



John Spain Associates
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Dublin 2

Notification of Grant of Permission
PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED

Final Grant Order No.: PF/0416/18	Date of Final Grant : 26-Mar-2018
Decision Order No. : PB/0102/18	Date of Decision: 21-Feb-2018
Register Reference: FW17A/0237	Registration Date : 22-Dec-2017

Applicant: DCF Technology Limited

Development: 1. The proposed extension of the existing 'Hexagon' data storage facility, with a GFA of 4,055sq.m. over two storeys with plant at roof level, and including an additional plant area at roof level of the existing Hexagon Building. The extension will have a maximum overall height of c.24 metres and will accommodate data storage rooms at ground and first floor levels, electrical room and generator transformers at first floor levels, and stair and lift cores;
2. An entrance lobby extension (GFA of 5.5sq.m.) to existing Building C (generator building);
3. The provision of 4 no. emergency generators with associated flues within a new palisade fenced compound to the north of Building C (generator building);
4. The provision of 40 no. car parking spaces to the northeast of the Hexagon Building and adjacent to Building C (in place of 39 no. spaces to be removed to accommodate the proposed extension) and the provision of 2 no. disabled spaces to the south of the Hexagon Building;
5. All associated site works including drainage, lighting, alteration to attenuation areas to the south of the Hexagon Building to cater for the proposed development, and utility cables.

Location: Hexagon Building Site, IDA Blanchardstown Business & Technology Park, Ballycoolin Road & Snugborough Road, Blanchardstown, Dublin 15

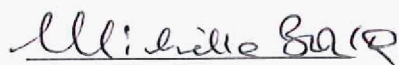
Floor Area: 4061 sq.m. Permitted Floor Area: sq.m

Time extension(s) up to and including

Additional Information Requested / Received /

A Permission has been granted for the development described above, subject to the (18) condition(s) on the attached pages.

Signed on behalf of the Fingal County Council


for Senior Executive Officer

26-Mar-2018

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Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application 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. That all external finishes harmonise in colour and texture with the adjoining existing premises.

REASON: In the interest of visual amenity.

3. Prior to the commencement of development on site, a Construction Management Plan and a Construction Traffic Management Plan shall be submitted to, and agreed in writing by, the Planning Authority.

REASON: In the interest of avoidance of a traffic hazard, public health, and the proper planning and development of the area.

4. Prior to the commencement of development on site, the applicant is to submit to the Planning Authority for written agreement a landscape plan prepared by a suitable qualified Landscape Architect. The plan shall include the following:

- a. All existing trees and hedges to be removed or retained on site shall be clearly marked on the plan.
- b. Boundary details.
- c. Enhancement of the site with additional planting with emphasis on entrances and pedestrian circulation areas.
- d. Details of proposed attenuation ponds.
- e. All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.
- f. All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock.
- g. New tree planting shall be planned, designed, sourced, planted and managed in accordance with 'BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations'.
- h. Any tree, 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 the provision of amenity afforded by appropriate landscape design

5. A landscape management plan including management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the development for its permitted use. The landscape management plan shall be carried out as approved on commencement of the development hereby permitted unless otherwise approved in writing by the Planning Authority.

REASON: To ensure that the landscape of the development becomes well established and is satisfactorily managed and maintained in the long term in the interests of the visual amenity of the area.

6. Prior to the commencement of development the applicant shall submit for the written approval of the Planning Authority a proposal for a piece of public art to be located within the curtilage of the current development, and to be on site by 31st December 2020.

REASON: In the interests of the amenity of the area.

7. The proposed development shall conform to the requirements of the Planning Authority as follows,
 - a. The fuel storage tanks for the emergency generator sets shall be bunded and capable of retaining 110 per cent of the volume of the largest single tank within the enclosed area. The bund is to be impermeable and shall retain any spillages from the intake or outlet pipe. Steps are to be taken to ensure that accidental spillages can be contained on site and not allowed to escape to nearby water course or surface water sewers. Rainwater shall be removed by pumping to ensure that the full containing volume is always available. An appropriate detection system shall be put in place to detect any leaks, shut down the pumping system, and notify the BMS (i.e. Building Management System).
 - b. The transformer area shall be bunded as per the submission, with the exemption that it shall be drained to the surface water drainage network – not the foul system – via a monitored pump. An appropriate detection system shall be put in place to detect any leaks, shut down the pumping system and notify the BMS system.
 - c. Prior to the commencement of construction, the developer shall indicate the basis of how the 6L/s discharge rate has been derived, submit a layout plan with the catchment area clearly indicated and submit a breakdown of the impermeable area contributing to this catchment area.
 - d. Soakaways shall comply with BRE Digest 365, the Greater Dublin Strategic

Drainage Study, be designed to accommodate the 30 year critical duration storm event, include for climate change, use local rainfall data, and be at least five metres from any structure, and three metres from any boundary.

e. No surface water and/or rainwater shall discharge into the foul sewer system under any circumstances.

f. The surface water drainage shall be in compliance with the 'Greater Dublin Regional Code of Practice for Drainage Works Version 6.0' Fingal County Council April 2006.

REASON: In the interests of public hygiene and the proper planning and sustainable development of the area.

8. The applicant shall accord with the requirements of the Planning Authority as follows,

a. The applicant shall engage the services of a suitably qualified archaeologist to monitor all topsoil stripping associated with the development.

b. Should archaeological material be found during the course of monitoring, the archaeologist may have work on the site stopped pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs with regard to any necessary mitigation action (e.g. preservation in situ, and/or excavation). The applicant shall facilitate the archaeologist in recording any material found.

c. The Planning Authority and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

9. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of works on the subject site.

REASON: To protect the amenities of the area.

10. That all public services to the proposed development, including electrical and telephone cables and associated equipment, be located underground throughout the entire site area.

REASON: In the interest of amenity.

11. Site development and building works shall be carried out between the hours of 08.00 to 19.00 Mondays to Saturdays inclusive, and not at all on Sundays and public

holidays unless otherwise agreed in writing with the Planning Authority.

REASON: In order to safeguard the amenities of property in the vicinity.

12. The subject development shall remain ancillary to the use of the overall Hexagon building as a datahall and shall not be sold, leased or otherwise separately used.

REASON: To clarify the extent of the permission.

13. Apart from development authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the previous overall permission relating to this site, in particular Reg. Ref. FW15A/0135, and any agreements entered into thereunder, insofar as these are applicable.

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

14. During the construction phase dust levels at the site boundary and sensitive locations shall not exceed 350 milligrams per square metre per day averaged over a continuous period of 30 days (Bergerhoff Gauge).

REASON: In the interest of maintaining the amenity of adjoining landowners.

15. The applicant shall meet with the requirements of the Planning Authority as follows,

- a. To minimise noise from the demolition and construction operations developers shall have regard to 5228: Part 1:1997 'Noise and vibration control on Construction and Open Sites - Code of practice for basic information and procedures for noise and vibration control'. In particular construction noise levels shall be monitored continuously and a threshold value of 65dB LAeq,1hr free-field at residential noise sensitive locations in the vicinity of the development shall be adopted. When noise levels exceed this threshold steps will be taken by the contractor to review the works and implement additional mitigation measures where practicable.

- b. During the operational phase noise emissions from the site shall be broadband in nature and free from audible tonal characteristics. In relation to site operations the following free field noise limits shall not be exceeded:

- Day to Day Operation (Noise Sensitive & Schools) - 40dB LAeq,15min
- Day to Day Operation (Commercial) - 55dB LAeq,15min
- Emergency Operation (Noise Sensitive & Schools) - 55dB LAeq,15min

- c. Generator testing shall be carried out during daytime periods (i.e. between 07:00 to 19:00hrs Monday to Friday and shall not exceed a free field level of 55dB LAeq,1hr

at nearby residential noise sensitive locations.

d. During the demolition and construction phase, all necessary steps shall be taken to contain dust and airborne pollutants arising from the site and to prevent nuisance to persons in the locality. This shall include i) covering skips, ii) covering slack heaps, iii) netting of scaffolding, iv) regular road and pavement damping and sweeping, v) use of water spray to suppress dust, vi) proper paved or hard stand access for trucks and vehicles to and from the site to prevent dirt and dust from the site being carried from the site on to public roads etc.

e. The development shall be so operated to ensure that the provisions of the Air Quality Standards Regulations 2011 are adhere to (SI no 180 of 2011) and in particular the following levels shall be adhered to:

No2 200µg/m³ hourly

No2 40µg/m³ annually

PM10 50µg/m³ hourly

PM10 40µg/m³ annually

f. Special consideration shall be taken to the housing of the air conditioning units, backup power supplies, generators and other plant services which are likely to have noise or odour emissions to prevent nuisance from noise or odours to the local businesses and the residents in close proximity to the premises. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

g. The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

h. No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 8.00 am or after 7.00 pm, Monday to Saturdays. No activities shall take place in site on Sundays or Bank Holidays. No activity, which would reasonably be expected to cause annoyance to residents in the vicinity, shall take place on site between the hours of 7.00 pm and 8.00 am No deliveries of materials, plant or machinery shall take place before 8.00 am in the morning or after 7.00 pm in the evening. Any proposed amendments shall be agreed in advance and in writing with the Planning Authority.

i. If there is any occasion when work must be carried on outside daytime hours, the Planning Authority, local residents and businesses in areas which are likely to be affected by noise from the proposed works should be notified in advance e.g. in letter or leaflet or advertisement form, of:

- Name, address and telephone number of company carrying out works
- Nature of and reason for works
- Likely duration and times of work

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

16. No advertising or other publicity material shall be posted in or around the front façade of this development including that which is exempted development under the Planning and Development Regulations 2001 (as amended) without the prior receipt of planning permission by the Planning Authority, or from An Bord Pleanála on appeal.

REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.

17. No materials to which the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2006, S.I. No. 74 of 2006 (Seveso II) applies or any updated regulations shall be stored in the proposed premises without the prior grant of planning permission by the Planning Authority or An Bord Pleanála. This shall form a clause in any leasing or sale agreement for the development.

REASON: In the interests of the proper planning and sustainable development of the area.

18. The developer shall pay the sum of €272,198 (updated at date of commencement of development, in accordance with changes in the Tender Price Index) to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the Contribution Scheme for Fingal County made by the Council. The phasing of payments shall be agreed in writing with the planning authority prior to the commencement of development.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting development in the area of the Planning Authority and which is provided, or which is intended to be provided by, or on behalf of the Local Authority.

Note on above Condition:

Please note that with effect from 1st January 2014, Irish Water are now the Statutory Body responsible for both water and waste water services (excluding surface water). Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. A separate charge will be levied by Irish

Water in relation to the provision of water and/or wastewater treatment infrastructure and connections to same. Further details are available on the Irish Water website www.water.ie, Tel. (01) 6021000.

Note:

1. The applicant is advised that under the provisions of Section 34(13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE:

All buildings must now be designed and constructed in accordance with the Building Regulations. The Building Control (Amendment) Regulations, 2009 came into effect on 1st October 2009.

With the exception of houses and certain agricultural buildings, a Fire Safety Certificate/Revised FSC (please refer to Regs) is required for all buildings (including apartments and flats), extensions and alterations and changes of use which are covered by the Building Regulations.

A Commencement Notice (Building Control Regulations 1997 to 2009) must be submitted to the Building Control Authority (not less than 14 days and not more than 28 days before development commences) in respect of all buildings other than

- Buildings which require a Fire Safety Certificate under the Regulations and where a person intends to commence work on the construction of a building before grant of the relevant Fire Safety Certificate. (See 7 Day Notice below)
- Exempted development for the purposes of the Planning and Development Act 2000 and the Regulations made thereunder.

Disability Access Certificates/Revised Disability Access Certificates:-from the 1st of January 2010, a certificate of compliance with respect to Part M of the Second Schedule of the Building Regulations (Disability Access Certificate) shall be required in respect of all works or a building to which Part III (Fire Safety Certificates) refers.

A 7 Day Notice is required where a person intends to commence work on the construction of a building before grant of the relevant Fire Safety Certificate. The Notice must be

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submitted not less than 7 days in advance of commencement of work and must be in accordance with the requirements of Article 20A(2) of the Regulations.

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Please submit 5 copies of all documentation in relation to compliance submissions. Failure to comply with a condition of the planning permission is an offence under Section 151 of the PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED.

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Information Note - Public Water and Waste Water Networks

Connections

On the 1st of January 2014 Irish Water became the statutory body with the responsibility for all water services, both water and waste water. The provision of a water services connection will be carried out by Irish Water in partnership with each Local Authority.

Any persons seeking a connection to any of Irish Water's networks should make an application in the first instance to their Local Authority who will act on behalf of Irish Water in processing the application.

A Connection Agreement between Irish Water and the applicant will be required, prior to any connection being agreed, and will set out the conditions and charges to be applied to the connection. Details, including availability of application forms, are to be found on each Local Authority website.

It should be noted that Planning Authorities can no longer levy water and wastewater development charges and that these will now be incurred as part of the connection charge, if applicable.

Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network, either directly or indirectly, or to otherwise take a water supply without the agreement of Irish Water.

Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Irish Water.