S. 37

File With _____

SECTION 131 FORM

Appeal NO: ABP-322575-25 **Defer Re O/H** ☐

TO:SEO

Having considered the contents of the submission ~~dated~~/received 22/04/26

from

Colin Doyle 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 planning issues

E.O.: Karen Byrne **Date:** 16/06/2026

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:** _____

S. 37

File With _____

CORRESPONDENCE FORM

Appeal No: ABP -322575-25

M _____

Please treat correspondence received on 22/04/26 **as follows:**

1. Update database with new agent for Applicant/Appellant _____	
2. Acknowledge with BP 23	**1. RETURN TO SENDER with BP** _____
3. Keep copy of Board's Letter ☐	2. Keep Envelope: ☐
	3. Keep Copy of Board's letter ☐

Amendments/Comments
Colin Doyle response to S.137.

4. Attach to file	
(a) R/S ☐ (d) Screening ☐	**RETURN TO EO** ☑
(b) GIS Processing ☐ (e) Inspectorate ☐	Karen Byrne
(c) Processing ☐	

	Plans Date Stamped ☐
	Date Stamped Filled in ☐
EO: Karen Byrne	**AA:** Shirley Carthy
Date: 27/04/26	**Date:** 27/04/26

Karen

L Clarke

From: Colin Doyle <colindoyle57@gmail.com>
Sent: Wednesday 22 April 2026 16:26
To: Appeals2
Subject: Killala data centre 322575
Attachments: Colin Doyle 2nd submission Killala data centre ACP ref 322575.pdf

You don't often get email from colindoyle57@gmail.com. Learn why this is important

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.

A chara,

I attach a submission in reply to your letter to me of the 13th April 2026.

Mise le meas

Colin Doyle, 12 Cottage Gardens, Ennis, Co. Clare
0872444512

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

Dr. Colin Doyle
12 Cottage Gardens
Ennis
Co. Clare
22nd April 2026

Proposed Data Centre Development, at Killala, Mayo 2460708, ACP 322575

Re: your letter dated 13th April

A Chara,

I wish to make a brief submission in the following pages on the implications of LEAP and the CRU decision for the planning appeal.

In summary, as my appeal was based almost entirely on climate impact grounds, I believe that the above Government policy and CRU decision, which avoid any consideration of climate impacts, would have negligible bearing on ACP's consideration of my appeal.

There would however be potential implications for grid connection of the proposed project, and this would presumably be a matter for Eirgrid to decide. If proximate generation is required, a new planning application would need to be made.

If ACP is minded to ensure 80% truly additional renewables supply, this would need to be robustly set out in a planning condition, as it is doubtful if the CRU aspirational 80% rule would be enforceable.,

Mise le meas,

Colin Doyle

Comments on LEAP, and Implications for ACP Decision

1. The Irish Times of 7th January 2026 reported that Minister O' Brien had admitted that the state would fall far short of its GHG reduction targets for 2030. Hot on the heels of the Minister throwing in the towel in the climate battle, came the publication of LEAP on 13th January 2026. This explicitly set out a plan to facilitate even more large energy users to operate in the state, which would inevitably result in an even greater departure from the state's legally binding GHG reduction and energy targets.

2. As a very long-term plan, say post-2030, LEAP may have some merit. However, any claimed sustainability aspect would rely on the availability of large quantities of renewable electricity from offshore windfarms. According to SEAI National Energy Projections 2025, there is a significant risk of slippage in the offshore targets. It may well be the mid to late 2030s before offshore wind energy could make a significant contribution.

3. Development of data centres prior to 2030 would be premature, and amount to "putting the cart before the horse". It would entail continued reliance on fossil gas with associated GHG emissions, which is contrary to the national CAP. The same SEAI projections indicate that the state will not achieve the 80% renewable electricity target by 2030, with achievement of just 60 to 68% RES-E, and this assumes offshore wind in the range 1.4 to 1.7 GW (capacity), which on existing slow progress is extremely doubtful.

4. This SEAI projection is relevant when considering the mitigation potential of renewables through CPPA. There is absolutely no prospect of "additional" renewables being available in the time scale to 2030 to mitigate indirect or direct emissions associated with new data centre loads. Increased data centre power demand in the ten-year time horizon from now would reduce %RES-E, increase GHG emissions, and increase total final energy consumption TFEC (which has to reduce under EED). As stated by the SEAI (2025):

> "In the context of legally binding national and EU climate and energy obligations, the consequences of allowing new large electricity users, such as datacentres, to establish in Ireland are critical. If the scale and pace of renewable energy growth cannot exceed that of electricity demand, as has been the case for the past two years, then renewables are just abating further increases in emissions rather than delivering emissions reductions."

The concepts of green energy parks, flexible demand, and claimed renewables powering described in LEAP are not capable of changing the above projection for 2030.

Comments on CRU Decision 2025236

5. The CRU decision on connection of LEUs essentially would permit them to connect to the grid if there is on-site or nearby matching electricity generation, which would also have to be connected to the national grid. This generation would of necessity have to be fuelled by fossil gas, with resulting GHG emissions. The CRU did not promote this solution as in any way sustainable from an environmental perspective. It was a technical solution to ensure that the electricity grid could cope with the new electricity loads. The CRU explicitly excluded consideration of climate impact from its analysis (on dubious legal grounds). Therefore, compliance with CRU connection requirements would not in any way imply compliance with national climate policy or CAP 2025.

6. Possibly feeling somewhat guilty that it was ignoring climate impacts, the CRU as part of its role in supporting renewable energy policy, required that new LEUs should engage with CPPAs to obtain additional 80% renewable electricity on a "glide path" of 6 years.

> "Data centres with MIC equal to or above the de-minimis level are required to meet at least 80% of their annual demand with additional renewable electricity generated in the Republic of Ireland." (CRU Decision,p.4)

7. While the aspiration to support renewables policy was welcome, the 80% requirement was quite misguided, and not supported by any analysis. The CRU seems to have simplistically thought that by requiring all new LEUs to seek 80% renewable powering that the state's 80% RES-E target would be supported. Would that it were that easy !

8. In my original appeal, arguments were presented demonstrating that CPPA in itself is not a credible GHG mitigation, and I will not comment further on this, other than to reiterate the difficulty in ensuring true "additionality" of a renewables supply. The reality is that there is only a certain quantity of renewable electricity that credibly can be deployed by 2030 (as projected by SEAI), and any CPPA for 80% by new LEUs would just be a notional reassignment of this limited energy to the LEUs, i.e. robbing Peter to pay Paul.

9. The commonly understood definition of "additionality" is a supply of renewable energy that would not have happened without the intervention of the CPPA. The SEAI projections (2025) referred to above were based on <u>all of the projects in the development pipeline</u> (i.e. those with planning consent/grid contract) becoming active by 2030. A CPPA with any of these projects would not represent "additionality", as they would most likely have happened in any event.

10. There are possibly a few exceptions. i.e. projects which are unable to succeed in the RESS auctions due to higher cost factors. This small number of projects may be stuck in the development pipeline and could be brought to market through CPPA and possibly classed as "additional". But these CPPAs would obviously be more expensive and are unlikely to be snapped up by data centre operators. There is no mechanism in the RESS process to identify

such "stuck" projects, or to reserve them for CPPA access to market, rather than through RESS.

11. There is an erroneous belief in some quarters that a renewables project which progresses to market without PSO support can be considered "additional". The commission made this error for example in its decision to grant permission for Amazon Cruiserath (318180).

> "I also acknowledge the policy that 'additionality' in carbon reduction can be provided through investment in new technologies that are not funded through the PSO levy." (IR Main Report, p. 124)

12. The logical flaw in the above reasoning is that all CPPAs with renewable projects would automatically and erroneously be classified in this manner as "additional". This is because a renewables project which proceeds to market via a CPPA (rather than through the RESS auction) by definition cannot obtain PSO support.

13. The CRU requirement for true "additionality" would be almost impossible to comply with through a standard CPPA mechanism in the time frame to 2030. Furthermore, the requirement that the renewables should be generated in Ireland would most probably be in breach of EU single electricity market rules which require free trade in electricity. This was highlighted recently with the EU Commission's decision that the Government's proposal to favour Irish biomethane under the Renewable Heat Obligation scheme breached EU rules.

14. If the CRU requirement for 80% "additional" renewable energy supply is enforceable (which is highly questionable), and if it is to align with the green energy park concept in LEAP, it would require significant additional renewables capacity in the vicinity of the site, or at least within the county. For example, 80% renewables supply on an annual basis could require an additional 60 large 2MW wind turbines, or 5.5 sq km of solar farms (1400 acres), or an optimum combination of wind and solar.

15. If ACP is minded to take on board the CRU 80% "additional" renewables requirement, it could be set as a condition in a manner that ensures true additionality, and which does not breach EU free market rules. Perhaps wording such as " ... provide for development of additional renewable energy supplies in proximity to the development, with projects which are not currently consented, and which will meet at least 80% of the annual energy demand of the development .... " Proximity would be interpreted as electrical proximity which could in effect be anywhere in Mayo, or offshore.

16. And a final comment on "additionality": even if additional renewables could be conditioned and sourced to match 80% or even 100% of the energy demand, there would be absolutely no decarbonisation of the electricity grid, as the "additional" renewable supply would be completely consumed by the new load. This is the core problem as identified and reported by SEAI over the past three years: for decarbonisation to occur the growth rate of renewables needs to exceed the rate of growth in LEU energy demand.