



An
Bord
Pleanála

Board Order
ABP-313603-22

Planning and Development Acts 2000 to 2022

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD22A/0013

Appeal by Energy Optimisation Solutions Limited care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin against the decision made on the 20th day of April, 2022 by South Dublin County Council to grant subject to conditions a permission to Energy Optimisation Solutions Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: The installation of an energy storage unit at an existing data centre facility. The development involves the placement of three ISO 40 foot shipping containers containing back-up battery storage units at Keppel Data Centre, Citywest Avenue, Citywest Business Campus, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the South Dublin County Development Plan, 2022-2028, including the 'EE' zoning objective for the site, the location of the proposed development within the rear portion of the site, the established use on site and the pattern of development in the surrounds, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further information received on the 24th day of March, 2022 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The containers hereby permitted shall be decommissioned and removed from the site within six months of their ceasing to be used as an energy storage facility.

Reason: In the interest of orderly development.

3. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into water and waste water connection agreement(s) with Uisce Eireann and adhere to the standards and conditions set out in that agreement.

Reason: In the interest of public health.

5. In terms of Operational Noise, the applicant shall comply with the requirements of the planning authority.

Reason: In the interest of public health and residential amenity.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Stephen Brophy

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *1st* day of *August* 2023