

Comhairle Chontae Atha Cliath Theas

PR/1174/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0311 **Application Date:** 26-Jul-2022
Submission Type: New Application **Registration Date:** 26-Jul-2022
Correspondence Name and Address: John Spain Associates 39, Fitzwilliam Place, Dublin 2
Proposed Development: Amendments to the development permitted under Reg. Ref. SD18A/0301 comprising of alterations to the permitted two storey data centre building including internal reconfiguration, alterations to finished floor levels, alterations to the building footprint to provide for the relocation of an internal staircore to the south of the building, and the replacement of the enclosed first floor level with an open screened roof mounted plant space (resulting in a reduction of 4,091sq.m in the gross floor area (GFA) of the data centre building); Associated alterations to the facade of the data centre building, including alterations to fenestration, cladding, step-out in the southern facade to accommodate a staircore, and a reduction in the eastern building parapet height of c. 2 metres; Provision of a canopy over the loading docks on the east facade; Alterations to the permitted generator compound, generators, and flues, including a reduction in the number of generators (5 now proposed), and provision of MV rooms within the generator compound; Provision of an ESB substation compound in the north-eastern portion of the site, comprising a single storey substation building (with a GFA of c. 125sq.m), within a 2.6 metre high security fence, 2 transformers, client control building (with a GFA of c. 47sq.m), and associated access arrangements; The ESB substation compound will be accessed from Kingswood Drive; Omission of the permitted sprinkler tank, pump room and 10kV Substation, reconfiguration of the permitted car parking, and revisions to permitted boundary treatments; Associated alterations to landscaping, access and internal road arrangements, services, lighting, and layout, and all associated and ancillary works.

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Location: Site at Kingswood Drive and Kingswood Road within the Citywest Business Campus, Naas Road, Dublin 24

Applicant Name: K2 Strategic Infrastructure Ltd

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 1.942 Hectares on the application form.

Site Visit: 17th of August 2022.

Site Description

The subject site is located on the corner of Kingswood Drive and Kingswood Road, within the eastern part of the Citywest Business Campus and south of the Naas Road (N7). The site boundary directly borders the Fortunestown Local Area Plan 2012 (LAP) to the east. To the north, south and south-west, sites are developed as warehouse/industrial units established within the Citywest Business Campus.

The site bounding the east of the site is currently under construction for warehouse/industrial units. Part of the subject site has previously been used as a temporary builder's compound. The site is currently vacant and largely consists of vegetation and some fencing.

Proposal

Permission is sought for amendments to the development permitted under Reg. Ref.

SD18A/0301 comprising of:

- Alterations to the permitted two storey data centre building including internal reconfiguration, alterations to finished floor levels, alterations to the building footprint to provide for the relocation of an internal stair core to the south of the building, and the replacement of the enclosed first floor level with an open screened roof mounted plant space (resulting in a reduction of 4,091sq.m in the gross floor area (GFA) of the data centre building);
- Associated alterations to the facade of the data centre building, including alterations to fenestration, cladding, step-out in the southern facade to accommodate a stair core, and a reduction in the eastern building parapet height of c. 2 metres;
- Provision of a canopy over the loading docks on the east facade;

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- Alterations to the permitted generator compound, generators, and flues, including a reduction in the number of generators (5 now proposed), and provision of MV rooms within the generator compound;
- Provision of an ESB substation compound in the north-eastern portion of the site, comprising a single storey substation building (with a GFA of c. 125sq.m), within a 2.6 metre high security fence, 2 transformers, client control building (with a GFA of c. 47sq.m), and associated access arrangements; The ESB substation compound will be accessed from Kingswood Drive;
- Omission of the permitted sprinkler tank, pump room and 10kV Substation, reconfiguration of the permitted car parking, and revisions to permitted boundary treatments;
- Associated alterations to landscaping, access and internal road arrangements, services, lighting, and layout, and all associated and ancillary works.

Zoning

The subject site is subject to zoning objective 'EE': *'To provide for enterprise and employment related uses'* under the South Dublin County Development Plan 2022-2028.

Consultations

Water Services	Additional information requested.
Irish Water	No objection subject to conditions.
Roads Department	Additional information requested.
Public Realm	No objection subject to conditions.
Waste Management	No report received.
H.S.E. Environmental Health Officer	No objection subject to conditions.
Transport Infrastructure Ireland	Letter received.
Irish Aviation Authority	Letter received.
Inland Fisheries Ireland	No observations received.
Health Information & Quality Authority	No observations received.
Department of Defence	No observations received.

SEA Sensitivity Screening – the subject site overlaps with the following layers:

- Aviation layers Inner Horizontal Surface and Approach Surfaces for Casement and Bird Hazards

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Submissions/Observations/Representations

Submissions period closed the 29th of August 2022. A third party submission has been submitted raising the following concerns in summary:

- The detailed plans showing mound screening are not sufficient or keeping in line with previous developments.
- No trees for screening
- Rear access would be unscreened and therefore unsightly
- Amendments regarding screening were made as part of parent permission and are now being reversed.

The letters received from Transport Infrastructure Ireland and Irish Aviation Authority state that they have no observations to make.

These submissions/observations have been taken into account in the assessment of this application.

Relevant Planning History

Subject site

SD18A/0301

Construction of a 2 storey data centre (including associated office space) of 10,622sq.m, associated generators, sprinkler tank and sprinkler pump, and 10kV electricity substation. The proposed development also provides for associated plant at roof level, all associated site development works, landscaping, car parking, and 2 vehicular entrances off Kingswood Drive and Kingswood Road, all on a site area of 1.9ha. **Permission granted.**

SD07A/0747 & SD07A/0747/EP

A circa 3,504sqm light industrial/warehouse unit 12.55m high, with 2 storey ancillary offices, showroom and associated car park, electricity sub-station, sunken dock, service yard, landscaping and other ancillary works on a 0.81 hectare site. **Permission granted. Then extension of duration of permission granted in 2012.**

Adjacent sites

SD21A/0150 Site to the north-east

Construction of 4 warehouse/industrial units in 3 buildings of c.13,611sq.m total gross floor area (including ancillary offices and operational facilities) and up to 15m in height, with rear service yards; 155 car parking spaces; 72 cycle parking spaces; water services infrastructure and sustainable urban drainage system features, including relocation and resizing of a pump station permitted under SD15A/0391; internal road network accessed via 2 site entrances established in

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the previous planning applications on the Eastern and Southern sides of the site, via the roundabout at Citywest Avenue and the R136 outer ring road; amendments to the proposed tree pits along the green-link permitted under SD15A/0391; public lighting, landscaping, planting and boundary treatments throughout the development; all other necessary site and infrastructural works to facilitate the development. **Permission granted.**

Relevant Enforcement History

None identified in APAS.

Pre-Planning Consultation

None identified in APAS.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Policy GI1: Overarching

Policy GI2: Biodiversity

Policy GI3: Sustainable Water Management

Policy GI4: Sustainable Drainage Systems

Policy GI5: Climate Resilience

Policy QDP7: High Quality Design – Development General

Policy QDP11: Materials, Colours and Textures

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

Policy EDE1: Overarching

Policy EDE4: Urban Growth, Regeneration and Placemaking

Support urban growth and regeneration through the promotion of good placemaking to attract employees and employers and to provide a competitive advantage to the County and diverse investment opportunity.

EDE4 Objective 4:

To direct people intensive enterprise and employment uses such as major office developments (>1,000 sq. m gross floor area) into appropriately zoned lands subject to their location within approximately 500 metres of a high frequency urban bus service and / or within 1000 metres walking distance of high capacity transport stops (Train / Luas), and to demonstrate the required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2015), to achieve same.

Policy EDE5: Building on Clusters

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Support clustering, by creating, maintaining, or upgrading economic strongholds in a favourable business ecosystem.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

Policy IE13: Noise

12.3.1 Appropriate Assessment

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

12.9.2 Enterprise and Employment Areas

Table 12.27: Key Principles for Development within Enterprise and Employment Zones

12.10.1 Energy Performance in New Buildings

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

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

Circular PL 2/2014 Flooding Guidelines

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

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Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Natural, Cultural and Built Heritage;
- Green Infrastructure;
- Design and Visual Amenity;
- Residential Amenity;
- Traffic, Access and Parking;
- Infrastructure and Environmental Services;
- Environmental Health;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

Zoning and Land Use

The site is subject to zoning objective 'EE': *'To provide for enterprise and employment related uses'* under the South Dublin County Development Plan 2022-2028.

Under the 2022-2028 'Data Centre' is listed as Not Permitted. However, the Minister of State at the Department of Housing, Local Government and Heritage, consequent to a recommendation made to him by the Office of the Planning Regulator under Section 31AM (8) of the Planning and Development Act 2000 (as amended), has notified South Dublin County Council of his intention to issue a Draft Direction to the South Dublin County Development Plan 2022-2028.

This includes a direction to amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to **reinstate data centre use class as an 'open for consideration'** use class in the REGEN, **Enterprise & Employment (EE)** and Major Retail Centre (MRC) zoning objectives.

In accordance with Section 31(4) of the Planning and Development Act 2000, those parts of the South Dublin County Development Plan 2022-2028 referred to in the notice shall be **taken to have not come into effect.**

Therefore, the South Dublin County Development Plan 2016-2022 is referred to in this instance. Under this CDP Data Centre is not specifically listed in the land use table for EE zoning. However, 'Industry-General,' 'Industry-Light' and 'Science and Technology Based Enterprise' are Permitted in Principle under the EE zoning (notably under both CDPs). These are the land uses that were referred to under the parent permission, Reg. Ref. SD18A/0301.

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The proposed development is for amendments to a permitted data centre. The applicant has stated that these are required as a result of a detailed design of the development and in order to meet the requirements of the future occupier. The proposed development is therefore considered to be generally acceptable, subject to further assessment against the relevant policies, objectives and standards set out under the 2022-2028 CDP.

Space Extensive Land Use Policy

Under the 2022-2028 County Development Plan data centres are considered to be 'space extensive land uses'. The CDP encourages, through its policies, high energy users to demonstrate ways to reduce or negate reliance on fossil fuels and to redistribute energy for other end users where such potential exists.

Particular reference is made to EDE7 Objective 2, which requires that space extensive enterprise demonstrates compliance with a number of criteria. This includes to '*maximise on site renewable energy generation to ensure as far as possible 100% powered by renewable energy, where on site demand cannot be met in this way, provide evidence of engagement with power purchase agreements in Ireland (PPA)*', and '*sufficient capacity within the relevant water, wastewater and electricity network to accommodate the use proposed*'.

The original parent permission was granted with the working assumption that a two stage connection process would be facilitated by ESB Networks, with an initial connection of a 10kV substation (and the indication of a future potential 110kVA substation). The applicant has advised that subsequent to the grant of permission, a connection offer has been provided by ESB, which necessitates the construction of only a 38kV substation (removing the need for the 10kV and 110kVA substations).

The Planning Authority finds this acceptable, in this instance, given that the principle of a connection with ESB was agreed under the parent permission. The application involves the reduction in floorspace of the data centre building, due to the replacement of internal floorspace with an open, screened plant area at first floor level. The application demonstrates the capacity of the water, wastewater and electricity networks to accommodate the proposal, similar to what was confirmed under the parent permission.

Natural, Cultural and Built Heritage

The applicant has submitted an Architectural and Cultural Heritage Assessment prepared by CRDS Archaeological & Historical Consultants. This report concludes that as the site has been significantly disturbed in the past, there will be no predicted impacts on the archaeological, architectural or cultural heritage relating to the proposed development, and therefore no mitigation measures are required.

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Also submitted is an Ecological Impact Assessment and Bat Survey. Under the parent permission, Reg. Ref. SD18A/0301, it was conditioned that a bat survey was undertaken within the appropriate period, five bat boxes were to be provided, monitoring programme implemented, and that lighting was bat sensitive.

The submitted bat report with this application is dated 21st of June 2022. Surveys of the site were undertaken on the 18th of June 2022. The report states that due to development to the east, it is considered that the subject site is a fragment of suitable habitat, surrounded by habitat that is broadly unsuitable for bats. This substantially reduces the likelihood that any bats could reach the site.

The recommendations of the report include bat sensitive lighting, bat boxes, and monitoring programme. These should be implemented onsite by way of **condition**.

Also under the parent permission, it was conditioned that the eastern hedgerow boundary and the southern tree line shall be retained and enhanced with further planting, using native hedgerow and tree species.

The submitted Tree Protection Plan shows that most trees on the southern boundary will be retained (in line with what was permitted under the parent permission). The submitted landscape masterplan shows a wildflower meadow where the southern tree line is, which is not desirable. The further planting of this treeline is not adequate. There are also a security fence line and paladin fence (2m off boundary) indicated through tree line.

The submitted drawings also indicate that a section of eastern hedgerow boundary was removed by others. No replacement and limited compensation for the removal of this hedgerow has been indicated within the site boundary. Planting along this boundary could be further enhanced.

Given the above, it is considered that the landscape plan should be revised via **condition** to ensure that the southern tree line and eastern hedgerow boundary is incorporated into the landscape proposal, properly protected and further enhanced with appropriate planting.

Green Infrastructure

The subject site is located along a Secondary GI Corridor, as identified in Figure 4.4 Green Infrastructure Strategy Map of the CDP.

Public Realm have reviewed the proposed development and have the following comments:
Landscape Proposals

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The landscape proposals are in principle acceptable to the Public Realm Section and shall be implemented in full by the applicant.

SuDS

A SuDS strategy should be developed for the proposed development which takes account of quantity, quality, and amenity issues. The design of SuDS features is required to be of high quality to achieve a multifunctional space for amenity, biodiversity and surface water management. The proposed SuDS features should aid the maintenance of the existing greenfield runoff rates or potentially reduce the amount of surface water entering the piped surface water system.

The current proposed drainage system needs to be developed further in order to sustainably manage surface water through a natural hydrological regime or SUDS scheme within the development. The philosophy of SUDS is an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and habitat/biodiversity enhancement. SuDS that should be considered for the SHD development include:

- Bio retention systems*
- Infiltration systems*
- Tree pits*
- Channel rills*
- Green area detention basins*
- Green roofs*
- Swales*

Where possible in addition to the SUDS features proposed the applicant should provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.*

*Specific Policies in the CDP 2022-2028 which relate to Sustainable Water Management include:
GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

GI4 Objective 2: To incorporate a SuDS management train during the design stage whereby surface water is managed locally in small sub-catchments rather than being conveyed to and managed in large systems further down the catchment.

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GI4 Objective 3: To require multifunctional open space provision within new developments to include provision for ecology and sustainable water management.

GI4 Objective 4: To require that all SuDS measures are completed to a taking in charge standard.

GI4 Objective 5: To promote SuDS features as part of the greening of urban and rural streets to restrict or delay runoff from streets entering the storm drainage network.

Response should include revised layout and drawings.

Green Infrastructure

The applicant is requested to further develop green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and also show connections through the site and connections to wider GI network.

These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population. Relevant policies within the CDP 2022-2028 include:

- Policy GII: Overarching*
- GII Objective 1*
- GII Objective 2*
- GII Objective 3*
- GII Objective 4*
- GII Objective 5*
- GII Objective 6*
- GII Objective 7*
- GII Objective 8*

Public Realm recommend conditions including the implementation of the landscape plan, landscaping maintenance, SUDS management plan, tree protection, and green space factor. The Planning Authority notes that the Green Space Factor is not required under the CDP in this instance, given that the proposed development involves a reduction of floorspace within the envelope of an existing building.

The other **conditions** should be attached in the event of a grant of permission. Further SUDS should be considered in line with Council Policy GI4.

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Design and Visual Amenity

Data centre building

The proposed development would provide for amendments to a permitted data centre building and site. The alterations to the data centre building include the following:

- Internal reconfiguration, alterations to finished floor levels, alterations to the building footprint to provide for the relocation of an internal stair core to the south of the building, and the replacement of the enclosed first floor level with an open screened roof mounted plant space (resulting in a reduction of 4,091sq.m in the gross floor area (GFA) of the data centre building);
- Associated alterations to the facade of the data centre building, including alterations to fenestration, cladding, step-out in the southern facade to accommodate a stair core, and a reduction in the eastern building parapet height of c. 2 metres; and
- Provision of a canopy over the loading docks on the east façade.

The gross floor area of the data centre is proposed to be significantly reduced, approx. 10,622sq.m to 6,531sq.m. However, this relates largely to internal floorspace within the permitted building envelope. The permitted building footprint also largely remains the same.

The eastern part of the building would be reduced in parapet height by approx. 2m, so that it is approx. 12.6m and matches the height of the remainder of the building. This reduces the overall height of the building. Slot windows have been replaced with cladding. However, this would be a different coloured cladding from that around it so still provides visual interest. Similar design and materials to what was originally permitted.

The generator enclosure was originally permitted as detached from the data centre building. It is now proposed to attach this to the data centre building to the east. This increases the overall mass slightly when viewed from front (north) and rear elevations. It also increases the length of the built form, particularly along the front (north) elevation. However, this enclosure would be further setback from the front north boundary. The landscaping screen is also larger at this part of the elevation.

Photomontages of the proposed development have been submitted. These are taken from the same viewpoints as the photomontages submitted with the parent permission. No significant changes are identified when viewed from the north-west (view 1) and south-west (view 2). The most significant changes appear to be to the view from the north-east (view 3) where the new substation is proposed. The landscaping has been amended to allow for the new access road to the substation compound from Kingswood Drive. The substation building presents a blank façade to Kingswood Drive. This is discussed further below.

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The Roads Department have requested detailed drawings of the proposed canopy as drawings of this showing the full dimensions have not been submitted. This would be to confirm the height and that vehicles can sufficiently fit under this. Detailed drawings can be submitted via **condition**.

The 'proposed south elevation' drawing at the bottom of drawing sheet no. 21174-RKD-ZZ-ZZ-DR-A-1300 should be revised to state, 'proposed north elevation'. This label should be corrected via **condition**.

Generator compound

Also proposed are alterations to the permitted generator compound, generators, and flues, including a reduction in the number of generators (5 now proposed), and provision of MV rooms within the generator compound. These changes are considered to be minor in nature and in some instances, reduce the visual impact of the permitted scheme (reduction in no. of generators and reduction height of flues by approx. 0.55m).

ESB substation compound

A different substation layout and design than indicated on the permitted scheme is proposed. The applicant states that this is due to detailed design requirements and a connection offer made by ESB for the development. The permitted development had proposed a two stage connection process with a 10kv substation permitted plus space indicated for a possible future 110kVA substation and transformers in the north-eastern part of the site. However, a connection offer has now been made for the proposed development at a voltage of 38kV. A 38kV substation now replaces the previously permitted 10kV and indicated 110KVA substations.

The proposed ESB substation compound would be provided in the north-eastern portion of the site, comprising a single storey substation building (with a GFA of c. 125sq.m), within a 2.6 metre high security fence, 2 no. transformers, client control building (with a GFA of c. 47sq.m), and associated access arrangements. The permitted sprinkler tank, pump room and 10kV Substation would be omitted.

Landscaping is proposed to the front of the substation compound, along Kingswood Drive. As stated above, the Planning Authority has concerns in relation to the visual impact of the substation building.

The ESB substation compound will be accessed via an additional access onto Kingswood Drive. The Roads Department has raised concerns with the addition of this access onto Kingswood Drive. This is discussed further under the relevant section below in this report. If the access were

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to be moved, additional landscaping, similar to what had been previously permitted could be provided. This can be addressed in the **condition**.

Other site alterations

Other amendments to the site include the reconfiguration of the permitted car parking, and revisions to permitted boundary treatments. Associated alterations are proposed to landscaping, access and internal road arrangements, services, lighting, and layout, and all associated and ancillary works.

The changes to the boundary treatments includes an approx. 2.6m high (moss coloured) palisade fence around the ESB substation compound. The applicant states that this is in line with ESB requirements. An approx. 2.4m high (moss coloured) palisade fence is proposed around the data centre site. As previously discussed, this fence appears to go through the southern tree line proposed to be retained and protected. This should be addressed via **condition**.

Residential Amenity

The nearest residential development is located approx. 400m to the north-west of the site. Given the separation distance it is not considered that the proposed development would have any undue impact on residential amenity.

Traffic, Access and Parking

An additional vehicular access is proposed from Kingswood Drive to the ESB substation compound. Car parking spaces it is be revised to allow for 35 no. car parking spaces, with the future provision (as indicated under the permitted scheme), removed. The Proposed Site Plan, however, shows only 34 no. car parking spaces (only 18 no. on the eastern side). Overall car parking numbers would reduce from 45 no. to 34 no.

Bicycle parking spaces are proposed to be increased from 3 no. to 4 no. This is to be welcomed.

The Roads Department have reviewed the proposed amendments and request additional information in relation to the canopy:

1. *Replacement of the enclosed first floor level*

Roads Department do not see the proposed replacement to plant space as relevant to roads.

2. *Provision of a canopy over the loading docks*

Applicant to provide revised drawings (plan and elevation) showing proposed canopy with all relevant dimensions shown.

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3. *Reconfiguration of the permitted car parking*

It is proposed to reduce the parking provision by 10no spaces which is significant. Though given that an oversupply of spaces (15no) was provided for in the 2018 permission, and that staff numbers are anticipated to be in the region of 26no, the reduction proposed in the current application is deemed acceptable.

4. *Alterations to access and internal road arrangements*

Roads Department are not in favour of creating an additional entrance adjacent to the main entrance and the applicant is requested to submit a revised drawing to the planning authority showing vehicular access to the sub-station coming from the internal road closest to it.

Roads recommend that additional information be requested from the applicant:

1. *Applicant to provide revised drawings (plan and elevation) showing proposed canopy with all relevant dimensions shown.*

The applicant states a separate access has been provided for the substation to avoid potential conflicts between vehicles accessing the data centre and those accessing the substation. The trip generation associated with these uses is unlikely to be high volume. The Roads Department has requested that this access is revised so that it is via the internal road onsite. This should be addressed via **condition**.

The Roads Department have requested detailed drawings of the proposed canopy to confirm that appropriate dimensions have been provided, including in relation to height. This should be addressed via **condition**.

The 2022-2028 CDP requires that EV charging shall be provided in all residential, mixed use and commercial development and shall comprise a minimum of 20% of the total parking spaces provided, with higher provision within this range required in urban areas. This should be addressed via **condition**.

Infrastructure and Environmental Services

Water Services have reviewed the proposed development and request additional information in relation to surface water drainage:

1.1 *The use of concrete attenuation tanks is not recommended by SDCC drainage section. The applicant is required to submit a drawing and report proposing an alternate attenuation feature such as an arched type system.*

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1.2 *The applicant shall consider the use of implementing additional SuDS (Sustainable Drainage System) in the green open area on the west portion of the site. Suitable SuDS features could include:*

- *Soakaway*
- *Swale*
- *Detention Basin*
- *Other such SuDS*

1.3 *If a soakaway is proposed the applicant shall submit the following:*

- (a) *a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
- (b) *a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*

- (i) *At least 5m from any building, public sewer, road boundary or structure.*
- (ii) *Generally, not within 3m of the boundary of the adjoining property.*
- (iii) *Not in such a position that the ground below foundations is likely to be adversely affected.*
- (iv) *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- (v) *Soakaways must include an overflow connection to a public surface water sewer.*

1.4 *The surface water attenuation volume proposed of 840m³ is undersized by approximately 25%. Submit a revised drawing and report showing increased surface water attenuation volume for the development. The surface water attenuation should be provided by SuDS in so far as tis is possible.*

Prior to submission of revised documents contact water services to discuss same.

The surface water attenuation was permitted under the parent permission. However, the applicant should be requested to consider further SUDS onsite via condition.

There is an existing surface water sewer (appears privately owned) along the eastern boundary of the site. Any changes to the location of the ESB substation building, as a result of the changes to access, should take into account the appropriate setback from this sewer.

Irish Water have reviewed the proposed development and have no objection subject to a condition that development is carried out in compliance with Irish Water standards, codes and practices. Similar conditions are attached under the parent permission. These should be conditioned to apply.

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Environmental Health

The applicant has submitted a Construction and Environmental Management Plan, a Construction & Operational Stage Assessment of Air Quality & Climate Impacts Assessment and a Noise Impact Assessment. The H.S.E. Environmental Health Officer has reviewed the proposed development and has no objection subject to conditions. This includes conditions restricting noise, air quality, removal of the telecommunications structure after 5 years, and monitoring to determine the adherence to the guidelines of the International Non-Ionising Radiation Committee of the International Radiological Protection Association.

There is no telecommunications structure onsite so the conditions relating to this are not necessary.

Similar conditions were otherwise attached under the parent permission. These should be conditioned to apply.

Screening for Environmental Impact Assessment

The applicant has submitted an Environmental Impact Assessment Screening Report prepared by AWN Consulting. This concludes that an EIAR is not required.

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

Screening for Appropriate Assessment

The applicant has submitted an AA Screening Report prepared by Moore Group. This report concludes that a Stage 2 Appropriate Assessment is not required.

The subject site is not located within nor within close proximity to a European site. The development involves amendments to a permitted data centre.

Having regard to:

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

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

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Development Contributions

Data centre (excluding generator yard) 6531sq.m

Planning Reference Number	SD22A/0311
Summary of permission granted:	Amendments to data centre
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Commercial
Standard rate applicable to development:	98.76
% Reduction to rate, if applicable (0% if N/A)	0
Rate applicable	98.76
Area of Development (m2)	6531
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	6531
Vehicle display areas/ Open storage spaces	0
Rate applicable	€9.88
Contribution	€0.00
Total development contribution due	€645,001.56

SEA monitoring

Building Use Type Proposed: Data centre amendments

Floor Area: 7582sq.m

Land Type: Brownfield

Site Area: 1.942 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Parent Permission
All conditions attached to the permission granted under Reg. Ref. SD18A/0301, to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the previous permission.
3. Amendments.
Prior to the commencement of development the applicant/developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-
(a) Revised drawings showing the vehicular access to the sub-station compound from Kingswood Drive omitted. An access shall be provided to the sub-station compound from the internal road onsite. Landscaping along Kingswood Drive should be amended to replace the omitted access. There is an existing surface water sewer (appears privately owned) along the eastern boundary of the site. Any changes to the location of the ESB substation building, as a result of the changes to access, should take into account the appropriate setback from this sewer.

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(b) Detailed plans and elevations of the proposed canopy with all relevant dimensions of this structure shown.

(c) The 'proposed south elevation' drawing at the bottom of drawing sheet no. 21174-RKD-ZZ-ZZ-DR-A-1300 should be revised to state, 'proposed north elevation'.

(d) Revised boundary treatments showing the retention and protection of the southern tree line.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

4. Charging of Electric Vehicles

The applicant will ensure that no fewer than 20% of the total number of car parking spaces onsite make provision for the charging of electric vehicles.

REASON: In the interest of sustainable transport and in the interests of proper planning and sustainable development.

5. Implementation of Landscape Plans

(a) Prior to the commencement of development the applicant/developer shall submit revised Landscape Plans for the written agreement of the Planning Authority, following consultation with SDCC's Public Realm Section and Heritage Officer if needed, showing the trees along the southern boundary indicated for protection under the Tree Protection Plan as protected and enhanced with further planting. The landscaping along the eastern boundary shall be amended to include further planting to enhance the existing hedgerow and mitigate for the previous loss of hedgerow along the boundary.

(b) The Landscape Plans approved under (a) above shall be implemented in full, within the first planting season following completion of the development (completion of works on site) or following completion of each phase of the development if the development is phased.

(c) All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.

(d) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

(e) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012. Trees in Relation to Design, Demolition and Construction - Recommendations.

(f) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted

REASON: To ensure the provision, establishment and maintenance of a reasonable

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standard of landscape in accordance with the approved designs.

6. Landscaping Maintenance

Prior to any occupation of the development, a scheme for the maintenance of the landscape scheme for the lifetime of the development shall be submitted to the Planning Authority for approval. All works shall be maintained in accordance with the agreed scheme.

The scheme shall include the following:

- i) methods for the proposed maintenance regime;
- ii) detailed schedule;
- iii) details of who will be responsible for the continuing implementation
- iv) details of any phasing arrangements

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area

7. SUDS (Sustainable Drainage Systems)

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- A drawing to show how surface water shall be attenuated to greenfield run off rates.
- Submit a drawing to show what SuDS are proposed. Examples of SuDS include permeable paving, filter drains, bio-retention tree pits, rains gardens, swales or other such SuDS.
- SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.
- The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with the policies and objectives of the County Development Plan 2022-2028.

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8. Tree Protection

All tree protection measures outlined in the submitted Tree Report and associated Tree Protection Plan prepared by Arborist associates shall be implemented in full by the applicant. In addition, no development shall commence on site, including works of demolition or site clearance until:

(a) All trees to be retained shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction;

(b) Any works within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €645,001.56 (Six hundred and forty five thousand and one euros and fifty six cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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

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

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customerservice@water.ie.

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

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

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REG. REF. SD22A/0311

LOCATION: Site at Kingswood Drive and Kingswood Road within the Citywest Business Campus, Naas Road, Dublin 24



Deirdre Kirwan,
Senior Executive Planner

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

Date: 19 Sept 22



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