

File With _____

SECTION 131 FORM

Appeal NO: ABP 305948

Defer Re O/H



TO:SEO

Having considered the contents of the submission dated/ received 16/7/20
fromEPA I recommend that section 131 of the Planning and Development Act, 2000
be/not be invoked at this stage for the following reason(s): No new material
issues raisedE.O.: N. TuckerDate: 16/7/20

To EO: _____

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 305 948 79Mr HalpinPlease treat correspondence received on 16/7/20 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 233. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐EO: NP TucherDate: 16/7/20Plans Date Stamped ☐Date Stamped Filled in ☐AA: Jennifer CarletonDate: 16 July 2020

From: Appeals2
Sent: Thursday 16 July 2020 15:26
To: Mary Tucker
Subject: FW: Your Ref: ABP-305948-19 SD19A/0042/ Notification of Planning Application: EdgeConnex Ireland Ltd
Attachments: 00206B9FA2EF200710100049.pdf

From: Bord <bord@pleanala.ie>
Sent: Thursday 16 July 2020 15:05
To: Appeals2 <appeals@pleanala.ie>
Subject: FW: Your Ref: ABP-305948-19 SD19A/0042/ Notification of Planning Application: EdgeConnex Ireland Ltd

From: EIAPanning <eiapanning@epa.ie>
Sent: Thursday 16 July 2020 14:55
To: Bord <bord@pleanala.ie>
Subject: Your Ref: ABP-305948-19 SD19A/0042/ Notification of Planning Application: EdgeConnex Ireland Ltd

Your Ref: ABP-305948-19 SD19A/0042/

Notification of Planning Application: EdgeConnex Ireland Ltd, Newcastle Road, Lucan, Co Dublin

Dear Sir/Madam,

I refer to your letter dated 19/06/2020 requesting comments from the Agency on the planning application and EIAR for the above referenced development. In accordance with Section 87(1F) of the EPA Act 1992 as amended (hereafter referred to as the EPA Act), the Agency makes the following observations.

You should note that if the proposed gas generators have a combined total rated thermal input of 50MW or more, the applicant will be required to apply to the Agency for an Industrial Emissions Licence under class 2.1 of the EPA Act:

- Combustion of fuels in installations with a total rated thermal input of 50MW or more.

The requirement for such a licence could also be dependent on the operational hours of the standby generators.

The Agency has not received a licence application relating to the development described above. It is noted that the planning application was accompanied by an EIAR. Emissions to air from the generators on site could potentially impact air quality, in particular from nitrogen oxides. The EIAR should address these potential impacts, in particular the potential for cumulative impacts due to any other emission sources in the vicinity, such as combustion plant, traffic etc.

Should the Agency receive a licence application for the development, the applicant will be required to submit the associated EIAR to the Agency as part of the licence application. The EIAR will be considered and assessed by the Agency and the Agency shall ensure that before the licence is granted, the licence application will be made subject to an Environmental Impact Assessment as respects the matters that come within the functions of the Agency and in accordance with Section 83(2A) and Section 87(1G)(a) of the EPA Act. In addition, consultation on the licence application and EIAR will be carried out in accordance with Section 87

(1B) to (1H) of the EPA Act as appropriate. All observations from the planning authority will be taken into account as part of the Agency's assessment and before making a decision in relation to the licence application. Please also note that you will be requested to provide the documentation relating to the EIA you have carried out to the Agency under Section 173A(4) of the Planning and Development Act 2000 as amended^[1].

Should a licence application be received by the Agency all matters to do with emissions to the environment from the activities proposed, the licence application documentation and EIAR will be considered and assessed by the Agency.

Where the Agency is of the opinion that the activities, as proposed, cannot be carried on, or cannot be effectively regulated under a licence then the Agency cannot grant a licence for such an activity. Should the Agency decide to grant a licence in respect of the activity, as proposed, it will incorporate conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) will be used in the carrying on of the activities.

Finally, please note that in accordance with section 87(1D)(d) of the EPA Act, the Agency cannot issue a Proposed Determination on a licence application which addresses the development above until a planning decision has been made.

For all further queries and correspondence relating to planning matters, please contact eiaplanning@epa.ie.

Please note that there is no requirement for you to acknowledge receipt of the correspondence.

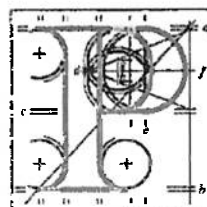
Yours faithfully,

Environmental Licensing Programme
Office of Environmental Sustainability
Tel: 053-9160600

^[1] please refer to the EU (Environmental Impact Assessment) (Integrated Pollution Prevention and Control) Regulations 2012 (S.I. No. 282 of 2012)

Case Number: ABP-305948-19

Planning Authority Reference Number: SD19A/0042



**An
Bord
Pleanála**

Environmental Licensing Programme
EPA Regional Inspectorate
Inniscarra
Co. Cork

ENVIRONMENTAL PROTECTION AGENCY

2 JUL 2020

CORK

Date: 19 June 2020

Re: Phased development of 4 single storey data halls all with associated plant at roof level, 32 standby generators, office and service areas, service road infrastructure, car parking, ESB substation/transformer yard, An EIAR was submitted with the application.
Newcastle Road, Lucan, Co Dublin

Dear Sir / Madam,

I refer to the above-mentioned proposed development which is the subject of a current planning appeal submitted to An Bord Pleanála.

The planning application, along with other documents relating to the planning authority decision and copies of the appeal made to the Board are available for inspection at the offices of the planning authority in accordance with section 38 of the Planning and Development Act, 2000 and Article 68 of the Planning and Development Regulations, 2001 by contacting their website at sdcc.ie. A copy of the Environmental Impact Assessment Report is also available on their website.

In accordance with section 87 of the Environmental Protection Agency Act 1992, as inserted by Article 5 (1F) of the European Union (Environmental Impact Assessment) (Integrated Pollution Prevention and Control) Regulations 2012 you are requested to:

(i) Confirm to An Bord Pleanála that the proposed development the subject of the application for permission is development comprising or for the purposes of an activity requiring a licence or a review of a licence on the application, under section 83 or under section 90(1)(b) of the Act.

(ii) If a licence or a review of a licence is required, you are also requested to submit to An Bord Pleanála observations you may have on the application for permission including the Environmental Impact Assessment Report.

Teil
Glaao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Macilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Accordingly, any observations or response in relation to the proposed development should be received by An Bord Pleanála not later than **4 weeks** from the date of this request i.e. not later than 5.30 p.m. on the **16th July, 2020**.

If you have any queries in relation to the matter, please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Mary Tucker
Executive Officer
Direct Line: 01-8737132

EPA05

Tel
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email

(01) 858 8100
1890 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
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