

South Dublin County Council
 An Rannóg Talamhúsáide, Pleanála agus Iompair
 Land Use, Planning & Transportation Department
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Marston Planning Consultancy
 23, Grange Park
 Foxrock
 Dublin 18

**NOTIFICATION TO GRANT PERMISSION
 PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
 REGULATIONS THEREUNDER**

Final Grant Order No.:	0367	Date of Final Grant:	24-Mar-2022
Decision Order No.:	0081	Date of Decision:	19-Jan-2022
Register Reference:	SD21A/0042	Date:	14-Dec-2021

Applicant: EdgeConneX Ireland Limited

Development: Construction of two single storey data centres with associated office and service areas; and three gas powered generation plant buildings with an overall gross floor area of 24,624sq.m that will comprise of the following: Demolition of abandoned single storey dwelling, remaining agricultural shed and derelict former farm building; Construction of 2 single storey data centres (12,797sq.m), both with associated plant at roof level, with 24 standby diesel generators with associated flues (each 25m high) that will be attached to a single storey goods receiving area/store and a single storey office area (2,404sq.m) located to the west of the data centres as well as associated water tower and sprinkler tank and other services; Amendments to the internal access road and omission of access to loading bay permitted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948 that include the relocation of permitted, and new, internal security gates; and new internal access roads to serve the proposed development that will provide access to 39 new car parking spaces (including 4 electric and 2 disabled spaces) and sheltered bicycle parking to serve the new data centres; The development will also include the phased development of 3 two storey gas powered generation plants (9,286sq.m) within three individual buildings and ancillary development to provide power to facilitate the development of the overall site to be located within the south-west part of the overall site. Gas plant 1 (3,045sq.m) will contain 20 generator units (18+2) with associated flues (each 25m high) will facilitate, once operational the decommissioning of the temporary Gas Powered Generation Plant within its open compound as granted under SDCC Planning Ref. SD19A/0042/ABP Ref. PL06S.305948. Gas plant 2 (3,045sq.m) will contain 20 generator units (18+2) with associated flues (each 25m high). and, Gas plant 3 (3,196sq.m) will contain 21 generator units (19+2) with associated flues (each 25m high). These plants will be built to provide power to each data centre, if and, when required. The gas plants will be required as back up power generation once the permitted power connection via the

permitted substation is achieved; New attenuation pond to the north of the site; Green walls are proposed on the southern elevation of each power plant, as well as to the northern elevation of the generator compound of the data centres, and enclosing the water tower/pump room compound, and a new hedgerow is proposed linking east and west of the site; Proposed above ground gas installation compound to contain single storey kiosk (93sq.m) and boiler room (44sq.m). The development will also include ancillary site works, connections to existing infrastructural services as well as fencing and signage. The development will include minor modifications to the permitted landscaping to the west of the site as granted under SDCC planning Ref. SD19A/0042/ABP Ref.

PL06S.305948. The site will remain enclosed by landscaping to all boundaries. The development will be accessed off the R120 via the permitted access granted under SDCC planning Ref. SD19A/0042/ABP Ref. PL06S.305948. An EPA-Industrial Emissions (IE) licence will be applied for to facilitate the operation of the gas powered generation plant. An Environment Impact Assessment Report (EIAR) has been submitted with this application. All on a site of 22.1hectares.

Location: Site within the townland of Ballymakailly, West of Newcastle Road (R120), Lucan, Co. Dublin

Time extension(s) up to and including:

Additional Information Requested/Received: 20-Apr-2021/02-Sep-2021, 29-Sep-2021/14-Dec-2021

A Permission has been granted for the development described above, subject to the following conditions.

Conditions and Reasons:

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 2nd of September 2021 and Clarification of Further Information received on 14th of December 2021, 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. Previous Permission
All conditions attached to the permission granted under Reg. Ref. SD19A/0042/ABP Ref. PL06S.305948 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. GAS Plants - Temporary
 - (i) Prior to the commencement date of the first operation of the first gas plant, the Planning Authority shall be contacted in writing to confirm the date on which the first gas plant shall first commence operation.
 - (ii) Five (5) years from the date the first gas plant first commences operation, the gas plants and all associated and related ancillary structures shall cease operation unless prior to the end

of the five-year period, planning permission has been sought and granted for its continued use.
(iii) All structures related/associated with the gas plants shall be removed from the entire site within a year of the ceasing of operation, unless prior to the end of the five-year period, planning permission has been sought and granted for its continued use.

REASON: To enable the impact of the development to be reassessed having regard to changes in technology , climate action and energy supply options.

4. Waste Heat

(a) Proposals for waste-heat recovery and ongoing delivery to a local heat-network shall be provided and implemented on site as relevant, in conjunction with the commencement and operation of the proposed development. Prior to the commencement of development, a timeframe for implementation of waste heat proposals shall be submitted for the written agreement of South Dublin County Council, unless otherwise agreed in writing.

(b) Such proposals shall include all necessary infrastructure for waste heat recovery from the proposed development and delivery through a primary waste-heat water circuit to either, the boundaries of the site or to an Energy Centre (when constructed as part of local heat network distribution) for connection to heat network. Such proposals shall be submitted for the written agreement of South Dublin County Council, unless otherwise agreed in writing.

(c) Where waste heat recovery and utilisation proposals have been explored and, subject to the written agreement of South Dublin County Council, have been deemed to be technically or otherwise unfeasible, details of future proofing of the building fabric, heat recovery and conversion systems and safeguarding of pipework/infrastructures routes up to the site boundaries to facilitate future waste heat connection to a local district heating network, shall be submitted for the written agreement of South Dublin County Council or as otherwise agreed in writing.

REASON: To promote the utilisation and sharing of waste heat and comply with Policy E5 of the South Dublin County Development Plan 2016-2022.

5. Roads

(a) Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.

(b) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.

(c) A Mobility Management Plan shall be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

(d) Footpath, cycle track and kerb shall be dished and widened and dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened vehicular access.

(e) Post construction, the condition of the footpath, cycle track, development's access in the vicinity of public road shall be assessed, and any found defects shall be reinstated to its original state at the applicant's expense.

(g) All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard.

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

6. Archaeological Monitoring, Recording and Reporting

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant/developer shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to South Dublin County Council and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

7. Landscape Masterplan

(i) The site shall be landscaped in accordance with the detailed comprehensive scheme of landscaping which accompanied the application, unless otherwise agreed in writing with the Planning Authority.

(ii) Prior to the commencement of development of any works on the site, the applicant shall submit for the written agreement of the Planning Authority, the following revised landscape proposals:

(a) Detailed section and planting plan for the attenuation pond edge, which shall incorporate a profile that shall be stepped and planted with emergent plant species. It shall be clearly demonstrated that planting plan for the attenuation pond edge shall create habitat and enhance biodiversity and create a safe space for humans.

(b) The fencing around the attenuation ponds within the public park shall be removed and revised safety measures shall be delivered through profiling and planting/landscaping.

(c) Details of maintenance accessibility for those responsible for 'taking in charge'.

(d) The maintenance access gate located to the west of the Publicly Accessible Biodiversity Park, as notated on Kevin Fitzpatrick Landscape Architecture Drawing 201 dated 04/11/21, shall be a minimum 4m wide and shall be capable of enabling maintenance vehicular access.

(e) All access gates and fencing shall have the following specification, unless otherwise agreed in writing with the Planning Authority:

(i) Heavy-duty metal, round bar, minimum diameter 16mm

(ii) Galvanised

(iii) Powder coated matt black

(iv) Maximum 1.8m high

Prior to the commencement of development all details of gates and fencing shall be agreed in writing with the Planning Authority.

REASON: the interests of biodiversity, amenity, compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape and the proper planning and sustainable development of the area.

8. Landscape Architect

(a) Prior to the commencement of the development,

(i) the services of a qualified Landscape Architect (or qualified Landscape Designer) shall be appointed and retained as a Landscape Consultant, throughout the entire life of the

construction works

(ii) The planning authority shall be notified of the appointment of the qualified Landscape Architect (or qualified Landscape Designer) as outlined in item (a)i).

(b) A Practical Completion Certificate shall be signed off by the Landscape Architect when all landscape works are fully completed, and the Certificate shall be to the satisfaction of the Planning Authority and shall be in accordance with the permitted and agreed landscape proposals.

(c) The installation of attenuation tree pits shall be supervised by the project landscape architect.

REASON: To ensure full and verifiable implementation of the approved landscape design.

9. Pedestrian/Cyclist Entrance from R120

Prior to the commencement of development an additional pedestrian/cyclist public access to the park shall be provided at the eastern boundary of the site at the R120, unless otherwise agreed in writing with the Planning Authority.

REASON: In the interests of providing full accessibility to the park and in the interest of proper planning and sustainable development of the area.

10. Ecology

(a) The developer shall appoint and retain the services of a qualified ecological consultant for the duration of the development.

(b) The consultant shall ensure that the relevant mitigation measures recommended in the EIAR prepared by Marston Planning Consultancy are implemented in full.

REASON: In the interest of protecting the ecology and biodiversity.

11. Tree Protection

All the recommendations pertaining to tree retention, tree protection and tree works, as detailed in The Tree File Ltd Tree Protection Plan and Arboricultural Report, both dated November 2021 and submitted on 14 December 2021 shall be implemented.

(i) Prior to the commencement of development, the arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' for the written agreement of the Planning Authority.

(ii) All tree felling, surgery and remedial works shall be completed prior to the erection of the tree protection fencing. All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

REASON: To protect existing trees onsite.

12. Arboriculture

(a) Prior to the commencement of any permitted development,

(i) The services of a qualified arborist as an arboricultural consultant shall be appointed for the entire period of construction activity.

(ii) The planning authority shall be notified in writing of the appointment of the qualified arborist as outlined in item (a)i) and shall state the name of the consultant.

(b) The arboricultural consultant shall visit the site, at a minimum, on a monthly basis, and shall ensure that all recommendations in the tree reports and plans submitted with the application and agreed with the Planning Authority are implemented in full.

(c) (i) The arborist shall carry out a post construction tree survey and assessment on the

condition of the retained trees. A completion certificate shall be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report.

(ii) The completion certificate shall be submitted for written agreement upon completion of the works.

(d) The applicant shall implement all the recommendations pertaining to tree and hedgerow management as detailed in The Tree File Ltd, Tree and Hedge Management Report dated 14th August 2021 submitted 2nd September 2021.

REASON: To ensure the protection of trees to be retained on site in the interests of climate adaptation, proper planning and sustainable development.

13. Casement Aerodrome

(a) The operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681

(b) The developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

(c) An Aviation Impact Assessment will be submitted to Military Air Traffic Services on all potential emissions. The assessment shall cover the possible effects of exhaust plumes or any other associated impact on flight operations at Casement Aerodrome.

(d) Mitigations may be required in relation to the management of wildlife attracted to attenuation ponds or other water features. Should negative effects of bird activity on Irish Air Corps operations arise, the owner shall put measures in place to mitigate these effects to an acceptable level.

(e) The applicant/developer shall submit written confirmation that a glint and glare assessment has been submitted to Military Air Traffic Services. Should negative effects become apparent on air or ATC operations as a result of the photovoltaic cells, then the owner shall take measures to mitigate these effects to an acceptable level.

REASON: In the interests of aviation operation and safety.

14. Public Park

(i) The public park shall be open to the public during day light hours, unless otherwise agreed in writing with the Planning Authority.

(ii) Prior to the commencement of development the management details of the body responsible for the management of the park shall be submitted to the Planning Authority for written agreement.

REASON: In the interest of the proper management of this park and ensure public accessibility.

15. Mitigation Measures

The mitigation measures and commitments identified in the Environmental Impact Assessment Report (EIAR) and other plans and particulars submitted with the planning application, shall be implemented in full by the developer, except as otherwise may be required in order to comply with other conditions.

REASON: In the interest of the protection of the environment.

16. Irish Water Connection Agreement.

(a) Prior to the commencement of development the applicant or developer shall enter into water connection agreement with Irish Water.

(b) Prior to the commencement of development the applicant or developer shall enter into wastewater connection agreement with Irish Water and the owner of the private foul drainage infrastructure.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

17. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

18. SuDS Implementation

The submitted SuDS scheme shall be implemented within a timescale which shall be agreed in writing with the Planning Authority and shall thereafter be managed and maintained in accordance with the approved details and submitted within the Sustainable Drainage Strategy.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

19. Taking in Charge

(a) All areas proposed for taking in charge shall be to a taking in charge standard that ensures ease of maintenance including ease of access.

(b) A taking in charge drawing shall be submitted to for the written agreement of the Planning Authority and shall clearly identify what sections, if any, are proposed to be taken in charge by SDCC and shall include any phasing provisions which will apply to the public open space.

(c) If a management company is taking in charge the public open space, the management company's details shall be submitted with the written confirmation and a detailed drawing.

REASON: To ensure that designs, materials and specifications shall meet with the requirements of the Local Authority and the Development Agency and in the interests of proper planning and sustainable development.

20. Environmental Health

(a) No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays. Any work outside of these hours shall only be permitted following a written request to the Planning Authority and subsequent receipt of the written

consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unwanted noise outside the hours stated above.

(b) Where intrusive machinery is required to be used at short notice, the main contractor shall ensure that nearby sensitive locations are informed prior to works commencing.

(c) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.

(d) The development must not give rise to any impulsive or tonal noise at any noise sensitive locations.

(e) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night

time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(f) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.

(g) During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

REASON: In the interests of environmental health.

21. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,510,435.40 (one million five hundred and ten thousand four hundred and thirty five euros and forty 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 contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

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 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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.

- (2) Building Control Regulations require a Commencement Notice. Please log onto www.localgov.ie and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.


for Senior Planner

24-Mar-2022