

John Spain Associates
39,Fitzwilliam Place
Dublin 2

THIS IS AN IMPORTANT LEGAL DOCUMENT AND SHOULD BE PLACED WITH YOUR TITLE DEEDS

Application No.	3641/21
Registration Date	16-Jun-2022
Date of Final Grant	24-Aug-2022
Location	Site at Clonshaugh Business and Technology Park,Dublin 17. The subject site (with an area of c. 3.75 ha) comprises the site of former Units 15 and 16 (previously demolished) and the former Ricoh Building. The site is located,to the north of the Santry
Proposal	Permission for development on a site at Clonshaugh Business and Technology Park,Dublin 17. The subject site (with an area of c. 3.75 ha) comprises the site of former Units 15 and 16 (previously demolished) and the former Ricoh Building. The site is located to the north of the Santry River and the R104 Oscar Traynor Road,to the west of Clonshaugh Road,and to the south and east of existing estate roads. The proposed development,for which a seven-year permission is sought,comprises the following: -Demolition of the existing former Ricoh building,and all other associated site clearance works including removal of existing site services and ESB pillar boxes (other buildings previously occupying the site were demolished under Reg. Ref: 2229/19,a previously permitted data centre development,as amended by Reg.Ref:3200/20); -Construction of two data centre buildings (Data Centre A and Data Centre B),with a gross floor area (GFA) of c. 12,875 sq.m and c. 1,455 sq.m respectively,each over two storeys (with Data Centre A also including two mezzanine levels),with plant at roof level; -Data Centre A will be located in the northern portion of the site,with a parapet height of c.19.8 metres and will accommodate data halls,associated electrical and mechanical plant rooms,a loading bay,maintenance and storage space,office administration areas,with plant and solar panels at roof level; -Data Centre B (which will be ancillary to Data Centre A) will be located to the south of Data Centre A,with a parapet height of c.12.8 metres and will accommodate data halls,associated electrical and mechanical plant rooms,a loading bay,maintenance and storage space,office administration areas,with plant at roof level; -Emergency generators and associated flues will be provided within compounds adjoining each of the two data centre buildings (11 no.

for Data Centre A and 1 no. for Data Centre B).
-The development includes a diesel tank and a filling area to serve the proposed emergency generators;
-Ancillary structures including a sprinkler tank and pumphouse, security building, MV building, and provision of two additional MV substation rooms to the existing substation on site (c. 115 sq.m additional GFA), which was previously constructed under Reg. Ref.: 2229/19 as amended by Reg. Ref.: 3200/20.
-Construction of access arrangements and internal road network and circulation areas, footpaths, provision of car parking (58 no. spaces) and bicycle parking (24 no. spaces); and
-Hard and soft landscaping and planting, lighting, boundary treatments, and all associated and ancillary works including underground foul and storm water drainage network, and utility cables.

Applicant	Colliers Properties LLC
Application Type	Permission

IMPORTANT NOTE:

Please be advised that a compliance submission can only be submitted in pdf format and by e- mail to compliances@dublincity.ie

- **If you have any queries regarding this Final Grant, please contact the number shown above.**

NOTIFICATION OF GRANT OF PERMISSION

PERMISSION for the development described above has been granted under the Planning & Development Acts 2000 (as amended) subject to the following conditions.

Condition(s) and Reasons for Condition(s)

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made there under are concerned the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, as amended by the Further Information received on 16/6/22, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. A development contribution in the sum of €1,282,706.00 shall be paid to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority in accordance with Dublin City Council's Section 48 Development Contribution Scheme. The contribution is payable on commencement of development. If prior to commencement of development an indexation increase is applied to the current Development Contribution Scheme or if a new Section 48 Development Contribution Scheme is made by the City Council the amount of the contribution payable will be adjusted accordingly.

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

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

3. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit or a bond of an insurance company/bank.

(a) to secure the satisfactory maintenance, completion and any reinstatement of services/infrastructure currently in the charge of Dublin City Council, including roads, open spaces, car parking spaces, public lighting, sewers and drains.

or

(b) to secure the satisfactory completion of services until taking in charge by a Management Company or by the Local Authority of roads, footpaths, open spaces, street lighting, sewers and drains to the standard required by Dublin City Council.

The form and amount of the security shall be as agreed between the planning authority and the developer, coupled with an agreement empowering the planning authority to apply such security or part thereof.

In the event that land to be used as open space is taken in charge, the title of any such land must be transferred to Dublin City Council at the time of taking in charge.

Reason: To achieve a satisfactory completion of the development.

4. That planning permission hereby granted shall be for a period of 7 years.

Reason: In the interests of orderly development.

5. The mitigation measures set out in the applicant's EIA screening report submitted with this application shall be carried out in full except where otherwise required by conditions.

Reason: In the interests of orderly development.

6. Prior to the commencement of development, details of the materials, colours and textures of all external finishes including samples, shall be submitted to and agreed in writing by the Planning Authority.

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

7. The requirements of DCC's Parks, Biodiversity & Landscape Division shall be undertaken as follows:

a) Protection of River Corridor Area

The river corridor lands zoned Z9 will be protected from impacts as a result of the development works, except for permitted landscape works in accordance with the approved Landscape Plan. Prior to construction a temporary protection fence with appropriate signage will be erected along the Z9 zoning boundary and storage of materials, vehicular access, disposal or dumping of materials/waste/spoil, liquid run-off, soil excavation and vegetation clearance are prohibited within the protected area south of the fence. The details and alignment of the protection fence will be submitted to the Planning Authority for written approval.

b) Tree Protection & Tree Bond

All trees shown to be retained on the site and adjacent to the site, shall be adequately protected during the period of construction as per BS 5837, such measures to include a protection fence beyond the branch spread, with no construction work or storage carried out within the protective barrier. (The tree protection measures shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division). A security bond to the value of €50,000 (fifty thousand euro) will be lodged with the planning authority, prior to commencement of development, as security to ensure the appropriate protection and preservation of the trees referred to in this condition. The form of the security bond shall be as agreed between the planning authority and the developer.

c) Landscape scheme to be implemented

The revised landscape masterplan and revised landscape planting plan scheme and green-wall proposals accompanying the application will be implemented fully in the first planting season following completion of the development, and any trees, shrubs, planting which die or are removed within 3 years of planting will be replaced in the first planting season thereafter. The southern

boundary fence will be coloured in green (RAL 6035 or similar approved) to blend in visually with the local landscape. (The landscape scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division.

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

8. No additional development shall take place above parapet levels, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, unless authorised by a further grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

9. The requirements of DCC's Transport Planning Division shall be undertaken as follows:

a) Prior to commencement of development, and on appointment of a main contractor, a Construction and Traffic Management Plan shall be submitted to the Planning Authority for written agreement. This plan shall provide details of intended construction practice for the development, including but limited to: traffic management, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste. The Construction and Traffic Management Plan, prior to commencement, must provide detail in relation to the following:

i) The Applicant shall liaise with the Dublin Airport Authority (DAA), Irish Aviation Authority (IAA) and IAA Air Navigation Service Provider (ANSP) to determine their requirements.

ii) The applicant shall notify the Dublin Airport Authority of the intention to commence any crane operations at least 30 days prior to installation of the cranes.

iii) Submit details on the location, size, duration and reinstatement works of the proposed off-site car parking area and transportation facilities/infrastructure between the parking area and construction site.

iv) The mitigation measures outlined in the EIAR Screening Report and any associated Planning Conditions must form part of the submitted Construction Management and Traffic Management Plan.

b) Any proposed roads, junctions, car parking areas, footpaths and hard landscaping areas to be taken in charge including shared surface areas and public lighting, including all materials, shall be agreed in writing with the Roads Maintenance Division of Dublin City Council prior to any taken in charge. The physical elements to be taken in charge shall be in accordance with the document 'Construction Standards for Roads and Street Works in Dublin City Council' or any superseding document. Proposed works to the public road to comply with taken in charge will be at the

applicant/developers/land owners' expense.

c) The developer/operator of the development shall undertake to implement the measures outlined in the Mobility Management Plan and to ensure that future employees of the proposed development comply with this strategy. A Mobility Manager for the overall scheme shall be appointed to oversee and co-ordinate the preparation and review of individual plans. The Mobility Manager shall carry out travel habit surveys of staff and identify actions for the applicant and future tenants of the development, so that progress towards meeting the targets set out in the plans can be achieved and maintained.

d) Cycle parking shall be secure, conveniently located, sheltered and well lit. Shower and changing facilities shall also be provided as part of the development. Key/fob/CCTV Monitoring shall be provided to bicycle compounds. Cycle parking design shall allow both wheel and frame to be locked. Cycle parking shall be in situ prior to the occupation of the development.

e) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

f) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interests of traffic safety.

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

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

b) Records of public surface water sewers are indicative and must be verified on site.

c) The development is to be drained on a completely separate system with surface water discharging to the public surface water system.

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

e) All surface water discharge from this development must be attenuated to two litres per second.

- f) An appropriate petrol interceptor shall be installed on the internal drain from the car park. Please refer to section 20 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- g) The development shall incorporate Sustainable Drainage Systems in the management of surface water. The Developer shall assess feasibility of incorporating wider use of SuDS on the site. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.
- h) Discharge arrangements for runoff from condensate units and generator exhaust shall be agreed with Drainage Division prior to commencement of construction.
- i) The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- j) All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

Reason: In the interests of public health

11. External Lighting

Any external lighting shall comply with the control of obtrusive light recommendations for E3 Suburban Environmental District zones as set out in the Institute of Lighting Engineer's Guidance Notes for the Reduction of Obtrusive Light.

Mitigation measures in relation to impacts upon bats from external lighting shall be implemented as per the 'Site Lighting Design Report' submitted as part of the applicant's Further Information response.

Reason: In the interest of orderly development.

12. If during the course of site works and construction archaeological material is discovered, the City Archaeologist shall be notified immediately. Further, it is obligatory under the National Monuments Amendment Act 1994 that such discovery is brought to the attention of the National Monuments Service and the National Museum of Ireland.

Reason: In the interest of preserving or preserving by record, archaeological material likely to be destroyed or damaged in the course of development.

13. C672 Waste (Standards for Commercial/Industrial Developments) C672

a) The requirements set out in the Bye-Laws for the Storage, Presentation and Collection of Household and Commercial Waste, 2013 or any revision thereof must be adhered to and, in particular, the requirement to segregate waste into separate fractions to facilitate the collection of dry recyclables, organic kitchen/garden waste and residual waste in line with Waste Management (Food Waste) Regulations 2009 (S.I. 508/2009), and the Waste Management (Food Waste) Amendment Regulations S.I. 190 of 2015, and the Eastern - Midlands Region Waste Management Plan 2015-2021.

b. The following are also requirements:

i) Receptacles that are designed for reuse, with the exception of in specific areas designated by a local authority as being only suitable for the collection of non-reusable receptacles such as bags, ideally of 1,100L capacity, must be used.

ii) Adequate storage space for a minimum of 1 No. 1,100 Litre receptacle.

iii) Sufficient space must be provided to accommodate the separate collection of dry recyclables and organic food/garden waste.

iv) Adequate space and height for a standard Refuse Collection Vehicle (RCV) to access site.

v) Sufficient access and egress must be provided to enable receptacles to be moved easily from the storage area to an appropriate collection point on the public street nearby.

vi) Receptacle storage areas must not be visible from or on a public street.

vii) The receptacle storage areas should be designed so that each receptacle within the storage area is accessible to occupants/employees of the development (including people with disabilities)

viii) Suitable wastewater drainage points should be installed in the receptacle storage area for cleaning and disinfecting purposes

ix) Waste storage areas should not present any safety risks to users and should be well-lit

x) Adequate ventilation of waste storage areas so as to minimise odours and potential nuisance from vermin/fly.

Reason: in the interests of public health.

14. C&D

a) Prior to the commencement of any works, a Construction and Demolition Waste Management Plan must be furnished to and approved by Dublin City Council having regard to Circular WPR 07/06 - Best Practice Guidelines on the Preparation of Waste Management Plans for Construction

and Demolition Projects - published by the DECLG, July 2006.

b) In the event that hazardous soil, or historically deposited waste is encountered during the construction phase, the contractor must notify Dublin City Council and provide a Hazardous/Contaminated Soil Management Plan, to include estimated tonnages, description of location, any relevant mitigation, destination for disposal/treatment, in addition to information on the authorised waste collector(s).

c) Prior to the commencement of any storage of waste on-site, the applicant must consult with the Waste Regulation Unit of Dublin City Council.

d) Monthly reports regarding the management of the waste during works, must be forwarded electronically to the Waste Regulation Unit of Dublin City Council waste.regulation@dublincity.ie.

e) The works must comply with the following:

i) Waste Management Act 1996, as amended.

ii) Dublin City Council Waste Bye-Laws 2013 (Bye-Laws for the storage, presentation and collection of Household and Commercial waste) or any revision thereof.

iii) Eastern & Midlands Regional Waste Management Plan 2015-2021.

iv) Best Practice Guidelines on the Preparation of Waste Management Plans for the Construction and Demolition Projects – DECLG 2006.

v) Waste Management (Hazardous Waste) (Amendment) Regulations S.I. No 73/2000.

vi) National Hazardous Waste Management Plan 2014-2020.

vii) Article 27 of the European (Waste Directive) Regulations S.I. No 126 of 2011.

viii) Any other relevant Waste Management related regulations.

ix) Dublin City Development Plan (Current Version).

Reason: in the interests of public health.

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

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

b) Deviation from these times will only be allowed where a written request with compelling reasons for the proposed deviation has been submitted and approval has been issued by Dublin City Council. Any such approval may be subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

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

16. (a) During the construction and demolition phases, the proposed development shall comply with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. In particular, the rated noise levels from the proposed development shall not constitute reasonable grounds for complaint as provided for in B.S. 4142. Method for rating industrial noise affecting mixed residential and industrial areas.

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

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

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

18. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

1. Your attention is drawn to the requirements of the attached "Codes of Practice".

Schedule A: Drainage Division
Schedule B: Transportation Planning Division
Schedule C: Air Quality Monitoring and Noise Control Unit

N.B. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes or legislation affecting the proposal, including the requirements of the Building Regulations, and Waste Management Acts.

2. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.

3. A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.

4. Please find attached an information note from Irish Water regarding the public water & waste water network.

NOTES TO APPLICANT:

- The decision of Dublin City Council in respect of this development does not imply or infer any approval or right to connect to or discharge wastewater to the public sewer network or the right to connect to the public water supply. The Applicant shall, prior to the commencement of Development, make all necessary arrangements with and get all necessary approvals from Irish Water in relation to wastewater discharges and water connections.
- Refund of Fees submitted with a Planning Application. Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months, where the full standard fee was paid in respect of the first application, and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of the Planning Authority's decision on the second application.

Signed on behalf of the Dublin City Council

For Administrative Officer

Date _____

Advisory Note:

Please be advised that the development types shown below can now be submitted via our online service

Planning & Property Development Department
Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

An Roinn Pleanála & Forbairt Maoine
Bloc 4, Urlár 3, Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8

T: (01) 222 2288

26-Aug-2022

Domestic Extensions including vehicular access, dormers /Velux windows, solar panels

Residential developments up to & including four residential units (houses only)

Developments for a change of use with a floor area of no more than 200 sq. m

Temporary permission (e.g. accommodation for schools)

Outdoor seating / smoking areas.

Shopfronts / signage

Planning & Property Development Department
Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

An Roinn Pleanála & Forbairt Maoine
Bloc 4, Urlár 3, Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8

T: (01) 222 2288

26-Aug-2022