

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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**NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Final Grant Order No.:	0575	Date of Final Grant:	05-May-2022
Decision Order No.:	0375	Date of Decision:	24-Mar-2022
Register Reference:	SD21A/0186	Date:	25-Feb-2022

Applicant: Equinix (Ireland) Ltd.

Development: Construction of a 3 storey (part 4 storey) data centre known as 'DB8' to include data halls, electrical/plant rooms including internal generators, offices, lobbies, ancillary staff areas including break rooms and toilets, stores, stair/lift cores throughout and photovoltaic panels at roof level; the total gross floor area excluding hot air plenums and external staircase is c.9,601sq.m and the overall height of the data centre ranges from c.16m to c.20m to roof parapet level and up to c.24.48m including roof top plant, flues and lift overrun; provision of 5 external generators, 8 fuel tanks and ancillary plant contained within a plant yard to the north of DB8; provision of a water tank plant room, air cooled chillers and ancillary plant contained within a chiller plant yard to the south of DB8; provision of a water sprinkler pump room (c.23sqm), 2 sprinkler tanks (c.12m high each), heat recovery plant room (c.17sqm), ESB substation (c.44sqm), waste/bin stores (c.52sqm); total floor area of ancillary structures and plant (c.303sqm); provision of a delivery yard and loading bays, 64 car parking spaces, 5 motorcycle spaces, bicycle shelter serving 14 spaces, smoke shelter, internal access roads and footpaths, vehicular and pedestrian access to the west from Falcon Avenue and closure of an existing vehicular entrance from Falcon Avenue; all associated site development works, services provision, drainage works including attenuation, landscape and boundary treatment works including berming, hedgerow protection areas and security fencing; no buildings are proposed above the existing ESB wayleave and SDCC watermain wayleave to the west and north of the site; the area to the southwest of the site (temporary meadow) is reserved for a future data centre, subject of a separate application to South Dublin County Council on a site bounded to the east and south by Grange Castle Golf Club, to the north by Nangor Road (R134) and to the west by an estate road known as Falcon Avenue. This application is accompanied by a Natura Impact Statement.

Location: Plot 100, Profile Park, Nangor Road, Clondalkin, Dublin 22

Time extension(s) up to and including:

Additional Information Requested/Received: 30-Aug-2021/10-Dec-2021, 17-Jan-2022/25-Feb-2022

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 10th of December 2021 and Clarification of Further Information received on the 25th of February 2022, 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. 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.
3. Roads
 - (a) Vehicular Accesses:
 - (i) Prior to commencement of development, the applicant/developer shall submit a revised site layout plan showing the existing northern-most vehicular access on Falcon Avenue (Estate Road) omitted and reinstatement work to match the vicinity of public road.
 - (ii) The existing vehicular access off Nangor Road on the northern boundary shall be permanently closed.
 - (iii) Vehicular access to the site shall be via the southern-most vehicular access off Falcon Avenue (Estate Road).

- (b) The proposed development shall make provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially (8 no.) as proposed by the applicant. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
 - (c) A minimum of 5 mobility impaired parking spaces shall be maintained at the proposed development.
 - (d) The proposed development shall have no nuisance effects from glint and glare on road receptors resulting from the proposed solar PV.
 - (e) Prior to commencement of development, details of bin/waste collection arrangement and bin storage and collection locations shall be submitted for the written agreement of the planning authority.
 - (f) Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.
 - (g) Prior to commencement of development, a developed Construction & Demolition Waste Management Plan (C&DWMP) shall be submitted for the written agreement of the Planning Authority.
 - (h) A Mobility Management Plan shall be completed within six months of opening of the proposed development and the Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.
 - (i) Footpaths, cycle tracks and kerbs 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.
 - (j) 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.
 - (k) Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with the Planning Authority. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.
 - (l) All items and areas for taking in charge including areas currently in SDCC's charge shall be undertaken to a taking in charge standard.
 - (m) Surface bicycle parking spaces shall be covered.
- REASON: In the interests of traffic safety and sustainable transport.

4. Irish Water Connection Agreement.

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

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

5. Drainage

(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.

(c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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.

6. SuDS Implementation

(i) Prior to commencement of development, the applicant or developer shall enter into Surface Water connection agreement(s) with South Dublin County Council. Application forms for Surface Water connections to the public drainage network are available at:

<https://www.sdcc.ie/en/services/environment/environmental-health/water-services/drainage/>

(ii) Prior to the commencement of development, the applicant or developer shall submit for the written agreement of the Planning Authority:

(a) A drawing showing a gently sloped and shelved pond profile to comply with the measures proposed in the Ecological Assessment Report. The pond and swale side slopes shall not exceed 1 in 3 slope gradients for ease of access/egress and maintenance. All pond and swale inlets/outlets shall be designed to ensure erosion from flowing water is avoided at these locations.

(b) A SuDS strategy drawing showing direction of flow and how the SuDS measures work together as a treatment train.

(iii) The developer is referred to SDCC SuDS Explanatory Design and Evaluation Guide for appropriate swale details.

(iv) The landscape architect is to oversee the installation of the pond to ensure gently sloping banks with shelving and agreed riparian zone planting is implemented.

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

7. Tree Protection.

(i) Prior to the commencement of development, the applicant or developer shall engage the services of a Professional Member of Arboricultural Association who is an independent, qualified arborist, for the entire period of construction activity.

(ii) The applicant shall inform the Planning Authority in writing of the appointment and name of the consultant, prior to commencement of development.

(iii) The arboricultural consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Protection Plan as per Murray & Associates Arboricultural Inventory and Impact Assessment Report incorporating a Tree Protection Strategy (Ref. DB080-MA-LS-XX-RP-V-PLNT-7040 Rev P02) and Arboricultural Impact Plan (Drawing No. DB080-MA-LS-XX-DR-V-PLNT-1041 Rev P02) date 15/02/22.

(iv) 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 Public Realm Section.

(v) 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.

(vi) The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees.

(vii) A completion certificate is to be signed off by the arborist when all permitted

development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

(viii) The existing hedgerow along the front (northern boundary) of the site shall be retained and protected during construction and operation of the development.

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

8. Implementation of Landscape Plans.

The landscape plans, once agreed, shall be implemented in full, within the first planting season following completion of the development (completion of construction works on site)

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

(b) 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).

(c) 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'.

(d) 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 satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

9. Retention of Landscape Architect.

(i) Prior to the commencement of development, the applicant or developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.

(ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.

(iii) The installation of attenuation tree pits and SuDS Pond shall be supervised by the project landscape architect.

REASON: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design.

10. Retention of Ecologist – Implementation of Ecological Protection and Enhancement Measures.

(i) Prior to the commencement of development, the applicant or developer shall engage the services of a Professional Member of the Chartered Institute of Ecological and Environmental Management, who is an independent, qualified ecologist, as an Ecological Clerk of Works, for the entire period of construction activity.

(ii) The applicant shall inform the Planning Authority in writing of the appointment and name of the consultant, prior to commencement of development.

(iii) The Ecological Clerk of Works shall ensure the implementation of all of the proposed

measures in Malone O Regan Ecological Impact Assessment Report dated June 2021 (Ref. DB080-MOR-LS-XX-RP-V-XXXX-8060) are implemented.

(iv) As proposed in the Ecological Impact Assessment Report, the Ecological Clerk of Works will inspect the site in advance of works commencing and will undertake Site inspections, as required during the works to ensure that all the works will be completed in line with the site Construction Environmental Management Plan and all wildlife legislation.

REASON: In the interests of biodiversity and to ensure full and verifiable implementation of the approved proposed ecological mitigation and enhancement measures.

11. 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.

12. Casement Aerodrome.

Given the proximity to 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 the Glint and Glare Assessment prepared by Macro Works Ltd. 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.

13. Nuisances.

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

place in the vicinity.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

14. Minimise Air Blown Dust.

During the construction and or 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. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

15. Operational Noise.

(a) 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.

(b) Following commencement of the development the applicant/developer is required to submit an Acoustic Verification report to South Dublin County Council. The report must confirm whether the development complies with Council's standard noise criteria: 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.

(i) This Acoustic Verification report should comprise of noise monitoring data at any noise sensitive locations. It should also include the cumulative noise level whereby the existing noise levels are included in the assessment of the developments overall impact.

(ii) Acoustic design criteria or performance specifications acoustic report as prepared by Damian Kelly of Awn Consulting, dated the 14th of June 2021 reference 'DK/20/11952NR02' or any subsequent acoustic assessment into the proposed use shall be finalised and verified by a suitably qualified acoustic consultant.

(iii) Following completion of all verification testing, measurement and reporting, a final acoustic compliance report referencing all testing, verification, noise measurement results and reports undertaken is to be submitted to the Environmental Health Department of South Dublin County Council.

The report is to include a clear statement certifying that the development or proposed use is fully capable of complying with all the design criteria and operating within the requirements of the noise control conditions and criteria as set out within the planning consent.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

16. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to

unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 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 construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the 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 unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

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.

Noisy plant and intrusive construction machinery shall be situated as far away from sensitive properties as possible during the construction stage.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

17. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €941,676.60 (nine hundred and forty-one thousand, six hundred and seventy-six euro and sixty cent), 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 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.

- (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

06-May-2022