

Comhairle Chontae Atha Cliath Theas

PR/0906/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0460 **Application Date:** 16-Dec-2022
Submission Type: Clarification of **Registration Date:** 07-Jul-2023
Additional
Information

Correspondence Name and Address: Kavanagh Tuite Architects Terminus Mills,
Clonskeagh, Dublin 6

Proposed 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 Name: Creighton Properties LLC

Application Type: Permission

(EW/COS)

Description of site and surroundings

Site visit: 09/02/2023

Site Area: 0.86 ha

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Site Description

The site is located within M50 Business Park off Ballymount Avenue at the junction of Calmount Road and Ballymount Road upper and bound by internal estate roads within the M50 Business Park. The existing two-storey warehouse is vacant. The site boundary on the site totalling 8,915 sq.m consist of a fence with street trees and hedgerows. Car parking is located to the southern corner of the site. The existing warehouse structure (2,040 sq.m) is 10m in height and includes two storey offices (560 sq.m) at the southwestern corner of the site. The site also contains a detached security hut structure, hardstanding areas including existing car parking, and areas under grass. A belt of mature trees is located along the Calmount Road/northwest boundary of the site. The remaining surrounding sites are of mix industrial and commercial uses. The surrounding area contains structures that are similar in form and appearance.

Proposal:

The proposal consists of *Permission* for the following:

- The **change of use from warehouse to data repository** facility,
- internal alterations:
 - refurbishment of the existing office space,
- alterations to external facades:
 - provision of a new 1100mm parapet, re clad roof,
 - 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.

Zoning

The subject site is zoned Zoning Objective 'EE': *'To provide for enterprise and employment related uses'* under the 2022-2028 CDP.

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Consultations

Water Services Department: -	No objection subject to standard conditions.
Irish Water -	No objection subject to standard conditions.
EHO -	No objection subject to standard conditions.
City Edge Delivery Team -	No objection subject to standard conditions.
Parks -	Refuse Permission / Additional Information

SEA Screening: No overlap indicated.

Submissions/Observations /Representations

The following submissions were submitted from third parties. The main issues raised are summarised as follows:

- The planning application is premature pending City Edge Local Area Plan and contrary to EDE4 Objective 10 of SDCC Development Plan.
- The electrical resources obtained from Eirgrid would require confirmation.
- Demonstrate adherence and compliance with the Climate Action Plan.
- SDCC should look into AWS applications with regard to powering data centres and how much is actually used for renewable power.
- The cumulative impact of data centres in South Dublin, is not take into account in the submitted EIAR.
- The application fails to demonstrate adherence with objective EDE7 space extensive land use.
- As per objective EDE7, the applicants need to demonstrate targets re zero carbon economy, on-site renewables, district heating.
- The impact of over concentration of data centres on EE Lands
- Note regarding the Government statement on the role of data centres.
- No intention by the applicant for renewal of energy or green infrastructure.
- The applicant has failed to notify the commission for regulation of utilities.
- The application does not comply with the EIA Directive or the Habitats Directive and also requires an AA assessment and Natura Impact Statement.
- Data centre water usage will be diverted from the surrounding community.
- The demand for data centre energy does not meet with the government objectives for renewable energy and the government is not meeting with EU targets that incur heavy fines.

The issues raised in the third-party submissions have been considered in assessing this planning application.

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Relevant Planning History

ED22/0028 – SDCC **Additional Information Requested** Whether the use of the building as a data repository facility with associated internal alterations is or is not exempted development.

1. a) The applicant has not provided elevations and the sections provided do not show the same line through the existing building. The applicant is requested to submit existing and proposed elevations for the building and revised sections, ensuring that the same section of building is detailed, therefore allowing a full assessment of the works.
b) Regarding use, in order for something to be development it must be a change of use and such change must be material. The applicants, in the description of development have not stated that the proposal is a change of use. Clarification on this is needed to determine if a change of use is proposed. If no change of use is proposed then the description needs to be altered to be confined to 'internal alterations'.
2. A significant amount of plant is indicated to serve the data repository facility. The applicant is requested to provide information confirming what this plant would consist of, what this plant is required for/to serve and the potential energy consumption associated with the plant shown.
3. The applicant is requested to provide information confirming how the tape media would be stored and the potential energy consumption associated with the storage use.
4. confirmed water supply to the facility. The applicant is requested to provide this confirmation of feasibility.
5. The applicant has indicated that they have a signed connection agreement from a utility provider. The applicant is requested to submit this agreement to confirm the assumed energy consumption associated with the development.

The applicant has indicated that, following a pre-connection enquiry, Irish Water have confirmed water supply to the facility. The applicant is requested to provide this confirmation of feasibility.

The applicant has indicated that they have a signed connection agreement from a utility provider. The applicant is requested to submit this agreement to confirm the assumed energy consumption associated with the development.

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SD22A/0010 - SDCC **Granted Permission** for Permission is sought for the following:

- The change of use of an existing office and workshop area (c. 83.8sq.m) at ground floor level to a storage area.
- Internal alterations to the layout to facilitate the proposed change of use, including the installation of racking and a new concrete block wall to enclose the storage area.
- No elevational changes.
- No amendments to the existing Site Layout.
- All ancillary site works above and below ground.

SD21A/0008 - SDCC **Granted Permission** for a change of use of c.12.25sq.m of floorspace within the existing warehouse building on site, from warehouse use to use for the temporary storage of shredded electrical & electronic equipment and components.

SD16A/0379 - SDCC **Granted Permission** for Construction of a new single storey security building, relocation of vehicular entrance gates and all associated site services.

SD13A/0207 - SDCC **Granted Permission** for elevation changes including the installation of new high level windows to the south-western, south-eastern and north-eastern elevations of the warehouse building and the installation of an external fire escape door to the north-western elevation of the warehouse building; the works are to include all necessary building and site works.

S96A/0491 - SDCC **Granted Permission** for the construction of a 2444 sq. m. development comprising single storey warehouse, two-storey offices and showroom and an E.S.B. sub-station.

Adjacent site

SD20A/0144 - Unit 14, Fashion City, Ballymount Road Upper, Dublin 24 - SDCC **Granted Permission** for the (1) Change of use of the existing ground floor (411sq.m) and first floor (401sq.m) levels from previously granted Showroom/Warehouse storage under Reg. Ref. S01A/0173 and further extended under Reg. Ref. SD02A/0514 to office use. (2) Modifications to the front facade comprising the replacement of the main entrance doors at ground floor level with glazing to match the existing, the installation of a new window to match existing at first floor level and new signage (2sq.m). (3) Modifications to the rear facade comprising the replacement of the existing roller shutter at ground floor level with fixed curtain wall glazing to match existing and the installation of new fixed louvres to match existing at first floor level.

Relevant Enforcement History

None for this proposal.

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Pre-Planning Consultation

None for subject proposal.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Policy CS2: City Edge Regeneration Lands

Deliver a development framework for the regeneration of the City Edge lands in conjunction with Dublin City Council which underpins the strategic aims of the National Planning Framework and Regional Spatial and Economic Strategy

CS2 Objective 1:

To prepare a Local Area Plan or other appropriate mechanism for the zoned Regeneration (REGEN) lands and other lands at Naas Road / Ballymount as defined by the City Edge Project boundary. The LAP or equivalent will commence in 2022 and provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The City Edge Strategic Framework will inform this Statutory Plan.

CS2 Objective 2:

To facilitate a co-ordinated approach and vision to any future sustainable development of the City Edge area in collaboration with Dublin City Council and all relevant stakeholders, including the local community and existing businesses having regard to their operational needs, and ensure that the needs of the existing and new community will be met, and the provision of necessary community and physical infrastructure is delivered in tandem with any new development.

Policy GI1: Overarching

Policy GI2: Biodiversity

Policy GI3: Sustainable Water Management

Policy GI4: Sustainable Drainage Systems

Policy GI5: Climate Resilience

Policy QDP7: High Quality Design – Development General

Policy QDP16: Framework Plans (FP)

QDP16 Objective 2:

To support the City Edge Strategic Framework and any future framework for the area in delivering urban growth and regeneration for the County and the wider Region, recognising its significant potential as the largest regeneration area in the country.

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

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Policy EDE1: Overarching

Policy EDE4: Urban Growth, Regeneration and Placemaking

EDE4 Objective 4:

To direct people intensive enterprise and employment uses such as major office developments (>1,000 sq.m gross floor area) into appropriately zoned lands subject to their location within approximately 500 metres of a high frequency urban bus service and / or within 1000 metres walking distance of high capacity transport stops (Train / Luas), and to demonstrate the required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2015), to achieve same.

EDE4 Objective 10:

To support the City Edge / City Edge Strategic Framework and any future framework for the area in delivering urban growth and regeneration for the County and the wider Region, recognising its significant potential as the largest regeneration area in the country.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.5.4 Public Realm: (At the Site Level)

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

12.9.2 Enterprise and Employment Areas

Table 12.27 Key Principles for Development within Enterprise and Employment Zones

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

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Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Chapter 5 Quality Design and Healthy Placemaking

Section 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'

QDP2 Objective 1:

To ensure that applications for new development are accompanied by a statement from a suitably qualified person detailing how 'The Plan Approach' has been taken into consideration and incorporated into the design of the development including the materials and finishes proposed and demonstrating how the overarching principles for the achievement of successful and sustainable neighbourhoods have been integrated as part of the design proposal.

Section 5.2.2 Context

Policy QDP3: Neighbourhood Context

Support and facilitate proposals which contribute in a positive manner to the character and setting of an area.

QDP3 Objective 1:

To ensure new development contributes in a positive manner to the character and setting of the immediate area in which a proposed development is located taking into consideration the provisions set out in Chapters 3 and 4 of this Plan and having regard to the requirements set out in Chapter 12: Implementation and Monitoring in relation to design statements.

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SECTION 5.2.3 Healthy Placemaking

QDP4 Objective 2:

To promote a high standard of building and urban design, creating public spaces that are distinctive, safe, universally accessible and facilitate social and cultural diversity and interaction.

5.2.6 High Quality and Inclusive Development

QDP7 Objective 6:

To ensure that development provides an integrated and balanced approach to movement, healthy placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2019).

QDP7 Objective 7:

To ensure that all proposals for development contribute positively to providing a coherent enclosure of streets and public spaces, taking into consideration the proportions and activities of buildings on both sides of a street or surrounding a public space, providing for good standards of daylight and sunlight, and micro climatic conditions and having regard to the guidance and principles set out in the South Dublin County's Building Height and Density Guide and the Design Manual for Urban Streets and Roads (DMURS) (2019).

QDP7 Objective 8:

To promote and support a Universal Design Approach to residential and non-residential development – having regard in particular to the universal design principles and guidance in relation to Buildings for Everyone, Housing and Shared Space as promoted by the Centre for Excellence in Universal Design at the National Disability Authority – ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES. (See also Chapter 8: Community Infrastructure and Open Space).

5.2.9 Materials, Colours and Textures

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

QDP11 Objective 1:

To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.

QDP11 Objective 2:

To promote the use of structural materials that have low to zero embodied energy and CO2 emissions and ensure a wood-first policy on public buildings funded or part-funded by the Council.

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QDP11 Objective 3:

To promote the reuse and recycling of materials to promote the circular economy and reduce construction and demolition waste.

Chapter 9 Economic Development and Employment

Policy EDE1: Overarching

Support sustainable enterprise and employment growth in South Dublin County recognising the County's role in the Dublin region as a driver of economic growth.

EDE1 Objective 6:

To ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions by supporting and promoting the following measures:

- *An increase in employment densities within walkable distances of communities and on public transport routes;*
- *Promotion of walking and cycling and use of public transport through increased permeability and mobility management measures within and outside employment areas;*
- *The sourcing of power from district heating and renewables including wind, hydro and solar;*
- *Additional native tree planting and landscaping on existing and proposed enterprise zones and development sites to aid with carbon sequestration, contribute to the green infrastructure network of the County and promote quality placemaking.*

Section 9.2.1 Green and Innovative Economy

EDE3 Objective 5:

To promote, through good placemaking, the delivery of places and communities which encourage employers and workers alike to live in the County, closer to their workplaces, promoting more sustainable travel and a good quality of life.

9.2.2 Urban Growth, Regeneration and Placemaking

Policy EDE4:

Urban Growth, Regeneration and Placemaking Support urban growth and regeneration through the promotion of good placemaking to attract employees and employers and to provide a competitive advantage to the County and diverse investment opportunity.

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EDE4 Objective 1:

To ensure that economic and employment development is located to optimise existing infrastructure and to support development and investment in the County's urban centres supporting orderly growth and placemaking.

Section 9.2.3 Building on Clusters

Policy EDE5: Building on Clusters

Support clustering, by creating, maintaining, or upgrading economic strongholds in a favourable business ecosystem.

EDE5 Objective 1:

To prioritise hi-tech manufacturing, research and development and associated uses in the established Business and Technology clusters to the west of the County (Grange Castle and Citywest areas) maximising the value of higher order infrastructure and services that are required to support large scale strategic investment.

EDE5 SLO1:

To ensure that the campus style environment in Citywest is maintained to promote an attractive landscaped setting for the existing and future business within the business park.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 11.8.2 Casement Aerodrome

11.8.6 Airport and Aerodrome – Noise

11.8.7 Public Safety Zones

Chapter 12 Implementation and Monitoring

12.4.2 Green Infrastructure and Development Management

12.5.7 Signage – Advertising, Corporate and Public Information

Development proposals that include signage should take account of the following:

Table 3.19: Signage

12.11.4 Environmental Hazard Management (iii) Lighting External lighting schemes and illuminated signage on commercial and industrial premises, sports grounds, and other community facilities, should be designed, installed and operated so as to prevent nuisance to adjoining occupiers and road users, in the interests of amenity and public safety.

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EDE7 Objective 3:

To ensure that landscaping and site layout in space extensive developments provides for demonstrated biodiversity measures and that landscape and biodiversity measures integrate into the green infrastructure network, in accordance with the Green Infrastructure Strategy set out in Chapter 4 of this Plan.

Policy E3: Energy Performance in Existing and New Buildings Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.

E3 Objective 1:

To reduce the need for energy, enhance energy efficiency and secure the use of renewable energy sources in refurbished and upgraded dwellings, and other buildings through the design and location of new development, in accordance with relevant building regulations and national policy and guidance.

E3 Objective 3:

To require all new development to be designed to take account of the impacts of climate change, and that energy efficiency, energy provision and renewable energy measures are incorporated in accordance with national building regulations and relevant policy and guidelines.

E12 Objective 1:

To promote the generation and supply of low carbon and renewable energy alternatives.

Policy IE6: Electricity Infrastructure Protect the existing electricity infrastructure and support the development of a safe, secure and reliable supply of electricity and the development of enhanced electricity networks as well as new transmission infrastructure projects subject to the relevant environmental assessments.

IE6 Objective 2:

To support the reinforcement and strengthening of the electricity transmission and distribution network to facilitate planned growth and transmission / distribution of a renewable energy focused generation in line with RPO 10.22

Policy IE1: Overarching Policy Ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

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Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.4 Archaeological Heritage

12.3.5 Landscape Character Assessment

12.3.7 Protected Structures

12.3.10 Thermal Upgrading and Energy Efficiency in Historic and Traditional Buildings

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management All planning applications shall demonstrate how they contribute to the protection or enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the application submission:

Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. This should clearly incorporate GI elements and provide links to local 'Stepping-Stones', Cores and Corridors where appropriate. Some smaller scale development may require more detailed GI Infrastructure Plans. Depending on location and context of the site, this will be decided on a case-by-case basis.

Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:

- tree and hedgerow removal;
- tree and hedgerow retention;
- new tree and hedgerow planting.

This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time.

Green Space Factor (GSF)

The GSF is a score-based requirement that establishes minimum standards for landscaping and GI provision in new developments. Minimum scoring requirements are based on the land-use zoning of a site (See GI5 Objective 4), this applies to all development comprising 2 or more residential units and any development with a floor area in excess of 500 sq. m.

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12.4.3 Riparian Corridors

12.5 Quality Design and Healthy Placemaking

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.5.4 Public Realm: (At the Site Level)

12.5.5 Healthy Placemaking and Public Realm: (At the Neighbourhood Level)

12.7.1 Bicycle Parking / Storage Standards; Bicycle Parking Design / Provision

12.7.2 Traffic and Transport Assessments

12.7.3 Travel Plans

Table 12.24: Thresholds for the Submission of a Workplace Travel Plan

Land Use	Workplace Travel Plan Statement	Indicative Number of Jobs	Standardised Workplace Travel Plan	Indicative Number of Jobs
Offices / Financial	>500 sq. m	25-100	>2,000 sq. m	>100
Warehousing	>2,500 sq. m	25-100	>2,500 sq. m	>100

12.7.4 Car Parking Standards

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.7.6 Car Parking Design and Layout

12.8.6 Public Art

Major new commercial developments greater than 5,000 sq. m in size, in the case of non-residential development, and in excess of 500 units in the case of residential development, will be required to incorporate a physical artistic feature into the scheme to improve the built environment / public realm. This may include high quality features within the environment or landscaping, in agreement with the Council.

12.9.2 Enterprise and Employment Areas:

Table 12.27: Key Principles for Development within Enterprise and Employment Zones.

12.9.4 Space Extensive Enterprises

12.9.8 Seveso Sites

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12.10.1 Energy Performance in New Buildings

Development proposals for medium to large scale residential and commercial developments in excess of 10 residential units and / or 1,000 sq. m of commercial floor space should be accompanied by an Energy Efficiency and Climate Change Adaptation Design Statement.

The statement should detail:

- How any on-site demolition, construction and long-term management of the development will be catered for;
- How energy and climate change adaptation considerations have been inherently addressed in the design and planning of the scheme.

12.10.2 Low Carbon District Heating Networks

12.10.3 Energy from Waste

12.10.4 Solar Photovoltaic

12.11.1 Water Management

(i) Flood Risk Assessment

(ii) Surface Water

(iii) Sustainable Urban Drainage System (SuDS)

(iv) Groundwater

(v) Rain Water Harvesting

12.11.3 Waste Management

(ii) Design and Siting of Refuse Storage, Recycling and Bring Facilities in Developments

(iv) Construction and Demolition Waste

12.11.4 Environmental Hazard Management

(i) Air Quality

(ii) Noise

(iii) Lighting

12.11.5 Aviation, Airports and Aerodromes

12.11.6 Restricted and Prohibited Development

12.11.7 Shielding / Safeguarding

Policy E7: Solar Energy

Promote the development of solar energy infrastructure in the County, including the building of integrated and commercial-scale solar projects subject to a viability assessment and environmental safeguards including the protection of natural or built heritage features, biodiversity and views and prospects.

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E7 Objective 1: To encourage and support the development of solar energy infrastructure for on-site energy use at appropriate locations in the County.

E7 Objective 2: To encourage and support the development of commercial-utility solar energy infrastructure for local distribution at suitable locations in the County.

E7 Objective 3: To support and encourage the ongoing delivery of solar technology on Council owned buildings and sites in accordance with the South Dublin Climate Action Plan. *E7 Objective 4:* To explore the potential for the development of solar PV Strategic Energy Zones in the County in accordance with the requirements of RPO 7.35.

E7 Objective 5: To ensure that planning applications for solar energy infrastructure which may impact on the operation of airports are referred to the IAA/Department of Defence or relevant airport authority.

Relevant Government Guidelines

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

Design Manual for Urban Roads and Streets, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

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Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Visual Amenity
- City Edge
- Roads
- Green Infrastructure
- Infrastructure and Environmental Services
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area which is zoned 'EE' - 'To provide for Enterprise and Employment Related Uses'. Warehousing, Science and Technology Based Enterprises, Office-Based Industry and Office less than 100 sq.m are all permitted in principle under this zoning objective. Offices 100 – 1,000 sq.m and Offices over 1,000 sq.m are open for consideration under this zoning objective.

Data Centres are not permitted under this zoning objective however, it is noted that a Draft Ministerial Direction has been received, partially in relation to this zoning objective, requiring Data Centres to be an open for consideration use on lands zoned 'EE' as noted:

Notice of Draft Ministerial Direction in the Matter of Section 31 of the Planning and Development Act 2000 (as amended) South Dublin County Development Plan 2022-2028

The Planning Authority has been directed to take the following steps:

... Amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to reinstate data centre use class as an 'open for consideration' use class in the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.

Note: For reference, tables 13.4, 13.8 and 13.10 are numbered in the adopted Development Plan as 12.4, 12.8 and 12.10.

... Changes to land use zoning objectives for REGEN, Major Retail Centre and Enterprise and Employment (Material Amendments 13.1, 13.2 and 13.3) which make data centre use class a 'not permitted' use class across all zoning objectives in the Plan inconsistent with Regional Policy Objective 8.25 in the RSES for the EMRA which promotes Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations and lacks an appropriate evidential basis.

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The applicants Planning Report under section 5.3 (page 22) *Zoning Objective*, the applicant refers to the use to data storage and archiving and affiliated to *industry light*.

Under the appendices 6 titled '*definition of use classes*' in the South Dublin County Council Development Plan 2022-2028, the following is noted:

Data Centre - *A data centre is a physical facility composed of networked computers and storage that businesses and other organisations use to organise, process, store and disseminate large amounts of data.*

Industry – Light - *The use of a building or part thereof or land for industry in which the processes carried on or the plant or machinery installed are such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit and so on.*

Data Centres

Data Centre's are defined typically as a space extensive use; however, the subject proposal includes for 22 workstations and may not be limited to a 'space extensive land uses' as a standalone **change of use from warehouse to data repository** use and at a footprint of 2,600 sq.m.

Having regard to the above CPD definitions of a *Data Centre* and *Industry – Light*, the following is noted:

- The proposed development is for the change of use from existing warehouse that is currently vacant to a data repository facility that is approximately 2,445 sq.m (retained) of the existing established warehouse and 41 sq.m (proposed works) giving an overall 3,501sq.m in total.
- The proposal will not contain a physical facility composed of networked computers.
- The proposal is to be used to house tape media which will store and be a repository for data that is will be stored within a temperature and humidity-controlled environment inside one of two tape libraries.
- The main purpose of the facility is noted to be archiving and cold storage whilst retrieval is occasional by customers.
- The applicant notes that the data storage requires significantly less power than a data centre and that there is no provision of associated new electricity grid connection infrastructure as it will utilise existing ESB networks infrastructure.
- The applicant states that the '*electrical supply will not fall within the scope of Eirgrid's Data Centre Connection offer process and policy*' owing to the existing infrastructure supplying the building being adequate'.

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- The existing office space to the west corner of the site, is proposed to be refurbished with staff welfare facility, toilets, security and will accommodate 24-hour workstations.

The Planning Authority as a matter of further clarity and assessment would require **Additional Information** on the proposed use and to specifically outline how a Data Repository Facility differs from a Data Centre if this is the case. The applicant is also requested to outline how policies and objectives that apply to Data Centre's will not apply to this application for a Data Repository Facility and to satisfy the Planning Authority's policy assessment criteria of the subject proposal.

The following CDP objectives are required to be met for Data Centres:

CS5 Objective 2:

To ensure that, insofar as possible, space extensive enterprise is located on lands which are outside the M50, and which do not compromise labour intensive opportunities on zoned lands adjacent to public transport.

Policy EDE7: Space Extensive Land Use

Recognise the need for land extensive uses and ensure that they are located within appropriate locations having regard to infrastructural, transport and environmental considerations and the need for orderly growth.

EDE7 Objective 1:

To ensure that, insofar as possible, space extensive enterprise is located on lands which are outside the M50, and which do not compromise labour intensive opportunities on zoned lands adjacent to public transport.

EDE7 Objective 2:

To require that space extensive enterprise demonstrates the following:

- a. The appropriateness of the site for the proposed use having regard to EDE7 Objective 1;*
- b. Strong energy efficiency measures to reduce their carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation;*
- c. Maximise on site renewable energy generation to ensure as far as possible 100% powered by renewable energy, where on site demand cannot be met in this way, provide evidence of engagement with power purchase agreements in Ireland (PPA);*
- d. Sufficient capacity within the relevant water, wastewater and electricity network to accommodate the use proposed;*
- e. Measures to support the just transition to a circular economy;*
- f. Measures to facilitate district heating or heat networks where excess heat is produced;*

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- g. A high-quality design approach to buildings which reduces the massing and visual impact;*
- h. A comprehensive understanding of employment once operational;*
- i. A comprehensive understanding of levels of traffic to and from the site at construction and operation stage;*
- j. Provide evidence of sign up to the Climate Neutral Data Centre Pact.*

In terms of location, the site is within the M50; however, the proposal is for a change of use of an existing warehouse structure within an established business park, and the proposal includes 22 workstations and would not be limited to a 'space extensive land uses' therefore for the Clarity of the Planning Authority within the CPD requirements in terms of CS5 Objective 2 and EDE7 Objective request additional Information on the following:

- A significant amount of plant is indicated to serve the data repository facility. The applicant is requested to provide detailed plans, elevations and sectional drawings outlining the following:
 - (i) design details what this plant tape media storage space would consist of and
 - (ii) exactly how the tape media would be stored.
 - (iii) What is the potential energy consumption associated with the storage used by **Additional Information?**

Power Supply

In terms of EDE7 Objective 2 the applicant states in their submission that this data repository facility requires no provision of associated new electricity grid connection infrastructure as it will utilise existing ESB networks infrastructure.

The development plan places a key emphasis on the requirement for a Data Centre to be sustainable, it is noted that the proposed data repository facility is deemed less intensive, with the requirement of temperature and humidity-controlled environment inside one of two tape libraries. A key requirement for the applicant is to demonstrate that there is sufficient capacity within the relevant water, wastewater and electricity network to accommodate the use proposed.

The building is for data archiving and would require significant less power consumption than a typical data centre. The proposed building will be operated by Amazon Data Services Ireland Limited (ADSIL) which is part of the Amazon.com inc group under the association of Amazon Web Services (AWS). The applicant states that AWS is committed to sustainability and affiliates the company to the 2019 climate pledge and being the first company in Ireland to deliver unsubsidised Corporate Power Purchase Agreements (CPPAs).

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The Power requirements will be provided via 1x Medium Voltage (MV) cable connections from the existing ESB substation permitted and constructed under an existing permission, as noted is located immediately adjacent to the development site to the west. The applicant notes there is an existing connection agreement in place with ESB to supply power for the proposed development, that has a total peak power demand of 1.3MW.

As stated, 'the site distribution system supplies all electrical rooms where stepdown transformers are deployed to provide 415V electricity to all loads. The distribution system described above is chosen as it represents the safest, most efficient and most economical method for site wide electricity distribution'.

The Planning Authority notes that the Government, within the recently published a statement titled "Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy -July 2022". The document sets out that while fully acknowledging the vital role Data Centres play in the modern economy, in the short term, there is only limited capacity for further data centre development, as the key state bodies, regulators and the electricity sector work to upgrade our infrastructure, connect more renewable energy and ensure security of supply.

The proposed power supply is, in summary:

- There is no provision of associated new electricity grid connection infrastructure as it will utilise existing ESB networks infrastructure with an existing connection agreement.
- Roof mounted PV Panels to generate on site renewable electricity.
- Emergency back-up diesel generator and associated fuel storage tank, transformer, extension to the existing sub-station (back up only and not used as main power source and used only in unlikely event of loss of power).

To aid energy efficiency:

- Unheated operational space in the tape media libraries and heated ancillary office space.
- High efficiency variable refrigerant flow (VRF) Air conditioning.

The applicant has indicated that they have a signed connection agreement from a utility provider. The applicant is requested to submit this agreement to confirm the assumed energy consumption associated with the development and that the CDP objectives that apply to Data Centre's will not apply to this application. Therefore, **additional information** is requested in this regard.

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Solar / PV Panel Arrays

Under Policy E3: *Energy Performance in Existing and New Buildings* of the existing South Dublin County Development Plan 2022-2028.

- ***E3 Objective 3: To require all new development to be designed to take account of the impacts of climate change, and that energy efficiency, energy provision and renewable energy measures are incorporated in accordance with national building regulations and relevant policy and guidelines.***

The applicant proposed to mount a PV solar array of 22kWp (peak) at roof level (west corner side) to boost the energy efficiency of the building. The area covered amounts to 136sq.m. The principle of the development to install solar pv panels on the rooftop of a permitted warehouse building, is consistent with the zoning objectives and policies of the County Development Plan, subject to site-specific assessment below.

It is noted that Schedule 5 'Development for the purposes of Part 10' Article 93 Part 2 of the Planning & Development Regulations 2001(as amended), which sets out thresholds for environmental impact assessment, states:

3(a) Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this schedule with a heat output of 300 megawatts or more.'

The development comprises the installation of solar PV panels on the rooftop of an industrial warehouse building. The development comprising 53 Panels x 375v = **19 KW**, is considerably below the 300 megawatts. An EIA is therefore not required.

However, Solar / Photovoltaic Panel Arrays can give rise to glare problems for pilots and for air traffic controllers, so that proposed arrays in the vicinity of aerodromes or helipads, or on their approaches, should be assessed in submitted 'Glint and Glare' studies in relation to runway thresholds, flight paths, and control towers (See section 10.2.6, Solar PV).

A glint and glare assessment, which assesses potential impacts from the proposed development on aviation receptors at the Casement Aerodrome, has been submitted with the planning application. Having regard to the existing South Dublin County Development Plan 2022-2028, under Policy E7: *Solar Energy*:

- ***E7 Objective 5: To ensure that planning applications for solar energy infrastructure which may impact on the operation of airports are referred to the IAA/Department of Defence or relevant airport authority.***

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The applicant should also seek that there will not be any nuisance effects from the glint and glare or any hazardous effects upon either road or aviation receptors resulting from the proposed solar PV. A **condition** is recommended seeking confirmation that both the IAA and Department of Defence are satisfied with the findings of the glint and glare report.

Aviation Safety

No reports were received from the IAA or Department of Defence

As stated above, a condition is recommended in the event of grant of permission, to ensure the proposal is in keeping with Policy ET7, objective 5.

Visual Impact

The proposed development is for the change of use from existing warehouse that is currently vacant to a data repository facility that is approximately 2,445 sq.m (retained) of the existing established warehouse and 41 sq.m (proposed works) giving an overall 3,501sq.m in total. The proposed changes do not materially change or detract from the existing land use within the M50 Business Park and is generally consistent with the zoning objectives and policies of the County Development Plan.

The proposal includes alterations to the entire external façade of the warehouse with removal and replacement of the existing cladding with a three toned grey cladding and provision of a new 1100mm parapet, reclad roof.

The replacement of roller shutter doors with canopy and removal of three windows to the north elevation. Replacement of two windows to the western façade and two windows to the northern façade. The southern façade removed four windows and replaced with double glazed windows. The proposal includes for the reconfigured car parking to provide 22 spaces (including two EV spaces), and 12 bicycle parking; external plant at ground and roof level; site access works; refuse storage; landscaping including new boundary treatment; and all ancillary site works including service connections.

Proposed on site additions include for:

- external plant at ground and roof levels and equipment to include 12 condenser modules to the north and west of the site.
- an emergency back-up generator and associated fuel storage tank, transformer, extension to the existing sub-station (c. 13sq.m) to the western side of the site.
- 2 sprinkler tanks and pumphouse to the eastern side of the site.

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The proposed development does not adjoin lands associated with a residential dwelling. The overall 3,501sq.m in total proposal is of similar scale, size and form and appropriate to its surrounding environment and adjoining amenities, as such, subject to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan, the principle of the development is acceptable at this location.

The subject site falls within the City Edge Project lands, however having regard to the nature and scale of the proposed development there will be no significant compromise to the Emerging Preferred Scenario or Strategic Framework of the City Edge Area at this point in time as noted below.

Offices

Offices are open for consideration within zoning objective EE. The existing ancillary offices total 560 sq.m (west corner side) that is proposed for refurbishment with staff welfare facility, toilets, security and will accommodate 24-hour workstations. The proposal also includes an additional circa 276 sq.m (eastern side) including circulation of: storage space, break room, wc/shower and reception space.

The proposed development provides 22 workstations that are used by full time employees. The applicant is consistent with objectives of the CDP and below the office threshold *Under EDE4 Objective 4: To direct people intensive enterprise and employment uses such as major office developments (>1,000 sq. m gross floor area) into appropriately zoned lands.* The applicant has demonstrated compliance with objectives:

- EDE4 Objective 1: *To ensure that economic and employment development is located to optimise existing infrastructure and to support development and investment in the County's urban centres supporting orderly growth and placemaking.*
- EDE4 Objective 3: *To ensure a synergy between economic growth and investment and the development of urban centres, supporting consolidation and re-intensification of infill, brownfield and underutilised lands within the County.*

The proposal for an additional 22 workstations is considered acceptable.

City Edge

As noted from the City Edge report, per particulars submitted, a new plant compound proposed to the immediate southwest of the existing building on site would be accommodated predominantly on an existing area of hardstanding (existing surface car parking). A second plant compound and attendant tender access is proposed to the immediate northwest of the existing warehouse, currently under grass. While the proposal would include for "altered vehicular gates", access to the site would be via an internal estate road, as existing.

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A number of identified trees would be removed in line with the proposal, with the existing tree belt along the northwest site boundary to be retained and supplemented with additional planting, as indicated. Any tree removal should be kept to a minimum and alternative tree planting reinforced, in line with Green Infrastructure policies contained in the County Development Plan 2022-2028 and in the context of the vision for greening contained in the Strategic Framework. Opportunities for a green roof and green walls should also be explored.

It is considered that this application would reinforce the existing industrial/industry-related use on the site, and it is noted that that the subject site is not within an identified early development area within the City Edge Strategic Framework.

Conclusion

It is recommended that:

- Any tree removal should be kept to a minimum;
- Replacement tree planting should be adequate to compensate for any loss of trees; and
- The potential for green roof and green walls should be explored.

These recommendations are in accordance with Green Infrastructure policies contained in the County Development Plan 2022-2028 and align with the vision for greening contained in the Strategic Framework.

Having regard to the context and location of the subject site, and nature and extent of development proposed, it is considered that the principle of the proposal is compatible with the land use zoning objective and existing industrial use on the site. Subject to the recommendations above, the proposal would not compromise the objectives of the non-statutory City Edge Strategic Framework. In this regard, the Planning Delivery Team has no objection in principle to the proposed development.

Parks and Public Realm

1. Landscape Design Proposals

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development including Landscape Design Statement/Rationale and detailed GI Plan. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.

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- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.
- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site
- v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development
- vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

3. Environmental Impact Assessment Report (EIAR)

The applicant shall submit a full Environmental Impact Assessment Report (EIAR) which provides detailed information as to the effects, if any, which the proposed project, if carried out, would have on the environment. In addition, the EIAR should outline Mitigation Measures or Steps taken to avoid, reduce or remedy unwanted effects.

4. Ecological Impact Assessment/Ecology Report

The applicant is requested to submit Ecological Impact Assessment/Ecology Report which includes a detailed survey for the presence of invasive species within the subject site (as listed on the third schedule of the European Communities (Birds and Natural Habitats Regulations 2011). If invasive species are found to be present within the subject site that the applicant shall submit a site-specific Invasive Species Management Plan.

5. Sustainable Drainage Systems (SuDS)

(A) The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.

(B) In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.

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(C) SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

(D) Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

(E) The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³. Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.

6. Green Infrastructure and Green Space Factor (GSF)

The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:

(a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.

(b) To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet:

Related Documents - SDCC

EDE7 Objective 3:

To ensure that landscaping and site layout in space extensive developments provides for demonstrated biodiversity measures and that landscape and biodiversity measures integrate into the green infrastructure network, in accordance with the Green Infrastructure Strategy set out in Chapter 4 of this Plan.

It is considered necessary that the applicant is requested to fully and comprehensively set out how each criterion is met and also how the provisions of Parks / Green Infrastructure are met.

Additional information is requested in this regard.

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Green Infrastructure

Green Infrastructure (GI) in relation to hard surfaces and the proposed car parking: 1. SUDS 2. Landscaping 3. Flood risk and the issue of green infrastructure and sustainable surface water management, having regard to the relevant Development Plan policies are addressed in the Parks Report by Additional Information. The Surface Water Drainage report and recommendations are noted and can be obtained by **condition** coinciding with the City Edge and Green Infrastructure requirements also above.

Roads

The following is noted from the Roads report:

Access & Road Layout:

Access to the site will be via the 2 no. existing access points located to the east of the site, off the estate road.

There is a single existing pedestrian entrance which is located on the eastern side of the Primary HGV entrance.

The applicant has not indicated the widths of the pedestrian footpaths and crossings on site. All pedestrian footpaths/crossings should have a minimum width of 2m. Dropped kerbs and tactile paving should be clearly indicated on submitted drawings.

The applicant has submitted swept path analysis showing the possible movements of Fire Tenders, HGVs, refuse vehicles around the site. Under the current proposal, there is no turning area provided for emergency vehicles on the access road to the north of the building. The applicant should provide a revised site plan showing a turning area for emergency vehicles as per section 5.2.4 of the Building Regs. – Part B.

Car Parking:

24 no. existing car parking spaces inc. 2 no. mobility impaired

A total of 22 no. car parking spaces are proposed, including;

- 2 no. mobility impaired spaces
- 2 no. EV charging spaces
- 2 no. spaces “ducted for future EV charging”.

SDCC Roads Department is satisfied that this is an acceptable overall parking rate for a building of this nature.

Section 12.7.5 of the SDCC Development Plan 2022-2028 sets a minimum rate of 20% of the total car parking spaces to be EV charging spaces. As a result, 4 No. EV charging spaces are required.

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Bicycle Parking:

A total of 12 no. sheltered bicycle parking spaces are proposed. SDCC Roads Department is satisfied that this is an acceptable bicycle parking rate.

Construction Traffic Management Plan:

The applicant has submitted an Outline Construction Environmental Management Plan.

This plan should be used as the basis for a more detailed final Construction Traffic Management Plan to be prepared by the appointed works contractor.

Construction and Demolition Waste Management Plan:

The applicant has not submitted a C&DWMP.

Mobility Management Plan:

The applicant has not submitted a Mobility Management Plan.

Roads recommend that additional information be requested from the applicant:

1. The applicant shall submit a revised layout of not less than 1:200 scale, showing all pedestrian footpaths, walkways and crossings throughout the site with a minimum width of 2m. Dropped kerbs and tactile paving should also be clearly indicated on submitted drawings.
2. The applicant shall submit a revised layout of not less than 1:200 scale, showing a turning area for emergency vehicles on the access road to the north of the building.

Should the permission be granted, the following conditions are suggested:

1. The applicant shall provide 4 No. EV charging spaces with the remaining spaces to be ducted for future charging points. (*Section 12.7.5 of the SDCC Development Plan 2022-2028*)
2. Prior to commencement of development, the applicant shall submit a final detailed Construction Traffic Management Plan to be prepared by the appointed works contractor for the written agreement of the Planning Authority.
3. 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.
4. 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. REASON: In the interest of sustainable transport.

The report of the Roads Department is noted and, in this instance, **Additional Information** shall be required.

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EHO

The EHO department have submitted a report and consider the proposal is acceptable to the Environmental Health Department subject to standard **conditions** regarding noise and air quality and this is noted.

Surface Water Drainage

Surface Water Drainage report have no objections and state the following:

Include SuDS (Sustainable urban Drainage Systems) in proposed development such as but not limited to the following:

- Green roofs
- Raingarden /planters with overflow connection to a public surface water sewer
- Swales and rill channels
- Grasscrete
- Additional Guidance on SuDS can be found in SDCC SuDS
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works

Irish Water

Irish water report states no objections and state the following:

- The applicant or developer shall enter into water / waste water connection agreement(s) with Irish Water.

The report of the Surface Water Drainage and Irish Water is noted and in the event of a grant of permission shall be obtained by **condition**.

Screening for Appropriate Assessment

An AA screening assessment has been carried out by *AWN Consulting* dated December 2022 and notes:

'It can be excluded, on the basis of objective information, that the proposed development, individually or in combination with other plans or projects, will have a significant effect on a European site. An appropriate assessment is not, therefore required.'

In conclusion the subject site is not located within nor within close proximity to a European site. The proposed development is located within an established industrial area and proposes the change of use of an existing warehouse to data repository facility.

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Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment

An Environmental Impact Assessment has been carried out by *AWN Consulting* dated December 2022 and notes:

It is concluded having regard to the nature, scale and location of the subject site, there is no likelihood of significant effects on the environment arising from the proposed development on the environment (direct, in direct or cumulatively with other development) and therefore it is considered that the requirements for sub-threshold EIA does not arise.

Having regard to the nature of the development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion on AA and EIA Report Submitted

The Parks Department have requested an EIAR as noted per request No.3 of the report as outlined below:

Environmental Impact Assessment Report (EIAR)

The applicant shall submit a full Environmental Impact Assessment Report (EIAR) which provides detailed information as to the effects, if any, which the proposed project, if carried out, would have on the environment. In addition, the EIAR should outline Mitigation Measures or Steps taken to avoid, reduce or remedy unwanted effects.

However, in this instant it is considered that the applicant has addressed the **AA and EIA** requirements of the change of use of the warehouse structure as per the *AWN Consulting* report dated December 2022 and the Planning Authority would not require an EIAR.

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Development Contributions

New waste handling building 3,501 sq.m

Development Contributions	
Planning Reference Number	SD22A/0460
Summary of permission granted & relevant notes:	Change of use of Warehouse – (retained) 2,455 sq.m, (proposed) 41 sq.m totalling 2,486 sq.m
Are any exemptions applicable?	No
Is development commercial or residential?	Commercial
Standard rate applicable to development:	112.57
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	112.57
Area of Development (m2)	2,486
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	2,486
Total development contribution due	€279,849.02

SEA monitoring

Building Use Type Proposed: change of use from warehouse to data repository.

Floor Area: 2,486 sq.m

Land Type: Brownfield.

Site Area: 0.86ha

Conclusion

Having regard to the 'EE' zoning objective of the site and existing and proposed development in the vicinity, it is considered that the nature and scale of the proposed development should be fully clarified by *Additional Information* for the change of use from warehouse to data repository facility. The Planning Authority notes that the Government, within the published a statement titled "Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy -July 2022".

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Further Information

Further Information was requested on 17th Feb 2023

Further Information was received on 16th May 2023

Further information requested is set out under the Assessment heading below.

Consultations

Roads: Clarification of Additional Information.

Parks: Clarification of Additional Information.

Water Services: No objection, subject to conditions.

Submissions/Observations

None received for this application.

Assessment of Further Information

Item 1

The applicant is requested to provide further details on the proposed use and to specifically outline how a Data Repository Facility differs from a Data Centre. The applicant is also requested to examine section 9.3 Space Extensive Land Use as well as EDE7 objective 2 and EDE7 Objective 3 in the County Development Plan 2022-2028 and justify why these provisions that apply to Data Centres will not apply to this application for a Data Repository Facility or alternatively set out how the proposals comply with these policy provisions including revisions, as appropriate.

Assessment

The applicant outlines how a Data Repository Facility differs from a Data Centre by stating the following:

Data centres

- *Data centres are used to store and process customer data for a variety of cloud computing services such as website hosting, video streaming and storing application data.*
- *Data stored in data centres can be accessed almost instantaneously which is required for effective cloud computing. In effect, data centres are constantly live, performing a multitude of activities/actions simultaneously and facilitate the storage and processing of data.*

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Data Repository facility

- *Data Repository facility will be used to house tape media which will store and be a repository for data. Customer data will be stored on tape media within a temperature and humidity-controlled environment.*
- *The facility is specifically for data archiving of information and retrieval of data is typically occasional.*
- *Tape media data storage used for archiving is lower cost, uses less power and is more suited for data that is accessed infrequently.*
- *As a result, accessing data archived on tape can take several hours. In general, tape storage is more suited to demands which are not time sensitive. There is a limited or no processing of data. On this basis, the applicants are of the view that the use of the warehouse as a data repository facility is not a significant departure from its previous use as a warehouse storing physical goods.*

The Planning Authority deem that the applicant has clarified the proposed use of a Data Repository Facility. The applicant outlines how tape storage is more suited to demands which are not time sensitive and how it differs from a Data Centre that is constantly live, is a higher cost and uses more power. The applicant does however acknowledge that from a land use perspective; similarities between Data (or tape media) repository are considerable.

The applicant explains under section 9.3, Space Extensive Land Use, that the development footprint is small and is on par with the permitted use as a warehouse. It does not detract from the zoning objectives and does not give rise to likely significant effects on the environment. Employment levels at the facility are on a par with typical warehousing uses.

The site and its immediate surroundings have been allocated for enterprise and employment purposes under EE zoning of the Development Plan. Warehouses and storage are both authorized by this zoning. Space-intensive applications like warehousing and its reuse comply with the Development Plan's locational provisions. Assuming that both warehouse use and data repository use, which, as outlined above, could be considered a form of warehousing, and are within the zoning purpose for the region, and having regard to the Draft Ministerial Direction in the Matter of Section 31 of the Planning and Development Act 2000 (as amended) South Dublin County Development Plan 2022-2028, data centres are open for consideration within the zoning matrix.

The applicant, as outlined in **EDE7 objective 2**, shows that the proposed space-intensive enterprise is not near a high-frequency or high-capacity public transportation system and does not have any adverse environmental effects as described in the EIAR by Awn and the accompanying planning report by MacCabe Durney Barnes. The applicant states in their submission that this data repository facility requires no provision of associated new electricity grid connection infrastructure as it will utilise existing ESB networks infrastructure.

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The applicant has attached a redacted letter of connection with the ESB networks as part of Item 2 regarding ESB connection. The letter states that the applicant submitted an application for connection to ESB on July 13, 2021, and that ESB confirmed capacity was available for the proposed development in a letter to Amazon Data Services Ireland Ltd. dated April 6, 2022, which confirms connection for the site. This is considered acceptable to the Planning authority.

Item 2

The Planning Authority notes that the Government published a statement titled "Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy -July 2022". The document sets out that while fully acknowledging the vital role Data Centres play in the modern economy, in the short term, there is only limited capacity for further data centre development, as the key state bodies, regulators and the electricity sector work to upgrade our infrastructure, connect more renewable energy and ensure security of supply. The proposed is a change of use from warehouse to data repository facility indicated that the applicants have a signed connection agreement from a utility provider. The applicant is requested to submit details of the agreement to the Planning Authority to confirm the assumed energy consumption associated with the development.

Assessment

The applicant has attached a redacted letter of connection agreement with the ESB networks as noted on appendix 1 – *ESB Letter (FI Item 2) on page 11 and 12 of the Response to Request for Further Information Report*. The letter states that the applicant submitted an application for connection to ESB on July 13, 2021, and that ESB confirmed capacity was available for the proposed development in a letter to Amazon Data Services Ireland Ltd. dated April 6, 2022, which confirms connection for the site.

The applicant notes an existing connection agreement with ESB to supply power for the proposed development, with a total peak power demand of 1.3 MW. The applicants intend to negotiate a power reduction (0.4MW) to free up capacity and this is subject to planning permission. The applicants note that aligned with the government requirements 'for data centre developments that make efficient use of our electricity grid, using available and alleviating constraints'. The applicant has addressed the concerns of Item 2 and this is considered acceptable to the Planning authority.

Item 3

A significant amount of plant is indicated to serve the data repository facility. The applicant is requested to provide detailed plans, elevations and sectional drawings outlining the following:

- (i) design details what this plant tape media storage space would consist of and
- (ii) exactly how the tape media would be stored.
- (iii) What is the potential energy consumption associated with the storage used.

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Assessment

(i) The applicant refers to the design details layout of what the plant tape media storage space would consist of in drawings '*Proposed Ground Floor Plan*' under drawing no. J2139-KTA-22-XX-DR-A-2004. The ground floor area is circa 448 sqm of tape media storage in a northern compartment and a 465 sqm southern compartment. A mechanical plant and electrical room occupy with common corridors and staff facilities obtain the remaining ground floor space.

Drawing no. J2139-KTA-22-XX-DR-A-6518 Rev P1 illustrates the condenser units, emergency back-up generator, sprinkler tank and pumphouse and transformer.

(ii) According to the applicant on page 10 of the response to request for further information report, the tape media would be kept in a server rack. To allow for the circulation of personal and fire escape routes and to stop tape media degradation, the racks are temperature controlled with humidity conditions aligned in aisles within the tape media library.

(iii) Due to the infrequent retrieval of data from the tapes, the application notes that the potential energy consumption connected with the storage employed could be much lower than that of a conventional data center. This could help reduce the amount of CO2 related with data storage. The applicant refers to a study by Fuji Film & IBM titled '*Improving Information technology sustainability with modern tape storage*' and noted that the carbon emissions were reduced by 57% with electrical waste by 48%.

The applicants response has explained the data repository facility and has provided detailed plans, elevations and sectional drawings of the layout of the facility and therefore this is considered an acceptable response to Item 3.

Item 4

1. Landscape Design Proposals

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development including Landscape Design Statement/Rationale and detailed GI Plan. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:

i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.

ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.

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- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site
- v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development
- vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.

2. Ecological Impact Assessment/Ecology Report

The applicant is requested to submit Ecological Impact Assessment/Ecology Report which includes a detailed survey for the presence of invasive species within the subject site (as listed on the third schedule of the European Communities (Birds and Natural Habitats Regulations 2011). If invasive species are found to be present within the subject site that the applicant shall submit a site-specific Invasive Species Management Plan.

3. Sustainable Drainage Systems (SuDS)

(A) The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.

(B) In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.

(C) SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

(D) Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.

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(E) The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³. Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.

4. Green Infrastructure and Green Space Factor (GSF)

The applicant is requested to provide additional information as follows and in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:

(a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.

(b) To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet: Related Documents - SDCC

Assessment

The Public Realm Section recommends the following Clarification of Additional Information be provided:

Green Space Factor (GSF)

As required by GI5 Objective 4 a Green Space Factor (GSF) Worksheet shall be submitted by the applicant for the proposed development detailing how they have achieved the appropriate the minimum Green Space Factor.

In situations where the minimum score has not achieved that applicant shall engage with the Public Realm Section to determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision.

Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements (for example, for infill development or certain brownfield sites) a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council.

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1. **SUDS**

Clarify how Additional natural SUDS features will be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Removal of proposal for underground attenuation.
- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.

Clarification of additional information is requested to fill in the table below and provide clear explanations/rationale for selecting/not selecting additional natural SUDS measures:

SuDS Measures	Measures to be used on this site	Rationale for selecting/not selecting measure	Area of Feature (m2)	Attenuation volume of feature (m3)
Swales				
Integrated constructed Tree Pits				
Green/Blue Roofs (Intensive and Extensive Green Roofs)				
Filter Drain				
Permeable pavement (Grasscrete, Block paving, Porous Asphalt etc.)				
Green wall				
Filter strips				
Bio-retention systems/Raingardens				

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Blue Roofs				
Detention Basins				
Retentions basins				
Ponds				
Wetlands				

2. Green Space Factor

The applicant is required to demonstrate how they will achieve a GSF score of 0.5. The applicant is requested to engage with Laurence Colleran or Oisín Egan oegan@sdublincoco.ie in the Public Realm Section in order to discuss and agree appropriate greening and GI interventions in order to make up the shortfall.

Having regard to the concerns raised by the Public Realm Section, it is considered that **clarification of further information** should be requested so that the applicant can improve on their stated GSF score of 0.34. Clarification of further information is also required in relation to SuDs measures. As the structure is an existing warehouse building, it is considered proportionate that the applicant be given an option of reducing underground attenuation via natural SuDs measures rather than removing it.

Item 5

(i) The applicant shall submit a revised layout of not less than 1:200 scale, showing all pedestrian footpaths, walkways and crossings throughout the site with a minimum width of 2m. Dropped kerbs and tactile paving should also be clearly indicated on submitted drawings.

(ii) The applicant shall submit a revised layout of not less than 1:200 scale, showing a turning area for emergency vehicles on the access road to the north of the building.

Assessment

The Roads Department requests Clarification of Further information. Their report states:

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Applicant Submitted Response:

6.2 Applicant's Reponse

We address the points in the order they appear:

- (i) The revised layout (drawing no. J2139-KTA-22-XX-DR-A-2003 proposed site plan) submitted now shows the width of all pedestrian footpaths, walkways and crossings throughout the site. Dropped kerbs and tactile paving is also indicated. Where new elements are proposed these have been shown as 2m wide. There are a number of existing footpaths where, within the constraints of the site, it is not possible to widen these further to achieve 2m.
- (ii) Our fire consultant has calculated the required access for an emergency vehicle (pump appliance). Based on the building volume, 19,130 m³ and the height of the top storey above ground being less than 10m, vehicle access for pump appliance is required to 15% of the perimeter of the building. This equates to approximately 31m and this is provided via the secondary site access where there is a hammerhead and via the main site access where there is a turning circle. Vehicle access is therefore not required to the north of the building. The site layout drawing has been amended to note this as access for maintenance only.

Roads Department Assessment:

- (i) Roads are satisfied the requirements of AI request have been met.
- (ii) Roads see the rationale provided on behalf of applicant's fire consultant as satisfactory.
The applicant is required to submit, for verification and record purposes, the specific advice given to them by their Fire Consultant, which details why vehicle access is not required to the north of the building.

Roads recommend the Clarification of Additional Information be requested from the applicant:

1. *The applicant is required to submit, for verification and record purposes, the specific advice given to them by their Fire Consultant, which details why vehicle access is not required to the north of the building.*

If Planning wished to seek the above as a condition of planning Roads would be in agreement with this too.

Given the importance of Fire Safety within a warehouse structure of this capacity, it is deemed necessary that the advice given by the Fire Consultant, which details why vehicle access is not required to the north of the building, be submitted to the Roads Department for assessment and that this is achieved through **Clarification of Further Information**.

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Conclusion

Having regard to the 'EE' zoning objective of the site, it is considered that the concerns of the Roads Department regarding the Fire Safety requirements of the proposal and the Public Realm Section concerns regarding the applicant's biodiversity measures and achieving a Green Space Factor (GSF) score of 0.5 as required in the County Development Plan 2022-2028 should be fully addressed by Clarification of Further Information

Recommendation

Clarification of Further Information

Clarification of Further Information

Clarification of Further Information was requested on 9th June 2023

Clarification of Further Information was received on 7th July 2023

Clarification of Further information requested is set out under the Assessment heading below.

Clarification of Further Information Consultations

Roads:	No objections.
Parks:	No objection, subject to conditions.
Water Services:	No objection, subject to conditions.
Irish Water:	No objection, subject to conditions.

Assessment of Clarification of Further Information

Item 1

(i) SUDS

Clarification of additional information is requesting comprising the incorporation of some additional natural SUDS features into the proposed drainage system for the development, such as rain gardens, green walls, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Removal or reduction of underground attenuation having regard to on-site natural SUDS
- Demonstrate the treatment train and provide additional SUDS proposals with biodiversity and/or amenity value for the catchment in the residential areas.

Clarification of additional information is requested to fill in the table (provided on AI planning report) and provide clear explanations/rationale for selecting/not selecting additional natural SUDS measures.

(ii) Green Space Factor

The applicant is requested to engage with Laurence Colleran or Oisín Egan oegan@sdblincoco.ie in the Public Realm Section in order to discuss and agree appropriate greening and GI interventions in order to make up the shortfall and improve upon their stated GSF score of 0.34.

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Assessment

(i) Additional SUDS measures proposed include rain garden and additional green roof. A rain garden is proposed in the west of the site for drainage from the office roof. Green roof has been added to the existing security hut and the bin and bicycle shelter. Grasscrete has also been increased across the site where deemed appropriate. The underground attenuation storage has been reduced by 2.6%.

The applicant has also submitted a completed table providing explanations for selecting or not selecting SUDS measures. A SUDS Management Plan has also been submitted with the response. Revised site plans and drawings of the relevant buildings and structures have been submitted.

The applicant states that the existing warehouse roof is not feasible for green/blue roof due to limitations of the existing steel structure. The applicant also states that the existing admin/office roof is also not feasible due to mechanical roof plant and PV arrays.

Water Services have reviewed the information submitted and state that they have no objection subject to conditions including to provide SuDS measures such as, but not limited to, green roofs, raingarden, grasscrete and permeable paving.

(ii) A landscape response and revised landscape drawings have been submitted. Amendments made include tree and understorey planting along the north/northwest boundary, retention of trees along this boundary and shrub planting and grassed areas along the other site boundaries. GSF still below the threshold, updated score is 0.44 (increased from 0.34).

The applicant has advised that they would be receptive to a condition requiring further liaising with the Public Realm department to determine what additional measures can be provided and/or to provide additional tree planting on the roadside verge to fill any gaps that are present (outside of the site boundary).

The Public Realm Section have reviewed the information submitted. In their report the Public Realm Section state that their main concerns are the inclusion of the underground attenuation tanks and that the scheme has failed to achieve the required Green Space Factor score of 0.5 for the subject site. The removal of existing trees and the lack of implementation of natural SUDs measures are making achieving the score much more difficult.

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The Public Realm Section recommend that conditions are attached in the event of a grant of permission requiring the proposed landscape plan to be implemented in full, submission of a detailed planting plan, the provision of additional natural SUDS features and the removal of the underground attenuation, and to liaise with the Public Realm Section to determine what additional GI measures can be provided.

The additional SUDS measures proposed as part of the additional information response are welcomed. Having regard to the reports from Water Services and Public Realm Section it is considered that in the event of a grant of permission, **conditions** should be attached requiring detailed planting plan, additional natural SUDS to reduce the reliance on underground attenuation and additional GI measures.

It is therefore considered that this item has been satisfactorily addressed subject to conditions.

Item 2

(i) The applicant is required to submit, for verification and record purposes, the specific advice given to them by their Fire Consultant, which details why vehicle access is not required to the north of the building.

Assessment

The applicant has submitted a response from the Senior Fire Engineer at BB7 setting out the considerations for the omission of the vehicle access to the north.

The Roads Department is satisfied with the applicant's clarification and has no objections.

It is therefore considered that this item has been satisfactorily addressed.

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Development Contributions

Change of use from warehouse to data repository 2,486 sq.m

Planning Reference Number	SD22A/0460
Summary of permission granted & relevant notes:	Change of use of Warehouse – (retained) 2,455 sq.m, (proposed) 41 sq.m totalling 2,486 sq.m
Are any exemptions applicable?	No
Is development commercial or residential?	Commercial
Standard rate applicable to development:	112.57
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	112.57
Area of Development (m2)	2,486
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	2,486
Total development contribution due	€279,849.02

SEA monitoring

Building Use Type Proposed: Change of use from warehouse to data repository.

Floor Area: 2,486 sq.m

Land Type: Brownfield.

Site Area: 0.86ha

Conclusion

Having regard to the: the 'EE' zoning objective of the site, provisions of the South Dublin County Development Plan 2022-2028, the established character of the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

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 16th of May 2023 and Clarification of Further Information received on the 7th of July 2023, 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. Permission Granted.
Permission is hereby granted solely for the use of the development as a data repository facility, as set out in the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 16th of May 2023 and Clarification of Further Information received on the 7th of July 2023, save as may be required by the other conditions attached hereto.
REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.
3. Boundary Treatment
Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority details of any proposed boundary treatment indicating the layout, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the submitted details and maintained as approved.

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REASON: In order to ensure high quality landscaping for the boundaries of the site in the interests of visual amenity in accordance with the South Dublin County Development Plan 2022-2028.

4. Landscape Plans

The landscaping scheme agreed with the Planning Authority shall be implemented in full, within the first planting season following completion of the development, in addition:

- (a) All hard and soft landscape works shall be completed in full accordance with the submitted plans.
- (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, improve amenity and reduce the visual impact of the development, in accordance with the policies and objectives contained within the South Dublin County Development Plan 2022-2028.

5. Planting Plan

Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority a detailed Planting plan. This planting plan shall include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period and shall also clearly setting out the following:

- (i) Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate
- (ii) Implementation timetables.
- (iii) Detailed proposals for the future maintenance/management of all landscaped areas

REASON: In the interests of biodiversity, amenity, compliance with the South Dublin County Development Plan 2022-2028, the provision, establishment and maintenance of a reasonable standard of landscape and the proper planning and sustainable development of the area.

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6. Sustainable Urban Drainage (SUDS)
Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority a Site Layout and Drainage Plan demonstrating the provision of additional natural SUDS features as part of the drainage system for the development such as green/blue roofs, rain gardens, detention basins, filter drains, swales, permeable paving, grasscrete, tree pits etc. In addition, the applicant shall provide the following:
 - Removal/reduction of underground attenuation where possible.
 - Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.
 - Submit construction details in plan and cross sectional and details of gradients/side slopes of proposed Sustainable Drainage Systems (SuDS) features for the development.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with the policies and objectives of the South Dublin County Development Plan 2022-2028.
7. Green Space Factor
Prior to the commencement of development, the applicant/developer shall liaise with South Dublin County Council's Public Realm section to determine what additional Green Infrastructure measures can be provided. Following this and prior to the commencement of development, the applicant shall submit these details for the written agreement of the Planning Authority.
REASON: Ensuring that new development meets minimum standards for the provision of GI, in accordance with policy GI5 Objective 4 and other relevant policies of the South Dublin County Development Plan 2022-2028.
8. Roads & Parking
 - (a) Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority revised plans showing at least 4 no. car parking spaces provided with electric vehicle charging and the remainder of the car parking spaces constructed to be capable of accommodating future charging points.
 - (b) Prior to commencement of development, the applicant shall submit a final detailed Construction Traffic Management Plan to be prepared by the appointed works contractor for the written agreement of the Planning Authority.
 - (c) 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.

REASON: To ensure compliance with the South Dublin County Development Plan 2022-2028 and in the interest of sustainable transport.

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9. 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.

10. Water & 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.

11. Glint/Glare Assessment regarding Aviation.

Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority:

(a) Written confirmation that the applicant has forwarded a Glint and Glare Assessment which considers the predicted effect of the proposed solar panels on sensitive aircraft receptors of the proposed development to the Irish Aviation Authority/Department of Defence or relevant airport authority.

(b) The written agreement of the Irish Aviation Authority/Department of Defence or relevant airport authority, which states that:

(i) The proposed construction works - inclusive of cranes - will not affect the safety, efficiency or regularity of aircraft generally and/or of Air Corps operations.

(ii) The proposed development - inclusive of the solar panels - will not affect the safety, efficiency or regularity of aviation operations or the emergency services (e.g. Coast Guard helicopters) operated in the vicinity of Tallaght Hospital.

REASON: In the interests of public safety, protecting the environment and in the interests of the amenities of the area.

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 or agreed in writing by the Planning Authority prior to the commencement of development.

REASON: To protect the visual amenities of the area.

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13. 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.

14. Construction and Demolition Resource Waste Management Plan

Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

REASON: In the interest of proper planning and sustainable development.

15. 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.

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.

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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.

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 €279, 849.02 (Two hundred seventy-nine thousand eight hundred forty-nine euros and two 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.

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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.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD22A/0460

LOCATION: Unit 1, M50 Business Park, Ballymount Avenue, Dublin 12



**Deirdre Kirwan,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 03 August 2023



**Mick Mulhern, Director of Land
Use, Planning & Transportation**