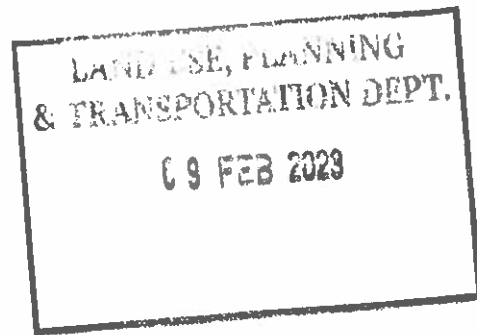


MARSTON

PLANNING CONSULTANCY

Senior Administrative Officer,
Land use, Planning and Transportation Department
South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24



7th February 2023

Our Ref: 21047

Re. Planning and Development Act 2000-2022 and the statutory regulations (as amended). Application by Vantage Data Centers DUB11 Ltd. for development for the demolition of the abandoned single storey dwelling and associated outbuildings (206sqm); and the construction of 2 no. two storey data centres with plant at roof level of each facility and associated ancillary development that will have a gross floor area of 40,589sqm, plus a temporary gas powered generation plant if required; at this site of 8.7 hectares to the south of the New Nangor Road (R134); and on land within the townlands of Ballybane and Kilbride within Profile Park, Clondalkin, Dublin 22.

Planning Authority Register Ref. SD21A/0241

Date of final grant: 19th July 2022

FORMAL COMPLIANCE SUBMISSION

Dear Sir / Madam,

We, Marston Planning Consultancy, 23 Grange Park, Foxrock, Dublin 18 are instructed by Vantage Data Centers DUB11 Ltd. to make the following second compliance submission in respect of the outstanding Conditions attached to SDCC Planning Ref. SD21A/0241. We can confirm we are familiar with the conditions attached to the Final Grant issued by South Dublin County Council on 19th July 2022.

To ensure clarity we have listed only the conditions part 4, 7, part 11, and 17 under this compliance submission. A further compliance submission was made addressing conditions 2, 3, part 4, 5, 8, 9, part 11, 16, and 19 on the 12th January 2023.

SDCC PLANNING REF. SD21A/0241

Condition no. 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.**

Response

All elements of this condition, apart from the Construction & Demolition Waste Management Plan (C&DWMP) were addressed previously under the compliance submission of January 2023. A C&DMP, referred to as a

Site Waste Management Plan in this instance, is submitted by the appointed contractor. Full details of this Plan are set out in the accompanying document attached (3 copies).

Condition no. 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.

Response

We can confirm that the applicant is entering into water connection and wastewater connection agreements with Irish Water. A letter (3 no. copies) confirming same from Pinnacle Consulting, and dated the 7th February 2023 sets out that the connection application was made on the 13th December 2023, and this is detailed within Appendix A of the Pinnacle submission, which also outlines Irish Water's confirmation of receipt dated the 3rd February 2023, and confirmation that the application is being processed under Ref. no. CDS 2300085601.

Condition no. 11

Retention of Arborist / Tree and Hedgerows Protection

(i) Prior to the commencement of any permitted development, the developer shall engage the services 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 7December 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.

Response

We can confirm that further to our original compliance submission, the appointed arborist submits a set of photographs (3 no. copies) that confirm that fencing for the trees to be retained meets BS5837:2012 'Trees in Relation to Design, Demolition and Construction –Recommendations'. This is submitted for the written agreement of the Public Realm Section of the County Council.

Condition no. 17

(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 that the receiving foul and stormwater 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.

Response

A Construction and Environmental Management Plan (3 no. copies) is submitted by the appointed contractor as part of this submission. This Plan addresses all of the above cited issues relating to the construction and management of the permitted development, including the location of the construction compound.

CONCLUSION

We would be grateful if you would confirm in writing, to this office, that these proposals are acceptable to South Dublin County Council as compliance with the relevant requirements of Planning Permission Register Reference SD21A/0241 as granted by South Dublin County Council on the 19th July 2022 and further to the agreed compliance consultations that have been issued and undertaken with officials of South Dublin County Council.

Yours faithfully,



Anthony Marston
Marston Planning Consultancy