

DEPUTY PLANNING OFFICER

APPLICATION NO. 3288/16  
PROPOSAL The development will comprise amendments to a previously issued Planning Permission (Reg. Ref. No. 3874/15), including:  
(1) The construction of a new two storey substation building, area 690 sq.M;  
(2) The addition of a transformer bay and associated fire wall to the transformer compound and reorientation of the compound on a north-south axis;  
(3) The enlargement of the single storey client control building by 30 sq. m and its relocation to the north end of the compound;  
(4) The consequent rearrangement of the compound access road and fencing; the combined gross floor area of all additional proposed buildings is 720 sq. m.

LOCATION Former Diamond Innovations site (Unit 1C), Clonshaugh Business & Technology Park, Dublin 17

APPLICANT Amazon Data Services Ireland Ltd, ADSIL

DATE LODGED 07-Jul-2016

ZONING ,

APPLICATION TYPE Permission

**DM/NC**

**12/08/2016**

**Date of Site Inspection:** 10/8/16

**Site Notices:** in order.

**Pre Planning Meeting**

None recorded

**Zoning**

The subject site would be located in an area zoned Z6 in the 2011-2017 Dublin City Development Plan, with the objective '*To provide for the creation and protection of enterprise and facilitate opportunities for employment creation.*'

**Site Description**

The subject site is located in Clonshaugh Business and Technology Park. It is located in the north western segment of the business park adjacent to the M1 motorway.

The site was previously occupied by the now decommissioned and demolished GE Superabrasive facility. The phase 1 datahall building as permitted under Reg. Ref. 3874/15 is now under construction.

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## Proposed Development

Amendments to a previously issued Planning Permission (Reg. Ref. No. 3874/15), including:

- The construction of a new c. 11.2m high 2-storey substation building (690 sqm);
- The addition of a transformer bay and associated fire wall to the transformer compound and reorientation of the compound on a north-south axis;
- The enlargement of the single storey c.4.4m high client control building by 30 sq. m and its relocation to the north end of the compound;
- The consequent rearrangement of the compound access road and fencing; the combined gross floor area of all additional proposed buildings is 720 sq

## Site Planning History

<u>Reg. Ref.</u>	<u>Decision/Description</u>
3874/15	PP GRANTED to Construct a new two storey 16,700sqm building for use as electrical rooms for electronic operations. (DUB054
3634/15	PP GRANTED to the demolition of the existing industrial buildings and ancillary structures on the site. The total floor area of buildings proposed to be demolished is 16,500sq.m.
1430/07	Removal of existing car park (285 spaces) to right hand side and extension of existing car park (20 spaces) to provide 180 car parking spaces to front of existing industrial Unit 1C Townland of Willsborough

## Observations

Prescribed Bodies: None

Third Parties: None

## Interdepartmental Report

Drainage Division: No objection subject to conditions.

## Planning Assessment

### *Design & Integration*

The subject proposal will be located in the north eastern spur of the parent site DUB054. The various proposed structures within the realigned compound area will be read against the backdrop of the existing estate structures and existing mature boundary planting and overall will have a minimal impact on the visual amenities of the surrounding areas. Finishes are to match the datahall now under construction.

It is noted that an attenuation pond as been added to the site layout north of the location of the proposed structures.

### *Amenity Impacts*

It had been previously noted that it was not considered that the proposed development of the main datahall structure and associated structures due to their heights and/or relative distance to adjoining 3rd party boundaries would unduly obstruct access to daylight or sunlight to adjoining developments existing or potential. Likewise it is considered that the subject proposal will have limited impacts on existing adjoining amenity.

### *Appropriate Assessment*

Under Article 6 (3) of the EU Habitats Directive and Regulation 30 of SI no. 94/1997 “European Communities (Natural Habitats) Regulations (1997)” any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177 (U) of the Planning and Development Acts (2000- 2010).

A screening statement for Appropriate Assessment has not been submitted with the subject proposal. One however was submitted for the previous application on site for the demolition of the existing industrial buildings and ancillary structures on the site which concluded that as per the information submitted on their *Screening Assessment Matrix* and *No Significant Effects Matrix*, that no significant effects would be experienced on any Natura 2000 site from this project involving the demolition of the buildings at DUB54 (Reg. Ref. 3634/15 refers). A waste management plan was also submitted with the demolition application and the EPA who had examined the existing site as part of the decommissioning process for the previous operation were noted as having stated that the site did not present any environmental risks.

As noted in the previous AA screening report 14no. Natura 2000 sites exist within 15km of the proposed development or have a hydrological linkage of 25km or less. No Natura 2000 site is located on site or adjacent to the site – with the two closest sites being North Dublin Bay SAC and North Bull Island SPA. It was noted that there are no open water courses on the site - with the Santry River located 300m away to the south. It was stated that the site is known to drain into the local sewerage network and not any drainage channels or rivers and as before it is noted that therefore no transmission pathway exists. While the previous AA screening report did not overtly identify the subject proposal as part of cumulative impacts, it is considered that the subject proposal will likewise have no significant impacts on Natura 2000 sites within 15km of the site on its own or cumulatively. It is therefore considered that an Appropriate Assessment (Phase 2) is not required for the subject site.

### *EIS/EIA screening*

The applicant had also previously submitted a screening for an Environmental Impact Assessment of the proposal including outline assessments of likely significant impacts on relevant environmental factors during construction and operational phases of the development. It is agreed in this instance that the proposal cumulatively with the permitted developments still represents a sub-threshold form of development as per the mandatory categories of development that are set out in Schedule 5 of the P&D Regulations 2001(as amended.) and that the tests set out in Schedule 7 of the P&D Regulations 2001(as amended) for sub-threshold development do not apply to this proposal considering the nature and location of the development, and also noting the limited intensification of development proposed from what was previously permitted on site. As such it is not recommended that a full EIS be sought in this instance.

### Conclusion:

#### **Recommendation**

Having regard to the zoning provisions of the current Development Plan, it is considered that the proposed development, would not injure the amenity of property in the vicinity, and subject to compliance with the conditions set out below it is considered that the proposed development accords with both the City Development Plan and the proper planning and sustainable development of the area.

It is recommended that planning permission be **granted** subject to the following conditions.

#### **Conditions:**

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The developer shall pay the sum of €50,443.20 to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority as provided for in the approved Section 48 (Planning and Development Act 2000 as amended) Contribution scheme for Dublin City Council.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. The development shall comply with the conditions attached to Reg. Ref. 3874/15 as amended by details and conditions attached to the subject permission.

Reason: In the interests of orderly development

4. No additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant other than those shown on the drawings hereby approved, unless authorised by a prior grant of Planning Permission.

Reason: To safeguard the amenities of surrounding occupiers and the visual amenities of the area in general.

5. Development shall not commence until a landscape scheme prepared by a suitably qualified person comprising full details of the size, species and location of all trees and shrubs to be planted and the treatment of all external ground surfaces, has been submitted to and agreed in writing by the Planning Authority and implemented in the first planting season following completion of the development, and any trees and shrubs which die or are removed within 3 years of planting shall be replaced in the following planting season. (The landscaping scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, available from the Parks and Landscape Services Division).

Reason: In the interests of amenity, ecology and sustainable development.

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6. The requirements of DCC's Drainage Division shall be undertaken as follows:

a) The development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).

b) All drainage works as outlined in the document titled 'DUB 54 Data Centre, Clonshaugh Business & Technology Park, Clonshaugh, Dublin 17' revised June 2016 by consultants Aecom shall be implemented as part of this development.

c) A connection from this development to the public Surface Water sewer network will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled all the planning requirements including the payment of any financial levies. All expense associated with carrying out the connection work are the responsibility of the developer. Developers are not permitted to connect to the public drainage network system without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense. A licence will be required from the Drainage Division to allow the connection work to be carried out. Permission of the Roads Dept must also be obtained for any work in the public roadway.

d) The development is to be drained on a completely separate system with separate connections to the public foul and surface water systems.

e) The developer shall limit surface water discharge from site in accordance with the requirements of the Drainage Division as set out in the Greater Dublin Strategic Drainage Study's "Technical Document on New Development". The development shall incorporate Sustainable Drainage Systems in the management of stormwater. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.

f) The outfall manholes from this development must be constructed in accordance with the Code of Practice for Development Works – Drainage

g) An appropriate petrol interceptor shall be installed on the internal drain from the car park. Please refer to section 20 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

h) Dublin City Council's Drainage records are indicative and must be verified on site. The Developer must carry out a comprehensive site survey to establish all drainage services that may be on the site. If drainage infrastructure is found that is not on Dublin City Council's records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed "as-constructed" drainage layouts for all diversions, extensions and abandonment of the public drainage network; in both hard and soft copy in an approved format; are to be submitted by the Developer to the Drainage Division for written approval. See section 5 of the above-mentioned Code of Practice for more details.

i) All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

j) There are existing public sewers running through the site. A clear distance of three metres shall be maintained between sewers and all structures on site. The exact location of this pipeline must be accurately determined onsite prior to construction work commencing. No additional loading shall be placed on this sewer. Any damage to it shall be rectified at the developer's expense.

Reason: In the interests of public health

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7. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

8. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

9. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.