Davy Platform IC - Liffey Sub Fund**  
Development at Kildare Innovation Campus, Barnhall, Leixlip, Co. Kildare

Permission - Data Centre (152773.20 sqm)

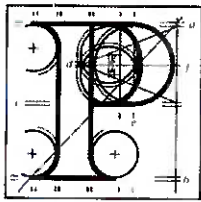
Rate Bands	Description	Rate Per Sqm	Floor Area sqm	*Exemption Reduction	Area Considered for Contribution Sqm	Contribution
8.2	Data Centre	€62.00	152773.2	0	152773.2	€9,471,938.40
					Development Contributions Applicable	€9,471,938.40

Contribution applied as per Section 8.2 of the DCS 2023-2029.  
There are outstanding development contributions as follow:  
22/1096 €14260.00  
12/708 €32633.48

Signed: \_\_\_\_\_  
Celine O'Neill  
Date: 5th September, 2023







An  
Bord  
Pleanála

## Planning Appeal Form

### Your details

#### 1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Th eDavy Platform ICAV, for and on behalf of the  
Liffey Sub Fund

(b) Address

49 Dawson Street, Dublin 2, D02PY05

### Agent's details

#### 2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Tom Phillips + Associates, c/o Brian Minogue

(b) Agent's address

80 Harcourt Street, Dublin 2, D02 F449







## Postal address for letters

3. During the appeal we will post information and items to you **or** to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the  
address in Part 1

☐

The agent at the address in  
Part 2

☒

## Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

**(a) Planning authority**

(for example: Ballytown City Council)

Kildare County Council

**(b) Planning authority register reference number**

(for example: 18/0123)

23/60047

**(c) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

KILDARE INNOVATION CAMPUS (KIC), BARNHALL ROAD, LEIXLIP, CO. KILDARE, W23 X93P AND INCLUDING LANDS WITHIN THE M4 AND BARNHALL MEADOWS









## Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please refer to the attached submission



## Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

## Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

## Fee

8. You **must** make sure that the correct [fee](#) is included with your appeal. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.





## Oral hearing request

9. If you wish to [request the Board to hold an oral hearing](#) on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on [our website](#) or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

**Yes, I wish to request an oral hearing**

☐

**No, I do not wish to request an oral hearing**

☒

NALA has awarded this document its Plain English Mark

Last updated: April 2019.



