

MARSTON

PLANNING CONSULTANCY

Senior Administrative Officer,
Planning Department,
South Dublin County Council,
County Hall,
Town Centre,
Tallaght,
Dublin 24

Our Ref: 16008

12th August 2022

Re: Planning and Development Act 2000-2022 and the statutory regulations (as amended). Application by EdgeConneX Ireland Limited for permission for development at this site of 5.14hectares that is located within the townland of Ballymakailly to the west of the Newcastle Road (R120), Lucan, Co. Dublin. The development will consist of the construction of two no. adjoined single storey data centres with associated office and service areas with an overall gross floor area of 15,274sqm.

Dear Sir / Madam,

We, Marston Planning Consultancy, 23 Grange Park, Foxrock, Dublin 18 are instructed by EdgeConneX Ireland Limited to submit this supporting planning letter in respect of this planning application for the development as described below on this site of 5.14ha. within lands to the west of the R120 and within the townland of Ballymakailly at Newcastle Road, Lucan, Co. Dublin.

The description of the proposed development as set out within the public notices is as follows:

The development will consist of the construction of two no. adjoined single storey data centres with associated office and service areas with an overall gross floor area of 15,274sqm that will comprise of the following:

- Construction of 2 no. adjoined single storey data centres with a gross floor area of 12,859sqm that will include a single storey goods receiving area / store and single storey office area (2,415sqm) with PV panels above, located to the east of the data centres as well as associated water tower, sprinkler tank, pump house and other services;
- The data centres will also include plant at roof level; with 24 no. standby diesel generators with associated flues (each 25m high) that will be located within a generator yard to the west of the data centres;
- New internal access road and security gates to serve the proposed development that will provide access to 36 no. new car parking spaces (including 4 no. electric and 2 no. disabled spaces) and sheltered bicycle parking to serve the new data centres;
- New attenuation ponds to the north of the proposed data centres; and
- Green walls are proposed to the south and east that will enclose the water tower and pump house compound.

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 and Ref. SD21A/0042. 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 and SD21A/0042.

An Environmental Impact Assessment Report (EIAR) has been submitted with this application.

This report, should be assessed in conjunction with the submitted architectural drawings; EIA Report as well as engineering and other details. These plans provide both detailed information in terms of the nature and

extent of the Proposed Development as well as an assessment of the potential environmental impact of the scheme including mitigation measures that seek to ameliorate them.

The assessment of the application under the EIA Report has clearly determined that with appropriate mitigation the Proposed Development will not have a negative impact on its environment. The mitigation proposed is both reasonable and based on best planning and environmental practice that will facilitate the extension and other modifications and the integration of the development within the existing and expanding land uses, whilst respecting the amenity of existing residential uses and the ecology, amenity and environment of the area.

1. Planning overview

This application forms the third substantive phase of the development of this site following the grants of permission made for data centres and gas power plants on the overall site of 22.1ha. made by An Bord Pleanála under SDCC Planning Ref. SD19A/0042 / ABP Ref. PL06S.305948 and by SDCC under Planning Ref. S21A/0042. Full details of these permissions are set out under section 4 of this report. It is important to note that the gas plant permitted under the more recent 2021 application was sized to provide power to the Proposed Development in the event that power from the national grid was not available at the time of the data centre coming into operation. They are permitted to be provided on a phased basis in accordance with each data centre permission.

The Power Plants are required as a result of the limited existing capacity within the National Grid available currently in the Greater Dublin Area. The third power plant will only be constructed if required to provide power to the current application, and if permanent power supply to the site has not been achieved.

Due to the Flexible Demand offer from Eirgrid for the site; the already permitted Power Plants will be required to provide additional reliability of power, and will act as a back-up source of power when the connection to the national grid is unavailable. This is likely to be for relatively short periods but longer than could be sustained by the standby generators associated with all data centres on site.

This application is made following the making of the South Dublin County Development Plan 2022-2028 that came into effect on the 3rd August 2022, prior to the making of the application. The zoning of the lands from the previous permissions has not changed, and the site remains zoned for enterprise and employment purposes (EE). However, for the first time within the Planning Authority were identified as a specific land use under the County Development Plan.

It is important that the factual status of data centres under the zoning is made clear at the time of making this application. The adopted County Development Plan at the time of its making identified data centres as not permitted on EE zoned lands.

The status of data centres within the EE zoned lands, on which this application is located, has been subject to significant debate and consideration by both the Planning Authority and its members, and recently the Office of the Planning Regulator (OPR) and the Minister for Local Government and Planning (Minister). This led to the Minister following a recommendation of the OPR issuing a draft Direction to the Council on the 29th July 2022. This Draft Direction is currently subject to a public consultation process. In accordance with Section 31(4) of the Planning and Development Act 2000 (as amended), the implication of the Draft Direction is that those parts of the South Dublin County Development Plan 2022-2028 referred to in the notice (which in part relates to the status of applications for data centres within EE zoned lands) shall be taken to have not come into effect. The draft Direction is deemed to have immediate effect and its terms are considered incorporated into the plan (and so it removes the Council's zoning classification) under Section 31(6) of the PDA 2000.

The implications of this, is that the application for a data centre on these lands should be considered as being open for consideration under the zoning; and given this is the final phase of development should be considered as being fully in accordance with the proper planning and sustainable development of the site and area.

The details of this are set out clearly within section 7 of this report.

2. Pre-planning consultations

The project team have liaised with the relevant departments of South Dublin County Council (SDCC) in advance of lodgement of this application. A pre-planning meeting (PP041/22) was held with SDCC on the 14th June 2022 and representatives of the SDCC Planning, Engineering and Roads/Transportation Departments attended. The meeting raised a number of points of relevance to the application. These were considered and have been addressed in the overall planning application package and within the EIA Report.

In addition, the relevant project team specialists have liaised with the Department of Defence, Water Services and Parks Departments of SDCC by correspondence during the course of the preparation of the application. The design team and EIA contributors/authors have incorporated advice and comments received from SDCC into the application and EIA report.

A notable request from the pre-planning meeting was that the visibility of the north-east corner of the proposed data centre was to be comprehensively considered from the R120 to its north-east. In order to do this an additional verified view (View 10) was added to the LVIA undertaken and assessed under the EIA Report. This indicated that a small portion of the upper level of the façade of the eastern elevation would be visible for a short stretch of the R120 on day one of operation and prior to the landscaping maturing. This gap in the landscaping is to facilitate attenuation connectivity required to facilitate the proposed development. Given that it amounts to a very limited view it was felt that it was not appropriate to add further design mitigation to this short length beyond the already positive response provided by the vertical green and grey cladding of various lengths that aid the assimilation of the proposed development into the landscape. Furthermore, in response to this issue we have further increased the length of the green wall at the south-east corner of the data centre that provides an improvement to the visual impact of the development again from a glimpse view at the entrance, but also softens the biodiversity impact of the proposed development.

The design approach is one that has built on the already permitted schemes and the overall significant landscaping planting and bunds that are permitted to be provided to all boundaries of the site. The permitted landscaping around the site will be in place prior to the commencement of construction of the Proposed Development.

3. Compliance with Statutory Regulations

The plans and particulars which accompany this application have been screened by reference to the Planning and Development Regulations 2001 (as amended), as set out below.

- The Site Location Map has been prepared on an OS base to a scale of 1:2,500 for the application. An Ordnance Survey Datum local benchmark is indicated on the Map. The application site is outlined in red on this map. The OS map indicates the location of all three site notice locations. Other land in the control or ownership of the applicant or owner of the land is outlined in blue.
- The Proposed Site Layout Plan is to a scale of 1:1,000, as agreed with Tracy McGibbon (Senior Executive Planner) prior to making of the 2021 planning application, and indicates the location of the application site in relation to the surrounding environment. Relevant features (such as buildings, trees and roads) adjoining or in the vicinity of the application site are all shown. The drawing indicates the roof plan of the proposed data centres. A layout plan of the data centre facility will be provided at 1:500 for clarity purposes.
- An Existing Site Layout Plan is to a scale of 1:1,000, as agreed with the Planning Department prior to making of the 2021 planning application, indicates the existing site and the abandoned farm buildings that have been permitted to be demolished under SDCC Planning Ref. SD21A/0042.
- As per article 22(2)(iv), the site notice positions (3 no.) are shown clearly on the Site Location Map. These positions are conspicuous and meet the requirements of article 19(1)(c) as they are located at the existing main vehicular and pedestrian entrance to the site from a public road, and at the site itself fully in accordance with Article 19 of the Regulations. They are printed on yellow paper as there is a recent application within the last 6 months that overlaps with the application site
- All other statutory plans, elevations and sections, unless otherwise stated, are drawn to scales of not less than 1:200, in accordance with Article 23(1)(b) and (2) of the Regulations. This ensures that a detailed level of information is provided to the Planning Authority to enable their full assessment of the application. However, as the scale of the data centre development is such that at a scale of 1:200 the contiguous elevations do not fit onto an A0 plan we have submitted site sections, as agreed with Tracy McGibbon (Senior Executive Planner) prior to making of the previous planning application, at 1:750 on

an A0 drawing. A more detailed cross-section is provided at a larger scale of the visual relationship between the data centre facility and the canal.

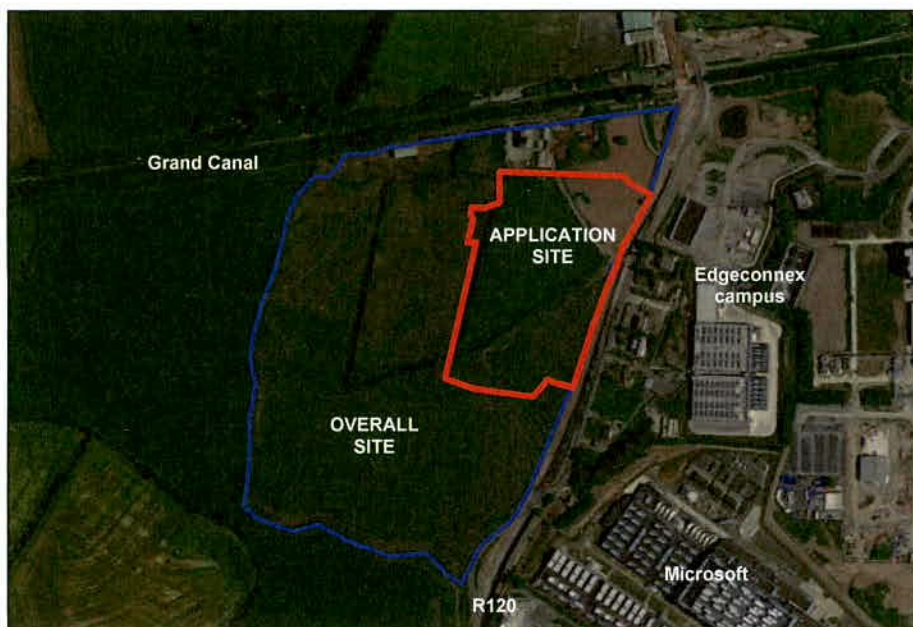
- The proposed floor and roof plans and elevations for the buildings are indicated on drawings submitted with the application. These drawings show the levels pertaining to the site. Floor levels are shown on all plans, sections and elevations of the proposed development. All levels are relative to Ordnance Survey Datum.
- The principal dimensions including height of the different elements of the proposed development and the site are indicated on the plans, elevations and sections as lodged with this application in accordance with article 23(1)(f).
- All drawings are clearly coloured and marked to distinguish the proposal, in accordance with article 23(1)(e).
- All OS mapping is appropriately identified in accordance with article 23(1)(g).
- The north point is indicated on all relevant maps and plans in accordance with article 23(1)(h).
- The newspaper notice appeared in a recognised and appropriate newspaper for a planning application in this area.

The legal interest of the applicant in making this application is fully set out in the application package. The owners of the application site, Ballymakailly ECX Ltd. have provided a letter consent to the applicant to make the application. This letter of consent accompanies the application.

4. Site analysis

The Proposed Development is to be located on a site of c. 2.14hectares to the immediate west of the recently realigned R120 within the townland of Ballymakailly, Lucan, Dublin 22. The site in terms of its current use forms open grassland to the south of the Grand Canal.

The majority of the site that remains in grassland contains field boundaries in the form of hedgerow and small trees that cut across the site along and adjacent to its western boundary; to the north-east along the boundary of the former access to the former farm buildings to the north; and diagonally across the site. The wider campus site includes further hedgerow along its southern and western boundary that forms the townland boundary between Ballymakailly and Gollierstown to the west and Grange to the south. The majority of the hedgerow crossing across the overall site has already been permitted to be removed, and replaced with additional hedgerows and planting under SDCC Planning Ref. SD19A/0042 / ABP Ref. PL06S.305948 and SDCC Planning Ref. SD21A/0042. A former agricultural access road leads from the realigned R120 within the north-east of the application site to the former agricultural buildings.



Aerial view of application site (refer to architectural drawings of Existing Site Plan and all buildings to be demolished that accompany the application for greater detail)

The eastern boundary of the overall and application site has been subject to a compulsory purchase order by South Dublin County Council to facilitate the Adamstown / Newcastle Road improvement scheme. This has

resulted in a significant length of hedgerow being removed by the Council to facilitate the road works for some 430m of the overall eastern boundary with lengths of hedgerows remaining of 100m to the south-east, and 60m to the north-east along the realigned road that is within the site with the hedgerow in very poor condition to its north. The former road remains in situ at the south-east corner of the overall site.

The application site is bounded by land in the ownership of the applicant to the south of the Grand Canal, and a lane along part of its south side and planting, to the north. A dormer type property and both the original and new bridge over the Grand Canal lie to the north-east and outside the application site. The realigned R120 bounds the application site to the east with a number of residential properties bounding the road to its east. The data centre campus of the applicant granted and implemented that allows for future expansion under SDCC Planning Ref. SD16A/0214, SD16A/0345 and SD17A/0141/SD17A/0392 as well as SD18A/0298 is located to the rear of these residential properties to the east of the R120.

The application site is bounded by the permitted substation as granted under SDCC Planning Ref. SD22A/0105; and the data centres granted under SDCC Planning Ref. SD21A/0042 to the west. The application site is bounded by the permitted data centres granted under SDCC Planning Ref. SD19A/0042 / ABP Ref. PL06S.305948 to the west. The permitted three Power Plants are to be located to the south-west of the overall site. The enabling works permitted under SDCC Planning Ref. SD19A/004 have recently commenced on part of the overall site at the time of drafting this EIA Report. There is agricultural land zoned for development to the south and west. A traveller site is located some 180m to the south-west of the overall site.

A large electricity pylon is situated in the northern portion of the application site to the immediate south of the former farm buildings and in the north-west corner of the overall site. The power cables run across the application and overall site on a west-north-west to east-south-east axis. The eastern part of the site has been subject to a compulsory purchase order by South Dublin County Council to facilitate the R120 improvement scheme. This resulted in a temporary land take of some lands that has reverted back into the ownership and control of the applicant following completion of the road scheme, and therefore is usable and forms part of the landscape master plan for the overall development of the site that has already been permitted under SDCC Planning Ref. SD19A/0042 / ABP Ref. PL06S.305948 and SDCC Planning Ref. SD21A/0042.

The site is relatively flat though there is a slope up towards the north-east corner. The site is currently accessed only via agricultural access points from the east off the R120 and from the north off the access road to the abandoned agricultural buildings.

The site is located between the N4 and N7 national primary roads and is served by an improving local road network including the regional roads R120 (which has been recently upgraded including a new bridge over the Grand Canal), R134 and R136 (The Grange Castle Road) and the road network through the Grange Castle Business Park.

5. Planning history

Planning Ref. SD19A/0004

A separate planning application was lodged with South Dublin County Council for enabling works on the southern part of the Proposed Development site to carry out the required earthworks and site preparation works to facilitate the development proposed under this application. This application was granted permission in 2019. The enabling works permitted under SDCC Planning Ref. SD19A/004 have recently commenced on part of the overall site at the time of making this application.

SDCC Planning Ref. SD19A/0042 / ABP Ref. PL06S.305948

Permission was granted on the 5th October 2020 for the phased development of 4 single storey data halls within two data centre buildings all with associated plant at roof level, 32 standby generators, office and service areas, service road infrastructure, car parking, ESB substation/transformer yard, An EIAR was submitted with the application for the development that had an overall gross floor area of 17,685sqm. The development also included a temporary gas-powered generation plant within a walled yard containing 19 no. generator units (15 + 4 arrangement) with associated flues (each 17m high) to be located to the west of the proposed data halls.

Following a request for Further Information, the number of generators within the Power Plant was reduced to only 8 operating with two back up units and limited to a lifespan of two years.

The decision of the Board was subject to 19 conditions. Condition no. 16 relating to noise outlined that operational noise shall not exceed 45dB(A) Leq 1 hour between 2000 and 0800, and 55dB(A) Leq 1 hour at all other times. The condition in full stated:

“The operational noise level shall not exceed 55 dB(A) Leq 1 hour (corrected for any tonal or impulsive component) at the nearest noise sensitive locations, including dwellings, between 0800 and 2000 hours, Monday to Friday inclusive, and shall not exceed 45 dB(A) Leq 1 hour at any other time. All sound measurement shall be carried out in accordance with ISO 1996-1:2016 “Acoustics - Description, measurement and assessment of environmental noise - Part 1: Basic quantities and assessment procedures”. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.”

This permission has not commenced on site.

SDCC Planning Ref. SD21A/0042

Permission was granted by South Dublin County Council under SDCC Planning Ref. SD21A/0042 for Phase 2 (DUB05) of the development of the overall site on the 19th January 2022, following a request for Additional Information and a Clarification of that Additional Information. The primary issue being the issue of the availability of power, grid constraints and the compatibility of the application with the Climate Action Plan 2021, as well as the inclusion of green walls and improvements in the public park access and design within the north of the site.

All these issues were comprehensively addressed under the CAI response that led to the positive decision from the Planning Authority. The permission is granted to be undertaken on lands to the west and south-west of the current application site, and is for the development 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 24,624sqm.

The data centres had 24 standby diesel generators with associated flues (each 25m high) as well as associated water tower and sprinkler tank and other services, including car parking. The permission also included for the phased development of 3 no. two storey gas powered generation plants (9,286sqm overall) within three individual buildings with associated 25m high flues (61 flues in total) and ancillary development to provide power to facilitate the development of the overall site, and to replace the temporary power plant granted permission under the 2019 application. The Power Plant is permitted to be located within the south-west part of the overall site. The landscape master plan was modified slightly under this application with a public park created on the lands within and to the immediate north of the application site.

Condition 3 of the permission stated:

“3. GAS Plants – Temporary

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.

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

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.”

The severity of the wording of the condition creates significant uncertainty from the applicant's perspective and therefore was subject of a first party appeal. However, as no third party appeal was lodged the first party appeal was withdrawn, and the final grant of permission, which was subject to 21 conditions, was

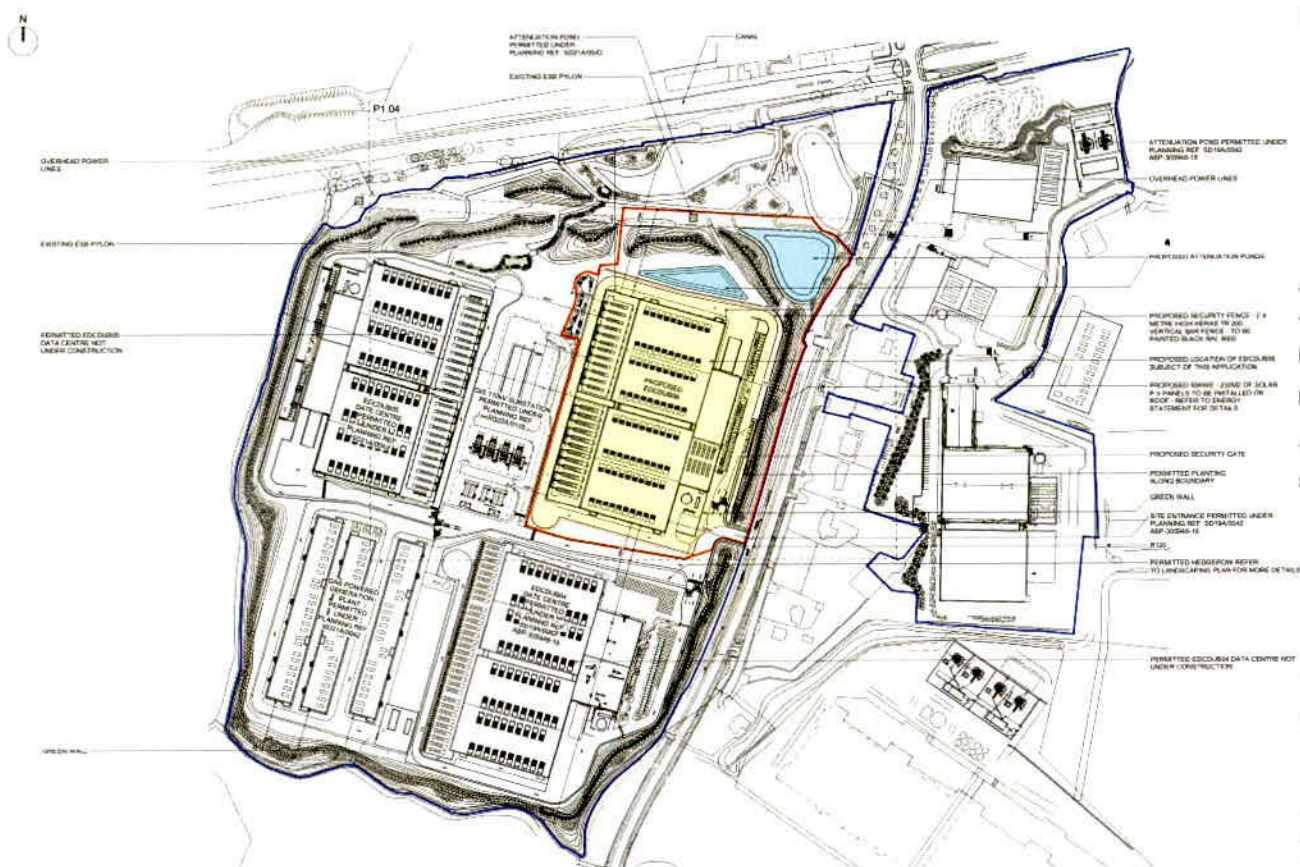
issued on the 24th March 2022 and has not commenced on site. An application to amend this condition was lodged on the 27th June 2022 under SDCC Ref. SD22A/0289 and has yet to be determined.

SDCC Planning Ref. SD22A/0105

Permission was granted on the 8th June 2022 for amendments to the substation compound and structures that are located to the immediate west of the current application site.

6. Description of the Proposed Development

The Proposed Development is to develop two no. single storey data centres with associated office and service areas with an overall gross floor area of 15,274sqm. The figure below presents a site layout plan of the Proposed Development (outlined in red and shaded in cream) in the context of the overall permitted master plan development (shown not shaded) and at a larger scale on the following page.



Proposed site layout plan within wider permitted master plan layout

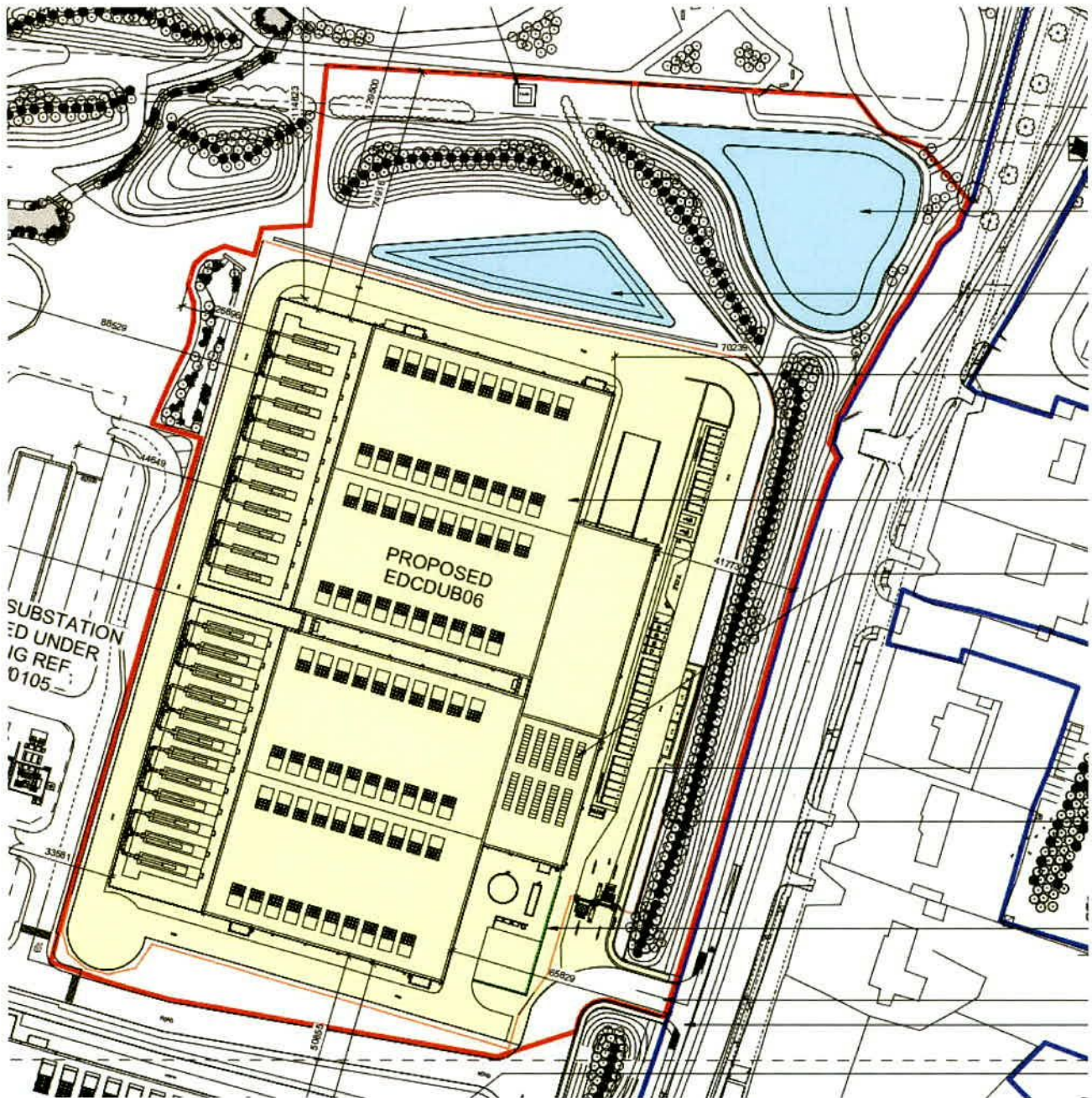
The Proposed Development with a gross floor area of 15,274sqm (as described and defined below) is to seek permission for a period of five years for a development that will consist of the following various works, as follows:

The development will consist of the construction of two no. adjoined single storey data centres with associated office and service areas with an overall gross floor area of 15,274sqm that will comprise of the following:

- Construction of 2 no. adjoined single storey data centres with a gross floor area of 12,859sqm that will include a single storey goods receiving area / store and single storey office area (2,415sqm) with PV panels above, located to the east of the data centres as well as associated water tower, sprinkler tank, pump house and other services;
- The data centres will also include plant at roof level; with 24 no. standby diesel generators with associated flues (each 25m high) that will be located within a generator yard to the west of the data centres;

- New internal access road and security gates to serve the proposed development that will provide access to 36 no. new car parking spaces (including 4 no. electric and 2 no. disabled spaces) and sheltered bicycle parking to serve the new data centres;
- New attenuation ponds to the north of the proposed data centres; and
- Green walls are proposed to the south and east that will enclose the water tower and pump house compound.

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 and Ref. SD21A/0042. 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 and SD21A/0042.



Proposed site layout plan

Phasing of development

The construction of the Proposed Development will be phased as part of the development of the overall site. The first data centre received a full grant of permission as did the temporary gas powered Aggreko Plant in October 2020. The Aggreko plant has been replaced with the Power Plants granted under the 2021 application that will serve each of the pairs of data centres, including that applied for under this application.

The Proposed Development will include the commencement of construction of development of the proposed data centres in Q1, 2023, assuming a grant of permission and no appeals being lodged. It is the intention that permitted Gas Plant 3 will provide power to the data centres that are the subject of this application. Construction of the proposed data centres under this application is envisaged to take a period of c. 18 months between Q1 2023 and Q3 2024. Construction of the already permitted Gas Plant 3, if required, is envisaged to take a period of c. 6 months between Q3 2023 and Q1 2024 so that it is in place prior to the need to operate the Proposed Development.

The timing of the development will be subject to commercial demand but it has been assumed based on other similar projects that it will extend over a c. 1.5 year period for the purposes of this EIAR, and has the potential to overlap with the construction of already permitted developments and the Strategic Infrastructure Development (SID) application within the overall site. The cumulative impact of this on the construction phase has been assessed under this application. This application forms the final phase of development on the overall site apart from the intended SID application that will be made directly to the Board following the Pre-Application Consultation that has been undertaken between the applicant and the Board (ABP Ref. VC06S.311907). This application will be for the provision of an underground 110kV transmission line connection between the Kishoge 110kV GIS Substation in Ballymakailly (the permitted substation on the overall site) and the permitted 110kV transmission line at Aungierstown – Castlebaggot. This application is expected to be lodged in Q3, 2022.

The interim power supply will be provided by the permitted Power Plants that formed part of the permission granted under SDCC Planning Ref. SD21A/0042. These Power Plants were designed and scaled to provide permanent power for the overall site, including the data centres proposed under the current application. They are permitted to be provided on a phased basis in accordance with each data centre permission.

The entire landscape master plan for the site is proposed to be in place within the first two years following the commencement of construction of the initial phase of development on the overall site, subject to minor amendments proposed under this application.

Power

There is a requirement for the Power Plants to provide both a short to medium term and back-up power solution to the Proposed and Permitted Development. This is due to the Flexible Demand conditional Eirgrid offer, which has been enacted by the applicant, that is in place for the site.

The permitted Power Plants form a back-up solution to the National Grid above that of the back-up diesel generators, once the Proposed Development is connected to the National Grid. This is due to the constrained nature of the National Grid within the Greater Dublin area. Flexible Demand is defined by Eirgrid as:

“Flexible demand is electrical load for a data centre that must be reduced on instruction from EirGrid via the National Control Centre (NCC). Where capacity availability in a particular area is constrained, EirGrid will reserve the right to apply flexible demand arrangements and this will be reflected as a requirement for connection offers for new data centres in that area. EirGrid identify constrained areas as areas where there is a risk or potential risk that the level of demand may be greater or has the potential to become greater than the level of supply currently available or that will be available in the coming years. Such risks are caused by the unavailability of electricity supply in a particular area to meet the demand requirements in the same area. At present, EirGrid has identified the greater Dublin region as constrained. Flexible demand is electrical load for a data centre that must be reduced on instruction from EirGrid via the National Control Centre (NCC). Where capacity availability in a particular area is constrained, EirGrid will reserve the right to apply flexible demand arrangements and this will be reflected as a requirement for connection offers for new data centres in that area. EirGrid identify constrained areas as areas where there is a risk or potential risk that the level of demand may be greater or has the potential to become greater than the level of supply currently available or that

will be available in the coming years. Such risks are caused by the unavailability of electricity supply in a particular area to meet the demand requirements in the same area. At present, EirGrid has identified the greater Dublin region as constrained."

Further details on the power supply for the Proposed Development are provided in Chapter 16 Material Assets. It should be noted that at all times two of the gas generators within each of the permitted Power Plants will be idle and will act as back up to the other generators within each Power Plant. This generates an 18 + 2 arrangement within Power Plants 1 and 2; and a 19 + 2 arrangement within Power Plant 3 that will serve the Proposed Development. The permitted Power Plants are required as Eirgrid have stipulated under the Data Centre Connection Policy 2019 that in order for the data centre to receive a firm grid connection, it must install on-site generation to match its load. Therefore, to get a connection to the national grid, the data centre must install on-site generation and Eirgrid have stipulated that this generation must be capable of running continuously for an extended period of time not limited by fuel reserves. This would be in multiple individual intervals during peak daily usage in winter that is estimated up to 500 hours per annum, to meet this requirement, gas engines have been chosen because no other renewable or storage technology can provide this at a commercial scale.

By bringing new flexible generation to the point of demand, not only does this ease grid constraints, it will also provide much needed flexible capacity on the grid to facilitate the increased level of renewables aspired to in the Climate Action Plan 2021.

EirGrid Connection Agreement to Edgeconnex

We respectfully submit that in this instance our client is already in receipt of a Connection Agreement from EirGrid to connect their permitted substation (known as Kishoge) into the national grid. This offer was made by EirGrid on the 21st August 2020 in the full knowledge of the constraints within the Greater Dublin area. Given this was made following both the EirGrid 'Data Centre Connection Offer Process and Policy' ("DCCOPP") published initially in July 2019 and updated in July 2020 and the National Climate Action Plan 2019; it is only reasonable to conclude that the locational requirements and other criteria in place at the time, were considered to have been met. The nature of this offer is that it will facilitate the gas plants proposed under the most recent application to supply and reinforce the national grid in c. Q1, 2024.

Our clients also have an executed connection agreement with ESB on a firm capacity basis, that was signed in September 2019, for the connection of the Coolderrig substation to the national grid that will provide power to the data centre campus to the east of the R120.

Importance of data centres to the modern economy

It is not in contention that there are a number of data centre operators within the South Dublin administrative area. However, it is notable that the campuses are in a various state of completion in terms of the planning and development process. It is also notable that the data centres operate on different models, with some operating as co-location operators; managed serviced data centres; enterprise data centres; and cloud data centres. They provided, and are increasingly providing an important role within the wider economy.

Modern society means that everyone uses data in some form or another whether they are sending an email; shopping online, playing video games or just casually browsing social media. Every single aspect of that activity is saved online and stored in a data centre. Put simply the shift to working from home during the 2020 and 2021 pandemic, which is likely to continue post pandemic, could not have occurred without the availability of data centres. In essence they are the lifeline that keeps the modern economy working and the world connected.

Staffing and parking

Once operational, c. 30 full time employees will be present on site daily in the Data Centre facilities. Security staff (6 no. total) will be required at all times as well as service staff from outside the data centre facility particularly in relation to the Power Plant creating employment of up to 40 people. During the night shift a reduced number of staff will be required with 10 in the data centre facilities with similar.

Accordingly, it is proposed to provide 36 car parking spaces on site. This assumes a vehicle occupancy level of c. 1 persons/vehicle and take account of an allowance for visiting/maintenance staff as well as enabling a

smooth transition between shifts. Included within this shall be 4 no. spaces provided for disabled parking and 2 no. E-charging spaces (with cabling for a further 2 spaces).

The facility will operate on 3 no. 8 hour shift basis (8am to 4pm; 4pm-12am and 12am-8am). Working hours are expected to be 24 hours a day, 7 days a week. The total persons anticipated to travel to and from the site over a 24 hour period, and therefore employed directly on site, is therefore c. 100. Additional service staff and other deliveries etc. would be addition to this. Traffic relating to staff movements has been assessed as part of the Traffic and Transportation chapter of the EIA Report (Chapter 12).

7. National and Regional Planning context

National Planning Framework

The National Planning Framework (NPF) was published in February 2018 setting out a vision for Ireland in land use and planning terms to 2040. The NPF replaced the National Spatial Strategy once it was adopted as the long term land use and planning vision for Ireland.

National Strategic Outcome 5 of the NPF relates to the creation of “*A Strong Economy Supported by Enterprise, Innovation and Skills*”. This strategic outcome is underpinned by a range of objectives relating to job creation and the fostering of enterprise and innovation. The following objective, relating to Information and Communications Technology (ICT) infrastructure (including datacentres) is included under National Strategic Outcome 5:

“Promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.”

The Proposed Development comprises the provision of three new data centres and associated ancillary development, in a location which is well suited and serviced to accommodate such a use. The NPF also states under National Strategic Outcome 5:

“Ireland is very attractive in terms of international digital connectivity, climatic factors and current and future renewable energy sources for the development of international digital infrastructures, such as data storage facilities. This sector underpins Ireland’s international position as a location for ICT and creates added benefits in relation to establishing a threshold of demand for sustained development of renewable energy sources.”

The NPF is favourably disposed to the location of ICT infrastructure in Ireland, and the Proposed Development, which comprises of such ICT infrastructure, is therefore considered to be wholly in accordance with this key body of national planning policy.

Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly

The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA) has interpreted the above NPF objective at a regional level and includes Regional Policy Objective (RPO) 8.25 which states the following:

“Local Authorities shall:

- *Support and facilitate delivery of the National Broadband Plan.*
- *Facilitate enhanced international fibre communications links, including full interconnection between the fibre networks in Northern Ireland and the Republic of Ireland.*
- *Promote and facilitate the sustainable development of a high-quality ICT network throughout the Region in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.*
- *Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data storage facilities and associated economic activities at appropriate locations.*
- *Promote Dublin as a demonstrator of 5G information and communication technology.”*

The site is therefore considered to be an appropriate location for the development of data centres under this Strategy and this is clearly reflected in the recent Ministerial Direction to the Council.

8. Energy policy relating to data centre development

What is EirGrid's and the Commission for Regulation of Utilities (CRU) role in data centre development?

It is important that the Planning Authority are fully aware of all policy that are set out on a national basis for data centres. This already sets out significant restrictions and constraints, outside of the planning process, that govern the ability of a data centre to operate, with the main one relating to connections to the national grid.

Currently all existing Data Centre connections being offered by EirGrid in the Dublin region are being offered on a case by case and a flexible demand basis. Flexible demand is where the electrical load for a data centre must be reduced on instruction from EirGrid under the Data Centre Connection Offer Process and Policy (DCCOPP), via the National Control Centre (NCC).

It should also be noted that new offers will be subject to EirGrid's application of the CRU Direction. However, as already outlined, our client is already subject to offers on this site in Grange Castle. EirGrid have also noted the following in relation to Data Centre Connections:

1. Flexible demand will be available to customers seeking to connect in constrained areas.
2. Capacity review to be performed following the annual T-4 capacity auction to determine if additional firm access can be been made available.
3. Firm capacity will be provided for data centres where on-site dispatchable generation is made available to Eirgrid.
4. Connection offers are based on planning permission for a site and must line up with the capacity sought.
5. Flexibility will be allowed for MIC ramping in constrained areas.

These policies of EirGrid are driving **the need for on-site dispatchable generation on all data centre sites** to ensure security of supply for the grid as a whole, until such time as transmission and generation capacity short-falls are addressed.

EirGrid have stipulated under the DCCOPP that in order for a data centre to receive a firm grid connection, it **must install on-site dispatchable generation** to match its requested firm capacity. This is a critical point to consider when assessing any new application for a data centre. It means that the grid will not be negatively impacted by a proposed development. This reflects the permitted Power Plants granted on the site under SDC Planning Ref. SD21A/0042. Therefore the proposed development is fully in accordance with existing Eirgrid policy.

CRU Direction Nov 2021 to EirGrid and ESBN (data centres can connect to transmission and distribution grid) Direction under S34(1) of the Electricity Regulation Act 1999, as amended – as governs connection to the Grid

It is without doubt that policy in terms of both climate change and data centres has significantly altered over the last few years. This has been incorporated within the publication of the National 'Climate Action Plan 2021' at the start of November 2021; and the publication on the 23rd November 2021 by the Commission for Regulation of Utilities (CRU) of their "Direction to the System Operators related to Data Centre grid connection processing (CRU/21/124)".(the "Direction") This followed a consultation carried out by CRU in June / July 2021 following a warning from EirGrid on a worsening security of electricity supply situation in the State. One of the options under this consultation document was a moratorium on data centre connections; which was not upheld in the November Direction, but in considering the matter under the June consultation the CRU stated:

"The CRU does not consider this appropriate at this time as there are mechanisms that data centres can employ which in the CRUs view can contribute to their overall flexibility."

The November Direction also confirms that there is no moratorium on data centre development from a national policy perspective, and sets out criteria and advises EirGrid and ESBN that they should apply as they see fit and that the situation will remain under review and that monitoring is required. The interpretation of this, is that new offers may be constrained in certain areas, but that the application of DCCOPP will be made on a case by case basis in line with the criteria set out. It is therefore clear that a blanket ban on data centre connections is not in line with DCCOPP or CRU Direction; and that the status of Data Centres as being "Open for Consideration", as is the case following the Ministers Draft Direction to the Council, is fully in accordance with existing policy.

Pursuant to Section 34(1) of the Electricity Regulation Act 1999 (the Act), the CRU directed EirGrid & ESBN to assess applications for the connection of data centres by reference to the following assessment criteria to determine whether a connection offer can be made within the system stability and reliability needs of the electricity network:

- *The location of the data centre applicant with respect to whether they are within a constrained or unconstrained region of the electricity system*
- *The ability of the data centre applicant to bring onsite dispatchable generation (and/or storage) equivalent to or greater than their demand, which meets appropriate availability and other technical requirements as may be specified by the relevant SO, in order to support security of supply.*
- *The ability of the data centre applicant to provide flexibility in their demand by reducing consumption when requested to do so by the relevant SO in times of system constraint through the use of dispatchable on-site generation (and/or storage) which meets appropriate availability and other technical requirements as may be specified by the relevant SO, in order to support security of supply.*
- *The ability of the data centre applicant to provide flexibility in their demand by reducing consumption when requested to do so by the relevant SO, in times of system constraint, in order to support security of supply.*

What is the CRU's role in energy policy and data centre connections?

The Commission for Regulation of Utilities (CRU) mission is to protect the public interest in Water, Energy and Energy Safety and one of their four strategic objectives is to deliver sustainable low-carbon solutions with well-regulated markets and networks. In their decision paper of the 22nd November, the CRU have confirmed that it will work with Eirgrid and ESB Networks, government and wider industry to facilitate the delivery of an electricity generation fleet that can meet Ireland's Climate Action Plan 2021 (CAP) target of up to 80% of electricity demand from renewable energy sources by 2030, whilst ensuring Ireland's energy needs are met. These targets align with the *National Development Plan 2021 – 2030* which commits to increasing the share of renewable electricity up to 80% by 2030.

We respectfully submit that these changes to a greater reliance on renewable electricity are clearly outside the control of our client, but are strongly welcomed as the applicant will source 100% renewable power through a supplier via the national grid.

The Greater Dublin Area has been identified as a constrained region in terms of the national grid following the publication by EirGrid of the 'DCCOPP'. However, there are projects that already have an offer from Eirgrid but have not as yet attained full planning permission; or are yet to complete the build out of their campuses, as is the case with our client under this application, which forms the final phase of development of this campus. Put simply, it is the case that now, any data centre application such as this, needs to be considered on their individual merits having regard to the site and the proper planning and sustainable development of the area.

Furthermore, it is clear that the current proposal, in terms of the overall site, meets the objective to ensure that any data centre development is scaled to ensure that it has capacity to dispatch energy equivalent to, or greater than the data centres capacity agreement with EirGrid into the national grid. This will provide security of power within the local and wider area that will have significant benefits in facilitating other developments in the local area with significant benefits to the local economy. In essence this policy ensures that the proposed new data centre does not impact upon the national grid.

Government Policy

Government Policy on the security of electricity supply was issued in the Policy Statement on Security of Electricity Supply that is dated November 2021. This included a number of measures including a national priority to construct gas fired power plants to combat the squeeze on electricity supplies in the short to medium term. The Government Policy statement to Planning Authorities issued on the 10th December 2021 also highlights this and states that *"the connection of large energy users to the electricity grid should take into account the potential impact on security of electricity supply and on the need to decarbonise the electricity grid"*.

On the 1st February 2022 in which Minister Leo Varadkar stated that his Department intended to complete a review of the 2018 'Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy' in the first half of 2022. The Minister also added that the role of data centres in the Irish economy should be assessed in the context of the total economic value they provide, and not as an isolated economic activity. The important economic and societal role of data services such as video calls, streaming services, and other remote work technology became ever more apparent during the onset of the COVID-19 pandemic. Data centres securely store and manage the data which keeps much of our information-based economy and society moving. These investments underpin the digital economy in which data is the key asset.

This was further clarified on the 4th February 2022; in which Minister Eamon Ryan (Minister for the Environment, Climate and Communications) stated that the CRU has issued a Direction to Eirgrid and ESB Networks, the electricity distribution system operator, that requires each of the system operators to prioritise data centre connections based on location, the availability of on-site generation and flexibility in reducing demand when required. This will reduce the potential impact of data centres on security of electricity supply.

There has been an investment in data centres by a wide range of companies since the 2000's within the South Dublin administrative area, including our client in two campuses. Since then, these companies and others have grown their infrastructure, investment, and technical employee base here, making the cloud industry a leading employer and contributor to the Irish economy now and into the future. In 2018, an IDA study found that data centres contributed a total of €7bn in economic activity over the previous seven years and that there are more than 20,000 jobs (Cloud Infrastructure Ireland submission to the CRU) in the computer, electronics, and optical equipment sectors, which are largely supported by those operating data centre infrastructure here.

Our clients and other data centre operators have invested significantly in terms of cloud infrastructure that has enabled industries, governments, universities, and schools to seamlessly make the shift to the cloud in the past 2 years. Our client wishes to work with the Council, and the CRU, Eirgrid and ESB Networks in contributing positively to Ireland's renewable energy goal of 80% by 2030.

It is to be noted that subsequent to the adoption of the plan, the Government issued revised Statement on the Role of Data Centres in Ireland's Enterprise Strategy on the 27th July 2022. The revised Statement adopts a set of agreed principles for data centre which will align with Government policy. These principles include Renewables Additionality: The Government has a preference for data centre developments that can demonstrate the additionality of their renewable energy use in Ireland. They also include decarbonised Data Centres by Design: The Government has a preference for data centres developments that can demonstrate a clear pathway to decarbonise and ultimately provide net zero data services. The revised statement was stated further stated to be to fulfil commitments under the 2021 Climate Action Plan and the 2022 National Energy Security Framework.

It is to be noted that subsequent to the adoption of the new County Development Plan, the Government issued the revised Statement on the Role of Data Centres in Ireland's Enterprise Strategy on the 27th July 2022. The revised Statement adopts a set of agreed principles for data centres which will align with Government policy. These principles include Renewables Additionality: The Government has a preference for data centre developments that can demonstrate the additionality of their renewable energy use in Ireland. They also include decarbonised Data Centres by Design: The Government has a preference for data centres developments that can demonstrate a clear pathway to decarbonise and ultimately provide net zero data services. The revised statement was stated further to fulfil commitments under the 2021 Climate Action Plan and the 2022 National Energy Security Framework.

How does a data centre development comply with Climate Action Plan 2021

The applicant recognises the need to balance the demand for development with climate action and resilience that is reflected in both the Council's own Climate Action Plan 2019; as well as the recently published national Climate Action Plan 2021. This more recent Climate Action Plan has replaced the Climate Action Plan 2019, that contained Action 20 relating to data centres. A far broader policy approach now applies to data centres under Climate Action Plan 2021, and the application has therefore addressed the current Climate Action Plan.

The policies and long term aims of Climate Action Plan 2021 are based on continuing to facilitate data centre development, subject to certain criteria, and future reviews, up to 2030. The Plan recognises, and takes account of the changes in demand for electricity over the next 10 years; and that this will alter the profile for demand and recognises that the forecast growth in data centres will represent a challenge to Ireland's emissions targets.

Government policy set out under the Climate Action Plan 2021, states that the strategy on data centres will be reviewed (section 11.1) to ensure that growth of such users can only happen in alignment with sectoral emission ceilings and renewable energy targets. Whilst the 2021 Plan identifies the potential for further regulatory measures to manage demand from data centres, in the context of climate targets and future network needs; these do not currently exist. We respectfully submit that the adopted Plan should reflect this and should require individual data centre applications to be considered on their merits having regard to Eirgrid and CRU policy but also the criteria set out under Policy EDE7 Objective 2 of the County Development Plan.

Is the provision of Power Plants on data centre site in accordance with climate change and renewable energy policy at a national, regional and local policy perspective?

Policy relating to climate change and renewable energy is set out under the South Dublin County Council Climate Change Action Plan 2019; and the recent Government publication of "*Climate Action Plan 2021: Securing Our Future*". We note that the SDCC Climate Change Action Plan 2019 was prepared having regard to the wider *A Strategy towards Climate Change Action Plans* for the Dublin Local Authorities, published in 2017; and must therefore be considered to be in accordance with this strategy.

The South Dublin County Council Climate Change Action Plan 2019 seeks to improve the energy efficiency and reduce greenhouse gas emissions; whilst making South Dublin a more climate resilient region. We note that it is established Government policy (as stated in the Policy Statement on Security of Electricity Supply that is dated November 2021) that it is a national priority to construct (and therefore by default grant permission for) gas fired power plants to combat the squeeze on electricity supplies in the short to medium term. This is reflected in the permitted power plant on the overall site.

The focus on gas as a short to medium term solution will enable the closure of coal and peat burning plants; and will bridge the gap to renewables achieving 80% by 2030. We note that the aim to increase the capacity of the national grid to take account of data centres that are already subject to connection agreements is fully allowed for under the Climate Action Plan 2021.

The Climate Action Plan also recognises the need for a diversified portfolio of generation up to 2030 and beyond in order to deliver grid stability and system services arising from increasing renewable energy penetration. High efficiency engines, along with storage and interconnection are recognised as contributing to this solution and facilitating greater levels of intermittent renewables.

9. Local Planning Context

South Dublin County Development Plan 2022-2028

The South Dublin County Development Plan is the statutory planning document that covers the entire South Dublin administrative area. The Plan was adopted in June 2022 and came into effect on the 3rd August 2022, prior to the making of this application.

The data centre element of the Proposed Development is to be located within an area zoned EE (Enterprise and Employment) under the County Development Plan. The zoning Objective EE seeks: "*To provide for enterprise and employment related uses*". The norther part of the site is zoned as RU with the objective "*to*

protect and improve rural amenity and to provide for the development of agriculture". We note that only landscaping works that are already permitted and attenuation ponds that form part of the current application are located within the RU zoned lands.

The status of data centres within the EE zoned lands has been subject to significant debate and consideration by both the Planning Authority, and recently the Office of the Planning Regulator and the Minister for Local Government and Planning. The following provides a synopsis this, and for greater clarity we refer the Planning Authority to the Planning Report by Marston Planning Consultancy Ltd. that accompanies this application.

The South Dublin Draft County Development Plan 2022-2028 recognised the important role of data centres and that they form one of the most extensive land use types in the County. The Draft Plan also recognised that Dublin is one of the fastest growing data centre markets in Europe with a significant element of this growth in the administrative area of South Dublin County Council. The Draft Plan identified data centres as a specific land use, which they weren't previously under the 2016 Plan, and where they would be considered as being as 'Open for Consideration' uses within the EE zoning. Open for consideration uses were defined as:

"Land uses that are listed as 'open for consideration' in the land use zoning tables may be acceptable to the Planning Authority subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in this Plan.

Proposed uses in this category will be subject to full assessment on their own merits and particularly in relation to their impact on the development of the County at a strategic and a local level. Such uses may only be permitted where they do not materially conflict with other aspects of the County Development Plan."

However, we note that in considering the Draft Plan a motion, which was carried sought to Amend Table 13.10 Zoning Objective 'EE' so that 'Data Centre' was moved from being 'Open for Consideration' to being 'Not Permitted'. This change in the status of a data centre use was considered as a Material Alteration of the Draft Plan and was published as such for public consideration and submissions on the 29th March 2022. Despite a number of submissions being made against this Material Amendment that included a letter from the Planning Regulator stating that it would be contrary to Government policy, and a recommendation from the Chief Executive of the Council that it should not be adopted, the Members made the Plan that included a "moratorium" on data centres within the plan area during the lifetime of the Plan.

Following this, the Office of the Planning Regulator recommended to the Minister in a letter dated the 19th July 2022, to issue a Direction under section 31 AM(8) of the Planning and Development Act 2000 (as amended) to reinstate the data centre use class as an 'open for consideration' use within the EE zoning. The Draft Direction from the Minister to South Dublin County Council was issued on the 29th July 2022.

This Draft section 31 Direction issued in late July is deemed to be included within the adopted Development Plan as per section 31AN (11) of the Planning and Development Act 2000 (as amended). This application is therefore made on the basis that a data centre is therefore an open for consideration use under the EE zoning as it removes the Material Amendments adopted in relation to data centres under the EE zoning.

The new Plan also recognises the need for land extensive uses, such as data centres, and requires them to be located at appropriate locations having regard to infrastructural, transport and environmental considerations as well as the need for orderly growth (Policy EDE7). Objective 1 under Policy EDE7 sets that such land uses, insofar as possible, should be located outside of the M50 on zoned lands adjacent to public transport.

Policy EDE7 Objective 2, sets out a list of requirements for space extensive enterprises need to demonstrate, as follows:

"To require that space extensive enterprises demonstrate the following:

Strong energy efficiency measures to reduce their carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation;

Maximise onsite renewable energy generation to ensure as far as possible 100% powered by renewable energy, where on site demand cannot be met in this way provide evidence of engagement with power purchase agreements (PPA) in Ireland;

Sufficient capacity within the relevant water and wastewater and electricity network to accommodate the use proposed;

Measures to support the just transition to a circular economy;

Measures to facilitate district heating or heat networks where excess heat is produced;

A high-quality design approach to buildings which reduces the massing and visual impact;

A comprehensive understanding of employment once operational;

A comprehensive understanding of levels of traffic to and from the site at construction and operation stage;

Provide evidence of sign up to the Climate Neutral Data Centre Pact."

We respectfully submit that the proposal is fully in accordance with these objectives. The site includes a Specific Local Objective within the RU zoned lands to the north of the site. This objective, EDE4: SLO1 states:

"To investigate the full potential for the 12th Lock lands as centrally located within growing employment and residential areas, with tourism and active travel potential along the Grand Canal and have cognisance of the potential for the lands and associated heritage buildings to become a hub supporting the surrounding land uses while protecting the natural environment."

Section 10.2.5, and policies within that section of the Plan (Policy E6, Objective 1) sets out that development proposals for new industrial and commercial developments such as data centre require future proofing and are required to promote the development of waste heat technologies and the utilisation and sharing of waste heat where feasibility is proven for its re-use as part of a low carbon district heating network

The nature of the overall design has been informed by a site analysis of environmental issues. This has included noise and air quality objectives. The enhancement and creation of new bio-diversity corridors to fully integrate the scheme into the surrounding environment to ensure that direct and cumulative effects on biodiversity are addressed in the overall design. Suitable attenuation and sustainable drainage systems have also informed the design. This mitigation of design as already permitted, also significantly increases native tree planting within the site from its current position. The design incorporates SUDS fully in accordance with policies of the Plan.

In conclusion it is considered that the proposal is in accordance with the policies and objectives of local, regional and national land use planning policy.

10. Environmental Impact Assessment Report

The requirement for EIA for certain types and scales of development is set out in the EIA Directives (2011/92/EU and 2014/52/EU), European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (the bulk of which came into operation in September 2018), the European Communities (Environmental Impact Assessment) Regulations 1989-2006, Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001-2022. It should be noted that this EIA Report is prepared in accordance with the 2011 EIA Directive (2011/92/EU), as amended by the 2014 EIA Directive.

The EIA Directives list those projects for which an EIA is mandatory (Annex I) and those projects for which an EIA may be required (Annex II). With regard to Annex II projects, Member States can choose to apply thresholds or use case by case examination or a combination of both to assess where EIA is required. In Ireland, a combination of both has been applied.

The project proposed is not listed under Annex I EIA Directives but it is above the relevant threshold as set out in the Planning and Development Regulations 2001-2022 for Annex II projects. Industrial estate development projects, such as this, where the area would exceed 10 hectares, as set out in Part 2 of Schedule 5 of the Regulations, was considered to be most relevant threshold in the context of the Proposed Development. The Proposed Development site area in combination of the wider site exceeds this threshold and therefore an EIA Report is required for the Proposed Development.

The main objective of an EIA, as set out in Article 3(1) of the 2014 EIA Directive, is to identify, describe and assess the direct and indirect significant impacts of a project on population and human health, biodiversity, land, soils, water, air & climate (including noise), material assets, cultural heritage and the landscape and the interaction between the aforementioned factors. The EIA Report reports on the findings of the EIA process and informs the Planning Authority, statutory consultees, other interested parties and the public in general about the likely effects of the project on the environment.

11. Appropriate Assessment

A screening report has been completed for the Proposed Development, as required under the Habitats and Birds Directive (92/43/EEC and 79/409/EEC) and is included as a stand-alone report undertaken by Scott Cawley, Consulting Ecologists. This document forms part of the application. The AA screening process has identified that the potential impacts associated with the Proposed Development do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the receiving environment and, consequently, do not have the potential to affect the conservation objectives supporting the Qualifying Interest/Special Conservation Interests of any European sites. Therefore, the proposed development is not likely to have significant effects on any European sites.

As the proposed development itself will not have any effects on the QIs/SCIs or conservation objectives of any European sites, and taking into account the policies and objectives of the statutory plans referred to above, it is concluded that there is no potential for any other plan or project to act in combination with it to result in significant effects on any European sites. In assessing the potential for the proposed development to result in a significant effect on any European sites, any measures intended to avoid or reduce the harmful effects of the project on European sites are not taken into account.

Following an examination, analysis and evaluation of all relevant information and in view of the best scientific knowledge, and applying the precautionary principle, it can be concluded that the possibility of any significant effects on any European sites, whether arising from the project alone or in combination with other plans and projects, can be excluded, for the reasons set out within the Screening Report. 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 a Stage II Appropriate Assessment or the preparation of a Natura Impact Statement (NIS).

12. Flood Risk Assessment

A Stage 1 Flood Risk Assessment has been undertaken for the site and forms a stand-alone report that forms part of this application. The assessment concluded that the development is not at risk of flooding. The assessment indicates that the Proposed Development would not adversely impact on the flood risk for other neighbouring properties. Further detail is provided in Chapter 8 – Hydrology of the EIA Report and the accompanying Stage 1 Flood Risk Assessment undertaken by Pinnacle Consulting that forms a stand-alone document as part of the planning application. Given the inland location of the site, it is not at risk from sea level rise.

13. Conclusion

The nature of the proposal fully accords with the zoning, policies and objectives of the County Development Plan and best practice in terms of compliance with putting forward suitable mitigation measures within the design and construction process to more than adequately mitigate impacts on all aspects of the environment. This is particularly pertinent given its location adjacent to the Grand Canal, and the nearby residential properties.

The proposed development is in accordance with the policies and objectives of the National Planning Framework, Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly, and the South Dublin County Development Plan 2022-2028. The development forms the final phase of a data centre campus that has already been master planned to provide heavily landscaped berms around the periphery of the site; created a new public park within the northern RU zone and a gas powered power plant to provide short and medium term power in accordance with Eirgrid's connection agreement policy. We respectfully submit that the proposed development as an open for consideration land use is fully in

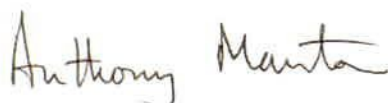
accordance with the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the Plan. A review indicates that the proposed development does not conflict with other aspects of the County Development Plan.

It has been demonstrated within this report, as well as within the accompanying drawings, documents and EIA Report that the proposed development provides a suitable and appropriate use for the subject lands. The design and the already permitted master planning of the site has taken into account any issues and discussions raised within the pre-application meeting with South Dublin County Council prior to lodgment of this application. The design and layout of the proposed development also provides for an appropriate use of the subject site that is cognisant of existing and permitted surrounding land uses.

In conclusion, for all of the foregoing arguments, reason and considerations, we respectfully request South Dublin County Council to accept the contents of the application, and to assess the subject development on its own individual merits and to grant planning permission for this development on the basis that by its nature and extent, the proposal would accord with the proper planning and sustainable development of this area including the preservation and improvement of amenities thereof.

We trust that everything is in order and look forward to a favourable decision in due course.

Yours faithfully,

A handwritten signature in cursive script that reads "Anthony Marston".

Anthony Marston (MIPI, MRTPI)
Marston Planning Consultancy

Appendix 1 EIA Portal notification

Dear Anthony

An EIA Portal notification was received on 13/08/2022 in respect of this proposed application. The information provided has been uploaded to the EIA Portal on 15/08/2022 under EIA Portal ID number **2022153** and is available to view at <http://housinggovie.maps.arcgis.com/apps/webappviewer/index.html?id=d7d5a3d48f104ecbb206e7e5f84b71f1>.

Portal ID: 2022153

Competent Authority: South Dublin County Council

Applicant Name: Edgeconnex Ireland Ltd.

Location: Townland of Ballymakailly to the west of the Newcastle Road (R120), Lucan, Co. Dublin.

Description: Two no. adjoined single storey data centres and ancillary elements with a total gross floor area of 15,274sqm

Linear Development: No

Date Uploaded to Portal: 15/08/2022

Regards
Grace

EIA Portal team

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta
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