

- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
- (xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

#### **Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

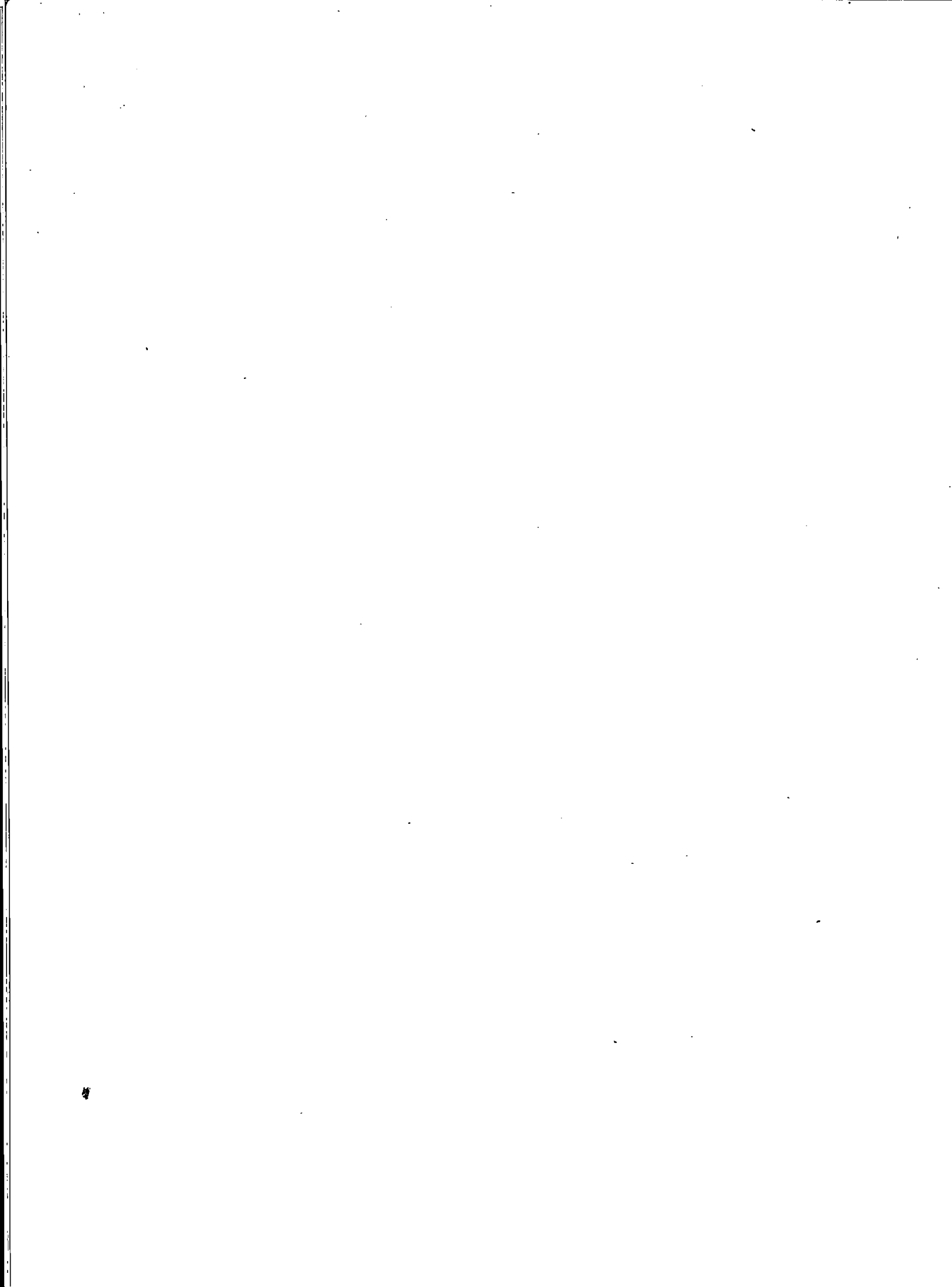
4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

#### **Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development /

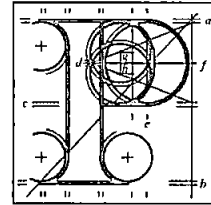
<b>Tel</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1890 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	www.pleanala.ie
<b>Ríomhphost</b>	<b>Email</b>	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



**Our Case Number:** ABP-314461-22

**Planning Authority Reference Number:** SD21A/0217



**An  
Bord  
Pleanála**

**Land Use Planning & Transportation**

**30 AUG 2022**

**South Dublin County Council**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 29 August 2022

**Re:** 10 year permission for development consisting of removal of waste water treatment system and the construction of 2 data centre buildings. Natura Impact Statement will be submitted to the planning authority with the application. A Natura Impact Statement (NIS) is submitted with this application. Profile Park, Nangor Road, Clondalkin, Dublin 22

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

(iv) a copy of the notification of decision given to the applicant,

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

(vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1890 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
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- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
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2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

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- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

#### **Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

#### **Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development /

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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



SOLICITORS

**AN BORD PLEANÁLA**  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_  
26 AUG 2022  
Fee: € 220 Type: Appeal  
Time: 17:29 By: hand

To: An Bord Pleanála  
64 Marlborough Street,  
Dublin 1

BB/COC

26<sup>th</sup> August 2022

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

Dear Sirs,

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

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

- (a) Given the energy intensive nature of the data centre development the proposed development does not comply with the objectives of the South Dublin County Council Development Plan (2016-22), including in relation to E2 Objective 3; E4 Objective 1 and national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021. Whereas it is noted that initially proposed gas generators were omitted at further information stage it would nonetheless appear from the Construction Environmental Management Plan prepared by Malone O Regan, dated Feb 2022 and submitted in reply to a request for further information, that up to c. 32 diesel backup generators are still proposed. The development does not propose any significant renewable generation on the site and is reliant on the national grid; or the aspirations of the South Dublin County Council Climate Action Plan.
- (b) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid, particularly in circumstances where the application documentation<sup>1</sup> states, inter alia, that it is the applicant's intention for a long-term grid connection be established to server the date centres: "*...this grid connection will be capable of supporting the ultimate electrical demand of both DUB15 and DUB16 of 52MW...*"
- (c) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project. Whereas Table 5.2 of an updated EIA screening report by Malone O'Regan dated Feb 2022 was submitted to the Planning Authority (Feb 2022) which proports to screen out the need for EIA our clients disagree with its screen assessment conclusions. In particular we note the following:

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<sup>1</sup> Section 4.2 of RPS's initial report.

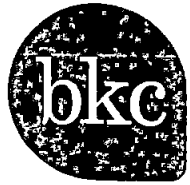
- The development is area is large at c. 61,810 sq m and the design includes proposals for up to 32 diesel generators and we understand from the application document storage for substantial amounts of diesel.
  - In terms of cumulative effects, it is stated that an EIS was submitted was submitted for the overall industrial park under SD06A/0568 and would have envisaged the development of multiple industrial units such as the proposed development. There is no evidence in the planning report that the specific impact of Data Centres, which are a particularly energy intensive form of development and in this case requires the construction of up to 32 back up diesel generators as well as the storage of large amounts of fuel with attendant risks of spillage, was considered that EIS. Further no information or insufficient information has been submitted concerning the impact of any grid connection necessary and fundamental to the operation of the Data Centre.
- (d) No regard and/or inadequate regard has been given to the cumulative effects of the proposed development, in combination with other development in the vicinity, on the protected sites.
- (e) The extremely high electricity consumption will increase Ireland's carbon emissions at a time when we urgently need to reduce them. Ireland is supposed to be reducing national emissions by 51% under the Climate Action and Low Carbon Development (Amendment) Bill. The proposed development will increase our fossil fuel emissions and is incompatible with this Bill. The Environmental Agency announced last year that Ireland has already overshoot its 2018 greenhouse gas emissions ceiling of 60.93 million tonnes of carbon dioxide equivalent (Mt CO<sub>2</sub>eq) by 5.59Mt.
- (f) There is no and/or insufficient information within this application on the proposals to connect the power plant and site to the national grid .
- (g) There is already a disproportionate number of Data Centres in the South Dublin Area. Dozens of centres have opened in recent years, bringing the total to c. 54, with a combined power capacity of 642MW. All the homes in Clare, Kerry and Limerick together as an example would amount to a consumption 200MW. Data centres will require 12.5 TW [terawatts] of electricity above what is being provided. That is enough power for 24m homes.
-

- (h) Water usage. Peak demand of water usage stands at around 1,000,000 litres of water per day. Rainwater collection cannot be relied upon, due to uneven patterns of precipitation which will become even more erratic as the climate changes. Cooling the data centre will divert a valuable resource away from the local community, a situation which is likely to get worse as water scarcity becomes more of a problem and population increases. A region with ample water today may become water-stressed in 10 to 30 years. We have recently witnessed that protracted periods of temperatures above 26 C with no precipitation are becoming more frequent in Ireland. The UN expects water demand to outpace supply by almost 40% as soon as 2030. Greater consideration needs to be given to how available resources are going to be used.
- (i) The Government has set a target that 70 percent of Ireland's electricity will come from renewable sources by 2030. In its Generation Capacity Statement 2020-2029, EirGrid projects that demand from data centers could account for 27 percent of all electricity demand in the country by 2029, up from 11 percent in 2020.
- (j) Ireland is one of the EU's worst carbon emission offenders and faces fines of more than €250 million for missing 2020 targets on reducing greenhouse gas emissions. Missing later targets will trigger steeper fines.
- (k) According to Host in Ireland/Bitpower figures, the data centre industry was responsible for 1.85% of electricity-related carbon emissions in the country during 2020, and this is expected to reach 2.2% by 2025. By 2027, data centres will consume 31% of Ireland's electricity. This rise isn't startling, considering that data centre growth is expected to double over the next five years.
- (l) The climate action plan set an ambition of 70% renewable electricity by 2030. This planning application has no intention to supplement the significant energy demands of the data centre with alternative energy supply. Renewables will never provide all the energy requirement for this large scale data centre, contrary to South Dublin County Councils Development Plan (2016-2022) and the future Development Plan (2022-2028).
- (m) Our Clients note that Eirgrid has recently had to issue system alerts/ warnings (two in two days<sup>2</sup>) due to power constraints in the national grid due to 'tight margins'. We also note that these warnings come against a background where Eirgrid warned in 2021 in its '*All-Island Generator Capacity Statement 2021-*

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<sup>2</sup> [EirGrid warns of limited electricity supply for second time in two days \(irishtimes.com\)](https://www.irishtimes.com/news/technology/eirgrid-warns-of-limited-electricity-supply-for-second-time-in-two-days-1.4648444)





## SOLICITORS

2030' (at page 1 thereof<sup>3</sup>) that the State forecast capacity deficits over the next five winters, and in a scenario where "Emissions from the Energy Industries sector increased by 17.6 per cent in 2021, driven by a tripling of coal and oil use in electricity generation," (News Releases 2022 | Environmental Protection Agency (epa.ie)) as some of the State's worst emitting coal and fuel oil power stations had to remain in use to meet a surge in electricity demand. It is unclear how, in these circumstances, the development of additional energy intensive data centres will enable the State to realistically take high emitting coal and fuel oil power stations offline without compromising or adversely affecting the ability of the national grid to deliver electricity to all users in the State and consequently how it amounts to proper planning and sustainable development.

- (n) Our Client notes from a report from the Department of Enterprise, Trade and Employment, with postdates the First Party Response, 'Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy' (see <https://enterprise.gov.ie/en/publications/government-statement-on-role-of-data-centres-in-enterprise-strategy.html>), that "The capacity constraints experienced by our electricity system today, and the binding carbon budgets that require rapid decarbonisation of energy use across all sectors, necessarily mean that not all existing demand for data centre development can be accommodated..." [emphasis added]. If existing demand cannot be accommodated it would seem to follow that additional development of data centres is contrary to proper planning and sustainable development.

We also enclose herewith cheque in the sum of €220.00 being the fee payable with this Appeal, our submissions to South Dublin County Council dated the 6<sup>th</sup> September 2021 stamped received, the acknowledgment from South Dublin County Council dated 9<sup>th</sup> and 25<sup>th</sup> March 2022 and the decision to grant permission dated ~~7<sup>th</sup> July 2022~~. 2/8/22

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Christine O'Connor', written over a horizontal dashed line.

Christine O' Connor,  
BKC Solicitors

<sup>3</sup> [208281-All-Island-Generation-Capacity-Statement-LR13A.pdf \(eirgridgroup.com\)](#)

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

BB/COC

6<sup>th</sup> September 2021

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

---

Dear Sirs,

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

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

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

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

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



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

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

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

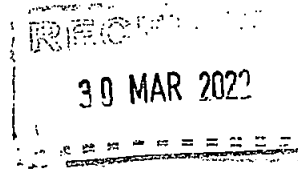
Yours faithfully,

-----  
Christine O' Connor,  
BKC Solicitors

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104

Email: [Planningdept@sdblincoco.ie](mailto:Planningdept@sdblincoco.ie)

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



Date: 25-Mar-2022

Register Reference: SD21A/0217

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

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

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

**Application Type:** Permission

**Date Received:** 24-Mar-2022

Dear Sir/Madam,

I wish to inform you that **FURTHER INFORMATION** was received in respect of the above proposal on 24-Mar-2022.

This submission may be inspected or purchased at the Planning Department which is open daily, Monday to Friday, from 9.00 a.m. to 4.00 p.m. inclusive.

In accordance with Part III, Article 34 (8) (b) of the Planning & Development Act, 2000(as amended), the Council will make its decision on this application within 4 weeks from the date of receipt of the further information (or 8 weeks in the case of an application where an EIS is involved).

**Please note:** The Council MAY determine that the submission received constitutes SIGNIFICANT ADDITIONAL INFORMATION in which case the applicant(s) will be requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended). If this is the case then you will be notified of receipt of revised public notices and you may make a further submission within the specified time period.

If it is determined that the response does not require revised public notices then further submissions CANNOT be accepted.

Yours faithfully,

M. Crowley,  
for Senior Planner



RECEIVED  
68 JUL 2022

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104

Email: [Planningdept@sdblincoco.ie](mailto:Planningdept@sdblincoco.ie)

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

Date: 07-Jul-2022

Register Reference: SD21A/0217

**Development:**

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

**Location:** Profile Park, Nangor Road, Clondalkin, Dublin 22  
**Applicant Name:** Digital Netherlands VIII B. V.  
**Application Type:** Permission  
**Date Received:** 24-Mar-2022, 05-Jul-2022

I wish to inform you that **FURTHER INFORMATION** was received in respect of the above proposal on 05-Jul-2022.

This submission may be inspected or purchased at the Planning Department which is open daily, Monday to Friday, from 9.00 a.m. to 4.00 p.m. inclusive.

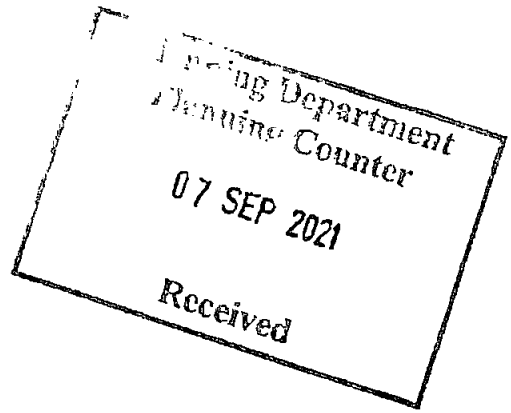
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If it is determined that the response does not require revised public notices then further submissions CANNOT be accepted.

Yours faithfully,

M. Furney,  
for Senior Planner



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

BB/COC

6<sup>th</sup> September 2021

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

---

Dear Sirs,

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

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www.bkcsolicitors.com  
info@bkcsolicitors.com

Principal - Brian Burns, Solicitor - Gwen McCool, Office Manager - Christine O'Connor

DX 222 004

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

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

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

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



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

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

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

Yours faithfully,

-----  
Christine O' Connor,  
BKC Solicitors



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

BB/COC

6<sup>th</sup> September 2021

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

---

Dear Sirs,

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

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Principal - Brian Burns, Solicitor Gwen McCool, Office Manager - Christine O'Connor

DX 222 00



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

- (a) The planning application does not comply with the requirements of the Planning and Development Act 2000 (as amended) and associated Regulations. The applicant has failed to notify the Commission for Regulation of Utilities – which is so required in circumstances where the proposed development will have an impact on energy infrastructure.
- (b) The proposed development does not comply with the objectives of the South Dublin County Council Development Plan (2016-22), including in relation to E2 Objective 3; E4 Objective 1 and national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021 (having regard to the utilisation of gas and diesel as power sources); or the aspirations of the South Dublin County Council Climate Action Plan.
- (c) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid.
- (d) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project.
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- (k) There is no information within this application on the proposals to connect the power plant and site to the national grid and the source of gas proposed, the Climate Action and Low Carbon Development (Amendment) Act 2021 is not referenced in Section 4.2.3 of the Planning Report.

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

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'CO'Connor', written over a horizontal dashed line.

Christine O' Connor,  
BKC Solicitors

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

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

**Date: 09-Sep-2021**

Dear Sir/Madam,

**Register Ref:** SD21A/0217

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

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

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

**Application Type:** Permission

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

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

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

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

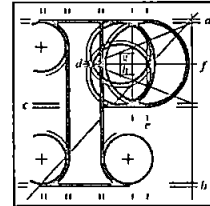
**Please note:** If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the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

Yours faithfully,

M. Furney  
for Senior Planner

**Our Case Number:** ABP-314461-22

**Planning Authority Reference Number:** SD21A/0217



**An  
Bord  
Pleanála**

**Land Use Planning & Transportation**

**30 AUG 2022**

**South Dublin County Council**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 29 August 2022

**Re:** 10 year permission for development consisting of removal of waste water treatment system and the construction of 2 data centre buildings. Natura Impact Statement will be submitted to the planning authority with the application. A Natura Impact Statement (NIS) is submitted with this application. Profile Park, Nangor Road, Clondalkin, Dublin 22

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

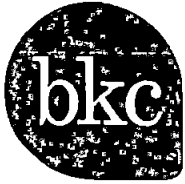
(iv) a copy of the notification of decision given to the applicant,

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

(vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

<b>Tel</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1890 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
<b>Ríomhphost</b>	<b>Email</b>	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



SOLICITORS

**AN BORD PLEANÁLA**  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_  
26 AUG 2022  
Fee: € 220 Type: Appeal  
Time: 17:29 By: hand

To: An Bord Pleanála  
64 Marlborough Street,  
Dublin 1

BB/COC

26<sup>th</sup> August 2022

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

---

Dear Sirs,

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



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

- (a) Given the energy intensive nature of the data centre development the proposed development does not comply with the objectives of the South Dublin County Council Development Plan (2016-22), including in relation to E2 Objective 3; E4 Objective 1 and national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021. Whereas it is noted that initially proposed gas generators were omitted at further information stage it would nonetheless appear from the Construction Environmental Management Plan prepared by Malone O Regan, dated Feb 2022 and submitted in reply to a request for further information, that up to c. 32 diesel backup generators are still proposed. The development does not propose any significant renewable generation on the site and is reliant on the national grid; or the aspirations of the South Dublin County Council Climate Action Plan.
- (b) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid, particularly in circumstances where the application documentation<sup>1</sup> states, inter alia, that it is the applicant's intention for a long-term grid connection be established to server the date centres: *"...this grid connection will be capable of supporting the ultimate electrical demand of both DUB15 and DUB16 of 52MW..."*
- (c) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project. Whereas Table 5.2 of an updated EIA screening report by Malone O'Regan dated Feb 2022 was submitted to the Planning Authority (Feb 2022) which proports to screen out the need for EIA our clients disagree with its screen assessment conclusions. In particular we note the following:

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<sup>1</sup> Section 4.2 of RPS's initial report.



## SOLICITORS

- The development area is large at c. 61,810 sq m and the design includes proposals for up to 32 diesel generators and we understand from the application document storage for substantial amounts of diesel.
  - In terms of cumulative effects, it is stated that an EIS was submitted was submitted for the overall industrial park under SD06A/0568 and would have envisaged the development of multiple industrial units such as the proposed development. There is no evidence in the planning report that the specific impact of Data Centres, which are a particularly energy intensive form of development and in this case requires the construction of up to 32 back up diesel generators as well as the storage of large amounts of fuel with attendant risks of spillage, was considered that EIS. Further no information or insufficient information has been submitted concerning the impact of any grid connection necessary and fundamental to the operation of the Data Centre.
- (d) No regard and/or inadequate regard has been given to the cumulative effects of the proposed development, in combination with other development in the vicinity, on the protected sites.
- (e) The extremely high electricity consumption will increase Ireland's carbon emissions at a time when we urgently need to reduce them. Ireland is supposed to be reducing national emissions by 51% under the Climate Action and Low Carbon Development (Amendment) Bill. The proposed development will increase our fossil fuel emissions and is incompatible with this Bill. The Environmental Agency announced last year that Ireland has already overshoot its 2018 greenhouse gas emissions ceiling of 60.93 million tonnes of carbon dioxide equivalent (Mt CO<sub>2</sub>eq) by 5.59Mt.
- (f) There is no and/or insufficient information within this application on the proposals to connect the power plant and site to the national grid .
- (g) There is already a disproportionate number of Data Centres in the South Dublin Area. Dozens of centres have opened in recent years, bringing the total to c. 54, with a combined power capacity of 642MW. All the homes in Clare, Kerry and Limerick together as an example would amount to a consumption 200MW. Data centres will require 12.5 TW [terawatts] of electricity above what is being provided. That is enough power for 24m homes.
-

- (h) Water usage. Peak demand of water usage stands at around 1,000,000 litres of water per day. Rainwater collection cannot be relied upon, due to uneven patterns of precipitation which will become even more erratic as the climate changes. Cooling the data centre will divert a valuable resource away from the local community, a situation which is likely to get worse as water scarcity becomes more of a problem and population increases. A region with ample water today may become water-stressed in 10 to 30 years. We have recently witnessed that protracted periods of temperatures above 26 C with no precipitation are becoming more frequent in Ireland. The UN expects water demand to outpace supply by almost 40% as soon as 2030. Greater consideration needs to be given to how available resources are going to be used.
- (i) The Government has set a target that 70 percent of Ireland's electricity will come from renewable sources by 2030. In its Generation Capacity Statement 2020-2029, EirGrid projects that demand from data centers could account for 27 percent of all electricity demand in the country by 2029, up from 11 percent in 2020.
- (j) Ireland is one of the EU's worst carbon emission offenders and faces fines of more than €250 million for missing 2020 targets on reducing greenhouse gas emissions. Missing later targets will trigger steeper fines.
- (k) According to Host in Ireland/Bitpower figures, the data centre industry was responsible for 1.85% of electricity-related carbon emissions in the country during 2020, and this is expected to reach 2.2% by 2025. By 2027, data centres will consume 31% of Ireland's electricity. This rise isn't startling, considering that data centre growth is expected to double over the next five years.
- (l) The climate action plan set an ambition of 70% renewable electricity by 2030. This planning application has no intention to supplement the significant energy demands of the data centre with alternative energy supply. Renewables will never provide all the energy requirement for this large scale data centre, contrary to South Dublin County Councils Development Plan (2016-2022) and the future Development Plan (2022-2028).
- (m) Our Clients note that Eirgrid has recently had to issue system alerts/ warnings (two in two days<sup>2</sup>) due to power constraints in the national grid due to 'tight margins'. We also note that these warnings come against a background where Eirgrid warned in 2021 in its '*All-Island Generator Capacity Statement 2021-*

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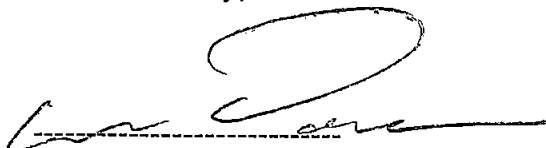
<sup>2</sup> EirGrid warns of limited electricity supply for second time in two days (irishexaminer.com)

2030' (at page 1 thereof<sup>3</sup>) that the State forecast capacity deficits over the next five winters, and in a scenario where "*Emissions from the Energy Industries sector increased by 17.6 per cent in 2021, driven by a tripling of coal and oil use in electricity generation,*" (News Releases 2022 | Environmental Protection Agency (epa.ie) /) as some of the State's worst emitting coal and fuel oil power stations had to remain in use to meet a surge in electricity demand. It is unclear how, in these circumstances, the development of additional energy intensive data centres will enable the State to realistically take high emitting coal and fuel oil power stations offline without compromising or adversely affecting the ability of the national grid to deliver electricity to all users in the State and consequently how it amounts to proper planning and sustainable development.

- (n) Our Client notes from a report from the Department of Enterprise, Trade and Employment, with postdates the First Party Response, '*Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy*' (see <https://enterprise.gov.ie/en/publications/government-statement-on-role-of-data-centres-in-enterprise-strategy.html>), that "*The capacity constraints experienced by our electricity system today, and the binding carbon budgets that require rapid decarbonisation of energy use across all sectors, necessarily mean that not all existing demand for data centre development can be accommodated...*" [emphasis added]. If existing demand cannot be accommodated it would seem to follow that additional development of data centres is contrary to proper planning and sustainable development.

We also enclose herewith cheque in the sum of €220.00 being the fee payable with this Appeal, our submissions to South Dublin County Council dated the 6<sup>th</sup> September 2021 stamped received, the acknowledgment from South Dublin County Council dated 9<sup>th</sup> and 25<sup>th</sup> March 2022 and the decision to grant permission dated ~~7<sup>th</sup> July 2022~~. 2/8/22

Yours faithfully,



Christine O' Connor,  
BKC Solicitors

<sup>3</sup> [208281-All-Island-Generation-Capacity-Statement-LR13A.pdf \(eirgridgroup.com\)](#)



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

BB/COC

6<sup>th</sup> September 2021

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

---

Dear Sirs,

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

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

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

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

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





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

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

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

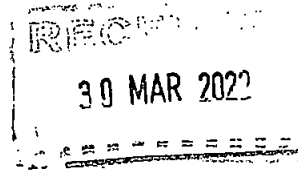
Yours faithfully,

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Christine O' Connor,  
BKC Solicitors

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104

Email: [Planningdept@sdblincoco.ie](mailto:Planningdept@sdblincoco.ie)

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



Date: 25-Mar-2022

Register Reference: SD21A/0217

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

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

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

**Application Type:** Permission

**Date Received:** 24-Mar-2022

Dear Sir/Madam,

I wish to inform you that **FURTHER INFORMATION** was received in respect of the above proposal on 24-Mar-2022.

This submission may be inspected or purchased at the Planning Department which is open daily, Monday to Friday, from 9.00 a.m. to 4.00 p.m. inclusive.

In accordance with Part III, Article 34 (8) (b) of the Planning & Development Act, 2000(as amended), the Council will make its decision on this application within 4 weeks from the date of receipt of the further information (or 8 weeks in the case of an application where an EIS is involved).

**Please note:** The Council MAY determine that the submission received constitutes **SIGNIFICANT ADDITIONAL INFORMATION** in which case the applicant(s) will be requested to publish a notice in an approved newspaper and erect or fix a site notice on the land or structure to which the further information relates and to submit copies of the both the newspaper and site notices to the Planning Authority in accordance with Article 35 (1) (a) and (b) of the Planning and Development Regulations 2001 (as amended). If this is the case then you will be notified of receipt of revised public notices and you may make a further submission within the specified time period.

If it is determined that the response does not require revised public notices then further submissions CANNOT be accepted.

Yours faithfully,

M. Crowley.  
for **Senior Planner**

RECEIVED  
08 JUL 2022

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104

Email: [Planningdept@sdblincoco.ie](mailto:Planningdept@sdblincoco.ie)

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

Date: 07-Jul-2022

Register Reference: SD21A/0217

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

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

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

**Application Type:** Permission

**Date Received:** 24-Mar-2022, 05-Jul-2022

I wish to inform you that **FURTHER INFORMATION** was received in respect of the above proposal on 05-Jul-2022.

This submission may be inspected or purchased at the Planning Department which is open daily, Monday to Friday, from 9.00 a.m. to 4.00 p.m. inclusive.

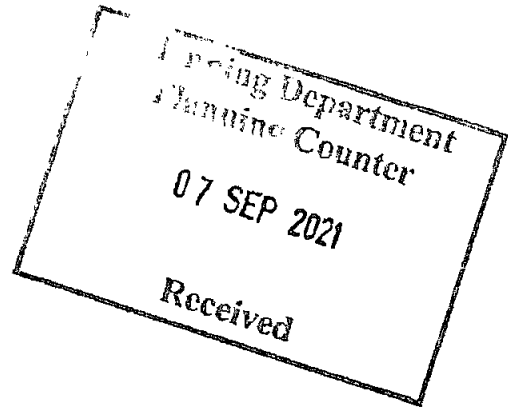
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If it is determined that the response does not require revised public notices then further submissions CANNOT be accepted.

Yours faithfully,

M. Furney,  
for Senior Planner



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

BB/COC

6<sup>th</sup> September 2021

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

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[info@bkcsolicitors.com](mailto:info@bkcsolicitors.com)

Principal - Brian Burns, Solicitor - Gwen McCool, Office Manager - Christine O'Connor

DX 222 004

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

- (a) The planning application does not comply with the requirements of the Planning and Development Act 2000 (as amended) and associated Regulations. The applicant has failed to notify the Commission for Regulation of Utilities – which is so required in circumstances where the proposed development will have an impact on energy infrastructure.
- (b) The proposed development does not comply with the objectives of the South Dublin County Council Development Plan (2016-22), including in relation to E2 Objective 3; E4 Objective 1 and national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021 (having regard to the utilisation of gas and diesel as power sources); or the aspirations of the South Dublin County Council Climate Action Plan.
- (c) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid.
- (d) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project.
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- (g) The AA Screening assessment, included in the NIS, does not provide sufficient reasons or findings, as required under Art.6(3) of the Habitats Directive and national law, to the requisite standard – the conclusions/statements made therein do not identify any clear methodology and no analysis is offered in respect of the AA Screening conclusions in respect of the protected sites “screened out” at the said AA Screening stage.
- (h) The “Zone-of-Influence” referred to in the NIS is not reasoned or explained – it is unclear how such a zone was so determined – the criteria for determining a “zone-of-influence” has no basis in law. Furthermore, the limitation of the consideration of protected sites to a 15km radius is not explained and it is unclear how such a limitation was determined.
- (i) No regard and/or inadequate regard has been given to the cumulative effects of the proposed development, in combination with other development in the vicinity, on the protected sites.
- (j) The extremely high electricity consumption will increase Ireland’s carbon emissions at a time when we urgently need to reduce them. Gas will be burnt to power this data centre during a climate emergency, when Ireland is supposed to be reducing national emissions by 51% under the Climate Action and Low Carbon Development (Amendment) Bill. The proposed development will increase our fossil fuel emissions and is incompatible with this Bill. The Environmental Agency announced last year that Ireland has already overshoot its 2018 greenhouse gas emissions ceiling of 60.93 million tonnes of carbon dioxide equivalent (Mt CO<sub>2</sub>eq) by 5.59Mt. Due to the inevitable leakage of methane during extraction, processing and transportation, using gas to generate power releases more methane into the atmosphere than using coal or oil. Methane has a global warming potential 87 times higher than carbon dioxide in the first 20 years after emission. [Prof Robert Howarth: Ideas and perspectives: is shale gas a major driver of recent increase in global atmospheric methane? <https://bg.copernicus.org/articles/16/3033/2019/>]
- (k) There is no information within this application on the proposals to connect the power plant and site to the national grid and the source of gas proposed, the Climate Action and Low Carbon Development (Amendment) Act 2021 is not referenced in Section 4.2.3 of the Planning Report.



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



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

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

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

Yours faithfully,

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Christine O' Connor,  
BKC Solicitors



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

BB/COC

6<sup>th</sup> September 2021

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

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Dear Sirs,

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

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Principal - Brian Burns, Solicitor - Gwen McCool, Office Manager - Christine O'Connor

DX 222 00

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

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

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

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



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

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

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

Yours faithfully,

A handwritten signature in black ink, appearing to be 'CO'Connor', written over a horizontal dashed line.

Christine O' Connor,  
BKC Solicitors

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

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

**Date: 09-Sep-2021**

Dear Sir/Madam,

**Register Ref:** SD21A/0217

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

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

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

**Application Type:** Permission

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



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

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

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

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

Yours faithfully,

M. Furney  
for Senior Planner