

File With _____

SECTION 131 FORM

Appeal NO: ABP 318180

TO: SEO

Defer Re O/H

Having considered the contents of the submission dated/ received 19/7/25
from

Martin Kroy I recommend that section 131 of the Planning and Development Act, 2000

/not be invoked at this stage for the following reason(s): no m issues

E.O.: 

Date: 30/7/28

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: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appel No.: ABP 318180

M _____

Please refer to correspondence received on 19/7/25 as follows:

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

2. Acknowledge with BP 23

3. Keep copy of Board's Letter

1. RETURN TO SENDER with BP _____

2. Keep Envelope

3. Keep Copy of Board's letter

Amendments/Comments

S131 Keep

L10 21/7

4. Attach to file

- (a) R/S
- (b) GIS Processing
- (c) Processing
- (d) Screening
- (e) Inspectorate

RETURN TO EO

Plans Date Stamped
Date Stamped Filled in

EO: [Signature]

AA: [Signature]

Date: 15/7/28

Date: 21/7/25

Karen Byrne

From: communications
Sent: Monday 14 July 2025 15:30
To: Appeals2
Subject: Fw: Submission: ABP-318180-23/FW22A/03/08. For the attention of James Sweeney
Attachments: ABP 318180 Universal Developers LLC Data Center Development Cruiserath response to An Coimisiún Pleanála.docx

From: Martin Knox <mdecnoc@gmail.com>
Sent: 14 July 2025 13:29
To: communications <communications@pleanala.ie>
Subject: Submission: ABP-318180-23/FW22A/03/08. For the attention of James Sweeney

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.

Hi James

Please find attached my submissions on the above planning application. A signed copy has been sent by registered post.

Yours sincerely,

Martin Knox
10 Cottage Gardens,
Ennis,
Co Clare.
V95YFN5

Mobile: 353-87-3938988

**ABP 318180-23 Universal Developers LLC Data Centre Development Cruiserath. Planning
Authority Reference Number FW22A/0308**

Ar misúin Pleanála.
64 Marlborough Street,
Dublin 1 D01 V902

Martin Knox
10 Cottage Gardens,
Station Road,
ENNIS,
Co Clare V95 YFN5.

11th July 2025

Dear James Sweeney,

I wish to respond, if I may, in the strongest possible terms to the extension of Data Centre (DC) capacity by 73.1 MW at the Cruiserath Road, Dublin 15 location for the reasons set out below.

There is no concern expressed by the developer about the fact that DC's already consume 22%+ of electricity generated in the state and growing. When assigning a significance rating, surely this is worthy of comment in the EIAR and in other material presented in the application documentation when evaluating the environmental impacts already emanating from this site (87MW). The potential demand for energy from the site is 240MW plus emissions from the standby generators and methane fugitives, remote or otherwise. Surprising too that oxygen depletion is not considered in the EIAR either. The climate crisis is considered in AWN section 9.7.3 where (Table 9.12) GHG Emissions' data for the overall project are presented. Percentages of the 2030 Electricity Sectoral Emissions Ceiling up to 2030 are set out, the site accounting for 8.8% of the sectoral emissions in 2030 (AWN). Even if the emissions data are correct, 8.8% of the sectoral emissions ceiling presents a significant adverse risk to the nation's energy security and the environment. It should be zero considering existing DC's, and those planned (32 other applications for DC projects already in the planning system), and SEAI's 2024 figures (see below).

The developer considers this project to be worthy of consideration for a 240 MW EirGrid connection in spite of the stark warnings given in CAP 25 *Critical Nature of the Challenge*, Page 11 and when Ireland's overall energy requirements (SEAI) in 2024 were up 2.3% with fossil fuel use up by 0.7%. The EIAR is replete with cherry-picked scenarios to suit the demands of the developer: national and global demands have been largely ignored and are not considered significant in the EIA. I quote from CAP 25 page 12: ***this year saw confirmation that 2023 was the warmest year on record with the annual average global temperature 1.45°C above the pre-industrial average.*** The developer does not appear to be too concerned about this fact and has not even considered it worthy of deliberation in the EIA, thereby undermining the environmental impact significance evaluations presented. Again, I would like to draw the Commission's attention to this statement taken from CAP 25: ***Should Ireland fail to make sufficient progress towards its EU 2030 climate and energy targets, there are flexibility options available under the relevant EU legislation in order to meet compliance which Government could choose to exercise. In 2023, The Department of Public Expenditure, NDP Delivery and Reform and the Department of the Environment, Climate and Communications (DECC) published a joint Spending Review paper titled Estimating the Potential Cost of Compliance with 2030 Climate and Energy Targets. This work concluded that, in an extreme scenario, using the EPA's With Existing Measures (WEM) projections which assumes no new climate action, compliance with our GHG emissions targets under the Effort Sharing Regulation could potentially reach €8.1bn by 2030. In December 2024, the Irish Fiscal Advisory Council (IFAC) presented further work assessing potential compliance costs with the Effort Sharing Regulations. While acknowledging that there was a considerable degree of uncertainty involved, it calculated that potential costs could reach up to €20billion depending on the scale of climate action measures implemented and the future price of emissions allowances. Significant emissions reduction activity will be needed to reduce the requirement on government to purchase emissions allowances from other member states, and contain these potential costs.*** (Emphasis mine)

Worst case: we must consider additional large power users to be driven exclusively by fossil fuels because the renewables already in the system are spoken for and dubious renewables' availability into the future from CPPA's, notwithstanding. My submission is based on empirical facts not speculation or projections. The unavailability of **additional** renewables is the only 'worst-case' scenario that the Commission must consider. Also, the projected growth in renewables will not, in any case, be fully realized because of time lags and delays as well as planning difficulties faced by windfarm planning applications (both onshore and offshore). Please note also that the ANNUAL Carbon Budget 2 (2026-2030) target is 4.0MtCO₂ eq (the energy sector). If one takes the **worst-case** scenario of all site indirect energy demands being met by fossil fuels, for operational requirements, then the site will be responsible for about 22.5% of the 2026-2030 entire annual electricity sectoral budget. Even if 40% of the energy supplied to the site is from renewable sources, then the site will swallow up 9% of the annual sector carbon budget, VERY BEST-CASE scenario. No point relying on future renewables' projections since all of these are uncertain in any case. This impact on budgets is unacceptable given all of the future energy requirements of the state, including the other 32 DC applications in the pipeline. Yet the conclusion is that: the impacts on the environment are NOT significant (minor adverse). How they come to this conclusion beggars belief.

The extension to the existing facility will require an additional 73.1MW (Buildings E, F and G) and will contribute to our GHG load (about 280,000 tonnes of CO₂ per annum). The site is already potentially responsible for around 326,000 tonnes of GHG emissions if totally reliant on fossil fuels, worst case. Considering the existing plant and future projections up to 900,000 tonnes annually of GHG's could be emitted from the site, again worst-case (240 MW). The EIAR considers the impacts on the environment **to be indirect, long-term, negative and minor adverse** and by implication also minor adverse impacts on our carbon budgets. These emission numbers are played down under all sorts of specious pretexts while ignoring the latest data from the SEAI. The developer would like us to believe the following:

- 1.0 AWS already uses 100% renewables (2023) to drive their data centres worldwide. There are no renewables' data presented for its Irish operations to substantiate this claim nor is the claim independently verified, ISO 50001 certification notwithstanding.
- 2.0 because CAP 25 states that there is a steady decline in annual emissions from the energy sector of 9.89 MtCO₂eq in 2021 to 7.56 MtCO₂eq in 2023, (not so for 2024 according to the EPA) somehow justifies the likely increased emissions of around the projected 900,000 tonnes (240MW) annually from the site. The developer is not in any way responsible for these reductions: we the citizens are, through government funding and with our endeavours to use solar panels, electric cars etc. to contribute to CO₂ emissions' reductions as well as renewables connecting to the grid.
- 3.0 the projected overshoots of 1 MtCO₂eq in the period 2023-2050 and of 5 MtCO₂eq in the period 2026-2030 somehow strengthens the hand of the developer without making the obvious point that the developer will ADD to these overshoots along with 32 other DC's in the planning pipeline.
- 4.0 the carbon budgets somehow accommodate this development. But ONLY 40% of our power came from renewables in 2023. Where is the other 60% coming from? ANSWER: fossil fuels, imported, ETS or otherwise: additional loads will require fossil fuels. This is inescapable.
- 5.0 the project will somehow help the environment! If the development is granted a permit, E, F and G NEW 73.1MW plant will contribute 27% to the 2023-2050 overshoot, and 5.4% to the 2026-2030 overshoot not including any other planned DC's (240MW) or existing (87MW) from the site thereby potentially costing the taxpayer significantly. All projections indicate significant overshoots. All employment 'benefits' expected at the site will thereby accordingly be set at naught and the conclusion that the development impacts will be **minor adverse** is clearly false and against the national interest.
- 6.0 the renewables existing and planned can be used to justify DC developments such as Cruiserath and that the development like those in Kildare, Ennis, Offaly etc (32 others pending) currently can be justified on existing and planned renewables. At present we don't have any renewables to supply these developments. Is this not obvious? By creating demands for renewables will somehow magic them into existence.
- 7.0 the environmental impact of the development will be MINOR ADVERSE after mitigation. What mitigation? CPPA's do not necessarily qualify as mitigation. There are very minor contributions planned such as solar panels (85.5kWp peak power but yields from solar panels at this latitude is at best 11% averaging 9.4 kWp) and district heating put forward in mitigation is aspirational at best. Because of the cost, district heating may never be implemented. Solar panels will contribute relatively little and is greenwashing. HVO, subject to availability, is also mentioned accompanied by rainwater harvesting. It should be noted also that the PUE is not transparently costed. These sound like desperate appeals made by the developer claiming 100% renewables already!
- 8.0 the use of electricity to power the facility will achieve net zero (we hope) by 2050 and in the meantime, GHG offsets will be achieved through CPPA's from NEW renewables as opposed to ADDITIONAL renewables. But where will the developer find suppliers to provide additional or even new renewable energy offsets? The national wind/solar resources will be unable to supply the renewables required by the rest of us for housing, transport etc. And what will the other 32 pending DC applications do for renewables? Will they use CPPA's for NEW renewables also? The whole endeavour as presented in the documentation by the developer is not science-based or realistic but rather tendentious to ensure that planning permission is delivered in spite of our projected carbon budgets and GHG emissions exceedances for the electricity sector. The use of IEMA guidance and hierarchy adds nothing to help assuage my fears. It is dishonest to imply that IEMA somehow approves the methods used to deploy its principles to justify this development.
- 9.0 with the WAM sectoral measures target for renewables being revised downwards from 80% in the original AWN submission to 68.3% in this submission, should not raise alarm bells for the planning authorities?

ABP 318180-23 Universal Developers LLC Data Centre Development Cruiserath. Planning Authority Reference Number FW22A/0308

10.0‘Thus, while the assessment does take into account differences that may arise in the emerging context (i.e. uncertainty) the proposed development will not contribute to any exceedance of the sectoral emissions ceiling for the electricity sector’. This a clearly a false conclusion and not evidence-based.

11.0 ‘The proposed development entails **significant** and **effective** mitigation measures to address climate impact, and the result is a development which will have no significant impact on climate, and which will support delivery of **additional renewable energy** capacity in line with government policy.’ This is actually perverse. I cannot see for the life of me how this development supports additional renewable energy when the opposite is the case. (Emphasis added).

12.0 imported electricity lets the developer off the hook because GHG’s are accounted for elsewhere (CPPA’s, imports and ETS).

13.0 2170m³ of rainwater will be provide sufficient cooling for the site without reliance on town water.

14.0 ‘in order to address this uncertainty, the developer is committed to ensuring that the CPPA for the energy use of the proposed development will mitigate the GHG emissions in terms of quantity of emissions on an annualised basis’. The assumption that there is or will be **ADDITIONAL** renewable resources available for CPPA is at best wishful thinking. (Page 11, Appendix 6). It is wishful thinking that adequate quantities of green hydrogen, offshore wind energy, biogas, onshore wind energy, solar etc. will be available in the short term, viz, the second carbon budget.

The following table summarises the existing and projected effects the site will have on the environment **WORST-CASE (No CPPA’s or other mitigation, other than minor greenwashing efforts)**. These data exclude back-up generators’ GHG emissions.

Power requirement (MW) from the grid	Approx. CO ₂ eq annual emissions (tonnes) worst case, excluding methane fugitive emissions which could be up to 4%.	Percentage of the total 2026-2030 carbon budget of 4 tonnes annually, energy sector, worst case.	Significance based on the negative impacts or threats to second budget annually. Fossil fuel use worst case. (SEAI data below)	Risk to the costs of not meeting budgets assessment and climate impact Sensitivity x Exposure x Vulnerability. Max (5) each.
240	900,000	22.5%	Extremely high and very significant adverse	5x5x5 =125/125
73.1(i) new	274,125	6.9%	Very high and significant adverse	4x4x4=64/125
87.0(ii) existing	326,250	8.1%	Very high and significant adverse	4x5x4=80/125
160.1 (i) and (ii) ^(a)	600,375	15.0%	Extremely high and significant adverse	5x5x5 =125/125
2,336 ^(a) (32 data centres in planning assuming a conservative 73 MW of energy required for each)	9,000,000	225%	Extremely high and significant adverse	Overshoot of energy budget by 125%

(a) SEAI Technical highlights of interim 2024 National Energy Balance

- Ireland’s overall energy requirement in 2024 was up 2.3%, with increases in oil, natural gas, renewables, and electricity.
- Despite drops in coal and peat, Ireland’s overall use of fossil fuels increased by 0.7% in 2024.
- Fossil fuels continue to account for over four-fifths (81.4%) of Ireland’s energy supply.
- Almost half (48.9%) of Ireland’s energy comes from imported fossil fuel oil products.
- Ireland’s energy import dependency was 79.7% in 2024, up from 78.3% in 2023 (for comparison, the EU average for 2023 was 58.3%).
- Ireland imported 100% of its oil, 79.5% of its gas, and 14.0% of its electricity in 2024.

These SEAI data must be considered when assigning the significance of impacts as well as the fact that data centres already account for at least 22% of national energy production. I can’t agree that the development environmental impacts are minor adverse, and non-significant based on the above analysis, quite the opposite.

Based on this reasoning, the Planning Commission have no choice now but to deny planning permission for the project not only on emissions grounds and projected emissions, but also on grounds of deficiencies in the EIA where a rather loose approach was taken to the risk management strategy deployed by the developer, thereby exposing the citizens of Ireland to additional costs when the legal limits are exceeded and with no cognizance taken at all of burden sharing or of the interests of key stakeholders. The EPA warns us in Ireland’s **Greenhouse Gas Emissions Projections 2024-2025 in the CAP23 Input Assumptions** that: “Growth from large energy users, such as data centres, will have to be moderated to protect security of supply and ensure consistency with the carbon budget programme” Finally, redacting vast amounts around the EirGrid connection agreements is pointless and disingenuous. I too am satisfied that much of the developers’ putative controls are inconsistent with national goals and plans, specifically **Section 15 Climate Action and Low Carbon Development Act 2015** (as amended) and are therefore unacceptable and must be considered entirely inadequate as a justification for the approval of the project.

Best,

Martin Knox

ABP 318180-23 Universal Developers LLC Data Centre Development Cruiserath. Planning Authority Reference Number FW22A/0308

An Coimisiún Pleanála.
64 Marlborough Street,
Dublin 1 D01 V902

AN COIMISIÚN PLEANÁLA
LDG- _____
ACP- _____
15 JUL 2025
Fee: € _____ Type: _____
Time: 9.54 By: Ray Psk

Martin Knox
10 Cottage Gardens,
Station Road,
ENNIS,
Co Clare V95 YFN5.

11th July 2025

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Best,

Martin Knox

