

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

CONTINUATION	
Standard Levy:	
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Registration Fee:	
Stamp:	
County:	
Local:	
City:	
Area:	

Register Reference: FW17A/0237

Date of Registration: 22 December, 2017

Correspondence: John Spain Associates 39 Fitzwilliam Place, Dublin 2

- 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

Applicant: DCF Technology Limited

Application Type: Permission

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Zoning: 'HT' - The objective of which is to 'Provide for office, research and development in high technology/ high technology manufacturing type employment in a high quality built and landscaped environment'

Planning Officers Report:

EM/PK

Report of the Planning Officer dated the 19th February, 2018.

This is an application by DCF Technology Limited for PERMISSION for development as follows,

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.

All proposed development is located at Hexagon Building Site, IDA Blanchardstown Business & Technology Park, Ballycoolin Road & Snugborough Road, Blanchardstown, Dublin 15.

Zoning

The subject site is located in an area which is zoned 'HT', i.e. 'provide for office, research and development and high technology manufacturing type employment in a high quality built and landscaped environment' in the Fingal Development Plan 2017-2023.

The vision for areas with the 'HT' zoning objective is,

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

'Facilitate opportunities for high technology, high technology and advanced manufacturing, major office and research and development based employment, within high quality, highly accessible, campus style settings. The HT zoning is aimed at providing a location for high end, high quality, value-added businesses and corporate headquarters. An emphasis on exemplar sustainable design and aesthetic quality will be promoted to enhance corporate image and identity.'

National Legislation

There is a statutory requirement that under the EU Energy Efficiency Directive Article 14, that all planned electrical generating and using installations with thermal input of more than 20MW must assess the cost benefits of providing both heat and power. The EU EE Directive was transposed into Irish law through SI 426/2014 EU Energy Efficiency Regulations 2014.

Relevant Fingal Development Plan Objectives

Objective EN01

Support International, National and County initiatives for limiting emissions of greenhouse gases through energy efficiency and the development of renewable energy sources using the natural resources of the County in an environmentally sustainable manner where such development does not have a negative impact on the surrounding environment, landscape or local amenities.

Objective EN09

Require details of the requirements for alternative renewable energy systems, for buildings greater than 1,000 sqm or residential schemes above 30 units, under SI 243 of 2012 European Communities (Energy Performance of Buildings) be submitted at pre-planning stage for consideration. These should take the form of an Energy Statement or Feasibility Study carried out by qualified and accredited experts.

Description of Site and Surroundings

The proposed development is located on the northern side of the Blanchardstown Business and Technology Park, on a site of stated area, 1.15 ha. The development is located in area in which there are currently three large buildings which are occupied by the same client which are used as datahalls i.e. to hold the electronic machinery which are used for data storage. Specifically, the subject development is located at, and adjoins immediately, the western end of an existing datahall which is entitled the Hexagon Building, which building is aligned in a north-westerly - south-easterly direction.

Proposal

This is an application for the following works to the existing development on site as follows,

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

1. An extension to the western end of the existing Hexagon Building. This proposed extension has a stated floor area of 4,055 sqm, and abuts the western end and the northern side of the Hexagon Building i.e. it has an inverted 'L' shape in plan view and looking south to north. The extension has a stated length of 86.237 metres, a depth of 21.11 metres, and a height of 22.581 metres. The proposed building has a flat roof, is to be finished in selected metal wall panel and screen wall powder coated cladding to match the finish on the existing building which is located to the immediate east/south east. The proposed development is a measured 7.4 metres higher than the existing development on site. Roof equipment is sheltered from view by a parapet of stated height, 2.4 metres.
2. A new lobby located on the north eastern side of building C which is located a measured 14.5 metres north east of the Hexagon building. This lobby extension is a stated 1.765 metres deep and 3.13 metres wide.
3. Four emergency generators will be located to the north of building C on site.
4. The relocation of forty car parking spaces to the north east of the Hexagon building, and to the south east of building C.
5. A three metre high fence will be located to the north of Building C to match the existing, and will extend for a stated distance of 72 metres in approximately an east-west direction.
6. An attenuation pond located at the entrance to the datahall campus of which the Hexagon building is a member, and to the south west of the subject development.

Environmental Impact Assessment (i.e. EIA) Screening

On the basis of the information submitted, the proposed development does not mandatorily require an EIA and is sub-threshold.

1. The site area is c 1.15 ha, and therefore does not exceed the Part 2, Class 10a, threshold (per the Planning and Development Regulations 2001 – 2017, Schedule 5, Part 2, as follows 'Industrial estate development projects, where the area would exceed 15 hectares').
2. The activity is not listed under Annex 1 of the EIA Directives.
3. The proposed development is not considered likely to have any significant environmental impacts following a review of the proposed project as follows,
 - The proposed development will generate few emissions including noise from emergency generators which has been assessed to comply with the noise criteria set by the Planning Authority.
 - The proposed development will generate air emissions which will be dispersed locally with no potential for trans-frontier impact.
 - The proposed development is not likely to have significant effects on socio-economic health grounds give the low-level impact of noise and air emissions.
 - The proposed site does not lie within a drinking water protection area.
 - Any construction impacts, especially from the noise perspective, will be minimised by adhering to best practice construction methods and a Construction Environmental Management Plan.

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

- The impact of noise during operation will comply with noise criterion set by the Planning Authority.
- The impact of possible leakage of fuel stored on site will be managed by bunding of fuel storage.
- The section of the Tolka River which is the closest water way to the subject site is classified as 'poor'
- The proposed development will not have a significant impact on biodiversity due to the absence of biological and hydrological connectivity between the proposed development and any Natura 2000 sites.
- The proposed development is consistent with the land use zoning objective in terms of landscape and visual impacts and will not give rise to any adverse landscape or visual impacts.
- A suitably qualified archaeologist would oversee any ground disturbance work. No operation impacts are foreseen on archaeology.
- The proposed development will have negligible impact in terms of traffic during construction and operation.
- Other than materials necessary for the construction of the building, the proposed development will not require/consume any substantial quantities of raw materials. The Environmental Impact Assessment Screening Report states that the proposed development will use 'moderate' amounts of power once fully operational with such power being available through the existing connection to the national grid.

Appropriate Assessment Screening

The Appropriate Assessment Screening report submitted by the applicant reports as follows,

1. *The project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.*
2. *The project...is not likely to have significant effects on the European sites considered in this assessment.*
3. *It is likely to rule out likely significant impacts on any European sites considered in this assessment.*

Having assessed the screening, the planning officer is of the view that there is no requirement for a stage 2 assessment.

Relevant Planning History

The following planning history is relevant to the subject site:

Reg. Ref. F06A/0155

This was an application by Hexagon Co. Ownership for retention of elevational changes and subdivision of the existing industrial building into 6 industrial units, plant area to the rear and ancillary site works on site. This application was withdrawn on the 4th July 2006.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Reg. Ref. F06A/0928

This was an application by Hexagon Co. Ownership for retention permission and permission to the Hexagon Building which is a light industrial building. Retention permission is sought for elevational changes and subdivision of the existing light industrial building into 5 light industrial units and one office unit, plant area to the rear and ancillary site works. Permission is sought for the provision of an additional 155 car park spaces, resulting in an overall carpark provision of 462 car park spaces, and the provision of a bicycle shed for 80 bikes. Final planning permission was granted on the 4th October 2006.

Reg. Ref. FW10A/0099

This was an application by Hexagon Partnership for permission to refurbish the existing Hexagon manufacturing facility, to construct screening of mechanical plant and to carry out ancillary site works. The proposed works will consist of the following:

- 1/ Construction of a louver screening to external Mechanical Air Handling and Chiller Units. The screen is proposed to be constructed on the East and the West elevations of the single storey building of the facility.
- 2/ Construction of a generator compound to the North East of the site, linked to the existing facility by an overhead cable service bridge.
- 3/ The rehabilitation and extension of an existing screening to new mechanical plant on the single storey roof of the existing facility.
- 4/ The construction of a temporary external single storey structures.
- 5/ The internal works to the existing single storey facility will consist of, 6 No. rooms for electrical and electronic operations, Workshop, Offices and Staff Welfare area. Final planning permission was granted on the 14th September 2010.

Reg. Ref. FW11A/0104

This was an application by the Hexagon Partnership for permission to construct a new AIS (Air Insulated Switchgear) 110kV electricity substation and to carry out ancillary site works.

The proposed works will consist of the following:

1. Excavation and fill of the proposed 110kV substation site to formation level, diversion of existing services and construction of a stoned compound area.
2. Construction of a substation control building within the compound area for the 110kV substation.
3. Construction of two number transformer bays and control building for the transformers to the north of the existing Hexagon facility with a 2.4m high powder coated perimeter palisade fence.
4. Construction of a 4m wide concrete access road within the compound area and fencing of the compound area.
5. Construction of a car parking compound for users of the substation.
6. Installation of all substation structures within the developed compound area.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

7. Installation of 1 no. line interface mast and 2 no. down masts within the adjoining IDA lands to the north west of the Hexagon facility.

8. Installation of a 2.4m high powder coated perimeter palisade fence to the AIS substation. Final planning permission was granted on the 18th January 2012.

Reg. Ref. FW11A/0113

This was an application by the Hexagon Partnership for 1. Retention of the existing Generator Building, fuel loading area and compound to the North East of the Hexagon site. 2. Construction of an extension to the existing Generator Building to the North East of the Hexagon site. Final planning permission was granted on the 20th February 2012.

Reg. Ref. FW11A/0118

This was an application by the Hexagon Partnership for permission for the installation of boundary fencing/ railings and access gates, new security hut and upgrading of the site security system to include red-wall system, CCTV, public lighting poles and associated underground services to the Hexagon site. Final planning permission was granted on the 28th May 2012.

Reg. Ref. FW12A/0024

This was an application the Hexagon Partnership for planning permission to refurbish the existing two storey Hexagon manufacturing facility. The proposed works will consist of the following:

1. Construction of new louvre facade to replace sections of existing glazing and brick facade to all four sides of the building elevation.
2. The internal works to the two storey facility and basement will consist of 12 no. rooms for electrical and electronic operations, workshop, offices and staff welfare area.
3. Re-roofing to the entire existing flat roof area of the two storey facility to include the installation of extractor fans and associated louvre clad housing.

Final planning permission was granted the 15th June 2012.

Reg. Ref. FW12A/0083

This was an application by the Hexagon Partnership for planning retention application for minor adjustments to the 110kV electricity substation as granted planning permission on the 18th January 2012. Planning Reference Number: FW11A/0104. The substation is located in IDA Blanchardstown, Business and Technology Park, Snugborough Road, Dublin 15. The work consists of the following:

1. Adjustment of substation compound levels between Phase 1 and Phase 2 of the development.
2. Increase in length of the substation compound.
3. Increase in height of the parapet of the control building within the substation compound (Control Building No. 1)
4. Adjustment to the transformer bay area due to the addition of a third transformer bay.
5. Increase in size and repositioning of the client control building (Control Building No. 2).

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Final planning permission was granted on the 19th November 2012.

Reg. Ref. FW13A/0067

This was an application by Adsil for permission for development that will consist of a new 2-storey building for use as electrical rooms for electronic operations, mechanical plant rooms, a double vehicle loading bay, ancillary workshops, and including within the building office and staff facilities, part at mezzanine level over ground floor level. Total plan area 20,995 sq.m. The will include external roof top air handling units with associated visual screening. Other ancillary works comprise (1) diesel fuel storage, loading stance and pump house; (2) water storage tanks and pump house; (3) the construction of new site roadways (4) carparking for 44 cars; (5) new boundary structures comprising fencing on north west site boundary and fencing set back from the southwest and southeast site, boundaries; and (6) associated structures and landscaping works over the enlarged site.

Final planning permission was granted on the 17th September 2013.

Reg. Ref. FW15A/0135

This was an application by Adsil for permission for a new 2-storey building for use as electrical rooms for electronic operations, together with mechanical plant rooms, a double vehicle loading bay and ancillary workshops. Included within the building are associated offices, staff facilities at ground floor level and at mezzanine level. The gross total floor area of the proposed development is 16,065 sq.m.

The development will include external roof top air handling units and roof level louvered plenum which will also act as a screening to the roof plant.

Other ancillary works comprise (1) new diesel fuel storage; (2) new water storage tanks and pump house; (6) enlarging of existing water tank pump house; (3) new electrical transformer compound; (4) the construction of new site roadways; (5) car parking for 27 cars; (7) new gate entrance and security hut; (6) new boundary structures comprising of fencing to the north and west site boundary and fencing on a retaining wall to the south site boundary; and (7) associated structures and landscaping works over the enlarged site on the subject site.

Final permission was granted on the 12th January 2016.

Reg. Ref. FW17A/0034

This was an application by Adsil for permission for a development which will consist of a single storey extension of 1,111 sqm to the north elevation to the previously granted planning application Reg. Ref. FW15A/0135 for use as mechanical plant space together with the re-alignment of an existing campus loop road, the addition of a new exit door to the west elevation, and the relocation of an existing exit door to the north elevation together with associated site works.

Final permission was granted on the 13th June 2017.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Reg. Ref. FW17A/0044

This was an application by Adsil for permission for a development which will consist of the upgrade of existing boundary railings and palisade fence by increasing the height of the existing fencing and railings by 0.7 meters to the site boundary.

Final permission was granted final permission on the 27th June 2017.

Submissions/observations

No submissions or observations have been received related to the proposed development.

Pre-planning

Pre-planning discussions occurred related to the proposed development which highlighted,

- A requirement for 40 parking places on site.
- No HGV movements to take place within the proposed parking area.
- Computer Generated Images of the proposed development are required, with concern about the south eastern corner of the site.
- AWN are engaged in a noise assessment of the proposed development.
- A piece of public art should be provided by the applicant.
- Roof run-off will go to the attenuation pond.
- Energy requirement to be supplied from the electricity grid, and via on-site sub station.

Reports

Water Services Section: Acceptable subject to condition.

Irish Water: Acceptable subject to condition.

Transportation Planning Section: Acceptable subject to condition.

Parks and Green Infrastructure Department: Acceptable subject to condition.

Assessment

Having visited the subject site and having regard to the Development Plan objectives, I am of the opinion that the main issues to be assessed are as follows:

- Principle
- Impact on area amenity
- Traffic and layout
- Water and drainage

Principle

The principle of the proposed development in an area which is subject to the 'HT' zoning objective, i.e. 'provide for office, research and development and high technology manufacturing type employment in a high quality built and landscaped environment' in the Fingal Development Plan 2017-2023 is permitted given that it is an industrial use and high technology-related use proposed.

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Impact on Amenities of the Area

The proposed development is within an established industrial area with the nearest residential development over 1km away. However it is important that the impact on amenities of the area and environment is assessed to ensure they are adequately protected, including the occupiers of neighbouring properties.

The development will not have an unduly negative impact on the visual amenities of the area given its relatively straightforward and contemporary design, and the nature and quality of the existing and any proposed landscaping which surrounds the development.

Impact on the area

The proposed development will impact on energy demand within the Ballycoolin area as the proposed development will rely for energy supply on the provision of electricity from the electricity grid.

Following Government policy, all planned electricity in >20MW must assess the cost of co-generation. In addition there are two different heat streams that data centres can provide: the first is the heat which is a direct output of the electrical generation on site, and the other is the waste heat which leaves the data halls after the cooling process. As the waste heat generated by data centres and associated electricity generated is significant and stable it has the potential as a renewable sources of energy in for example the provision of district heating schemes. That being said, it is acknowledged that there is no district heating scheme currently in place in the local area and it is also considered that the proposal represents an extension to an existing datahall. In the following context, it is considered therefore that the fact that the proposal does not include mention of co-generation of energy for heat and other possible uses, or the use of alternative energy is acceptable in this instance given,

1. The presence of existing and extensive datahall-related development on site,
2. The challenge of retrofitting energy conservation measures into such existing and extensive development on site,
3. The absence of staff facilities within the proposed development. Such facilities might provide opportunities for incorporating such energy management measures into the proposed development.

Layout, Design and Landscaping

In terms of layout, design and landscaping, the application is assessed with regard to the criteria in Table 12.7 of the Fingal Development Plan 2017-2023, relating to Site and Building Design, as follows,

Access and Circulation: The current access and internal vehicle circulation system to the subject facility can accommodate the proposed limited level of traffic.

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Pedestrian/cycle connections: The proposal will avail of existing pedestrian and cycle facilities within the site ownership.

Permeability: The site is sufficiently permeable given three existing access points.

Lighting: Sufficient lighting will be provided to the proposed development given the existing development on site.

Loading/service areas: Loading and docking bays are provided on site.

Waste Recycling: Minimal waste will be generated on site. An air quality dispersion study stated that 'there will not be any off-site exceedances of the applicable NO2 air quality standards'.

Silos and Ancillary Structures: All proposed ancillary structures are to be located to the side of the proposed building.

Setbacks: The proposed extension abuts directly onto the north western side an internal site road. While this setback might not be preferable, given the road is internal to the site, the proposed layout is acceptable.

Signage: None currently proposed.

Public Art: None currently proposed.

Objective DMS05

Require new residential developments in excess of 100 units and large commercial/retail developments in excess of 2,000 sqm to provide for a piece of public art to be agreed with the Council.

While the impact of this development upon the amenities of the area is considered to be positive, the location of a piece of public art within, or adjoining, the curtilage of the subject building is recommended to enhance the area, and further improve the amenities of this key site in the Dublin Enterprise Zone.

Sustainability: Energy for the proposed facility is supplied through the grid.

Building Orientation and Road Frontage: The existing layout of roads in the area dictates the orientation and layout of development on site with use of existing accesses to the proposed site preserving any existing trees in the immediate area.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Massing and Form: The height and form of the proposed extension is extensive (the stated height of the extension is a stated 22.581 metres). In addition, as mentioned above, the proposed development abuts an existing internal road within the site, and looks especially prominent when viewed from the south/south east. That being said, both these issues are moderated by the proposed development being at least a measured distance of 150 metres from the site security gate, and the nature and quality of the surrounding and adjoining existing development. Consequently, as confirmed by submitted photomontages, the proposed structures do not impact unduly on the amenities especially the visual amenity of the area.

Building Appearance and Materials and Colour Palette: Finishes of the proposed building conform to the existing buildings on site to create a legible design with continuity of design carried through between the existing and proposed building.

Roofscape: The roof has a parapet which shields the view of roof-based plant. The resultant proposed flat roof profile reflect the surrounding existing industrial commercial buildings with the stepped nature of various components of the building profile providing a moderate level of visual interest.

Telecommunications and Antennae Equipment: None is proposed as part of this application.

Building Entrances: All existing entrances area clearly legible and orientated towards street and vehicular entrances to the subject site.

Parking: Forty car parking spaces are provided on site and will be located for convenience adjacent, and to the east of Building C. This provision involves the relocation of currently existing parking. The proposed development does not involve any increase in staffing, and consequently no requirement for incremental parking provision.

Landscaping and Boundary Treatment: The proposal does not include landscaping details.

Water and Drainage

Water and Drainage provision is acceptable subject to planning condition including one in relation to the bunding arrangements with regard to the proposed development.

Traffic and Layout

Traffic and Layout arrangements are acceptable subject to provision of a Construction Management Plan and a Construction Traffic Management Plan. The proposed development does not involve any increase in staffing with and consequently no requirement for incremental parking provision.

Landscape

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

The applicant has, as stated earlier in this assessment, submitted no landscape details with the application, and will therefore be required by planning condition to submit such details including a landscape management plan for the long-term management of such assets.

Appropriate Assessment

Having regard to the nature of the proposed development and the location of the subject site and/or proximity to the nearest European site no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Conclusion

The proposed development is within an established industrial area with the nearest residential development over 1km away. In assessing the proposed development, particular regard has been made to noise, vibration, emissions and air quality and standards to be adhered to. It is considered that the requirements with regard to these issues are reasonable and can be adequately secured by conditions attached to any grant of permission that may be forthcoming.

The proposed development is in keeping with the existing development on site and it is considered that it does not detract significantly from the character or amenity of the adjoining development. The proposed development is therefore considered to be in accordance with the proper planning and sustainable development of the area.

For inspection purposes only.
Consent of copyright owner required for any other use.

RECOMMENDATION

I recommend that a decision to **GRANT PERMISSION** be made under the **PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED**, subject to the following (18) condition(s):-

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.

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

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

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

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.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

8. The applicant shall accord with the requirements of the Planning Authority as follows,
- The applicant shall engage the services of a suitably qualified archaeologist to monitor all topsoil stripping associated with the development.
 - 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.
 - 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

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

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

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

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 Pleanala on appeal.

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

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 Pleanala. 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.

COMHAIRLE CONTAE FHINE GALL

RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER

Reg. Ref.: FW17A/0237

Sam Walsh
A Senior Executive Planner
20/2/18

Endorsed: Patricia Connel
Administrative Officer 20.2.18

Order: A decision pursuant to Section 34 of the PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED to GRANT PERMISSION for the above proposal subject to the (18) condition(s) set out above is hereby made.

Dated 21 February, 2018

Noted Paul Craig
Senior Planner

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[Signature]
Director of Services

9/2/18
Thereunto empowered by order of the Chief Executive, Fingal County Council C.E. No. 7085 delegating to me all his powers, functions & duties in relation to the council of the County of Fingal in respect of this matter.