

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0109 **Application Date:** 19-Apr-2022
Submission Type: New Application **Registration Date:** 19-Apr-2022

Correspondence Name and Address: Henry J Lyons Architecture & Interiors 51-54, Pearse Street, Dublin 2

Proposed Development: Retention of the generator compound (391sq.m) consisting of three generators along with three transformers and ancillary 3 diesel tanks and perimeter treatment on a permanent basis on the southern perimeter of the site with Orchard Avenue; The development also consists of the retention of 3 signs (10.94sq.m) as follows: retention of 1 sign (0.57sq.m) on plinth at the corner of Bianconi Avenue and the N82/Citywest Road; retention of 1 sign (4.58sq.m) on the eastern elevation of Block D facing the N82/Citywest Road and retention of 1 sign (5.79sq.m) on the northern elevation of Block M facing Bianconi Avenue. The development will include retention of all revisions to the permitted landscaping and site development works required.

Location: Bianconi Avenue, Citywest Business Campus, Saggart, Co. Dublin

Applicant Name: Xilinx Ireland Unlimited Company

Application Type: Retention

(CM)

Description of site and surroundings

Site Area: 6.5 Hectares.

Site Description:

The subject site is located at Xilinx Ireland, Bianconi Avenue, within an established Business Estate, in a standalone unit set on a large landscaped campus site. The pattern of development in the vicinity comprises large campus style business units.

Site Visit: 31/5/22

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

Proposal

Retention of the generator compound (391sq.m) consisting of three generators along with three transformers and ancillary 3 diesel tanks and perimeter treatment on a permanent basis on the southern perimeter of the site with Orchard Avenue;

the retention of 3 signs (10.94sq.m) as follows:

- retention of 1 sign (0.57sq.m) on plinth at the corner of Bianconi Avenue and the N82/Citywest Road;
- retention of 1 sign (4.58sq.m) on the eastern elevation of Block D facing the N82/Citywest Road and
- retention of 1 sign (5.79sq.m) on the northern elevation of Block M facing Bianconi Avenue.

The development will include retention of all revisions to the permitted landscaping and site development works required.

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.

Consultations Received

Roads	No objection.
Environmental Services	Requests Additional Information.
Irish Water	Requests Additional Information.
Public Realm	No objection.

Observations/Representations/Submissions

None Received.

Planning History

SD16A/0064

SDCC **granted** permission for Change of use of 6,299sq.m of the existing interlinked complex of buildings of 18,984sq.m from a mix of ancillary warehouse, packaging, logistics and research and development uses within Blocks E, G and K to an independent office based industry use that would function independently to the remaining Xilinx facility and could be sub-let and subdivided; subdivision and sub-letting of part of block G at second floor level; removal of mezzanine in block G; amendment of Condition no. 6 of S94A/0344 and S99A/0908 so that the new independent office

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

based industry use of 7,890sq.m can be sub-let and subdivided and so that the existing office space (10,893sq.m) is not integral or ancillary to the non office uses that are subject of this change of use application; minor elevation changes including a new entrance, to blocks E and G; the remaining Xilinx facility (10,893sq.m) will continue as per its permitted uses; the new office based industry use will be served by the reconfigured 197 car parking spaces of the 568 permitted car parking spaces serving the site with vehicular access via the existing secondary entrance off Bianconi Avenue; 371 spaces will continue to serve the remaining Xilinx facility.

SDCC also **granted permission for retention** for the generator compound (391sq.m) consisting of three generators along with three transformers and ancillary 3 diesel tanks and perimeter treatment on a permanent basis on the southern perimeter of the site with Orchard Avenue.

Subject Site

SD07A/0564

Retention of an enclosed external plant area for the liquid nitrogen storage tank constructed on the south portion of site adjoining Orchard Avenue and (b) planning permission to extend period of permission granted under planning Reg. Ref. SD04A/0850 for a temporary generator compound along with revised perimeter treatment: compound is located on the boundary of the land on the south perimeter with Orchard Avenue and consists of three generators along with three transformers and 3 no. ancillary diesel fuel tanks.

Decision: Grant permission subject to conditions.

Relevant Condition:

The period of this permission shall be five years from the date of a final grant of permission.

REASONS: In the interests of maintaining orderly development

SD05A/0293

For new surface mounted external flue that will terminate 1.285m above roof level and fixed to southern elevation of their existing facility.

Decision: Grant permission subject to conditions.

SD05A/0249

Change of use of existing warehouse to children's indoor adventure play area, together with alterations to existing premises.

Decision: Grant permission subject to conditions.

SD04A/0857

Retention of structures completed at Bianconi Avenue, City West Business Campus, Saggart, Co. Dublin and permitted under permissions: Reg. Ref. S99A/0908 and Reg. Ref. No. S00A/0370. The structures completed contain changes from the original permission as follows: Minor elevational changes to the west elevation of Blocks G, N and K with an external canopy over access doors on

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

the west elevation of Block K. Minor elevational changes to the east elevation of Block M and Block D and minor elevational changes to the south elevation of Blocks G, N, K and M. Changes to the north elevation of Blocks D, G and E to accommodate the new function as external wall from previously approved internal wall. Permission is also sought to retain ancillary car parking, located to the north of the site for 234 spaces and associated works serving the facility, providing in total 568 spaces to the site and for retention of the existing site entrance on to Bianconi Avenue. Permission is also sought for the retention of the single storey Inergen Bottle Store located to the west of Block K and south of Block N and also for the basement maintenance workshop to the west of Block G.

Decision: Grant permission subject to conditions.

SD04A/0850

Retention of temporary generator compound at Orchard Avenue on the southern boundary of lands at Bianconi Avenue, Citywest Business Campus for a period of five years. Compound is located on the boundary of the land on the south perimeter with Orchard Avenue and consists of three generators along with three transformers and ancillary No. 3 diesel fuel tanks.

Decision: Grant permission subject to conditions.

SD02A/0698

Illuminated fascia sign at high level on east facade of Block 4(M) at their premises.

Decision: Grant permission subject to conditions.

S01A/0245

To widen the main front entrance to their existing facility.

Decision: Grant permission subject to conditions.

S00A/0413

Extension to the expansion of an existing facility.

Decision: Grant permission subject to conditions.

S00A/0370

Minor extension to the expansion of existing facility for which planning permission was grant (S99A/0908, April 10th 2000). The extension comprise additional area of entrance porch, re-location of one loading dock from the south facade of Block G to the west facade of Block K, additional link corridor and plant room at first floor level over existing boiler house, additional security control room at first floor level between Block G and the multi-storey car park. The total area of extensions is 212.3sq.m.

Decision: Grant permission subject to conditions.

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

S99A/0908

Mixed use expansion of an existing facility at their premises at Logic Drive, Bianconi Avenue, Citywest Business Campus, Saggart, Co. Dublin. The building use to include software and hardware development, data processing, technical research and development, training, publishing, financial and administrative headquarters, including all associated amenities ancillary to each use. Associated site works include alterations to the existing landscaping and the provision of additional surface car parking, the closing of an existing entrance off Bianconi Avenue, the provision of one new 6m wide entrance off Bianconi Avenue and one new 16.5m wide entrance off Orchard Avenue. The new buildings to comprise a full height glazed street connecting 3 three-storey blocks (21,276sq.m), extensions to the existing production/test facility (2,160sq.m) and the warehouse-shipping area (4,792sq.m), a two- storey extension to the administrative offices (3,170sq.m), roof level plant rooms and screened enclosures and five level multi-storey car park.

Decision: Grant permission subject to conditions.

Relevant condition:

In so far as the proposed development contains a significant amount of office space this office space shall be used solely as an integral part or as an ancillary part of the industrial use of the premises and in any case shall not be sublet or subdivided for separate use.

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

S94A/0344

Construction of a new facility to consist of an interlink complex of buildings, including a single storey production and storage building, 2 two storey office blocks for production administration and for research and development, a single storey entrance pavilion, a canteen block and a services block with an adjacent nitrogen storage tank. The development will be set in a landscaped site with a lake providing water storage for the fire protection installation together with access roads, car parking, an external sign at the site entrance and miscellaneous works.

Decision: Grant permission subject to conditions.

Relevant condition:

In so far as the proposed development contains a significant amount of office space this office space shall be used solely as an integral part or as an ancillary part of the industrial use of the premises and in any case shall not be sublet or subdivided for separate use.

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

Planning Enforcement

None.

Pre-Planning Consultation

None recorded or indicated on the application form.

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

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 11.2.5 Signage

Section 11.4.1 Bicycle Parking Facilities

Section 11.4.2 Car Parking Standards

Section 11.8.2 Appropriate Assessment

Schedule 6: Outdoor Advertising Strategy

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.

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).

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

Government Policy Statement on Security of Electricity Supply (PL 12/2021), Department of Housing, Planning and Local Government, 2021.

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Visual and Environmental Impact (Compound)
- Signage
- Access, Transport and Parking
- Public Realm
- Water Services
- Screening for Appropriate Assessment
- Screening for Environmental Impact 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.

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 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 and Environmental Impact (Compound)

The gas generator has been the subject of previous permissions. Most recently, in 2016, the compound was permitted for retention on a permanent basis; however the full permission was not delivered. On that occasion, the SDCC planner stated:

Planning permission was previously granted on a temporary basis for the generator compound (register references SD04A/0850 and SD07A/0564). The compound is well

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

screened and creates no visual amenity impacts. There is no planning reason to restrict the life of this permission and therefore permission should be granted.

The above comments have been corroborated by site visit and the comments remain valid.

It is also noted that the provision of such facilities is supported by the Government Policy Statement on Energy Security (circular no. 12/2021).

The retention of the gas generator compound is considered to be acceptable.

Signage

The site is located in 'Zone 2' as per Schedule 6 of the South Dublin County Development Plan 2016 – 2022. Three new signs are proposed for retention: a sign on the 'plinth' at the north-east corner of the site. Signage is also proposed for retention on the building's eastern and northern elevations, high up on the building.

The signs on the building are internally at night, showing the letters 'AMD' in white, whereas they appear black during daytime. The plinth signage is at ground level and is not internally lit.

Having regard to section 4.0 "Illuminated Signs and Advertising" and section 7.0 "Advertising Development Management Standards" of Schedule 6 of the plan, it is considered that the proposed signage is acceptable for retention in principle, given the location, scale and design of the signage, and the consequent lack of detrimental impacts considered to arise from it.

With regard to illumination at night-time, this is a matter that should be assessed subject to impact on biodiversity (as per section 7.0 of Schedule 6 of the Plan). As the sign is already in place, it is considered that the most appropriate course of action at this stage is to grant permission but to **condition** that the sign is not illuminated at night.

Night-time illumination can be the subject of a separate permission and with appropriate ecological surveys undertaken if the applicant wishes to pursue it.

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.

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

Water Services

The Environmental Services Department has sought additional information on the basis of sustainable drainage, seeking information regarding SuDs features to offset the impact of the compound. It is considered inappropriate to apply this approach in the case of a previously permitted element of a permitted scheme. The 2016 permission does not include a condition on Suds.

Irish Water have sought that the applicant obtain an official letter from them stating agreement to the location of the compound, due to its proximity approx. 1m from a 200mm public watermain. It is appropriate that this matter is settled prior to a grant of permission; therefore additional information should be sought.

Screening for Environmental Impact Assessment

The subject site is located in Citywest Business Park, approximately 6km from the nearest Natura 2000 site (the Glenasmole Valley SAC).

The proposed development comprises the installation of an energy storage unit at an existing data centre facility.

Having regard to:

- the nature of the development;
- the small scale of the development;
- the location of the development;
- and its location relative to any waterways which may provide pathways to Natura 2000 sites in the county or in Dublin Bay;

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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other Considerations

Bonds & Contributions

The proposed development is for **retention** of 391m² of generators for **commercial** use.

Application also includes signage (no assessable area).

Assessable area is 391m² (for retention).

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

SEA Monitoring

Development Type: Commercial

Floor Area (Sq.m.): 391

Site Type: Urban Consolidation/Brownfield

Site Area (Ha.): 6.5

Conclusion

The proposed signage and retention of the generator compound would be acceptable in principle, subject to the signage not being illuminated at night, and in accordance with previous decisions on the site. The location of the gas generator compound in close proximity to an Irish Water asset requires agreement with Irish Water prior to a grant of permission.

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 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.

Therefore additional information should be sought.

Recommendation: Request further information

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

1. a) The gas compound appears to be 1 metre from a 200mm uPVC public watermain located under the footpath to the south of the site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size. Therefore the applicant is requested to obtain and submit the written agreement of Irish Water to the proposed development.
b) The applicant is requested to provide any supporting information to demonstrate that the data centre has been authorised under the Planning Act or any other process. If the use is unauthorised, planning permission for retention of the data centre use and any physical alterations made the site is required.

Comhairle Chontae Atha Cliath Theas

PR/0740/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0109

LOCATION: Bianconi Avenue, Citywest Business Campus, Saggart, Co. Dublin



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:

13/6/22



Eoin Burke, Senior Planner