

File With _____

SECTION 131 FORM

Appeal NO: ABP - 313583-22Defer Re O/H ☐

TO: SEO

Having considered the contents of the ^{Observation} ~~submission dated~~ received 30/5/22
fromProinsias Mac Fhlannchadha 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 issues raisedE.O.: Gavin JoyceDate: 27/7/22

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 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

CORRESPONDENCE FORM

Appeal No: ABP _____

M _____

Please treat correspondence received on _____ as follows:

- | | |
|---|---|
| <p>1. Update database with new agent for Applicant/Appellant _____</p> <p>2. Acknowledge with BP _____</p> <p>3. Keep copy of Board's Letter <input type="checkbox"/></p> | <p>1. RETURN TO SENDER with BP _____</p> <p>2. Keep Envelope: <input type="checkbox"/></p> <p>3. Keep Copy of Board's letter <input type="checkbox"/></p> |
|---|---|

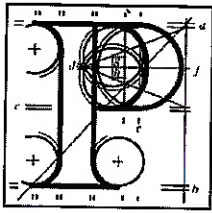
Amendments/Comments

4. Attach to file

- | | |
|---|---|
| (a) R/S <input type="checkbox"/> | (d) Screening <input type="checkbox"/> |
| (b) GIS Processing <input type="checkbox"/> | (e) Inspectorate <input type="checkbox"/> |
| (c) Processing <input type="checkbox"/> | |

RETURN TO EO ☐

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO:	AA:
Date:	Date:



An
Bord
Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Proinsias Mac Fhlannchadha

(b) Address

6 Wilkins Court, Limekiln Lane, Dublin D12 AR00

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

(b) Agent's address

Click or tap here to enter text.

AN BORD PLEANÁLA

ABP- 054100-22

30 MAY 2022

Fee: € 50 Type: canal

Time: 12.40 By: honor

Postal address for letters

3. During the appeal we will post information and items to you **or** to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the
address in Part 1

☒

The agent at the address in
Part 2

☐

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) Planning authority

(for example: Ballytown City Council)

Fingal County Council

(b) Planning authority register reference number

(for example: 18/0123)

FW21A/0151

(c) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Blanchardstown Mulhuddart

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

I wish to appeal this development given that I believe there were a number of factors not adequately assessed by the local authority in granting permission for this development as I set out in the letter attached

Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the "yes, I wish to request an oral hearing" box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the "No, I do not wish to request an oral hearing" box.

Yes, I wish to request an oral hearing

☐

No, I do not wish to request an oral hearing

☒

NALA has awarded this document its Plain English Mark

Last updated: April 2019.





Proinsias Mac Fhlannchadha
6, Wilkins Court
Limekiln Lane
Dublin
D12 AR00

Date: 22 February, 2022

ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a
PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY. IT IS THE **ONLY** FORM OF EVIDENCE WHICH WILL BE ACCEPTED BY AN BORD PLEANÁLA THAT A SUBMISSION OR OBSERVATION HAS BEEN MADE TO THE PLANNING AUTHORITY ON THE PLANNING APPLICATION.

PLANNING AUTHORITY NAME: FINGAL COUNTY COUNCIL

PLANNING APPLICATION REFERENCE NO. **FW21A/0151**

A submission/observation has been received from Proinsias Mac Fhlannchadha AI, in relation to the above planning application.

The appropriate fee of €20.00 has been paid. (Fee not applicable to prescribed bodies).

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations, 2001 -2013 and will be taken into account by the Planning Authority in its determination of the planning application.

Michelle Burke

for Senior Executive Officer

Swords Office: Áras an Chontae Sord, Fine Gall, Co. Bhaile Átha Cliath / County Hall, Swords, Fingal, Co. Dublin K67 X8YA
Blanchardstown Office: Bóthar an Gharráin, Baile Bhlainséir, Átha Cliath 15 / Grove Road, Blanchardstown, Dublin 15, D15 W638

Contact Details: Registry (01) 890 5541 / Decisions (01) 890 5670 / Appeals (01) 890 5724
e: planning@fingal.ie www.fingal.ie

Development:

- Demolition of 2 no. existing residential dwellings and ancillary structures to the east of the site (c.344qm total floor area);
- Construction of 2 no. data hall buildings (Buildings A and B) comprising data hall rooms, mechanical and electrical galleries, ancillary offices including meeting rooms, workshop spaces, staff areas including break rooms, toilets, shower/changing facilities, storage areas, lobbies, outdoor staff areas, loading bays and docks, associated plant throughout, photovoltaic panels and screened plant areas at roof levels, circulation areas and stair and lift cores throughout;
- External plant and 58 no. emergency generators located within a generator yard to the east and west of Buildings A and B at ground level. The area is enclosed by a c.6.5m high louvred screen wall;
- The proposed data halls (Buildings A and B) are arranged over 3 storeys with a gross floor area of C.37,647sqm each;
- The overall height of the data hall buildings is c28m to roof parapet level and c32m including roof plant, roof vents and flues. The total height of Buildings A and B does not exceed 112m OD (above sea level);
- The proposed development includes the provision of a temporary substation (c.32sqm), water treatment building (c. 369sqm and c.7.7m high), 7 no. water storage tanks (2,800m3 in total and c.6.4m high each), 2 no. sprinkler tanks (c.670m3 each and c.7.9m high each) with 2 no. pump houses each (c.40sqm and c. 6m high each);
- The total gross floor area of the data halls and ancillary structures is c.75,775sqm;
- All associated site development works, services provision, drainage upgrade works, 2 no. attenuation basins, landscaping and berming (c.6m high), boundary treatment works and security fencing up to c.2.4m high, new vehicular entrance from the North Road, secondary access to the south west of the site from the existing private road, all internal access roads, security gates, pedestrian/cyclist routes, lighting, 2 no. bin stores, 2 no. bicycle stores serving 48 no. bicycle spaces, 208 no. parking spaces including 10 no. accessible spaces, 20 no. electric vehicle charging spaces and 8 no. motorcycle spaces;

- Existing electricity overhead lines traversing the site will be undergrounded under concurrent application Ref. FW21A/0144;
- A proposed 220kv substation located to the south west of this site will be subject of a separate Strategic Infrastructure Development application to An Bord Pleanála under section 182A of the Planning and Development Act 2000 (as amended);
- An Environmental Impact Assessment Report (EIAR) is submitted with this application.

AI received 11/02/2022

AI deemed significant ** awaiting revised public notices

Location: Lands adjacent to Huntstown Power Station, North Road, Finglas, Dublin 11

Area: Blanchardstown Mulhuddart

Applicant: Huntstown Power Company Limited

Application Type: Permission

Date Received: 11 February, 2022

THIS IS AN IMPORTANT DOCUMENT!

KEEP THIS DOCUMENT SAFELY, YOU WILL BE REQUIRED TO PRODUCE THIS ACKNOWLEDGEMENT TO AN BORD PLEANALA IF YOU WISH TO APPEAL THE DECISION OF THE PLANNING AUTHORITY.

Please note that all planning applications, including submissions/objections will be published on the Council's website.

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Ref; Planning Application – FW21A/0151, ABP Ref ABP-313583-22

Dear sir/madam,

I wish to raise a number of observations to the above referenced planning application which was granted permission by Fingal County Council which I hope will be considered by the Bord as part of this appeal as I believe that Fingal County Council have not given due consideration to;

1. In terms of Renewable Energy Generation, the proposal submitted in the Brock McClure Further Information Response Report and the Ethos Engineering Energy Statement is still vague at best and does not outline a path as to how the proposed development will not be a net consumer of energy in the meantime in the absence of any solid proposals nor existing planning permissions in place. Any reference to “net zero” and “will not impact Ireland’s overall climate targets,” must be considered fanciful and a fallacy and the applicant should be challenged vehemently on this proposal to avoid a “deal with the repercussions later” approach. These generic statements should be considered unacceptable in light of Climate Action and Low Carbon Development (Amendment) Act 2021 and the Fingal Climate Action Plan.

Likewise there are no proposals from the Parent Company, Energia Group, on how this is to be offset. To note, “Energia Group owns and operates over 300MW of onshore wind assets across 15 different sites on the island of Ireland.”¹ To note this development will consume 150MW as per section 9.7.2.8 of the EIAR supplied as part of the Further Information request. It is difficult to see how this development aids Ireland in reaching its Climate Action goals by directly consuming 50% of its renewable energy from its parent company.

The proposed development will be responsible for .48% of the National emissions ceiling for NOX and there is no reference in the EIAR supplied as part of the additional information as to what % of National emissions ceiling the proposed development will be for CO2. Either way this development does not align with national goals when it comes to that as per the Climate Action Plan (2021).

2. The CRU have finally issued their long-awaited guidance under CRU/21/124, which will have an immediate effect upon issuance to the Directions to the SOs (System Operators includes Eirgrid ESB – issued 23/11/2021), regardless of when planning applications were lodged. I would assume this requires the Applicant to re-engage with the grid Operator in this regard and the applicant should be instructed to do same to seek clarification of their position in light of the new guidance.
3. It is disappointing to note that there is no intention by the applicant to supplement the significant energy demands of the data centre with alternative energy supply to include renewable energy sources, particularly given the scale of the buildings under consideration, contrary to Fingals Development Plan (2017-2023) Objective EN01, EN06, EN12 and EN13. Renewables will never provide the required energy to fully power a building of this scale but should make a contribution to the energy needs of this facility. There is a reference to providing “640 Sq M of solar” panels as per the Planning Application Report and 3 and that “50kwp of PV is proposed for each building”⁴ in the Energy Statement prepared but not in other parts of the Planning Application Report (see page 4-5) nor is it referenced in the Proposal Description of the planning application. When looking at the CGI and models provided for as art of additional information there is plenty of roof space which has not been utilised for solar panels. There is also no intention by the applicant to provide for battery storage on site to take account of energy production at low peak times.

¹ Energia website 18th of February, 2022- <https://www.energia.ie/irelands-greenest-electricity>



4. The applicant should be conditioned for waste heat recovery to facilitate a District heating system for the development in line with Objective PM30 of the Fingal's Development Plan (2017-2023) and the surrounding environs in the future as noted in Brock McClure Further Information Response Report. This was not assessed by the local authority as part of the planning application. The applicant should be conditioned as follows;
- (a) Proposals for waste-heat recovery and ongoing delivery to a local heat-network shall be provided and implemented on site as relevant, in conjunction with the commencement and operation of the proposed development. Prior to the commencement of development, a timeframe for implementation of waste heat proposals shall be submitted for the written agreement of Fingal County Council, unless otherwise agreed in writing.
 - (b) Such proposals shall include all necessary infrastructure for waste heat recovery from the proposed development and delivery through a primary waste-heat water circuit to either, the boundaries of the site or to an Energy Centre (when constructed as part of local heat network distribution) for connection to heat network. Such proposals shall be submitted for the written agreement of Fingal County Council, unless otherwise agreed in writing.
 - (c) Where waste heat recovery and utilisation proposals have been explored and, subject to the written agreement of Fingal County Council, have been deemed to be technically or otherwise unfeasible, details of future proofing of the building fabric, heat recovery and conversion systems and safeguarding of pipework/infrastructures routes up to the site boundaries to facilitate future waste heat connection to a local district heating network, shall be submitted for the written agreement of Fingal County Council or as otherwise agreed in writing.
5. The EIAR does not take into account the cumulative effects/ impacts of this proposed development in combination with other similar developments in the greater Dublin area.
6. There is no provision for Green roofs and Green walls as per Fingal's Development Plan (2017-2023) Objective SW06 and Objective GI33 and the Landscape Plan for the site is somewhat deficient in terms of promoting and encouraging biodiversity despite what Henry J Lyons claim in their Architectural Design Statement where the proposed development would "*enhance the existing and ecological wildlife assets,*" and that somehow boundary fences will "*provide an effective corridor for wildlife.*" I have heard some nonsense when it comes to architects reports but this is something else. If Fingal Council were serious about biodiversity they would insist upon Green Roofs and Green walls and improved landscape plan as part of the SUDS plan for the site. I attach an example of this in Appendix 1 in Frankfurt. The CGI's presented as part of further information show that this development will be a monolithic structure and a stain on the landscape without green walls. This not been assessed by the local authority in arriving at its decision to grant permission.

Kind regards,



Proinsias Mac Eilíochádhá

Appendix 1



The company has opened a new IBX facility, known as FR8 in the west of the city

<https://www.datacenterdynamics.com/en/news/equinix-opens-new-facility-in-frankfurt/>

