

Attachment-6-3-7 Project and Thresholds Planning

Planning was required for the data storage facility at the site, termed ‘the Installation’. The planning history of the site is set out in Attachment 6-1 Stakeholder-Engagement. The Installation received Final Grant of planning permission from Kildare County Council (KCC) as part of the planning application for the Kildare Innovation Campus (KIC) Masterplan site listed below:

- Final grant of permission granted on 22 January 2024 (KCC Reg. Ref.: 23/60047).

All planning permissions for the Installation that are relevant to the Licence application under Class 2.1 of the EPA Act 1992 (as amended) have been granted on site.

Schedule 5 Activities

Ireland’s list of Project for which an EIA is required are set out Part 1 and Part 2 of Schedule 5 of the Planning and Development Regulations 2001-2018. This list was developed from Annex I and Annex II of the EIA Directive. The proposed activity at the KIC Masterplan site is not directly listed under Annex I of the EIA Directive, or Part 1, Schedule 5, or Part 2, Schedule 5.

It is considered that most relevant development class in the context of the KIC Masterplan site under Part 2, Schedule 5 is Class 10 (b) iv:

*“Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of the parts of a built-up area and **20 hectares elsewhere.**”*

The KIC Masterplan site is not within a business district or a built-up area and has a total site area of c. 73.95 hectares. As such, the KIC Masterplan site exceeds the limit, quantity or threshold set out in Part 2, Schedule 5, Class 10 (b) iv. Therefore, an Environmental Impact Assessment Report (EIAR) for the KIC Masterplan site was required.

An EIAR relating to this activity was prepared by Tom Phillips + Associates (July 2023) as part of the planning application for the KIC Masterplan site. This EIAR for the KIC Masterplan site was previously submitted to KCC (KCC Planning Ref. 23/60047) and is included with this IE Licence application (Attachment-6-3-6-EIAR-Planning-July-2023-(Volumes 1 & 3), Attachment-6-3-6-EIAR-Planning-July-2023-(Volume 2 part 1), Attachment-6-3-6-EIAR-Planning-July-2023-(Volume 2 part 2), Attachment-6-3-6-EIAR-Planning-July-2023-(Volume 2 part 3), Attachment-6-3-6-EIAR-Planning-July-2023-(Volume 2 part 4), and Attachment-6-3-6-EIAR-Planning-July-2023-(Volume 2 part 5)).

Additionally, an Appropriate Assessment prepared by Ecology Ireland Wildlife Consultants Ltd. (July 2023), was previously submitted to KCC as part of KIC Masterplan site planning application (KCC Planning Ref. 23/60047). This report has been included with this IE Licence application to the Agency (Attachment-6-2-1-AA-Screening-July-2023).