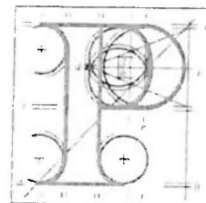


**OL Case Number:** ABP-318151-23

**Planning Authority Reference Number:** 2360047

**Your Reference:** The Davy Platform ICAV on behalf of Liffey S Fund



An  
Bord  
Pleanála

Tom Phillips & Associates  
80 Harcourt Street  
Dublin 2  
D02 F449

**Date:** 27 November 2023

**Re:** 6 data centre buildings. EIAR submitted.  
Kildare Innovation Campus (KIC), Barnhall Meadows, Leixlip, Co. Kildare

Dear Sir / Madam,

An Bord Pleanála has received a withdrawal of appeal by Kilross Properties Limited and hereby notifies you in accordance with section 140(1)(b) of the planning and development act, 2000 (as amended), that said appeal has been withdrawn.

However, the Board wishes you to know that the development is still the subject of another appeal.

As this other appeal relates solely to the proper application by the planning authority of the terms of their development contribution scheme adopted under section 48 of the Act in respect of the condition(s) under appeal, and as there are no other appeals against the decision of the planning authority on the planning application, the provisions of section 48(10)(b) and (c) of the Act apply to this appeal provided the appeal is valid.

Section 48(10)(c) of the Act provides that the planning authority shall, subject to the applicant furnishing to the planning authority security for payment of the full amount of the contribution(s) specified in the condition(s) the subject of the appeal, make the grant of permission as soon as maybe after the expiration of the period for the taking of an appeal.

The Board will determine the appeal on the basis of the proper application of the terms of the development contribution scheme and will issue appropriate directions to the planning authority when it has determined the appeal.

You are reminded that section 127(3) of the Act provides that an appellant shall not be entitled to elaborate in writing on, or make further submissions in writing in relation to the grounds of appeal stated in the appeal, or to submit further grounds of appeal unless requested by the Board to do so.

**Teil**  
**Glaio Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

**Tel** (01) 858 8100  
**LoCall** 1800 275 175  
**Fax** (01) 872 2684  
**Website** [www.pleanala.ie](http://www.pleanala.ie)  
**Email** [bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

You will be notified of the decision when it is made.

Yours faithfully,



Daniel O'Connor  
Executive Officer  
Direct Line:

BP62A

**Tel**  
**Glaó Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

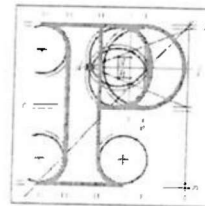
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**OL. Case Number: ABP-318151-23**

**Planning Authority Reference Number: 2360047**



**An  
Bord  
Pleanála**

Kildare County Council  
Áras Chill Dara  
Devoy Park  
Naas  
Co. Kildare  
W91 X77F

**Date: 27 November 2023**

**Re: 6 data centre buildings. EIAR submitted.**

Kildare Innovation Campus (KIC), Barnhall Meadows, Leixlip, Co. Kildare

Dear Sir / Madam,

An Bord Pleanála has received a withdrawal of appeal by Kilross Properties Limited and hereby notifies you in accordance with section 140(1)(b) of the planning and development act, 2000 (as amended), that said appeal has been withdrawn.

However, the Board wishes you to know that the development is still the subject of another appeal. As this other appeal relates solely to the proper application by the planning authority of the terms of their development contribution scheme adopted under section 48 of the Act in respect of the condition(s) under appeal, and as there are no other appeals against the decision of the planning authority on the planning application, the provisions of section 48(10)(b) and (c) of the Act apply to this appeal provided the appeal is valid.

As the appeal relates solely to the proper application by the planning authority of the terms of the development contribution scheme adopted under section 48 of the Act in respect of the condition(s) under appeal, and as there are no other appeals against the decision of the planning authority on the planning application, the provisions of section 48(10)(b) and (c) of the Act apply to this appeal.

Section 48(10)(c) of the Act provides that the planning authority shall, subject to the applicant furnishing to the planning authority security for payment of the full amount of the contribution(s) specified in the condition(s) the subject of the appeal, make the grant of permission.

**Tell**  
**Glaao Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

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**Email** [bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
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D01 V902

64 Marlborough Street  
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D01 V902

The Board will determine the appeal on the basis of the proper application of the terms of the development contribution scheme and will issue appropriate directions to the planning authority when it has determined the appeal.

Yours faithfully,



Daniel O'Connor  
Executive Officer  
Direct Line:

BP63A

Teil  
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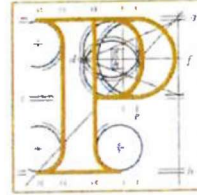
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**Our Case Number:** ABP-318151-23

**Planning Authority Reference Number:** 2360047



An  
Bord  
Pleanála

Kildare County Council  
Áras Chill Dara  
Devoy Park  
Naas  
Co. Kildare  
W91 X77F

**Date:** 23 November 2023

**Re:** 6 data centre buildings. EIAR submitted.  
Kildare Innovation Campus (KIC), Barnhall Meadows, Leixlip, Co. Kildare

Dear Sir / Madam,

An Bord Pleanála has received a withdrawal of the above-mentioned appeal by Killross Properties Limited and hereby notifies you in accordance with section 140(1)(b) of the Planning and Development Act, 2000, (as amended), that the said appeal has been withdrawn.

However, the Board wishes you to know that the development is still the subject of another appeal and the Board's decision on the matter has yet to be made.

The Board's decision will be notified to you in due course.

Yours faithfully,

Daniel O'Connor  
Executive Officer  
Direct Line:

BP53

<b>Tel</b>	<b>Tel</b>	(01) 858 8100
<b>Glaao Áitiúil</b>	<b>LoCall</b>	1800 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
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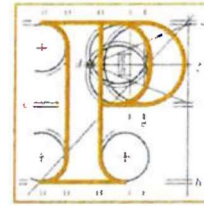
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Tom Phillips & Associates  
80 Harcourt Street  
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Kildare Innovation Campus (KIC), Barnhall Meadows, Leixlip, Co. Kildare

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However, the Board wishes you to know that the development is still the subject of another appeal and the Board's decision on the matter has yet to be made.

If there is no appeal against the principle of the planning authority's decision to grant the permission/outline permission, this appeal against a condition/conditions may be considered in accordance with section 139 of the Planning and Development Act, 2000, (as amended). The Board has the option of using its discretionary power to give the planning authority directions to attach, remove or amend the conditions appealed against or other conditions.

The Board will use this power if it is satisfied that determination of the application as if it had been made to it in the first instance would not be warranted. You are advised that the Board will not commit itself to use its powers under section 139 until final determination of the appeal. Therefore, it is possible that consideration may not be confined to the conditions and the appeal could be determined by granting or refusing permission/outline permission

The Board's decision will be notified to you in due course.

Yours faithfully,

Daniel O'Connor  
Executive Officer  
Direct Line:

BP53

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