

Observation on Planning Application SD22A/0156 South Dublin County Council

The Planning Department,
South Dublin County Council,
County Hall Tallaght,
Dublin 24, D24 A3XC

June 23rd 2020

Observer No 1: John Callaghan, of 10 The Cloisters, Kells, Co. Meath. A82 C9Y7

Observer No 2: Sustainability 2050 of (An Environmental NGO)

Observer No 1's Address: 10 The Cloisters, Kells, Co. Meath. A82 C9Y7

Observer No 2's Address: 10 The Cloisters, Kells, Co. Meath. A82 C9Y7

Address for Correspondence: John Callaghan, 10 The Cloisters, Kells, Co. Meath. A82 C9Y7

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Planning Reference:SD22A/0156 South Dublin County Council

(No redaction of personal information is necessary)

Development: *10 year permission on a site is 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) for modifications to the permitted data centre granted under SDCC Reg. Ref. SD21A/0186 comprising the following, reconfiguration and alterations to the data centre building to include removal of front of house offices at third floor level, alterations to floor levels at second floor to provide consistency between front of house and data halls, parapet height increase of front of house to c.16.8m, provision of storage at second floor level in lieu of relocated internal generators to the external generator yard and associated elevational alterations; extension of loading dock at ground floor level by c.60sqm in area with minor height increase to c.5.3m; removal of 3 air plenums to the front (north) elevation and provision of screening to generator flues in lieu of omitted plenums; alterations at roof level to include removal of 2m high gantry screening; alterations to the permitted generator plant yard to the north of the data centre to include the removal of fuel tanks, reconfiguration of plant and generators, provision of 2 additional external generators (increase from 5 to 9 external generators), provision of 4 additional external plant rooms, provision of diesel pump tank cabinets and stepover, relocation of generator yard doors and enlarged generator yard to accommodate the proposed modifications; increase in plant areas by c.77sq.m; reconfiguration of plant within the permitted chiller plant yard to the south of the data centre; removal of 1 sprinkler/water tank and removal of stairs and door to the side of the waste compound; reconfiguration of car parking and motorcycle spaces and removal of 1 accessible space. 64 total number of car parking spaces; the proposal also includes provision of on-site gas power generation compound (c.2,604sq.m in area) in the area previously reserved for a future data centre; the compound comprises 7 modular plant rooms (totalling c.180sq.m in*

area), 10 gas fired generators and associated flues c.14.7m high, gas skid, associated modular plant, boundary treatment surrounding the compound c.6.5m high and 2 vehicular access points including general and emergency access; all associated site development works, services provision, drainage works, access, landscaping and boundary treatment works; no buildings are proposed above the existing ESB and SDCC wayleaves to the west and north of the site; the overall Gross Floor Area of the development is reduced by c.44sq.m to c.9,795sq.m from previously permitted under SDCC Reg. Ref. SD21A/0186; the application is accompanied by a Natura Impact Statement.

Applicant: Equinix (Ireland) Ltd

Development Address:Plot 100, Profile Park, Nangor Road, Clondalkin, Dublin 22

Observations

1. The Planning Authority must determine the application in accordance with the Planning and Development Regulations, the Planning & Development Act, the various Planning Guidelines, the RSES, The National Planning Framework, as well as with EU Law with particular regard to EU Energy and Climate Law.
2. The Planning Authority as the Competent Authority must assess the application under the Habitats Directive.
3. The Planning Authority as the Competent Authority must assess the application under the Environmental Impact Assessment Directive. To this end the applicant must supply sufficient information to ensure the project can be assessed to determine if the project's cumulative effect along with the effects of other projects engages the mandatory EIAR Threshold or Subthreshold EIAR requirement.
4. The extent of information in the application is insufficient to determine the application in accordance with law.
5. It is the responsibility of the applicant to provide sufficient information to describe the development.

6. The applicant should provide information as to the specific models of generators that are being proposed. Such information allows assessment of:

- Fuel consumption and thermal inputs per hour.
- Capacity to use alternative renewable fuels.
- Variation of power output possible.
- Generation efficiency curves under various power outputs.
- Capacity for heat recovery and related CHP Efficiencies.
- Capacity to utilise Carbon Capture technology.

7. The application should outline:

- the waste heat parameters in terms of temperature out, temperature return, quantity and seasonal profile.
- The costs associated with building a district heating system that would usefully use the waste heat.
- Quantify the percentage of useful use of the thermal energy input. (some plants in Germany achieve 90% thresholds of useful energy use in terms of electricity + heat)

8. The planning authority should define how long the operational phase of the plant should be given its reliance on fossil fuel and the EU Climate Targets.

- The National Planning Framework and RSES predate the EU's adoption and revision of the 2030 Climate and Energy Targets. Furthermore the RSES is predicated on a 40% Emissions reduction Target for 2030 and significant additional measures and policies would be required to align it with the new 2030 Target.

	Old 2030 Target	New 2030 Target
CO2 Emissions Reduction	40%	55%

Renewable Energy	40%	45%
Energy Efficiency	30%	39%

9. The Planning Authority has been particularly lax in relation to ensuring generation related development ensures sufficient detail to assess the proposals in the context of environment and climate related compliance.
10. The application should define the maximum number of hours the plant is to generate out of the 8766 hours in an average year.
11. While the power system in Dublin is challenged to supply large electricity consumers with power, the question must arise as to whether certain developments are proceeding despite the absence of necessary infrastructure such as, renewable rich power grid. (Section 10 of the Planning Act.) Ireland is struggling to meet its 2020 Energy and Climate Targets let alone its 2030 Targets.
12. **Development Plans - Guidelines for Planning Authorities 2022¹** sets out as follows:

Section 6.3.2 Energy and Communications The development plan written statement must support the timely provision of energy and communications (including broadband) infrastructure. This means ensuring, through liaison with key infrastructure providers at an early stage of the development plan process, that the plan identifies and safeguards key sites and corridors for infrastructure development, such as electricity transmission lines, gas pipelines and communications installations.

Where sufficient information is available, the proposed location of energy and communications infrastructure development, and/or at least safeguarded route corridors, should be identified on development plan maps to inform the development management process. The implications of development plan policies and objectives not only for the siting and/or route of energy and

¹ <https://assets.gov.ie/228826/6e26204a-ffd0-42a4-b868-097d647e537f.pdf>

communications infrastructure, but also for the achievement of targeted national or regional energy or communications performance targets, must be given full consideration in the development plan process.

Development standards should also make express reference to provision of underground service ducting as part of major new housing, commercial or other developments to facilitate future provision or enhancement of sustainable energy and telecommunications infrastructure where this may be required, without undue future disturbance of roads. This may include provision for district heating, where considered viable based on prior investigation/research.

Section 10 (2) of the Planning Act requires that

(2) Without prejudice to the generality of subsection (1), a development plan shall include objectives for—

(a) the zoning of land for the use solely or primarily of particular areas for particular purposes (whether residential, commercial, industrial, agricultural, recreational, as open space or otherwise, or a mixture of those uses), where and to such extent as the proper planning and sustainable development of the area, in the opinion of the planning authority, requires the uses to be indicated;

F78[(b) the provision or facilitation of the provision of infrastructure including—

(i) transport, energy and communication facilities,

(ii) water supplies and waste water services (regard having been had to the water services strategic plan for the area made in accordance with the Water Services Act 2007),

(iii) waste recovery and disposal facilities (regard having been had to the waste management plan for the area made in accordance with the Waste Management Act 1996), and

(iv) any ancillary facilities or services;]

The heating sector is a large consumer of energy in national terms. Replacing direct consumption of fossil fuel energy for heating with waste heat is a high level priority for

reducing CO2 emissions in line with the 2030 and 2050 Energy Targets. It is obvious that the location of new thermal power plants is a key issue in relation to district heating. Permitting private generation, and private distribution (private wire) without implementing energy efficiency measures such as waste heat capture and useful distribution amounts to a type of subsidy for industry where expensive climate mitigation measures are set aside.

Maintaining a reliable electricity supply for each of the 31,557,600 seconds in an average year adds expense to grid electricity. If large users are to be allowed to generate their own power and to be allowed to distribute within a very small area it means that the financial burden of maintaining grid stability falls upon smaller consumers.

Large generators of electricity at low electrical efficiency which (generates large amounts of waste heat to be dumped in the sky) raise emissions which imposes costs in terms of climate fines and push up gas prices.

13. **“Private Wire” or “Direct Line”.** A private wire arrangement allows for a private generator to build a transmission line to a customer. Section 37 of the Electricity Act 1999² as amended provides for such an arrangement subject to certain limiting imperatives of EU Law.

Direct lines.

37.—F389[(1) The Commission may grant or refuse to grant a permission to a person to whom this section applies to construct a direct line not connected to the transmission system or distribution system when initially constructed for the purpose of facilitating the supply of electricity F390[, without making such permission subject to disproportionate administrative procedures or costs].

(1A) The Commission shall not grant a permission referred to in subsection (1) unless a person has made an application for connection to and use of the transmission system or the distribution system and either—

(a) the application has been refused on the grounds of lack of capacity, or

(b) a dispute to which section 34(6) refers has been presented to the Commission for a determination and the Commission in making its determination pursuant

² <https://revisedacts.lawreform.ie/eli/1999/act/23/section/37/revised/en/html>

to section 34(6) forms the view that it is in the public interest to issue a permission pursuant to subsection (1).]

F391[(1B) (a) The Commission may refuse to grant a permission if the granting of such permission would obstruct the application of the provisions on public service obligations contained in Article 9 of the Internal Electricity Market Directive.

(b) The Commission shall give duly substantiated reasons for a refusal.]

(2) A permission to construct a direct line granted by the Commission under this subsection shall require the person to whom the permission was granted to comply with such technical and other conditions, including those which may be necessary to ensure that direct lines are compatible with the transmission or distribution system, to such extent as the Commission may specify in the permission.

(3) The owner of a direct line constructed under subsection (1) may allow the direct line to be used for the transport of electricity to F392[customers within the State, individually or jointly].

(4) (a) Where there is a connection made between a direct line and the transmission or distribution system of the Board, on the application of the Board, the Commission may direct the owner of a direct line constructed under F393[section 34(1A) or (1B) or] subsection (1) to transfer the ownership of the direct line to the Board on such terms, including terms as to compensation, as may be agreed between the Board and the owner of the direct line.

F393[(aa) Where there is a connection made between a direct line constructed under section 34(1A) and the transmission system of the transmission system operator, the Commission shall, on the application of the transmission system operator, direct the owner of such direct line to transfer the ownership of the direct line to the transmission system operator on such terms, including terms as to compensation, as may be agreed between the transmission system operator and the owner of the direct line or as may be determined by the Commission.]

F394[(b) In default of agreement between the Board, or the transmission system operator, and the owner as to compensation (and save where such

compensation is determined by the Commission under paragraph (aa)), such compensation shall be assessed under the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919, and for this purpose the Board, or the transmission system operator, as appropriate, shall be deemed to be a public authority.]

F395[(5) This section applies to the holder of a licence, the holder of an authorisation or F396[any customer].

(6) A person to whom a permission is granted pursuant to subsection (1) may by means of that direct line supply—

(a) their own premises,

(b) their own subsidiaries, and

F397[(c) all customers within the State, individually or jointly.]]

F398[(7) The possibility of supplying electricity through a direct line under this section shall not affect the possibility of contracting electricity in accordance with Article 6 of the Internal Electricity Market Directive.]

Article 7 of the Directive (EU) 2019/944³ of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (recast) (Text with EEA relevance.)

Article 7

Direct lines

1. Member States shall take the measures necessary to enable:

(a) all producers and electricity supply undertakings established within their territory to supply their own premises, subsidiaries and customers through a direct line, without being subject to disproportionate administrative procedures or costs;

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019L0944>

(b) all customers within their territory, individually or jointly, to be supplied through a direct line by producers and electricity supply undertakings.

2. Member States shall lay down the criteria for the grant of authorisations for the construction of direct lines in their territory. Those criteria shall be objective and non-discriminatory.

3. The possibility of supplying electricity through a direct line as referred to in paragraph 1 of this Article shall not affect the possibility of contracting electricity in accordance with Article 6.

4. Member States may issue authorisations to construct a direct line, subject either to the refusal of system access on the basis, as appropriate, of Article 6 or to the opening of a dispute settlement procedure under Article 60.

5. Member States may refuse to authorise a direct line if the granting of such an authorisation would obstruct the application of the provisions on public service obligations in Article 9. Duly substantiated reasons shall be given for such a refusal.

Data centres and large electricity users are permitted under EU Law to build private lines and it is submitted that the intent is to allow consumers to increase the proportion of renewable electricity consumed in the first instance.

Directive (EU) 2019/944 has been transposed into Irish Law in a manner that seeks to limit the right to a Direct Line by requiring that an applicant first be refused supply by the ESB.

The amended section 37 gives a lot of discretion to the Commission that is not compatible with securing the Climate Objectives and facilitating Public Participation in Decision Making.

Article 9 Directive (EU) 2019/94

Public service obligations

1. Without prejudice to paragraph 2, Member States shall ensure, on the basis of their institutional organisation and with due regard to the principle of subsidiarity, that electricity undertakings operate in accordance with the principles of this Directive with a view to achieving a competitive, secure and

environmentally sustainable market for electricity, and shall not discriminate between those undertakings as regards either rights or obligations.

2. Having full regard to the relevant provisions of the TFEU, in particular Article 106 thereof, Member States may impose on undertakings operating in the electricity sector, in the general economic interest, public service obligations which may relate to security, including the security of supply, regularity, quality and price of supplies and environmental protection, including energy efficiency, energy from renewable sources and climate protection. Such obligations shall be clearly defined, transparent, non-discriminatory and verifiable, and shall guarantee equality of access for electricity undertakings of the Union to national consumers. Public service obligations which concern the price setting for the supply of electricity shall comply with the requirements set out in Article 5 of this Directive.

3. Where financial compensation, other forms of compensation and exclusive rights which a Member State grants for the fulfilment of the obligations set out in paragraph 2 of this Article or for the provision of universal service as set out in Article 27 are provided, this shall be done in a non-discriminatory and transparent way.

4. Member States shall, upon implementation of this Directive, inform the Commission of all measures adopted to fulfil universal service and public service obligations, including consumer protection and environmental protection, and their possible effect on national and international competition, whether or not such measures require a derogation from this Directive. They shall subsequently inform the Commission every two years of any changes to those measures, whether or not they require a derogation from this Directive.

5. Member States may decide not to apply Articles 6, 7 and 8 of this Directive insofar as their application would obstruct, in law or in fact, the performance of the obligations imposed on electricity undertakings in the general economic interest and insofar as the development of trade would not be affected to such an extent as would be contrary to the interests of the Union. The interests of the Union include, inter alia, competition with regard to customers in accordance with Article 106 TFEU and this Directive.

Unfortunately Ireland has a Minister for Energy that takes a very protectionist view on the market and has failed to provide the appropriate framework to implement EU Electricity and Energy Law. The following exchange from the Dáil Éireann debate - Tuesday, 18 Oct 2022 Vol. 1027 No. 7⁴ involving a Government T.D. and Government Minister.

Renewable Energy Generation

Pádraig O'Sullivan

Deputy Pádraig O'Sullivan

Gabhaim buíochas leis an Aire as teacht isteach chomh déanach seo. This is a question I have been looking to put for quite a while. It is something the Government needs to take seriously. This is a space in which we need to be proactive and engage with all stakeholders, including developers, the ESB and other electrical and energy providers.

The long and short definition, as I understand it from a layman's point of view, is that private wire is essentially where private industry, particularly large energy users like pharmaceutical companies, data centres and so on are essentially taken off-grid and they try to provide as much of their own energy through wind or solar power as possible, perhaps with the help of a nearby farmer or whatever the case may be. This allows these companies to provide for the vast majority of their energy needs. The difficulty is that the ESB has full power over consent in this area.

As I understand it, private wire is covered under section 37 of the Electricity Regulation Act 1999. Essentially in many cases it allows for the ESB to be very slow at engaging with these big developments. The ESB does not want to see these large energy users becoming self-sustainable because it is not in the long-term interests of the ESB. It does not want to see large profitable consumers of energy and customers going off grid. In the long term it is taking a view that it will damage its profit margins. I am extremely worried about this area. I submitted a parliamentary question to the Department which is dated 21 September. In the reply the Minister said this is a commitment under the Climate Action Plan 2021. The plan includes a commitment to review this policy. The aim was that the review would be undertaken by the first quarter of this year. Unfortunately we are now in the fourth quarter. It is six to nine months down the line and we are still waiting for the review.

⁴ <https://www.oireachtas.ie/en/debates/debate/dail/2022-10-18/32/>

This is an urgent matter. People are facing ever-growing bills. We look across the water at what is going on in the UK and the extortionate amounts people are paying for energy. Thankfully the Government has stepped in in the short term here and provide €200 energy credits over a period of time. This is very welcome. In the long run we know from the forecast of the energy regulator, and from anybody in the field, that we are facing a decade when we will struggle to keep up with demand. This is something on which we need to act now. By the Department's own admission it is something we should have acted on in the first quarter of this year. I am very concerned because this is not the only issue on which we are behind schedule. There are also the wind and solar energy guidelines that seem to have been going on forever. It is almost depressing when we get responses that state we are behind schedule and we will catch up. I hope the Minister will have a positive response that will outline exactly what he and the Department will do on this urgent issue.

Eamon Ryan

Minister for the Environment, Climate and Communications (Deputy Eamon Ryan)
I thank the Deputy for raising this important topic. I will set out the policy position and outline the views of stakeholders on the issue. I will then discuss the proposed consultation. The current legislative framework does not for the most part allow for privately-owned power lines. The ESB is the sole distribution asset owner and ESB Networks is the sole distribution system operator in the State. On a practical level this means the ESB owns the electricity distribution while ESB Networks, a subsidiary of the ESB, builds and maintains all distribution level network infrastructure.

The Deputy may be interested to know this position has its roots in the early years of the State when the ESB was established by the Electricity (Supply) Act 1927. On its establishment it was placed in charge of operating, managing and maintaining what we now know as the Ardnacrusha power plant along with distributing electricity nationwide. The ESB chose, as allowed for under the Act, to take on the direct responsibility of distributing electricity to consumers and set about creating our electricity network. The results of this decision, once fully enacted and after the ESB had acquired all existing electricity undertakings operating in the State, was the creation of a standardised national network in the control of the ESB.

The current electricity market environment is very different, with a liberalised and interconnected market in operation. However, as the Irish energy sector evolves

further and moves towards renewables and a zero-carbon economy we must review the environment in which electricity suppliers operate. The Electricity Regulation Act 1999 provides in limited circumstances for the construction by private entities of electricity lines and infrastructure. However the Act also provides that the ESB can gain ownership of such constructions, either through agreement or at the direction of the Commission for Regulation of Utilities. Notwithstanding the current position in respect of direct lines and private wires, it is important to emphasise the scale and ambition of what we are looking to do in delivering to reduce our dependency on fossil fuels and make Ireland a world leader in delivering renewable energy as part of our drive towards a low-carbon system.

The Government is very aware of calls from stakeholders for amendments to be made to the legislation and regulations on direct lines and private wire networks. Officials from the Department have met and continue to engage with interested parties and stakeholders in the area. These stakeholders have indicated that amendments to the status quo could allow for the deployment of more renewables across the electricity sector while reducing overall grid demand. They outlined three key areas where they wish to see direct lines and-or private networks providing electricity. These include business enterprise parks, large energy users and renewable energy communities. It has been outlined to officials that allowing for private networks for business parks and large energy users would have sectoral benefits for Ireland. These include increasing the attractiveness of our country as a base for foreign direct investment. It would also provide an environment for renewable generation. It is noteworthy that stakeholders have highlighted that there is a desire among many large corporations, in particular technology companies, to have renewable sources of generation directly linked or owned by the company.

Ireland has ambitious climate targets as I set out earlier. I believe the development of private wires can and will have a significant role in helping to meet them. Action No. 115 of the climate action plan commits the Department to reviewing the policy options on allowing private networks and direct lines. Government policy is that the ESB is the sole distribution asset owner and ESB Networks is the sole distribution system operator. In the interests of clarity it is warranted to point out there is a clear distinction between a private network and a direct line. The consultation will seek views and report on both matters. A direct line is regarded by the Department as a privately owned power line that connects one generator with one energy user. A

private network on the other hand is a privately owned and operated electricity distribution network connecting end users with generators.

Pádraig O'Sullivan

Deputy Pádraig O'Sullivan

I thank the Minister. To be fair that is a very substantive response and I appreciate it. I do have several issues. I have listened to many people from Government parties and the Opposition speaking about offshore wind energy. The harsh reality is we are being told it will take an average of seven years to do it here but when we look at our European counterparts, such as Slovakia, it can take as little as 18 months. It is laughable. It is actually quite worrying to read in the Minister's response that the ESB is the sole provider and sole distributor. Let us call it for what it is: it is a monopoly.

I am glad the Minister is having a public consultation. How long will it last for? When is it due to conclude? When does the Minister hope to implement any recommendation there may be? The targets we have and the implementation of the climate action plan are also quite welcome and we are all supportive of them. This area will be very important and central to the plan.

It is also worth noting that in the Minister's opening remarks he said this is governed by the Electricity (Supply) Act 1927. That is nearly a century ago. Given the energy crisis we are in it is a perfect example of why we need to get on with the consultation and get on with implementing any amendment the Minister may have. Already over in the UK, Centrica, which is the parent company of Bord Gais, has made a strategic decision to no longer supply large energy users such as those we are speaking about. We are speaking about potential blackouts in future years. We are speaking about demand exceeding supply in the coming decade. We need to get on with this and we need to stop delaying.

Eamon Ryan

Deputy Eamon Ryan

The consultation is due to conclude at the very latest early next year but the officials hope it can be concluded before the end of this year. I will be very keen to see a rapid conclusion. It will not come to a decision but it will elucidate the various views. This is a complex issue. It has been looked at for many years. It has been stalled by concerns about possible unintended consequences. My view is that we are in

changing market circumstances. Power is very tight and we are now at the very edge of any country's development of renewables. If we are to have a balancing capability, where it is not just for power generation but also for potential storage solutions, then private wires could provide us with support integrated into the grid.

The environment is changing and it may allow us the opportunity to start developing self-generation in this way, be it through private direct wires or networks where we move away from the historic position and start looking at the sort of potential that is available. We have to be careful and make sure it does not undermine other investments or the ESB network, which is a vital piece of infrastructure for us. There is real potential to bring new power generation into a country where that will be critical in the next ten years as well as new balancing capabilities.

EirGrid is saying that it wants to work with large energy users in terms of flexible demand response and their generation helping the system when times are difficult. In that sort of changing and evolving market, it seems to be that the balance will move towards allowing private wires and self-generation, which large industrial users have been seeking for some time but we have not been able to deliver.

I will wait the conclusion of the consultation before finalising the arrangements, but that has to happen within months, not any longer than that.

14. It is submitted that Large Electricity Users should:

- Avail of Direct Lines to directly access Renewable Electricity Supplies such as solar, wind, biomass, biogas to maximise the renewable portion of electricity they consume as a first measure in sourcing electricity.
- Utilise high efficiency thermal power generation by using heat recovery for district heating networks to maximise energy efficiency.
- Locate generation plants such as to maximise the feasibility of useful heat recovery.
- Use renewable fuels for a portion of thermal power generation such as would contribute to 2030,2040, % 2050 Energy & Climate Targets.

- Utilise carbon capture technology on a portion of its emissions to provide a limited market to allow the technology to develop.

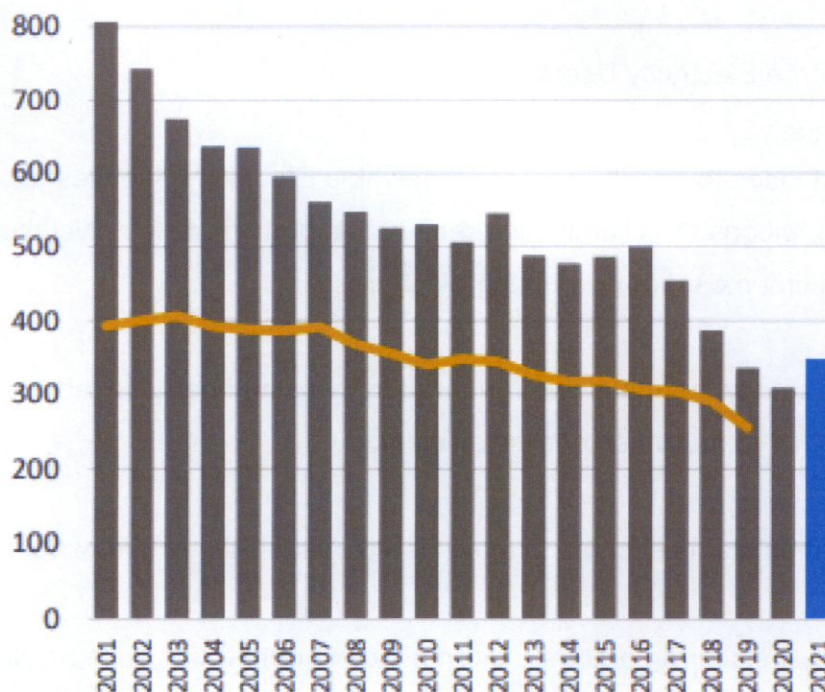
15. The Right to Run Direct Lines through Public Roads. The planning authority must address the issue of the applicant having sufficient interest in lands as would allow Direct Lines to be constructed under or over public roads.

- Is South Dublin County Council generally disposed to granting permission to construct Direct Lines over or under Public Roads?
- Does South Dublin County Council have authority to grant such permission ?

16. **Conclusion.** The State owned Electricity Distribution monopoly cannot expand grid electricity supply to large energy users in large parts of City regions and the State refuses to implement an enabling framework for Direct Lines to integrate more renewable electricity into the consumption of large electricity users.

The Carbon intensity of Ireland's electricity consumption has actually started to rise again⁵.

Figure 12: Carbon intensity of Irish electricity (gCO₂/kWh)



⁵ Energy in Ireland 2022 SEAI REPORT <https://www.seai.ie/publications/Energy-in-Ireland-2022.pdf>

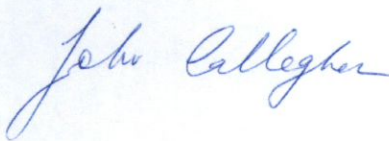
The Irish State must purchase Statistical Transfers (Carbon Credits from overseas) under the Renewable Energy Directive II for any shortfall in Renewable Energy Production targets. If additional thermal generation plant, supplying additional demand, is not climate neutral or on a path to climate neutrality it makes the carbon neutrality objective ever more difficult.

The polluter pays principle is a simple idea at the core of EU environmental policy and this proposal seems to turn that policy on its head. The failure of the State to put an enabling framework in place for Direct Lines to incorporate more renewable power into industry should not be used as an excuse to permit additional private thermal generation with private distribution without climate mitigation measures detailed at section 18

Planning Authorities are given to arguing that the principle of development is established by previous grants of permission particularly in relation to power generation related to Data Centres. . There is a huge difference between a peaking plant and a plant that will supply base load power. Either the proposed modifications in application amounts to a development requiring planning or it does not.

The notion of offsetting fossil fuel use by the use of renewable power purchase agreements is criticised by the European Investment Bank which is an EU Institution.

Yours sincerely

A handwritten signature in blue ink that reads "John Callaghan". The signature is written in a cursive, flowing style.

John Callaghan

Mr. John Callaghan
10 The Cloisters
Kells
Co. Meath
A82 C9Y7

Date: 26-Jun-2023

Dear Sir/Madam,

Register Ref: SD22A/0156
Development: 10 year permission on a site is 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) for modifications to the permitted data centre granted under SDCC Reg. Ref. SD21A/0186 comprising the following, reconfiguration and alterations to the data centre building to include removal of front of house offices at third floor level, alterations to floor levels at second floor to provide consistency between front of house and data halls, parapet height increase of front of house to c.16.8m, provision of storage at second floor level in lieu of relocated internal generators to the external generator yard and associated elevational alterations; extension of loading dock at ground floor level by c.60sqm in area with minor height increase to c.5.3m; removal of 3 air plenums to the front (north) elevation and provision of screening to generator flues in lieu of omitted plenums; alterations at roof level to include removal of 2m high gantry screening; alterations to the permitted generator plant yard to the north of the data centre to include the removal of fuel tanks, reconfiguration of plant and generators, provision of 2 additional external generators (increase from 5 to 9 external generators), provision of 4 additional external plant rooms, provision of diesel pump tank cabinets and stepover, relocation of generator yard doors and enlarged generator yard to accommodate the proposed modifications; increase in plant areas by c.77sq.m; reconfiguration of plant within the permitted chiller plant yard to the south of the data centre; removal of 1 sprinkler/water tank and removal of stairs and door to the side of the waste compound; reconfiguration of car parking and motorcycle spaces and removal of 1 accessible space. 64 total number of car parking spaces; the proposal also includes provision of on-site gas power generation compound (c.2, 604sq.m in area) in the area previously reserved for a future data centre; the compound comprises 7 modular plant rooms (totalling c.180sq.m in area), 10 gas fired generators and associated flues c.14.7m high, gas skid, associated modular plant, boundary treatment surrounding the compound c.6.5m high and 2 vehicular access points including general and emergency access; all associated site development works, services provision, drainage works, access, landscaping and boundary treatment works; no buildings are proposed above the existing ESB and SDCC wayleaves to the west and north of the site; the overall Gross Floor Area of the development is reduced by c.44sq.m to c.9, 795sq.m from previously permitted under SDCC Reg. Ref. SD21A/0186; the application is accompanied by a Natura Impact Statement.

Location: Plot 100, Profile Park, Nangor Road, Clondalkin, Dublin 22
Applicant: Equinix (Ireland) Ltd
Application Type: Permission
Date Rec'd: 14-Jun-2023


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.sdublincoco.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.sdublincoco.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,


for **Senior Planner**