Inspector's Addendum Report

ABP-318180-23-A

Development	Construction of data centre and associated site works. An Environmental Impact Assessment Report (EIAR) has been submitted to the planning authority with the planning application.
Location	Cruiserath Road, Dublin 15.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW22A/0308
Applicant(s)	Universal Developers LLC.
Type of Application	Planning Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party
Appellant(s)	John Conway & Louth Environmental Group. Dr. Colin Doyle. Jerry Mac Evilly. Dr. Sarah Zimmerman.

	Mannix Coyne.
Observer(s) – Section 132 response.	Fingal County Council. Dr. Sarah Zimmerman. Jerry MacEvilly – Friends of the Earth. Martin Knox. Colin Doyle.
Inspector	Elaine Sullivan

Contents

1.0 Introduction

1.1. This report is an addendum to my original report dated the 24th day of March 2025. Both reports relate to a third-party appeal against a notification of decision to grant permission issued by Fingal County Council for the construction of a data centre and associated site works at Cruiserath Road, Dublin 15.

1.2. At a meeting held on the 18th of June the Commission (formerly the Board) decided to defer consideration of the case and to request further information from the applicant under Section 132 of the Planning and Development Act 2000 (as amended). The Commission requested the following information,

1. In order to demonstrate that the Transmission System Operator is satisfied that there is sufficient capacity in the national grid to service the development, you are required to provide a copy of the agreement with the Transmission System Operator that clearly demonstrates that you have a fixed connection agreement with the Transmission System Operator to connect the specific data centre buildings the subject of this appeal (i.e., Buildings E, F and G) to the grid.
2. In relation to the environmental impact assessment of the proposed development and the necessity, as set out in the Environmental Protection Agency 2022 “Guidelines on the information to be contained in Environmental Impact Assessment Reports (EIAR)”, to identify a reasonably foreseeable

worst-case scenario as a context for 'likely significant effects', the Commission noted,

a. *the Climate Action Plan 2025 published on the 15th April 2025 and Section 11.1 Electricity State of Play that "There has been a steady decline in annual emissions from 9.89 MtCO2eq. in 2021 to 7.56 MtCO2eq. in 2023. While the EPA Projections Report 2023-2050 indicates an overshoot of over 1 MtCO2eq. in the period 2021 to 2025, and an overshoot of over 5 MtCO2eq. in the second period 2026 to 2030, these are both significant improvements on the projected overshoots (5.2 MtCO2eq. and 8.2 MtCO2eq. respectively) set out in the Climate Action Plan 2024".*

b. *the aforementioned Environmental Protection Agency Report "Ireland's Greenhouse Gas Emissions Projections 2023-2050" published in May 2024. In particular in the associated document "Input Assumptions for Ireland's Greenhouse Gas Emissions Projections", Table 1: Policy Input Assumptions contained modelling assumption details outlined in the With Existing Measures and With Additional Measures scenarios.*

In light of the publication of the Climate Action Plan 2025 by Government and Ireland's Greenhouse Gas Emissions Projections 2023-2050 by the Environmental Protection Agency since the preparation of the Environmental Impact Assessment Report and its addendum, to assist the Commission in carrying out its Environmental Impact Assessment you are required to:

i. re-affirm, or otherwise, the findings of its environmental assessment in relation to climate based on its modelling assumptions, and

ii. provide details of, and observations regarding, the significant differences that may arise in the emerging context noting the points raised in 2(a) and (b) above.

A response was received from the applicant on the 29th of May 2025 and included the following information,

- A letter from Matheson LLP Solicitors with a copy of the executed connection agreement for the proposed development.

- A letter from EirGrid confirming that the connection agreement provides for the entire power requirement of the proposed data centre buildings subject to the appeal.
- A technical response to items 2(i) and 2(ii).
- An updated version of the EIAR Addendum Report on Climate.
- An updated environmental technical note that sets out how the EIAR for the proposed development, and the response to 3rd party appeals, have taken into account the issue of 'uncertainty' in line with the relevant guidance.
- A Statement on the consistency of the proposed development with Section 15(1) of the Climate Act 2015 (as amended) having regard to the adoption of the 2025 Climate Action Plan.
- A letter of intent from Amazon Web Services in respect of Blanchardstown District Heating Scheme.

In the interests of natural justice, the applicant's response was circulated to all parties to the appeal. Five observations were received by the Commission during the stated period, including a response from the planning authority (PA). The observations are summarised in section 3.0 below.

2.0 Applicant's Response

2.1. Item 1 -

2.1.1. In response to the first item requested by the Commission, the applicant provided a cover letter from solicitors acting on behalf of the applicant and a copy of the executed connection agreement between the Operator of the proposed development (Amazon Data Services Ireland Limited), and EirGrid, the Transmission System Operator (TSO). The solicitors letter explains that on the 17th of June 2017, Amazon Data Services Ireland Limited ("ADSIL") entered into a Transmission Connection Agreement with EirGrid plc for connection of a facility with a Maximum Import Capacity of 240 MVA at Cruiserath, Dublin 15. The original connection agreement was amended a number of times and on the 14th of February 2025,

ADSIL and EirGrid plc entered into a modified Transmission Connection Agreement reflect such amendments. The effective date of the Original Connection Agreement is 17 June 2017, and the Connection Agreement supersedes and replaces the Original Connection Agreement in its entirety. The maximum import capacity of the Connection Agreement remains as 240 MVA, which was the position in 2017. It is also clarified in the solicitor's letter that Universal Developers LLC is part of the same company group as ADSIL, and that the Connection Agreement will be used for the purposes of connecting the specific data centre buildings (the subject of this appeal) to the grid.

2.1.2. A copy of the agreement with confidential and commercial sensitivities redacted, was provided by the applicant. To further clarify the standing of the agreement, a letter was provided by the TSO, EirGrid. The letter confirms the existence of a transmission connection agreement between EirGrid plc and Amazon Data Services Ireland Limited ("ADSIL") dated 19 June 2017 and subsequently amended by several iterations. The agreement provides for a Maximum Import Capacity (MIC) of 240 MVA and this demand has been accounted for in the 10-year Generation Capacity Statement / National Resource Adequacy Assessment Methodology.

2.2. **Item 2(i) –**

2.2.1. The Commission requested that the applicant to reaffirm, or otherwise, the findings of its environmental assessment in relation to climate based on its modelling assumptions in consideration of the information contained in the Climate Action Plan 2025 (CAP) and the EPA report on Ireland's Greenhouse Gas Emissions Projections 2023-2050.

2.2.2. A detailed technical response was prepared for this request and is contained in Appendix 4 of the submission documentation. The technical response reviews and takes account of the *"Ireland's Greenhouse Gas Emissions Projections 2023-2050"* (2024), (hereinafter the '2024 EPA Report'), report published by the EPA in the context of the previously prepared climate assessment for the project. It also reviews and takes account of the more recently published *"Ireland's Greenhouse Gas Emissions Projections - 2024-2055"* (EPA, 2025), (hereinafter the '2025 EPA

Report') which was published in May 2025, between the issuing of the Commission's Section 132 request and the submission of the response.

2.2.3. The EIAR Addendum (submitted to the planning authority on foot of a request for further information) was also updated to consider the 2024 and 2025 CAP and the projections contained within the EPA (2024 and 2025) reports for the electricity sector. A copy of the EIAR review was submitted by the applicant under Appendix 5. In the review of the EIAR chapter, the applicant undertakes a Greenhouse Gas Assessment (GHGA) and a Climate Change Risk Assessment (CCRA). The applicant outlines the relevant legislation (national and EU-wide) and guidance, and details where the baseline and projected information for the assessment came from, (i.e. scenarios form the EPA publication, *'Irelands Greenhouse Gas Projections 2024-2025',* which set out scenarios for renewable energy based on 'With Existing Measures' (WEM) and 'With Additional Measures', (WAM))'. The review notes that the assessment was undertaken based on a 'reasonable worst-case scenario', in accordance with guidance from the Institute of Environmental Management & Assessment (IEMA). This approach allows for uncertainty. A separate technical document was submitted by the applicant detailing how uncertainty is, and was, assessed in relation to Climate and how it was factored into mitigation measures. The criteria for rating impacts were also outlined in the review document.

2.2.4. Taking account of the most recent information, the updated EIA concluded that, the impact of the proposed development on climate during its operational phase would still be **moderate adverse** prior to mitigation, and **minor adverse,** after mitigation (Table 9.13 of Appendix 5). This aligns with the conclusion of the climate assessment submitted by the applicant in the response to the third-party appeals and the EIAR addendum.

2.3. **Item 2(ii) –**

2.4. Under item 2(ii) the applicant was requested to provide details of, and observations regarding, the significant differences that may arise in the emerging context noting the points raised in items 2(a) and 2(b), which refer to the CAP 2025 and the 2024 EPA Report.

2.5. In response the applicant states that the EIA was undertaken using the 'worst-case scenario' in terms of the impact on GHG emissions. This will allow for variations in the emerging context with regard to actual GHG emissions when compared to the Carbon Budgets and Sectoral Emission Ceiling Targets. The applicant's approach is outlined below.

2.6. The worst-case scenario was determined with regard to,

- The year of opening, (which is now anticipated to be 2027 and which should have a greater share of renewables in the national grid than the assumed year of 2025).
- Phasing of operations, (modelling assumed a 100% load on the day of opening when the development will 'ramp up' demand over a number of phases)
- Operational load (an operational load of 100% is assumed when in reality it may be more like 80%).
- Changes to the electricity grid (due to the increase in renewables).

2.7. As the 2025 EPA Report was available when the applicant prepared their response, they considered it as the most up to date information. The 2025 Report confirms that, based on the WAM scenario, the EPA predicts that there will be a 68% (previously predicted to be 80%) reduction in electricity associated GHG emissions between 2018 and 2030 (EPA, 2025). The report also confirms that over the period 2023 to 2030, electricity emissions under the WEM scenario will reduce from 7.845 to 4.4 Mt CO2eq, whilst under the WAM scenario will reduce from 7.845 to 3.4 Mt CO2eq.

2.8. Section 4.3 of the EPA report is quoted by the applicant. This section states that the Energy Industries sector experienced a significant drop in emissions (a decrease of 2.1 Mt CO_2 eq of 21.4%). However, this was partly due to a 12-fold increase in the amount of imported electricity (9.5% of the electricity supply in 2023), in combination with an increase in the share of renewable energy from 38.6% in 2022 to 40.7% in 2023.

2.9. Although the applicant referenced the 2025 report, the detailed data in the companion report was not available at the time of writing. Therefore, the WEM and WAM measures from the 2024 EPA Report were used in the updated assessment.

Regarding renewables, the 2024 report assumed a renewables estimate of 68.9% WEM compared to 80% for the WAM scenario by 2030. When broken down into each sector, the WAM assumes higher renewable energy outcomes in each case (Onshore wind 6.8 GW vs 7.2 GW, Solar PV 5.6 GW vs 6.0 GW, Offshore wind 2.7 GW vs 3.5 GW, Hydrogen 0 GW vs 2 GW, Biomethane 0 TWh vs 5.7 TWh). As to the large energy users (including data centres), the WEM and WAM have both used Eirgird's medium data centre demand scenario from 10-year median forecast (EirGrid's best estimate as outlined in *"Input Assumptions for Ireland's Greenhouse Gas Emissions Projections"* (EPA, 2024 – companion document)) taken for both WEM and WAM, with data extrapolated for remaining projections horizon.

2.10. The applicant states that the proposed development will not contribute to any exceedance of the sectoral emissions ceiling for the electricity sector, as the proposed development is included under existing electricity demand forecasts, (as confirmed in the EirGrid letter) and will bring forward renewables for contracted demand which is already accounted for within CAP 2024 and CAP 2025. They note that the electricity sector has an emission ceiling of 40 Mt CO_2 eq for the first carbon budget period (2021–2025). The EPA's 2023 provisional greenhouse gas inventory reports that 67.9% of the sectoral emissions ceiling has been used in the first 3 years of the first carbon budget, (i.e. 2021-2023 incl.).

2.11. Reference is made to the 'recently published *Climate Change Advisory Board Annual Review 2025: Electricity'*, however, it is assumed that this reference relates to the *'Climate Change Advisory Council Annual Review 2025: Electricity*', (CCAC Review 2025). The CCAC Review estimates that 83.6% of the sectoral emissions ceiling has been used in the first 4 years of the 5-year sectoral emissions period. By subtracting the EPA figure of 67.9% (for the years 2021-2023) from the CCAC figure of 83.6% (for the years 2021-2024), the applicant calculates that 15.7% of the sectoral budget was used in 2024. If 2025 has emissions of a similar magnitude, the response predicts that the first carbon budget period (2001-2025) will be approximately 99% of the budget and thus in compliance. The applicant states that this is supported by work undertaken in September 2024 by MaREI at the University of Cork in terms of both sectoral emission ceilings and the first carbon budget. Reference is also made to Section 3.2.2 of the 2025 EPA report which states that, *'The sectoral ceilings projected to be achieved in the first budget period (2021-2025)*

are in the Electricity, Buildings and 'Other' sectors'. The response also acknowledges that whilst the EPA 2025 Report states that sectoral ceilings predicted to be achieved in the first budget period include electricity, it is currently projected that this sector is unlikely to achieve its second carbon budget target.

3.0 Third Party Submissions

3.1. Fingal County Council

- The PA request that the Commission uphold their decision.

3.2. Dr. Sarah Zimmerman

- HVO is part of the Renewable Transport Fuel Policy (2025-2027), and the Climate Action Plan 2025 does not recommend the use of HVO for Data Centres*.
- The details regarding the facilitation of district heating are vague and meaningless.
- The development should be considered within the context of cumulative data centres.
- The granting of permission for the data centres presents a triple threat that relates to energy security, the security of our power system and to our pollution limits.
- (*I note to the Commission that a reference for this information was not provided in the submission. Whilst Action TR/25/21 of the CAP 2025 directly refers to developing an understanding of the use of HVO in the heavy freight sector, no direct reference is made to its use in data centres).

Jerry MacEvilly – Friends of the Earth

- The applicant has not substantiated with any degree of clarity that the emissions impact of the facility will be minor / insignificant.
- The applicant has not provided clear plans on electricity reduction at the site or set out an emissions trajectory consistent with carbon budgets and electricity sectoral emissions ceilings particularly for the 2025 to 2030, when the project would be built.

- No commitments have been given to co-locate the development with renewable facility, or to prioritise sufficient renewable generation and energy efficiency measures on site, in place of gas power generation and on-site diesel generation.
- The development would undermine Ireland's legally binding carbon budgets.
- The redaction of the connection agreement does not allow relevant third parties to undertake any independent analysis or provide scrutiny. It is questioned as to how the redaction of information complies with the Aarhus Convention with respect to public participation.
- An objection was raised regarding the effectiveness of CPPA as a mitigation measure and the implementation of the CPPA condition as an enforceable condition. There is a concern that the developer may change providers at a point in the future.
- The development may result in challenges to the water and power supply in Fingal.
- The submission refers to the obligations of the Commission under Section 15 of the Climate Act 2015 (as amended) and the recent High Court decision [2025] IEHC 1 (Coolglass Wind Farm Limited v An Bord Pleanála & Ors).
- The applicant's assessment of the EPA's emissions targets is refuted. The third party contends that the applicant does not refer to the EPA information that the sectoral emissions ceilings for 2030 will be exceeded and instead focuses on the first carbon budget period from 2021-2025. They also disagree with the applicant's conclusion that the electricity sector is likely to within budget (99%) for the first carbon budget period (2021-2025). This is based on information from the latest EPA projection report, (2024-2025).
- The submission is of the opinion that references made to the Climate Change Advisory Council do not present a full picture of the report which notes increased in electricity demand from data centres. It is also put forward that the information quoted from research carried out by UCC MaREI in September 2024 is not the most recent information and has been superseded by the EPA's 2025 report and subsequent research by UCC MaREI which was carried out in 2025, and which was commissioned by Friends of the Earth.

- Concerns are raised regarding the sustainability and suitability of the use of HVO in the development.
- Application of the EU Emissions Trading System (ETS) does not negate or replace Irelands national obligations to the state's carbon budget programme.
- Regarding the EIAR, the submission states that the repetition and circular argumentation used by the applicant makes the addendum confusing and potentially misleading. The submission questions the use of the IEMA guidance in the EIAR as it is not statutory and does not override national legislation, carbon budgets and planning policies.

Martin Knox

- Concerns regarding the impact of data centres on energy use and emissions nationally. This is not considered or dealt with appropriately in the EIAR. The submission is of the opinion that the EIAR review cherry-picks scenarios to suit the developer. Reference is made to the CAP 2025 and the potential cost to the state under the Effort Sharing Regulations (ESR) should Ireland fail to meet its climate targets.
- The observations contends that the 'worst-case scenario' for energy use by the development should be based on the existing situation (i.e. the existing mix of renewables in the energy market) and not what the projected level of energy mix is. The submission does not agree with the conclusion of the EIAR as they relate to the impacts of the development.
- The submission puts forward that the applicants argument regarding the decline in annual emissions from the energy sector, the projected overshoots in the carbon budget to 2030 and the level of carbon budget used in the first period to 2025 does not negate the fact that the development will result in the a large demand for (potentially fossil-fuelled) energy and an increase in GHG emissions.
- The effectiveness of the proposed mitigation measures, (including CPPA and the use of HVO) is questioned.
- The submission contends that the development is not in accordance with the Climate Act 2015.

Colin Doyle

- The third party raised a concern that the conclusion reached by the applicant regarding the impact of the proposal is overly optimistic and was achieved by using selective quotations from each report. The submission notes that whilst some decarbonisation progress has been made in recent years, and the projected exceedances in the first carbon budgetary period will be less than feared, the outlook into the second carbon budgetary period is extremely concerning.
- The submission outlined key findings from CAP 2025, EPA projections (May 2025), CCAC Annual Review (2025) and EPA GHG Projections (May 2024), all which state that based on current trends, the CAP targets to 2030 will not be achieved.
- The anticipated improvement in the projected overshoot results from the importation of electricity from the UK which was unaccounted for in Ireland's GHG emissions inventory. There is a substantial risk of a rebound in emissions if the net importation ceases, which could occur in the second budgetary period.
- The submission interrogates the claim that since the site had a connection agreement in place for 240 MVA since 2017, that this was factored into EirGrid's projections, and consequently imported into the national CAP. The third party submits that there would be some basis to the claim if the state were on track to achieve its 2030 targets for GHG emissions and renewables. However, as we are significantly behind trajectories to the targets, it cannot be assumed that a new load was provided for in the CAP. Nor should it be reasonably claimed that any such potential impact should be ignored on the basis that a developer was promised a connection 8 years previously. The CAP used EirGrid median projections and consequently there was no provision for existing contract holders to ramp up demand to the maximum capacity without causing a climate impact. EirGrid projections were based on existing contracts with no provision to allow for connection of new data centres which obtained permission post 2023. There is no evidence that EirGrid considered climate impacts in granting connections to data centres prior to 2023. Regarding the impact of the proposed development, the submission notes that the impact of the overall project is given in terms of a

percentage (0.78%) of the overall national carbon budget for the second period, rather than as a percentage (8.2%) of the sectoral budget. Emissions could be higher if the WAM assumptions do not materialise.

- The effectiveness of the proposed mitigation measures is questioned, with reference to CPPA, district heating and solar PVs.
- Reference is made to the SEAI National Energy Projections 2024, which states that rate of delivery for renewable energy is just matching the energy demand from large energy users.
- Regarding obligations under the Climate Act 2015, the third party does not agree that the stated energy demand of the proposal (73 MW) has been accounted for in projections as part of the connection agreement in 2017. They also argue that the use of CPPA to offset emissions is ineffective as EPA projections assume that all renewable projects, for which there is a realistic pathway to delivery, are operational in CB2.
- The third party is of the opinion that the information presented in the EIAR is misleading as it uses selective quotations and data. The submission provides examples where they consider this has occurred.
- The submission of a redacted agreement is unacceptable in the interests of natural justice.

4.0 **Assessment**

4.1. Detailed submissions were received from appellants and observers to the appeal. Many of the issues raised in the submissions were raised in the appeal and in subsequent submissions and have been dealt with in full in the main report on the appeal. The issues raised relate to the following,

- Suitability of HVO and CPPA as a mitigation measure.
- Cumulative impact of data centres should be considered.
- Lack of clear plans for electricity reduction at the site.
- The development will undermine Ireland's legally binding carbon budgets.
- Additional pressure on the water and power supply in the area.

- ACP obligations under the Climate Act.
- The EU-ETS does not negate Irelands obligations under the state's carbon budget programme.
- Queries re the use of IEMA guidance.
- Objections to the EIA scenario modelling to determine the 'worst case scenario'.
- Objections to the EIA conclusion on the 'impacts' of the development.
- The development will lead to an increase in GHG emissions.

In my view, these have been substantively addressed in the main report and as such, I do not intend to repeat the assessment.

I consider the new issues raised relate to,

- CPPA as an enforceable condition.
- Redaction of information submitted.
- Selective reporting and editing of information in the reports.
- Referencing data that is not up to date, (i.e. 2024 EPA report and MaREI 2024 research).

I will address the applicant's response and any new issues raised by the observers in the following sections.

4.2. **Item 1**

4.2.1. Third parties objected to the submission of a redacted connection agreement and questioned whether a redaction on information prejudiced third party rights under the Aarhus Convention.

4.2.2. I am satisfied that the information submitted has adequately addressed the request from the Commission and that the applicant has provided a copy of the agreement with the TSO that clearly demonstrates that they have a fixed connection agreement in place to connect the specific data centre buildings, and the more extensive planned project, to the grid. The text of the agreement has been redacted to protect

confidential and commercially sensitive information. This is addressed in the solicitor's letter which confirms that an agreement was in place in 2017 and that the agreement has been subject to amendments, the most recent of which was in February 2025.

4.2.3. A letter from EirGrid was also submitted and confirms that an agreement is in place that allows for a maximum import capacity of 240 MVA. The letter also confirms that the demand of 240 MVA has been accounted for in EirGrid's 10-year Generation Capacity Statement / National Resource Adequacy Assessment Methodology.

4.2.4. I consider the redaction of confidential and commercially sensitive information to be appropriate in this instance. The supporting documentation proves the presence of an agreement and provides the details of the agreement as it relates to the maximum import capacity agreed for the site. In the interest of natural justice, the Section 132 submission information was circulated to appellants and third parties to the appeal, and observations were invited. As all parties were invited to submit their observations and duly did so, I do not consider that third party rights were prejudiced with regard to participation in the planning process.

Conclusion

4.2.5. I am satisfied that the applicant has submitted the information requested by the Commission and has provided confirmation that a fixed connection agreement is in place with the TSO (EirGrid) to power the proposed development, (i.e. Buildings E, F and G) and that the energy demand for the development has been factored into the EirGrid's 10-year Generation Capacity Statement / National Resource Adequacy Assessment Methodology, which was in turn used to determine energy demand and sectoral ceilings in the CAP 2023 and brought forward to subsequent CAPs.

4.3. **Item 2(i)**

4.3.1. As noted above, the applicant was requested to reaffirm, or otherwise, the findings of its environmental assessment in relation to climate based on its modelling assumptions in consideration of the information contained in the Climate Action Plan 2025 (CAP) and the EPA report on Ireland's Greenhouse Gas Emissions Projections 2023-2050. In response the applicant carried out a review of the climate

assessment carried out for the addendum EIAR, taking account of the most recent figures from the EPA and CAP. The updated EIA concluded that, the impact of the proposed development on climate during its operational phase would still be **moderate adverse** prior to mitigation, and **minor adverse,** after mitigation (Table 9.13 of Appendix 5). This aligns with the conclusion of the addendum EIAR and the climate assessment submitted by the applicant in the response to the third-party appeals.

4.3.2. I note to the Commission that the grounds of appeal related to the applicant's environmental assessment of the proposed development with reference to the methodology used, information used for WEM and WAM scenario modelling, the determination of the 'worst-case scenario', the definition of impacts and the efficacy and appropriateness of mitigation measures, (with emphasis on Corporate Power Purchase Agreements (CPPA) and Hydrotreated Vegetable Oil (HVO)). I have reviewed these issues in detail in my original report, and in the interests of brevity I will not revisit them as part of this assessment. Furthermore, I note that the Commission did not request additional information in relation to these issues and instead requested a review of the assessment based on information in the most recent publications.

4.3.3. The applicant's response discusses the Proposed Development and Overall Project in the context of CAP 2025 and the relevant Carbon Budgets and the Electricity Sectoral Emission Ceilings outlined in the 2024 EPA Report and the 2025 EPA Report. No additional modelling of GHG emissions was required for the 2024 EPA Report as the EPA was predicting 80% renewables by 2030 under the WAM scenario, which was consistent with the assessment undertaken for the previous addendum to the climate chapter of the EIAR. However, the 2025 EPA Report is now predicting 68.3% renewables by 2030 under the WAM scenario. Therefore, updated modelling of GHG emissions was undertaken to reflect the more recent figure, which predicts a reduced level of renewable generation and consequently a higher carbon intensity in the electricity supply to the national grid. In addition to the change in the modelling of electricity GHG intensity, the review reconfirms that the various other modelling assumptions used in the climate assessment remain reflective of a reasonable worst-case scenario, (in accordance with *EPA Guidelines on the information to be contained within EIAR*).

4.3.4. The modelling assumptions include maintaining the opening year of 2025 (now more likely to be 2027) which will overstate the GHG emissions from the national grid compared to assuming a later date, the absence of any ramping up of demand in energy as the project becomes operational and the assumption that the development would continually operate at 100% capacity. To further expand on the assumptions used, the applicant argues that by retaining the 'opening year' in 2025 instead of 2027, the carbon intensity of electricity from the national grid will be higher than that in 2027. This would be due to the mix of renewables in the supply; the mix in 2027 is predicted to be higher than 2025 due to renewable projects coming on stream. Therefore, the indirect GHG emissions from the development would be higher in 2025 than 2027. If the opening year was amended to 2027, instead of 2025, the applicant estimates that the GHG emissions from the development would be reduced by approximately 21,600 tonnes of CO_2eq.

4.3.5. In addition, the applicant predicts that the energy demand for the opening year would be 50% of the total load. However, the assumption used is that the development operates at 100% demand from the first year. The applicant states that should the proposed development operate at 50% of the maximum load in the first year of operation (assumed to be Year 2025 for the worst-case scenario), the GHG emissions would be approximately 70,700 tonnes of CO2eq less than the predicted emissions at 100% of the load. The review does not include either of these scenarios and on this basis the response states that, *'…the assessment adopts a reasonably foreseeable worst-case scenario as a context for 'likely significant effects', but nonetheless concludes that, following mitigation, the effect of the proposed development on climate will be minor and not significant'.*

4.3.6. In summary, the climate assessment was reviewed to account for the most recent figures in the 2025 EPA Report which predicts a 68.3% share of renewables in the energy mix by 2030 under the WAM scenario. The previous climate assessment used the predicted figure for renewables from the 2024 EPA Report, which was 80% renewables in 2030 under the WAM scenario. Using the same methodology applied in the previous assessment, the review found that the impact of the proposed development, and the overall project, during the operational phase (which is the phase that would have the most significant impacts) with mitigation measures would be ***indirect, long-term, negative*** *and* ***minor adverse****.* This accords with the

previous EIA which found that the overall impact of the proposed development and the overall project during the operational phase and with mitigation measures would be ***indirect, long-term, negative*** *and* ***slight***.

4.3.7. As noted above, third party submissions queried the efficacy of the mitigation measures proposed with reference to the use of CPPA, HVO and the proposed district heating project. These issues also formed part of the grounds of appeal and are dealt with in full in the main report. I note to the Commission that the applicant's response includes a letter from the applicant to the Blanchardstown District Heating Scheme Project Team outlining their intent to support the project and stating that the proposed development is designed to include heat distribution pipework to the site boundary to allow heat recovery equipment to be installed at a later date. Third parties also queried whether a condition requiring CPPA would be enforceable as the applicant could change providers at some point in the future. The recommended CPPA conditions states the following,

> *Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority details of a Corporate Purchase Power Agreement that the developer has entered into which demonstrates that the energy consumed by the development on site is matched by new renewable energy generation in line with the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy. The Agreement shall comply with the following:*
>
> *a) The new renewable energy projects shall not be supported by government, consumer or other public subsidies;*
>
> *b) The new renewable energy projects shall be located In Ireland and full details of these including consent details shall be provided;*
>
> *c) The new renewable energy projects shall be provided by the applicant's group, that is Amazon.com, Inc. or any future owner.*
>
> *d) The new renewable energy generation shall relate to energy that is not being generated at the date of grant of this permission.*

e) The amount of electricity generated by the new renewable energy projects shall be equal to or greater than the electricity requirements of the data centres in operation at any given time.

f) The new renewable energy projects shall be fully operational prior to the commencement of operation of the data centres having regard to the phased nature of the proposed development.

REASON: In the interests of sustainable development.

4.3.8. Details of the CPPA agreement are to be submitted to the PA for their written agreement. Should the applicant wish to change any parts of the condition, a separate planning consent would be required. If the applicant opts out of a CPPA agreement at a future date they would be in breach of their planning permission. It is open to any developer to willingly breach the conditions of the planning permission and risk legal proceedings under Part 8 of the Planning and Development Act 2000 (as amended). However, should the applicant opt out of the CPPA they would not only be in breach of their planning consent, but they would also be subject to additional cost for not reducing their GHG emissions in accordance with the EU ETS, which they are regulated by. Under the EU ETS large energy users are motivated to reduce emissions as the price of EU ETS allowances rise and the volume of free allocations is reduced year by year.

Conclusion

4.3.9. I am satisfied that the applicant has submitted sufficient information to address the request in part 2(i) of the Section 132 request. The applicant provided technical responses to this point by reviewing the contents of CAP 2025 and its implications for the Proposed Development's climate impact assessment and took account of the most recent EPA report in the context of the previously prepared climate assessment for the project. In addition to the request, the response, reviews the more recently published (May 2025) *"Ireland's Greenhouse Gas Emissions Projections - 2024-2055"* (EPA, 2025), which was published in May 2025, between the issuing of the Commission's section 132 request and the submission of the applicant's response. The previously submitted EIAR Addendum on climate impact (submitted to the PA under FI) was also updated to include the information in the CAP and EPA reports, along with other relevant information that became available since the Addendum was

prepared. Both the technical response and the EIAR review confirm that the original conclusions were correct and, with the updated scenario modelling, the impact of the proposed development, during its operational phase, on climate would still be **moderate adverse** prior to mitigation, and **minor adverse** after mitigation.

4.4. **Item 2(ii)**

4.5. Under item 2(ii) the applicant was requested to provide details of, and observations regarding, the significant differences that may arise in the emerging context noting the points raised in items 2(a) and 2(b), which refer to the CAP 2025 and the 2024 EPA Report.

4.6. In response to item 2(ii) the applicant outlined that the EIA was undertaken using the 'worst-case scenario' in terms of the impact on GHG emissions. This will allow for variations in the emerging context with regard to actual GHG emissions when compared to the Carbon Budgets and Sectoral Emission Ceiling Targets. The applicant's approach is outlined below.

4.7. The worst-case scenario was determined with regard to,

- The year of opening, (which is now anticipated to be 2027 and which should have a greater share of renewables in the national grid).
- Phasing of operations, (modelling assumed a 100% load on the day of opening when the development will 'ramp up' demand over a number of phases)
- Operational load (an operational load of 100% is assumed when in reality it may be more like 80%).
- Changes to the electricity grid (due to the increase in renewables).

4.8. As the 2025 EPA Report was available when the applicant prepared their response, they considered it as the most up to date information within which to consider the emerging context. The 2025 EPA Report confirms that the EPA is projecting, based on the WAM scenario, that there will be a 68% reduction in electricity associated GHG emissions between 2018 and 2030 (EPA, 2025). The report also confirms that over the period 2023 to 2030, electricity emissions under the WEM scenario will

reduce from 7.845 to 4.4 Mt CO2eq, whilst under the WAM scenario will reduce from 7.845 to 3.4 Mt CO2eq. Section 4.3 of the EPA report is quoted by the applicant and states that the Energy Industries sector experienced a significant drop in emissions (a decrease of 2.1 Mt CO_2 eq of 21.4%). However, this was partly due to a 12-fold increase in the amount of imported electricity (9.5% of the electricity supply in 2023), in combination with an increase in the share of renewable energy from 38.6% in 2022 to 40.7% in 2023.

4.9. Although the applicant referred to the 2025 report, the detailed data in the companion report was not available at the time of writing. Therefore, the WEM and WAM measures from the 2024 EPA Report were used in the updated assessment. Regarding renewables the 2024 report, assumed a renewables estimate of 68.9% WEM compared to 80% for the WAM scenario by 2030. When broken down into each sector, the WAM assumes higher renewable energy outcomes in each case (Onshore wind 6.8 GW vs 7.2 GW, Solar PV 5.6 GW vs 6.0 GW, Offshore wind 2.7 GW vs 3.5 GW, Hydrogen 0 GW vs 2 GW, Biomethane 0 TWh vs 5.7 TWh). As to the large energy users (including data centres), the WEM and WAM have both used Eirgird's medium data centre demand scenario from 10-year median forecast (EirGrid's best estimate as outlined in *"Input Assumptions for Ireland's Greenhouse Gas Emissions Projections"* (EPA, 2024 – companion document) taken for both WEM and WAM, with data extrapolated for remaining projections horizon.

4.10. The applicant states that the proposed development will not contribute to any exceedance of the sectoral emissions ceiling for the electricity sector, as the proposed development is included under existing electricity demand forecasts, and will bring forward renewables for contracted demand which is already accounted for within CAP 2024 and CAP 2025. They note that the electricity sector has an emission ceiling of 40 Mt CO_2 eq for the first carbon budget period (2021–2025), with the EPA's 2023 provisional greenhouse gas inventory reporting that 67.9% of the sectoral emissions ceiling has been used in the first 3 years of the first carbon budget. (I note to the Commission that the CAP 2025 states that 64% of the first carbon budget has been used in the first three years. Therefore, the figure used in the applicant's assessment assumes the depletion of a higher percentage of the budget).

4.11. Reference is also made to the 'recently published *Climate Change Advisory Board Annual Review 2025: Electricity'*, however, this reference is assumed to relate to the *'Climate Change Advisory Council Annual Review 2025: Electricity*', (CCAC Review 2025). The CCAC Review estimates that **83.6%** of the sectoral emissions ceiling has been used in the first 4 years of the 5-year sectoral emissions period. The applicant refers to the EPA's 2023 provisional greenhouse gas inventory reporting which gives a figure of **67.9%** for the sectoral emissions ceiling that has been used in the first 3 years of the first carbon budget. By subtracting both figures the applicant calculated that **15.7%** of the sectoral budget was used in 2024. If 2025 has emissions of a similar magnitude it is likely that the first carbon budget period (2001-2025) will be approximately **99%** of the budget and thus in compliance.

4.12. The applicant states that this is supported by work undertaken in September 2024 by MaREI at the University of Cork in terms of both sectoral emission ceilings and the first carbon budget. Reference is also made to Section 3.2.2 of the 2025 EPA report which states that, *'The sectoral ceilings projected to be achieved in the first budget period (2021-2025) are in the Electricity, Buildings and 'Other' sectors'.* The response also acknowledges that whilst the EPA 2025 Report states that sectoral ceilings predicted to be achieved in the first budget period include electricity, it is currently projected that this sector is unlikely to achieve its second carbon budget target.

Conclusion

4.13. I am satisfied that the applicant has outlined the differences that may arise in the emerging context with regard to the information contained in the CAP 2025 and the EPA Reports, and I consider the updated EIAR chapter also addressed the emerging context as described in the most recent information available to the applicant at the time the response was prepared. They have presented a worst-case scenario for the development and gave an overview of where the proposed development would sit within the current energy and climate framework.

4.14. Third party submissions refuted the conclusions of the review and are of the opinion that the applicant was selective in their reporting by avoiding information that indicates that Ireland will not meet its obligations under the second carbon budgetary period. The submissions raise the issue of importing energy and submit that, should

this be discontinued, the states emissions will increase significantly. They also submit that the applicant reported their GHG output as part of the national figure, rather than the sectoral figure, thus minimising their impact. Updated research from MaREI (December 2025) is referenced and highlights the extent of energy demand from data centres nationally.

4.15. I accept that the applicant selected specific figures from reports to carry out their assessments and to determine what impact their proposal would have on the sectoral budget, and I consider this to be reasonable. Whilst the sectoral budget forms part of the overall national carbon budgets, the applicant has no control over measures proposed for sectors outside of the one they are included in. I have read the applicant's response, and whilst the assessment focuses on the sectoral carbon budget, it also acknowledges that the information available indicates that the overall carbon budgets will be exceeded. The response also acknowledges that the decrease in emissions from the electricity sector can be partly attributed to the level of energy imported and that the sector is unlikely to meet its targets for the second budgetary period. The assertion by the third parties that should the importation of energy cease that the states emissions would increase significantly is not refuted. However, I note that national policy is to support the principle of energy sharing between countries as a response to decarbonising the sector and to help balance demand, (Section 11.1.1 of the CAP 2025). Reference is made to two separate interconnector projects (to Great Britain and France) coming on stream in 2025 and 2027. With regard to the reporting of GHG emissions from the project, Table 9.12 of the EIAR review, (Appendix 5), presents both the total GHG emissions for the overall development (permitted and planned) as a percentage of the 2030 Sectoral Emissions Ceiling for Electricity and the 2030 ETS Target for each year from 2025 to 2030. On this basis I am satisfied that the applicant considered all aspects of the most reports in their response.

4.16. Third parties also refer to the Climate Act 2015 (as amended) and the responsibilities of the Commission with regard to Section 15 of the Act. Reference is also made to High Court decision [2025] IEHC 1 (Coolglass Wind Farm Limited v An Bord Pleanála & Ors). The applicant also provided a detailed response (Appendix 7 of the response) outlining how the proposed development is consistent with the Climate Act 2015 (as amended).

4.17. The issue of the Commissions obligations under the Climate Act was raised in the grounds of appeal and is addressed in the main report. As the Section 132 submission contains updated information regarding climate, I will provide a brief overview of the Commission's obligations under Section 15(1) of the Climate Act.

4.18. Section 15 of the Climate Action and Low Carbon Development Act 2015 states the following;

> *A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—*
>
> *(a) the most recent approved climate action plan,*
>
> *(b) the most recent approved national long term climate action strategy,*
>
> *(c) the most recent approved national adaptation framework and approved sectoral adaptation plans,*
>
> *(d) the furtherance of the national climate objective, and*
>
> *(e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.*

4.19. At the time of writing the relevant policy documents listed in the Act are the 2025 CAP, *Ireland's Long-term Strategy on Greenhouse Gas Emissions Reduction 2024*, *National Adaptation Framework 2024* and *'The Electricity and Gas Networks, Climate Change Sectoral Adaptation Plan, 2025'.*

4.20. The National Adaptation Framework and the Sectoral Adaptation Plan both address the impacts of climate change and how various sectors, such as energy providers, can adapt to the growing uncertainties resulting from extreme weather events and other disruptions. This has been addressed by the applicant the EIAR Addendum submitted with the application and in the review of the EIAR chapter submitted in response to the Section 132 request.

4.21. In carrying out its functions, the Commission requested that the applicant assess the proposed development in accordance with the Climate Action Plan 2025. As noted previously the applicant included a detailed response that sets out how the proposed development is in accordance with the Climate Action Plan 2025. The response is summarised as follows.

- The proposed development will not contribute to any exceedance of the sectoral emissions ceiling for the electricity sector, as the proposed development is included under existing electricity demand forecasts (as confirmed by the letter provided by EirGrid), and will bring forward renewables via CPPA for contracted electricity demand which is already accounted for within CAP 25 (as it is subject to an extant connection agreement, which was confirmed by Eir Grid). Thus, electricity demand which was considered in the projections for CAP 25 (without any assumption of an associated CPPA) will now be offset via a CPPA.
- The CAP sees a role for enhancement of digital services and promotes working from home as part of reducing transport emissions.
- The proposed development would use CPPA to provide for renewable energy for its operation, which is in line with achieving national targets for the electricity sector and with the requirements of the *Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy (2022).*
- The construction of the development will use materials such as 'Green steel' and concrete mix that decreases the level of embodied carbon, (i.e. the mix would include an increased level of GGBS (Ground Granulated Blast Slag – a by-product of iron production)).
- The development will be constructed to allow for a connection to a district heating project, which would help reduce GHG emissions.
- The developer has adopted a global business model that seeks to achieve 'Net Zero' for all its operations and works toward this goal.

4.22. The most recently approved national long term climate action strategy is the 2024 document*, 'Ireland's Long-term Strategy on Greenhouse Gas Emissions Reduction'.* This document sets out Ireland's 2050 climate action targets and describes sector-specific pathways to reaching those targets, with the importance of transferring out national energy use to renewables being underpinned. With regard to Sectoral Emissions Ceilings and the CAP 2024 (which was the relevant CAP at the time), the strategy states that, *'The management of electricity demand will be a central part of our approach to achieving emissions reductions. Similarly, unlocking the flexibility of*

large electricity demand users will be a key challenge as the electricity system is decarbonised. Energy demand, including data centres, will be expected to operate within sectoral emissions ceilings and further signals will be required to locate demand where existing or future electricity grid is available and close to renewable energy generation', (p. 40).

4.23. Section 15(1)(d) refers to the National Climate Objective. This is defined in Section (3)(1) of the Climate Act which states that, *"The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy."* The applicant submits that the proposed development will address residual GHG emissions by way of CPPAs prior to the achievement of net zero electricity by the national grid. The development will also operate within the EU ETS, which the applicant states is the cornerstone of the EU's objective to reduce EU-wide GHG emissions by at least 55% by 2030. With regard to Section 15(1)(e), the applicant outlines the mitigation measures included in the construction and operational stages of the development to reduce GHG emissions. I am satisfied that the development as proposed would not impinge on the furtherance of the national climate objective. This is because the overall energy demand for the project has been factored into national projections under EirGrid's 10-year Generation Capacity Statement / National Resource Adequacy Assessment, (as confirmed in the letter from EirGrid), which in turn was used in the Climate Action Plan 2023 to determine the sectoral emissions ceilings. Therefore, the proposal does not represent 'new' or 'additional' demand.

4.24. **Conclusion**

4.24.1. I am satisfied that in carrying out the assessment of the development, that the Commission has performed its functions in a manner consistent with Section 15 of the Climate Act 2015 (as amended).

4.25. The Commission issued a Section 132 request to the applicant in order to review their proposal with the context of the most recently approved Climate Action Plan, which was published during their consideration of the development. The response submitted by the applicant took account of the revised figures in the 2025 CAP and the review of the EAIR chapter found that the impact of the development during the

operational phase would be moderate adverse prior to mitigation and minor adverse post mitigation. This conclusion was supported the previous two conclusions in separate assessments carried out by the applicant.

4.25.1. With regard to Section 15(1)(b), the relevant document is, *'Ireland's Long-term Strategy on Greenhouse Gas Emissions Reduction'.* This document sets out Ireland's 2050 climate action targets and describes sector-specific pathways to reaching those targets, with the importance of transferring out national energy use to renewables being underpinned. The strategy also states that energy demand, including data centres, will be expected to operate within sectoral emissions ceilings and will be required to co-locate with renewable facilities. Whilst it is not geographically possible for the proposal to co-locate with renewable facilities, the overall energy demand for the project has been factored into EirGrid's 10-year Generation Capacity Statement / National Resource Adequacy Assessment Methodology, which was in turn used to determine energy demand and sectoral ceilings in the CAP 2023 and brought forward to subsequent CAPs. Therefore, the development would not present an un-forecasted and additional demand on the national grid. Furthermore, the proposed development will offset GHG emission through CPPA which is an accepted approach in the *'Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy'* and will implement additional mitigation measures to reduce energy use.

4.26. Section 15(1)(c) relates to the most recent approved national adaptation framework and approved sectoral adaptation plans. The proposed development has submitted an EIAR with the proposal which considers the resilience of the development in terms of climate impact and the measures put in place to prevent significant impacts from the development. This is assessed in full in the main report.

4.27. Regarding Section 15(1)(d) and (e) the national climate objective seeks to reduce the extent of global warming by transitioning to a climate resilient and climate neutral economy by 2050. Whilst the objective is extensive in its reach, I consider the proposed mitigation measures for the development will work towards minimising the climate impact of the development. This has also been addressed by the applicant in their climate assessment submitted in the response. As noted previously, the energy demand for the development has been factored into the long-term forecasts

for the states and as such it does not represent an additional or new demand over and above that already brought forward into the CAP.

Conclusion

4.28. As previously noted, I am satisfied that the applicant has adequately addressed the Section 132 request from the Commission. A review of the most recent climate reports (CAP 2025 and the EPA Reports 2024 and 2025) was carried out, and the climate assessment was updated accordingly with the most recent figures available. It is also of note that the climate assessment review submitted in the response is the third climate assessment carried out for the development during the planning consent process. Each assessment was carried out with the information available at the time and each assessment reached the same conclusions with regard to impacts.

4.29. The challenges in achieving the climate targets are acknowledged and are well documented in Government policy. However, Government policy also acknowledges that whilst data centres are energy intensive developments, they are also central to Ireland's economic and digital future. On this basis, guidance recommends that each application is assessed on its merits. I have reviewed the documentation submitted by the applicant and have considered the development within the framework of local and national policy. The information submitted does not change my original recommendation to grant permission for the development.

4.30. As per the main report for the development, I am satisfied that the projected demand has been factored into the overall national energy demand projections which formed the basis of the Sectoral Emissions Ceilings which have been carried forward to the Climate Action Plan 2025. As such the proposed would not represent an additional and new demand in terms of energy supply. I am also satisfied that the use of CPPA as a mitigation measure is acceptable and is recommended in Government and EU policy, (Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy, Renewable Energy Directive), and would offset GHG emissions from the development. The proposal has also been considered within the context of the Climate Act and Low Carbon Development Act 2015 (as amended) and with the most recent Climate Action Plan.

4.31. The information submitted confirms my previous recommendation. No further issues arise in relation to EIA or AA.

5.0 Recommendation

I recommend that planning permission is granted for the development for the following reasons.

6.0 Reasons and Considerations

Having regard to the,

a. Climate Action Plan 2025,

b. National Planning Framework First Revision (2025)

c. Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy,

d. HT (High Technology) land use zoning objective which applies to the site,

e. the location of the development within a wider development with an established data centre use,

f. the existing grid connection on the site and the existing infrastructure within the site to supply the proposed development,

g. a pre-existing agreement with the transmission service operator to provide power to the development,

h. the initial agreement with the transmission service provider which considered the overall power demand for the entire development which was then factored into the national demands under the Sectoral Ceiling Emissions,

i. the mitigation measures proposed for the operational phase of the development including the limited use of on-site generators,

j. the evidence provided to demonstrate compliance with the Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy,

k. the infrastructure within the site to deliver a District Heating System in accordance with Objective DMS0259 of the Fingal Development Plan 2023-2029 and with the Fingal Climate Action Plan 2024-2029,

l. its compliance with the requirements of Objective DMS092 of the Fingal Development Plan,

m. the new information submitted by the applicant and third parties under Section 132 and 131 of the Planning and Development Act 2000 (as amended),

it is considered that subject to compliance with the conditions below and the requirement for the developer to enter into a Corporate Purchase Power Agreement with a renewable energy provider prior to the operation to the data centre, the proposed development would be acceptable at this location and would have no unacceptable impacts on the environment or property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area the development would be in accordance with the objectives and policies of the Fingal Development Plan 2023-2029 and would be consistent with the Climate Action and Low Carbon Development (Amendment) Act 2015 (as amended).

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Elaine Sullivan
Senior Planning Inspector

1st of December 2025