

Planning Department  
Planning Counter  
07 SEP 2021  
Received

Planning Department,  
South Dublin County Council  
County Hall Tallaght,  
Dublin 24,  
D24 A3XC

BB/COC

6<sup>th</sup> September 2021

**Re: Our Clients: John Conway and Louth Environmental Group of 91 St.  
Nicholas Avenue, Dundalk, Co. Louth Re:  
Submission/Observation Planning Application Reference Number: SD21A/0217  
Applicant: Digital Netherlands VIII B. V.**

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Dear Sirs,

On behalf of the above-named Clients, we wish to lodge the within written submissions/observations on the proposed development the subject matter of Planning Application Application Ref No. SD21A/0217, comprising an application for 10 year permission for development consisting of removal of an existing unused waste water treatment facility on site and the erection of two data centre buildings, gas powered energy generation compound, and all other associated ancillary buildings and works; the two data centre buildings, DUB 15 and DUB 16, will comprise a total floor area of c. 33,577sq.m over two storeys; the first 2 storey data centre building (DUB15), located to the southwest of the site, will comprise 16,865sq.m data storage use, ancillary office use and associated electrical and mechanical plant rooms, loading bays, maintenance and storage space; a second 2 storey data centre building (DUB16), located to the southeast of the site, will comprise 16,712sq.m data storage areas, ancillary office use and associated electrical and mechanical plant rooms, loading bays, maintenance and storage space; both data centre buildings will reach a height of 20m; emergency generators and associated emission flues and plant are proposed in compounds adjacent to each data centre building; gas powered energy generation is proposed to the north east corner of the site to provide electricity for the proposed development; the application proposes to re-route and widen an existing watercourse constructed following an earlier planning permission; it is proposed to reroute this watercourse along the eastern and southern boundary of the site; landscaping is proposed to the south of the site to screen the buildings; fencing and security gates are proposed around the site; new access roads within the site are proposed along with 71 car parking spaces and 26 cycle spaces, bin stores, site lighting, and all associated works including underground foul and storm water drainage attenuation and utility cables and all other ancillary works.

The grounds and reasons for our submission/observations are detailed hereinafter.

- (a) The planning application does not comply with the requirements of the Planning and Development Act 2000 (as amended) and associated Regulations. The applicant has failed to notify the Commission for Regulation of Utilities – which is so required in circumstances where the proposed development will have an impact on energy infrastructure.
- (b) The proposed development does not comply with the objectives of the South Dublin County Council Development Plan (2016-22), including in relation to E2 Objective 3; E4 Objective 1 and national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021 (having regard to the utilisation of gas and diesel as power sources); or the aspirations of the South Dublin County Council Climate Action Plan.
- (c) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid.
- (d) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project.
- (e) The Proposed Development does not comply with the requirements of the Planning and Development Act 2000 (as amended) (*under Part XAB of the 2000 Act (ss.177R-177AE)*) and the Habitats Directive. Due to inadequacies and lacunae in the AA Screening Report and NIS prepared by the Developer the Board does not have sufficient and/or adequate information before it to carry out a complete AA Screening and AA in relation to the proposed development.
- (f) Inadequate information has been provided in the NIS to screen out the potential impact of the proposed development on birds – reference to generic statements is not a substitute for expert scientific opinion as to the potential impact of the proposed development, during both construction and operational phases on birds, including bird flight lines and collision risks.

- (g) The AA Screening assessment, included in the NIS, does not provide sufficient reasons or findings, as required under Art.6(3) of the Habitats Directive and national law, to the requisite standard – the conclusions/statements made therein do not identify any clear methodology and no analysis is offered in respect of the AA Screening conclusions in respect of the protected sites “screened out” at the said AA Screening stage.
- (h) The “Zone-of-Influence” referred to in the NIS is not reasoned or explained – it is unclear how such a zone was so determined – the criteria for determining a “zone-of-influence” has no basis in law. Furthermore, the limitation of the consideration of protected sites to a 15km radius is not explained and it is unclear how such a limitation was determined.
- (i) No regard and/or inadequate regard has been given to the cumulative effects of the proposed development, in combination with other development in the vicinity, on the protected sites.
- (j) The extremely high electricity consumption will increase Ireland’s carbon emissions at a time when we urgently need to reduce them. Gas will be burnt to power this data centre during a climate emergency, when Ireland is supposed to be reducing national emissions by 51% under the Climate Action and Low Carbon Development (Amendment) Bill. The proposed development will increase our fossil fuel emissions and is incompatible with this Bill. The Environmental Agency announced last year that Ireland has already overshot its 2018 greenhouse gas emissions ceiling of 60.93 million tonnes of carbon dioxide equivalent (Mt CO<sub>2</sub>eq) by 5.59Mt. Due to the inevitable leakage of methane during extraction, processing and transportation, using gas to generate power releases more methane into the atmosphere than using coal or oil. Methane has a global warming potential 87 times higher than carbon dioxide in the first 20 years after emission. [Prof Robert Howarth: Ideas and perspectives: is shale gas a major driver of recent increase in global atmospheric methane? <https://bg.copernicus.org/articles/16/3033/2019/>]
- (k) There is no information within this application on the proposals to connect the power plant and site to the national grid and the source of gas proposed, the Climate Action and Low Carbon Development (Amendment) Act 2021 is not referenced in Section 4.2.3 of the Planning Report.

- (l) There is already a disproportionate number of Data Centres in the South Dublin Area. Dozens of centres have opened in recent years, bringing the total to 54, with a combined power capacity of 642MW. All the homes in Clare, Kerry and Limerick together as an example would amount to a consumption 200MW. Data centres will require 12.5 TW [terawatts] of electricity above what is being provided. That is enough power for 24m homes.
- (m) Water usage. Peak demand of water usage stands at around 1,000,000 litres of water per day. Rainwater collection cannot be relied upon, due to uneven patterns of precipitation which will become even more erratic as the climate changes. Cooling the data centre will divert a valuable resource away from the local community, a situation which is likely to get worse as water scarcity becomes more of a problem and population increases. A region with ample water today may become water-stressed in 10 to 30 years. We have recently witnessed that protracted periods of temperatures above 26 C with no precipitation are becoming more frequent in Ireland. The UN expects water demand to outpace supply by almost 40% as soon as 2030. Greater consideration needs to be given to how available resources are going to be used.
- (n) As per South Dublin County Council's Development Plans (2016-2022) E2 Objective 8 and the landscape plan for this site has no provision for Green Roofs in terms of promoting and encouraging biodiversity.
- (o) The Government has set a target that 70 percent of Ireland's electricity will come from renewable sources by 2030. In its Generation Capacity Statement 2020-2029, EirGrid projects that demand from data centers could account for 27 percent of all electricity demand in the country by 2029, up from 11 percent in 2020.
- (p) Ireland is one of the EU's worst carbon emission offenders and faces fines of more than €250 million for missing 2020 targets on reducing greenhouse gas emissions. Missing later targets will trigger steeper fines.
- (q) According to Host in Ireland/Bitpower figures, the data centre industry was responsible for 1.85% of electricity-related carbon emissions in the country during 2020, and this is expected to reach 2.2% by 2025. By 2027, data centres will consume 31% of Ireland's electricity. This rise isn't startling, considering that data centre growth is expected to double over the next five years.
- (r) The climate action plan set an ambition of 70% renewable electricity by 2030. This planning application has no intention to supplement the significant



energy demands of the data centre with alternative energy supply. Renewables will never provide all the energy requirement for this large scale data centre, contrary to South Dublin County Councils Development Plan (2016-2022) and the future Development Plan (2022-2028).

- (s) The EIAR, is inadequate and deficient and does not permit an assessment of the potential environmental impacts of the proposed development.

We enclose herewith €20.00 being the fee submitted with our Submissions.

Yours faithfully,

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Christine O' Connor,  
BKC Solicitors



Planning Department,  
South Dublin County Council  
County Hall Tallaght,  
Dublin 24,  
D24 A3XC

BB/COC

6<sup>th</sup> September 2021

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On behalf of the above-named Clients, we wish to lodge the within written submissions/observations on the proposed development the subject matter of Planning Application Application Ref No. SD21A/0217, comprising an application for 10 year permission for development consisting of removal of an existing unused waste water treatment facility on site and the erection of two data centre buildings, gas powered energy generation compound, and all other associated ancillary buildings and works; the two data centre buildings, DUB 15 and DUB 16, will comprise a total floor area of c. 33,577sq.m over two storeys; the first 2 storey data centre building (DUB15), located to the southwest of the site, will comprise 16,865sq.m data storage use, ancillary office use and associated electrical and mechanical plant rooms, loading bays, maintenance and storage space; a second 2 storey data centre building (DUB16), located to the southeast of the site, will comprise 16,712sq.m data storage areas, ancillary office use and associated electrical and mechanical plant rooms, loading bays, maintenance and storage space; both data centre buildings will reach a height of 20m; emergency generators and associated emission flues and plant are proposed in compounds adjacent to each data centre building; gas powered energy generation is proposed to the north east corner of the site to provide electricity for the proposed development; the application proposes to re-route and widen an existing watercourse constructed following an earlier planning permission; it is proposed to reroute this watercourse along the eastern and southern boundary of the site; landscaping is proposed to the south of the site to screen the buildings; fencing and security gates are proposed around the site; new access roads within the site are proposed along with 71 car parking spaces and 26 cycle spaces, bin stores, site lighting, and all associated works including underground foul and storm water drainage attenuation and utility cables and all other ancillary works.

The grounds and reasons for our submission/observations are detailed hereinafter.

- (a) The planning application does not comply with the requirements of the Planning and Development Act 2000 (as amended) and associated Regulations. The applicant has failed to notify the Commission for Regulation of Utilities – which is so required in circumstances where the proposed development will have an impact on energy infrastructure.
- (b) The proposed development does not comply with the objectives of the South Dublin County Council Development Plan (2016-22), including in relation to E2 Objective 3; E4 Objective 1 and national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021 (having regard to the utilisation of gas and diesel as power sources); or the aspirations of the South Dublin County Council Climate Action Plan.
- (c) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid.
- (d) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project.
- (e) The Proposed Development does not comply with the requirements of the Planning and Development Act 2000 (as amended) (*under Part XAB of the 2000 Act (ss.177R-177AE)*) and the Habitats Directive. Due to inadequacies and lacunae in the AA Screening Report and NIS prepared by the Developer the Board does not have sufficient and/or adequate information before it to carry out a complete AA Screening and AA in relation to the proposed development.
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- (i) No regard and/or inadequate regard has been given to the cumulative effects of the proposed development, in combination with other development in the vicinity, on the protected sites.
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- (l) There is already a disproportionate number of Data Centres in the South Dublin Area. Dozens of centres have opened in recent years, bringing the total to 54, with a combined power capacity of 642MW. All the homes in Clare, Kerry and Limerick together as an example would amount to a consumption 200MW. Data centres will require 12.5 TW [terawatts] of electricity above what is being provided. That is enough power for 24m homes.
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  - (n) As per South Dublin County Council's Development Plans (2016-2022) E2 Objective 8 and the landscape plan for this site has no provision for Green Roofs in terms of promoting and encouraging biodiversity.
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  - (r) The climate action plan set an ambition of 70% renewable electricity by 2030. This planning application has no intention to supplement the significant
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energy demands of the data centre with alternative energy supply. Renewables will never provide all the energy requirement for this large scale data centre. contrary to South Dublin County Councils Development Plan (2016-2022) and the future Development Plan (2022-2028).

- (s) The EIAR, is inadequate and deficient and does not permit an assessment of the potential environmental impacts of the proposed development.

We enclose herewith €20.00 being the fee submitted with our Submissions.

Yours faithfully,



Christine O' Connor,  
BKC Solicitors

**An Rannóg Talamhúsáide, Pleanála agus Iompair**  
**Land Use, Planning & Transportation Department**  
**Telephone: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)**

**Christine O'Connor,**  
**BKC Solicitors**  
**252, Harold's Cross Road**  
**Harold's Cross**  
**Dublin 6W**  
**D6W T384**

**Date: 09-Sep-2021**

Dear Sir/Madam,

**Register Ref:** SD21A/0217

**Development:** 10 year permission for development consisting of removal of an existing unused waste water treatment facility on site and the erection of two data centre buildings, gas powered energy generation compound, and all other associated ancillary buildings and works: the two data centre buildings, DUB 15 and DUB 16, will comprise a total floor area of c. 33,577sq.m over two storeys; the first 2 storey data centre building (DUB15), located to the southwest of the site, will comprise 16,865sq.m data storage use, ancillary office use and associated electrical and mechanical plant rooms, loading bays, maintenance and storage space; a second 2 storey data centre building (DUB16), located to the southeast of the site, will comprise 16,712sq.m data storage areas, ancillary office use and associated electrical and mechanical plant rooms, loading bays, maintenance and storage space; both data centre buildings will reach a height of 20m; emergency generators and associated emission flues and plant are proposed in compounds adjacent to each data centre building; gas powered energy generation is proposed to the north east corner of the site to provide electricity for the proposed development; the application proposes to re-route and widen an existing watercourse constructed following an earlier planning permission; it is proposed to reroute this watercourse along the eastern and southern boundary of the site; landscaping is proposed to the south of the site to screen the buildings; fencing and security gates are proposed around the site; new access roads within the site are proposed along with 71 car parking spaces and 26 cycle spaces, bin stores, site lighting, and all associated works including underground foul and storm water drainage attenuation and utility cables and all other ancillary works; a Natura Impact Statement will be submitted to the planning authority with the application.

**Location:** Profile Park, Nangor Road, Clondalkin, Dublin 22

**Applicant:** Digital Netherlands VIII B. V.

**Application Type:** Permission

**Date Rec'd:** 04-Aug-2021

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanala if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, [www.sdublincoco.ie](http://www.sdublincoco.ie).

You may wish to avail of the Planning Departments email notification system on our website. When in the *Planning Applications* part of the Council website, [www.sdublincoco.ie](http://www.sdublincoco.ie), and when viewing an application on which a decision has not been made, you can input your email address into the box named "*Notify me of changes*" and click on "*Subscribe*". You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

**Please note:** If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney  
for Senior Planner