

Submission on the Material Amendments to the Draft South Dublin County Development Plan

2022-2028



To: Senior Executive Officer,
Forward Planning Section, Land
Use Planning & Transportation
Department, County Hall, Tallaght,
Dublin 24.

26th April 2022



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On Behalf of

K2 Data Centres

1.0 INTRODUCTION

- 1.1 On behalf of our client, K2 Data Centres, registered as K2 Strategic Infrastructure Ireland Limited, 6th Floor, Riverpoint, Lower Mallow Street, Limerick V94 WC6A, Co Reg No.: 63977,, we, John Spain Associates, 39 Fitzwilliam Place, Dublin 2, wish to make a submission on the Material Amendments to the Draft South Dublin County Development Plan 2022-2028.
- 1.2 Our client welcomes the opportunity to participate in the plan-making process for the new South Dublin County Development Plan.
- 1.3 Our client is the owner of lands at Citywest Business Campus, Naas Road, Dublin 24, which is subject to an extant planning permission for data centre development. Our client's landholding is located to the south of Kingswood Drive and to the east of Kingswood Road within an area of existing commercial / logistics / light industrial development at Citywest Business Campus.
- 1.4 The lands in our client's ownership are zoned Objective EE under the current County Development Plan 2016-2022, and the lands retain this zoning under the Draft County Development Plan 2022-2028 and the Material Amendments thereto.
- 1.5 Further details in relation to the lands in our client's ownership which are subject to an extant permission for data centre development are provided in Appendix 1 of this submission.
- 1.6 The current submission relates primarily to **Material Amendment No. 13.3** (and refers also to **Material Amendment Nos. 13.1 and 13.2**).
- 1.7 Our client currently owns and operates existing data centre developments in County Dublin (located at Ballycoolin), representing significant investment in the community and resulting in significant and positive direct and indirect economic effects. Our client is committed to continuing investment in Dublin, including within the South Dublin area.

Key Grounds of Submission

- 1.8 The key grounds of submission set out hereinafter can be summarised as follows:
 - As set out in further detail below, the above-referenced landholding is currently subject to an Objective EE zoning under the current County Development Plan 2016-22, with a stated objective to "provide for enterprise and employment related uses".
 - This zoning remains unchanged for our client's landholding at Citywest under the Material Amendments to the Draft Development Plan 2022-2028, with the lands retaining the Objective EE zoning.
 - As set out in Appendix 1, the subject lands benefit from an extant planning permission for data centre development, and as set out in further detail below, the permissibility of data centre development on EE zoned lands, and the suitability of such lands for data centre development is well established in the county.
 - It is noted that 'Data Centre' has been introduced as a separate 'sui generis' use class under the Draft Plan, which had originally been listed as an 'Open for Consideration' use under the Draft Plan for lands subject to the Objective EE zoning.
 - However, the Material Amendments to the Draft Plan propose an alteration to the EE zoning objective (along with the REGEN and MRC zoning objectives), to omit Data Centre use from the list of 'Open for Consideration' uses under this objective, and instead to place Data Centre use under the 'Not Permitted' uses under the EE zoning objective (and the REGEN and MRC zoning objectives).
 - These proposed amendments would serve to render Data Centre development a 'Not Permitted' use throughout the county, and could prejudice the delivery of future data centre development, while also rendering permitted and existing data centre development a 'non-conforming' use wherever it is located in the county.
 - It is submitted that the Material Amendment to the Draft Plan (Amendment No. 13.3) which designates Data Centre use a 'Not Permitted' use under the EE zoning should be omitted, with Data Centre use to remain an 'Open for Consideration' use under the EE zoning objective. A similar

approach should be considered in relation to the REGEN and MRC zoning objectives also (Amendment Nos. 13.1 and 13.2 respectively).

- Section 12 of the Planning and Development Act 2000, as amended, sets out the statutory provisions and obligations relevant to the making of a new Development Plan. Under section 12(18) of the Act, the statutory obligations of the Planning Authority are specifically stated to include an obligation to ensure the Development Plan is consistent with the national and regional policy objectives of the NPF and the relevant RSES, along with the SPPRs of section 28 Guidelines issued by the minister.
- It is submitted that the requested change to the Material Amendments is required in order to avoid bringing the new Development Plan into conflict with national and regional policy objectives of the National Planning Framework and the Regional Spatial and Economic Strategy for the EMRA (as set out in Section 3 below), thereby representing a breach of the statutory obligations of the Planning Authority as set out under the Act.
- The inclusion of Amendment No. 13.3 would result in a significant extent of existing and permitted data centre development in the county being rendered a 'non-conforming' use, potentially resulting in significant difficulty in the delivery, operation, and evolution of data centre developments, which represent a significant area of investment, economic growth, and employment growth in the county and the State.

- 1.9 The relevant content of the Draft Plan and Material Amendments as they relate to the grounds of submission is outlined in Section 2 and the suggested amendments and grounds of submission supporting the suggested amendments are provided in Section 3 of this document.

2.0 REVIEW OF THE DRAFT COUNTY DEVELOPMENT PLAN AND PROPOSED MATERIAL AMENDMENTS

Zoning

- 2.1 The lands in our client's ownership at Citywest Business Campus remain zoned objective EE under the draft Plan, with a stated objective to "provide for enterprise and employment related uses".
- 2.2 The Draft Development Plan defined 'Data Centre' as a new *sui generis* use. Under the Draft Plan as originally published by the Planning Authority, Data Centre use was listed as an 'Open for Consideration' use under the EE, MRC, and REGEN zoning objectives, and was listed as a 'Not Permitted' use under all other zoning objectives.
- 2.3 However, the Material Amendments to the Draft Plan (which are the subject of the current submission) included three amendments of relevance to the aforementioned zoning objectives. Material Amendment numbers **13.1**, **13.2**, and **13.3** relate to the REGEN, MRC, and EE zoning objectives respectively, and have the effect of deleting or omitting 'Data Centre' use from the list of 'Open for Consideration' uses under each of these zonings, and instead listing 'Data Centre' use as a 'Not Permitted' use under these zoning objectives.
- 2.4 The cumulative result of these proposed amendments (should they be adopted in the new Plan) would be to render 'Data Centre' use a 'Not Permitted' use under each of the zoning objectives within the new County Development Plan. As set out in further detail below, our client has a significant concern that these proposed amendments (and in particular Amendment No. 13.3 relating to the EE zoning) would prejudice the delivery of significant investment in the county in the form of planned data centre development, which in turn helps support investment by the County Council in other much needed services.
- 2.5 Material Amendment No. 9.5 introduces a further amendment relevant to data centre development, by amending EDE7 Objective 2 as set out below (added text in green, and omitted text in red and struck through):

To require that space extensive enterprises demonstrate the following:

- *The appropriateness of the site for the proposed use having regard to EDE7 Objective 1;*
- *Strong energy efficiency measures to reduce their carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation;*

- 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);
- Sufficient capacity within the relevant water **and**, wastewater **and** electricity networks to accommodate the use proposed;
- Measures to support the just transition to a circular economy;
- Measures to facilitate district heating or heat networks where excess heat is produced;
- A high-quality design approach to buildings which reduces the massing and visual impact;
- A comprehensive understanding of employment once operational;
- A comprehensive understanding of levels of traffic to and from the site at construction and operation stage;
- Provide evidence of sign up to the Climate Neutral Data Centre Pact.

Other Relevant Policies and Objectives

- 2.6 The following objectives were included in the Draft Plan, and are not subject to any identified change under the published Material Amendments to the Draft Plan.
- 2.7 EDE7 Objective 1 is “To ensure that, insofar as possible, space extensive enterprise is located on lands which are outside the M50 and which do not compromise labor intensive opportunity on zoned lands adjacent to public transport.”
- 2.8 EDE7 Objective 3 is “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.”
- 2.9 The next section of this submission details the grounds of submission, along with the requested changes to the published Material Amendments to the Draft Plan.

3.0 GROUNDS OF SUBMISSION

3.1 This section of the current submission sets out amendments which are respectfully requested to the Draft Development Plan.

Proposed Amendment No. 13.3

- 3.2 As set out in detail below, Material Amendment No. 13.3 (which seeks to omit ‘Data Centre’ use from the list of ‘Open for Consideration’ uses under the EE zoning objective, and instead list ‘Data Centre’ use as a ‘Not Permitted’ use under this zoning objective) is contrary to the provisions of national and regional planning policy, government policy, and the applicable provisions of the Planning and Development Act 2000 (as amended) pertaining to the making of Development Plans.
- 3.3 Amendment No. 13.3 should therefore be omitted, and the new South Dublin County Development Plan should be made or adopted without Material Amendment No. 13.3.
- 3.4 Furthermore, consideration should be given to the omission of Material Amendment Nos. 13.1 and 13.2, which have the same effect as Amendment 13.3 in relation to the REGEN and MRC zoning objectives.
- 3.5 Were the Plan to be adopted with the above-mentioned Material Amendments included, it is submitted that the Plan would be in direct conflict with national and regional planning policy, government policy, and in turn the provisions of the Planning and Development Act 2000, as amended.

Rationale for the Requested Amendment

Statutory Obligations of the Planning Authority and Elected Members in Preparing the new County Development Plan

3.6 Section 12 of the Planning and Development Act 2000, as amended sets out the statutory provisions and obligations relevant to the making of a new Development Plan.

3.7 Section 12(11) of the Act states the following:

“(11) In making the development plan under subsection (6) or (10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the **statutory obligations** of any local authority in the area **and any relevant policies or objectives for the time being of the Government or any Minister of the Government.**” (emphasis added)

3.8 Under section 12(18) of the Act, the ‘statutory obligations’ of the Planning Authority are specifically stated to include an obligation to ensure the Development Plan is consistent with the national and regional policy objectives of the NPF and the relevant RSES, along with the SPPRs of section 28 Guidelines issued by the minister.

3.9 Section 12(18) states the following:

“In this section ‘statutory obligations’ includes, in relation to a local authority, the obligation to ensure that the development plan is consistent with —

(a) the national and regional development objectives specified in —

- (i) the National Planning Framework, and
- (ii) the regional spatial and economic strategy,

and

(b) specific planning policy requirements specified in guidelines under subsection (1) of section 28 .”

3.10 As will be set out below, the proposed Material Amendment No. 13.3 (and consequently 13.1 and 13.2) directly conflict the with national and regional policy objectives of the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midlands Regional Assembly (EMRA). Furthermore, the proposed amendments are contrary to the policies of the Government Statement on the Role of Data Centres in Ireland’s Enterprise Strategy 2018.

3.11 On this basis it is submitted that these Material Amendments, if adopted by the Planning Authority when making the Development Plan, would be contrary to the statutory obligations of the Planning Authority as prescribed under the Act and set out above.

3.12 On this basis it is respectfully submitted that Material Amendment No. 13.3 should be omitted, and the Plan should be made without that Material Amendment. Consideration should be given to similarly omitting Material Amendment Nos. 13.1 and 13.2.

Direct Conflict with National and Regional Planning Policy

3.13 The following sets out the key national policy objective (NPO) of the NPF which the proposed Material Amendments directly conflict with. The direct conflict of the Material Amendments with one of the Regional Policy Objectives of the RSES for the EMRA is also established, along with an account of how the proposed amendments directly conflict with Government policy on data centre development in the state.

3.14 As stated previously, the national and regional planning policy context provided within the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly (RSES for the EMRA) provide unequivocal support for the delivery of data centre development in Ireland and within the Eastern and Midlands Region.

The National Planning Framework 2018

3.15 The National Planning Framework was published in February 2018 and contains policies which are supportive of the development of ICT infrastructure, with particular reference made to ‘data centres’.

- 3.16 National Policy Objective 74 of the NPF is as follows:
- “Secure the alignment of the National Planning Framework and the National Development Plan through delivery of the National Strategic Outcomes.”*
- 3.17 National Strategic Outcome 6 of the NPF relates to the creation of “A Strong Economy Supported by Enterprise, Innovation and Skills”. This strategic outcome is underpinned by a range of objectives relating to job creation and the fostering of enterprise and innovation.
- 3.18 The following objective, relating to ICT infrastructure (including datacentres) is included under National Strategic Outcome 6:
- “Promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.”*
- 3.19 The NPF further states under National Strategic Outcome 6:
- “Ireland is very attractive in terms of international digital connectivity, climatic factors and current and future renewable energy sources for the development of international digital infrastructures, such as **data centres**. This sector underpins Ireland’s international position as a location for ICT and creates added benefits in relation to establishing a threshold of demand for sustained development of renewable energy sources.”*
- 3.20 Having regard to the above, the National Planning Framework expressly requires the promotion and delivery of the National Strategic Outcomes of the Framework. One of these National Strategic Outcomes in turn requires the promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres.
- 3.21 By rendering ‘Data Centre’ use a ‘Not Permitted’ use under the EE zoning objective, proposed amendment No. 13.3 (and similarly Nos. 13.1 and 13.2 in relation to the REGEN and MRC zonings) would prejudice the delivery of data centre development in the county, directly contrary to a NPO of the NPF.
- 3.22 The omission of Material Amendment No. 13.3 when adopting / making the new County Development Plan would avoid this direct conflict with the provisions of the NPF.
- The Regional Spatial and Economic Strategy for the Eastern and Midlands Regional Assembly 2019
- 3.23 Within the RSES for the EMRA, Regional Policy Objective (RPO) 8.25 states the following:
- “Local Authorities shall:*
- *Support and facilitate delivery of the National Broadband Plan.*
 - *Facilitate enhanced international fibre communications links, including full interconnection between the fibre networks in Northern Ireland and the Republic of Ireland.*
 - *Promote and facilitate the sustainable development of a high-quality ICT network throughout the Region in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas.*
 - *Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as **data centres** and associated economic activities at appropriate locations.*
 - *Promote Dublin as a demonstrator of 5G information and communication technology.”*
- 3.24 Thus, the RSES for the EMRA also requires, under one of its Regional Policy Objectives, that the delivery of data centre development is supported as per the National Policy Objective of the NPF.
- 3.25 Therefore, by rendering ‘Data Centre’ use a ‘Not Permitted’ use under the EE zoning objective, proposed amendment No. 13.3 (and similarly Nos. 13.1 and 13.2 in relation to the REGEN and MRC zonings) would prejudice the delivery of data centre development in the county, and would also be directly contrary to a RPO of the RSES for the EMRA.
- Government Policy on Data Centre Development
- 3.26 The Government Statement on The Role of Data Centres in Ireland’s Enterprise Strategy was published by the Government of Ireland in 2018. The statement followed on from a commitment made in October 2017, whereby the Government agreed to a strengthened Strategic Policy Framework for the continued development of data centres in Ireland, as part of objectives for wider economic growth and regional development.
- 3.27 The statement sets out the following introductory context in relation to data centre development in Ireland:
- “This statement outlines the role data centres play in Ireland’s ambition to be a digital economy hot-spot in Europe. Ireland currently hosts several global players in the ICT sector and boasts a strong cadre of technology-rich Irish owned enterprises. The evidence speaks for itself with 16 of the top 20 software companies, 9 of the top 10 US ICT companies, the top 10 ‘born on the web companies’, and 4 of the top 5 IT services companies based here. Data centres are central to the digital economy. Data centre presence in Ireland raises its visibility internationally as a technology-rich, innovative economy. In turn, this places Ireland on the map as a location of choice for a range of sectors and activities that are increasingly reliant on digital capabilities including manufacturing, financial services, animation, retail and global business services.*
- Data centres directly contribute to job creation and they also generate significant added economic benefit by providing a range of services to other firms that undertake production, research and development, marketing, sales, service, and support activities in locations with no physical/geographic connection to the data centre.”*
- 3.28 The statement goes on to state the following:
- “Data centres are central to the digital economy. They generate added economic benefit across the value chain. Data centres provide remote support functions for other firms which themselves undertake production, research and development, marketing, sales, service, and support activities in locations with no physical/geographic connection to the data centre.*
- Perhaps less well known, is that centres facilitate many other sectors across the economy by enabling data storage, e-payments, securities transactions, banking, fraud protection, cloud telephony, inbound and outbound Intellectual Property (IP) traffic, and disaster recovery services yielding productivity benefits to their users, all the way to those users’ customers. The fact that Ireland has become a leading European destination for data centres demonstrates that we are achieving our national enterprise policy objectives. Ireland’s ability to attract the next wave of data centre investments will send a strong signal that Ireland remains an open, competitive, globally attractive and innovative economy.”*
- 3.29 The statement recognises that “Project Ireland 2040 (National Planning Framework and National Development Plan 2018-2027) includes an objective for the promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.”
- 3.30 Furthermore (and of particular relevance to the current submission) the following is set out within the Government statement:
- *“The strategic importance of data centres is reflected in the thematic infrastructure priorities in Project Ireland 2040, which embeds policy support for data centres into the planning policy hierarchy.*
 - *Regional level plans (Regional Spatial and Economic Strategies) must be consistent with Project Ireland 2040 and, **in turn, local development plans must be consistent with regional plans.**”*
- 3.31 The statement concludes as follows:
- “Ireland continues to enhance the business environment to ensure its attractiveness as business needs evolve. The Government reaffirms support for the development of enabling technology and infrastructure to meet enterprise, economic and social policy goals.*

We acknowledge the need for social acceptance of large data centre developments. The planning process provides the necessary framework for ensuring that all necessary standards are met and that comprehensive statutory and non-statutory consultation is built into the process.

The Government endorses, supports and promotes the appropriate and timely delivery of data centres across the regions. It reaffirms that it is Government policy and in the national interest, that these developments are delivered in the most efficient and timely way possible, based on the best available knowledge and informed engagement on their impacts.

The policy responses summarised above will help ensure that Ireland continues to achieve its national enterprise policy objectives, mindful of the strategic issues that come with developments in the area, while ensuring that our sustainability goals are also reached.”

- 3.32 The foregoing extracts from the Government strategy on data centres clearly identify the support for their delivery, while also reiterating and highlighting the fact that the delivery of data centres is strongly supported in national and regional policy (the NPF and RSES). Furthermore, in this regard the Government statement clearly reinforces the assertions made previously in this submission, that the preparation of County Development Plans must be consistent with regional plans, which must in turn be consistent with the NPF as their policies relate to data centre development.
- 3.33 As has already been established above, the proposed Material Amendments to the Draft South Dublin County Development Plan currently are not consistent with national or regional policy on data centre development, and consequently the Material Amendments are also considered to be contrary to the provisions of the Government Statement on The Role of Data Centres in Ireland’s Enterprise Strategy.
- 3.34 In turn, as set out previously, the inconsistency of the proposed Material Amendment No. 13.3 (and similarly 13.1 and 13.2) with a NPO of the NPF, a RPO of the RSES for the EMRA, and finally with Government Policy serves to render these amendments contrary to the provisions of Section 12 of the Planning and Development Act 2000, as amended.
- 3.35 Therefore, to avoid such a conflict and inconsistency with the relevant legislation and policy, it is respectfully submitted that proposed Material Amendment No. 13.3 in relation to the permissibility of ‘Data Centre’ development under the EE zoning objective should be omitted, and that the new South Dublin County Development Plan 2022-2028 should be made without that amendment. Consideration should similarly be given to omitting Material Amendment Nos. 13.1 and 13.2.
- 3.36 It should be noted that such a change would result in data centre use remaining an ‘open for consideration’ use under the relevant zonings, as it was under the Draft Development Plan prior to the Material Amendments. The Planning Authority would therefore consider each application for data centre development on a case-by-case basis, in line with the other policy parameters set out within the new Development Plan, and national and regional planning policy.
- 3.37 While the recent commentary in relation to the capacity of the national transmission grid to sustain continued data centre development is noted, it is submitted that current constraints in terms of electricity supply should not influence the policies of the Development Plan in relation to Data Centre development, in order to avoid prejudicing such development over the longer term (including development which may already be serviced or serviceable in terms of electricity supply at present) and to avoid bringing the new Development Plan into conflict with national and regional planning policy and Government policy.

Planning Precedents and Planning History

- 3.38 As set out within Appendix 1 of this submission, in the context of the site under our client’s control, there is an established pattern of planning precedent and planning history which highlights the suitability of EE zoned lands in the county for data centre development. This established approach to the assessment of data centre development proposals on EE zoned lands is consistent with other locations in the county, including at locations such as Grange Castle, Tallaght, and Clondalkin, where a range of data centre developments have been permitted and delivered on lands zoned Objective EE.

3.39 The Planning Authority have consistently previously noted that the provision of data centre development on EE zoned lands would be in accordance with the EE zoning objective at a range of locations across the county (including at the subject site under Reg. Ref.: SD18A/0301). It is respectfully submitted that the new Development Plan should follow the same established approach to this nature of use on EE zoned lands, by recognising the newly defined ‘data centre’ use class as an ‘Open for Consideration’ use under the zoning matrix for EE zoned lands, as set out above.

3.40 It is noted that other Planning Authorities have taken such an approach when defining data centre use as a new *sui generis* use class as part of the review of their Development Plans. For example, Meath County Council have recognised Data Centre development as a ‘Permitted Use’ under the E1 and E2 zoning objectives within their new 2021-2027 County Development Plan¹. These zoning objectives within the Meath County Development Plan are the closest equivalents to the EE zoning within the draft South Dublin County Development Plan. The approach reflected in the new Meath County Development Plan 2021-2027 recognises the permissibility of data centre development under the E1 and E2 zonings to date, notwithstanding the absence of a separate use class for this nature of development under the previous 2013-2019 Development Plan.

3.41 It is respectfully submitted, on the basis of the foregoing, that the zoning matrix for the EE zoning objective should be amended as set out above, to provide for ‘Data Centre’ as an ‘Open for Consideration’ use class.

4.0 CONCLUSION

4.1 Our client, K2 Data Centres welcomes the opportunity to make this submission on the Material Amendments stage of the preparation of a new South Dublin County Development Plan. However, as set out above, our client has significant concerns that the Material Amendments as currently set out (if adopted) would result in a direct conflict between the new Development Plan and national and regional planning policy, government policy, and the legislation governing the preparation of new Development Plans.

4.2 For this reason, it is respectfully requested that proposed Material Amendment No. 13.3 in relation to the permissibility of ‘Data Centre’ development under the EE zoning objective be omitted, and that the new South Dublin County Development Plan 2022-2028 should be made without that amendment. Consideration should similarly be given to omitting Material Amendment Nos. 13.1 and 13.2.

4.3 We trust that the Planning Authority have regard to the points raised in this submission and take the appropriate action to ensure the new Development Plan fully aligns with the NPOs of the NPF, RPOs of the RSES, Government policy, and the requirements of the Planning and Development Act.

Yours Sincerely,


John Spain Associates

¹ Chapter 11 of the new County Development Plan refers: <https://consult.meath.ie/en/consultation/meath-adopted-county-development-plan/chapter/11-development-management-standards-and-land-use-zoning-objectives>

Appendix 1: Location and Planning History of Subject Lands

Site Location

The site in our client's ownership is located to the south of Kingswood Drive and to the east of Kingswood Road within an area of existing commercial / logistics / light industrial development at Citywest Business Campus. To the south of the subject site is an existing commercial unit, while the lands to the east are undeveloped and are traversed by a watercourse. The site itself is greenfield in nature, with hedgerows along the eastern and southern boundaries.

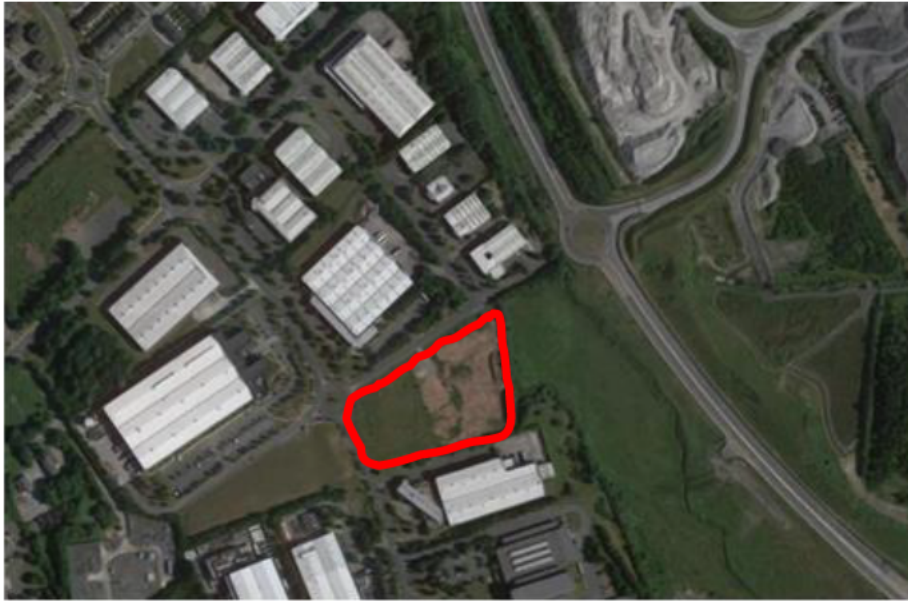


Figure A1: Location of the subject site

Extant Data Centre Planning Permission

A planning application was lodged to South Dublin County Council on the 24th of August 2018 (under Reg. Ref.: SD18A/0301) for a development comprising the following:

“Construction of a 2 storey data centre (including associated office space) of 10,622sq.m, associated generators, sprinkler tank and sprinkler pump, and 10kV electricity substation. The proposed development also provides for associated plant at roof level, all associated site development works, landscaping, car parking, and 2 vehicular entrances off Kingswood Drive and Kingswood Road, all on a site area of 1.9ha.”

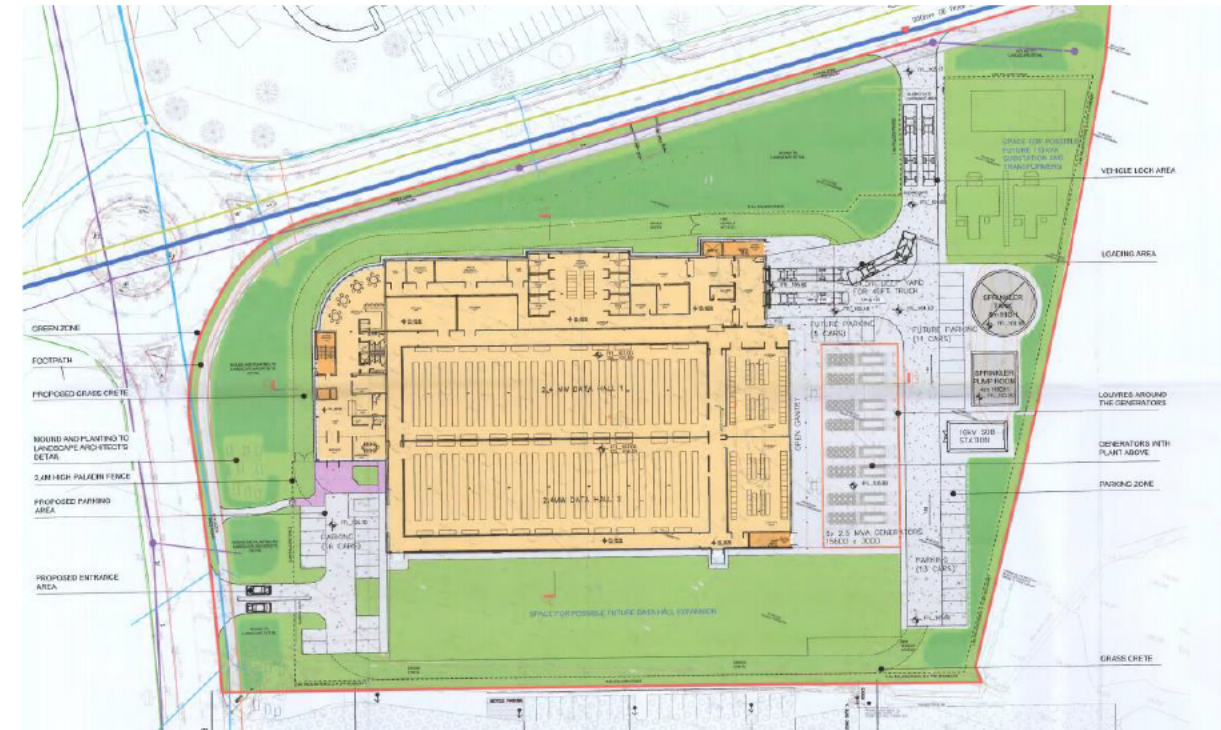


Figure A2: Extract from site layout plan submitted with the application

Having considered the plans and particulars submitted, the Planning Authority sought further information on the proposal, in a decision dated 16th October 2018, relating to 6 items which can be summarised as follows:

- Submission of a design statement as the development exceeded 1000 sq.m of floorspace.
- Submission of 3D photomontages / imagery.
- Details of staff numbers, inclusion of cycle parking, and widening of footpaths along the site frontage.
- Submission of a report to address issues raised by the Heritage Officer pertaining to ecology on site.
- A landscape design rationale and proposals were requested.
- An ecology assessment report was requested.
- Submission of an AA Screening Report was requested, to enable the Planning Authority to carry out a screening exercise.

The applicant submitted a response to the request for further information on the 23rd of November 2018. The details submitted included further details on site services, architectural design statement, landscape architecture proposals, and ecological reports.

The further information submitted addressed the requirements of the Planning Authority, including the concerns previously expressed by the Heritage Officer and the Planning Authority issued a notification of decision to grant permission on the 18th of December 2018.

Following the decision to grant permission by the Planning Authority no first or third party appeals were lodged, and a final grant of permission was issued by the Planning Authority on the 4th of February 2019.

The final grant of permission was subject to 14 no. conditions in total.

The Planning Authority's Chief Executives Order / Planners Report noted that the proposal accorded with the zoning for the subject site and that it would be generally consistent with the enterprise and employment policies of the Development Plan.

The permitted development under Reg. Ref.: SD18A/0301 clearly establishes the suitability of the subject site for the delivery of a data centre development, along with associated infrastructure and ancillary structures.

Following the submission of Further Information, the Planning Authority were satisfied that the proposals were in accordance with the proper planning and sustainable development of the area.

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26th April 2022