

AA: CF
11/3/24

File With L. Treacy S. 37

SECTION 131 FORM

Appeal NO: ABP 317936

Defer Re O/H ☐

Having considered the contents of the submission dated/ received 9/2/24
from

EPA 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
1 submission

E.O.: R. Treacy

Date: 9/13/24

For further consideration by SEO/SAO

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: _____

File With _____

CORRESPONDENCE FORMAppeal No: ABP 317936M s FlynnPlease treat correspondence received on 9/2/24 as follows:

- | | |
|--|--|
| 1. Update database with new agent for Applicant/Appellant _____
2. Acknowledge with BP <u>23</u>
3. Keep copy of Board's Letter <input type="checkbox"/> | 1. RETURN TO SENDER with BP _____
2. Keep Envelope: <input type="checkbox"/>
3. Keep Copy of Board's letter <input type="checkbox"/> |
|--|--|

Amendments/CommentsEPA resp to BO Ltr**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: <u>N. Tucke</u>	AA: <u>Catherine Flynn</u>
Date: <u>20/2/24</u>	Date: <u>20/2/24</u>

Anthony McNally

From: Bord
Sent: Friday 9 February 2024 10:14
To: Appeals2
Subject: FW: Your ref: ABP-317936-23
Attachments: 00206B9FA2EF240117112541.pdf

From: EIAPanning <eiapanning@epa.ie>
Sent: Thursday, February 8, 2024 5:18 PM
To: Bord <bord@pleanala.ie>
Subject: Your ref: ABP-317936-23

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Your Ref: ABP-317936-23, Planning Authority Ref: SD22A/0156

Notification of planning application: 10 year permission for modifications to permitted data centre granted under planning ref: SD21A/0186 consisting of reconfiguration and alterations to data centre building on a site bounded to the east and south by Grange Castle Golf Club, to the North by Nangor Road (R134) and to the west by an estate known as Falcon Avenue.
Plot 100, Profile Park, Nangor Road, Clondalkin, Dublin 22.

Dear Sir/Madam,

I refer to your correspondence received on 17th January 2024 requesting comments from the Agency on the planning appeal and Environmental Impact Assessment Report (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 below observations.

The development proposed may require an Industrial Emissions licence under Class 2.1 of the EPA Act '*Combustion of fuels in installations with a total rated thermal input of 50 MW or more*'. 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.

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.

Yours faithfully,

Environmental Licencing Programme
Office of Environmental Sustainability
An Clár um Cheadúnú Comhshaoil
Oifig um Inbhuanaitheacht Chomhshaoil



053-916 0600 (Switch)

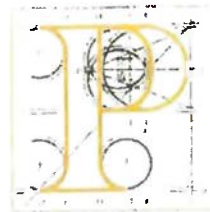
eiaplanning@epa.ie

www.epa.ie



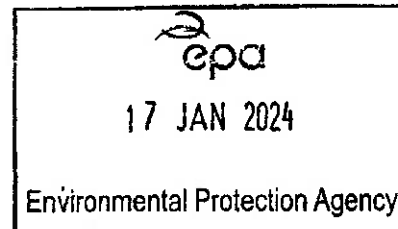
Our Case Number: ABP-317936-23

Planning Authority Reference Number: SD22A/0156



An
Bord
Pleanála

~Environmental Protection Agency
Environmental Licensing Programme
PO Box 3000
Johnstown Castle Estate
Co. Wexford
Y35 W821



Date: 15th January, 2024.

Re: 10 year permission for modifications to permitted data centre granted under planning register reference number SD21A/0186 consisting of reconfiguration and alterations to data centre building, on a site bounded to the east and south by Grange Castle Golf Club, to the north by Nangor Road (R134) and to the west by an estate road known as Falcon Avenue. The application is accompanied by a Natura Impact Statement.

Plot 100, Profile Park, Nangor Road, Clondalkin, Dublin 22

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 www.sdcc.ie. A copy of the environmental impact assessment report and natura impact statement 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 Report) (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.

Tel	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde
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 **12th February, 2024**.

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

Teil
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Ríomhphost

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