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**Planning and Development Acts 2000 to 2022**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD22A/0420**

**APPEAL** by Vantage Data Centers Dub 11 Limited care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 29<sup>th</sup> day of May, 2023 by South Dublin County Council to refuse permission for the proposed development.

**Proposed Development:** Development on a site that includes a two-storey residential property on lands to the south of the New Nangor Road (R134), Dublin and on land within the townlands of Ballybane and Kilbride within Profile Park, Clondalkin, Dublin on an overall site of 3.79 hectares. The development will consist of the demolition of the two-storey dwelling (207.35 square metres) and associated outbuildings and farm structures (348.36 square metres) and the construction of one two-storey data centre with plant at roof level and associated ancillary development that will have a gross floor area of 12,893 square metres that will consist of the following: one two-storey data centre (Building 13) with a gross floor area of 12,893 square metres. It will include 13 emergency back-up generators of which 12 will be double stacked and one will be single stacked within a compound to the south western side of the data centre with associated flues that each will be 22.316 metres in height and seven hot air exhaust cooling vents that each will be 20.016 metres in height. The data centre will include data storage rooms,

associated electrical and mechanical plant rooms, loading bays, maintenance and storage spaces, office administration areas and plant including PV panels at roof level as well as a separate house generator that will provide emergency power to the administration and ancillary spaces. Each generator will include a diesel tank and there will be a refuelling area to serve the proposed emergency generators. The data centre will have a primary parapet height of 14.246 metres above ground level, with plant and screen around plus a plant room above at roof level. The plant room has an overall height of 21.571 metres. Construction of an internal road network and circulation areas, with a staff entrance off Falcon Avenue to the east, as well as a secondary vehicular access for service and delivery vehicles only across a new bridge over the Baldonnell Stream from the permitted entrance as granted under South Dublin County Council planning register reference number SD21A/0241 from the south west, both from within Profile Park that contains an access from the New Nangor Road (R134); provision of 60 car parking spaces (to include 12 EV spaces and three disabled spaces) and 34 cycle parking spaces; signage (5.7 square metres) at first floor level at the northern end of the eastern elevation of the data centre building; ancillary site development works will include footpaths, attenuation ponds that will include an amendment to the permitted attenuation pond as granted to the north of the Baldonnell Stream under South Dublin County Council planning register reference number SD21A/0241, as well as green walls and green roof; the installation and connection to the underground foul and storm water drainage network and installation of utility ducts and cables that will include the drilling and laying of ducts and cables under the internal road network within Profile Park. Other ancillary site development works will include hard and soft landscaping that will include an amendment to the permitted landscaping as granted under South Dublin County Council planning register reference number SD21A/0241, lighting, fencing, signage, services road, entrance gates and sprinkler tanks all at site within the townlands of Ballybane and Kilbride, within Profile Park, Clondalkin, Dublin as revised by further public notices received by An Bord Pleanála on the 20<sup>th</sup> day of September, 2023.



## Decision

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

The Board was not satisfied on the basis of the information on the file, including that provided to the Board on the 17<sup>th</sup> day of October 2024 subsequent to a further information request, that the applicant has demonstrated that the specific proposed Data Centre, DUB 13, which is the subject of this application, has a fixed connection agreement to connect to the grid. It is considered, therefore, that the applicant has failed to demonstrate that the proposed development is acceptable on EE zoned lands, in accordance with EDE7 Objective 2 (capacity within the electricity network to accommodate the proposed use) and Section 12.9.4 of the South Dublin County Development Plan 2022-2028. Due to the absence of clarity regarding a fixed connection agreement, demonstrating existing capacity in the electricity grid (without which the Board cannot factor into the assessment broader principles and allowances as set out in the Government Statement on the role of Data Centres), the Board was not satisfied that the permitted on-site gas powered generation would not be used as the primary energy source, which would be contrary to the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy, July 2022, which states that " 'islanded' data centre developments that are not connected to the electricity grid, and are powered mainly by on-site fossil fuel generation, would not be in line with national policy" and would, therefore, not be in accordance with the overarching objectives of the Climate Action Plan 2024, by reference to reducing Greenhouse Gas emissions.

On the basis that the applicant has not satisfied the Board that a fixed connection agreement to connect to the grid is in place, and therefore not demonstrated that there is sufficient capacity in the electricity grid to serve the data centre, DUB 13, the Board was not satisfied that the Environmental Impact Assessment Report Chapter 15 A 'Material Assessments', submitted with further information, assessed all impacts of the proposed development on the receiving environment, specifically the effects should the data centre the subject of this appeal, DUB 13, fail to get a grid connection and therefore is reliant on an on-site gas-powered generation to power the development.

Having regard to the detail submitted with the application and appeal, the Board determined that a grant of permission for the proposed development, would be inconsistent with national climate ambitions and with the relevant provisions of the Climate Action Plan 2024. In reaching this decision, the Board has performed its functions in relation to the making of its decision, in a manner consistent with Section 15(1) of the Climate Action and Low Carbon Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Act 2021. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board noted the Inspectors comments which accepted the applicant's position that a grid connection would be available for DUB 13. However, the Board was not satisfied that the applicant had demonstrated that the Data Centre, DUB 13, has a fixed connection agreement to connect to the grid. The Board considered the information submitted with the application and appeal lacked clarity and specificity regarding the connection for proposed development, DUB 13, being included in the agreement that is in place.

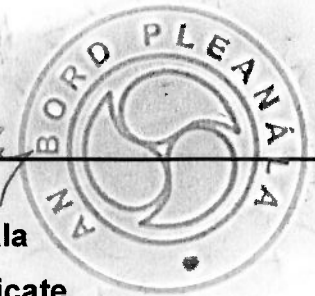
The legal agreement submitted did not provide sufficient clarity as to which data centres, permitted or proposed, the agreement related to. While the legal correspondence, and planning consultant's report submitted with the appeal, advised that the legal agreement in place related to the customers premises and that the customers premises is the total campus, and that this therefore included Dub13, it was not evident to the Board that Dub 13 constituted part of the Campus submission considered by Eirgrid, or that this agreement may not require to be modified to serve the development, the subject of this appeal.

Without this clarity, which the Board specifically requested at a meeting on the 16<sup>th</sup> day of September 2024, the Board could not be satisfied that the applicant had clearly demonstrated a fixed connection agreement and existing sufficient capacity in the electricity network to connect DUB 13 to the grid and, therefore, did not concur with the inspector's recommendation.

  
**Mary Henchy**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



**Dated this** 4<sup>th</sup> **day of** April **2025.**