

## RECORD OF EXECUTIVE BUSINESS AND CHIEF EXECUTIVE'S ORDER CONTRIBUTION

Reg. Ref.: FW19A/0087

Register Reference: FW19A/0087

Area: Castleknock Mulhuddart

Date of Registration: 29 May, 2019

Correspondence: John Spain Associates 39 Fitzwilliam Place, Dublin 2, D02 ND61

- Development:
- Construction of two data storage facilities with a maximum overall height of c. 22 metres;
  - Each of the two data storage facilities will accommodate data halls, associated electrical and mechanical Plant Rooms, loading bays, maintenance and storage space, office administration areas, screened plant and solar panels at roof level;
  - Each of the proposed data storage facilities will have a gross floor area over two levels of c. 21,705 sq.m (43,410 sq.m in total);
  - Emergency generators (24 for each data storage facility), and associated emission stacks are provided in compounds adjacent to each of the two buildings;
  - The development includes a diesel tank and a filling area to serve the proposed emergency generators;
  - Construction of internal road network and circulation areas, footpaths, provision of 50 no. car parking spaces for each of the two data storage facilities (100 no. in total), and 25 no. cycle parking spaces for each of the two data storage facilities (50 no. in total);
  - Connections to vehicular access routes, roads, services and infrastructure permitted under An Bord Pleanála Reg. Ref.: PL06F.248544 / Fingal County Council Reg. Ref.: FW17A/0025;
  - Hard and soft landscaping and planting, lighting, and all associated works including underground foul and storm water drainage network, attenuation area, and utility cables.

The application site is located to the north of the data storage facility permitted under An Bord Pleanála Reg. Ref.: PL06F.248544 / Fingal County Council Reg. Ref.:

Standard Levy:

€3,238,307

Open Space: *m*

Other:

**SECURITY:**

Bond:

Cash:

Other:

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FW17A/0025, and within an overall landholding bound to the south by the R121 / Cruiserath Road, to the west by the R121 / Church Road and to the north by undeveloped land and Cruiserath Drive.

An Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application and the EIAR will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy at the offices of the Planning Authority.

**Location:** Cruiserath Road, Dublin 15, within an overall landholding bound to the south by the R121 / Cruiserath Road, to the west by the R121 / Church Road and to the north by undeveloped land and Cruiserath Drive

**Applicant:** MIK Developments LLC

**Application Type:** Permission

**Zoning:** 'HT'... Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment.

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Planning Officers Report:

HMCL/PK

Report of the Planning Officer dated 22nd July, 2019

This is an application by MIK Developments LLC for PERMISSION for the construction of two data storage facilities with a maximum overall height of c. 22 metres; Each of the two data storage facilities will accommodate data halls, associated electrical and mechanical Plant Rooms, loading bays, maintenance and storage space, office administration areas, screened plant and solar panels at roof level; Each of the proposed data storage facilities will have a gross floor area over two levels of c. 21,705 sq.m (43,410 sq.m in total); Emergency generators (24 for each data storage facility), and associated emission stacks are provided in compounds adjacent to each of the two buildings; The development includes a diesel tank and a filling area to serve the proposed emergency

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generators; Construction of internal road network and circulation areas, footpaths, provision of 50 no. car parking spaces for each of the two data storage facilities (100 no. in total), and 25 no. cycle parking spaces for each of the two data storage facilities (50 no. in total); Connections to vehicular access routes, roads, services and infrastructure permitted under An Bord Pleanála Reg. Ref.: PL06F.248544 / Fingal County Council Reg. Ref.: FW17A/0025; Hard and soft landscaping and planting, lighting, and all associated works including underground foul and storm water drainage network, attenuation area, and utility cables. The application site is located to the north of the data storage facility permitted under An Bord Pleanála Reg. Ref.: PL06F.248544 / Fingal County Council Reg. Ref.: FW17A/0025, and within an overall landholding bound to the south by the R121 / Cruiserath Road, to the west by the R121 / Church Road and to the north by undeveloped land and Cruiserath Drive. An Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application and the EIAR will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy at the offices of the Planning Authority.

#### Site Description

The site is a green field site which has not been developed to date. The site area is 7.5 hectares within a total overall landholding of 26.14 hectares. The site is located east of Tyrrelstown and it is bounded by the R121 to the west and Cruiserath Road to the south. To the south of the site is an office and warehouse facility associated with Mallinckrodt and a biopharmaceutical and office site associated with Alexion, a green field site and the Mulhuddart cemetery.

The southern, western boundaries of the overall site are defined by a planted berm and parts of the northern boundary are defined by planted tree/hedgerow with some land remodelling adjacent to the site in the north east corner. The eastern boundary of the site adjoins the existing Bristol Meyers Squibb facility and a green field defines the northern site boundary separating the site from the existing Carlton Hotel. The site slopes in gently in a northern direction. There is an existing ESB wayleave runs along the western and northern boundaries of the site.

#### Proposal

The proposed development consists of the following:

- Construction of two data storage facilities with a maximum overall height of c. 22 metres;
- Each of the two data storage facilities will accommodate data halls, associated electrical and mechanical Plant Rooms, loading bays, maintenance and storage space, office administration areas, screened plant and solar panels at roof level;
- Each of the proposed data storage facilities will have a gross floor area over two levels of c. 21,705 sq.m (43,410 sq.m in total);
- Emergency generators (24 for each data storage facility), and associated emission stacks are provided in compounds adjacent to each of the two buildings;

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- The development includes a diesel tank and a filling area to serve the proposed emergency generators;
- Construction of internal road network and circulation areas, footpaths, provision of 50 no. car parking spaces for each of the two data storage facilities (100 no. in total), and 25 no. cycle parking spaces for each of the two data storage facilities (50 no. in total);
- Connections to vehicular access routes, roads, services and infrastructure permitted under An Bord Pleanála Reg. Ref.: PL06F.248544 / Fingal County Council Reg. Ref.: FW17A/0025;
- Hard and soft landscaping and planting, lighting, and all associated works including underground foul and storm water drainage network, attenuation area, and utility cables.

#### Submissions/Observations:

No submissions/observations have been received during the statutory time period.

#### Relevant Planning History on Site

FW17A/0025: Construction of a data storage facility building with an overall height of c. 13 meters, 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 of 20,739 sq.m; Emergency generators, emission stacks and a paladin fencing boundary treatment are provided in the adjacent compound; A temporary client control building, a transformer bay, a temporary substation, a permanent MV Switchroom building and a permanent MV / Control room building are to be provided for the construction phase; The permanent power supply will include the construction of a 220kv Gas Insulated Switchgear (GIS) substation building with a GFA of 1,350 sq.m and construction of 4 no. transformer bays; A water sprinkler pump room and storage tank, humidifier tanks and diesel tanks and filling area; Modification of the existing entrance and a new access control point to the lands from the existing roundabout on the R121 / Church Road to the west of the application site and a single-storey gate house / security building at this entrance with a GFA of 152 sq.m. A secondary entrance is proposed on the southern boundary, which also provides for construction access; Construction of internal road network and circulation areas, footpaths, provision of 46 no. car parking spaces (inclusive of 5 no. visitor parking spaces and 3 no. disabled spaces), 1 no. motorbike parking space and 15 no. cycle parking spaces; Landscaping and planting, boundary treatment, lighting, security fencing, bollards and camera poles, and all associated site works including underground foul and storm water drainage network, attenuation areas, and utility cables, on an application site area measuring 26.14 hectares. An Environmental Impact Statement (EIS) accompanied the application. Located at Cruiserath Road/Cruiserath Drive, Dublin 15

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Permission was granted by Fingal County Council on 25th April 2017. Following appeal to An Bord Pleanála (ABP Ref. PL06F.248544 refers) the decision was upheld. Final Grant 18th January 2018.

#### Other Planning History

The planning histories pertaining to adjoining lands are noted, along with other data centres in the Blanchardstown area.

#### Reports

Irish Water: No objection, subject to conditions.

Water Services Report: Additional information required.

Transportation Report: No objection subject to conditions.

Environment: No report received.

Biodiversity Officer: No report received.

Parks/Operations: Condition recommended.

Community Archaeologist: Condition recommended.

EHO: Conditions recommended.

Heritage Council: No report received.

DAA: No report received.

HAS: Does not advise against granting permission.

NTA: No report received.

EPA: An Industrial Emissions Licence may be required.

ESB: No report received.

IAA: No observations to make.

Comm for Energy Regulation: no report received.

TII: No report received.

DAHRRGA: Archaeology condition recommended.

#### Pre-Planning

Pre-planning was had with the area planners, the proposal was considered to be generally acceptable in principle.

#### Fingal Development Plan 2017-2023

The subject site is zoned HT High Technology, the objective and vision are as follows:

*Objective: Provide for office, research and development and high technology/high technology manufacturing type employment in a high quality built and landscaped environment.*



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*Vision: 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.*

Extract from Chapter 12 of the Fingal Development Plan 2017-2023

*'Business parks and industrial areas in Fingal are intended to provide high quality physical environments for businesses and industry reflecting the character of the County. The principle aims are to achieve high quality design, visual continuity and pedestrian/cycle friendly environments whilst ensuring the functioning of business and industrial locations. It is also considered that good design will assist in the long term economic viability of these areas.'*

A small section within the northern part of the site is located within the Outer Airport Noise Zone.

**Objective DA07**

*'Strictly control inappropriate development and require noise insulation where appropriate within the Outer Noise Zone, and actively resist new provision for residential development and other noise sensitive uses within the Inner Noise Zone, as shown on the Development Plan maps, while recognising the housing needs of established families farming in the zone.*

*To accept that time based operational restrictions on usage of a second runway are not unreasonable to minimize the adverse impact of noise on existing housing within the inner and outer noise zone.'*

Having regard to the nature of the proposed development and the location of the data halls, it is considered that there will be no undue impact on the proposed development being partially located within the outer airport noise zone.

**Objective EN07**

*'Support the implementation of the 'Strategy for Renewable Energy 2012-2020' Department of Communications, Energy and Natural Resources (now Department of Communications, Climate Action and Environment) and the related National Renewable Energy Action Plan (NREAP) and National Energy Efficiency Action Plan (NEEAP).'*

**Objective EN09**

*'Require details of the requirements for alternative renewable energy systems, for buildings greater than 1000sq m or residential schemes above 30 units, under SI 243 of 2012 European Communities (Energy Performance of Buildings) to 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.'*

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#### Energy

The following objectives are within the Fingal Development Plan 2017-2023.

#### Objective EN07

*'Support the implementation of the 'Strategy for Renewable Energy 2012-2020' Department of Communications, Energy and Natural Resources (now Department of Communications, Climate Action and Environment) and the related National Renewable Energy Action Plan (NREAP) and National Energy Efficiency Action Plan (NEEAP).'*

#### Objective EN09

*'Require details of the requirements for alternative renewable energy systems, for buildings greater than 1000sq m or residential schemes above 30 units, under SI 243 of 2012 European Communities (Energy Performance of Buildings) to 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.'*

An Energy Statement has been submitted with the application; the contents of which are noted and considered to be acceptable.

It is noted as part of the pre-planning consultation, the applicants were advised to incorporate renewable energy into the proposed development as required in the Fingal Development Plan 2017-2023. The proposed solar panels on the roof which will provide the hot water for the office and welfare facilities of the staff are noted.

#### The National Planning Framework Project Ireland 2040

The National Planning Framework (NPF) was published in February 2018. The NPF contains a number of National strategic Outcomes. In this instance National Strategic Outcome No 5 (p. 143) is relevant as it recognises that Ireland is very attractive in terms of international digital connectivity, climatic factors and current and future renewable energy sources for the development of international digital infrastructures, such as data centres. This sector underpins Ireland's international position as a location for ICT and creates added benefits in relation to establishing a threshold of demand for sustained development of renewable energy sources. There is also greater scope to recycle waste heat from data centres for productive use, which may be off-site. It also seeks the promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.

With regard to energy, the NPF (p.122) sets out Ireland's Energy Policy and Planning where policy is based on 3 pillars (1) sustainability, (2) security of supply, and (3) competitiveness. National Strategic Outcome 8 (p147) inter alia seeks to reinforce the energy distribution and transmission network to facilitate planned growth and includes initiatives such as the National Inter connector.

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The proposed facility is not an optional form of development in the modern world, at least in an international context. It is noted that the demand for data storage is projected to rise significantly for the foreseeable future and data storage facilities are required. At an international level there is a strong case that Ireland as a location for such facilities is a favoured location due to the temperate climate and prevailing winds which reduces the overall energy requirement. Given the provisions of the NPF this form of development at a national level it is, considered acceptable in principle.

Assessment

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

- Principle
- Context
- Layout and Design
- Residential Amenity
- Traffic and Transportation
- Water Supply and Drainage
- Landscaping.
- Archaeology
- Use of Emergency Generators
- Environmental Impact Assessment Report
- Appropriate Assessment

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It should be noted that the EAIR is outlined towards the end of this report, however from the outset it has been reviewed and this has informed the planners' assessment of the proposal.

Principle

The principle of permitting data centers has been established within HT zoned lands with a number of planning applications including FW17A/0025. As such the principle of data halls on High Technology (HT) zoned lands under the Fingal Development Plan 2017-2023 is considered to be acceptable.

Context

The overall planning context is for a development that is supported by the provisions of the National Planning Framework and the provisions of the Fingal Development Plan 2017-2023.



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Permitted development on the overall landholding (permitted under An Bord Pleanála Reg. PL06F.248544 / FCC Reg. Ref. FW17A/0025) provides for the construction of a data storage facility in the southern portion of the landholding, provision of security fencing and landscaping to the boundary of the entire landholding, internal roadways and access routes and associated development. This will be the first phase of development on this planned data storage facility campus. The current application ties in with the infrastructure permitted within the permitted first phase of development.

It is also pertinent to note that the previous development permitted did not authorise the provision of any grid connection or the provision of the 220kV substation. The applicant has indicated that this infrastructure will be the subject of a separate application.

In light of the aforementioned, in the event of a favourable determination forthcoming it is recommended that appropriate conditions be attached to any permission to ensure the limitations of the permission are clear and that the phasing of development in relation to the overall development of the landholding and site in particular, requiring that permitted building A is constructed first and that associated landscaping, road and infrastructure is implemented in a timely manner.

#### Layout & Design

The proposed development is for phase two of a data hall complex. The two proposed data storage facilities are to be located to the north of the site of the permitted data storage facility (referred to as 'Building A' under An Bord Pleanála Reg. PL06F.248544 Reg. Ref. FW17A/0025). The 2 halls are rectangular in shape and are orientated on a north-south direction, the most southerly being 'Building A' and the northern building 'Building C'.

The layout also includes the construction of internal road network and circulation areas, footpaths, provision of 50 no. car parking spaces for each of the two data storage facilities (100 no. in total), and 25 no. cycle parking spaces for each of the two data storage facilities (50 no. in total). Connections to vehicular access routes, roads, services and infrastructure permitted under An Bord Pleanála Reg. Ref.: PL06F.248544 / Fingal County Council Reg. Ref.: FW17A/0025 with minor internal revisions.

A revised Indicative masterplan (Drawing ADGBC-MCA-PL-ZZ-DR-A-1004 refers) from that was previously considered under the earlier application outlines where the proposed development fits within with Building A and the previously agreed infrastructure. A total of 7 no. data halls are now envisaged for the overall site, where previously there were 8.

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In terms of the overall layout of the site, the data hall buildings and associated works are considered to be acceptable both in relation to the development proposed and in the wider context of the overall site layout.

Both Buildings B and C have identical internal layout and floor plans, each with a total GFA of c. 21,705 sq.m. over two floors which will primarily accommodate data halls, electrical and mechanical plant rooms, maintenance and storage areas. Each building has a total length of c. 190m, width c. 60m and overall height of c. 20m. Along the west elevation of each building are 48 emergency generators (24 for each data storage facility) proposed, with associated emission stacks, provided in compounds adjacent to each of the two buildings. A diesel tank and a filling area to serve the proposed emergency generators is also proposed.

An architectural design report has been submitted as part of the planning application. This document has a number of 3D images, and includes details on the external finishes.

Having regard to the height of the structures, the elevation designs, and the finishes proposed the two buildings are considered to be acceptable. However due to their scale it is recommended that final details of external finishes be secured by condition. In this regard finishes and palette of materials on the eastern elevation require further attention to break up such a large expanse of buildings.

In design terms the proposal is considered to be acceptable.

Landscaping is considered later in this report. Quality landscaping, particularly to the overall site boundaries will assist in enhancing the visual appearance of the site.

### Residential

There are a number of existing residential dwellings located to the west of the application site in Tyrrelstown. There is an existing berm along the western boundary of the overall site which will be further supplemented and planted under permission FW17A/0025. The data halls are a maximum c.20m and set along the eastern portion of the site. Overall the proposal is not considered to be excessive from a visual perspective. It is considered there will be no undue overshadowing to adjacent properties. Having regard to the nature of the proposed development it will not result in excessive levels of traffic to the area and the existing road infrastructure is currently under capacity.

The noise mitigation measures are noted within the EIAR and will be conditioned in the event of favourable decision.

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Traffic and Transportation

A report from the Transportation Section of Fingal County Council has been received with the following comment made:

*'General*

The proposed development is located in a 50km/hr speed limit area.

*Car Parking*

County Development Plan standards require Data Centres to have 1 car parking space per 100m<sup>2</sup> of Gross Floor Area. The proposed development is for 2 data storage facilities of approximately 21,705m<sup>2</sup> each (43,410m<sup>2</sup> in total). Such a Gross Floor Area would therefore normally require 434 car parking spaces. This figure can be reduced by 50% to 217 spaces due to the proposed development's close proximity to public transport and a major economic corridor.

The applicant intends to provide 100 car parking spaces based on predicted staffing levels and shift patterns (a maximum of 114 staff working over a 24 hour period). 10 of these spaces would have charging points intended to be used for electric vehicles. A further 10 spaces would have ducting in place to allow for future installation of charging points. All spaces should have ducting in place to facilitate electric vehicle use in the future. Provision of 10 electric vehicle spaces initially is acceptable. Provision of 100 spaces is acceptable. However, it is noted that only 98 car parking spaces are shown on some of the submitted drawings.

*Cycling Facilities*

County Development Plan standards require Data Centres to have 1 bicycle parking space per 200m<sup>2</sup> of Gross Floor Area. The proposed development would therefore normally require 217 bicycle parking spaces. The applicant considers such a quantity to be excessive considering the staffing levels of the proposed development. The applicant intends to provide 50 bicycle parking spaces – half the amount of spaces which is in line with County Development Plan standards. This is acceptable.

The applicant intends to provide 4 showers and associated changing facilities and 1 locker per bicycle parking space (50 lockers in total). This is acceptable.

*Access and Internal Layout*

The proposed development would be accessed off the existing roundabout junction of the R121 and the Boulevard Bealing Village Access Road.

The detailed design and construction of the main access including boundary treatment and protection of existing services would need to be agreed with the Transportation Planning Section prior to construction. Taking in-charge details and the visibility requirements of pedestrians and

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cyclists would also need to be considered and agreed with the Transportation Planning Section prior to construction.

A swept path analysis has been carried out which shows that a Heavy Goods Vehicle (HGV) can access the proposed development, proceed through the internal road network, reverse into loading bays and exit the proposed development. However, the turning movements of HGV's should be segregated from pedestrians, cyclists and cars. The proposed HGV loading bays are located in close proximity to some of the car parking spaces. The details of segregating the loading area and the staff parking area should be agreed with the Transportation Planning Section prior to construction.

*Traffic & Transport Assessment*

An Environmental Impact Assessment Report (EIAR) was prepared for the proposed development. Chapter 13 of the report assesses the impacts of the proposed development on the surrounding road network during its construction and operation.

As part of the assessment, 12 hour traffic surveys were conducted on Thursday 21st March 2019 between 7am and 7pm. Peak hours were found to be 07:45 – 08:45 and 17:00 – 18:00 for the AM and PM periods, respectively.

The peak hour trips associated with the proposed development would be 39 trips in and 18 trips out in the AM peak hour and 8 trips in and 8 trips out in the PM peak hour. These trips would mostly be made up of deliveries, visitors and maintenance and security staff. Core staff members, who make up the majority of the 114 workers, arrive and depart outside of peak hours. The assumptions regarding trip generation and distribution appear reasonable.

The following roundabout junctions in the vicinity of the proposed development were assessed taking into account the cumulative traffic impacts associated with the surrounding developments:

- Roundabout junction #1 – R121, Boulevard Bealing Village Access Road and the proposed main access to the site;
- Roundabout junction #2 – R121, Cruiserath Road, Church Road, Damastown Avenue and Powerstown Road, and;
- Roundabout junction #3 – Cruiserath Road, Corduff Road, Ballycoolin Road and Blanchardstown Road North.

The junction analysis and the future year assessments indicate that:

- Roundabout junction #2 would operate close to capacity during the AM peak hour in the year 2031 (5 years after becoming operational) and would operate above capacity during the AM peak hour in the year 2041 (horizon year) with or without the proposed development, and;
- Roundabout junction #3 would operate close to capacity during the AM peak hour in the years 2031 and 2041 with or without the proposed development.

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The report notes that the impact of the proposed development would be minor and the reduced performance of these junctions would for the most part be due to the growth of background traffic. The report finds that the traffic impact of the operational phase of the proposed development would be long-term, neutral and imperceptible. The report also finds that the traffic impact of the construction phase would be short-term, negative and not significant.

*Conclusion*

*The Transportation Planning Section has no objection to the proposed development subject to conditions.'*

This report is noted and in the event of a favourable decision appropriate conditions will be attached.

Water Supply and Drainage

In terms of water supply and foul drainage arrangements Irish Water have raised no objection. It is noted that Irish Water raised no objection to the Phase 1 of the development of the lands (Ref. FW17A/0025 & ABP Ref. PL06F.248544 refers) subject to conditions. It is recommended that similar conditions be attached to this proposal in the event of a favourable permission.

With regard to surface water drainage, a report from Water Services Section of Fingal County Council has highlighted that EIAR refers to a Stormtech™ system whereas the engineering drawings and report refer to an open attenuation basin. Due to constraints imposed by the presence of the ESB wayleave it is believed that the previously proposed basin is to be substituted by the Stormtech™ system.

In light of the above it is recommended that prior to commencement of construction the developer should provide clarification as to whether the attenuation system is a basin or a Stormtech™ system, including details; and also calculations for the greenfield runoff rate for the site and the Microdrainage calculations for the critical storm event demonstrating the adequacy of the storage provision. It is recommended that a condition be attached to any grant of permission that may be forthcoming to ensure appropriate surface water drainage arrangements are secured.

Landscaping

The overall landscaping for the site was considered under the previous application and is considered to be acceptable. It is recommended that the phasing and landscaping associated with the previous application be conditioned in such a manner that the landscaping to the overall site boundaries are implemented in a timely manner. Notwithstanding this requirement it is noted that the submitted landscape plan with the current application omits tree planting with the proposed

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planting consisting of shrub sized species in 3L containers. This is in contrast to the submitted 3D images showing tree planting on open spaces & surrounding the proposed buildings B & C. This is not acceptable and it is recommended that a condition be attached to any grant that may be forthcoming to require additional planting is undertaken. It is considered that details can be adequately secured by condition.

Archaeology

The report from the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs is noted. Given the rich archaeological heritage of Fingal there is a residual risk of archaeological remains within the site. However it is considered that in this instance, and having regard to the comments of the Council's Community Archaeologist, a condition that ensures that an Archaeological Assessment is undertaken prior to the commencement of development and sufficient time is given to allow for a review of any findings and course of action that may be required resulting therefrom. In this instance it is considered that such a condition is acceptable.

Use of Emergency Generators

The applicant is advised that if the proposed emergency generators have a combined total rated thermal input of 50MW or more may, depending on the annual operational hours of the standby generators, be required to apply to the Environmental protection agency for an Industrial Emissions License under the Energy Class of activity.

Environmental Impact Assessment Report (EIA)

An EIA has been submitted to accompany the application. It is contained in a single Volume comprising the following elements:

- Non-Technical Summary
- Part I Introduction and Context (Chapter 1)
- Part II Description of the Site and Proposed Development (Chapters 2)
- Part III Aspects of the Environment Considered (Chapters 3 - 17)

The following is a review and assessment of the EIA. It is noted that a Report for Screening for Appropriate Assessment is given in Chapter 8. This is considered separately.

Non-Technical Summary

Introduces the EIA, outlining the requirement for an EIA, noting that the subject site is sub-threshold in area, however taken in conjunction with the previous development (FW19A/0025, PL06F.24844) it would exceed the 15ha threshold.

The Summary then details 3 parts. Part I (Introduction and Context) with Chapter 1 being an Introduction. Part II (Description of Site and Proposed Development) comprises Chapters 2 to 4, giving a description of the site and proposed development; planning and development context;



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consideration of alternatives respectively. Part III (Aspects of the Environment Considered) incorporates Chapters 5-17 outlining each Chapter and providing an overview. Chapters 5 to 16 cover the following themes/aspects respectively: population and human health; soils, geology and hydrogeology; hydrology; biodiversity, flora and fauna; air quality and climate; noise & vibration; landscape & visual; archaeology, architectural and cultural heritage; traffic & transportation; material assets; waste management; cumulative impacts and interactions between the aspects. Chapter 16 assesses Cumulative Impacts before Chapter 17 concludes by detailing Interactions - Interrelationships between the Aspects.

It is considered that the Non-Technical Summary accords with the appropriate Regulations and requirements and provides a fair overview of the proposed development.

Part I: Introduction and Context

Chapter 1: Introduction

This chapter gives an introduction of the EIS, outlines the objective of the EIAR, detailing the legislative requirements, format of the Report, and the need for the development. The Company background is outlined, along with consultation and regulatory control. Contributors to the EIAR are outlined, Reference is made to the EPA Guidelines regarding the quantity, magnitude and duration of potential effects. Additional Assessments required are identified as Appropriate Assessment Screening Report and Flood Risk Assessment Stage 1. The Chapter concludes by stating that detailing forecasting methods are presented in each Chapter however no difficulties in compiling the specified information were encountered. It is considered that the details given in this introductory Chapter are sufficient.

Part II: Description of the Site and Proposed Development

Chapter 2- Description of the Proposed Development

In this chapter the site is described along with the description of the proposed development, the previously granted development, the data storage facility processes described along with indicative future development of the lands and proposed site infrastructure and secondary facilities. The description of the process of construction, commissioning, operation and decommissioning is introduced. Sustainable energy efficiency and resource use are introduced along with design and construction health and safety matters. Potential impacts of the proposed development, issues concerning major accidents/disasters are considered, identifying Seveso sites in the area. The chapter concludes by identifying and considering related development and cumulative impacts. It is considered that the Chapter addresses the above in a sufficient manner.

Part III: Aspects of the Environment Considered

Before considering each of the following Chapters, on foot of the assessment made by officers of the Council for the sake of brevity, only the key issues will be noted here. Each Chapter, 5-16 in particular, follows a fairly standard format as prescribed in the Regulations and Guidance. First by

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introducing the environmental aspect, discussing the methodology employed, describing the receiving environment. The characteristic of the proposed development and the potential impacts are considered at both construction stage and operational stage. This is followed by considering remediation and mitigation measures, and residual impacts.

### Chapter 3: Planning and Development Context

The national, regional and local planning context is first detailed in this Chapter. Due reference is made to the National Planning Framework - Ireland 2040, Draft Regional and Spatial and Economic Strategy for the Eastern Region, the Regional Planning guidelines for the Greater Dublin Area; and as the site of the proposed development is situated within the administrative area of Fingal County Council, the provisions of the Fingal Development Plan 2017-2023 are noted, particularly the 'HT'- High Technology land-use zoning pertaining to the site. Permissions pertaining to the site and neighbouring sites are referenced, as are pre consultation discussions with the Planning Department. It is concluded that the proposed development accords with the provisions of the Fingal Development Plan 2017-2023. The aforementioned is considered to be a fair description and analysis of the planning and development context.

### Chapter 4: Alternatives

In this chapter the description of alternatives that were considered for the proposed development and the reasons for the selection of the preferred option. The preferred option was assessed under two components:

- Selection of preferred country- the selection of Ireland as the preferred country for this development was based largely on climatic conditions and strategic business considerations.
- Selection of preferred site location- detailed assessment was completed on a number of potential development sites within the greater Dublin area. The sites considered were both green fields and vacant industrial sites.

Candidate Sites were considered in terms of: Availability of necessary land type and quality of lands; availability and ease of grid connection power; site zoning and suitability of neighbouring activities; potential impacts on the local environment; suitability of ground conditions for construction; and availability of required infrastructure and emergency services.

Alternative designs and layout along with alternative processes and technologies were considered and mitigation measures. Having undertaken this assessment, it was concluded that the chosen site in Cruiserath, is an ideal site, with significant capacity for development and highly suitable for data centre storage use. Given the aforementioned and the development already permitted it is considered that the proposed site meets the necessary criteria.

### Chapter 5: Population & Human Health

To set the scene the population and demographics are first considered along with a profile of the local labour force, social infrastructure, landscape amenity and tourism considerations as well as natural resources. Against this background impacts of the proposed development during

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construction and operational phases are considered in terms of impacts on local businesses and residences; human health from Air Quality, Noise and Vibration, local amenities and tourism, material assets, from additional traffic and unplanned events on health and safety. A range of remedial and mitigation measures are then proposed.

Transport movement mitigation measures are addressed in details in Chapter 13.

- Monitoring and control of construction traffic will be ongoing during construction works. Construction traffic will minimise movements during peak hours.
- Different shift work cycles will ensure that the resulting adverse environmental impact from traffic will be mitigated.

It is expected that the proposed development will have a positive, long term impact on the immediate hinterland through continued employment and the associated economic and social benefits.

A Construction Management Plan and a Mobility Management Plan have been prepared with regard to the proposed to help mitigate impacts on the local environment.

#### Chapter 6: Soils, Geology and Hydrogeology

In terms of soil on the site is predominantly classified as BminDW-BasicDeep Well Drained Mineral. The area to the south of the site includes Mulhuddart graveyard. Further to the north and east of the site are soils composed of BminPD-surface water gleys. The subsoil type located at the proposed development is predominantly classified as TLs- Till type subsoil comprising limestone till of variable texture. The EIAs from surrounding developments in the Blanchardstown Industrial Park describe the soils and subsoil as topsoil up to 0.30mbgl thick overlying sandy gravelly clay in the vicinity on the Mountjeu site. Top soil 0.3m overlying stiff, locally soft to firm and very stiff sandy silt to approximately 1.2m which in turn overlies medium dense to dense silty, gravelly sand or cobbles and boulders ranging from 1.8-3.5mbgl metres below ground level at Alexion site. Topsoil and clays up to 2m at Bristol-Myers Squibb.

With regard to geology the nearest site of geological history to the subject site according to the GIS online mapping system is for the Huntstown Quarry c.2.5km to the east of the site. The Priest Town Tectonite (Limestone boulder moraine) is also located c.4.2km north-northwest of the site. The recorded geological heritage site within close proximity to the subject site is the Mulhuddart Holly Well located c.670m south west of the site.

From a hydrogeology perspective the site has an aquifer classification of PI, generally indicating that the site is underlain by a poor aquifer generally unproductive except for local zones on the eastern portion of the site. The western portion of the site is classified as LI-locally important Aquifer- bedrock aquifer which is moderately productive only in local zones. The GIS presently classifies the aquifer in the region of the subject site as High (H). The vulnerability of the soil is considered High to Extreme.

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**Groundwater Quality:** The available ground water quality data for the existing site has been assessed and there is no anticipated effect to the site groundwater.

**Groundwater flows and Levels:** From the static water levels (SWL) measured during site investigations at surrounding sites, groundwater flows has been found to be in a southerly direction towards the Tolka River and likely towards the River Liffey on a more regional scale. Groundwater was encountered at only two locations, at 1.7m and at 12m within the subsoil.

**Groundwater Wells:** The current index shows a number of groundwater monitoring and abstraction wells within a 3 km radius of the site. The abstraction wells generally supply a mix of use ranging from domestic to public to industrial use. The wells are generally located in the Calp Limestone with recorded yields ranging between ca.16m<sup>3</sup>/d to 115m<sup>3</sup>/d.

No significant cumulative effects are predicted to soil, geology or hydrogeology.

Mitigation Measures include at construction phases a Construction Management Plan to be provided detailing soil removal and compaction; Fuel and Chemical Handling: Surface Water runoff; and dealing with Accidental releases. At operational stage measures will deal with fuel and chemical handling; and surface water runoff. In this case of the proposed development, the residual impact is considered to be neutral in terms of quality and of an imperceptible significance. It is considered that generally the Chapter has assessed the key issues in a satisfactory manner. However as noted in the planners report the issue of surface water draining will however require clarification.

### Chapter 7: Hydrogeology

The most significant drainage system in the vicinity of the site is the River Tolka. The Mooretown stream is also a tributary of the Tolka River. This lies < 500m north of the site. A relatively shallow ditch is located in the south western portion of the site. There are no offsite discharges from this ditch into either the surrounding roadside or surface water sewer networks.

The proposed development is located within the Eastern River Basin District (ERBD) under the Water Framework Directive (2000/60/EC) and is situated in Hydrometric Area No. 09 of the Irish River Network. It is located within the Tolka catchment. The 2013 Q values when compared to the linear Q values show that the Q value of the River Tolka has remained unchanged with the latest value listed as Q2 which is 'bad' or 'seriously polluted'. From reviewing the available data on fluvial and groundwater flooding, there is no evidence of either occurring at the proposed area of development. Flood maps produced by OPW show that the site is located within Flood Zone C. the probability of flooding from 0.1% in 1000 year events is low. The review of available information has identified no flood hazards for the proposed development.

In terms of the criteria for rating the importance of hydrological features, the subject site is rated as low importance.

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Potential impacts are identified for both construction and operational phases. Increased sediment loading and potential for contamination being two areas identified.

In relation to increased run off and sediment loading, impact is considered to be medium term-moderate.

In relation to the contamination of local watercourses, the potential impact is considered to be long term-imperceptible.

In relation to the contamination of local watercourses, the potential impact is considered medium term-moderate.

Cumulative Impacts area identified as surface water run-off during the construction phase may contain increased silt levels or become polluted from construction activities; contamination of local water sources from accidental spillage and leakage from construction traffic and materials; increased hard shedding will reduce local recharge to ground and increase surface water run-off; increased risk of accidental releases from fuel storage; increased risk of accidental recharge of hydrocarbons from car parking areas.

To address the above a range of mitigation measures are proposed for both the construction and operational phases, including a project specific Construction and Environmental Management Plan to be prepared and maintained by the responsible contractors.

With appropriate mitigation measures, there is no evidence that any significant residual impacts will take place. The residual impact is considered to be minimal.

A Food Risk Assessment is given as Appendix 2, this is considered to be acceptable.

### Chapter 8: Biodiversity, Flora and Fauna

Desktop and field surveys were conducted in order to collate all the available information relevant to the ecology of the site and surrounding area. The proposed development site does not occur within any sites designated of nature conservation. There are no direct links with European sites, Natura 2000 sites. The closest designated site to the proposed development is the Royal Canal proposed Natural Heritage Area (pNHA) located at its nearest point 4km to the south. There is no hydrological pathway between the proposed development and the Royal Canal. Considering the distance between the site and the pNHA, and the absence of any hydrological link, any potential impacts on the Royal Canal are not likely. The nearest SAC to the proposed development site is the Rye Water Valley located c. 8.7km to the South west. There are no source-pathway receptor links between the proposed development site. An Appropriate Assessment Screening was also carried out in relation to the proposed development which determines that would not give rise to likely significant effects on any Natura 2000 sites. The field survey identified several habitat types- Fossitt 2000 within the proposed development site, that is:

- Scrub, (WS1)- Has value for birds and small mammals.
- Tree line- Has value for birds and small mammals.
- Grassland [dry calcareous and natural grassland (GS4), Dry meadows and grassy verges (GS2) and Wet grassland (GS4). A few Hares were noted on the site.]- Tall and wet grassland has value for birds, small mammals invertebrates (food and cover).



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- Cultivated land (BC3)- Little value for wildlife.
- Hedge rows (WL1) - Has value for birds and small mammals (food and cover) there are few hedgerows in the surrounding landscape.
- Drainage ditches (FW4).

Flora: Field survey recorded none of the protected, rare or threatened flora species on the site. No invasive plants were recorded on or adjacent to the proposed development site.

Fauna: Records of rare, protected and threatened species within 10km square of the study area were also obtained from the National Biodiversity Data Centre and Bat Conservation Ireland. There is a potential occurrence of a number of species on the site [Natterer's Bat, Lesser Noctule, Pipistrelle, Soprano Pipistrelle, Common Frog, Smooth Newt, Irish Hare (occurrence confirmed and is protected under Wildlife Act 1976), Irish Stoat, and Red Fox].

Potential Impacts at construction phase will include site clearance, soil clearance; the potential for inadvertent pollution of surface water, light and physical disturbance; the removal of habitats-semi-natural grassland, treeline and scrubs (of low ecological value). Displacement of fauna (Rabbits and Hares) there is abundant habitat in the surrounding landscape; and habitat fragmentation, minor impact on the use of hedgerows by foraging and commuting bats. During operation of the facility artificial lighting and noise disturbance to species such as birds and bats may have local, long-term impact in the absence of mitigation. No impacts on existing downstream watercourses are expected either during the construction or operation phases of the proposed development.

At the Operational Phase impacts will be from human activity on the site and artificial lighting. The proposed development is located in a part of west County Dublin which in recent years has experienced a marked increase in both industrial and residential development. Much of the land in the area is zoned for development, which could lead to further habitat loss and loss of green space. Such habitat loss is likely to be significant at a local scale. Development may also impact on water quality in the absence of mitigation.

Mitigation Measures at construction phase include the prevention of silt or any contaminants from reaching any watercourses; supplementing the boundary planting with native tree and shrubs to compensate for the loss of hedgerows and any of the existing tree line during the works; along with measures outlined within regard to soil, water and waste management will contribute to mitigation of impacts on biodiversity. At the Operational Phase measures include petrol interceptors and the attenuation ponds to be regularly maintained and kept in proper working order for the duration of the development.

Assuming a successful implementation of all the mitigation measures, residual impacts will only be significant at the following geographic scales: Loss of hedgerow habitat and supplementary planting of trees and shrubs along site boundaries; loss of grassland and arable field; displacement of local fauna including bats, birds and small mammals.



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It is noted that a Screening Report for Appropriate Assessment is included as an appendices within this Chapter. This is considered later.

From the aforementioned it is considered that the EIAR has identified the main issues along with appropriate mitigation measures.

**Chapter 9: Air Quality and Climate**

This chapter assesses and evaluates the potential impacts on the surrounding air quality and climate environment as a result of the proposed development. Air dispersion modelling was carried out using the United States Environmental Protection Agency's regulated model AERMOD. The modelling of air emissions from the site was carried out to assess the concentration of Nitrogen Dioxide and the consequent impact on human health. The subject site is located within Zone A (Air Quality Monitoring Annual Report). With regards to NO<sub>2</sub>, continuous monitoring data from the EPA at Zone A locations, NO<sub>2</sub> levels are both below annual and one hour limit values.

Predicted Impacts at the construction Phase include dust emissions and the potential for nuisance dust; and the potential for greenhouse gas emissions to the atmosphere ( CO<sub>2</sub> and NO<sub>2</sub> from construction traffic). At the operational stage potential impacts include emissions from the emergency generators and traffic generated air pollutants.

Mitigation Measures at the construction stage include the range of standard measures to keep roads clean and dust suppressed.

At the Operation Phase stack heights are designed to aid dispersion and will mitigate odour nuisance from sensitive receptors.

The results of the air depression modelling study show that the residual impacts of the proposed development on air quality and climate will be insignificant.

**Chapter 10: Noise and Vibration**

The nearest residential locations are located to the west of development lands on the opposite site of a section of the R121. The hotel is located on the north of the site and the eastern boundary of the site is shared with existing industrial lands and operations. The southern boundary of the site is formed by industrial and agricultural lands.

Predicted Impacts at construction stage include construction noise on site, noise from the flow of vehicular traffic to and from construction site, and the potential for vibration at neighbouring sensitive locations.

At the operation phase likely impacts will be from building service noise, emergency site operation and additional vehicular traffic on public roads.

In response to the above a number of mitigation measures are proposed. For example at construction phase the limiting the hours of site activities which are likely to create high levels of noise or vibration; establishing channels of communication between the contractor, local authority and residents; appointing a site representative to deal with matters relating to noise; monitoring levels of noise and vibrations at sensitive locations. All site access roads will be kept even so at to mitigate the potential for vibration from lorries; selection of plant with low inherent potential for

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generation of noise and vibration, erection of barrier around items such as generators and high duty compressors; and noisy plant to be situated as far away from sensitive properties. At the operational phase the purchasing of low noise generating equipment. The site will operate well within the constraints of the best practice guidance noise limits that have been adopted. With regard to residual impacts there will be no significant impact at residential locations in terms of ambient noise and an imperceptible impact from vehicle movements.

**Chapter 11: Landscape and Visual**

The site is located north of Mulhuddart village in west Dublin and it is bounded by the Cruiserath Road to the South and the R121 to the west. The eastern boundary of the site adjoins the existing Bristol Meyers Squibb facility, and the green field defines the northern site boundary separating the site from existing Carlton Hotel. The site together with its wider surrounds are zoned 'HT': High Technology in the Fingal Development Plan with the objective to...Provide for office, research and development and high technology/ high technology manufacturing type employment in a high quality built and landscaped environment.

Predicted Impacts during the construction phase include the removal of the hedgerows along the boundary between the two fields of the site. Landscape and visual impact during construction will be short term, moderate and neutral in nature.

At operational phase the overall landscape and visual impact of the proposed development will be positive.

Mitigation measures include appropriate stripping and storage of topsoil sufficient for the reinstatement of temporary construction areas. To use horizontal cut-off light fittings for the lighting standards on site roads and carparks.

No residual landscape and visual impacts will arise. The lands are zoned for development as proposed and the scheme provides for an appropriate response to the permitted land use.

**Chapter 12: Archaeology, Architectural and Cultural Heritage**

This chapter seeks to identify and record the location, nature, and dimensions of any archaeological and architectural feature, fabric or artefacts that may be impacted by the proposed development. The location of the proposed development was visited on the 3rd April 2019. The proposed development area is a very large green field site currently under cereal crop and comprised of three divisions, a hard-core roadway runs all around the edge of the site with large, tree-covered bund to east, south and north.

- There are no sites of archaeological importance in the immediate area, the nearest is Buzzardstown Graveyard c.430m to the south.
- There are no entries specific to the subject site or for the townland of Cruiserath contained in the Topographical Files of the National Museum of Ireland.
- No new features of archaeological or cultural heritage interest were identified in historical maps.

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- There are no sites of architectural heritage within the subject site recorded in the RPS or NIAH.
- No previous archaeological excavations have been undertaken at the subject site.
- Test excavations were undertaken to the east in advance of construction of the Bristol-Myers Squibb facility and recorded numerous features associated with Cruiserath House.

Predicted Impacts during the construction Phase include a threat to unrecorded, buried archaeological sites or features during ground disturbance works (provision of access roads and service trenches), and that features of significance will be uncovered during excavations.

No potential impacts are identified at this moment during the operational phase as it is anticipated that issues of archaeological, architectural and cultural heritage interest will have been resolved prior to or during the construction phase.

Mitigation measures proposed include pre-development assessment undertaken by licenced qualified practitioner; with test-trench assessment will be undertaken by a suitable qualified archaeologist; and the monitoring of ground disturbance works.

In terms of residual impacts it is not anticipated that there will be any residual impacts on archaeological features or sites encountered.

The assessment undertaken appears robust.

### Chapter 13: Traffic and Transportation

The development includes internal pedestrian footpaths providing safe passage for the pedestrians between internal buildings. External public footpaths are provided on both sides of the road along the south and east boundaries of the site. The internal footpaths connect to these external footpaths through the site's main access.

In terms of cycle facilities there is an excellent cycle network provided in the vicinity of the site. Cycling infrastructure includes two-way cycle tracks on both sides of the R121 to the west the site with cycle facilities up to the main access to the development and cycle tracks on both sides of Cruiserath Road south of the site. Cycle Parking is provided in accordance with first principals, based on staff levels.

With regard to public transport the site is currently serviced by Dublin bus, with services 40D, 236 and 238 stopping in the vicinity of the site. The 40D bus provides services between Parnell Street and Tyrrelstown via Finglas Road and Ballycoolin Road operating on 15 minutes intervals during peak periods with services less frequent during off-peak times. The 236 bus provides services between Blanchardstown Centre and Palmerstown via Ballycoolin with three morning services departing from Blanchardstown centre and three return evening services operating on an hourly

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basis. The 238 bus provides services between Tyrrelstown and Lady's Glen, with the first and last services departing at 7:00 and 21:00 respectively.

It is likely that construction of the proposed development would take place over a period of approximately 12-18 months from the commencement of construction for site development works. The construction traffic has been estimated using data from a similar data storage facility development.

Access to the site will be via a new access controlled entrance from the R121 along the western boundary of the proposed development. Construction material will be sourced from Huntstown Quarry, Finglas, which is currently operated by Roadstone. HGVs will travel to the site from Huntstown Quarry via the R135, Corduff Road and Cruiserath Road, as indicated using blue arrows on insert 13.2. LVs and LGVs will travel to the site from the N2 or N3, with associated route options based on origin.

From a traffic perspective predicted impacts include congestion during peak hours, journey delays, and a degree of air pollution. However the impact of the development during construction will be temporary and manageable.

The traffic impacts of the development were assessed taking the cumulative traffic impacts, including impacts associated with the existing surrounding developments (BMS, Alexion and Mallinckrodt) into account. The overall impact is considered to be negligible.

Mitigation Measures include at construction phase wheel cleaning facilities and regular cleaning of main access road; temporary car parking facilities to be provided; the monitoring and control of construction traffic; and construction traffic routes to minimise traffic impact on surrounding residential developments to be used.

Operational Phase as part of the previous application and EIAR there was a junction analysis performed and the results yield that the Roundabout of R121, Cruiserath Road, Church Road, Damastown Avenue and Powerstown Road is currently operating just below capacity during the AM peak hours and at capacity during the PM peak hours, with insufficient spare capacity to facilitate additional demand which will occur regardless of the proposed development. Fingal County Council would need to provide some minor geometry modifications at this junction to maintain its functionality.

The junction was tested for a range of minor modifications, with a number of identified as yielding the best results for example increased entry width at Cruiserath Road to 9m., increasing the effect flare length of Cruiserath Road to 30m, increasing entry width of Church Road to 8m, and increasing entry width of Damastown Avenue to 9m. These will continue to apply in the case of the current application.

For pedestrian and cyclist internal road markings through the carpark to highlight pedestrian routes, dropped kerbs at building entrance to enable easier access; and an appropriate number cycle parking spaces will be provided at ground level for the proposed development.

The residual impacts of the development will be negligible.

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It is considered that the EIAR has identified the main issues in this regard with appropriate mitigation measures.

**Chapter 14: Material Assets**

Material assets are defined in Environmental Protection Agency as *'resources that are valued and that are intrinsic to specific places, they may be either human or natural in origin and the value may arise for either economic or cultural reasons'*.

The subject site is located in an area primarily characterised by commercial and business parks notably to the east and south. There is extensive residential housing at Tyrrelstown west of the site and towards Blanchardstown Village. Predicted impacts include loss of agricultural land, increase in demand for electricity supply and usage, impacts on highways and transportation, and increased waste generation.

Cumulatively with respect to material assets, the impact of the proposed masterplan development is classed as long term and moderate.

Mitigation Measures will include the establishment of connections of onsite water, drainage and power to the existing offsite services; continued engagement between the applicant with ESB, FCC, IDA, Irish Water and other relevant organisations. Attention will be paid to wayleaves associated with ESB underground services which transverse the northern and western boundaries of the site. In terms of residual impacts the proposed development entails significant power and water usage however the existing service providers have confirmed the availability of supply and there will therefore be no significant impact on material assets to the wider economy. The findings are considered to be acceptable.

**Chapter 15: Waste Management**

This Chapter presents the assessment of the wastes likely to arise at the development during the construction and operational phases and how that waste will be managed.

The construction phase will begin with initial soil excavation in preparation of the site foundations and floor levels generating spoil. There may be surplus of materials such as off-cuts, waste insulation, gypboard offcuts, tiles, glass and piping offcuts. Waste from packaging and small quantities of hazardous waste. An oversupply of material may be generated.

During operation of the facility staff generated waste is likely to be moderate amounts of non-hazardous waste. These include: Packaging waste; office waste; general non-hazardous waste non-hazardous WEE. Standard hazardous wastes include hazardous WEE, waste lubricant oil, and waste batteries from battery room.

Cumulative Impacts: Additional construction works, including levelling, landscaping and road network expansion will generate additional wastes. The predicted impact will be short term and imperceptible.



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Mitigation Measures include at construction phase the implementation of a Construction and Demolition Waste Management Plan. Construction waste will be dealt with in compliance with the provisions of the Waste Management Act 1996 and associated Regulations.

At operational phase an Operational Waste Management Plan will be developed prior to commencement.

Residual impacts: due to the high levels of recovery and recycling during construction phase, the impact will be short term and imperceptible. The predicted impact of the operational phase will be long term and imperceptible.

Chapter 16: Cumulative Impacts

The potential cumulative impacts form the basis of this Chapter. These include the permitted development to the south of the site; the proposed 220kV substation and associated transmission lines to the existing Corduff 110kV and 220kV substation; the potential future indicative masterplan for the land holding including 3 further data halls to the west of the site; and other developments in the locality. With mitigation for each environmental aspect, noted in the individual Chapters, it is predicted that there will be no significant long-term cumulative effects. This is considered to be a reasonable prediction.

Chapter 17: Interactions Between The Aspects

This chapter addresses the potential interactions and interrelationships between the environmental factors discussed in the preceding chapters. This covers both the construction and operational phase of the proposed development. Positive impacts include Population and Human Health: with increased employment with the locality. This is a long term positive impact on the locality and on Dublin in general. However the majority of interactions are either short or long-term, and generally imperceptible and neutral. From the evidence provided this is considered to be reasonable.

Adequacy of EIAR

The information to be contained in an EIAR is set out in Schedule 6 of the Planning and Development Regulations 2001(as amended). The impact of the proposed development was assessed under all the relevant headings with respect to description of the site and proposed development; planning and development context; consideration of alternatives; population and human health: soils, geology and hydrogeology; hydrology; biodiversity, flora and fauna; air quality and climate; noise & vibration; landscape & visual; archaeology, architectural and cultural heritage; traffic & transportation; material assets; waste management; cumulative impacts and interactions between the aspects. The content and scope of the EIAR is generally considered to be acceptable and in compliance with Planning Regulations. The EIAR has regard to the EPA *Guidelines on information to be contained in EIS* (EPA 2002 and *Advice Notes on Current Practice in preparation of EIS* (EPA 2003) and the European Commission document on *Guidance on EIA, EIS Review* (EC 2001). The EIAR has regard to the provisions of the revised EIA Directive 2014/52/EU and subsequent changes.



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Appropriate Assessment

As noted above a Screening Report for Appropriate Assessment was carried out by consultant ecologists and is included within Appendix 8.1 of the EIARS. The Screening concludes that:

- The proposed Project is not directly connected with, or necessary to the conservation management of European sites considered in this assessment.
- The proposed Project is unlikely to indirectly significantly affect the Qualifying interests or Conservation Objectives of European sites considered in this assessment.
- The proposed Project, alone or in combination with other projects, is not likely to have significant effects on the European sites considered in this assessment in view of their conservation objectives.
- It is possible to conclude that there would be no significant effects, no potentially significant effects and no uncertain effects of the project were to proceed.
- It is not necessary to undertake any further stage of the Appropriate Assessment process.

In light of the aforementioned and having assessed the proposal, it is concluded that it is not necessary to undertake any further stage of the Appropriate Assessment process.

Conclusion:

The proposed development will have no undue negative impact on the subject site or the adjoining sites in the area. The proposed development is acceptable under the 'HT' zoning objective and the specific objectives under the Fingal Development Plan 2017-2023 subject to a number of appropriate conditions.

RECOMMENDATION

I recommend that a decision to GRANT PERMISSION be made under the PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED, subject to the following (19) condition(s):-

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the Environmental Impact Assessment Report and plans, particulars, specifications, and information lodged with the application on the 29/05/19 save as may be required by the other conditions attached hereto.

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REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. This permission authorises the development of 2 data halls and associated development and works detailed in the description of development. The application does not authorise the provision of a substation or transmission line

REASON: To clarify the extent of the development.

3. The following requirements shall be met:
  - i) The proposal shall be phased in such a manner that Building A with associated infrastructure and landscaping granted under application Reg. Ref. FW17A/0025 / PL06F.248544 is completed, unless otherwise agreed in writing with the Planning Authority.
  - ii) A phasing plan for Buildings B and C are agreed in writing with the Planning Authority.

REASON: To ensure an orderly development and that infrastructure and landscaping is implemented in a timely manner.

4. All mitigation measures contained within the Environmental Impact Assessment Report shall be strictly complied with. Prior to the commencement of development the applicants shall submit for the written agreement of the Planning Authority a detailed Mitigation Plan outlining each mitigation measure proposed and indicating who is responsible for same.

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

5. Prior to commencement of development on site the following details and specifications shall be submitted to, and agreed in writing with the Planning Authority, detailing the following:
  - i) Clarification as to whether the attenuation system is a basin or a Stormtech™ system, with plans and drawings as required.
  - ii) Calculations for the greenfield runoff rate for the site and the Microdrainage calculations for the critical storm event demonstrating adequacy of the storage provision.
  - vi) No surface water/rainwater shall discharge into the foul sewer system under any circumstances.
  - vii) 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.

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

6. i) The use of the development shall be strictly adhered to, as indicated on the submitted plans, drawings and documentation (data hall). The offices shall remain ancillary to the data hall use permitted.
- ii) Any change of use, subdivision or amalgamation, in particular additional mezzanine areas, whether or not such change or subdivision would otherwise constitute exempted development, under the Planning and Development Regulations 2001 (as amended) shall not be undertaken without a prior grant of permission.

REASON: To avoid any misunderstanding as to the proper construction of this permission (ii) to regulate the use of the development and to ensure proper planning control is maintained.

7. Prior to commencement of development revised plans, drawings and specifications shall be submitted to, and agreed in writing with, the Planning Authority that demonstrate that each Data Hall has the potential and infrastructure provisions and design to recycle heat generated into a district heating scheme in the event of such a scheme being implemented for the wider area.

REASON: In the interest of sustainability.

8. Prior to the commencement of development, the following requirements shall be met:
  - i) Revised plans, drawings and details showing the finishes to the east elevation of both building B & C to break up the massing shall be submitted to and agreed in writing with the Planning Authority.
  - ii)(a) details/samples of the materials, colours and textures of all the external finishes to all of the proposed buildings, (b) details of external elevations all of the proposed buildings and (c) signage shall be submitted to and agreed in writing with the Planning Authority.
  - ii) No additional advertising sign(s) or structure(s) shall be erected on the site or on the façade of the proposed structures except those agreed above, without a prior grant of planning permission.
  - iv) Finished floor levels of buildings shall not exceed the heights as indicated on the drawings submitted unless otherwise agreed in writing with the Planning Authority.

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

9. Prior to the commencement of development hereby permitted the applicants shall submit for the written agreement of the Planning Authority a Construction Environmental and Transport Management Plan.

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REASON: In the interest of traffic and pedestrian safety and proper planning and sustainable development

10. Prior to the commencement of development the applicants shall:

- i) Engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. The assessment shall include the results of an archaeological geophysical survey of the development site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.
- ii) The archaeologists shall carry out any relevant documentary research and inspect the site. Test trenches may be excavated at locations chosen by the archaeologist (licensed under the National Monument Acts 1930-2004), having consulted the site drawings.
- iii) Having completed the work, the archaeologist shall submit a written report to the Planning Authority and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. A period of 4 weeks from the submission of the written report to the Department to site development works being commenced shall be adhered to enable a full review of the report and any remedial action to be determined arising from the findings. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

REASON: To ensure appropriate measures to safeguard archaeology is found on site.

11. Prior to the commencement of development on the site the applicants shall submit for the written agreement of the Planning Authority:

- i) 100 car parking spaces shall be provided as calculated. All car parking spaces shall have ducting in place to facilitate electric vehicle use in the future.
- ii) The following details shall be agreed in writing with the Planning Authority prior to construction:
  - The detailed design and construction of the main access including boundary treatment, protection of existing services and the visibility requirements of pedestrians and cyclists;
  - Taking in-charge details, and;
  - Details of adequate segregation between the loading bay areas and the staff parking areas.All site fencing (site fencing shall be black or dark green colour only).
- iii) The applicant shall comply with any future requirement of the Council in relation to adjusting the floodlight aiming or fitting appropriate additional louvres to deal with remaining glare issues that may arise for road users and / or residents which may only become apparent when the

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proposed development is commissioned.

REASON: In the interest of clarity and traffic safety.

12. i) The applicant shall comply with the requirements of the Waste Management Act 1996 as amended in relation to waste stored/generated as a result of any activity at this site.
- ii) The applicant shall ensure that all hauliers of waste hold a valid Waste Collection Permit for the waste material collected from the site and that the waste material is delivered to authorised waste recovery/disposal facilities.
- iii) Prior to the commencement of development the applicant shall submit for the written agreement of the Planning Authority a project construction and demolition waste management plan to the Environment Department. The plan shall be prepared with reference to 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects' – Department of the Environment, Heritage & Local Government (2006) and provide information on the management of all construction and demolition waste arising on-site and provide details on the provision for re-use of said material (including destinations) and/or recovery/disposal of this waste using authorised facilities and authorised collectors.
- iv) During the construction phase, ground water or surface water from the site shall not be discharged to waters or sewers unless licensed under Section 4 or Section 16, whichever is appropriate, of the Local Government (Water Pollution) Acts 1977 and 1990.
- v) All storage tanks for fuel and or chemicals shall be surrounded by a bund capable of retaining 110% of the volume of the largest single tank within the bunded area. The intake and outlet for the tanks shall be positioned inside the bund. Provision shall be made to remove and dispose of the rainwater so as to ensure the specified volume is always available within the bund.
- vi) Prior to the operation of the facility, the applicants shall submit for the written agreement of the Planning Authority a detailed Operational Waste Management Plan.

REASON: In the interest of sustainable waste management.

13. All public services to the proposed development including electrical, telephone cables and equipment shall be located underground throughout the entire site where possible.

REASON: In the interest of amenity.

14. A revised landscaping Plan shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. In this regard the Plan shall:

i) Include an additional 19no. trees & shrub beds as shown on the submitted CGIs document in order to provide visual amenity. These include trees at building corners, adjacent to loading bays

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& ramps and on the open space west of Building B.

- ii) Planted trees shall have a minimum girth size of 12-14cm with suitable species include those with a columnar habit.
- iii) Trees in hard surface areas must be planted in constructed tree pits of adequate volume to ensure sufficient rooting volume.
- iv) The landscape plan shall be implemented within the first planting season following completion of construction works of the two data halls unless otherwise agreed in writing with the Planning Authority.
- v) Any failed plantings must be replaced to ensure plantings reach maturity.

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

15. A programme of noise and air monitoring, to be agreed with the Environmental health Officers in writing prior to commencement of development, shall be carried out throughout the construction stage. The noise monitoring shall include monitoring from the nearest noise sensitive receptor. The results shall be made available to the Councils' Environmental Health Officers. The air monitoring shall include dust deposition. Where dust levels are exceeded further mitigation measures shall be implemented.

REASON: To protect the amenities of the area.

16. i). During the construction phase no heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 8.00a.m or after 7.00p.m, Monday to Saturday. 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 7.00p.m and 8.00a.m. No deliveries of materials, plant or machinery shall take place before 8.00a.m in the morning or after 7.00p.m in the evening.
- ii) If there is any occasion when work is required to be carried on outside daytime hours, the Environmental Health Department of Fingal County Council, local residents and businesses in areas which are likely to be affected by noise from the proposed works shall 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
- iii) During the 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 a) covering skips, b) covering slack heaps, c) netting of scaffolding, d) regular road and pavement damping and sweeping, e) use of water spray to suppress dust, f) proper paved or hard stand access for trucks and vehicles to and from the site to prevent dirt and dust from the site being



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carried from the site on to public roads etc.

iv) During the construction phase of the proposed development due consideration shall be given to the guidance contained within British Standard 5228 'Noise Control on Construction and Open Sites Part – Code of Practice' for basic information and procedures for noise 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.

v) 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

vi) 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.

vii) 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.

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

17. A wheel wash facility shall be put in place during the construction phase. All trucks leaving the site shall go through this facility. During the construction phase effective measures shall be taken by the operator to prevent the undue emission of dust from the site and site roadways. A water bowser(s) or similar facility shall be available on site at all times during dry weather, so that all vehicle and plant roadways can be watered to lay dust as necessary.

REASON: In the interests of amenity and minimising nuisance caused by the emission of dust.

18. Where the applicant proposes to connect directly or indirectly to a public water/wastewater network operated by Irish Water, the applicant shall sign a connection agreement with Irish Water prior to the commencement of the development.

REASON: In the interest of proper planning and sustainable development

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19. The developer shall pay the sum of €3,238,307 (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](http://www.water.ie), Tel. (01) 6021000.

Notes to Applicant

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 carryout any development.
2. The applicant is advised that if the proposed emergency generators have a combined total rated thermal input of 50MW or more may, depending on the annual operational hours of the standby generators, be required to apply to the Environmental protection agency for an Industrial Emissions License under the Energy Class of activity.
3. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure shall be subject to the constraints of the Irish Water Capital Investment Programme.

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Harry McLaughlin  
Senior Executive Planner  
22/07/19

Endorsed: [Signature]  
Administrative Officer 22.7.19

Colin McCey  
Senior Planner

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 (19) condition(s) set out above is hereby made.

Dated 28<sup>th</sup> July, 2019

Matthew McAleave  
A Director of Services

Thereunto empowered by order of the Chief Executive, Fingal County Council C.E. No. 7530 delegating to me all powers, functions & duties in relation to the council of the County of Fingal in respect of this matter.