

**Meath County Council  
 Planning Department  
 Buvinda House  
 Dublin Road  
 Navan  
 Co. Meath C15 Y291  
 REG: 00172770**

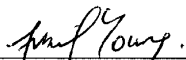
**Phone: 046 909 7000 Fax: 046 909 7001**

**Planning & Development Act 2000 – 2019**  
**NOTIFICATION OF FINAL GRANT**

**TO:** CAP Developments LLC  
 c/o John Spain Associates,  
 Planning & Development Consultants,  
 39 Fitzwilliam Place,  
 Dublin 2  
 D02 ND61

**Planning Register Number:** LB/191735  
**Application Receipt Date:** 19/12/2019  
**Further Information Received Date:**

**In pursuance of the powers conferred upon them by the above-mentioned Act, Meath County Council has by Order dated 06/02/2020 GRANTED PERMISSION to the above named for the development of land in accordance with the documents submitted namely:-** alterations to existing road infrastructure within the site and clearance of the site (including removal of existing internal roadways and removal / diversion of services) to make way for the proposed development; Construction of a two storey (with mezzanine levels at both storeys) data storage facility building with a maximum overall height of c. 25 metres, containing data halls, associated electrical and AHU Plant Rooms, a loading bay, maintenance and storage space, office administration areas, screened plant and solar panels at roof level, all within a building with a total gross floor area (GFA) of c. 28,573 sq.m; Emergency generators (26 no.), emission stacks and associated plant are provided in a fenced compound adjacent to the data storage facility, along with a single emergency house supply generator; A 6 MVA substation and associated 6MVA electricity connection; A water sprinkler pump room, MV Building, unit substation, water storage tanks, humidifier tanks and diesel tanks and filling area; Modification of the existing entrance to the subject site (from the estate road to the east), which will function as a secondary entrance providing for emergency and construction access. A new main entrance and access control point to the lands is proposed (also from the estate road to the east) and a single-storey gate house/ security building at this entrance with a GFA of c. 29.5 sq.m.; Construction of internal road network and circulation areas, footpaths, provision of 50 no. car parking spaces and 26 no. cycle parking spaces within a bicycle shelter; Landscaping and planting (including provision of an additional planted berm to the northern boundary, and alterations to existing landscaping adjacent to the entrance to the Business and Technology Park), boundary treatments, lighting, security fencing, bollards and camera poles, bin store, and all associated site works including underground foul and storm water drainage network, attenuation areas, and utility cables, on an application site area measuring 19.46 hectares. An EIAR has been submitted with this application at Drogheda IDA Business and Technology Park, Donore Road, Drogheda, Co. Meath, **subject to the 24 conditions set out in the Schedule attached.**

  
 On behalf of Meath County Council.

**DATE: 31/03/2020**

**NOTE: (Outline Permission Applications Only)**

OUTLINE PERMISSION is subject to the subsequent Application for Permission consequent on the grant of Outline Permission of the Planning Authority. Until such has been obtained to detailed plans of the development proposed, the development is NOT AUTHORISED.

NOTE:

The permission herein granted shall, on the expiration of 5 years (unless otherwise conditioned) beginning on the date of the granting of permission, cease to have effect as regards: -

- (1) In case the development to which the permission relates is not commenced during the period, the entire development and
- (2) In case such development is so commenced, so much thereof as is not completed within that period.

\*Personal Data/ Information – If you have submitted personal data relating to your application, this will be destroyed within 1 month of this Notification. If you wish to collect your Personal Data / Information please arrange to collect within 2 weeks of the date of this Notification. Photographic ID ( Passport / Driving Licence) will be required and the Planning Authority must be satisfied with same.

Meath County Council  
- Viewing Purposes Only!  
For inspection purposes only.  
Consent of copyright owner required for any other use.

LB191735

### Schedule of Conditions

1. The development shall be carried out and completed in strict accordance with the plans and particulars lodged with the application on 19/12/19 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the Planning Authority, the developer shall agree such details in writing with the Planning Authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The mitigation measures identified in the Environmental Impact Assessment Report and other particulars submitted with the planning application, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions. The developer shall appoint a professional person with appropriate ecological and construction expertise as Environmental Manager to ensure that the mitigation measures identified in the above documents are implemented in full.

**Reason:** In the interest of clarity and the protection of the environment during construction and operational phases of development.

3. Prior to the commencement of development on site the Applicant shall submit for the written agreement of the Planning Authority revised boundary treatment proposals for the eastern section of the site. In particular, the paladin fence proposed for this area is deemed unacceptable.

**Reason:** In the interest of the visual amenities of the area.

4. Building materials, design detail and textural finishes shall be in accordance with the submitted drawings and documentation. Any changes to the materials, detailing and finishes to the buildings from that detailed in the planning application dated 19/12/19 shall only proceed with the written agreement of the Planning Authority. In the event of such changes being made by the developer, details including samples, where deemed necessary, of the revised materials, colours and textures of all the external finishes to each component of the scheme shall be made available for the Planning Authority for their consideration.

**Reason:** In the interest of orderly development and the visual amenities of the area.

LB191735

5. (a) Existing hedgerows, trees and shrubs on site shall be preserved, except where required to be removed to accommodate the proposed development as specified in the application documentation.
- (b) The site shall be landscaped in accordance with the scheme submitted to the Planning Authority on the 19/12/19. All hard and soft landscaping shall be implemented in full, within the first planting season following completion of the development.
- (c) Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the Planning Authority.

**Reason:** To protect the visual amenity and natural heritage of the area

6. The applicant shall engage the services of a fully licensed archaeologist to co-ordinate the full range of mitigation measures identified in the EIAR (Section 12.6, Chapter 12, pages 11 and 12) for archaeological excavation monitoring at the pre-construction and construction phases of the development works. The archaeological method statements for the proposed mitigation will be agreed with the Department of Culture, Heritage and the Gaeltacht in advance of the commencement of construction works.

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

7. Prior to the commencement of development on site the applicant shall submit a Construction Stage Traffic Management Plan for the written agreement of the Planning Authority

**Reason:** In the interest of traffic safety.

8. Prior to the commencement of development on site the applicant shall submit the for the written agreement of the Planning Authority appropriate certified documentation from a suitably qualified and appropriate professional person demonstrating that:
- From a flooding perspective, the proposed development does not have a detrimental effect on third parties.
  - Access routes to and from the proposed development will remain operable during critical flood events.
  - Details of appropriate finished floor levels have been agreed with a nominee of the Planning Authority

**Reason:** In the interest of flood prevention, public safety and residential amenity.

LB191735

9. Prior to the commencement of development on site the Applicant shall submit the following requirements in relation to surface water management for the written agreement of the Planning Authority:
- Details of the flow control device and associated chamber. All flow control devices should be fitted to a minimum 225mm outlet pipe and shall be fitted with a pull cord bypass. In order to isolate and carry out maintenance of the flow control device a penstock valve (or similar approved) shall be installed within the flow control chamber, on the upstream end of the manhole.
  - Details of the specification for the proposed flow control device which clearly demonstrates the orifice size and discharge rate. The allowable green field discharge rate shall be achieved using a flow control device with minimum orifice of 100mm.
  - Details of the application of permeable paving to all private car parking spaces and the application of 50% runoff from all permeable paved areas.
  - All work shall comply fully with the Greater Dublin Strategic Drainage Study (GSDSDS) Regional Drainage Policies Volume 2 for new developments.

**Reason:** In the interest of effective surface water management procedures and practises.

10. Prior to the commencement of development on site the applicant shall submit a lighting design for the written agreement of the Planning Authority, this design shall include the internal lighting of the site and include measures for the minimising of obtrusive light and glare. The lighting design shall be in accordance with "Meath County Councils: Public lighting Technical Specification & Requirements". The proposed landscape design and layout shall take into consideration the agreed public lighting design and no existing or new trees shall be planted within falling distance of a public lighting column

**Reason:** In the interest of public safety and residential amenity.

11. All measures as outlined in the Construction Environmental Monitoring Plan (CEMP) shall be fully implemented for the duration of the construction phase. The CEMP shall include but not be limited to operational controls for dust, noise and vibration, waste management, protection of soils and groundwaters, protection of flora and fauna, site housekeeping, emergency response planning, site environmental policy, environmental regulatory requirements and project roles and responsibilities. The CEMP shall also address extreme of weather (drought, wind, precipitation, temperature extremes) and the possible impacts on receptors and mitigation of same. The CEMP shall be treated as a live document and communicated to all site personnel.

**Reason:** In the interest of appropriate environmental management

LB191735

12. The following requirements and standards shall apply to waste management arising during the construction and operation of the proposed development:
- a. The Applicant shall prepare a Waste Management Plan (WMP) for the proposed development for the written agreement of the Planning Authority prior to the commencement of any site activity. The WMP shall include but not be limited to project description, legislation requirements, demolition waste, construction phase waste, categories of construction waste, anticipated hazardous waste, non-construction waste, segregation of waste streams, estimated waste generated, waste hierarchy and adherence to same, roles and responsibilities and communication of WMP, details of recovery and disposal sites, details of waste hauliers, record keeping and documentation, waste audit procedures. The WMP shall be prepared in accordance with "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" (2006) and "Guidelines for the Management of Waste from National Road Construction Road Projects" (Rev. 2014), the WMP shall also take cognisance of the current Regional Waste Management Plan in particular to the upper tiers of the Waste Hierarchy. All waste generated on site shall be recovered/ disposed off at an authorised facility and transported by an authorised collector. The WMP shall be treated as a live document and communicated to all relevant personnel.
  - b. All waste generated during construction, including surplus excavation material to be taken off-site, shall be only recovered or disposed of at an authorised site which has a current Waste Licence or Waste Permit in accordance with the Waste Management Acts, 1996 to 2008. This shall not apply to the reuse of excavated material within the applicant's site boundary.
  - c. The applicant shall ensure that all waste removed from the site is collected and transported by an authorised collector. The applicant shall ensure that all activities pertaining to the collection and transportation of waste are as detailed on the waste collection permit.
  - d. The applicant shall manage all waste streams during the construction and commissioning stage of the project in accordance with the DOECLG " Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects" (2006) and shall take cognisance of the current Regional Waste Management Plan in particular to the upper tiers of the Waste Hierarchy.
  - e. The Applicant shall provide to the Local Authority, on completion of the works, a comprehensive report detailing the management of the all waste streams generated during the construction and commissioning stages of the project. This shall include but not be limited to type of waste streams, amount of each waste stream generated, destination of waste streams (including final destination if applicable), percentage of waste re-used, recycled, recovered and disposed, and prevention and minimisation initiatives undertaken.
  - f. In the event it is necessary to import soil and stone or topsoil for any element of the proposed development to Applicant shall ensure a Certificate of Registration or Waste Facility Permit as per the Waste Management (Facility and Registration) Regulations 2007, as amended is secured in advance of the works

**Reason:** In the interest of effective and efficient waste management

LB191735

13. The following standards and requirements shall apply in relation to Air and Climate Change during the construction and operation of the proposed development:
- a. Dust emissions shall not exceed 350mg/m<sup>2</sup>/day.
  - b. The Applicant shall also include in the CEMP mitigation measures for extreme weather conditions that may affect air quality, in this case extreme high temperatures resulting in drought conditions, and where there may be restrictions on the use of water for conventional dust suppression.
  - c. The Applicant shall record the actual construction vehicle and plant emissions to air, this shall include all plant used on site and all deliveries to and from the site for the duration of the construction of the project.
  - d. The Applicant, contractor and sub-contractors shall endeavour to utilise low energy and low emissions vehicles and plant where possible, this shall be detailed in the CEMP.
  - e. Burning of waste, including green waste, is prohibited on site.
  - f. Should a developed area, either existing or future, become suitable for a district heating system the Applicant shall provide the necessary infrastructure, technology and plant from the Data Centre to the boundary of the site for connection by others.

**Reason:** In the interest of air quality management and climate change adaptation.

14. The following requirements shall apply regarding surface water and groundwater protection during the construction and operation of the proposed development:
- a. The Applicant shall agree, in writing, with the Local Authority a protocol for reporting and managing accidental spillages during construction and operation stage that may cause soil contamination or ground or surface water pollution.
  - b. All hydrocarbons, chemicals and oils storage tanks required for the construction and decommissioning stages shall be bunded to a volume not less than the greater of the following
    - i. 110% of the capacity of the largest tank within the bunded area; or
    - ii. 25% of the total volume of substance which could be stored within the bunded area.
  - c. Refuelling of plant and machinery shall take place at dedicated refuelling areas only as detailed in the CEMP.
  - d. The Applicant shall ensure adequate supply of spill kits and hydrocarbon absorbent pads are stocked on site
  - e. The dedicated bunded area shall be located at least 30m from watercourses
  - f. The applicant shall include as part of the Construction Environmental Management Plan measures to ensure silts, washwaters, chemical, etc. are not discharged to ground or surface waters.

**Reason:** In the interest of surface and groundwater protection

LB191735

15. The following requirements shall apply regarding Noise and Vibration during the construction and operation of the proposed development:
- a. During the construction phase noise levels at noise sensitive locations shall not exceed 70dB(A) between 0700 to 1900 hours Monday to Friday and 0800 to 1400 hours Saturday and 45dB(A) at any other time. Noise exceedance activities must be agreed in writing with Meath County Council prior to the activity taking place.
  - b. The construction works shall be carried out in accordance with the noise guidance set out by BS 5228-1:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites and the NRA Guidelines for the treatment of Noise and Vibration in National Roads Schemes.
  - c. The applicant and/or his contractor shall establish protocol for informing residents at noise sensitive receptors of scheduled noise emitting activities outside normal working hours and shall maintain for inspection a noise complaints register.
  - d. The applicant and/or his contractor shall give consideration to utilising low noise and vibration emitting construction plant and tools.
  - e. The applicant shall, at a minimum for construction noise, employ noise mitigation measures as detailed in the outline CEMP, these shall be developed as necessary.
  - f. During the day to day operational phase noise levels when measured at noise sensitive receptors as identified in the EIAR shall not exceed the following limits;
    - 55dB L<sub>Aeq, 15min</sub> (daytime),
    - 50dB L<sub>Aeq, 15min</sub> (evening)
    - 45dB L<sub>Aeq, 15min</sub> (night time).
  - g. Testing of the emergency generators shall take place between the hours of 08.00 and 17.00 Monday to Friday, testing shall not be permitted on Saturdays, Sundays or public holidays.
  - h. Vibration from the construction activities shall be limited to the following;
    1. At Less than 10Hz, 8mm/s,
    2. At 10 to 50 Hz, 12.5mm/s
    3. at 50 to 100Hz, 20mm/s.

This is the allowable vibration (in terms of peak particle velocity) at the closest part of sensitive property to the/a source of vibration.

**Reason:** In the interest of noise and vibration management.

16. The following requirements shall apply in relation to land and soils:
- a. Prior to the construction of the building the applicant shall prepare an earthworks schedule/plan and programme (either as part of the WMP or as a separate document) for written agreement with the Planning Authority identifying the extent of 17 05 04 material on site and its treatment, should material be required to be removed from site, the programming of the removal, the waste carriers and destination sites requires detailing. The Applicant shall ensure there is a robust document tracking system to trace all movements of 17 05 04.
  - b. The applicant shall include, in the CEMP, mitigation measures for extreme weather conditions that may affect earthworks moving and stockpiling, in this case extreme high temperatures resulting in drought conditions, and where there may be restrictions on the use of water for conventional dust suppression and heavy precipitation which may result in slope instability or fines run-off from stockpiled material.



LB191735

**Reason:** In the interest of protection of land from pollution

17. The following requirements shall apply in relation to nature conservation:
- No felling or vegetation removal shall take place during the period – 1 March to 31 August.
  - A bat survey shall be carried out by a suitably qualified ecologist during the active bat season.
  - Any destruction of bat roosting site(s) must be done by a suitably qualified bat ecologist and under licence granted by the Minister of Culture, Heritage and Gaeltacht.
  - Bat sensitive lighting should be used during both construction and operation phases.

**Reason:** In the interest of nature conservation

18. No additional signage shall be erected on the lands or buildings without the appropriate authorisation of the Planning Authority.

**Reason:** To protect visual amenity

19. Prior to commencement of development the Applicant, and relevant contractor/sub-contractor, shall meet with an Authorised Officer from the Environment Department of Meath County Council to ensure correct waste management procedures are in place. Appointments shall be made through [environment@meathcoco.ie](mailto:environment@meathcoco.ie).

**Reason:** In the interest of effective development control

20. Prior to commencement of any development works on the subject lands, the applicant shall prepare a detailed Environmental Emergency Response Plan for the construction and commissioning stage of the proposed project. This shall be treated as a live document and communicated to all site personnel.

**Reason:** In the interest of appropriate environmental management

21. The applicant shall, during both construction and operational stages, maintain a Complaints Register to record any complaints regarding but not limited to noise, odour, dust, traffic or any other environmental nuisance. The Complaint Register shall include details of the complaint and measures taken to address the complaint and prevent repetition of the complaint.

**Reason:** In the interest of Development control.

LB191735

22. The developer shall pay the sum of **€36,478.00** to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision and extension of social infrastructure (open spaces, recreational and community facilities, amenities and landscaping works) by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Meath County Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 - 2019. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31st December, 2020 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices - Building and Construction (Capital Goods) published by the Central Statistics Office.

**Reason:** The provision of such social infrastructure in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing these services.

23. The developer shall pay the sum of **€117,831.00** to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision, refurbishment, upgrading, enlargement or replacement of public roads and public transport infrastructure by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Meath County Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 - 2019. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31st December, 2020 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices - Building and Construction (Capital Goods) published by the Central Statistics Office.

**Reason:** The provision of such roads and public transport infrastructure in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing these services.

LB191735

24. The developer shall pay the sum of €4,922.00 to the Planning Authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the Planning Authority in the provision of surface water drainage infrastructure by the Council benefiting development in the area of the Authority, as provided for in the Contribution Scheme of Meath County Council adopted in accordance with the provisions of Section 48 of the Planning & Development Act 2000 - 2019. Payment of this sum shall be made prior to commencement of development unless the phasing of payments and the giving of security to ensure payment in full is agreed in writing with the Planning Authority prior to the commencement of development.

The above sum shall apply until 31st December, 2020 and shall be subject to review on that date and to annual review thereafter unless previously paid. The contribution rates shall be updated effective from January 1<sup>st</sup> each year during the lifetime of the Development Contribution Scheme in accordance with the Wholesale Price Indices - Building and Construction (Capital Goods) published by the Central Statistics Office.

**Reason:** The provision of surface water drainage in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing these services.

#### Advice Note

- (i) Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

**Note:** In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

- (ii) All development shall be carried out in compliance with Irish Water Standards codes and practices.

**Planning Compliance documentation:** - Forward to Planning Compliance, Planning Department, Buvinda House, Dublin Road, Navan, C15 Y 291 and shall include a cover letter outlining relevant compliance issues together with a CD that includes all relevant maps and drawings in PDF format (high resolution).

Meath County Council  
- Viewing Purposes Only!  
For inspection purposes only.  
Consent of copyright owner required for any other use.