

Comhairle Chontae Atha Cliath Theas

PR/0333/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0013 **Application Date:** 17-Jan-2022
Submission Type: New Application **Registration Date:** 17-Jan-2022

Correspondence Name and Address: RW Nowlan & Associates 37, Lower Baggot Street, Dublin 2.

Proposed Development: The installation of an energy storage unit at an existing data centre facility. The development involves the placement of three ISO 40ft. shipping containers containing back up storage units at Keppel Data Centre, Citywest Avenue, Citywest Business Park, Dublin 24

Location: 4033, Citywest Avenue, Citywest Business Park, Dublin 24

Applicant Name: Energy Optimisation Solutions Limited

Application Type: Permission

(CM)

Description of site and surroundings

The site is situated in the Citywest Business Park and fronts onto Citywest Avenue to the south. The site accommodates an industrial warehouse in use as a data centre. The building is finished in light grey cladding. Car parking is provided to the west of the building with the main entrance to the southern elevation. A plant area is situated along the eastern side of the building. Another unit is present to the east of the site. Evergreen trees are present between the two premises.

Site Area: Stated as 1.67 Ha.

Site Visit: 14/03/22

Proposal

The installation of an energy storage unit at an existing data centre facility.

Zoning

The site is subject to land-use zoning objective 'EE' – "To provide for enterprise and employment related uses."

SEA Monitoring

No overlaps indicated with the relevant layers.

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Consultations Received

Roads	No objection.
Environmental Services	No objection, subject to conditions.
Irish Water	No objection, subject to conditions.
Public Realm	No report received.

Observations/Representations/Submissions

None Received.

Planning History

SD18A/0453: Permission granted for new external plant and equipment zone to the side of the existing building & include some louvre screening plus associated site development works.

SD17A/0441: Permission granted for new secure fencing & gates to perimeter of the site plus internal alterations to car park & service road plus associated site development works

S00A/0730: Permission granted for construction of a mezzanine floor over the production warehouse area, amendments to facades, construction of service yard, wall and gates, plant and equipment housing, ESB switch and transformer rooms, relocation of entrance to site northwards and signage.

SD0A/0357: Permission granted for an advance facility including two storey offices for industrial and related uses, with provision for sub-division into two units, ESB sub-station, and associated site development works with access from new interchange.

S00A/0215: Permission granted for modifications to existing building - Register Reference No. S99A/0723. The modifications include the extension of the first floor area within the existing structure, external plant enclosure, ESB sub-station, revised site entrance location and associated site development works with access from the new interchange on Naas Road.

S99A/0723: Permission granted for modification to previously approved building including two-storey offices for industrial and related uses- Register Reference No. S99A/0478. The modifications include the sub-division of the building into three units, provision of additional two-storey offices, alterations to the facades and associated site development work with access from the new interchange on Naas Road, Brownsbarn.

S99A/0478: Permission granted for one of two previously approved buildings on a revised site location, including two storey offices for industrial and related uses, gross floor area 11,000sq.m, ESB sub-station and associated site development works with access from new interchange on Naas Road.

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Planning Enforcement

None.

Pre-Planning Consultation

None recorded or indicated on the application form.

Relevant Policy in the South Dublin County Development Plan 2016 – 2022

Chapter 4 Economic Development and Tourism

Policy ET1 Overarching

Policy ET3 Enterprise and Employment

Chapter 10 Energy

Policy E1 Responding to European and National Energy Policy & Legislation

Section 10.2.1 & Policy E3 Energy Performance in Existing Buildings

Section 10.2.2 & Policy E4 Energy Performance in New Buildings

Section 10.2.3 & Policy E5 Waste Heat Recovery & Utilisation

Section 10.2.5 Solar Energy

Chapter 11 Implementation

Section 11.2.3 Environmental Hazard Management

Section 11.2.3 (ii) Noise

Section 11.4.1 Bicycle Parking Facilities

Section 11.4.2 Car Parking Standards

Section 11.8.2 Appropriate Assessment

Relevant Government Policy

Ministerial Guidelines and Policy

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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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).

Implementation of SEA Directive (2001/42/EC): Assessment of the Effects of Certain Plans and Programmes on the Environment - Guidelines for Regional and Planning Authorities (2004)

Departmental Circulars, Department of Housing, Planning and Local Government (2020 - 2022) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL12/2021: Government Policy Statement on Security of Electricity Supply

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Visual Impact
- Energy
- Access, Transport and Parking
- Public Realm
- Water Services
- Screening for Environmental Impact Assessment
- Screening for Appropriate Assessment

Zoning and Council Policy

The site is subject to land-use zoning objective 'EE' – “To provide for enterprise and employment related uses.”

The proposed development comprises energy storage units which are ancillary to, though it must be considered an integral part of, the existing data centre use.

It appears from the planning history (see above) that the data centre use on the site has not been authorised via a planning permission. The proposed development may be considered an intensification of that use and would certainly be a further facilitation of that use.

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The proposed use is therefore not acceptable pending clarification or regularisation of the overall use of the site as a data centre.

The applicant should be requested to provide any supporting information as **additional information** to indicate that the data centre has been authorised under the Planning Act or any other process. If the use is unauthorised, permission for retention of the data centre use and any physical alterations made on the site should be sought. The Planning Authority is not in a position to grant permission to anything that intensifies or facilitates an unauthorised use.

Visual Impact

The proposed development would take the form of 3'ISO 40ft. industrial containers' (this relates to ISO standard 668:2020, a standard detail for shipping containers). The site otherwise contains a number of generator buildings which appear to be permanent in nature and construction. The proposed containers could only be permitted as a temporary measure pending permission and development of a permanent accommodation, for a period of 3 years.

The applicant should indicate the long-term plans for energy storage at the site and whether permanent premises are envisaged for the future. This can be done by way of **additional information**.

Energy

Energy policy in the South Dublin County Development Plan 2016 - 2022 promotes high levels of energy conservation particularly in association with renewable energy:

Policy E3

It is the policy of the Council to promote high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing buildings.

Policy E4

It is the policy of the Council to ensure that new development is designed to take account of the impacts of climate change, and that energy efficiency and renewable energy measures are considered in accordance with national building regulations, policy and guidelines.

The source of the energy to be stored under the proposals is therefore a relevant concern for the Planning Authority and the applicant should provide some clarity on this by way of **additional information**.

The contents of Planning Circular 12/21 are also noted. The circular notes the following excerpt from the Government Policy Statement on Energy Security:

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“It is appropriate for additional electricity transmission and distribution grid infrastructure, electricity interconnection and electricity storage to be permitted and developed in order to support the growth of renewable energy and to support security of electricity supply.”

It is considered however that the long-term use of the site as a data centre should be authorised, and if there is an existing energy generation plant on the site, this too should be regularised through the planning system as a priority.

Access, Transport and Parking

The Roads Department has stated no objection to the proposed development. This is noted.

Public Realm

The Public Realm Department has confirmed that it has no comment to add concerning the proposed development. This is noted.

Water Services

The Environmental Services Department and Irish Water has each stated no objection subject to standard conditions relating to standard details of works. This is noted.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established business park and comprises energy storage units.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

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Conclusion

The proposed development is not acceptable if the overall use of the site as a data centre, possibly with energy generation facilities, is not authorised. The applicant should clarify the status of the ongoing activity on the site by way of **additional information**.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. It appears from the planning history that the data centre use on the site has not been authorised via a planning permission. The proposed development may be considered an intensification of that use and would certainly be a further facilitation of that use. The proposed use is therefore not acceptable, pending clarification or regularisation of the overall use of the site as a data centre. The applicant is requested to provide any supporting information as additional information to indicate that the data centre has been authorised under the Planning Act, 2000 as amended, or prior legislation. If the use is unauthorised, permission for retention of the data centre use and any ancillary development should be sought. The Planning Authority is not in a position to grant permission to anything that intensifies or facilitates an unauthorised use.
2. The proposed containers could only be permitted as a temporary measure pending permission and development of a permanent accommodation, for a period of 3 years. The applicant is requested to indicate the long-term plans for energy storage at the site and whether permanent premises are envisaged for the future.
3. The applicant is requested to clarify the source of the energy to be stored on-site, how that energy has been generated and whether a connection to the public grid is envisaged as part of the development.

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REG. REF. SD22A/0013

LOCATION: 4033, Citywest Avenue, Citywest Business Park, Dublin 24



Jim Johnston,
Senior Executive Planner

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date: 14/03/2022



Hazel Craigie, Senior Planner