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

Final Grant Order No.:	0905	Date of Final Grant:	19-Jul-2022
Decision Order No.:	0616	Date of Decision:	16-May-2022
Register Reference:	SD21A/0241	Date:	21-Mar-2022

Applicant: Vantage Data Centers Dub 11 Ltd.

Development: Demolition of the abandoned single storey dwelling and associated outbuilding (206sqm); construction of 2 two storey data centers with plant at roof level of each facility and associated ancillary development which will have a gross floor area of 40,589sq.m consisting of 1 two storey data center (Building 11) which will be located to the south of the site and will have a gross floor area of 24,667sq.m. including 22 emergency generators located at ground floor level within a compound to the western side of the data center with associated flues that will be 22.3m in height; 1 two storey data center (Building 12) which will be located to the north of the site, and to the immediate north of Building 11 and will have a gross floor area of 12,915sq.m including 11 emergency generators located at ground floor level within a compound to the western side of the data center with associated flues that will be 22.3m in height; each of the two data centers will include data storage rooms, associated electrical and mechanical plant rooms, loading bays, maintenance and storage spaces, office administration areas, and plant including PV panels at roof level as well as a separate house generator for each facility which will provide emergency power to the admin and ancillary spaces; each generator will include a diesel tank and there will be a refuelling area to serve the proposed emergency generators; the overall height of each data center apart from the flues and plant at roof level is c. 14.23m above the finished floor level; the overall height of each data center apart from the flues and plant at roof level is c. 14.23m above the finished floor level; single storey step-up substation (38sq.m) as well as 2 single storey switch substations (121sq.m); AGI Gas Regulator compound that include 3 single storey buildings (134sq.m); construction of a gas powered generation plant in the form of a 13m high single storey building with a gross floor area of 2,714sq.m that will contain 10 gas generators with associated flues that will be 25m in height, and grouped in pairs and threes; the Gas Plant will be located to the west of Building 11; ancillary site development works, that will include reorientation of the Baldonnel Stream, biodiversity management initiatives, attenuation ponds and the installation and connection to the underground foul and storm water drainage

network, and installation of utility ducts and cables, that will include the drilling and laying of ducts and cables under the internal road network within Profile Park; other ancillary site development works will include hard and soft landscaping, lighting, fencing, signage, services road, entrance gates, sprinkler tanks and pump room; a temporary gas powered generation plant within a fenced yard containing 21 generator units in containers, each with associated flues (each 25m high), 12 transformers and 10 containers of controls to be located to the west of, and associated with the first phase of Building 11, and will be required for a period of up to 2 years if connection to the national grid is delayed; this temporary plant will not be built if the connection to the national grid is in place prior to the operation of Building 11 at this site that includes an abandoned single storey residential property on the New Nangor Road (R134), Dublin 22; and on land within the townlands of Ballybane and Kilbride within Profile Park, Clondalkin, Dublin 22 on an overall site of 8.7 hectares.

Location: In the townlands of Ballybane & Kilbride within Profile Park, Clondalkin, Dublin 22

Time extension(s) up to and including:

Additional Information Requested/Received: 26-Oct-2021 / 21-Mar-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 21 March 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. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

(a) the proposed flues, associated with the multi fuel generation plant, shall be reduced in height to no more than 25m unless otherwise agreed in writing by the Planning Authority. The location of the flues within the multi fuel generation plant may be altered to accommodate this; Flue Details. The applicant shall submit for the written agreement of the Planning Authority details of the flues at a scale of not less than 1:20.

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

3. 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.

4. Roads.

(1) A Mobility Management Plan is to 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.

(2) The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.

(3) All external bicycle parking spaces shall be covered.

(4) 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.

(5) The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points;

REASON: In the interest of sustainable transport.

5. Surface Water, Stream.

(a) Prior to commencement of development, the applicant shall submit a revised drawing showing what catchment area is draining to each attenuation pond. The applicant shall show the size in m² of each surface type in each separate catchment area.

(b) Prior to commencement of development, the applicant shall submit a revised drawing showing additional SuDS such as swales, filter drains, tree pits. The applicant shall, with reference to ghd SDCC Sustainable Drainage Explanatory Design and Evaluation Guide (sections 7.4.5 and 7.4.7), examine how concrete paving on footpaths can be replaced with permeable paving. The applicant shall examine how pipes and oil interceptors can be replaced by SuDS features (the use of below ground petrol interceptor tanks is not best practice SuDS and should be avoided). Prior to submission of revised drawing and report, the applicant shall contact water services to discuss revised surface water drawing and attenuation calculations.

(c) Prior to commencement of development, the applicant shall clarify in a report and drawing what the expected depth of water in diverted stream will be at location North West of site at shallowest point of stream. Prior to submission of the revised report and drawing of diverted stream, the applicant shall contact water services prior to submission of drawing and report to discuss a revised stone design and width of stream north west of site.

(d) Any revised stream route shall comply with requirements of Inland Fisheries.

(e) Prior to commencement of development obtain a Section 50 from OPW of proposed rerouted stream.

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

6. Drainage.

(a) All floor levels shall be a minimum of 500mm above the highest known flood level for the site.

(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.

7. 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.

8. Archaeological Monitoring, Recording and Reporting

The applicant, owner and developer shall implement the recommendations of Volume 2 'Landscape, Visual and Built Heritage Impact Assessment' of the Environmental Impact Assessment Report (EIAR) relating to archaeology and associated 'Report on Archaeological Assessment' (dated 8 March 2021).

The following shall apply:

(a) The applicant/owner/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all ground disturbance / 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) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Department of Culture, Heritage and the Gaeltacht within six weeks following completion of Archaeological Monitoring.

(c) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant 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.

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

9. Ecology.

(i) Prior to the commencement of any permitted development, the developer shall engage the services of an independent, qualified ecologist to implement the management recommendations of the Biodiversity Management Plan.

(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 ecologist shall inform the planning authority in writing when the recommendations of the BMP have been implemented. This shall include the creation of wildlife shelters, bat boxes, bird boxes, hibernaculae, invertebrate banks and their final locations.

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

10. 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, as

amended by the additional information received on 21 March 2022, 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.

11. Retention of Arborist/Tree and Hedgerows Protection

- (i) Prior to the commencement of any permitted development, the developer shall engage the services of 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. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans.
- (iii) To ensure the protection of trees to be retained with the site the applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Survey, Tree Protection Plan and Arboricultural Method Statement/Tree Protection Strategy in the Arborist Associates Ltd tree report dated 15th December 2021. This will include the preparation of a Construction Stage Method Statement as per page 12 of the report. The Method Statement shall incorporate the recommendations in 3.6.4, P6 of the report pertaining to the retention on Hedge 5 and Tree No. 0817, 0818 and Tree No.1.
- (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.
- (vi) 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.
- (vii) The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees.
- (viii) 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.
- (ix) The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

REASON: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.

12. Further Development.

No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission.

REASON: To protect the visual amenities of the area.

13. Landscape Proposals

- (i) The landscape plan (Drawing No. Dub11.1-DR-SP-C150-V0-WS2-KFA) as submitted to the Planning Authority in March 2022 shall be carried out within the first planting season following substantial completion of overall construction works. Greyed areas at river crossings to be treated with river washed cobbles as per KFLA email 14/04/2022.
- (ii) All Planting shall be adequately protected from damage until establishment. Any plants which die, are removed or become seriously damaged or diseased, within a period of 3 years

from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

(iii) The applicant shall retain the services of a suitably qualified Landscape Architect throughout the duration for the site development works.

(iv) The applicant's Landscape architect shall provide a certificate of completion with the approved landscape proposals within six months of substantial completion of the development.

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

14. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

15. Signage.

No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

16. Department of Defence.

(1) Operation of cranes during construction should be coordinated with Military Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681.

(2) A bird hazard management plan for the construction phase should be established and communicated to the Irish Air Corps Bird Control Unit (BCU), in order to reduce the presence of any hazardous birds that may arrive during the construction phase of the development. BCU are contactable at bcu@birdcontrol.ie.

(3) A long-term bird hazard management plan that aims to disturb and prevent possible hazardous waterfowl nesting or rooftop gull nesting at the site should be established and communicated to the Irish Air Corps Bird Control Unit. Prior to the commencement of development, this shall be submitted for the written agreement of the Planning Authority.

(4) The selection of trees and shrubs should avoid plants that produce fruit and seed desired by wildlife. Avoid the creation of areas of dense cover for roosting by flocking species of birds.

(5) Should negative effects of bird activity on Irish Air Corps operations arise during the construction or operation phase, the site owner must put measures in place to mitigate these effects to a level acceptable to the Irish Air Corps.

REASON: In the interests of aviation safety.

17. Inland Fisheries.

(a) The applicant shall ensure that best practice should be implemented at all times in relation to any activities that may impact on surface water or riparian habitats. Any discharges to surface streams present on or near the site must not impact negatively on the system.

Comprehensive surface water management measures must be implemented at the construction and operational stage to prevent any pollution of local surface waters. Prior to the commencement of development, the applicant shall submit a statement for the written

agreement of the Planning Authority indicating how they comply in this regard.

(b) Prior to the commencement of development, the applicant shall submit a site-specific Construction Environmental Management Plan (CEMP) for the written agreement of the Planning Authority. This should identify potential impacts and mitigating measures on the aquatic environment, it should provide a mechanism for ensuring compliance with environmental legislation and statutory consents. The CEMP should detail and ensure Best Construction Practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water either directly or indirectly through the storm water drainage network and measures to minimise the generation of sediment and silt.

(c) The applicant shall ensure construction works are planned in a manner which prevents extensive tracts of soils from being exposed at any time and arrangements must be made for the control and management of any contaminated water resulting from construction.

(d) The applicant shall ensure that the receiving foul and storm water infrastructure has adequate capacity to accept predicted volumes from this development during construction and post construction phases with no negative repercussions for the quality of any receiving waters.

(e) The applicant shall ensure compliance with Inland Fisheries guidelines.

(f) All discharges must be in compliance with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) Regulations 2010.

REASON: In the interests of protecting the natural environment.

18. Environmental Health.

Noise

(1) 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.

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

(3) 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.

(4) 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.

(5) 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.

Air Quality

(6) 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.

(7) 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.

(8) The mitigation measures and commitments identified in the Environmental Impact Assessment Report, and other plans and particulars submitted as part of this planning application, shall be monitored and implemented in full by the developer.

REASON: In the interests of protecting the amenities of the area.

19. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,711,598.32 (three million seven hundred and eleven thousand five hundred and ninety eight euros and thirty two 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.

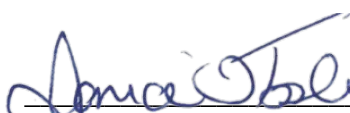
NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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 20-Jul-2022