

Planning Department,
South Dublin County Council
Online submission

BB/COC

30th January 2022

**Re: Our Clients: John Conway and Louth Environmental Group of 91 St.
Nicholas Avenue, Dundalk, Co. Louth Re:
Submission/Observation Planning Application Reference Number: SD22A/0460
Applicant: Creighton Properties LLC**

Dear Sir/Madam,

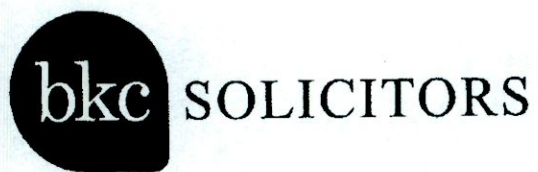
On behalf of the above-named Client, we wish to lodge the within written submissions/observations on the proposed development the subject matter of Planning Application Ref No. SD22A/0460 AT Unit 1, M50 Business Park, Ballymount Avenue, Dublin 12.

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

- (a) The planning application does not comply with the requirements of the Planning and Development Act 2000 (as amended) and associated Regulations. The applicant has failed to notify the Commission for Regulation of Utilities – which is so required in circumstances where the proposed development will have an impact on energy infrastructure.
- (b) The proposed development does not comply with national climate actions obligations and the Climate Action and Low Carbon Development (Amendment) Act 2021 (having regard to the utilisation of gas and diesel as power sources).
- (c) The planning application does not comply with the requirements of the 2001 Regulations (as amended), the EIA Directive or the Habitats Directive in circumstances where there insufficient information and detail presented, including in relation to how the proposed development would operate via linkage/connection to the national grid.

- (d) The proposed development should be subject to a complete Environmental Impact Assessment in accordance with the provision of national law and the EIA Directive (as amended), having regard to the nature of the project and therefore its EIA failed to meet the definition of an EIA in S171A when interpreted in accordance with Articles 1, 2 and 3 of the EIA Directive.
- (e) The proposed development should be subject to AA assessment, for the purposes of Article 6(3) of the Habitats Directive, of the likely effects of a project on a site protected under that Directive or under the Birds Directive.
- (f) The proposed development should also be subject to NIS: A Natura Impact Statement furnished by a developer pursuant to the 2000 Act to give information required for the purposes of an Appropriate Assessment and NIR: A Natura Impact Report prepared by a local authority to the 2000 Act as a basis for carrying out an Appropriate Assessment of a Development Plan.
- (g) No regard and/or inadequate regard has been given to the cumulative effects of the proposed development, in combination with other development in the vicinity, on the protected sites.
- (h) The extremely high electricity consumption will increase Ireland's carbon emissions at a time when we urgently need to reduce them. Gas will be burnt to power this data centre during a climate emergency, when Ireland is supposed to be reducing national emissions by 51% under the Climate Action and Low Carbon Development (Amendment) Bill. The proposed development will increase our fossil fuel emissions and is incompatible with this Bill. The Environmental Agency announced last year that Ireland has already overshoot its 2018 greenhouse gas emissions ceiling of 60.93 million tonnes of carbon dioxide equivalent (Mt CO₂eq) by 5.59Mt. Due to the inevitable leakage of methane during extraction, processing and transportation, using gas to generate power releases more methane into the atmosphere than using coal or oil. Methane has a global warming potential 87 times higher than carbon dioxide in the first 20 years after emission. [Prof Robert Howarth: Ideas and perspectives: is shale gas a major driver of recent increase in global atmospheric methane? <https://bg.copernicus.org/articles/16/3033/2019/>]
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- (i) There is already a disproportionate number of Data Centres in the Dublin Area. Dozens of centres have opened in recent years.
 - (j) The applicant has failed to power the entirety with renewable energy and therefore leading to an increase in Irelands GHG emissions, this application is not consistent with the National Climate Action Plan 2021 and Irelands international commitments under the Parls Agreement.
 - (k) Water usage. Peak demand of water usage stands at around 1,000,000 litres of water per day. Rainwater collection cannot be relied upon, due to uneven patterns of precipitation which will become even more erratic as the climate changes. Cooling the data centre will divert a valuable resource away from the local community, a situation which is likely to get worse as water scarcity becomes more of a problem and population increases. A region with ample water today may become water-stressed in 10 to 30 years. We have recently witnessed that protracted periods of temperatures above 26 C with no precipitation are becoming more frequent in Ireland. The UN expects water demand to outpace supply by almost 40% as soon as 2030. Greater consideration needs to be given to how available resources are going to be used.
 - (l) The Government has set a target that 70 percent of Ireland's electricity will come from renewable sources by 2030. In its Generation Capacity Statement 2020-2029, EirGrid projects that demand from data centers could account for 27 percent of all electricity demand in the country by 2029, up from 11 percent in 2020.
 - (m) Ireland is one of the EU's worst carbon emission offenders and faces fines of more than €250 million for missing 2020 targets on reducing greenhouse gas emissions. Missing later targets will trigger steeper fines.
 - (n) According to Host in Ireland/Bitpower figures, the data centre industry was responsible for 1.85% of electricity-related carbon emissions in the country during 2020, and this is expected to reach 2.2% by 2025. By 2027, data centres will consume 31% of Ireland's electricity. This rise is startling, considering that data centre growth is expected to double over the next five years.
 - (o) Renewables haven't been able to meet this increased demand and will not be able to be brought on stream in the near future to meet this demand.
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(p) Lastly we would like to mention blackouts with Eirgrid due to data centre's already massive demand on our grid.

Yours faithfully,

A handwritten signature in black ink, consisting of several loops and curves, positioned above a horizontal dashed line.

Christine O' Connor,
BKC Solicitors

Christine O Connor,
BKC Solicitors
255 Harolds Cross Road
Dublin 6W

Date: 31-Jan-2023

Dear Sir/Madam,

Register Ref: SD22A/0460
Development: The change of use from warehouse to data repository facility, alterations to external facades, provision of a new 1100mm parapet, re-clad roof, internal alterations, refurbishment of the existing office space, solar panels at roof level, external plant at ground and roof levels and equipment to include 12 condenser modules, an emergency back-up generator and associated fuel storage tank, transformer, extension to the existing sub-station (c. 13sq.m), 2 sprinkler tanks and pumphouse, bin store, 22 parking spaces including 2 electrical vehicle charging points, bicycle parking shelter, landscaping, planting, new security fence, external lighting, CCTV, altered vehicular gates, permeable hard surfaces, alterations to internal foul sewerage and water supply networks, provision of SuDS compliant surface water drainage system and all associated site works.
Location: Unit 1, M50 Business Park, Ballymount Avenue, Dublin 12
Applicant: Creighton Properties LLC
Application Type: Permission
Date Rec'd: 16-Dec-2022

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

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

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

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

Yours faithfully,

M. Furney
for **Senior Planner**