

File With

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SECTION 131 FORM

Appeal No

ABP— 3/8/80-23

Defer/Re O/H

Having considered the contents of the submission dated/received 18/10/2023

from Martin Knox 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

Section 131 not to be invoked at this stage.

Section 131 to be invoked — allow 2/4 weeks for reply.

Signed

Pat B

Date

13/05/2024

EO

Signed

[Empty box]

Date

[Empty box]

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

[Empty box]

Task No

[Empty box]

Allow 2/3/4 weeks

BP

Signed

[Empty box]

Date

[Empty box]

EO

Signed

[Empty box]

Date

[Empty box]

AA



An Bord Pleanála

### Planning Appeal Online Observation

Online Reference  
NPA-OBS-002677

Lodgement - 067720-23

#### Online Observation Details

<b>Contact Name</b> Martin Knox	<b>Lodgement Date</b> 18/10/2023 13:47:56	<b>Case Number / Description</b> 318180
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#### Payment Details

<b>Payment Method</b> Online Payment	<b>Cardholder Name</b> Martin Knox	<b>Payment Amount</b> €50.00
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#### Processing Section

S.131 Consideration Required

Yes — See attached 131 Form

N/A — Invalid

Signed

*Martin Knox*  
EO

Date

19/10/23

#### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

Reason for Refund

Documents Returned to Observer

Yes  No

Request Emailed to Senior Executive Officer for Approval

Yes  No

Signed

EO

Date

#### Finance Section

Payment Reference

ch\_3O2ZAGB1CW0EN5FC0vMa3LBI

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

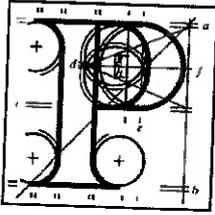
SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date



An  
Bord  
Pleanála

## Observation on a Planning Appeal: Form.

### Your details

#### 1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

Martin Knox

(b) Address

10 Cottage Gardens, ENNIS Co Clare V95YFN5

### Agent's details

#### 2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please also write your 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.

### Postal address for letters:

## 10 Cottage Gardens, Ennis, Co Clare V95YFN5

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

You (the observer) 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 appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

**(a) Planning authority**

(for example: Ballytown City Council)

Fingal County Council

**(b) An Bord Pleanála appeal case number (if available)**

(for example: ABP-300000-19)

ABP-318180-23

**(c) Planning authority register reference number**

(for example: 18/0123)

FW22A/0308

**(d) Location of proposed development**

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

Cruiserath Road, Dublin 15



## Observation details

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

CONDITION 13: Is misleading and is not comprehensive/inclusive enough to count as sustainable development condition.

I have serious concerns about Fingal Co. Council's Decision on the above planning application (FW22A/03/08), specifically in relation to Condition 13 of the approval. It may not be a sustainable development at all as I believe that fossil fuel dependency of the country will thereby be increased:

- (1) Unless the CPPA is transparent and genuinely contributing to our energy security, I believe that transparency can be achieved by ensuring that the renewable **ADDITIONAL** energy source will be an **AB INITIO** development specific to the site energy requirements and clearly identified as such.
- (2) Unless Gas/diesel engines are banned from the site, except for back-up and emergency purposes only and not connected to the grid.

We need to be careful to make sure we avoid the scenario that no matter how fast we run, we will never catch up. The additional fossil fuel requirement concern is not addressed comprehensively and of course there will be other developments requiring energy too. Amazon should not expect special treatment and cannot expect preferment to access natural resources.

My big fear is that Amazon may claim credits for renewable projects already in existence, already planned or at the pre-planning stage. Please let me know how you ensure that renewable sources to offset the carbon footprint of the development will be in addition to ALL planned/pipeline renewable energy developments. Corporate Purchase Power Agreements are very suspicious and potentially fraudulent. These risks don't seem to have been addressed in the decision.

So, ABP must reject this application or at least toughen it up so that Amazon will be required to supply their own **ADDITIONAL** energy to drive these centres.

The approval seems to have ignored the fact that, Ireland already has more data centres per capita than many bigger economies.

Also, ethical considerations such as employment conditions deployed by Amazon do not seem to have been considered either.

On the positive side, however, Condition 13 attempts to address some of the concerns not considered by Clare Co Co. when approving a similar development in Clare, to which development I am also an objector because these developments are bad for the country increasing our already very high fossil

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

fuel dependency, potentially making legal compliance to 2030/2050 targets impossible.

## Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

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

## Fee

7. You **must** make sure that the correct **fee** is included with your observation. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.

This document has been awarded a Plain English mark by NALA.

Last updated: April 2019.

