

Comhairle Chontae Atha Cliath Theas

PR/0081/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0042 **Application Date:** 24-Feb-2021
Submission Type: Clarification of **Registration Date:** 14-Dec-2021
Additional
Information

Correspondence Name and Address: Marston Planning Consultancy 23, Grange Park,
Foxrock, Dublin 18

Proposed Development: Construction of two single storey data centres with associated office and service areas; and three gas powered generation plant buildings with an overall gross floor area of 24,624sq.m that will comprise of the following: Demolition of abandoned single storey dwelling, remaining agricultural shed and derelict former farm building; Construction of 2 single storey data centres (12,797sq.m), both with associated plant at roof level, with 24 standby diesel generators with associated flues (each 25m high) that will be attached to a single storey goods receiving area/store and a single storey office area (2,404sq.m) located to the west of the data centres as well as associated water tower and sprinkler tank and other services; Amendments to the internal access road and omission of access to loading bay permitted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948 that include the relocation of permitted, and new, internal security gates; and new internal access roads to serve the proposed development that will provide access to 39 new car parking spaces (including 4 electric and 2 disabled spaces) and sheltered bicycle parking to serve the new data centres; The development will also include the phased development of 3 two storey gas powered generation plants (9,286sq.m) within three individual buildings and ancillary development to provide power to facilitate the development of the overall site to be located within the south-west part of the overall site. Gas plant 1 (3,045sq.m) will contain 20 generator units (18+2) with associated flues (each 25m high) will facilitate, once operational the decommissioning of the temporary Gas Powered Generation Plant within its open compound as granted under SDCC

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Planning Ref. SD19A/0042/ABP Ref. PL06S.305948. Gas plant 2 (3,045sq.m) will contain 20 generator units (18+2) with associated flues (each 25m high). and, Gas plant 3 (3,196sq.m) will contain 21 generator units (19+2) with associated flues (each 25m high). These plants will be built to provide power to each data centre, if and, when required. The gas plants will be required as back up power generation once the permitted power connection via the permitted substation is achieved; New attenuation pond to the north of the site; Green walls are proposed on the southern elevation of each power plant, as well as to the northern elevation of the generator compound of the data centres, and enclosing the water tower/pump room compound, and a new hedgerow is proposed linking east and west of the site; Proposed above ground gas installation compound to contain single storey kiosk (93sq.m) and boiler room (44sq.m). The development will also include ancillary site works, connections to existing infrastructural services as well as fencing and signage. The development will include minor modifications to the permitted landscaping to the west of the site as granted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948. The site will remain enclosed by landscaping to all boundaries. The development will be accessed off the R120 via the permitted access granted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948. An EPA-Industrial Emissions (IE) licence will be applied for to facilitate the operation of the gas powered generation plant. An Environment Impact Assessment Report (EIAR) has been submitted with this application. All on a site of 22.1hectares.

Location: Site within the townland of Ballymakailly, West of Newcastle Road (R120), Lucan, Co. Dublin

Applicant Name: EdgeConneX Ireland Limited

Application Type: Permission

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(SW/COS)

Description of Site and Surroundings:

Site Area: Stated as 22.1 Ha.

Site Description:

The application site is located south of the Grand Canal and west of the R120 (Newcastle Road), close to Grange Castle business park. It is predominantly greenfield, but there are some buildings, including a dwelling, in the northern portion of the site. The remainder of the buildings are agricultural sheds/storage. The buildings are currently accessed via the canal tow path.

The site consists of a series of fields, with internal hedgerows. There is also vegetation along the southern and western boundary of the site. It is apparent that there may also be a series of ditches. It slopes gently downwards from north to south.

There is small scale/dispersed residential development along the R120, with a traveller site c.180m to the south west.

Planning permission was previously granted on the southern portion of the site for a data centre, with some areas of attenuation in the north east corner.

The land surrounding the site (east, west and south) is allocated as 'EE' in the County Development Plan. There are 4 protected structures within 100m of the site boundary to the north.

Proposal:

Construction of **two single storey data centres** with **associated office and service** areas; and **three gas powered generation plant buildings** with an overall gross floor area of 24,624sq.m that will comprise of the following:

- Demolition of abandoned single storey dwelling, remaining agricultural shed and derelict former farm building;
- Construction of 2 single storey data centres (12,797sq.m), both with associated plant at roof level, with 24 standby diesel generators with associated flues (each 25m high) that will be attached to a single storey goods receiving area/store and a single storey office area (2,404sq.m) located to the west of the data centres as well as associated water tower and sprinkler tank and other services;
- Amendments to the internal access road and omission of access to loading bay permitted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948 that include the relocation of permitted, and new, internal security gates;

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- and new internal access roads to serve the proposed development that will provide access to 39 new car parking spaces (including 4 electric and 2 disabled spaces) and sheltered bicycle parking to serve the new data centres;
- The development will also include the phased development of 3 two storey gas powered generation plants (9,286sq.m) within three individual buildings and ancillary development to provide power to facilitate the development of the overall site to be located within the south-west part of the overall site.
 - o Gas plant 1 (3,045sq.m) will contain 20 generator units (18+2) with associated flues (each 25m high) will facilitate, once operational the decommissioning of the temporary Gas Powered Generation Plant within its open compound as granted under SDCC Planning Ref. SD19A/0042/ABP Ref. PL06S.305948.
 - o Gas plant 2 (3,045sq.m) will contain 20 generator units (18+2) with associated flues (each 25m high). and,
 - o Gas plant 3 (3,196sq.m) will contain 21 generator units (19+2) with associated flues (each 25m high).
 - o These plants will be built to provide power to each data centre, if and, when required. The gas plants will be required as back up power generation once the permitted power connection via the permitted substation is achieved;
- New attenuation pond to the north of the site; Green walls are proposed on the southern elevation of each power plant, as well as to the northern elevation of the generator compound of the data centres, and enclosing the water tower/pump room compound, and a new hedgerow is proposed linking east and west of the site;
- Proposed above ground gas installation compound to contain single storey kiosk (93sq.m) and boiler room (44sq.m).
- The development will also include ancillary site works, connections to existing infrastructural services as well as fencing and signage. The development will include minor modifications to the permitted landscaping to the west of the site as granted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948.
- The site will remain enclosed by landscaping to all boundaries. The development will be accessed off the R120 via the permitted access granted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948.
- An EPA-Industrial Emissions (IE) licence will be applied for to facilitate the operation of the gas powered generation plant.
- An Environment Impact Assessment Report (EIAR) has been submitted with this application.

All on a site of 22.1hectares.

Zoning:

The majority of the site is zoned EE *'To provide for enterprise and employment related uses'*.

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An element of the site (northern) is zoned 'RU' to protect and improve rural amenity and to provide for the development of agriculture.

Environmental Impact Statement:

An Environmental Impact Assessment Report (EIAR) has been submitted with this application. The adequacy of the EIAR will be assessed under 'Adequacy of the Environmental Impact Assessment Report' within the 'Assessment' section of this report.

Screening for Appropriate Assessment:

An Appropriate Assessment Screening report was submitted by the applicant which will be discussed in further detail under the relevant section of this report.

Consultations:

Waterways Ireland: No objection, subject to conditions.

The Eastern and Midland Regional Assembly: No report at time of writing

Irish Water: Additional information requested.

IAA: No report at time of writing

Department of Defence: No objection, subject to conditions.

Chief Fire Officer: No report at time of writing

Roads: No objection, subject to conditions.

Water Services: Additional information requested.

Parks: No objection, subject to conditions.

Heritage: No report at time of writing

Architectural Conservation: No report at time of writing

County Architect: No report at time of writing

Forward Planning: No report at time of writing

An Taisce: Further information requested.

EHO: No objections, subject to conditions.

SEA Sensitivity Screening

Indicates overlap with:

- Rural 2016
- Protected structure 2016
- Section 22 Landfills 2016
- PNHA 2016

Close to site:

Protected Structures - RPS118, 119, 125 and 127

Submissions/Observations /Representations:

A number of submissions were received.

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Issues raised include:

- Data centres can destabilise the national grid.
- The commission for energy regulation has not been notified.
- Disproportionate number of data centres within SDCC.
- Eirgrid are currently proposing to ban data centres within the Greater Dublin Area. May be premature to consider another planning application ahead of the consultation.
- Disappointing that energy will not be supplemented with renewable
- If the development is permitted, it should be conditioned that all energy is from renewable sources, save for the back up gas generators.
- Needs to be ensured that the data centre and gas generators do not compromise the development of EE zoned lands to the west. Needs to be ensured land will not be sterilised for safety or other reasons e.g. will electromagnetic impacts of the development have an impact on adjacent lands. The EIAR does not address this point.
- EIAR does not sufficiently address carbon impacts or cumulative impacts.
- Eirgrid policy is unsuitable. Development encourages reliance on gas.
- Capacity of Irish Water should be ascertained.
- Grid connection is not addressed.

The issues raised in the submissions are considered in the overall assessment of this planning application.

Relevant Planning History:

Subject site

SD19A/0042 Phased development that will include 4 single storey data halls all with associated plant at roof level; 32 standby generators with associated flues (each 15m high); associated office and service areas; service road infrastructure and car parking; ESB sub-station/transformer yard with an overall gross floor area of 17,685sq.m; temporary gas powered generation plant within a walled yard containing 19 generator units with associated flues (each 17m high) to be located to the west of the proposed data halls on a site within the townland of Ballymakailly; Phase 1, 2 single storey data halls (6,950sq.m.) with roof plant and 16 stand-by generators with associated flues (each 15m high) as well as associated water tower and pump room and other services; single storey goods receiving area/store and single storey office area (1,522sq.m.) located attached and to the north-east of the data halls; temporary gas powered generation plant with 15 generators with associated flues (each 17m high) to be located within a compound to the

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west of the proposed data halls; attenuation pond; two storey ESB sub-station (494sq.m) with associated transformer yard and single storey transformer building (247sq.m) within compound; Phase 2, 2 single storey data halls (6,950sq.m.) with roof plant and 16 stand-by generators with associated flues (each 15m high) as well as associated water tower and pump room and other services; single storey goods receiving area/store and single storey office area (1,522sq.m) located attached and to the east of the data halls under this Phase and attached and to the north of the offices proposed under Phase 1; 4 additional generators with associated flues (each 17m high) to be constructed within the temporary gas powered generation plant; also ancillary site works; connections to existing infrastructural services as well as fencing; signage; vehicular access off the realigned R120 to provide a new vehicular access into the site as well as internal service roads and entrance gates; car park for 39 car parking spaces (including 4 disabled car parking spaces); sheltered bicycle parking to serve the development. The development will be enclosed with landscaping to all boundaries of the overall site of 22.1ha. Application for enabling works to facilitate this development has been made under Reg. Ref. SD19A/0004. An Environmental Impact Assessment Report (EIAR) has been submitted with this application. An EPA-Industrial Emissions (IE) licence will be applied for to facilitate the operation of Phase 2 of the permission. **Permission Granted (SDCC and ABP).**

SD19A/0004 Enabling works to facilitate the future development of the site; topsoil strip and a cut and fill operation across the site; temporary construction access will be created off the R120 to facilitate the works within the townland of Ballymakailly to the west of the Newcastle Road (R120). **Permission Granted.**

SD08A/0630 Alterations to previously approved reg. ref SD06A/0527 AND SD07A/0102 including a revised gate house design, new pedestrian turnstile access and pathway, revised position of bus shelter, revised parking layout (with the omission of 2 no. car parking spaces and addition of 10 no. truck parking spaces), adjustments to building 1 basement car park ramp, new semi-submerged sprinkling system pump house with a floor area of 95.25 sq. m and 2no underground chambers of 11 sq. m each, revised water tank area layout with 1 no. additional tank of 13.2 sq. m, revised position of permitted smoking shelter, new gas skid enclosure, new back-up generator and associated diesel tank, new truck wash unit, revised stainless steel silo heights (from 14.98 m. to 17.84 m.), new internal vehicular gate, revised treatment plant layout, revised wheelchair access to the main building, new additional hard standing area and smoking shelter to the east of the subject site. **Permission Granted.**

Adjacent Sites

SD188/0009 Grange Castle West Access Road in the townlands of Brownstown, Clutterland, Loughtown Upper and Milltown... **Part 8 approved.**

Recent Relevant Enforcement History:

None found.

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Pre-Planning Consultation:

PP127/20 The new application forms phase 2 of the development of the site. It proposes the construction of a pair of single storey data centre buildings (4 data halls) of 13,000sq.m. The development will also include c. 2,400sq.m office space. It is to be located within the north-western part of the overall lands that will include 24 standby emergency generators with associated flues (each 25m high) to the east of the buildings. The data centres will be served by 39 car parking spaces of which 4 spaces will be disabled spaces. It is intended that 2 of these spaces will be provided for electrical charging vehicles. The data centre and associated elements will require a slight adjustment to the landscaping along the western boundary. The proposed site plan attached has not incorporated this change yet.

The application will also include the construction of a gas powered generation plant in the form of three single storey buildings with a gross floor area of 9,000sqm that will contain 61 gas generators within all of the buildings with associated flues that will be 25m in height, and grouped in pairs. In each gas plant building two of the units will be offline for maintenance at all times. This provides an 18 + 2 configuration within two and a 19 + 2 configuration of generators within the eastern gas plant. The development will also include an AGI Plant centrally along the southern boundary of the site.

Relevant Policy in South Dublin County Council Development Plan (2016-2022):

Section 1.12.0 Employment Lands

Section 4.2.0 Strategic Policy For Employment

Policy ET1 Economic and Tourism Overarching Policies and Objectives

It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality.

Policy ET3 Enterprise and Employment (EE)

It is the policy of the Council to support and facilitate enterprise and employment uses (hightech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas.

ET3 Objective 2

To prioritise high tech manufacturing, research and development and associated uses in the established Business and Technology Cluster to the west of the County (Grange Castle and Citywest areas) to maximise the value of higher order infrastructure and services that are required to support large scale strategic investment.

ET3 Objective 5

To ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme.

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ET3 Objective 6

To ensure that business parks and industrial areas are designed to promote walking, cycling and public transport.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

Section 7.6.0 Major Accidents Directive

Policy IE6 Major Accidents

7.7.0 Environmental Quality

Policy IE6 Environmental Quality

7.8.0 Aerodromes and Airport

Policy IE 8 Casement Aerodrome

Policy IE8 Weston Aerodrome

Section 8.0 Green Infrastructure

Policy G2 Green Infrastructure

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL11 Grand Canal

Objective 5: To ensure that development along and adjacent to the Grand Canal protects and incorporates high value natural heritage features including watercourses, wetlands, grasslands, woodlands, mature trees, hedgerows and ditches and includes for an appropriate set-back distance or buffer area from the pNHA boundary to facilitate protected species, biodiversity, and a fully functioning Green Infrastructure network.

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Policy HCL12 Natura 2000 Sites

Policy HCL13 Natural Heritage Areas

Section 10.0 Energy

Policy E3 Energy Performance in Existing Buildings

Policy E4 Energy Performance in New Buildings

Policy E5 Waste Heat Recovery & Utilisation

It is the policy of the Council to promote the development of waste heat technologies and the utilisation and sharing of waste heat in new or extended industrial and commercial developments, where the processes associated with the primary operation on site generates waste heat.

Policy E5: Waste Heat Recovery and Utilisation

E5 Objective 1

To promote the development of waste heat technologies and the utilisation and sharing of waste heat, in new or extended industrial and commercial developments, where the processes associated with the primary operation on site generates waste heat.

Section 11.7.6 Waste Heat Recovery & Utilisation

Table 11.18: Key Principles for Development within Enterprise and Employment Zones

Section 11.2.1 Design Statements

Section 11.2.5 Enterprise and Employment Areas

Section 11.2.7 Building Height

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.23: Maximum Parking Rates (Non Residential)

Section 11.4.4 Car Parking Design and Layout

Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.6.3 Environmental Hazard Management

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Section 11.6.3 (i) Air Quality

Section 11.6.3 (ii) Noise

Section 11.6.3 (iii) Lighting

Section 11.6.4 Major Accidents – Seveso Sites

Section 11.6.5 Waste Management

Section 11.7.2 Energy Performance In New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines:

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Traffic and Transport Assessment Guidelines, National Roads Authority, (2007).

Bats & Lighting: Guidance Notes for Planners, Engineers, Architects and Developers, Bat Conservation Trust, (2010).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

The Planning System and Flood Risk Management – Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Assessment:

The main issues for assessment are:

- Zoning and Council policy
- Design statement and Visual Impact
- Residential amenity
- Roads
- Landscaping and green infrastructure
- Water, drainage and flood risk
- Aviation
- Archaeology
- Heritage and Biodiversity
- Environmental Health
- Illumination
- Waste Management
- Energy usage
- Adequacy of Environmental Impact Assessment Report

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- Appropriate Assessment
- Other Matters

Zoning and Council Policy

The site is located in an area zoned EE: *'to provide for enterprise and employment related uses'*. 'Industry – general', 'industry – light' and 'office – based industry' are permitted in principle within the zoning objective.

The proposed data centre development relates to a second phase to a permitted data centre facility.

Economic and Tourism Policy ET Enterprise and Employment (EE) states,

'It is the policy of the Council to support and facilitate enterprise and employment uses (high-tech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas'.

ET3 Objective 2 seeks *'To prioritise high tech manufacturing, research and development and associated uses in the established Business and Technology Cluster to the west of the County (Grange Castle and Citywest areas) to maximise the value of higher order infrastructure and services that are required to support large scale strategic investment.'*

ET3 Objective 5 states:

'To ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme'. This is discussed further under 'Landscaping and Green Infrastructure'.

Numerous data centres have been granted planning permission within areas zoned 'EE' which has established a pattern of development in the current policy context. Therefore, the proposed development, in terms of the development within the 'EE' zoned lands, is acceptable in principle, subject to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan.

It is noted that it is not proposed to undertake development in the 'RU' zoned lands. It is proposed to demolish a dwelling and several outbuildings in this location. It is noted that the submitted plans indicate that this dwelling is abandoned. The cover letter also states that the buildings are derelict. The applicant is requested to provide evidence of this and a justification for the removal of a habitable structure(s), given that there is a housing shortage and the structures act as an existing buffer from the proposed development. It is noted that the bat survey, as set out in the EIAR, examined these structures. The applicant is also requested to

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provide a layout plan which indicates the proposed development within the CDP land use zoning. **Additional information** is therefore required.

Power Generation

The proposed development includes the construction of 3 power plants, to be constructed in a phased basis. They would provide power for the previously approved development, the current proposal and future development. The power supply to the entire site is via the permitted 2 storey 110kV GIS substation. The suitable connection point is yet to be determined by Eirgrid. Transmission lines do not form part of this application and may be considered Strategic Infrastructure Development (SID).

There is a requirement for the power plans to provide short term and back up power generation in the proposed and permitted developments, due to the current 'flexible demand' situation, that requires back up to the national grid.

Diesel powered back up generators are provided in the event of temporary grid blackout.

Paragraph 4.10 of the EIAR states that "*alternative power sources to the power plants were considered similar to that permitted under the 2019 permission, although it was evident that their noise generation and power generation would be significantly deficient in terms of providing both the short term permanent power, but also the back up power to the National Grid required under the Flexible Demand offer provided by Eirgrid*".

Having regard to the above, the South Dublin County Council's Climate Action Plan, the energy policies within the South Dublin County Development Plan and the submissions received on the foot of this application, the Planning Authority is concerned with the lack of proposals for alternative energy supply, to include for renewable energy. Investigation of the supplementation (at the very least) of the proposed energy supply with renewable sources should be carried out and form part of this application.

The impact of gas generators at this sensitive site should be fully addressed. A rationale detailing why this application is not premature pending alternative energy supply should be submitted. The applicant is therefore requested to submit **additional information**.

Adjacent Zoned Lands

The applicant is requested to submit a site plan to indicate how access to the adjacent zones 'EE' lands will be possible following the proposed development. The areas to the west of the site have limited access opportunities. This should be addressed via **additional information**.

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Design Statement and Visual impact

An Architectural Design Statement has been prepared by Henry J. Lyons (dated 17/02/2021). Under Section 11.2.1 of the South Dublin County Council Development Plan 2016-2022, a Design Statement, including a Site Analysis and Concept Plan, is required for all planning applications in relation to commercial proposals greater than 1000sq.m. The total gross floor area of the proposal is 24,624sq.m and therefore, a Design Statement is a requirement. A site analysis is deemed to be of the utmost importance for the proposed development of this site. A site analysis drawing clearly showing all site features, trees, watercourses, levels, direction of current water run-off, links to the pNHA and to lands directly to the south of the site, views in and out of the site etc should form part of this site analysis is required. Concept plans should clearly show how the features detailed in the site analysis have been incorporated within the thought process behind the siting, location, orientation, height etc of the proposed development. None have been submitted. As a minimum, the Design Statement should include all the above. The final design should reflect the findings of both the site analysis and the concept plans developed. The above is not evident in the proposed development. A site analysis to include a map should be submitted and at least one concept plan and Design Statement should be submitted by way of **additional information**.

The proposed development would involve the construction of two data centres. All development would take place within the 'EE' zoned lands and the 'RU' zoned lands would be maintained as a buffer. The applicant has aimed to minimise the impacts of the development, by focussing development at the core of the site, away from neighbouring lands and public roads. The structures and plant are located at the north west and south west, with no development taking place in north east area.

The buffer adjacent to the Grand Canal will house wetlands, including storm water attenuation areas. An ecological area has been introduced from east to west and green walls are proposed. New hedgerow is proposed. Landscaping and berms used to minimise impacts. This approach is welcomed by the Planning Authority.

The external façade finish will comprise proprietary composite cladding panels. Sensitive elevations will have an undulating pattern of different green hues in vertical bands. There will be glazing to office and welfare rooms which will be coated aluminium.

The design statement also addresses sustainability, universal design and accessibility, access and parking provision, fire safety and building services.

It is noted that the applicant has omitted the landscaping and security fencing from the contiguous elevations. It is considered that this information is necessary to get a true impression of the impact. Existing and proposed levels should also be indicated on the contiguous elevations. The applicant is requested to address this matter via **additional information**.

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Overall, the visual impact indicated in the photomontages do not appear to represent significant development. Notwithstanding this, structures of this size, bulk and massing will have an impact on the landscape and substantial visual mitigation measures should form a significant aspect of the proposed development. Furthermore, there is some concern regarding the impact from the Grand Canal and the protected structures close to the canal. The applicant is therefore requested to provide additional further distance views by which the impact on the Grant Canal and protected structures can be assessed. The applicant should address this by submitting **additional information**.

It is noted that green walls have been provided in certain locations.

Having regard to the:

- Prominent location of the proposed development;
- The proposed materials;
- The level and quality of landscaping for the entire site; and
- The presence of green walls,

the applicant is requested to provide further information to enable the impact to be fully assessed.

Residential Amenity

Adamstown is approximately 650m to the north of the site. There are also dispersed residential developments approximately 600m to the south of the site. There are also dispersed residential properties "ribbon development" to the east of the site, on the far side of Newcastle Road and traveller accommodation approximately 180m to the south west.

It is noted that a number of other data centres have been permitted close to this proposal and a power station has also been granted permission to the south of the site. The EHO has no objections, subject to conditions.

Noise modelling has been undertaken as part of the EIAR. The applicant states in the cover letter that for the majority of the receptors assessed, the impact would be 'imperceptible', noting that in two locations, it would have a 'slight impact'. This is based upon the worst case scenario.

Considering the proposed data hall would be located close to existing similar uses, it is not considered that this would unduly impact on residential amenity.

Overall, the impact of the proposed development in terms of residential amenity is acceptable.

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Roads

Roads has stated:

“The application would involve the following:

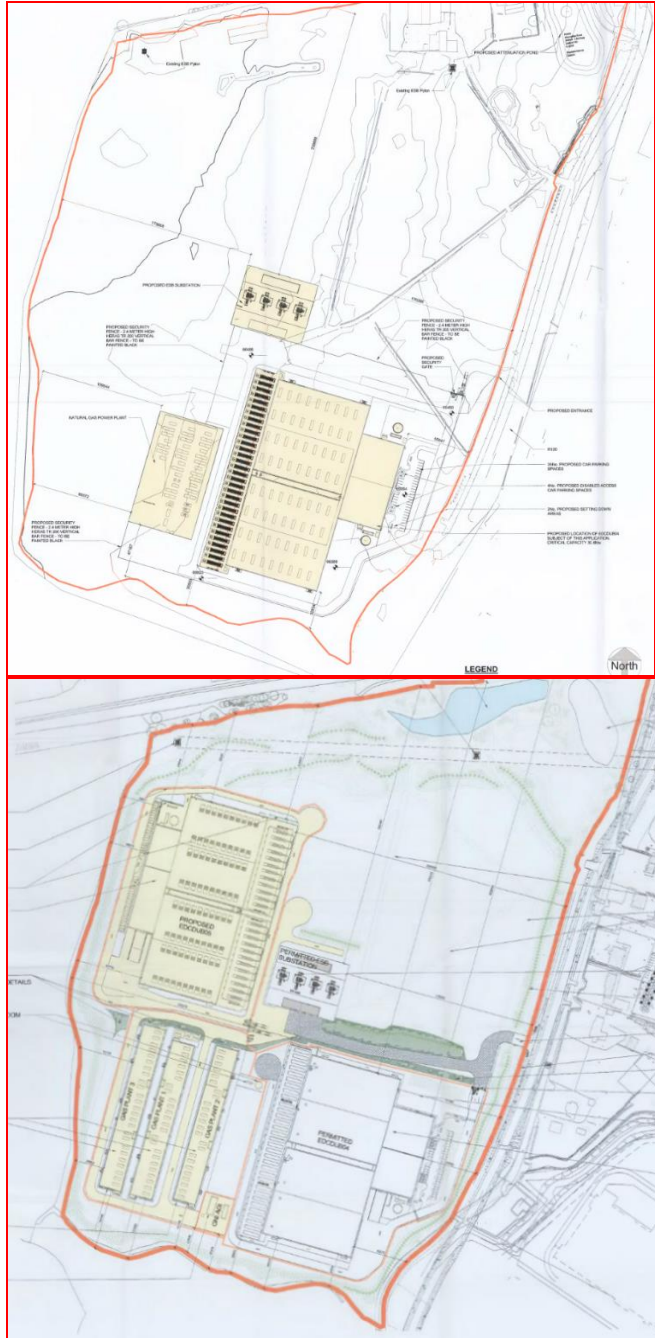
- Amendments to the internal access road and,*
- Omission of access to loading bay permitted under SDCC planning Ref: SD19/0042 /ABP Ref. PL06S.305948 that include the relocation of permitted, and new, internal security gates; and new internal access roads to serve the proposed development*
- Provison of 39 new car parking spaces*
 - o Including 4 electric and*
 - o 2 disabled spaces*
 - o and sheltered bicycle parking to serve the new data centres*

shown below; on the left; permitted under SD19/0042; and on the right proposed under this application:

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Traffic and Transport Assessment:

The transportation report demonstrates that the traffic flows associate with the proposed development can safely be accommodated by the local road network.

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The construction phase will generate 170 vehicle movements per day, which will include up to 40 HGVs per day.

In the operational phase, with the future data centre in place there will be 77 two-way vehicle movements in peak am and 77 two-way vehicle movements in pm.

- 16:00-00:00 - 40 Employees
- 00:00 – 08:00 – 20 Employees

The proposed peak hour trip rates are shown in Table 2 below.

Weekday Trip Generation	AM Peak (08:00 – 09:00)		PM Peak (17:00-18:00)	
	Departures	Arrivals	Departures	Arrivals
Staff	20	0	20	0
Total	60		0	

Table 2 Predicted staffing requirements

An Outline Construction Traffic Management Plan was submitted with this application, this document included detail of phasing of works, public transport available, pedestrian & cycling routes, haulage routes, and “Demolition & Construction Waste”, which estimates a c 3,750 tonnes of demolition waste to be transported by c 470 trips throughout the demolition and construction phases (2 years). The anticipated number of workers during the peak of construction works is c 100 – 120 construction workers.

Access:

The proposed development will be accessed from a new entrance from the R120 Road. The R120 road has a width of 7.0m at the location of the proposed entrance.

The proposed access is similar to that permitted under SD19A/0024.

Drawing for Access general layout “P181103-PIN-XX-DR-D-0002-SI” by Pinnacle Consulting Engineers, shows the location of the proposed vehicular access.

Internal Layout:

The main access road through the proposed development is 10.0m wide while the rest of the roads around the development range in width between 5.5m-7.5m. The road into the perpendicular car parking bays is over 6.0m wide this is adequate space for reversing.

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Multiple Autotrack analysis were submitted for different types of HGVs and trucks, the internal junction radii are shown to be adequate to accommodate these types of trucks.

Parking:

Car Parking: The development will be provided with 39no. car parking spaces including EV and mobility impaired user's car parking space. This parking provision is reasonable for the operational requirements of this development.

Bicycle Parking: no details of bicycle parking spaces were provided.

Site Lighting, Footpath and Public Lighting:

Site Lighting design was submitted. The lighting design will be required to be agreed with the lighting department of SDCC”.

Conditions are recommended in the event of grant. It is noted that the access for the proposed development has already been granted planning permission. Taking this into account, it is still considered necessary for permeability through the site to be considered. The applicant should consider how access to the adjacent zoned lands may be achieved.

Water, Drainage and Flood Risk

Irish Water has requested further information regarding pre-connection enquiries and also foul water layout. Water services has requested **additional information** regarding surface water layout, discharge, attenuation, as well as potential ditches traversing the site.

Waterways Ireland has stated: “As Waterways Ireland shares part of the boundary of these lands, and as the Grand Canal is designated as a pNHA (proposed Natural Heritage Area) under the Wildlife (Amendment) Act 2000 any development which may have an impact with the canal, its boundaries or any part of the canal environment or structures will require further consultation with Waterways Ireland. In addition, Waterways Ireland does not permit any discharges or outfalls to the water body of the canal or drains that enter the water body of the canal either during construction or thereafter.

Waterways Ireland requests that the developer agrees boundary details, in writing with Waterways Ireland, along the shared Grand Canal Boundary, prior to the commencement of development”.

It is considered that the applicant should address the matter raised by Waterways Ireland as **additional information**.

Aviation

The Department of Defence and IAA were consulted. A report was received from the Department of Defence. This stated:

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“Following consultations with our Air Corps colleagues at Casement Aerodrome, The Department of Defence would like to make the following observations:

1. Given the proximity to Casement Aerodrome, operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681

2. Due to the proximity to Casement Aerodrome, mitigations may be required in relation to the management of wildlife attracted to attenuation ponds or other water features. Should negative effects of bird activity on Irish Air Corps operations arise, the owner must put measures in place to mitigate these effects to an acceptable level.

3. Due the proximity to Casement Aerodrome, Military Air Traffic Services requests an Aviation Impact Assessment on all potential emissions. The assessment should cover the effects of potential exhaust plumes and any other associated impact on flight operations at Casement Aerodrome”.

It is noted that the site is also located close to Weston Aerodrome and is located within the conical surface (elevation 146.3 OD). In accordance with Policy IE9 *“It is the policy of the Council to have regard to the advice of the statutory bodies responsible for the control and safety of operations at Weston Aerodrome, to prevent encroachment of development around the Aerodrome which may interfere with its safe operation, in the context of the proper planning and sustainable development of the area and the protection of amenities”.*

The highest part of the proposed development is c. 94.5OD. Notwithstanding this, the proposed development could generate a visible plume, that may interfere with the aircraft. The applicant is requested to set out how the safety of the aerodrome has been taken into consideration via **additional information.**

Archaeology

Section 13 of the EIAR addresses cultural heritage. The potential impacts of the proposed development are as follows:

- **Construction Phase:** the construction phase of the proposed development will not impact directly on any sites included in the Record of Monuments and Places. Geophysical survey and testing identified a number of archaeological features which were subsequently excavated. Should any further sub-surface archaeological features survive in the areas not already subject to testing, the ground disturbance phase of the proposed development would impact negatively upon them.
- **Operational Phase:** The operational phase of the proposed development is not predicted to have any impact on archaeological, architectural or cultural heritage.

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Paragraphs 13.51-13.56 of the EIAR recommend mitigation, which includes a programme of licensed archaeological monitoring, to be agreed with the National Monuments Service of the Department of Culture, Heritage and the Gaeltacht.

Therefore, it is considered that archaeology can be addressed by way of condition.

Landscaping and Green Infrastructure

The proposed development, in terms of the development within the 'EE' zoned lands, is generally acceptable in principle, subject to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan. However, notwithstanding the numerous data centres that have been granted planning permission within areas zoned 'EE', within the County to date, this current proposal is located in immediate proximity to the Grand Canal, a pNHA. ET3 Objective 5 clearly states that 'natural site features, such as watercourses, trees and hedgerows [should be] retained and enhanced as an integral part of the scheme'. Substantial mitigation and augmentation measures will be required to ensure that any development on the site will comply with County Development Plan policy. Aerial mapping indicates the presence of three linear hedgerows running in a north-south alignment (with an east-west aligned hedgerow connecting two of these), linking lands to the south with the Canal. The proposal will result in the removal of two of the north south aligned hedgerows and the east-west hedgerow running through the centre of the site. The removal of the above impacts on the biodiversity of the site and may have a negative impact on the pNHA. A significant length of the north-south aligned hedgerow running the length of the R120 has been removed to provide for road widening; any further removal will result in an additional loss of the County's Green Infrastructure. In this regard, the applicant is requested to demonstrate that the proposed design and mitigation measures ensure that there is no net-loss of ecological movement from and to the Canal from the lands to the south. Augmentation of north-south ecological movement is an important aspect that must be designed into this development.

Parks has reviewed the application and has stated:

1. "Existing Trees"

- *The applicant has submitted an arborist report and tree constraints plan prepared by The Tree File Consulting Arborist. However, the tree constraints plan is insufficient as it doesn't display the proposed development, tree protection area or landscape plan overlay of the proposed development. No tree protection plan has been submitted to SDCC, it's unclear what's proposed to be removed and retained.*
- *The landscape plan prepared by Kevin Fitzpatrick Landscape Architects, drawing no101 outlines that many of the hedgerows are proposed for retention. However, further details should be submitted to SDCC to clearly define the percentage of loss.*

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G2 Objective 1:

- *To reduce fragmentation of the Green Infrastructure network and strengthen ecological links between urban areas, Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network.*

G2 Objective 2:

- *To protect and enhance the biodiversity value and ecological function of the Green Infrastructure network.*

G2 Objective 9:

- *To preserve, protect and augment trees, groups of trees, woodlands and hedgerows within the County.*

G2 Objective 13:

- *To seek to prevent the loss of woodlands, hedgerows, aquatic habitats and wetlands wherever possible including requiring a programme to monitor and restrict the spread of invasive species.*

G6 Objective 1:

- *To protect and enhance existing ecological features including tree stands, woodlands, hedgerows and watercourses in all new developments as an essential part of the design process.*

HCL15 Objective 3:

- *To protect existing trees, hedgerows, and woodlands which are of amenity or biodiversity value and/ or contribute to landscape character and ensure that proper provision is made for their protection and management in accordance with Living with Trees: South Dublin County Council's Tree Management Policy 2015-2020.*

1. Landscape Plan

- *No trees have been proposed in the car parking area. Car parking trees should be provided every 5/6 car parking spaces to reduce the hard impact of the proposed development.*
- *A new SuDS feature is proposed in the North East of the proposed development. No details have been provided in relation to the expected times it will be full/empty, soils etc. No level details have been submitted in relation to the SuDS feature. This feature does not appear to be part of a SuDS treatment train with intervening SuDS infrastructure such as green roofs, swales, bioretention areas, SuDS tree pits to treat, attenuate and convey runoff to the attenuation pond.*
- *Proposed trees near hard surfaces should have suitable tree pits that have SuDS features. The applicant should submit cross section drawings to SDCC for approval.*
- *It has been proposed that the wildflowers will be planted into topsoil. However, it's unclear if the topsoil is suitable to the proposed wildflower seed mix. The applicant should consult with the wildflower providers and submit details to SDCC.*

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- *The applicant should submit cross section details of the tree pits in the soft landscape. The applicant should ensure that there is subsoil/sand under the root ball to ensure that the no compaction occurs due to the weight of the root balls and that water can percolate through.*
- *The applicant should include rejuvenating infill planting along the existing hedgerow in the planting schedule within the landscape report. Additional native Irish infill planting should be proposed at 2/m².*
- *At preplanning stage the green walls were proposed on the southern elevation of each Power plant, as well as to the northern elevation of the generator compound of the data centres, and enclosing the water tower/pump room compound. However green wall proposals or details have not been provided”.*

Conditions have been recommended. However, it is considered that **additional information** should be provided to address the concerns raised by parks. Any further submission should amend the proposal to improve green infrastructure as necessary, to take account of the existing green infrastructure constraints and meet the policy requirements of the CDP in terms of the sensitive location, adjacent to the pNHA.

Heritage & Biodiversity

No report was received from the County Heritage Officer. In lieu of a report, it is considered appropriate, in the event of a grant, to implement the biodiversity mitigation measures and monitoring proposals as detailed in Section 6 of the EIAR, by way of condition.

Section 8 of the EIAR (8.69) recommends a CEMP. The CEMP should detail and ensure best construction practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water and measures to minimise the generation of sediment and silt. It is recommended that mitigation measures outlined in Section 8 of the EIAR should be included in any CEMP. It is considered appropriate to require a CEMP by way of condition, in the event of a grant.

The east-west aligned ecological corridor is to be welcomed. However, to ensure its success and to ensure that full benefit can be achieved from this corridor, it should link directly with the proposed ‘pond and wetland habitat’ located to the north of the overall site via an additional north-south link. This may also help to mitigate the loss of two internal field boundaries and their direct link to the Canal.

It is noted that a bat survey has been undertaken and this has investigated the structures to be demolished and that foraging/communing has also been considered.

It is noted that there are ‘native wildflower meadows’ located within the ‘EE’ zoned elements of the site. It is also noted that some of these areas were included on the landscape masterplan for

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the development permitted under SD19A/0042. It is noted the previous landscape masterplan defines this area as “*area to be managed as wildflower meadow to improve the biodiversity of the local environment and reduce maintenance operations*”. The land in which the current proposal is located was also highlighted as a wildflower meadow previously. The applicant is requested to clarify the purpose of these meadows as it is clear that the applicant intends to develop further in future. This should be addressed via **additional information**.

Environmental Health

The EHO has reviewed the application and has made no objections, subject to conditions.

Section 7 (paragraph 7.13) of the EIAR states that there are no known illegal/historic landfills within 500 metres of the site and that this has been derived in consultation with SDCC. However, the maps accompanying the CDP indicate a Section22 landfill in part of the northern element of the site. It is not apparent that the applicant has considered this in the EIAR. The applicant is requested to address this matter via **additional information**.

Waste Management

Section 14 of the EIAR addresses waste management. A Construction and Demolition Waste Management Plan (C&DWMP) has been prepared by AWN Consulting Ltd. and included in Appendix 14.1 of the EIAR. It is considered reasonable and appropriate to require the applicant to implement the mitigation measures proposed in the C&DWMP by way of condition in the event of a grant of permission, to be agreed prior to the commencement of development.

Energy Usage

Section 11.7.6 of the South Dublin County Council Development Plan 2016-2022 requires proposals to carry out energy analysis, including heat recovery and heat distribution infrastructure. The applicant has submitted a “Heat Recovery Feasibility” study to address this matter. This has been prepared by Ethos Engineering.

This report concludes that the use of a waste heat recovery system for this development is not technically feasible due to the limitations of the temperatures available within the return air and subsequently the heat exchanger, particularly during the winter months. The applicant states that a heat recovery scheme would only become viable if there was a fundamental strategy adopted by the Government, which restricted fossil fuel use. It would also be dependent upon infrastructure external to the site and end users with a sufficient demand. In the event of a grant of permission, to facilitate the development of the use of excess heat in existing and future development and the development of sustainable energy provision, the applicant shall be conditioned to:

(a) Proposals for waste-heat recovery and ongoing delivery to a local heat-network shall be provided and implemented on site as relevant, in conjunction with the commencement and operation of the proposed development. Prior to the commencement of development,

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a timeframe for implementation of waste heat proposals shall be submitted for the written agreement of South Dublin County Council, unless otherwise agreed in writing.

(b) Such proposals shall include all necessary infrastructure for waste heat recovery from the proposed development and delivery through a primary waste-heat water circuit to either, the boundaries of the site or to an Energy Centre (when constructed as part of local heat network distribution) for connection to heat network. Such proposals shall be submitted for the written agreement of South Dublin County Council, unless otherwise agreed in writing.

(c) Where waste heat recovery and utilization proposals have been explored and, subject to the written agreement of South Dublin County Council, have been deemed to be technically or otherwise unfeasible, details of future proofing of the building fabric, heat recovery and conversion systems and safeguarding of pipework/infrastructures routes up to the site boundaries to facilitate future waste heat connection to a local district heating network, shall be submitted for the written agreement of South Dublin County Council or as otherwise agreed in writing.

Adequacy of Environmental Impact Assessment Report (EIAR)

The applicant has submitted an Environmental Impact Assessment Report having regard to Article 103 of the Planning and Development Regulations, 2001 as amended for an EIAR to be undertaken as it was considered that significant impacts on the environment could not be excluded in this instance.

An EIAR process is defined in the EIA regulations and Directive. That an environment impact assessment means a process consisting of:

- (i) The preparation of an environmental impact assessment report;
- (ii) The carrying out of consultations;
- (iii) The examination by the competent authority of the information presented in the EIA report and any supplementary information provided, where necessary, by the developer;
- (iv) The reasoned conclusion by the competent authority on the significant effects of the project on the environment, taking into account the results of the examination referred to in point (iii) and, where appropriate, its own supplementary examinations and;
- (v) The integration of the competent authority's reasoned conclusion into any of the decisions.

The EIAR is prepared by the developer and is submitted to a Competent Authority as part of a consent process. The EIAR consists of a systematic analysis and assessment of the potential effects of a proposed project on the receiving environment. The amended EIA Directive prescribes a range of environmental factors which are used to organise descriptions of the environment and these factors must be addressed in the EIAR. These are listed in Article 3 (1) of the amended directive.

What an EIAR is to contain:

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the developer shall include at least:

- (a) a description of the project comprising information on the site, design, size and other relevant features of the project;*
- (b) a description of the likely significant effects of the project on the environment;*
- (c) a description of the features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment;*
- (d) a description of the reasonable alternatives studied by the developer, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the project on the environment;*
- (e) a non-technical summary of the information referred to in points (a) to (d); and*
- (f) any additional information specified in Annex IV relevant to the specific characteristics of a particular project or type of project and to the environmental features likely to be affected.*

Adequacy of Environmental Impact Assessment Report (EIAR)

The EIAR sets out:

Chapter 1 – Introduction

Chapter 2 – Description of the Proposed Development

Chapter 3 – Planning and Development Context

Chapter 4 – Consideration of Alternatives

Chapters 5 – 15 sets out the required topics

Chapter 16 – sets out interactions

An Environmental Impact Assessment Report (EIAR) has been submitted as part of the planning application which contains the EIAR and an Appendices. The direct, indirect and cumulative effects of the proposed project on the specified factors are identified, described and assessed in the following sections:

- Alternatives
- Population and human health
- Biodiversity
- Land, soil, geology and hydrogeology
- Hydrology
- Noise and vibration
- Air quality and climate
- Landscape and visual assessment
- Traffic and transportation
- Cultural heritage
- Waste management
- Material assets
- Interactions

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Subject to Article 108 of the Planning and Development Regulations 2001 (as amended) the Planning Authority is required to examine the adequacy of the EIAR submitted. It is considered that the proposed EIAR contains the information as set out in Schedule 6 of the Planning and Development Regulations (2001) as amended and in accordance with European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018.

Alternatives

The EIAR examines the following alternatives:

- Do nothing alternative
- Alternative project locations
- Alternative design/layouts
- Alternative processes
- Alternative mitigation

In terms of alternatives, the EIAR concludes:

- The site is an appropriate location
- Design proposed is most appropriate
- Site would be developed still under “do nothing” scenario
- This siting and design are suitable.

EIAR Reasoned Conclusion

Having regard to the environmental information contained within the EIAR and information submitted as part of the application, it is considered that the main significant direct and indirect residual effects of the proposed development on the environment are as follows:

- Population and human health:
 - Construction phase: slight but short term negative impact on the local community, human health and population, short term positive impact on the economy and employment, short term slight negative impact on the local community and the amenity of the area.
 - Operational phase: slight and long term positive impact.
- Biodiversity: no significant effects indicated following mitigation.
- Land, soil, geology and hydrogeology: Construction impacts are short term and imperceptible. Operational are long term and imperceptible.
- Hydrology: short term neutral impact in construction. Long term neutral in operational phase.
- Noise and vibration: construction impacts will be negative, moderate and short term. Operational will be negative, slight and long term.
- Air quality and climate: construction impact would be short term and not significant. Operational impact on air quality would be long term, negative and not significant. Climatic and human health impacts would be imperceptible.
- Landscape and visual assessment:

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- View 1: construction: not significant, temporary. Operational: moderate, long term.
- View 2: construction: negative, slight, temporary. Operational: not significant in long term.
- View 3: construction: not significant, temporary. Operational: positive, imperceptible
- View 4: construction: negative, not significant, temporary. Operational: negative, not significant, long term.
- View 5: construction: negative, slight, temporary. Operational: no impact
- View 6: construction: not significant, temporary. Operational: not significant, long term.
- View 7: construction: no noticeable impact, temporary. Operational: no noticeable impact, long term.
- Traffic and transportation: no noticeable impact on traffic, negligible impact on pedestrian and cycle infrastructure.
- Cultural heritage: No residual impacts.
- Waste management: neutral and imperceptible short term impact - construction. Neutral, imperceptible, long term – operation.
- Material assets: impact is neutral, long term and not significant.

It is considered that the information contained within the EIAR allows for adequate assessment of the potential impacts of the proposed development on the receiving environment and complies with the requirements of Article 94 of the Planning and Development Regulations 2001 (as amended).

Appropriate Assessment

Information for the purposes of assisting in screening for Appropriate Assessment was prepared by Scott Cawley. The report concludes *'following an examination, analysis and evaluation of the relevant information, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European Sites, whether arising from this project alone or in combination with other plans and projects, can be excluded, for the reasons set out in Section 3.3 above. In reaching this conclusion, the nature of the project and its potential relationship with all European Sites within the zone of influence, and their conservation objectives, have been fully considered.*

Therefore, it is the professional opinion of the authors of this report that the application for consent for the proposed development does not require an Appropriate Assessment or the preparation of a Natura Impact Statement (NIS)'.

Having reviewed the submitted information, the Planning Authority has concluded that, having regard to the nature of the development, connection to public services and the distance from the

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Natura 2000 sites, the proposed development would not require a Stage 2 Appropriate Assessment.

Other Consideration:

Development Contributions

Data Halls with ancillary offices, gas power station: 24,624sq.m.

SEA Monitoring Information

Building Use Type Proposed – Data halls and ancillary structures

Floor Area (sq. m.) – 24,624

Land Type - Greenfield

Site Area (Ha.) – 22.1

Conclusion

Having regard to the

- 'EE' and 'RU' zoning objectives to the subject site,
- the policies and objectives of the South Dublin County Council Development Plan,
- the surrounding land uses and protected structures,
- the various consultation reports received from various South Dublin County Council departments and prescribed bodies,

it is considered that the proposed development is acceptable in principle, however, it is considered necessary to request additional information on a number of matters to ensure the proposal is in accordance with the proper planning and sustainable development of the area.

Additional Information is therefore recommended.

Recommendation

Request Further Information.

Further Information

Further information requested: 20 April 2021

Further information received: 2 September 2021 (not deemed significant)

Consultations:

Parks: No objection, subject to conditions.

Roads:

Water Services: Clarification of AI requested

Irish Water:

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Assessment:

Item 1:

The Planning Authority is concerned that non-conforming development may occur in 'RU' zoned lands as a result of this proposed development. It is proposed to undertake development in the 'RU' zoned lands (to the north), including attenuation basins/ponds and environmental mitigation measures, to support the proposed development on EE zoned land (to the south). The proposed structural development will be built to the edge of the EE zoned lands to the north. It is proposed to demolish a dwelling and several outbuildings, which are located in the Rural zoned lands to provide for the attenuation and mitigation measures. Having regards to this aspect of the proposed development on rural zoned land located in immediate proximity to the Grand Canal a pNHA, which is in itself an important amenity within the County that provides opportunities for tourism and links Dublin City to the east with the Counties to the west via a cycle/walking route, it is considered prudent that any proposed development located within the Rural zoned in close proximity to the canal should be investigated for its potential to augment the amenity and useability of Grand Canal. In this regard:

- (1) The applicant is requested to clarify if development features proposed within the rural zoned land (with the exception of the pond already granted permission on the foot of SD19A/0042) will be accessible for the use of the public and/or contribute to the amenity of the canal.
- (2) The applicant is requested to provide further justification for the loss of the dwelling in 'RU' zoned lands. The applicant is requested to provide evidence to its current state/use.
- (3) The applicant is requested to provide a layout plan that indicates both the proposed development and the County Development Plan zoning for the site. This will enable the Planning Authority to note the elements that would be within the 'RU' zoning.

Applicant's Response:

- (i) *Controlled access will be provided to a portion of 'RU' zoned lands along the northern / Grand Canal portion of the site. There will be 2 access points, to the west and east, of the attenuation pond. A new public path will connect the 'RU' zoned land with existing canal towpath to facilitate access to the new wetland and woodland habitat that will be created by implementation of the 2019 permission and new attenuation pond.*

Access would be controlled to avoid uncontrolled access to the attenuation ponds and the wider landscaped 'RU' zoned lands by a 1.2m high timber post and rail fence. 2 seating areas will overlook wetland habitats that will be created by the permitted and proposed attenuation ponds.

The access points to 'RU' zoned lands will be opened up by the 'applicant / owner' of the proposed development in a similar manner to a public park (10am-4pm winter and 8am-7pm summer).

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- (ii) *The existing dwelling to be demolished is in extremely poor condition and has not been in residential use for a number of years. Its abandonment has led to it being in a ruinous state prior to our clients taking over the ownership of the land. Seeking to retain it runs contrary to opening the land up for recreation, considering it is of no architectural merit. Removal will have a positive impact on the amenity of the canal and attractiveness of providing a public access to the 'RU' zoned lands and providing further access along the southern side of the canal in future.*
- (iii) *Relevant plan provided. Landscaping and attenuation to the north east were granted under SD19A/0042 / PL06S.305948. Only new elements within 'RU' zoning are attenuation and proposed public access.*

Assessment:

The applicant has provided the requested information in terms of uses on the 'RU' zoned lands. The Planning Authority welcomes the provision of accessible open space along the canal and recognises the need to secure such land as a more formal park. The proposed area will add to the recreational role of the canal and will enhance the area. However, a clear plan indicating the full extent of the park should be submitted in the interests of clarity. This should be provided as **clarification** and would be conditioned in the event of grant of permission.

The Planning Authority notes that the dwelling has been abandoned and is of no architectural merit. The removal enables the provision of further amenity area, which is welcomed, even though a dwelling would be lost.

The Planning Authority welcomes the plan delineating the 'RU' zoned lands from the 'EE' zoned lands overlaid with the proposed development. This indicates that no built development would take place within 'RU' zoned lands and that planning gain in the form of a landscaped park beside the canal will be achieved.

The applicant has satisfactorily responded to this element of the proposal.

Item 2:

The applicant is advised that the Planning Authority has concerns in relation to the justification and site suitability for the significant energy generation element of the proposal, in the context of national, regional and local policy. The applicant is requested to submit the following additional information in order for the Planning Authority to undertake a proper assessment of the proposed development:

- (1) Justification for the form of energy production proposed in relation to climate change and renewable energy policy.
- (2) provide more detail regarding the alternative sources of power generating assessed as part of the alternatives.
- (3) consider whether it is possible to incorporate a portion of renewable energy generation.

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- (4) Information on whether the existing site is serviced in terms of utilities and if not the proposals for undertaking the development required to facilitate servicing.
- (5) Information on proposals to connect the power plant and site to the national grid and the source of gas proposed.
- (6) The mitigation measures associated with the gas generators at this sensitive site should be listed and justified.
- (7) A rationale detailing why this application is not premature pending alternative energy supply should be submitted.

Applicant's Response:

(1) The site will be provided with a connection to the electrical grid via a new substation. Given the current Eirgrid policy, the connection will be flexible – 90% flexibility will be required which means that for a period of time during Eirgrid events, up to 90% of demand will be met by on-site generation. The only viable technology to meet this demand for up to 15 hours at a time is via connection to the gas transmission network. All other forms of technology would require vast quantities of equipment energy storage, which would not be viable within the footprint of the site. The applicant's preference would be to provide 100% renewables but the likely run time required by the TSO make this prohibitive to provide up to 15 hours run time.

(2) many alternative sources of energy were evaluated during the process but deemed not viable for a number of different reasons:

- Battery Energy Storage – the quantum of the battery storage required to meet the flexible demand simply could not fit in the footprint of the site*
- Solar – the requirement of 90% of the sites capacity could not be met for 15 hours by solar*
- Wind – The amount of wind capacity required (22MW) cannot be accommodated on the site storage or the equivalent capacity in terms of natural gas generation would be required*
- Gas fired fuel cells – a proven product has not been identified to meet the requirements of the site and a similar sized gas connection would be required to that currently envisaged*

(3) It may be possible and it can be investigated during the detailed design to incorporate some renewable technologies once a solution is found to be feasible for the scale of the site. Where possible and in areas where the reliability requirements of the data centre do not have to be met we are proposing to install renewable sources of energy, for example PV to the administration block.

(4) The site is not currently serviced by power, water and gas utilities but the applicant is currently in the process of finalising connection agreements for these utilities with the various providers. The Eirgrid connection agreement for the site has been executed and the contribution paid to progress design.

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(5) it is not proposed to connect the power plant to the national grid. The TSO has issued a policy document, namely the Data Centre Connection Offer Process and Policy in July 2019 which stipulates that in constrained regions that any connection offers will be flexible and that during 'grid events' that sites may be asked to reduce demand on the national grid. As data centre sites cannot shed load this means that the flexible portion of the connection offer will have to be powered using an alternative source which in this case, is on-site generation. In this scenario, it is proposed to operate the site in island mode, i.e. not connected to the grid. There will however be a connection to the Gas Networks Ireland transmission network via AGI (pressure reducing station) as indicated on the planning drawings. An extension to the gas transmission network is required to make the connection to existing transmission pipeline on the Nangor Road.

(6) The primary concerns when evaluating the location of the gas generation are noise and emissions. The design of the plant, has carefully considered the impact of noise and emissions and this is clearly set out in the EIAR that accompanied the application.

(7) In the context of provision of energy supply, the application cannot be considered premature. The applicant has received a connection agreement from Eirgrid and has planning permission for the construction of 110kv substation.

The challenge which is presented by Eirgrid policy is that a significant on site generation capacity will be required although the actual usage of this will be expected to be very infrequent but requires the construction of the generation plant as proposed. However, given the difficulties currently being experienced in the region by Eirgrid there is uncertainty in terms of completion date for the new connection so the client wants to allow the gas plant to be utilised as designed in the event that the substation completion by Eirgrid is not achieved in time to meet the site demand. All avenues within the applicant's control will be explored to avoid the gas plant being utilised. However, the planning and construction timelines of the TSO are outside of the applicant's control.

The current CRU data centre consultation process will now result in on-site generation being a more permanent arrangement in either a peak shaving (demand reduction) scenario or the provision of a dispatchable capacity to the grid. Given that the application has a connection agreement in place with Eirgrid, and are provisioning in this application for the requisite infrastructure to meet the requirements of the flexible connection the application cannot be considered premature.

Assessment:

In relation to point (1) it is not considered that the applicant has addressed the request as no discussion for the energy production proposed in relation to climate change and renewable energy policy has been provided. For point (2) the applicant states that renewables are not feasible as the entire site could not be serviced by a single type – it is not considered that the applicant has given due consideration to a mix of sources or provided the detailed information

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required. Further to this, under point (3) the applicant states that a mix may be possible and would be investigated at the detailed design stage. The Planning Authority consider that renewables should be incorporated into the site at this stage and that further feasibility work should be undertaken prior to any grant of permission. Clarification of AI should be sought.

The PV panels on the administration block are welcomed.

In terms of servicing (point 4), the applicant states that the site is not currently serviced by power, water and gas utilities. The applicant states that they are currently in the process or finalising connection agreements. The Planning Authority are of the opinion that, given the significant requirements of the site, these matters should be finalised prior to grant of any planning permission. The applicant states that the Eirgrid connection agreement for the site has been executed and the contribution paid to progress design, however, no evidence has been provided to this effect. Further details are required, and clarification of AI should be sought.

The applicant states (point 5) that the power plant will not connect to the grid. The data centre has been offered a 'flexible' connection and, as such, the power plant is required for when the power cannot be provided by the grid. A gas connection will be made, via an extension to the transmission pipeline on Nangor Road. It is noted that in the EIAR, submitted with the initial application, paragraph 2.28 states that it is proposed, in the future, to make a separate application for a 110kv connection from the permitted substation granted under SD19A/0042 PL06S.305948 to a point to be determined by Eirgrid. The applicant states that this will form a Pre-application consultation to An Bord Pleanála for them to determine whether it would amount to SID. Should planning permission be granted, it would have to be conditional of a future application.

For point (6) the Planning Authority has requested a list, which has not been provided.

For point 7, it is noted that the applicant has exhausted all possibilities within its control. It is noted that the proposed power plant is anticipated to be used infrequently. However, the Planning Authority are of the opinion that the proposal may be premature in terms of alternative energy provision, this is coupled with the lack of information provided in terms of regional energy and climate change policy and also the lack of provision of on-site renewables.

The applicant is therefore requested to provide **clarification of additional information** as follows:

- Justification for the form of energy production proposed in relation to climate change and renewable energy policy.
- More detailed information on the feasibility of renewable energy technology. The applicant states that it may be possible to incorporate measures at the 'detailed design stage', however, the Planning Authority is of the opinion that it should be provided at the planning stage.

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- Provision of details and evidence of connection agreements of power and gas. Correspondence from Eirgrid indicating the flexible connection agreements should be provided. The applicant should also clarify what would happen should a separate infrastructure application not receive permission.
- Provision of a list of mitigation measures associated with the gas generators, along with detailed justification of each measure.

Item 3:

The applicant is requested to submit a site plan to indicate how access to the adjacent zones 'EE' lands will be possible following the proposed development. At present, the areas to the west of the site have limited access opportunities.

Applicant's Response:

Further access not possible due to the significant landscaping required for SD19A/0042 / PL06S.305948. More appropriate to use roadway granted under Part 8.

Assessment:

The applicant has submitted a response. The Planning Authority notes this response.

Item 4:

The applicant is requested to provide further contiguous elevations, CGIs and photomontages (clearly illustrating the fully developed structure(s) within their context. These should address the following:

- (1) The contiguous elevations should show the current and proposed site levels and OD (if there is any change) and also any landscaping/boundary treatments.
- (2) Photomontages and CGIs should provide a wider variety of views, taking in the nearby protected structures and Grand Canal. Longer distance views should be provided, as should more views at a close distance to the site.
- (3) The photomontages should indicate the proposed structures, landscaping and boundary treatment and not just an outline of the building.
- (4) It is noted that the applicant has omitted the landscaping and security fencing from the contiguous elevations. It is considered that this information is necessary to get a true impression of the impact. Existing and proposed levels should also be indicated on the contiguous elevations.
- (5) A full boundary treatment plan should be submitted. This plan should take cognisance of Item 1(1) of this additional information request and consultation with Waterways Ireland.

Applicant's Response:

Additional contiguous elevations have been prepared. These show the proposal with berms and trees 1 year following development. Sections from outside the site, including the Grand Canal, through the south, west and northern boundary, through landscape treatment and berms

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(permitted under SD19A/0042). P3-03 and P4-04 prepared by the landscape architect. These show the scale, positioning and form of the berms, which will ensure the visual amenity of the canal is protected.

Contiguous sections also show the position of the security fencing that are all inside the berms and either a 1.2m post and rail fence or existing hedgerows at the boundary of the site.

2 additional photomontages have been provided from the canal cottage, a protected structure. These have been incorporated into the LVIA that was submitted with the application. Photomontages are supplemented by additional images that show a more mature landscaping some 5 years after planting to provide an idea of the visual impact of the proposal on completion of the development at the end of the 5 year period for implementing the permission. This further increases the screening of the site.

Where parts of the proposed development will not be visible, it is shown as red outline. Where it is visible, full finish is indicated, taking account of the landscaping. Additional images 5 years after planting are provided.

Assessment:

The applicant has provided contiguous elevations and CGIs. It is noted that the proposal benefits from screening. In the event of grant, conditions are recommended seeking final details of materials and flues to be submitted for the written agreement of the Planning Authority.

Boundary treatments are noted. Correspondence from Waterways Ireland requested.

Item 5:

The applicant is requested to submit a Design Statement in accordance with section 11.2.1 of the SDCC County Development Plan (2016-2022), clearly demonstrating how the initial site analysis has informed the overall design, in order for the Planning Authority to undertake a proper assessment of the proposed development.

Applicant's Response:

A comprehensive design statement has been submitted, that addresses and is in accordance with section 11.2.1 of the SDCC County Development Plan 2016-2022. This demonstrates how the site analysis that informed the permission granted under SD19A/0042 has also informed the overall design that forms the proposed development with green walls incorporated on the north façade of the temporary generators and around the water tank compound of the data centre building and the southern elevation of the gas power generating buildings. In addition the incorporation of colour coated insulated panels to the key external walls of the data centre will both create and interface with the background greenery and helps to break down the scale and massing of the building facades.

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Assessment:

The design statement includes:

- Introduction
- Site analysis
- Site concept
- Access and movement
- Open space
- Built form and corporate identity
- Phasing

The design statement sets out how the concept has been influenced by the site analysis.

It is considered that the applicant has addressed this AI matter adequately.

Item 6:

The applicant is requested to consider the impacts of the proposed development on the operations of Weston Aerodrome.

Applicant's Response

The application is located some 3km from Weston Aerodrome that is located north west of the site.. Runways are orientated north east to south west alignment. The application site is located within the outer conical surface of the Weston Aerodrome that is listed as being 146.3OD. The flues of the proposed data centres and plant are 92.48OD.

Planting and attenuation ponds have been reviewed having regard for the potential to attract birds. The proposed attenuation ponds / wetlands reflect the existing environment and do not present a significant probability of increasing hazardous bird presence. It is suggested that the planting palette used for landscaping shall not exceed 15% berry bearing bushes and the fact that public access will be facilitated around the attenuation ponds / wetlands will ensure that they are not attractive to birds and cause no impact on the operation of Weston Aerodrome.

Assessment:

The information provided by the applicant is noted. They are requested to provide **clarification** that the IAA are satisfied with the proposal.

Item 7:

The applicant is requested to investigate and consider the impact of a potential Section22 landfill identified on the site.

Applicant's Response:

Correspondence from SDCC (Joseph Bockarie) indicates that there are no records of illegal dumping / historic landfills on the site.

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Assessment:

The Planning Authority acknowledge the information provided by waste management.

The applicant has addressed this matter satisfactorily.

Item 8:

(a) There is no drawing submitted which shows the proposed surface water drainage layout for the proposed data hall area to the west/north west of the site. The applicant is requested to submit a drawing showing existing and proposed surface water drainage layouts for the proposed data hall area of the site. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow.

(b) The applicant is requested to submit a drawing showing cross section views of the proposed attenuation pond. The drawing must show the water level in the attenuation pond for flood events in relation to proposed finished floor levels. There should be a minimum freeboard of 500mm between attenuation pond water level and proposed finished floor levels of buildings on site.

(c) Submitted drawing number PIN-05-ZZ-DR-C-0202 specifies a maximum discharge rate of 24L/S and 9.6L/S from proposed attenuation pond. The applicant is required to clarify on a drawing what the proposed maximum surface water discharge rate from the site is.

(d) The applicant shall include further SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following to convey, treat and attenuate water as well as providing biodiversity and amenity value:

- Swales
- Filter Drains
- Further Permeable/Porous paved areas
- Tree pits
- Rain Gardens
- Rainwater Harvesting for use within data halls where possible.

The applicant shall clarify what attenuation volumes can be provided in all proposed SuDS features and shall provide cross sectional details of all SuDS features.

Applicant's Response:

(a) Please refer to Pinnacle report and dwgs 201107-PIN-ZZ-ZZ-DR-C-201 Rev 2;

(b) Please refer to Pinnacle report and 201107-PIN-ZZ-ZZ-DR-C-263;

(c) Please refer to Pinnacle report and 201107-PIN-ZZ-ZZ-DR-C-202.

(d) All parking spaces along western elevation of data hall will be permeable paving. Tree pits will be provided. Rain water harvesting will be installed in conjunction with Ethos. This is in addition to the surface water attenuation pond.

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Assessment:

Parks has stated:

- *The SuDS proposals lack intervening features such as swales, channel rills, rain gardens to treat and convey water to the attenuation pond. SuDS are limited to permeable paving and tree pits with the intervening part of the treatment train, prior to discharge to the attenuation pond, missing”.*

Conditions have been recommended, however, it is considered **clarification of additional information** should be provided to address the concerns.

Water Services has stated **clarification** is required in relation to SuDS. Comment is also made that the initial attenuation assessments carried out by Water Services indicate that the overall proposed attenuation volumes for the 1 in 100 year storm (2645m³) is potentially undersized by 20%. They have requested that the applicant submit a drawing showing an additional overall attenuation volume of 20% is provided for the site by way of the use of Sustainable Drainage features (SuDS).

Item 9:

In order to assess the feasibility of a connection to public water infrastructure the applicant is requested to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. Please note this is required for indirect connections to the public system also. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Applicant's Response:

PCE submitted and COF (CDS 21000754 dated 10 June 2021) received. Water supply can be accommodated with no upgrade works. Appendix B of Pinncale report provides detail.

Assessment:

Irish Water has raised no objections, subject to conditions. This is considered acceptable.

Item 10:

(a) There is no drawing submitted which shows the proposed foul water drainage layout for the proposed data hall area to the west/northwest of the site. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts for the proposed data hall area of the site. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow.

(b) In order to assess the feasibility of a connection to public wastewater infrastructure further information is requested as follows; The applicant is requested to engage with Irish Water

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through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public wastewater infrastructure. Please note this is required for indirect connections to the public system also. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Applicant's Response:

(a) The foul water layout and drainage is addressed in 201107-PIN-ZZ-ZZ-DR-DR-C-201 Rev P02. Pinncale report provides detail.

(b) The site will connect to Grange Castle pumping station, which is controlled by SDCC, therefore a PCE is not required from Irish Water.

Assessment:

Irish Water has stated that a pre connection enquiry is required for both direct and indirect connections to their infrastructure. This proposal would be an indirect connection and therefore a PCE is required. The applicant is requested to provide this information via **clarification of additional information**.

Item 11:

There potentially is a series of drainage ditches/watercourses traversing the site. The applicant is requested to submit a drawing showing all existing watercourses/drainage ditches which traverse the site and which run around the perimeter of the site. The applicant shall clarify what these drainage systems currently serve, what condition they are in and how they will be modified as part of this development.

Applicant's Response:

AWN consulting has undertaken a comprehensive review and assessment of the ditches within the site. Visit confirmed internal drainage network on site. Figure 2 indicates the drainage ditches and flow direction. Report concluded they were predominantly artificial drainage ditches that ultimately link to the wider drainage network.

Assessment:

The report identifies 8 drains. It is noted that there are some in which water was observed, however, it is also noted that these were located in areas not generally impacted by the proposed development, i.e. they were outside the site, or they were located in the wildflower meadow reserved for phase 3.

The letter from Pinncale indicates that the ditches will be infilled with suitable material and compacted in accordance with current specifications and regulations, in order to provide the required bearing strata for the various buildings and/or suitable material will be imported and

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regulated in layers, in order to form pipe trench and road build-up layers, as and when it may be required.

Policy G3 states *“It is the policy of the Council to promote the natural, historical and amenity value of the County's watercourses; to address the long term management and protection of these corridors and to strengthen links at a regional level”*.

Objective 4 of this policy is: *To uncover existing culverts and restore the watercourse to acceptable ecological standards and for the passage of fish, where possible.*

In the context of the above that applicant is requested to provide a strategy for the site, which seeks to remove culverts and restore potential watercourses. Where ditches are currently dry, the applicant is requested to demonstrate how their removal would not impact on the wider network.

This should be provided as **clarification of additional information**.

Item 12:

The applicant is requested to submit a written statement and or a revised layout showing the proposed number of bicycle parking spaces for the development. External bicycle parking spaces shall be sheltered.

Applicant's Response:

Sheltered bicycle parking layout enclosed. P5-02.

Assessment:

Roads is satisfied with the applicant's submission in this regard. This is considered acceptable.

Item 13:

(A) The applicant is requested to submit further landscape plans/specification details. These shall include the following:

(i) A cross section details of the tree pits and growing mediums, the applicant shall clearly outline how SuDS features within the tree pits will function.

(ii) A tree management plan for the future. This shall be conducted by a qualified arborists.

(iii) The applicant shall test the soil nutrition's in proposed wildflower areas to ensure selected seed for the wildflower area will be adequate for the existing soil nutrition's and shall be in line with the national pollinator plan.

(iv) The applicant shall demonstrate the rate hedgerow restocking per m² in the revised planting plan. Hedgerow restocking should be at 2/m². Where new hedgerow is being planted it shall be at 3/m².

(v) Car parking trees should be provided every 5/6 car parking spaces to reduce the hard urban impact of the proposed development. Trees should have SuDS features incorporated into the tree pits.

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(vi) Further details shall be submitted in relation to the SuDS attenuation basin, pond and wetland feature. This should include, proposed levels (ensure there is a slope from the development site into the feature), capacity of storage, planting plans, maintenance, etc. In addition, SuDS features that convey and treat runoff in advance of the attenuation basin should be proposed.

(vii) Further details in relation to the cross-section details of the tree pits in the soft landscape shall be submitted. The applicant should ensure that there is adequate subsoil/sand under the root ball to ensure that no compaction occurs due to the weight of the root balls and that water can percolate through.

(viii) Details of any green wall proposals as presented at the pre planning and also as set out in the proposed development should be provided. The applicant is requested to maximise the use of green walls, particularly on the northern elevation, given the sensitive location of the site.

(B) It is noted that there are 'native wildflower meadows' located within the 'EE' zoned elements of the site. It is also noted that some of these areas were included on the landscape masterplan for the development permitted under SD19A/0042. It is noted the previous landscape masterplan defines this area as "area to be managed as wildflower meadow to improve the biodiversity of the local environment and reduce maintenance operations". The land in which the current proposal is located was also highlighted as a wildflower meadow previously. The applicant is requested to clarify the purpose of these meadows as it is clear that the applicant intends to develop further in future.

Applicant's Response:

Further landscape plans and specifications provided. Including details on tree pits, tree management plan, and details of soil testing that indicates the soils have adequate nutrition for wildflower planting proposed. Hedge Restocking is addressed.

Native wildflower planting on the remaining EE zoned lands is to maximise biodiversity gain of the wider site until such a time as an application is made, permitted and developed. It is best practice, rather than leaving the ground fallow.

Assessment:

Parks has stated: "An arborist report and tree constraints plan has been prepared by The Tree File Consulting Arborist. An Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement is also required". It is considered that this should be provided as **clarification of additional information**.

As stated above, clarification on SuDS matters is also sought.

Item 14:

The applicant is requested to submit further details of the boundary along the Grand Canal, which is shared with Waterways Ireland. This shall be agreed with Waterways Ireland.

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Applicant's Response:

The boundary along Grand Canal is fully detailed with landscape drawing. It will form a mix of hedgerow and 1.2m high timber post and rail fence. It will ensure amenity to the canal is protected with added public access to part of RU zoned lands adding to the amenity of the canal.

Assessment:

The applicant has not indicated that the boundary along the Grand Canal has been agreed with Waterways Ireland. The applicant is requested to submit confirmation from Waterways Ireland that they are satisfied with the proposed development in this regard. This should be provided as **clarification of additional information.**

Item 15:

Notwithstanding the numerous data centres that have been granted planning permission within areas zoned 'EE', within the County to date, this current proposal is located in immediate proximity to the Grand Canal, a pNHA. ET3 Objective 5 clearly states that 'natural site features, such as watercourses, trees and hedgerows [should be] retained and enhanced as an integral part of the scheme'. Substantial mitigation and augmentation measures are required to ensure that any development on the site will comply with County Development Plan policy. Aerial mapping indicates the presence of three linear hedgerows running in a north-south alignment (with an east-west aligned hedgerow connecting two of these), linking lands to the south with the Canal. The proposal will result in the removal of two of the north south aligned hedgerows and the east-west hedgerow running through the centre of the site. In this regard, the applicant is requested to:

- (1) outline the impact of the proposed development on ecological movement from and to the Canal and the overall impact (net gain/loss) of the proposal on biodiversity. The applicant is requested to consider amendment to improve the ecological movement, including consideration of an additional north-south aligned ecological provision within the overall design.
- (2) submit details of proposals to augment existing ecological connections to and from the Grand Canal
- (3) submit proposed mitigating measures, including any layout changes required (relocation of structures away from the western boundary).

Applicant's Response:

The overall masterplanning design of the site both under this application and the previously permitted scheme has been predicated on enhancing and maintaining natural site features, such as water courses, trees and hedgerows, Where possible all such features are retained and where they required to be removed additional replacement green infrastructure in terms of trees and hedgerow planting are proposed so that the proposal is fully in accordance with ET3 objective 5 of the CDP.

Any removal should be considered in the context of overall landscaping being proposed. The existing site, prior to development contains c. 2,480m of hedgerows and tree lines. The current

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proposal seeks to remove c.390m of this (250m were lost under the 2019 application). Total loss is c.640m. Proposed and permitted mitigation measures include:

- *480m stretch of triple staggered row of native tree planting and low level planting that will sit inside the existing western boundary hedgerow to create 20m wide wildlife corridor along the western boundary of the site.*
- *310m strip of triple staggered row of native tree planting and low level planting that will sit inside the southern boundary hedgerow to create a 20-30m wide wildlife corridor along the southern boundary of the site*
- *600m stretch of triple staggered row of native tree planting and low level planting, broken only by the permitted access road that will sit on the eastern boundary of the site, where there is currently no planting, to create a 10m wide wildlife corridor along the southern boundary of the site*
- *400m stretch of triple staggered row of native tree planting and low level planting within the RU zoned lands on a similar alignment and to the immediate south of the existing east to west hedgerow between the fields referenced in the AI request and the farm buildings to the north of the site. The planting is broken only by the permitted landscape management paths that will sit between the berms, where there is currently no planting, to create a 20-30m wide wildlife corridor within the RU zoned lands that will link into the new green infrastructure to the east and west, as well as the existing southern boundary of the site*
- *Additional planting (c. 100m) and wetland planting within and adjacent to the northern boundary within the RU zoned lands that will link the new east to west planted berms with the canal corridor to the north where it is proposed to retain and supplement any existing hedgerow planting as per point 4 of the AI request*
- *A further triple staggered row of native tree planting and low level planting c. 100m in length is proposed to the immediate north of the permitted access road in an east to west orientation that will connect the eastern boundary planting with the existing hedgerow planting that is proposed to remain on completion of the current application.*
- *A new ecological hedgerow corridor is proposed under the current application to run east to west across the centre of the site on the southern side of the main access road to the proposed data centre and gas powered plant. This wide biodiversity corridor of c. 400m in length will connect the eastern with the western ecological corridor.*

There will be an overall creation of c.2,390m of additional GI on the site as shown on the drawing on the following page in implementing the current proposal and the permitted development. A key part of the approach to the site from day one was to maximise the ecological corridors around and through the site that will connect into the Grand Canal.

GI supplemented by green walls to the south of each of the gas power plant and to the north of the proposed temporary generator.

Net gain of 1,750m in GI.

Phase 3 will provide more GI – premature to design now

Plans provided indicating GI

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Assessment:

The Planning Authority note the extent of the green infrastructure to be provided and welcome the level of provision.

Parks has stated: *“An arborist report and tree constraints plan has been prepared by The Tree File Consulting Arborist. An Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement is also required”*. It is considered that this should be provided as **clarification of additional information**.

Conclusion

Having regard to the

- ‘EE’ and ‘RU’ zoning objectives to the subject site,
- the policies and objectives of the South Dublin County Council Development Plan,
- the surrounding land uses and protected structures,
- the various consultation reports received from various South Dublin County Council departments and prescribed bodies,
- the additional information submitted

it is considered that the proposed development is acceptable in principle, however, it is considered necessary to request clarification on a number of matters to ensure the proposal is in accordance with the proper planning and sustainable development of the area. **Clarification of Additional Information** is therefore recommended.

Recommendation

Seek Clarification of Further Information.

Further Information

Clarification of further information was sought: 29 September 2021

Clarification of further information received: 14 December 2021 (not deemed significant)

Consultations:

Parks: No objection subject to conditions.

Roads: Report received.

Water Services: No objection subject to conditions.

Irish Water: No objection subject to conditions.

Third party submission received dated the 7th of January 2021. It is noted that this submission was received outside of any consultation period and was therefore returned to the party.

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Assessment:

Item 1:

Following the further information response, the Planning Authority considers that there is a need to balance the demand for development with climate action and resilience as well as the capability of the national grid to provide for such developments. The Planning Authority is concerned with the current proposal to partially power the data centres with a gas generator due to the absence of capacity in the national grid.

The applicant is advised that the Planning Authority has concerns in relation to the number, and extent, of large demand connections in this area and the demand for future grid reinforcements. It is noted that Action 20 of the Climate Action Plan, 2019 states:

'Implement energy actions under the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy to ensure that large demand connections are regionally balanced to minimise grid reinforcements'.

The absence of power supply via Eirgrid appears to demonstrate that the proposed development will contribute to a future demand for grid reinforcements in this area. In this context, the applicant is advised that the proposed development may be premature pending a stable connection to the national grid and the use of gas powered generators conflicts with the macro policies in the Development Plan around Energy and Climate Action.

In relation to Item 2 of the Additional information request, the applicant is requested to provide clarification by provision of the following:

- Justification for the form of energy production proposed in relation to climate change and renewable energy policy.
- More detailed information on the feasibility of renewable energy technology. The applicant states that it may be possible to incorporate measures at the 'detailed design stage', however, the Planning Authority is of the opinion that it should be provided at the planning stage.
- Details and evidence of connection agreements of power and gas. Correspondence from Eirgrid indicating the flexible connection agreements must be provided. The applicant should also clarify what would happen should a separate infrastructure application not receive permission.
- A list of mitigation measures associated with the gas generators, along with detailed justification of each measure and the details of operations.

Applicant's Response:

The applicant's response is as follows in summary:

- *Current Pre-Application Consultation Request for a Strategic Infrastructure Development that will facilitate the transmission lines being put underground.*
- *The gas plant is dual purpose as follows:*

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1. *To provide continuous power to the permitted and proposed data centres should the Eirgrid connection not be realised at the time of commissioning of the facility. This is expected to be a maximum of two years.*
 2. *Once the Eirgrid connection is realised the gas plant will only ever be utilised to reinforce the national grid. In that scenario the plant is only envisaged to run at the request of Eirgrid in response to a grid event as per their flexible demand policy.*
- *The applicant is required to utilise gas to provide back-up power, as no other renewable or storage technology can provide this at a commercial scale and to the degree of certainty to ensure Eirgrid of the back-up that they require.*
 - *The recently published Climate Action Plan 2021 has replaced Climate Action Plan 2019, that contained Action 20. A far broader policy approach now applies to data centres under the 2021 plan.*

Justification for the form of energy production proposed in relation to climate change and renewable energy policy.

- *Applicant has incorporated energy efficiency into its buildings and use of plant, sought to maximise transport accessibility by non-car users, ensured flood resilience, proposes SuDS and biodiversity measures.*
- *Now proposed to maximise the use of PV throughout the entire roof area of the data centre, energy centre and office of permitted data centre.*
- *The applicant seeks to implement a cooling system that minimises the use of water.*
- *Gas Networks Ireland, in its Vision 2050 strategy, sets out a clear trajectory for transitioning the Irish gas grid to net zero over the coming decades. As the gas grid transitions to lower carbon intensity, so too will the flexible gas generation deployed onsite for the benefit of the wider grid, including potential carbon capture and storage along with corporate power purchase agreements for the supply of renewable natural gas.*
- *High efficiency gas is a lower carbon generation solution which balances the grid and provides stability and flexibility during times of low wind/solar (addressing the unreliability and intermittency of renewables), along with critical inter-seasonal capacity over a longer duration.*
- *The gas plant has the capacity to operate under other fuel sources going forward that will enable it to continue to reinforce the grid on fully green fuel supplies such as green biomethane and green hydrogen.*
- *The Climate Action Plan also noted the requirement for an additional 5000MW of new generation by 2030 at least 2000MW coming from conventional generation. By making high efficiency flexible gas generation available at scale at the immediate point of demand, this actually reduces the requirement for future grid reinforcements and relieves congestion in the locality. The Climate Action Plan also recognises the need for a*

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diversified portfolio of generation up to 2030 and beyond in order to deliver grid stability and system services arising from increasing renewable energy penetration.

- *It is Government policy (as stated in the Policy Statement on Security of Electricity Supply Nov 2021) that it is a national priority to construct gas fired power plants to combat the squeeze on electricity supplies in the short to medium term.*

More detailed information on the feasibility of renewable energy technology. The applicant states that it may be possible to incorporate measures at the 'detailed design stage', however, the Planning Authority is of the opinion that it should be provided at the planning stage.

- *The applicant has submitted a Commercial Energy Statement prepared by Ethos Engineering that provides an assessment of the current feasibility of using renewable energy technology.*
- *The gas plant has the capacity to run off green gas and/or hydrogen in the future.*
- *The applicant will source 100% of their energy from the national grid through renewable sources.*

Details and evidence of connection agreements of power and gas. Correspondence from Eirgrid indicating the flexible connection agreements must be provided. The applicant should also clarify what would happen should a separate infrastructure application not receive permission.

- *The applicant states that details and evidence of the connection agreements with Gas Networks Ireland and Eirgrid are submitted.*
- *They also state a letter from BCEI Ireland Ltd. is submitted, who act on behalf of the applicant, dated 23rd of November sets out agreement references and that the agreements have been officialised by both parties under both agreements. Confirms that the nature of the offer of the connection agreement for the substation is one that is a 'Flexible Demand Agreement'.*

A list of mitigation measures associated with the gas generators, along with detailed justification of each measure and the details of operations.

- *Submit a range of mitigation measures have been utilised in the design of the gas generators, including acoustic and emissions measures. The gas plant would be within noise insulated buildings.*
- *The detail of the mitigation is included in detail within Appendix 9.4 of the EIAR submitted with the application.*

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Assessment:

Updated Policy Context

Since the Council's Clarification of Further Information request in September 2021, there have been a number of changes in the policy context for data centres, specifically in relation to their connection to the national grid:

- The Commission for Regulation of Utilities recently published '*CRU Direction to the System Operators related to Data Centre grid connection processing*', on the 23rd of November 2021, a decision regarding the connection policy for data centres in Ireland, outlining an approach to connection applications that will now include assessment criteria encompassing location and the ability to contribute to security of supply.
- Circular PL 12/2021 Government Policy Statement on Security of Electricity Supply was published. This circular states that applications for electricity related infrastructure should be considered having regard to a new Policy Statement of Security of Electricity Supply.
- Climate Action Plan 2021 published the 4th of November 2021. Indicates that the government will review its strategy on data centres to ensure these align with sectoral emissions ceilings and renewable energy targets.

Form of Energy Production & Associated Mitigation

Since the previous assessments of this application the policy context has changed. The new and updated policy supports flexible connection agreements with onsite energy generation. The applicant is proposing this in this instance. In relation to the form of energy production that is being proposed, the Policy Statement states, '*that it is appropriate for additional natural gas transmission and distribution grid infrastructure to be permitted and development in order to support security of electricity supply*'. The current feasibility of renewable energy technologies has been explored, with the proposal for the use of gas being justified. However, it is noted that the context in which it is justified, can significantly change going forward, both in terms of energy technology and policy developments. It is noted that the gas plant would be built with the capacity to run off green gas and/or hydrogen in the future. However, the Planning Authority considers it necessary to review the overall use of onsite gas in the future. A condition should therefore be included to allow for a review of the use of a gas plant on the site in 5 years after the first operation takes place on the site, in light of new/greener technologies that may be developed in the interim. The mitigation measures in relation to the gas plant in the EIAR should also be conditioned.

Summary

Given the changes in the policy context and justification for the current proposal it is considered that this item has been satisfactorily addressed.

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Item 2:

The response to Item 6 of the Additional Information request is not considered to be satisfactory. The applicant is requested to clarify whether the Irish Aviation Authority is satisfied with the proposed development.

Applicant's Response:

The applicant has submitted a letter from Weston Aerodrome confirming that they are satisfied that the proposed development will not negatively impact upon the operation of the aerodrome. The applicant states that at the time of making this response no response had been received from the Irish Aviation Authority. However, they state that given that the original response raised related to the Weston Aerodrome, this item has now been comprehensively addressed.

Assessment:

The correspondence from the Western Aerodrome is considered sufficient to address this item satisfactorily.

Item 3:

The response to Item 8 of the Additional Information request is not considered to be satisfactory.

(a) The applicant is requested to provide details of intervening features such as swales, channel rills, rain gardens to treat and convey water to the attenuation pond. SuDS are limited to permeable paving and tree pits with the intervening part of the treatment train, prior to discharge to the attenuation pond, missing and detailed proposals are requested that include SuDS features that convey and treat runoff in the intervening ground between the building/car park zone and the attenuation basin. The profile of the attenuation pond should be stepped and planted in zones to provide greater ecological diversity and access for wildlife.

The drawings submitted shall highlight the location and detail section view of all SuDS features, shall also highlight available surface water attenuation capacity within each feature and demonstrate how these features are linked to the onsite surface water drainage system.

- Swales/Filter Drains to drain surface water run-off from Roads
- Tree pits
- Bio Retention Rain Gardens
- Rainwater Harvesting for use within data halls where possible

(b) Initial attenuation assessments carried out by Water Services indicate that the overall proposed attenuation volumes for the 1 in 100 year storm (2645m³) is potentially undersized by 20%. The applicant is requested to submit a drawing showing an additional overall attenuation volume of 20% is provided for the site by way of the use of Sustainable Drainage features (SuDS).

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Applicant's Response:

(a) The applicant has submitted a response and drawings from Pinnacle Consulting Engineers and Kevin Fitzpatrick Landscape Architect. The drainage layouts have been updated to include a treatment train from the northern end of the data hall, through the open landscape, prior to discharge into the attenuation pond. 2 no. bio-retention rain gardens, a bio-retention swale and weirs have been incorporated into the design. In addition permeable paving, tree pits and rain water harvesting will be provided. The drawings show the surface water capacity of all the SuDS measures.

(b) The attenuation volume as specified, i.e. 2,645m³, is considered to be totally adequate to accommodate a 1:100yr storm event + 20% climate change. As Water Services have stated that there is potentially a shortfall in the overall attenuation volume by c.20% (overall volume of 3,174m³ required), additional storage volume is accommodated within the bio-retention rain gardens and attenuation pond (depth increased). A total storage volume of 3,207m³ is therefore provided.

Assessment:

The inclusion of further SuDS measures, such as the rain gardens and swale, is welcomed. Water Services and Public Realm have reviewed the submitted information and have no objection subject to standard conditions. These reports are noted and should be conditioned as such. This item has therefore been satisfactorily addressed.

Item 4:

The response to Item 10 of the Additional Information request is not considered to be satisfactory. In order to assess the feasibility of a connection to public waste water infrastructure further information is requested as follows; The applicant is requested to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public waste water infrastructure. Please note this is required for indirect connections to the public system also. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Applicant's Response:

The applicant has made an Irish Water Pre-Connection Enquiry. Correspondence from Irish Water states that it is only at connection application stage that written confirmation from the owner of the infrastructure (SDCC) is required by Irish Water.

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Assessment:

The letter from Irish Water confirms that the proposed wastewater connection can be facilitated at this moment in time. This is deemed acceptable and can be addressed by way of condition. This item has been satisfactorily addressed.

Item 5:

The response to Item 11 of the Additional Information request is not considered to be satisfactory. The applicant has indicated that there is water present in some of the ditches on the site and that culverts are also present. The applicant is requested to provide a strategy for removing the culverts and also for reinstating any potential watercourses. The filling in of any ditches should be justified in terms of how it would not impact the wider network negatively.

Applicant's Response:

The applicant states that while there is water present in some of the ditches these are manmade ditches that drain the existing fields and generally mark the field boundaries. These are not considered 'streams' and contain no natural portions from its headwaters to the confluence with the Griffeen River. The EPA Maps do not show these ditches as watercourses. The proposed development will create new hardstanding areas over existing ditches that will be infilled. The proposed stormwater network will replicate the existing drainage by directing stormwater to an attenuation pond, that restricts outflow at Qbar rural greenfield rates and discharges to an existing stormwater main below the R120 (outfalls to Griffeen River). The proposed SuDS will ensure that there is a negligible impact on water quality and quantity. There is only 1 no. culvert within the site boundary. The proposed landscaping berms will be located at Culvert 1, and therefore it is not possible to replace this culvert. Culvert 1, which serves a field drain, will be replaced by an extended culvert.

Assessment:

The clarification of further information provided by the applicant is considered sufficient. The nature of the existing ditches is noted. Detail has been provided in relation to the infilling of ditches and how the proposed surface water network would operate. This item has therefore been satisfactorily addressed.

Item 6:

The response to Item 13 and 15 of the Additional Information request is not considered to be satisfactory. An arborist report and tree constraints plan has been prepared by The Tree File Consulting Arborist. An Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement is also required. The applicant is requested to provide this.

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Applicant's Response:

The applicant has submitted a Tree Impact Plan and Tree Protection Plan. The Arboricultural Report by The Tree File Ltd. has been updated to include a Method Statement.

Assessment:

Public Realm has reviewed the submitted information and has no objection subject to conditions including that the recommendations as detailed in the Tree Protection Plan and Arboricultural Report be implemented in full. This is noted and should be conditioned as such. This item has therefore been satisfactorily addressed.

Item 7:

The response to Item 14 of the Additional Information request is not considered to be satisfactory. The applicant is requested to provide correspondence with Waterways Ireland indicating they are satisfied with the proposed boundary along the canal.

Applicant's Response:

The applicant has provided correspondence from Waterways Ireland advising that they are satisfied with the boundary proposals as described/shown in the latest drawings.

Assessment:

The applicant has addressed this item in full satisfactorily.

Item 8:

The response to Item 1 of the Additional Information request is not considered to be satisfactory. The applicant is requested to provide a plan clearly indicating the extent of the public park and boundary treatments, with access points, in the interests of clarity.

Applicant's Response:

The applicant has submitted Drawing No. 201 prepared by Kevin Fitzpatrick Landscape Architects that indicates the full extent of the public park and boundary treatments with access point. The boundary of the park will be defined by a 1.2m high timber post and rail fence.

Assessment:

Public Realm has reviewed the submitted information and has no objection subject to conditions including that a revised landscape proposal is submitted addressing (in summary):

- Attenuation pond edge stepped and planted.
- Remove fencing of attenuation ponds from public park. Safety to be addressed through profiling and planting/landscaping.
- Demonstrate maintenance accessibility for attenuation ponds.

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- Maintenance gate to be 4m in width to allow for vehicular access.
- Fencing material changed to a more robust material.

The applicant's response is considered acceptable and can be addressed by way of condition. Public access points are identified at the northern boundary with the canal; however, the Planning Authority considers that a public access should be explored on the eastern boundary with the R120 and a relevant **condition** should be attached.

The applicant should also be **conditioned** to provide information in regard to the management and opening hours of the park.

Summary:

It is considered that the clarification of further information submitted sufficiently addresses the concerns raised. The proposed development should therefore be granted permission subject to conditions.

Note:

The Roads Department has provided a report on the clarification of additional information received stating that a revised site plan to indicate future connectivity access to the adjacent zones 'EE' lands to the west should be submitted. It is noted this was adequately addressed as part of the initial additional information submitted.

Other Consideration:

Development Contributions

Data Halls with ancillary offices, gas power station: 24,624sq.m.

SEA Monitoring Information

Building Use Type Proposed – Data halls and ancillary structures

Floor Area (sq. m.) – 24,624

Land Type - Greenfield

Site Area (Ha.) – 22.1

Conclusion

Having regard to the

- 'EE' and 'RU' zoning objectives to the subject site,
- the policies and objectives of the South Dublin County Council Development Plan,
- the surrounding land uses and protected structures,
- the various consultation reports received from various South Dublin County Council departments and prescribed bodies,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the

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amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 2nd of September 2021 and Clarification of Further Information received on 14th of December 2021, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Previous Permission
All conditions attached to the permission granted under Reg. Ref. SD19A/0042/ABP Ref. PL06S.305948 to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the previous permission.
3. Gas Plants - Temporary
 - (i) Prior to the commencement date of the first operation of the first gas plant, the Planning Authority shall be contacted in writing to confirm the date on which the first gas plant shall first commence operation.
 - (ii) Five (5) years from the date the first gas plant first commences operation, the gas plants and all associated and related ancillary structures shall cease operation unless prior

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to the end of the five-year period, planning permission has been sought and granted for its continued use.

(iii) All structures related/associated with the gas plants shall be removed from the entire site within a year of the ceasing of operation, unless prior to the end of the five-year period, planning permission has been sought and granted for its continued use.

REASON: To enable the impact of the development to be reassessed having regard to changes in technology , climate action and energy supply options.

4. Waste Heat

(a) Proposals for waste-heat recovery and ongoing delivery to a local heat-network shall be provided and implemented on site as relevant, in conjunction with the commencement and operation of the proposed development. Prior to the commencement of development, a timeframe for implementation of waste heat proposals shall be submitted for the written agreement of South Dublin County Council, unless otherwise agreed in writing.

(b) Such proposals shall include all necessary infrastructure for waste heat recovery from the proposed development and delivery through a primary waste-heat water circuit to either, the boundaries of the site or to an Energy Centre (when constructed as part of local heat network distribution) for connection to heat network. Such proposals shall be submitted for the written agreement of South Dublin County Council, unless otherwise agreed in writing.

(c) Where waste heat recovery and utilisation proposals have been explored and, subject to the written agreement of South Dublin County Council, have been deemed to be technically or otherwise unfeasible, details of future proofing of the building fabric, heat recovery and conversion systems and safeguarding of pipework/infrastructures routes up to the site boundaries to facilitate future waste heat connection to a local district heating network, shall be submitted for the written agreement of South Dublin County Council or as otherwise agreed in writing.

REASON: To promote the utilisation and sharing of waste heat and comply with Policy E5 of the South Dublin County Development Plan 2016-2022.

5. Roads

(a) Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.

(b) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.

(c) A Mobility Management Plan shall be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

(d) Footpath, cycle track and kerb shall be dished and widened and dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the

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proposed widened vehicular access.

(e) Post construction, the condition of the footpath, cycle track, development's access in the vicinity of public road shall be assessed, and any found defects shall be reinstated to its original state at the applicant's expense.

(g) All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard.

REASON: In the interest of traffic safety and the proper planning and sustainable development of the area.

6. Archaeological Monitoring, Recording and Reporting

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant/developer shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to South Dublin County Council and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

7. Landscape Masterplan

(i) The site shall be landscaped in accordance with the detailed comprehensive scheme of landscaping which accompanied the application, unless otherwise agreed in writing with the Planning Authority.

(ii) Prior to the commencement of development of any works on the site, the applicant shall submit for the written agreement of the Planning Authority, the following revised landscape proposals:

(a) Detailed section and planting plan for the attenuation pond edge, which shall incorporate a profile that shall be stepped and planted with emergent plant species. It shall be clearly demonstrated that planting plan for the attenuation pond edge shall create habitat and enhance biodiversity and create a safe space for humans.

(b) The fencing around the attenuation ponds within the public park shall be removed and revised safety measures shall be delivered through profiling and planting/landscaping.

(c) Details of maintenance accessibility for those responsible for 'taking in charge'.

(d) The maintenance access gate located to the west of the Publicly Accessible Biodiversity Park, as notated on Kevin Fitzpatrick Landscape Architecture Drawing 201 dated 04/11/21, shall be a minimum 4m wide and shall be capable of enabling

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maintenance vehicular access.

(e) All access gates and fencing shall have the following specification, unless otherwise agreed in writing with the Planning Authority:

(i) Heavy-duty metal, round bar, minimum diameter 16mm

(ii) Galvanised

(iii) Powder coated matt black

(iv) Maximum 1.8m high

Prior to the commencement of development all details of gates and fencing shall be agreed in writing with the Planning Authority.

REASON: the interests of biodiversity, amenity, compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape and the proper planning and sustainable development of the area.

8. Landscape Architect

(a) Prior to the commencement of the development,

(i) the services of a qualified Landscape Architect (or qualified Landscape Designer) shall be appointed and retained as a Landscape Consultant, throughout the entire life of the construction works

(ii) The planning authority shall be notified of the appointment of the qualified Landscape Architect (or qualified Landscape Designer) as outlined in item (a)i).

(b) A Practical Completion Certificate shall be signed off by the Landscape Architect when all landscape works are fully completed, and the Certificate shall be to the satisfaction of the Planning Authority and shall be in accordance with the permitted and agreed landscape proposals.

(c) The installation of attenuation tree pits shall be supervised by the project landscape architect.

REASON: To ensure full and verifiable implementation of the approved landscape design.

9. Pedestrian/Cyclist Entrance from R120

Prior to the commencement of development an additional pedestrian/cyclist public access to the park shall be provided at the eastern boundary of the site at the R120, unless otherwise agreed in writing with the Planning Authority.

REASON: In the interests of providing full accessibility to the park and in the interest of proper planning and sustainable development of the area.

10. Ecology

(a) The developer shall appoint and retain the services of a qualified ecological consultant for the duration of the development.

(b) The consultant shall ensure that the relevant mitigation measures recommended in the EIAR prepared by Marston Planning Consultancy are implemented in full.

REASON: In the interest of protecting the ecology and biodiversity.

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11. Tree Protection

All the recommendations pertaining to tree retention, tree protection and tree works, as detailed in The Tree File Ltd Tree Protection Plan and Arboricultural Report, both dated November 2021 and submitted on 14 December 2021 shall be implemented.

(i) Prior to the commencement of development, the arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' for the written agreement of the Planning Authority.

(ii) All tree felling, surgery and remedial works shall be completed prior to the erection of the tree protection fencing. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

REASON: To protect existing trees onsite.

12. Arboriculture

(a) Prior to the commencement of any permitted development,

(i) The services of a qualified arborist as an arboricultural consultant shall be appointed for the entire period of construction activity.

(ii) The planning authority shall be notified in writing of the appointment of the qualified arborist as outlined in item (a)i) and shall state the name of the consultant.

(b) The arboricultural consultant shall visit the site, at a minimum, on a monthly basis, and shall ensure that all recommendations in the tree reports and plans submitted with the application and agreed with the Planning Authority are implemented in full.

(c) (i) The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate shall be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report.

(ii) The completion certificate shall be submitted for written agreement upon completion of the works.

(d) The applicant shall implement all the recommendations pertaining to tree and hedgerow management as detailed in The Tree File Ltd, Tree and Hedge Management Report dated 14th August 2021 submitted 2nd September 2021.

REASON: To ensure the protection of trees to be retained on site in the interests of climate adaptation, proper planning and sustainable development.

13. Casement Aerodrome

(a) The operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681

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(b) The developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

(c) An Aviation Impact Assessment will be submitted to Military Air Traffic Services on all potential emissions. The assessment shall cover the possible effects of exhaust plumes or any other associated impact on flight operations at Casement Aerodrome.

(d) Mitigations may be required in relation to the management of wildlife attracted to attenuation ponds or other water features. Should negative effects of bird activity on Irish Air Corps operations arise, the owner shall put measures in place to mitigate these effects to an acceptable level.

(e) The applicant/developer shall submit written confirmation that a glint and glare assessment has been submitted to Military Air Traffic Services. Should negative effects become apparent on air or ATC operations as a result of the photovoltaic cells, then the owner shall take measures to mitigate these effects to an acceptable level.

REASON: In the interests of aviation operation and safety.

14. Public Park

(i) The public park shall be open to the public during day light hours, unless otherwise agreed in writing with the Planning Authority.

(ii) Prior to the commencement of development the management details of the body responsible for the management of the park shall be submitted to the Planning Authority for written agreement.

REASON: In the interest of the proper management of this park and ensure public accessibility.

15. Mitigation Measures

The mitigation measures and commitments identified in the Environmental Impact Assessment Report (EIAR) and other plans and particulars submitted with the planning application, shall be implemented in full by the developer, except as otherwise may be required in order to comply with other conditions.

REASON: In the interest of the protection of the environment.

16. Irish Water Connection Agreement.

(a) Prior to the commencement of development the applicant or developer shall enter into water connection agreement with Irish Water.

(b) Prior to the commencement of development the applicant or developer shall enter into wastewater connection agreement with Irish Water and the owner of the private foul drainage infrastructure.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

17. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems,

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both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

18. SuDS Implementation

The submitted SuDS scheme shall be implemented within a timescale which shall be agreed in writing with the Planning Authority and shall thereafter be managed and maintained in accordance with the approved details and submitted within the Sustainable Drainage Strategy.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

19. Taking in Charge

(a) All areas proposed for taking in charge shall be to a taking in charge standard that ensures ease of maintenance including ease of access.

(b) A taking in charge drawing shall be submitted to for the written agreement of the Planning Authority and shall clearly identify what sections, if any, are proposed to be taken in charge by SDCC and shall include any phasing provisions which will apply to the public open space.

(c) If a management company is taking in charge the public open space, the management company's details shall be submitted with the written confirmation and a detailed drawing.

REASON: To ensure that designs, materials and specifications shall meet with the requirements of the Local Authority and the Development Agency and in the interests of proper planning and sustainable development.

20. Environmental Health

(a) No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays. Any work outside of these hours shall only be permitted following a written request to the Planning Authority and subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unwanted noise outside the hours stated above.

(b) Where intrusive machinery is required to be used at short notice, the main contractor shall ensure that nearby sensitive locations are informed prior to works commencing.

(c) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise

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nuisance affecting a person in any premises in the neighbourhood.

(d) The development must not give rise to any impulsive or tonal noise at any noise sensitive locations.

(e) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(f) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.

(g) During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

REASON: In the interests of environmental health.

21. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,510,435.40 (one million five hundred and ten thousand four hundred and thirty five euros and forty cents), in respect of public infrastructure and facilities benefiting development within 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

Comhairle Chontae Atha Cliath Theas

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Record of Executive Business and Chief Executive's Order

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

Comhairle Chontae Atha Cliath Theas

PR/0081/22

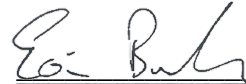
Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0042

**LOCATION: Site within the townland of Ballymakailly, West of Newcastle Road (R120),
Lucan, Co. Dublin**



**Tracy McGibbon,
A/Senior Executive Planner**



**Eoin Burke,
Senior Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 19th January 2022



**Mick Mulhern, Director of Land Use,
Planning & Transportation**