



Chief Executive's Report on submissions Received in relation to the Draft Ministerial Direction

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1. Introduction

1.1 Overview of Chief Executive's Report

The Minister of State at the Department of the Housing, Local Government and Heritage, consequent to a recommendation made to him by the Office of the Planning Regulator under section 31AM(8) of the Planning and Development Act 2000 (as amended), notified South Dublin County Council on 28th July of his intention to issue a Direction (a draft of which was included in the notice) to South Dublin County Council to take certain measures specified in the notice in order to ensure that the South Dublin County Development Plan 2022-2028 is in compliance with the requirements of the Act.

As per section 31(7) of the Act, the Planning Authority published a notice which stated the reasons for the draft direction and also that a copy of the draft direction was published on public display and could be inspected for a period of 2 weeks from 10th August to 23rd August 2022 inclusive, both online and at the Planning Counter, South Dublin County Council, County Hall, Tallaght, Dublin 24, D24 A3XC and Clondalkin Civic Office, Clondalkin, Dublin 22.

Submissions or Observations in respect of the Draft Direction could be made to the Council between 10th August to 23rd August 2022 inclusive online via the Council's Public Consultation Portal or in writing to the Senior Executive Office, Forward Planning Section, Land Use Planning and Transportation Department, County Hall, Tallaght, Dublin 24.

This Chief Executive's report has been prepared in accordance with Section 31(8) of the Planning and Development Act 2000 (as amended) which requires that - no later than 4 weeks after the expiry of the display period - the Chief Executive shall prepare a report on any submissions or observations received under subsection (7)(c) which shall be furnished to the Elected Members of the planning authority, the Office of the Planning Regulator and the Minister.

The report is required to:

- a) summarise the views of any person who made submissions or observations to the planning authority,
- b) summarise the views of and recommendations (if any) made by the Elected Members of the planning authority,
- c) summarise the views of and recommendations (if any) made by the regional assembly,
- d) make recommendations in relation to the best manner in which to give effect to the draft direction.

A total of 27 submissions were received during the display period. In relation to Greenogue 14 submissions were submitted with 3 supporting the Minister's direction and 11 against the Minister's direction on the matter. In relation to Data Centres, 12 submissions were received in total with 6 supporting the Minister's Direction and 6 against the Minister's Direction on the matter.

Submission	No.	For	Against
Greenogue	13	3	10
Data Centres	12	4	8
Both	2	1 (Greenogue), 1 (Data Centre)	1 Greenogue, 1 (Data Centres)
Total	27	9	20

- The views of those who made submission are summarised in Section 2.
- As per section 31 (8) a summary of the views and recommendation of the Elected Members are recorded separately below in section 2.3. This section also includes any submission made by TDs.
- No submission was received from the Regional Assembly.
- Section 3 sets out the Chief Executive's recommendations in relation to the best manner in which to give effect to the draft direction.
- Section 4 lists the appendices which includes the newspaper notice and the relevant motions and CE Response at the various stages of the plan making process with links to the minutes of the meetings.
- A briefing to advise the Council Members on the contents of the CE Report and next steps was held on Thursday 15th September 2022.

All submissions can be hyperlinked through the reference numbers provided in the summaries in section 2 of this report.

1.2 Draft Direction

The Planning Authority has been directed to take the following steps:

- a) Omit the Enterprise and Employment zoning and the specific local objective which requires site-specific flood alleviation measures introduced as Material Amendments 2.20 and 9.4 from the lands to the north and east of the existing Greenogue Business Park and retain the Rural RU zoning objective.

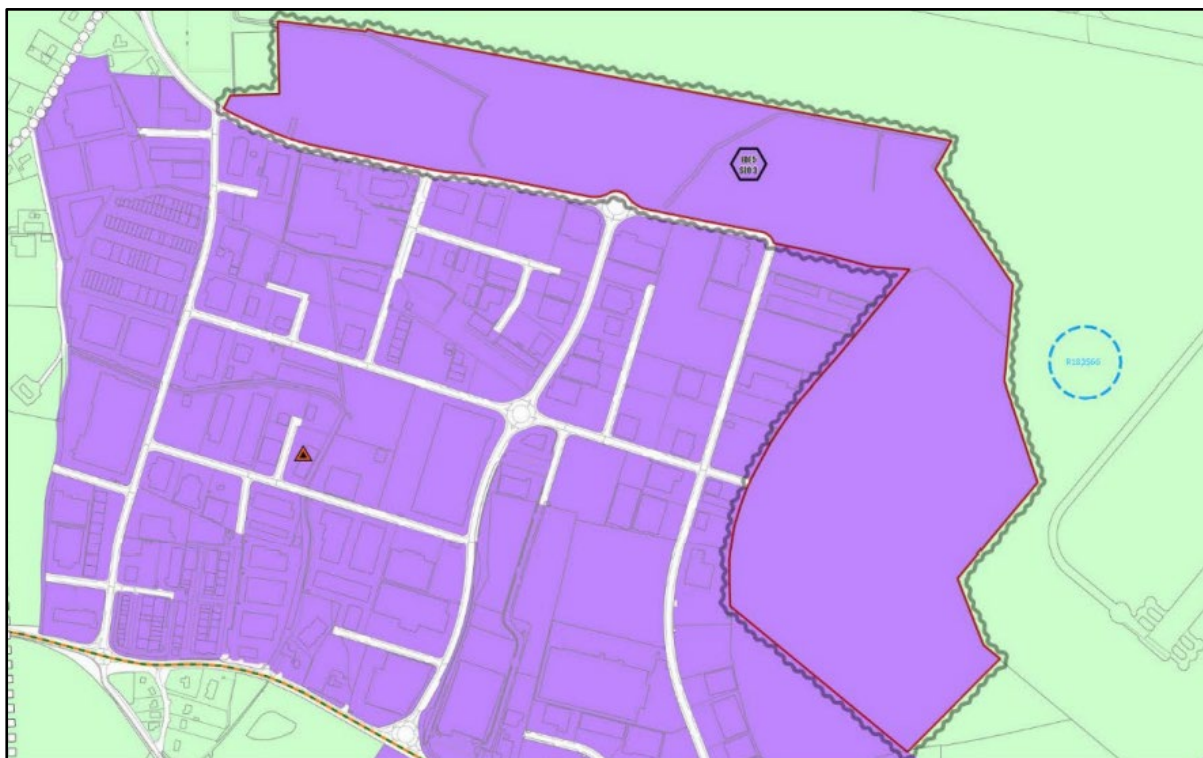


Figure 1: Enterprise and Employment Zoning subject of the Draft Ministerial Direction outlined with the Red boundary. (Please refer to Maps 4 and 8 by clicking the following link [Land Use Zoning Maps - SDCC](#)) **Specific Local Objective 'EDE5 SLO3':** To ensure development on lands within Greenogue Business Park will be subject to site specific flood alleviation measures forming part of any future planning application for these lands. (Please refer to Chapter 9 in the link provided below for further details: [chapter-9-economic-development-and-employment.pdf \(sdcc.ie\)](#)).

- b) Amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to reinstate data centre use class as an 'open for consideration' use class in the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.

Note: For reference, tables 13.4, 13.8 and 13.10 are numbered in the adopted Development Plan as 12.4, 12.8 and 12.10.

Please refer to Chapter 12 in the link provided - [chapter-12-implementation-and-monitoring.pdf \(sdcc.ie\)](#).

Statement of Reasons for Draft Direction

The reasons as set out by the Minister for the Draft Direction are as follows:

I. Pursuant to section 31(1)(ba)(i) and section 31(1)(c)

The South Dublin County Development Plan 2022-2028 as made includes material amendments to the draft Plan, that are inconsistent with national and regional planning policy and the proper planning and sustainable development of the area, including:

- a. Land zoned for enterprise and employment development at a peripheral location at Greenogue Business Park (Material Amendment 2.20, which is also facilitated by Material Amendment 9.4), is remote from high quality public transport and outside the designated strategic employment development areas identified in the RSES for the Dublin Metropolitan Area inconsistent with the requirements for compact growth in National Strategic Outcome 1 and National Planning Objective NPO11 to generate jobs within existing cities, towns and villages, as well as the sequential approach and planning for future development of employment lands in a manner that facilitates sustainable transport patterns consistent with Regional Policy Objectives 5.3 and 5.6 in the RSES.
- b. Changes to land use zoning objectives for REGEN, Major Retail Centre and Enterprise and Employment (Material Amendments 13.1, 13.2 and 13.3) which make data centre use class a 'not permitted' use class across all zoning objectives in the Plan inconsistent with Regional Policy Objective 8.25 in the RSES for the EMRA which promotes Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations and lacks an appropriate evidential basis.

II. Pursuant to section 31(1)(ba)(i) and section 31(1)(c)

The Development Plan fails to show how the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Planning Framework and RSES, as required by Section 10(1A) and Section 10(2A)(a) of the Act when read in conjunction with Section 12(18) of the Act.

III. Pursuant to section 31(1)(c)

The South Dublin County Development Plan 2022 – 2028 does not include a strategy for employment development to inform Material Amendments 2.20 and 9.4 which has regard to the Ministerial Guidelines issued under Section 28 of the Act, specifically Section 6.2.5 (zoning for employment uses) in the Development Plans, Guidelines for Planning Authorities (2022), Section 2.7 (Development at National Road Interchanges or Junctions) in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012), and Section 3 (Principles and key mechanisms – Justification Test) of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

IV. Pursuant to section 31(1)(c)

The Development Plan fails to identify proper or adequate reasons for departing from Section 6.2.5 (zoning for employment uses) in the Development Plans, Guidelines for Planning Authorities (2022), Section 2.7 (Development at National Road Interchanges or Junctions) in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and Section 3 (Principles and key mechanisms – Justification Test) of the Planning System and Flood Risk

Management Guidelines for Planning Authorities (2009) consistent with the presence of an overall strategy for the proper planning and development of the area.

V. Pursuant to section 31(1)(a)(i)(II)

The Development Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under Section 31AM which results in the making of a Development Plan that fails to set out an overall strategy for the proper planning and sustainable development of the area.

VI. By virtue of the matters set out at I-V above, the Minister is of the opinion that the Development Plan fails to set out an overall strategy for the proper planning and sustainable development of the area.

VII. By virtue of the matters set out at I to V, above, the Development Plan is not in compliance with the requirements of the Act.

1.3 Timeframe

This section provides the South Dublin County Development Plan 2022-2028 plan making process timeline to date. At each stage of the Plan public consultation took place with the public where they had the opportunity to contribute towards shaping and directing the future vision of the County. The Plan as adopted came into effect on 3rd August subject to the Draft Ministerial Direction issued on the 28 July, under Section 31 (7) of the Planning and Development Act 2000 (as amended).

July 2020: Stage 1 Pre-Draft.

July 2021: Stage 2 Draft Plan.

Pursuant to Section 12 of the Planning and Development Act 2000 (as amended), notice of the preparation of the South Dublin County Council Draft Development Plan 2022-2028 was given on Wednesday 7th July 2021. Submissions or observations with regard to the Draft Plan and Environmental Reports were invited for a period of just over 10 weeks from Wednesday 7th July 2021 up to 15th September 2021 inclusive. The Chief Executive's Report on the Draft Plan consultation was submitted to the members of the Planning Authority for their consideration. Elected Members had 12 weeks to consider the Chief Executive's Report (plus 9 extra days to account for the Christmas Period). Members were briefed in January 2022.

March 2022: Stage 3 Amendments to Draft Plan.

Special Council meetings were held on the 1st, 3rd, 7th and 9th March 2022 and as per Section 12 (6), the Elected Members amended the Draft Plan. As per Section 12 (7) of the Act, the proposed amendments and the associated environmental reports and determinations were put on public display from 29th March 2022 to 26th April 2022 inclusive.

May 2022: The Chief Executive's Report was provided to the Members in response to the submissions received during the consultation period on the Material Amendments to the South Dublin County Draft Development Plan 2022-2028 as required under section 12(8) of the Planning and Development Act 2000 (as amended).

June 2022: The South Dublin County Development Plan 2022-2028 was made on 22nd June 2022.

June 2022: Notice was issued to the Office of the Planning Regulator (OPR) in accordance with the provisions of Section 31(AM)(6) of The Act, which states the following:

“(6) A planning authority shall notify the Office within 5 working days of the making of a development plan or a variation to a development plan and send a copy of the written statement and maps as duly made and where the planning authority —

(a) decides not to comply with any recommendations made in the relevant report of the Office, or

(b) otherwise make the plan in such a manner as to be inconsistent with any recommendation made by the Office, then the chief executive shall inform the Office accordingly in writing, which notice shall state reasons for the decision of the planning authority.”

July 2022: Draft Ministerial Direction issued to South Dublin County Council.

The draft direction was to:

1. Reinstate 'Data Centre' as Open for Consideration within the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.
2. Change the rezoned 53 hectares of land to the north and east of Greenogue Business Park back to the Rural RU zone from the Enterprise and Employment Zone.

August 2022: The South Dublin County Development Plan 2022-2028 came into effect on 3rd August 2022 save for matters addressed by the Draft Minister's Direction.

August 2022: Public consultation on the draft Ministerial Direction 10th to 23rd August.

September 2022: CE Report on the submissions received and recommendations to give effect to the draft direction submitted to the OPR, the Minister and Elected Members on 19th September.

1.4 Next Steps

Section 31(AN) of the Planning and Development Act, 2000 (as amended) sets out that on receipt of the Chief Executive's report, the Office of the Planning Regulator:

'shall consider the report of the chief executive on the submissions, together with any submission made under section 31(10), and shall, no later than 3 weeks after receipt of that report—

- (a) recommend to the Minister that he or she issue the direction with or without minor amendments, or
- (b) for stated reasons, where the Office is of the opinion that—
 - (i) a material amendment to the draft direction may be required,
 - (ii) further investigation is necessary in order to clarify any aspect of the report furnished or submissions made, or
 - (iii) it is necessary for any reason,
appoint a person to be an inspector.'

Following receipt of a report from the inspector (if required) the OPR shall recommend to the Minister to issue or not issue the direction.

If the Minister agrees with the Recommendation, then he shall issue the Direction with or without minor amendments. Pursuant to Section 31(17) of the Act, the direction issued by the Minister is deemed to have immediate effect and its terms are considered to be incorporated into the Plan, or, if appropriate, to constitute the plan.

2 Summary of Submissions / Observations Received in Relation to the Draft Ministerial Direction

2.1 Views of any person who made submission / observation:

2.1.1 Views and Recommendations made by the public on part a) of the Draft Ministerial Direction which states:

- a) Omit the Enterprise and Employment zoning and the specific local objective which requires site-specific flood alleviation measures introduced as Material Amendments 2.20 and 9.4 from the lands to the north and east of the existing Greenogue Business Park and retain the Rural RU zoning objective.

Submission Reference Number	SD-C250-3
Submitters Name	Sherri Brennan
<p>This submission supports the rezoning of Greenogue Business Park lands as there is no other location in the county for businesses (such as theirs) to relocate. They believe there is no land available for industries and service providers to grow and expand their business and newer business parks do not allow for their particular business type.</p> <p>Other issue raised include the ability for their small company to win large service contracts in the area, infrastructure already existing for their business type and the location of Greenogue so close to the M7 and M50.</p>	

Submission Reference Number	SD-C250-4
Submitters Name	Transport Infrastructure Ireland
<p>This submission from Transport Infrastructure Ireland (TII) advises that issues raised in their submission to the Draft Development Plan and amendments in relation to the Material Amendment 2.20 concur with those highlighted by the Draft Ministerial Direction.</p>	

Submission Reference Number	SD-C250-6
Submitters Name	Sandymark Construction Ltd.
<p>This submission highlights that there is a need for more EE zoned land located at Greenogue for the lifetime of the current Plan. They state that Greenogue plays a critical role in providing space for indigenous industry, warehousing and other land hungry businesses. A study conducted by the submitter highlights that new Development Plan objectives can't be met because the availability of EE zoned land as detailed in the written statement is overstated by probably 60%, with 85% of it located in Grange Castle. The submission makes the following points:</p> <ul style="list-style-type: none"> - Land Availability: The submission notes the letter from the OPR to the Minister states there is 554Ha of available EE lands, which is wrong, out of date and misleading, based on a land analysis carried out in 2016 and does not take into account development that has happened since, with the figure being overstated by almost 60%. The map provided in the submission states the total available EE lands in the county is closer to 220Ha, with nearly 90% of availability being located in Grange Castle. - Development Plan Policies and Objectives: The submission states there is no EE zoned land outside of Grange Castle, with none to accommodate a range of business uses. They argue that EDE1 Objective 5 and EDE4 Objective 4 make the role of Grange Castle, City 	

Edge, Tallaght and Cookstown clear and these areas will not allow for warehousing/indigenous/land hungry businesses.

The submission finishes its statement on CDP policy and objective by mentioning that the availability of zoned land is overstated by 60% and without the zoning the CDP is undermined.

- **Location of Greenogue:** The submission directs us to Appendix 1: Summary of Available Lands photos and asks the following questions:

'(a) Is Greenogue really some remote island of development as the OPR suggested?

'(b) Is it sensible to suggest that the industries that Greenogue caters for, (including warehousing, light industrial, distribution, waste management, builders' yards, trucks, low loaders, etc), would be better located in the middle of mixed-use areas, or high-density employment areas, or nearer to housing, or beside high-capacity transport infrastructure?'

The submission makes the point that Greenogue caters for industry, in a location with good access to motorways and road networks. Regarding public transport they state that land closest to the high-capacity transport nodes must be reserved for the highest density residential and employment uses, with the lower density employment uses and the most land hungry employment uses on land further out, with Greenogue being the best location on offer.

The submission highlights Section 6.2.5 of the Development Plan Guidelines, in particular Appendix B, supports the above approach for zoning and is contrary to the OPR letter, the elected members of SDCC had regard to this when they decided to zone the subject land.

The submission mentions SD-C250-14 to read comments from Stephen Reid Traffic Consultant in relation to transport/traffic issues.

- **Potential Flooding:** The submission states that the Manager's reports on flooding does not take account of recently constructed flood alleviation measures associated with warehouse development.

Flood reports completed by various consultants acting on behalf of Greenogue Management confirm that as a result of works, the subject lands are no longer in flood zone A and the small portion that remains in flood zone B is no issues for warehouse/industrial development.

Appendices were submitted with this submission which include the following documents:

- Appendix 1: Summary of Available Land
- Appendix 2: Aecom Report (Rezoning of lands north and east of Greenogue Business Park)
- Appendix 3: JBA Consulting Report (Master Planning and Strategic Review of Flood Risk)
- Appendix 4: Punch Consulting Engineers Report (Flood Risk Assessment Report)
- Appendix 5: RPS Report (Mountpark Baldonnell Phase 2 Flood Risk Assessment)

Submission Reference Number	SD-C250-7
Submitters Name	Office of Public Works
<p>This submission from the Office of Public Works (OPW) notes and welcomes the direction to omit EE zoning and the SLO introduced as Material Amendment 2.20 and 9.4 respectively. A core objective of the Guidelines on the Planning System and Flood Risk Management (DECLG/OPW, 2009) is to avoid inappropriate development in areas at risk of flooding, therefore the OPW supports the reasoning outlining in Statement of Reasons Part III and IV.</p>	

Submission Reference Number	SD-C250-8
Submitters Name	Sandymark Construction Ltd.
<p>This submission is supplementary to SD-C250-6, which contains a typo which may have been misinterpreted. On page 7 of SD-C250-6, the second paragraph states 'subject lands are no longer in flood zone C.'" It should read "the lands are no longer in flood zone A".</p>	

Submission Reference Number	SD-C250-10
Submitters Name	Jones Lang LaSalle
<p>This submission highlights the importance of the Naas Road corridor for the successful and sustainable distribution of goods across the nation. The submitter has stated they are currently in advanced discussions with companies seeking over 1.5 million sq ft of new space at Greenogue and Aerodrome, providing evidence of the ongoing demand for space on the M7/Naas Road.</p> <p>The submission states that in their experience, they have noted that expansion of occupiers of Greenogue can follow the expansion of the FDI and Data Centre occupiers footprint at nearby Grange Castle. The submission believes that the existing supply of serviced, available and EE zoned development for traditional occupiers will be used up in the next 12 months, which will negatively impact on the sustainable commercial ecosystem that exists within the County.</p> <p>The submission also highlights another unique attribute to South Dublin county which is regeneration zoned land, which is located in traditional industrial locations (Ballymount and Tallaght). Future displacement will require additional EE lands to suit the needs of the current occupiers.</p> <p>The submission claims that many existing industrial buildings situated in older estates in locations inside the M50 are now functionally obsolete or require significant investment. The lack of available new industrial buildings in South Dublin will have implications on job creation within the County area and if historical industrial take up trends continue, 50% of the overall occupier demand in Dublin will be for buildings in South Dublin County.</p> <p>To conclude, the submission looks to advocate maintaining the zoning of Enterprise and Employment lands at Greenogue in the South Dublin Development Plan 2022-2028.</p>	

Submission Reference Number	SD-C250-13
Submitters Name	South Dublin Chamber
<p>This submission from the South Dublin Chamber highlights its concerns relating to the County Development Plan and that more land should be zoned for industrial 'EE' purposes providing an opportunity for growth ensuring more local employment and providing important local taxes for South Dublin. The submitter states that we must ensure we are positioned to continue to capture this.</p>	

Submission Reference Number	SD-C250-14
Submitters Name	Greenogue Management
<p>The stated purpose of this submission is to demonstrate that the rezoning of the lands at Greenogue from RU to EE does not contravene any Section 28 Guidelines. This submission is based on the following views:</p> <ul style="list-style-type: none"> - The context of the site is important as it is directly contiguous to the built urban fabric and easily accessible to population bases. - Understanding the 'Built-Out' Nature of Greenogue and Aerodrome Business Park: The submission makes the point that the land capacity analysis map provided in figure 2 of Appendix 2 of the South Dublin CDP 2022-2028 is significantly out of date which could have major implications for economic growth over the 6-year period. Due to recent development of warehouse and logistics development on available sites, could lead to a serious flaw in the understanding of land availability and job creation, having major consequences for economic development. <p>As detailed in this Submission, the Development Plan states that Greenogue will play a key role in providing for jobs to be displaced from the Naas Road corridor and REGEN land in Tallaght and the Plan also refers to jobs that will be available to support the growth of the nearby towns of Newcastle and Rathcoole. Such employment opportunities require additional zoned lands in Greenogue.</p> <ul style="list-style-type: none"> - Response to Definition of Subject Lands as 'Peripheral': The submission disagrees with the Ministers direction in relation to the site's location. In their opinion, Greenogue is more accurately categorised as an 'Intermediate Urban Location' which carries the following description within the <i>Apartment Guidelines 2020</i>: <i>'Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions'.</i> <p>The submission states that Greenogue is located less than 1km from the town of Newcastle which is classified in the CDP as a 'medium sized town' and is forecast to grow by another 35% over the CDP period. Thus, if the <i>Apartment Guidelines 2020</i> were applied, the lands should be defined as an 'Intermediate Urban Location' not a 'Peripheral Location'.</p> <ul style="list-style-type: none"> - Response to Concerns raised regarding transport access: The submission has a technical summary by Stephen Reid Consulting Traffic and Transportation which is attached as Appendix B. The report identifies a series of road work upgrades to the surrounding road network to better manage traffic concerns and when coupled with Active Travel and Bus Connects upgrades would address transport access concerns. - Response to concerns regarding location of site outside RSES Designated Strategic Employment Development Area: The submission does not believe that Greenogue and Aerodrome Business Park are located outside the RSES designated strategic employment development area. It highlights that the RSES clearly allows Local Authorities to determine and provide locations for strategic employment development as part of the plan-making process, 	

highlighting key factors that should be considered in planning to accommodate this growth.

The submission states that Greenogue and Aerodrome Business Park present a vibrant and successful employment hub, with the RSES allowing Local Authorities to determine locations of strategic employment development, thus the site can provide opportunities for new businesses and existing businesses to expand within the economic cluster.

- **Consistency with National Planning Framework:**

The submission claims the rezoning to allow the expansion of the industrial node at Greenogue will facilitate opportunities for indigenous enterprise growth in a compact form, building on existing assets that operate currently in the business park. Thus, in the opinion of the submitter, the rezoning is fully in accordance with NSO 1 of the NPF.

The Draft Ministerial Direction states that the rezoning is also inconsistent with NPO11, though the submission claims that the site is 'infill', that is easily accessible to a substantial residential population, thus it should be considered that the lands will provide for targeted growth in accordance with Section 4.5 and NPO11 of the NPF.

The submission goes on to state that Greenogue is within a 10 minute walking distance from Newcastle, providing employment opportunities for the area, thus, Newcastle and Rathcoole are envisaged to grow by 2028, with Greenogue intended to accommodate local jobs for expanding settlements.

- **Consistency with Objective 5.3 of the RSES**

The submission states that Greenogue is connected by footpath to the towns of Newcastle and Rathcoole, thus, the pedestrian infrastructure is already in place to support the development, making the rezoning in accordance with Objective 5.3 of the RSES.

- **Development Plan Strategy for Employment Development:**

The submission states as follows:

'The Draft Ministerial Direction states that the Development Plan does not include a strategy for employment development to inform the rezoning of the subject lands.'

They go on to state that the land capacity in Greenogue includes sites that have recently been constructed upon.

The submission goes on to state that the CDP sets out the importance of Greenogue as a location to accommodate displaced jobs, though with no available zoned land at present. They also cite the CityEdge Project Strategic Framework as it refers to the need to relocate industrial lands from Naas Road to less central locations. The submission states;

'The Strategic Framework recognises the need for industrial lands in less central locations to accommodate the displaced users from Cityedge lands. State ownership of land is suggested as a possible solution. However, there are lands such as the subject lands that can accommodate the displaced businesses in an existing business park environment, connected by footpath to two large towns (Rathcoole and Newcastle), in a consolidated form, on a site that represents fragmented infill 'sandwiched' between a vibrant business park and an Aerodrome.'

The submission also highlights that the CDP notes the importance of space extensive land uses not competing with zoned lands that are adjacent to public transport (EDE7 Objective 1). Thus, they make a point that the position of Greenogue as a location to accommodate space extensive enterprise in fully in accordance with objective EDE7 Objective 1.

- **Compliance with Ministerial Guidelines**

The submission states that the Ministerial Direction mentions the zoning of the subject lands represents a departure from Section 28 Guidelines, highlighting the following sections.

- Section 6.2.5 (zoning for employment uses) in the Development Plans, Guidelines for Planning Authorities (2022);
- Section 2.7 (Development at National Road Interchanges or Junctions) in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012); and
- Section 3 (Principles and key mechanisms -Justification Test) of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).

Regarding Section 6.2.5 in the Development Plan Guidelines for Planning Authorities (2022), they submit that if the land capacity of employment lands was current and up-to-date, it would become evident that additional zoned lands are required. It is also noted that SDCC only utilise one land use zoning objective (EE) for lands used for both High Technology Industry, Warehousing and Distribution in comparison to Fingal County Council who have two.

The submission states that the Development Plan Guidelines are clear that warehousing and logistics type facilities should be planned at locations accessible to the major road network and higher intensity uses.

Regarding Section 2.7, the submission offers evidence from the Spatial Planning and National roads Guidelines for Planning Authorities that there are stated criteria that need to be met which Greenogue does, being a regionally important employment cluster. Stephen Reid Consulting has recommended options for road upgrades that can improve the capacity and traffic management.

Regarding Section 3 of the Planning System and Flood Risk Management Guidelines for Planning Authorities, a response has been provided by Aecom within Appendix A of the submission. The response states:

'AECOM have submitted a formal request to the OPW to update the Eastern CFRAM mapping such that it reflects the reprofiled ground / swales and detention basins recently constructed within the adjacent Amazon site and the resultant changes to the flood extents. A small position of the subject lands only remain within Flood Zone B and the majority of the lands are in Flood Zone C. Thus, the land is suitable for less vulnerable Objective EE land use zoning without the application of the Plan Making Justification Test.'

As stated throughout the above summary, the following documents have been received with this submission:

- Appendix A: Technical Response Prepared by Aecom Ireland Limited in respect of Flood Risk Matters.
- Appendix B: Technical Response Prepared by Stephen Reid Consulting Traffic and Transport

Submission Reference Number	SD-C250-20
Submitters Name	Hibernian Auctioneers
<p>This submission states it is a well-known fact that there is a shortage of industrial property in southwest Dublin, hindering company expansion and restricting employment growth. Given strong levels of take up on industrial lands, with supply falling (reflecting a rate of less than 1%), the current stock of industrial units that could be used for job creation is low, particularly for Irish SME’s. Therefore, this submission strongly supports the zoning of 130 acres at Greenogue Business Park.</p> <p>This submission includes a list of businesses which are seeking to expand in Greenogue Business Park.</p>	

Submission Reference Number	SD-C250-21
Submitters Name	Cushman & Wakefield
<p>This submission advocates for the retention of the current EE zoning at Greenogue Business Park, within the South Dublin County Development Plan 2022-2028. The following reasons are set out in the submission:</p> <ul style="list-style-type: none"> - Overview of the Industrial Property Market: The submission offers evidence on take up, availability and new development, which they believe (based on their current statistics), highlights increasing demand for space within the industrial sector which places significant pressure on supply to the market. Although new development is taking place, the majority of this space is either being constructed under a pre-let or for owner occupiers, therefore the availability of new stock is extremely limited. - South West Corridor: The submission highlights the importance the south west corridor plays for the industrial use sector. The development of City Edge and for its ambitions to be realised, substantial displacement of existing industrial occupiers will have to occur. Building on established industrial estates and business parks is the most viable and sustainable proposition given the infrastructure and services. The subject land in question presents a viable opportunity to cater for new industrial based development adjacent to an established business park, in an appropriate location. Existing occupiers based along the south west corridor that will need to relocate in the future are keen to remain in this location. - Employment and Enterprise Zoned Land Requirements: The submission queries the accuracy of this quantum of ‘undeveloped’ lands as substantial development has occurred in recent years within key clusters, with a review of the data being utilised to determine the undeveloped EE zoned figures, to ensure this is as accurate and up to date. 	

Submission Reference Number	SD-C250-22
Submitters Name	Social Democrats
This submission accepts the views of the OPR in relation to the lands east of Greenogue Business Park.	

Submission Reference Number	SD-C250-23
Submitters Name	EQT Exeter
<p>This submission highlights the importance of the N7 as it is the preferred location for occupiers looking to distribute both in Dublin and Nationwide. Demand for modern warehouse space over the past number of years has been unprecedented, outstripping supply in recent years. The following views were expressed:</p> <ul style="list-style-type: none"> - They were surprised to read some of the comments from the OPR regarding Greenogue Business Park, especially when described as a peripheral location and an island of Enterprise and employment, when the opposite is the case. They highlight that Amazon carefully consider where they locate their distribution units so they are located close to the maximum number of customers. - Many of the submitters’ customers locate in Greenogue so they are close to clients in nearby Profile Park and Grange Castle. - The submission states recent trends have shown occupiers looking to move from obsolete warehouses units in old estates to the likes of Baldonnell and Greenogue, where there are no suitable options given supply issues. - The submission states that unless additional land for new warehousing comes onstream along the N7, then they will be forced to look further out the Naas Road into Kildare to meet current demand. 	

Submission Reference Number	SD-C250-24
Submitters Name	Harvey
<p>This submission welcomes the proposed rezoning of lands adjoining the Greenogue Business Park from RU to EE and highlighted that based on current demand patterns, this land would be absorbed early in the new Development Plan. The following points are raised by the submitter:</p> <ul style="list-style-type: none"> - Though they support the REGEN based areas within South Dublin and the CityEdge project, there are needs for viable alternative locations, other than Grange Castle, for businesses to locate. - Research by the submitter highlights that the 554Ha of available undeveloped EE zoned land is incorrect and a proposal to omit new zoning of EE zoned lands is wrong. - In previous correspondence throughout the CDP process, they highlighted various statements in the Draft Plan that are inaccurate, with Dublin’s vacancy rate which was approximately 1.5% and is now closer to 1%. Pre-letting of buildings under construction continues and there is significant existing and pipeline end user demand for space. - Grange Castle has undeveloped zoned EE land which is not being released or offered to general industrial and logistics property requirements at this moment. <p>Finally they support the inclusion of re-zoning of lands adjacent to Greenogue Business Park.</p>	

Submission Reference Number	SD-C250-25
Submitters Name	Marc Coleman
<p>This submission advocates that the Minister of State in the Department of Housing, Local Government and Heritage designate EE zoned lands at Greenogue and Aerodrome Business Park, which is currently zoned RU. The reasoning for this is stated below:</p> <ul style="list-style-type: none"> - Though excellent work by SDCC in producing the Draft CDP needs to be complemented, it is evident that the position in relation to accommodating needed growth in housing provision as evidenced by Clonburris SDZ, this awareness is absent in relation to the need for additional EE zoned land to alleviate very serious supply chain and capacity constraints. - The submission states that though objections to rezoning the Greenogue and Aerodrome Business Park site for EE purposes are well intentioned, it is erroneous and uninformed by long term economic thinking, specifically reference to flood risks. - While welcome vigilance is rightly raised regarding flood risk, this is unbalanced by the probability of flood risk weighted against significant economic risks by failing to designate the subject lands EE. It is also noted that the flood risk concern is alleviated due to EE zoning involving lesser human cost in terms of flood risks. - The submission highlights that designations of the said lands as 'peripheral' is misguided, as they form a part of a vital and pivotal gateway between the core economy and peripheral rural and regional economies that rely on them for trade. - The submission notes that the rate of inflation has more than doubled from 4% to over 9% since a submission was made to the Draft Plan in October. South Dublin cannot solve global inflationary pressures but can act to ensure these are not exacerbated by providing logistical capacity. - The submission notes that the Draft Ministerial direction fails to recognise the designation of the subject lands as future public transport investment under the South Dublin Council Development Plan 2022-2028, consistent with the GDA National Transport Strategy 2022-2024 and broader national investment in public transport. - The submission highlights that the growth of the economy since 2011 calls for associated growth in logistics capacity and this has not materialised and cannot be discounted as a contributor to inflationary pressure (indirectly). - The submission highlights again the good work of the SDCC Draft Development Plan notwithstanding concerns at the lack of economic insight and lack of detail to the issue of EE zoned land. They highlight there is an opportunity for the Minister to ensure that the good work of SDCC is not undermined by a failure to update its conclusions. - The submission states that the rezoning of Greenogue and Aerodrome Business Park is consistent with national and regional policy, that highlights a need for balanced recovery and clustering of economic activities, including the development of providing logistics sites in suitable locations with well connected sites. - The submission believes that the Minister of State should revise the CDP with respect of the need for EE zoned land, completing an otherwise excellent plan. 	

2.1.2 Views and Recommendations made by the public on part b) of the Draft Ministerial Direction which states:

- b) Amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to reinstate data centre use class as an ‘open for consideration’ use class in the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.

Submission Reference Number	SD-C250-9
Submitters Name	Proinsias Mac Fhlannchadha
<p>Submission complements the robust manner in which SDCC has provided for the assessment of data centre applications in the County.</p> <p>The Minister has failed to acknowledge other policies and has chosen to focus on RPO 8.25 which supports and facilitates the sustainable development of a high-quality ICT network throughout the Region at the behest of the large data centre operators while ignoring other equally important policies.</p> <ul style="list-style-type: none"> - Data centres are significant buildings and not suitable for locations such as major retail and town centres and regeneration lands. They are not in keeping with the development plan objectives for sustainable developments in these key urban and habitated locations and represent an inefficient use of land. - The Minister has ignored the fact that there are already an excessive number of data centres in SDCC environs already but also a number which are approved but not developed. Submission refers to the fact that there were 34 data centres operating in the county in 2021 and expresses the view that the "not permitted" classification should apply to future planning applications and not those which are already planning approved which are significant in number and their energy intensity. - The Minister has ignored relevant government policy issued in July 2022. Extract from policy highlights the following; <p><i>"in the short term, there is only limited capacity for further data centre development, as the key state bodies, regulators and the electricity sector work to upgrade our infrastructure, connect more renewable energy and ensure the security of supply. The capacity that will be available will be in regional locations and must assist in national ambitions to deliver an efficient, low-carbon energy system.</i></p> <ul style="list-style-type: none"> - Suggests that SDCC consider a separate zoning code for data centres e.g. "ICT infrastructure (ICT)" as opposed to "Enterprise & Employment (EE)" where data centres are permitted in use and then zone no lands with this zoning code in accordance with Government policy in the short term, arguably defined as over the period of this development plan (2022-2028). This would comply with Objective EDE7 Objective 1 which states that <i>"To ensure that, insofar as possible, space extensive enterprise is located on lands which are outside the M50 and which do not compromise labour intensive opportunities on zoned lands adjacent to public transport,"</i> 	

Submission Reference Number	SD-C250-11
Submitters Name	Equinix (Ireland) Ltd.
<p>The submission is made on behalf of an existing Data Centre operator in South Dublin County. The company operates a network of 220+ International Business Exchange™ (IBX®) data centres located in 63 major metropolitan areas around the world facilitating efficient interconnection. Having regard to the company's involvement in the local area and extensive knowledge within the sector, the submission testifies to its commitment to the delivery of the highest quality ICT infrastructure in South Dublin benefiting the local area, Dublin Region and the entire country. The submission makes the following points and suggestions.</p> <ol style="list-style-type: none"> (1) The zoning restrictions are contrary to the strategic planning context, in particular the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES). (2) A proposed ban on data centre development in South Dublin would have significant long term economic implications on the ICT and high tech construction sectors. (3) Requests that data centre should remain listed as an 'open for consideration' use under the 'EE' zoning objective and that future applications for data centre development shall be assessed on a case by case basis, taking into consideration the site suitability and merits of the application. (4) Requests that any live applications for data centres and associated or ancillary development currently before South Dublin County Council or An Bord Pleanála are exempted from the zoning restrictions imposed by the material amendments <p>Submission states three primary issues with the proposed amendments:</p> <p>Non-Compliance with National Policy</p> <p>The amendment which provides for the removal of data centre use from the open for consideration uses under the Enterprise and Employment 'EE' zoning and it's addition to the 'Not Permitted' category is inconsistent with the economic and spatial strategy for the Greater Dublin Region, as outlined in the National Planning Framework (NPF) and Regional Spatial and Economic Strategy (RSES).</p> <p>Non-Compliance with Development Plan Guidelines and Ministerial Direction</p> <p>The decision of the Council to prohibit data centre development in South Dublin County is contrary to the recommendations of both the Chief Executive and the Office of the Planning Regulator. The submission considers that the decision is a response to the wider power supply issues which are outside of their remit. The submission indicates that these issues could easily be addressed under the Development Management process in conjunction with the infrastructure providers. Submission includes figure illustrating role of Development Plans. The Ministerial Direction is quoted in detail in the submission. (Source: Department of Housing, Local Government and Heritage, 2022)</p> <p>Conflicts with the Established Development Context</p> <p>Data Centre usage has long been established within the EE zoned lands at Profile Park and Grangecastle in South Dublin County and is supported by current national policy.</p> <p>The submission argues that the identification of data centres as a specific land use and categorising that use as being 'Open for Consideration' under the Development Plan provides the Planning Authority with, in our considered opinion, a significantly greater degree of control in terms of the</p>	

assessment of individual data centre planning applications than the 2016 Plan did. It enables the Council to consider the impact of any data centre at a local and strategic level, and also considering it in relation to other policies of the County Development Plan, which most notably relates to Policy EDE7 Objective 2.

The submission notes that the ICT industry is constantly evolving and improving resulting in the requirement for alterations to existing facilities. The amendments will mean that these required modifications will become ‘non-conforming’ uses despite data centres being established uses in EE zoned lands in South Dublin County. These applications should be addressed on a case by case basis having regard to the development management objectives of the County Development Plan.

The policy provides that new applications are rigorously assessed by the Planning Authority and is the appropriate tool for consideration of this issue.

Submission Reference Number	SD-C250-13
Submitters Name	South Dublin Chamber
<p>This submission from South Dublin Chamber opposes the exclusion of Data Centres as ‘Open for Consideration’ within use classes REGEN Enterprise & Employment (EE) and Major Retail Centre (MRC) and their inclusion as ‘not permitted’ within the same use categories.</p> <p>Such issues are fundamentally national matters with specialised agencies tasked with addressing the management of supply and demand.</p> <p>While acknowledging the concerns raised the submission notes that Data Centres contribute positively nationally through employment, taxes and community support. The submission points out that they are an essential part of the technology infrastructure of our county and country and play a leading role in growing our county’s economy.</p>	

Submission Reference Number	SD-C250-15
Submitters Name	Claire Brennan
<p>Submission supports the democratic decision of South Dublin to ban data centre development in the County. Reasons are as outlined below;</p> <ul style="list-style-type: none"> - The decision to ban data centres is a democratic decision of the Council, - Data centres are highly intensive on the electricity grid and this could lead to blackouts coming into the autumn and winter months for the general public. - South Dublin region is the area with one of the highest amount of these data centres and this is having a detrimental impact on our carbon footprint. Instead of building more data centres we should limit the number of them for the aforementioned reasons - to benefit the community and the environment, <p>Submission argues that it cannot be business as usual going forward. Important decisions must be made in the coming years if we are to tackle the effects of climate change and the book (sic) stops here. This cannot be business as usual indeed voting against this bill would put future generations at further risk from the effects of climate breakdown.</p>	

Submission Reference Number	SD-C250-16
Submitters Name	EdgeConneX Ireland Ltd.
<p>The submission welcomes the Minister's Draft Direction dated 28 July and notes that it is consistent with views expressed by the submitter at the material alterations stage of the plan making process.</p> <p>The submission agrees with the Minister that making the data centre as a 'not permitted' use class across all zoning objectives in the Plan would be inconsistent with Regional Policy Objective 8.25 of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019 (RSES) which promotes Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated activities at appropriate locations.</p> <p>NPF and RSES</p> <ul style="list-style-type: none"> - RPO 8.25 supports and facilitates the sustainable development of a high-quality ICT network throughout the Region in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas. In addition, it supports the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data storage facilities and associated economic activities at appropriate locations. - The submission also refers to National Strategic Objective 5 which includes for the promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities. This Objective clearly links data centres with the potential for renewable energy sources. <p><i>'This sector underpins Ireland's international position as a location for ICT and creates added benefits in relation to establishing a threshold of demand for sustained development of renewable energy sources.'</i></p> <ul style="list-style-type: none"> - The submission notes that that making data centres as a use class as being 'not permitted' lacks an appropriate evidential basis to support this change. <p>Development Plan</p> <ul style="list-style-type: none"> - The submission states that the identification of data centres as a specific land use and categorising that use as being 'Open for Consideration' under the Development Plan provides the Planning Authority with significantly greater degree of control in terms of the assessment of individual data centre planning applications than the 2016 Plan did. It enables the Council to consider the impact of any data centre at a local and strategic level, and also considering it in relation to other policies of the County Development Plan. Reference is made to the detailed requirements in relation to space intensive development set out in Policy EDE7 Objective 2. <p>Government Policy</p> <ul style="list-style-type: none"> - The submission notes that the government issued a revised Statement on the Role of Data Centres in Ireland's Enterprise Strategy on the 27th July 2022. This document sets out "Principles for Sustainable Data Centre Development" - The policy document sets out a number of principles for data centre development. It provides a pathway towards new data centre development subject to the requirement that it works within the constraints of sectoral emissions obligations. <p>Compliance with Statutory Obligations</p>	

- Compliance with the NPF and RSES is a mandatory requirement. Submission notes that the Development Plan is required to be consistent with the NPF and RSES. In this regard the submission refers to Sections 10(1A), 10(2A)(a), 11(4), 12(11), 12(18) and 27(1) of the Planning and Development Act 2000 as amended. The submission cites Section 12(18) of the Act which specifically sets out the matters to which the members of the local authority are restricted to considering in the making of a development plan. Section 12(18) refers specifically to the obligation to ensure that the development plan is consistent with national and regional objectives specified in (a) the National Planning Framework (b) the regional spatial and economic strategy and any guidance provided by the Minister.

Confirms that there remains no moratorium on processing or granting of data centre applications within the Greater Dublin Area under RSES, NPF or any Government Policy. States that this is a positive intervention and wholly in accordance with Regional and National Planning policy. Requests the Minister to issue a final direction to reflect this.

The submission recommends one minor correction for the final direction to amend the references to the tables to tables 12.4, 12.8 and 12.10.

Submission Reference Number	SD-C250-17
Submitters Name	Vantage Data Centers
<p>The submission welcomes the Minister’s Draft Direction dated 28 July and notes that it is consistent with views expressed by the submitter at the material alterations stage of the plan making process.</p> <p>The submission agrees with the Minister that making the data centre as a ‘not permitted’ use class across all zoning objectives in the Plan would be inconsistent with Regional Policy Objective 8.25 of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019 (RSES) which promotes Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated activities at appropriate locations.</p> <p>NPF and RSES</p> <ul style="list-style-type: none"> - RPO 8.25 supports and facilitates the sustainable development of a high-quality ICT network throughout the Region in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas. In addition, it supports the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data storage facilities and associated economic activities at appropriate locations. - The submission also refers to National Strategic Objective 5 which includes for the promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities. This Objective clearly links data centres with the potential for renewable energy sources. <p><i>‘This sector underpins Ireland’s international position as a location for ICT and creates added benefits in relation to establishing a threshold of demand for sustained development of renewable energy sources.’</i></p> <ul style="list-style-type: none"> - The submission notes that that the making data centres as a use class as being ‘not permitted’ lacks an appropriate evidential basis to support this change. 	

Development Plan

- The submission states that the identification of data centres as a specific land use and categorising that use as being ‘Open for Consideration’ under the Development Plan provides the Planning Authority with significantly greater degree of control in terms of the assessment of individual data centre planning applications than the 2016 Plan did. It enables the Council to consider the impact of any data centre at a local and strategic level, and also considering it in relation to other policies of the County Development Plan. Reference is made to the detailed requirements in relation to space intensive development set out in Policy EDE7 Objective 2.

Government Policy

- The submission notes that the government issued a revised Statement on the Role of Data Centres in Ireland’s Enterprise Strategy on the 27th July 2022. This document sets out “Principles for Sustainable Data Centre Development”
- The policy document sets out a number of principles for data centre development. It provides a pathway towards new data centre development subject to the requirement that it works within the constraints of sectoral emissions obligations.

Compliance with Statutory Obligations

- Compliance with the NPF and RSES is a mandatory statutory requirement. Submission notes that the Development Plan is required to be consistent with the NPF and RSES. In this regard the submission refers to Sections 10(1A), 10(2A)(a), 11(4), 12(11), 12(18) and 27(1) of the Planning and Development Act 2000 as amended. The submission cites Section 12(18) of the Act which specifically sets out the matters to which the members of local authority are restricted to considering in the making of a development plan. Section 12 (18) refers specifically to the obligation to ensure that the development plan is consistent with national and regional objectives specified in (a) the National Planning Framework (b) the regional spatial and economic strategy and any guidance provided by the Minister.

Confirms that there remains no moratorium on processing or granting of data centre applications within the Greater Dublin Area under RSES, NPF or any Government Policy. States that this is a positive intervention and wholly in accordance with Regional and National Planning policy. Requests the Minister to issue a final direction to reflect this.

The submission recommends one minor correction for the final direction to amend the references to the tables to tables 12.4, 12.8 and 12.10.

Submission Reference Number	SD-C250-19
Submitters Name	IDA

The submission, on behalf of the IDA, acknowledges the contribution that SDCC has made over the years to supporting enterprise development. The submission addresses the following.

Strategic Value and Role of Data Centres

- Ireland’s technology sector accounts for €52 billion (16%) of gross value added in the Irish economy and employs 140,000 people, equivalent to 6% of total national employment. They should be assessed in the context of their total economic value.
- Data centres are effectively ‘digital factories’ and lead directly to other job intensive activities (site reliability engineering, software engineering, product development, digital sales and technical support as well as additional global business services.

- The largest concentration of FDI with data centre infrastructure is located in Dublin, employs circa 20,000 people and attracts substantial economic value when payroll taxes, exports, corporation taxes and other expenditures are taken into account. The construction of data centres alone has created a valuable indigenous industry. Sources: CSO 2021 and IDA Ireland 2022
- Data centres provide valuable infrastructure for developing both Ireland's and Europe's digital economies and for strengthening and advancing Ireland's position as a strategic international location for IT services. This position has been affirmed by the government in its recently published (July 2022) statement on the role of data centres in Ireland's enterprise strategy.

'data centres are also the means by which Ireland's major technology companies process and store companies most sensitive and strategic assets. They are the means by which they are transitioning their businesses to the cloud, making Ireland critical to their global presence. Investments by technology multinationals in large, long-life assets such as data centres further secures the presence of the global technology sector in Ireland.'

The recently published National Digital Strategy (NDS) Harnessing Digital-The Digital Ireland Framework makes notable references to data centres being:

'more than ever, a core infrastructural enabler of a technology-rich, innovative economy, which makes Ireland a location of choice for a broad range of sectors and value-added activities, such as business collaboration, online commerce, banking and supply chain management.'

Data Centres and Electricity Consumption

The submission acknowledges that data centres are large consumers of electricity, and point out the following:

- Data centres are far more energy efficient than the in house servers they are replacing.
- They require renewable energy.
- Enable more wind based electricity to be utilised by reducing 'waste power' due to the balanced nature of data centre power demand.
- Will underpin the future development of the country's off shore wind electricity sector.

CRU Direction

The submission notes the recent direction of the CRU on electricity connections for data centres but notes that the Regulator has put in place an action plan to ensure sufficient availability of power out to 2030.

The submission expresses the view the amendments which are subject to the Draft Direction could be counterproductive as it could position the South Dublin Region and Country as a whole as hostile to new digital development into the future and beyond 2028.

In considering data centre developments IDA Ireland emphasise the necessity of 'considering the bigger picture'. Further data centre development offers the opportunity for Ireland to advance its world class leadership in digital technology.

Ireland has the potential to supply ample renewable electricity, plus associated green hydrogen, arising from the vast resource of off shore wind (%GW of electricity potential, off the south and east coast and progress is being made on the delivery of this potential).

Data Centre Development

Modern data centre operators are at the forefront of innovative technologies in the generation, use and storage of renewable electricity. The use of waste heat is also being further explored. One such project is already ongoing in South Dublin County. This presents a first mover advantage to the Dublin Region with Dublin potentially being viewed as a world leader location for data centres.

Dublin is a leading international location for data centres. The city is home to over 90% of the Country’s data centres. It has a strong tech base, sound latency characteristics and good international connectivity supported by the T50 network.

The current power availability issue is temporary and is being addressed by the CRU through its direction to system operators and by the operators themselves. EirGrid has also set out its 10 year investment plan which will strengthen and future proof the electricity grid. It has also set out its plans for a multi-year upgrade of Dublin’s electricity grid.

The Government has also set out ambitious renewable generation targets (80% by 2030) which data centres fully support. In addition, the Government through the Dept of Enterprise Trade and Employment (DETE) has reiterated the strategic importance of data centres in its new statement (July 2022) on the role of data centres in Ireland’s enterprise policy.

Submission Reference Number	SD-C250-22
Submitters Name	Social Democrats

The submission disagrees with the views of the OPR. The reasons are outlined below;

- South Dublin County Council hosts a significant no. of data centres. As of early 2022 there are estimated to be approximately 70 operational data centres in Ireland. As of May 2021, there were 34 operational data centres in South Dublin or immediately adjacent. Twenty-three of these were within Grange Castle/Profile Park/Dublin 22.
<http://www.sdublincoco.ie/Meetings/ViewDocument/75024>
- data centres are currently responsible for about 14% of Irish electricity use.
<https://enterprise.gov.ie/en/news-and-events/department-news/2022/july/new-statement-on-the-role-of-data-centres-in-irelands-enterprise-strategy-published.html>
- DECC the Irish Government department for environment and climate change are engaged in a process to see up to three gigawatts GW of wind generated electricity being installed in the Irish Sea by 2027. There are more ambitious plans to have up to 30GW of wind generated installed in the Atlantic Ocean on floating wind turbines by the 2030’s. The submission goes on to state that while these plans are impressive this capacity does not exist today and is unlikely to be delivered in the lifetime of the plan. Given that the 3GW of wind capacity in the Irish Sea is scheduled to be in place by 2028, it is prudent to put a moratorium in place now and review in 2028.

<https://www.irishtimes.com/news/environment/seven-offshore-wind-farms-could-begin-operating-from-2027-under-fast-track-plan-1.4832636>

Statistics and information included in the submission is supported by links to relevant sources.

Submission Reference Number	SD-C250-26
Submitters Name	The Green Left
<p>The submission opposes the Draft Direction of the Minister for the following reasons;</p> <ul style="list-style-type: none"> - the Draft Direction is a misuse of the Ministerial direction mechanism that runs contrary to the interests of: <ul style="list-style-type: none"> - the common good, proper planning or sustainable development; - the environment of SDCC, the region and the country as a whole; - balanced industrial development; - the capacity of the electricity grid; - the environmental and carbon reduction goals of us as a society and as set out in the government in the Climate Action Plan 2021; and - the social and economic interests of the residents of West and South Dublin. <p>OPR Over-reach</p> <p>The OPR should only get involved where planning guidance and proper processes are not being followed, this is not the case here.</p> <p>Councillors are entitled to evaluate and balance all relevant considerations and evidence and come to their own conclusions. This direction is an undemocratic interference in the planning process and beyond the remit of the OPR.</p> <p>The submission argues that the purpose of the Draft Direction is to support ‘big tech’. There is no way to facilitate further growth in data centres in Ireland in a sustainable manner.</p>	

2.2 Views and Recommendations made by the Eastern & Midland Regional Assembly:

No submission was received from the Eastern and Midland Regional Authority.

2.3 Views and Recommendations made by Elected Members

A summary of submissions made by the Elected Members and TD to the consultation are set out below.

2.3.1 Views and Recommendations made by Elected Members on part a) of the Draft Ministerial Direction

Submission Reference Number	SD-C250-1
Submitters Name:	Councillor Francis Timmons
<p>This submission notes that there are huge concerns regarding flood risk at lands north and east of Greenogue Business Park. Therefore, they highlight that no new EE zoning should be made on these lands, agreeing with SDCC and the OPR on this matter.</p> <p>The submitter also feels SDCC commitment to reviewing the need for additional EE land within the county throughout the first two years of the development plan is a sensible approach.</p>	

2.3.2 Views and Recommendations made by Elected Members on part b) of the Draft Ministerial Direction

Submission Reference Number	SD-C250-2
Submitters Name	Councillor Francis Timmons
<p>The submission disagrees with the view of the OPR in respect of the data centre amendments. This is based on the following;</p> <ul style="list-style-type: none"> - data centres use a lot of land and energy resources, - data centres should not be granted until they have their own renewable resources, - concerns about the number of data centres already granted planning permission in South Dublin County, - the implications for these developments for energy supply given we already face an energy supply issue. - resource and climate change implications, - Concerns around the extent to which the electricity supply of local communities might be affected. Submissions quotes fact that data centres currently use about 10% of the country's electricity supply. <p>Submission includes links to a number of articles which support this submission:</p> <ul style="list-style-type: none"> - https://www.dublinlive.ie/news/dublin-news/renewed-calls-less-data-centres-22665875 - https://www.dublinlive.ie/news/dublin-news/eirgrid-confirms-not-connect-more-22712605 	

Submission Reference Number	SD-C250-5
Submitters Name	Councillor Madeleine Johansson
<p>This submission supports the retention of Amendments 13.1, 13.2 and 13.3 in the South Dublin County Development Plan 2022-2028 against the Minister's Draft Direction.</p> <p>The submission argues that it is not in the interest of proper planning and development to take only one Regional Objective into account, Regional Objective 8.25 of the RSES when the amendments are consistent with national policy in respect of carbon emission targets and with other objectives of the County Development Plan which promotes the responsible use of resources such as water. The submission includes the relevant motion lodged by Cllr Johansson as part of the material amendment stage of the plan making process which outlines these policies and was the motion which resulted in the amendments currently under consideration.</p> <p>The motion addresses the reasons for inclusion of the amendments under the following headings;</p> <ul style="list-style-type: none"> - to fulfil Ireland's Climate Change Targets under EU law. The motion includes details of targets required to be met and role of data centres in contributing to energy demand. The submission is supported by links to a number of recognised academic papers and EPA projection data. - alleviate the pressure on water services and electricity in South Dublin <p>Data centres use an estimated 500 000 litres of water per day and are currently putting additional pressure on water infrastructure in the Dublin region.</p> <p>In June 2020 a Water Conservation Order was issued by Irish Water for several regions including the Greater Dublin Region. With the increasing risk of severe weather events due to climate change it is in the interest of proper planning to consider the impact of further data centres on water infrastructure in the region. The amendments comply with Regional Planning Objective 10.1 to "manage and conserve water resources".</p> <p>Since the beginning of 2020, Semo, the Single Electricity Market Operator, has issued 11 system alerts for Ireland to warn of capacity shortages on the electricity grid, compared with just 13 alerts over the previous ten years.</p> <p>According to Eirgrid; Over the last 4 years we have seen annual increases in demand usage of around 600 GWh from data centres alone – equivalent to the addition of 140,000 households to the power system each year.</p> <p>The proliferation of Data Centres in South Dublin</p> <p>As of May 2021 over 50% of all data centres in Ireland were located in South Dublin. The Regional Spatial and Economic Strategy for EMRA RPO 8.25 states that local authorities shall "<i>Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.</i>" (emphasis added). Due to the burden placed on infrastructure by the existing data centres no further data centres should be located in the county for the duration of the Development Plan on the basis of it no longer constituting an appropriate location.</p> <p>Councillor Johansson's motion includes an evidential basis for the amendments, with evidence from the EPA Projections Report June 2022, Dr Patrick Bresnihan (NUIM), Professor Barry McMullin (DCU) and Irish Academy of Engineering (2019) Electricity Sector Investment for Data Centres in Ireland (July 2019). I therefore dispute that the amendments "lack an appropriate evidence base" as claimed by the Minister.</p>	

The submission argues that the Minister has selected one objective which must be complied with but without ensuring that the County Development Plan is consistent with National Policy Objective 54 *Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions* and Objective RPO 10.1 of the RSES of EMRA which states that *Local authorities shall include proposals in development plans to ensure the efficient and sustainable use and development of water resources.*

The submission also argues that the amendments are inconsistent with Regional Policy Objective 8.25 in the RSES for the EMRA as outlined by the Minister as South Dublin County can no longer be regarded as an appropriate location for further data centres due to the constraints put on local water and electricity services.

Submission Reference Number	SD-C250-12
Submitters Name	Paul Murphy TD
<p>This submission supports the retention of Amendments 13.1, 13.2 and 13.3 in the South Dublin County Development Plan 2022-2028 against the Minister’s Draft Direction.</p> <p>The submission argues that it is not in the interest of proper planning and development to take only one Regional Objective into account (Regional Objective 8.25 of the RSES when the amendments are consistent with national policy in respect of carbon emission targets and with other objectives of the County Development Plan which promotes the responsible use of resources such as water. The submission includes the relevant motion lodged by Cllr Johanasson which outlines these policies and was the motion which resulted in the amendments currently under consideration.</p> <p>The motion addresses the reasons for inclusion of the amendments under the following headings;</p> <ul style="list-style-type: none"> - to fulfil Ireland’s Climate Change Targets under EU law. The motion includes details of targets required to be met and role of data centres in contributing to energy demand. The submission is supported by links to a number of recognised academic papers and EPA projection data. - alleviate the pressure on water services and electricity in South Dublin <p>Data centres use an estimated 500 000 litres of water per day and are currently putting additional pressure on water infrastructure in the Dublin region.</p> <p>In June 2020 a Water Conservation Order was issued by Irish Water for several regions including the Greater Dublin Region. With the increasing risk of severe weather events due to climate change it is in the interest of proper planning to consider the impact of further data centres on water infrastructure in the region. The amendments comply with Regional Planning Objective 10.1 to “manage and conserve water resources”.</p> <p>Since the beginning of 2020, Semo, the Single Electricity Market Operator, has issued 11 system alerts for Ireland to warn of capacity shortages on the electricity grid, compared with just 13 alerts over the previous ten years.</p>	

According to Eirgrid; Over the last 4 years we have seen annual increases in demand usage of around 600 GWh from data centres alone – equivalent to the addition of 140,000 households to the power system each year.

The proliferation of Data Centres in South Dublin

As of May 2021 over 50% of all data centres were located in South Dublin. The Regional Spatial and Economic Strategy for EMRA RPO 8.25 states that local authorities shall *“Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at **appropriate locations.**”* (emphasis added). Due to the burden placed on infrastructure by the existing data centres it should be considered that no further data centres should be located in the county for the duration of the Development Plan on the basis of it no longer constituting an appropriate location.

The submission indicates that Councillor Johansson’s motion includes an evidential basis for the amendments, with evidence from the EPA Projections Report June 2022, Dr Patrick Bresnihan (NUIM), Professor Barry McMullin (DCU) and Irish Academy of Engineering (2019) Electricity Sector Investment for Data Centres in Ireland (July 2019) and disputes that the amendments “lack an appropriate evidence base” as claimed by the Minister.

The submission argues that the Minister has selected one objective which must be complied with but without ensuring that the County Development Plan is consistent with National Policy Objective 54 *Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions* and Objective RPO 10.1 of the RSES of EMRA which states that *Local authorities shall include proposals in development plans to ensure the efficient and sustainable use and development of water resources.*

The submission also argues that the amendments are inconsistent with Regional Policy Objective 8.25 in the RSES for the EMRA as outlined by the Minister as South Dublin County can no longer be regarded as an appropriate location for further data centres due to the constraints put on local water and electricity services.

Submission Reference Number	SD-C250-18
Submitters Name	Brid Smith TD
<p>The submission supports the retention of Amendments 13.1, 13.2 and 13.3 in the plan and opposes the Minister’s Draft Direction.</p> <p>The submission notes the following;</p> <ul style="list-style-type: none"> - the Minister is seeking to elevate one regional objective over other key national objectives around climate action, water conservation and the current energy crisis. - this area of SDCC has a disproportionate number of data centres in its catchment hosting over half the state total. 14% of the State’s electricity is now consumed by data centres. The submission contends that the current overriding policy objective of the state must be to keep the lights on and to reduce our energy demand and Co2 emission. - the Minister’s suggestion that the motion ‘lacks an evidence base’ is incorrect. It notes that the Dail Climate Committee has heard from several sources and experts on the impact of Data centres on Irelands energy demand. There have been multiple warnings from the CRU and Eirgrid on the impact of these centres. 	

- the average global energy demand for data centres is between 2 and 4%, the current figure of 14% for Ireland this projected to increase to 30% by 2030 means that Ireland is an extreme outlier in this matter. The further proliferation of data centres poses a risk to the state and its residents.
- Key infrastructure requirements in SDCC are energy and water. The further proliferation of data centres poses a risk to the State’s ability to supply both to the citizens in this area and wider afield.
- requests the Minister to consult Irish Water and to see what pressure on the areas water supply continued development of data centres in this area will have.

The Minister should also be aware that the state is currently in a frantic search for emergency generation plant to overcome feared power shortages in the coming years. At a huge cost we are seeking emergency generation capacity of some 450 MW, most likely for gas fired generators. Yet the current expected demand from 8 already approved data centres for connection to the national grid in the coming years is estimated at 1.5 GW of demand.

The further proliferation of data centres will render impossible the climate goals of the recently enacted Climate Change Act.

Submission Reference Number	SD-C250-27
Submitters Name:	Councillor Kieran Mahon

The submission opposes the Direction of the Minister for the following reasons;

Section 31 of the Planning Acts instruct the Minister to intervene in a situation where “any draft development plan fails to set out an overall strategy for the proper planning and sustainable development of the area of a planning authority,”

The principle, overarching aims of the County Development Plan, referred to in the document as “Must Haves” include:

- Sustainable settlement / transport strategies, Reduce energy demand, Reduce anthropogenic greenhouse gas emissions, Address adaptation to climate change
- Conservation & Protection of the Environment

While the submission acknowledges that the members of the Council must take account of policies outside of the bounds of the County Development Plan it states that Councillors have a responsibility to address the issues of the environmental and energy crises where and as they confront us.

Due to the prevalence of existing Data Centres, and national trends in energy consumption, the draft direction does not satisfy these “Must Have” aims.

- Almost 50% of all operational Data Centres in the State are located in South Dublin County Council. There are a further 19 Data Centres in the planning pipeline as of May 2020. See below.

National Trends

- Metered Electricity consumed by Data Centres has risen to 14% in 2021 from 5% in 2015 –

- Connection of proposed Data Centres could see usage of 70% of metered Electricity by 2030
- Energy Bills for Households have risen by 54% in Ireland in the last year.
- Households face restricted usage or blackouts
- Conservative low estimates put average water usage per centre at 500,000 litres per day.

Increased coal use from 2021 and growing energy demand, including from data centres, threaten to negatively impact achievement of National targets, particularly for the first carbon budget period.

The submission concludes that the chaotic, unplanned development of the Data industry driven by profit, with no democratic control by workers or communities, are at the base of this issue. Corporate Tax Evasion, a favourable climate (for now), and loose GDPR regulations make Ireland a prime location for Big Data Corporations.

3. Recommendations on the best manner in which to give effect to the Draft Direction

3.1 Recommendation (a): Greenogue zoning

Draft Direction

- A) Omit the Enterprise and Employment zoning and the specific local objective which requires site-specific flood alleviation measures introduced as Material Amendments 2.20 and 9.4 from the lands to the north and east of the existing Greenogue Business Park and retain the Rural RU zoning objective.

Chief Executive's recommendation in order to give best effect to the draft Ministerial order

The DRAFT DIRECTION IN THE MATTER OF SECTION 31 OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended) South Dublin County Development Plan 2022-2028 is very clear in its requirements. It states that "The Planning Authority is hereby directed to take the following steps:

"a) Omit the Enterprise and Employment zoning and the specific local objective which requires site-specific flood alleviation measures introduced as Material Amendments 2.20 and 9.4 from the lands to the north and east of the existing Greenogue Business Park and retain the Rural RU zoning objective.

Recommendation on the best manner in which to give effect to the Draft Direction a):

- i) Omit the Enterprise and Employment zoning from the lands to the north and east of the existing Greenogue Business Park and retain the Rural RU zoning objective.
- ii) Omit the specific local objective (SLO) which reads as follows.

Specific Local Objective 'EDE5 SLO3': To ensure development on lands within Greenogue Business Park will be subject to site specific flood alleviation measures forming part of any future planning application for these lands.

3.2 Recommendation (b): Data Centres

Draft Direction

- B) Amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to reinstate data centre use class as an 'open for consideration' use class in the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.

Chief Executive's recommendation in order to give best effect to the draft Ministerial order

The DRAFT DIRECTION IN THE MATTER OF SECTION 31 OF THE PLANNING AND DEVELOPMENT ACT 2000 (as amended) South Dublin County Development Plan 2022-2028 is very clear in its requirements. It states that "The Planning Authority is hereby directed to take the following steps:

"b) Amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to reinstate data centre use class as an 'open for consideration' use class in the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.


Recommendation on the best manner in which to give effect to the Draft Direction b):

- i) Reinstated Data Centres use class as an 'open for consideration' use class from 'not permitted' in table 12.4.
- ii) Reinstated Data Centres use class as an 'open for consideration' use class from 'not permitted' in table 12.8.
- iii) Reinstated Data Centres use class as an 'open for consideration' use class from 'not permitted' in table 12.10.

Note: For reference, tables 13.4, 13.8 and 13.10 are numbered in the adopted Development Plan as 12.4, 12.8 and 12.10.

4. Appendices

4.1: Newspaper Notice



Comhairle Contae
Atha Cliath, Theas
South Dublin County Council

NOTICE OF DRAFT MINISTERIAL DIRECTION IN THE MATTER OF SECTION 31 OF THE PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED) SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028

Notice is hereby given pursuant to Section 31 of the Planning and Development Act 2000 (as amended), that on 28TH July 2022 the Minister of State for Local Government and Planning, consequent to a recommendation made to him by the Office of the Planning Regulator under Section 31 AM(8) of the Planning and Development Act 2000 (as amended), has delivered notice of the Minister's intent to issue a Direction to South Dublin County Council. The Draft Ministerial Direction relates to the South Dublin County Development Plan 2022- 2028.

The Planning Authority has been directed to take the following steps:

- Omit the Enterprise and Employment zoning and the specific local objective which requires site-specific flood alleviation measures introduced as Material Amendments 2.20 and 9.4 from the lands to the north and east of the existing Greenogue Business Park and retain the Rural RU zoning objective.
- Amend the land use zoning objectives in tables 13.4, 13.8 and 13.10 to reinstate data centre use class as an 'open for consideration' use class in the REGEN, Enterprise & Employment (EE) and Major Retail Centre (MRC) zoning objectives.

Note: For reference, tables 13.4, 13.8 and 13.10 are numbered in the adopted Development Plan as 12.4, 12.8 and 12.10.

The Reasons stated for the Draft Direction are that:

- Pursuant to section 31(1)(b), section 31(10)(ba)(i) and section 31(1)(c)**
The South Dublin County Development Plan 2022 - 2028 as made includes material amendments to the draft Plan, that are inconsistent with national and regional planning policy and the proper planning and sustainable development of the area, including:
 - Land zoned for enterprise and employment development at a peripheral location at Greenogue Business Park (Material Amendment 2.20, which is also facilitated by Material Amendment 9.4), is remote from high quality public transport and outside the designated strategic employment development areas identified in the RSES for the Dublin Metropolitan Area inconsistent with the requirements for compact growth in National Strategic Outcome 1 and National Planning Objective NPO11 to generate jobs within existing cities, towns and villages, as well as the sequential approach and planning for future development of employment lands in a manner that facilitates sustainable transport patterns consistent with Regional Policy Objectives 5.3 and 5.6 in the RSES.
 - Changes to land use zoning objectives for REGEN, Major Retail Centre and Enterprise and Employment (Material Amendments 13.1, 13.2 and 13.3) which make data centre use class a 'not permitted' use class across all zoning objectives in the Plan inconsistent with Regional Policy Objective 8.25 in the RSES for the EMRA which promotes Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations and lacks an appropriate evidential basis.
- Pursuant to section 31(1)(ba)(i) and section 31(1)(c)**
The Development Plan fails to show how the development objectives in the development plan are consistent, as far as practicable, with national and regional development objectives set out in the National Planning Framework and RSES, as required by Section 10(1A) and Section 10(2A)(a) of the Act when read in conjunction with Section 12(18) of the Act.
- Pursuant to section 31(1)(c)**
The South Dublin County Development Plan 2022 - 2028 does not include a strategy for employment development to inform Material Amendments 2.20 and 9.4 which has regard to the Ministerial Guidelines issued under Section 28 of the Act, specifically Section 6.2.5 (zoning for employment uses) in the Development Plans, Guidelines for Planning Authorities (2022), Section 2.7 (Development at National Road Interchanges or Junctions) in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012), and Section 3 (Principles and key mechanisms - Justification Test) of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009).
- Pursuant to section 31(1)(c)**
The Development Plan fails to identify proper or adequate reasons for departing from Section 6.2.5 (zoning for employment uses) in the Development

Plans, Guidelines for Planning Authorities (2022), Section 2.7 (Development at National Road Interchanges or Junctions) in the Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and Section 3 (Principles and key mechanisms - Justification Test) of the Planning System and Flood Risk Management Guidelines for Planning Authorities (2009) consistent with the presence of an overall strategy for the proper planning and development of the area.

- Pursuant to section 31(1)(a)(i)(ii)**
The Development Plan has not been made in a manner consistent with, and has failed to implement, the recommendations of the Office of the Planning Regulator under Section 31AM which results in the making of a Development Plan that fails to set out an overall strategy for the proper planning and sustainable development of the area.
- By virtue of the matters set out at I-V above, the Minister is of the opinion that the Development Plan fails to set out an overall strategy for the proper planning and sustainable development of the area.
- By virtue of the matters set out at I to V, above, the Development Plan is not in compliance with the requirements of the Act.

Public Display

- A copy of the Draft Directions may be inspected from 10th of August 2022 to the 23rd August 2022 (inclusive) at <https://www.sdcc.ie/en/devplan2022/> or
- Planning Counter, South Dublin County Council, County Hall, Tallaght, Dublin 24, D24 A3XC (Mon-Fri (excluding Bank Holidays) between 10.00a.m. and 4.00p.m.).
- Clondalkin Civic Office, Clondalkin, Dublin 22 (Mon-Fri (excluding Bank Holidays) between 10.00a.m. and 12.00p.m. and 2.00 p.m. and 4.00p.m.)

Submissions or Observations in Respect of the Draft Direction:
Written submission or observations, in respect of the Draft Direction, may be made (by one medium only) to the Council between the 10th of August 2022 to the 23rd of August 2022 inclusive as follows:

- Online via the Council's Public Consultations Portal: <http://consult.sdbulincoco.ie> (up to 23.59 on the 23rd of August 2022).

or

- In writing to Senior Executive Office, Forward Planning Section, Land Use Planning and Transportation Department, County Hall, Tallaght, Dublin 24.


Observations or submissions must include the full name and address of the person(s) making the submission and where relevant, the body or organization represented.

Email submissions or late observations/submissions will not be accepted.
All submission or observations made in respect of the Draft Direction, during this period, shall be taken into consideration by the Office of the Planning Regulator before it makes a recommendation to the Minister on the matter. In respect of making a submission or observation please note the following:-

- Submissions/observations should include your name and address and, where relevant, details of any organisation, community group or company etc., which you represent.
- Submissions/observations received will be published online. You should ensure that no vexatious, defamatory, or confidential information, including confidential information relating to a third party (in respect of which the third party has not, expressly, or impliedly in the circumstances, consented to its disclosure) is included in your submission. The Planning Authority reserves the right to redact any submission or part thereof that does not comply with this requirement.
- The personal information collected during the consultation process is collected for the purpose of receiving and dealing with submissions. For further information on how South Dublin County Council processes your personal data contained in submissions or observations to the County Development Plan please see South Dublin County Council's Data Protection Policy on the Council's website: www.sdcc.ie/en/services/our-council/access-to-information/data-protection

**Michael Mulhern,
Director of Services.**

www.sdcc.ie



4.2: Relevant Motions

Recommendation (a):

CE Draft Plan Stage	
Submitted By	Councillor V. Casserly, Councillor K. Egan, Councillor S. O'Hara
Item ID	70987
Motion	
'To rezone the land outlined in red on the attached map, (extending to 129 acres), from its current 'RU' Objective, (to protect and improve rural amenity and to provide for agriculture), to Objective 'EE', (to provide for enterprise and employment related uses) to allow the existing industrial estate to expand.'	
CE Response	
<p>This motion seeks to rezone 129 acres of land from 'RU' Objective (to protect and improve rural amenity and to provide for agriculture), to Objective 'EE', (to provide for enterprise and employment related uses) at Greenogue. The rationale for re-zoning is to allow the existing industrial estate to expand. A response to this is set out under the heading of: Land Capacity, Flood Risk, Aviation Safety and Environmental considerations.</p> <p>The Draft Plan includes a land capacity analysis under Section 2.6.8 of Chapter 2 setting out the availability of zoned land for employment purposes. Based on the assessment carried out there is potential for 31,824 jobs on existing zoned undeveloped land. The need during the lifetime of the Plan amounts to 18,336 jobs and thus there is sufficient zoned land to meet the projected need without considering further land.</p> <p>From the perspective of Flooding, the subject lands comprise parcels of land which have been identified as being Flood Zone A (1 in 100-year flood) and Flood Zone B (1 in 1000-year flood) within the Strategic Flood Risk Assessment carried out as part of the review process of the County Development Plan. In this regard the Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009 (FRM Guidelines) set out the following:</p> <p>The planning implications for each of the flood zones are:</p> <p>Zone A - High probability of flooding. Most types of development would be considered inappropriate in this zone. Development in this zone should be avoided and/or only considered in exceptional circumstances, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere, and where the Justification Test has been applied. Only water-compatible development, such as docks and marinas, dockside activities that require a waterside location, amenity open space, outdoor sports and recreation, would be considered appropriate in this zone.</p> <p>Zone B - Moderate probability of flooding. Highly vulnerable development, such as hospitals, residential care homes, Garda, fire and ambulance stations, dwelling houses and primary strategic transport and utilities infrastructure, would generally be considered inappropriate in this zone, unless the requirements of the Justification Test can be met. Less vulnerable development, such as retail, commercial and industrial uses, sites used for short-let for caravans and camping and secondary strategic transport and utilities infrastructure, and water-compatible development might be considered appropriate in this zone. In general however, less vulnerable development should only be considered in this zone if adequate lands or sites are not available in Zone C and subject to a flood risk assessment to the appropriate level of detail to demonstrate that flood risk to and from the development can or will adequately be managed.</p>	

The provisions of the FRM Guidelines are clear in regard to zoning proposals for such lands with section 4.23 setting out the following: "Having prepared a Strategic Flood Risk Assessment and mapped flood zones as part of its development plan review process and any more detailed flood risk assessments as necessary, situations can arise where a planning authority will need to consider the future development of areas at a high or moderate risk of flooding, for uses or development vulnerable to flooding that would generally be inappropriate as set out in Table 3.2. In such cases, the planning authority must be satisfied that it can clearly demonstrate on a solid evidence base that the zoning or designation for development will satisfy the Justification Test".

The proposal set out in the motion is not supported by any Justification Test which clearly demonstrates the use of the subject lands for enterprise and employment. In addition, the FRM Guidelines clearly set out that less vulnerable type development should only be considered within Flood Zone B if adequate lands or sites are not available in Zone C (Low probability of Flooding) and subject to a flood risk assessment to the appropriate level of detail to demonstrate that the flood risk to and from the development can or will be adequately managed.

From an aviation perspective, the proposed rezoned area lies fully within Casement Aerodrome's Security Zone. Furthermore, given the Transitional Surface, rising at a 1 in 7 slope from the edge of the flight strip and with existing surface level of the lands, there is insufficient headroom for typical industrial type development at the nearest boundary of the site to Casement Aerodrome.

It is also worth noting that from an environmental perspective that the proposal would lead to potential negative environmental impacts through:

potential erosion of rural amenity and landscape character;
loss of agricultural land;
loss of local biodiversity; and
conflict with operational constraints at Casement Aerodrome;

Having regard to the above issues relating to the quantum of existing zoned lands, the extent of the flood zones within this area and the potential for a cumulative flood impact on adjoining lands, alongside the lands proximity to Casement Aerodrome's security zone and the implications of same in regard to building heights and the identified impacts on the natural environment it is considered that the proposal put forward to zone the subject lands for new enterprise and employment development is not appropriate and therefore it is recommended that the proposed motion is not adopted.

***Motion 70649 and 71256 also related to rezoning the Greenogue lands. Both motions were withdrawn in conjunction with motion 70987.**

CE Recommendation

It is recommended that this motion is not adopted.

Minutes

Minutes available here: [September 2021 County Council Meeting Agenda | South Dublin County Council \(sdublincoco.ie\)](#)

An Amendment to the Motion was proposed by Councillor B. Lawlor and Seconded by Councillor R. McMahon as follows:

No development to take place on the land until a further comprehensive flood risk assessment has been delivered to the satisfaction of the Council and until an air safety study in consultation with the Air Corp and the Department of Defence has been completed.

A Roll Call vote on the **AMENDED** wording followed, the result of which was as follows:

FOR: 6 (SIX)

AGAINST: 25 (TWENTY-FIVE)

ABSTAIN: 5 (FIVE)

The **AMENDED** Motion **FELL** and the Chief Executive’s Recommendation was **AGREED**.

Draft Plan Stage	
Submitted By	Councillor B. Lawlor, Councillor K. Egan
Item ID	73862
Motion	
This motion refers to Chapter 9 Economic Development and Employment, page 308 of the CE's report, submission SD-C195-257 Motion: To rezone this site from RU to EE.	
CE Response	
This motion seeks to rezone lands from RU to EE, on lands north of Greenogue Industrial estate.	
While the submission referenced is SD-C195-257, the motion clearly relates to submission no. SD-C195-169, see accompanying maps to motions.	
Enterprise and Employment	
The Draft Plan under EDE1 Objective 3 seeks to ensure that there is sufficient supply of zoned and serviced lands at suitable locations in the County to accommodate a range of enterprise and employment development types and to promote growth by strengthening the integration between employment, housing and transportation.	
Under Section 2.6.8 Employment Lands, an analysis of available lands which have potential to generate jobs was undertaken as part of the preparation of the Draft Plan. The purpose of this analysis was to ascertain whether sufficient employment lands are zoned to provide for the projected additional workforce for the Plan period up to 2028. Based on the analysis, there is a total capacity, excluding REGEN lands, to develop 624 hectares to facilitate further employment. This would more than meet the projected employment growth of 18,336 jobs over the Plan period set out in Section 2.6.8 of the Core Strategy in the Draft Plan.	
Submissions received from the OPR and the EMRA welcomed the evidence-based approach that has informed the strategy in the Draft Plan and considered the lands zoned for employment uses to be compliant with the RSES Guiding Principles for the Dublin Metropolitan Area and employment land and consistent with RPO 4.3.	
Objective CS5 Objective 4 sets out the commitment to monitor employment lands within the County. However, the Council does recognise that trends in the wider economy can quickly impact on employment lands, and as such the Council considers it will be important to monitor this situation. For this reason, an objective has been recommended for insertion into the Draft Plan to read:	

To ensure, that as part of the two year statutory review of the Development Plan, an evidence-based analysis of employment lands will be undertaken and should there be evidence for the need for further employment zoning within the lifetime of the Plan, a Variation to the Plan will be immediately initiated informed by:

- Analysis of the type of employment need
- Analysis of the appropriate location/s to serve such need
- Relevant National and Regional policy and proper planning and sustainable development.

Flooding

From the perspective of flooding, the subject lands comprise parcels of land which have been identified as being Flood Zone A (1 in 100-year flood) and Flood Zone B (1 in 1000-year flood) within the Strategic Flood Risk Assessment carried out as part of the review process of the County Development Plan. In this regard the Planning System and Flood Risk Management Guidelines for Planning Authorities, 2009 (FRM Guidelines) set out the following:

The planning implications for each of the flood zones are:

Zone A - High probability of flooding. Most types of development would be considered inappropriate in this zone. Development in this zone should be avoided and/or only considered in exceptional circumstances, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere, and where the Justification Test has been applied. Only water-compatible development, such as docks and marinas, dockside activities that require a waterside location, amenity open space, outdoor sports and recreation, would be considered appropriate in this zone.

Zone B - Moderate probability of flooding. Highly vulnerable development, such as hospitals, residential care homes, Garda, fire and ambulance stations, dwelling houses and primary strategic transport and utilities infrastructure, would generally be considered inappropriate in this zone, unless the requirements of the Justification Test can be met. Less vulnerable development, such as retail, commercial and industrial uses, sites used for short-let for caravans and camping and secondary strategic transport and utilities infrastructure, and water-compatible development might be considered appropriate in this zone. In general, however, less vulnerable development should only be considered in this zone if adequate lands or sites are not available in Zone C and subject to a flood risk assessment to the appropriate level of detail to demonstrate that flood risk to and from the development can or will adequately be managed.

The provisions of the Flood Risk Management (FRM) Guidelines are clear in regard to zoning proposals for such lands with section 4.23 setting out the following: "Having prepared a Strategic Flood Risk Assessment and mapped flood zones as part of its development plan review process and any more detailed flood risk assessments as necessary, situations can arise where a planning authority will need to consider the future development of areas at a high or moderate risk of flooding, for uses or development vulnerable to flooding that would generally be inappropriate as set out in Table 3.2. In such cases, the planning authority must be satisfied that it can clearly demonstrate on a solid evidence base that the zoning or designation for development will satisfy the Justification Test".

As set out above, the Planning Authority is satisfied that there is no need for further employment lands in the County at this time. Therefore, the need for the zoning of these lands to EE has not been justified and hence the zoning of the lands fails the Justification Test as described in Section 4.23 of the OPW Guidelines, as it relates to Development Plans. It is also noted that the Camac River

is the subject of a Flood Alleviation Study underway since 2019 by South Dublin County Council, Dublin City Council and the OPW and solutions to the existing catchment-wide flooding problems are not yet identified. Any further development in this area would be premature pending the outcome of this assessment.

Having regard to the above issues relating to the quantum of existing zoned lands, the extent of the flood zones within this area, potential for a cumulative flood impact on adjoining lands and downstream it is considered that the proposal put forward to zone the subject lands for new enterprise and employment development would be premature and contrary to section 48 Guidelines and therefore it is recommended that the proposed motion is not adopted.

CE Recommendation

It is recommended that this motion is not adopted

Minutes

Minutes available here: [April 2022 County Council Meeting Agenda | South Dublin County Council \(sdublincoco.ie\)](https://www.southdublincoco.ie/Meeting-Agenda/2022/04)

An Amendment to the Motion was proposed by Councillor L. Dunne and seconded by Councillor G. O’Connell as follows:

“This motion refers to Chapter 9 Economic Development and Employment, page 308 of the CE’s report, submission SD-C195-257 (-169) Motion: To rezone this site from RU to EE. subject to site specific flood alleviation measures forming part of any future planning application for these lands” A Roll Call vote on the AMENDED Motion followed, the result of which was as follows:

FOR: 22 (Twenty-two)
 AGAINST: 8 (Eight)
 ABSTAIN: 2 (Two)
 Roll Call Vote M 28

The Motion AS AMENDED was AGREED

Material Amendments Stage

Submitted By	Councillor B. Lawlor, Councillor K. Egan, Councillor D. McManus, councillor S. O’Hara
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Item ID	75623
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Motion

Material Amendment 2.20 and 9.4 To reject the Chief Executive's Recommendation in relation to Recommendation 1 of SD-C226-65 submitted by the Office of the Planning Regulator, and therefore make the Plan with Material Amendments 2.20 and Motion 9.4, as previously adopted by the elected members.

Response

Amendment 2.20 relates to the rezoning of land located north and east of the Greenogue Business Park from RU to EE while amendment 9.4 provides for an associated SLO for the same lands which reads:

To ensure development on lands within Greenogue Business Park will be subject to site specific flood alleviation measures forming part of any future planning application for these lands

Employment Zones:

The Draft Plan under EDE1 Objective 3 looks to ensure that there is sufficient supply of zoned and serviced lands at suitable locations to accommodate a range of enterprise and employment development types and to promote growth by strengthening the integration between employment, housing and transportation.

Under Section 2.6.8 Employment Lands, an analysis is provided of available lands which have potential to generate jobs. The purpose of this analysis was to ascertain whether sufficient employment lands are zoned to provide for the projected additional workforce for the Plan period up to 2028. Based on the analysis, there is a total capacity, excluding REGEN lands, to develop 624 hectares to facilitate further employment. This would more than meet the projected employment growth of 18,336 jobs over the Plan period set out in section 2.6.8 of the Core Strategy in the Draft Plan.

The OPR welcomed the evidence-based approach that has informed the strategy in the Draft Plan and considered the lands zoned for employment uses to be compliant with the RSES Guiding Principles for the Dublin Metropolitan Area and employment land and consistent with RPO 4.3 which states:

‘Support the consolidation and re-intensification of infill/brownfield sites to provide high density and people intensive uses within the existing built-up area of Dublin City and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.’

Following Amendment 2.20, the OPR's submission to the Material Amendments states that there is no evidence base or strategic justification to support the rezoning of these lands for a significant quantum of additional EE uses, noting the Greenogue Business Park is not identified as a strategic employment area in the RSES and the zoning is not consistent with RPO 5.6 which states:

‘The development of future employment lands in the Dublin Metropolitan Area shall follow a sequential approach, with a focus on the re-intensification of employment lands within the M50 and at selected strategic development areas and provision of appropriate employment densities in tandem with the provision of high-quality public transport corridors.’

As the proposed site is not located within the M50 or at a selected strategic development location, the rezoning of this land for EE is premature. The OPR submission also indicates that the site in question is also isolated from a high-quality public transport corridor.

Flood Risk

The Office of Public Works (OPW) submission identified that the uses provided for under the EE zoning are classified as ‘less vulnerable’ under the Guidelines on the Planning System and Flood Risk Management (DECLG/OPW, 2009). Less vulnerable uses cannot be located within Flood Zones A or B, which these lands are, unless they satisfy the criteria for the Plan Making Justification Test set out in the Guidelines. The lands do not satisfy all of the relevant criteria. This was outlined in the CE Report on the Draft Plan submitted to the Elected Members on 7th December 2021 and was further discussed at the meetings which considered the Draft Plan in March 2022. The OPR also stated that the revised Justification Test which formed part of the Material Amendments acknowledges the flood risk in the general area of Greenogue/Baldonnel.

Regarding Flood Attenuation acting as a flood defence, Section 2.25 of the ‘The Planning System and Flood Risk Management Guidelines’ states:

'The provision of flood protection measures in appropriate locations, such as in or adjacent to town centres, can significantly reduce flood risk. However, the presence of flood protection structures should be ignored in determining flood zones. This is because areas protected by flood defences still carry a residual risk of flooding from overtopping or breach of defences and the fact that there may be no guarantee that the defences will be maintained in perpetuity...'

Though flood attenuation can mitigate against flooding, the guidance on this issue clearly states that all flood protections should be ignored in determining flood zones. As this is the case, the Amazon flood defences cannot be taken account of in determining the flood zones and the CFRAM mapping correctly identifies Flood Zones A and B on the lands proposed for rezoning to EE.

Impact on National Road/Rail and Public Transport Access:

The current access to the site is located from the N7. The OPR and TII have noted that the subject lands are located in proximity to Junction 4 of the N7, where the council should be mindful that any development proposals shall be subject to the requirements under Section 2.7 of the DoECLG Spatial Planning and National Roads Guidance. It states:

'Planning authorities must exercise particular care in their assessment of development/local area plan proposals relating to the development objectives and/or zoning of locations at or close to interchanges where such development could generate significant additional traffic with potential to impact on the national road. They must make sure that such development which is consistent with planning policies can be catered for by the design assumptions underpinning such junctions and interchanges, thereby avoiding potentially compromising the capacity and efficiency of the national road / associated junctions and possibly leading to the premature and unacceptable reduction in the level of service available to road users.'

The proposed rezoning, of approximately 53 hectares (130 acres), is a significant addition to the existing zoning in this area adjacent to and reliant on Junction 4 of the N7. The scale of potential new development is likely to give rise to significant additional traffic movements both from workers getting to and from the site and from transport related enterprise, to and from this junction which is already subject to capacity constraints. Having regard to the submissions from TII and the OPR on junction capacity, the fact that no assessment has been carried out on the impact on local and national roads, and the lack of public transport, the rezoning is not considered to be in the interests of proper planning and sustainable development. This is particularly in light of policy within the RSES which indicates that development within the metropolitan area should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised. For all of the reasons outlined above, it is considered inappropriate to rezone the lands at Greenogue as proposed within Amendment 2.20 and 9.4.

Conclusion

Having regard to the above and to National Strategic Outcome 1 (Compact Growth), National Policy Objective 11 of the NPF, Regional Policy Objectives 5.3 and 5.6 of the RSES, Guidelines on the Planning System and Flood Risk Management (DECLG/OPW, 2009), Section 2.7 of the 'Spatial Planning and National Roads Guidelines for Planning Authorities (2012) and the 'Development Plans, Guidelines for Planning Authorities: Draft for Consultation (2021), it is considered inappropriate to rezone the lands as proposed by Amendment 2.20 with the associated SLO Amendment 9.4.

CE Recommendation

Make the Plan without Amendments 2.20 and 9.4 for proposed rezoning at Greenogue Business Park and retain the RU zoning objective ‘To protect and improve rural amenity and to provide for the development of agriculture’ in the Draft Plan.

Minutes

Minutes available here: [July 2022 County Council Meeting Agenda | South Dublin County Council \(sdublincoco.ie\)](https://www.southdublincoco.ie/Agenda/July-2022-County-Council-Meeting-Agenda)

A Roll Call Vote on the motion followed, the result of which was as follows:

FOR 21 (Twenty-One)
 AGAINST: 13 (Thirteen)
 ABSTAIN 1 (One)

Roll Call Vote M6

The Motion was passed.

Recommendation (b):

CE Draft Plan Stage	
Submitted By	Councillor Madeleine Johansson
Item ID	70774
Motion	
In Chapter 13 Implementation and Monitoring Table 13.4 Zoning REGEN to move Data Centre from Open for Consideration to Not Permitted.	
Response	
<p>The motion seeks to move the use class Data Centre from ‘Open for Consideration’ to ‘Not Permitted’ in the ‘Use Classes Related to Zoning Objective’ table for the REGEN zone.</p> <p>Dublin is one of the fastest growing data centre markets in Europe with a significant element of this foreign direct investment occurring in South Dublin. It must be acknowledged also the requirement for data centres is increasing with social and technology needs such as 5G, smart cities and artificial intelligence. Data Centre bring significant direct and indirect economic benefits to the County including a highly skilled workforce. Companies also benefit from clustering which allows collaboration and sharing of Knowledge.</p> <p>There are also costs to the clustering of data centres in South Dublin. They are currently one of the most space extensive land use types and the visual and environmental and amenity impacts of such large-scale developments can be significant especially in cases where clustering occurs. In addition, technology is constantly evolving with cloud computing now shifting to Edge computing and a need for smaller data centres closer to cities and end users is now becoming an issue.</p> <p>As a strategic document the County Development Plan must take all of these issues into account. In order to address these issues, the Plan has provided for the limited consideration of data centres within the zoning use categories. This use is ‘Open for Consideration’ on lands zoned for regeneration uses (REGEN), on lands zoned for employment and enterprise uses (EE) and on lands zoned for Major Retail Uses (MRC). The ‘Open for Consideration’ categorisation means that each application will be considered on its merits taking into account all relevant issues including the concentration of data centres in the area and the cumulative impacts on the environment of this concentration. The plan also contains detailed objectives around the limiting of the impact of space intensive developments and associated objectives around the provision of landscaping and GI interventions on all sites.</p>	

Given the complex issues surrounding this type of development, it is considered that the approach taken in the CE draft is reasonable and appropriate.
CE Recommendation
It is recommended that the motion is not adopted.
Minutes
Minutes are attached here: September 2021 County Council Meeting Agenda South Dublin County Council (sdublincoco.ie)
A Roll Call vote was taken on the motions 70774, 70776 and 70777 the result of which was as follows: FOR 8 (EIGHT) AGAINST 16 (SIXTEEN) ABSTAIN 7 (SEVEN) Motion 683 685 686 Roll Call Vote The Motions FELL

Draft Plan Stage	
Submitted By	Councillor Madeleine Johansson
Item ID	73881
Motion	
<p>This motion relates to chapter 9 Economic Development & Employment, submission SD-C195-119 on page 829 of the CE report. To reject the CE recommendation of No change and ban data centres by moving Data Centre to Not Permitted under all zoning. Reason: It has become even more clear since the last Development Plan discussions that there is no more capacity for further data centres in the South Dublin area. EirGrid announced in December that it would not grant any further connections in the Dublin area until 2028. Since this coincides with dates of this plan it would be prudent to ban all new data centres for the duration of the plan.</p>	
Response	
<p>The motion seeks to reject the CE Recommendation of no change to existing policy and provisions of the Draft Plan and proposes a ban on data centres in the County by moving Data Centres use to the not permitted category under all zoning use classes.</p> <p>The Draft Plan, for the first time has included Data Centres as a specific land use type. This means that data centres are now included in every zoning objective matrix giving very clear guidance on where they are permitted, open for consideration or not permitted. There is no zoning where data centres are permitted in principle. They are open for consideration in employment zonings, that is in EE, REGEN and MRC zonings. They are not permitted in every other zoning type.</p> <p>The Council has monitored recent discussions in the Dáil and Seanad on Data Centres energy consumption, as well as reports from the Commission for the Regulation of Utilities (CRU) and EirGrid. As stated within Section 9.3 of the Draft Plan, it is acknowledged that Space Extensive Land Uses generally have a higher carbon footprint than other uses, whether because of transport related implications or their high energy demand.</p> <p>EDE7 Objective 2 contains strong policy and criteria which must be addressed by space extensive enterprises such as Data Centres. This policy has been prepared in consultation with Codema, Dublin’s energy agency, which aims to accelerate Dublin’s low-carbon transition.</p> <p>EDE7 Policy</p>	

Recognise the need for land extensive uses and ensure that they are located within appropriate locations having regard to infrastructural, transport and environmental considerations and the need for orderly growth.

EDE7 Objective 1:

To ensure that, insofar as possible, space extensive enterprise is located on lands which are outside the M50 and which do not compromise labour intensive opportunity on zoned lands adjacent to public transport.

EDE7 Objective 2 (as amended by CE Recommendation in bold)

To require that space extensive enterprises demonstrate the following:

The appropriateness of the site for the proposed use having regard to EDE7Objective 1;
Strong energy efficiency measures to reduce their carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation;
Maximise on site renewable energy generation to ensure as far as possible 100% powered by renewable energy, where on site demand cannot be met in this way, provide evidence of engagement with power purchase agreements in Ireland (PPA);
Sufficient capacity within the relevant water, wastewater and electricity network to accommodate the use proposed;
Measures to support the just transition to a circular economy;
Measures to facilitate district heating or heat networks where excess heat is produced;
A high-quality design approach to buildings which reduces the massing and visual impact;
A comprehensive understanding of employment once operational;
A comprehensive understanding of levels of traffic to and from the site at construction and operation stage;
Provide evidence of sign up to the Climate Neutral Data Centre Pact.'

The recommendation made in the CE Report on the Draft Plan consultation amends EDE7 Objective 2 to include that sufficient capacity is demonstrated in the electricity network by a prospective developer and to ensure that power purchase agreements are those made in Ireland. This amendment has not been subject to a motion.

It is noted that the addition made to EDE7 Objective policy as set out above accords with the recent Policy Statement of Security of Electricity Supply issues by the government in November 2021 and which requires large energy users proposing to connect to the electricity grid to take into account the potential impact on security of electricity supply and on the need to decarbonise the electricity grid.

Also, in November 2021 in conjunction with the above the Commission for the Regulation of Utilities issued a direction to the System Operators related to Data Centre grid connection. The direction provides criteria to EirGrid, ESB networks and other service providers on how to assess new

applications for a connection to their respective transmission and distribution networks to ensure security of supply and combat constraint issues.

In respect of a potential moratorium EirGrid echo the CRU position and do not adopt a moratorium but look to adopt ‘Connection Measures’ based on the criteria set out by the CRU. EirGrid are open to considering connections from Data Centres and will make an assessment based on the criteria outlined above. It is the understanding of the Council and confirmed by Codema, the Dublin Energy Agency that there is no moratorium in place.

EirGrid operate and manage the electricity grid so they are best placed to assess whether a Data Centre or any other large electricity user should be granted a grid connection. EirGrid’s primary objectives are to ensure the grid operates well and to “Lead the island’s electricity sector on sustainability and decarbonisation” and have all the relevant information to make a well-informed decision on connections to ensure "a safe, secure and reliable supply of electricity on the island of Ireland" as stated in their Group Strategy.

This includes assessing any potential risks brought about by connecting large electricity users. EirGrid use a 2-stage engagement procedure before granting connections and the first of these occurs before the data centre applies for planning permission. As a result, EirGrid are best placed to decide on whether data centres should go ahead or not.

The Draft Plan, through EDE7 Objective 2 sets a hierarchy of approaches to energy which must be demonstrated by space extensive development such as data centres. This means that relevant development must in the first instance Maximise on site renewable energy generation to ensure as far as possible 100% powered by renewable energy. Where 100% is not possible they must show evidence of a power purchase agreement made in Ireland. This is a direct agreement with a renewable electricity developer in Ireland.

Given the complex issues surrounding this type of development, it is considered that the approach taken in the Draft Plan and CE Report on Public Consultation is reasonable and appropriate at this time, to allow for any further changes to the development of Data Centres within Dublin.

CE Recommendation

It is recommended that this motion is not adopted

Minutes

Minutes are attached here: [April 2022 County Council Meeting Agenda | South Dublin County Council \(sdublincoco.ie\)](#)

A Roll Call Vote on the Motion followed, the result of which was as follows:

FOR 18 (Eighteen)

AGAINST 13 (Thirteen)

ABSTAIN 1 (One)

Roll Call Vote M 90

The Motion was PASSED

Material Amendments Stage

Submitted By	Councillor Madeleine Johansson
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Item ID	75630
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Motion

That Amendments 13.1, 13.2 and 13.3 be retained in the Plan, for the following reasons: 1. To fulfil Ireland's Climate Change Targets under EU law Ireland is committed to EU targets of 30% reduction

in carbon emissions by 2030. In addition, the Climate Action Plan 2021 was published on 4 November 2021 and provides a detailed plan for taking decisive action to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and setting us on a path to reach net-zero emissions by no later than 2050. Two of the key findings of the most recent Environmental Protection Agency projections report published in June 2022 (<https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-Ireland's-GHG-Projections-Report-2021-2040v1.pdf>) are: Urgent implementation of all climate plans and policies, plus further new measures, are needed for Ireland to meet the 51 per cent emissions reduction target and put Ireland on track for climate neutrality by 2050. (emphasis added) Under the Additional Measures scenario, renewable energy is projected to increase to 78 per cent of electricity generation by 2030 with emissions from the Energy Industry decreasing by 10 per cent per annum from 2021-30. Increased coal use from 2021 and growing energy demand, including from data centres, threaten to negatively impact achievement of National targets, particularly for the first carbon budget period. (emphasis added) While it is noted that it is not current government policy to ban, or place a moratorium, on data centres, according to Dr Patrick Bresnihan of NUIM such a measure would contribute to Ireland reaching carbon emissions target. (<https://www.irishtimes.com/news/politics/data-centres-could-use-70-of-ireland-s-electricity-by-2030-committee-to-hear-1.4685589>) In addition, the EPA recognise in its report that data centres have contributed to the growing energy demand. A moratorium on new data centres in South Dublin County for the duration of the Development Plan 2022- 2028 would positively contribute to the reduction in energy use required to meet national targets. Professor Barry McMullin of DCU says a growing data centre sector will only complicate efforts to rapidly decarbonise our energy system. He questions whether new centres should be allowed at a time when total electricity demand is already surging. 'I'm personally very sceptical that any further expansion of data centre deployment in Ireland can be justified in that context,' He says: 'At the very least, I would argue that there should be a temporary moratorium unless and until consistency with the carbon budget programme can be clearly and reliably demonstrated.' (<https://www.thejournal.ie/data-centres-2-5693974-Feb2022> There are now around 70, all having storage facilities here) A report from the Irish Academy of Engineering in 2019 argued that even if 30% of the electricity comes from highly efficient gas-fired stations 'data centre development is projected to add at least 1.5 MtCO to Ireland's carbon emissions by 2030'. That's a 15% increase on current electricity related emissions (Irish Academy of Engineering (2019) Electricity Sector Investment for Data Centres in Ireland. July 2019) Taking all the above into account, the amendments 13.1, 13.2 and 13.3 are consistent with National Policy Objective 54 Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions. 2. Alleviate the pressure on water services and electricity in South Dublin

In Chapter 10.2 Sustainable Management of Water of the EMRA Regional Spatial and Economic Strategy it states that Water supply for the wider Dublin area is at critical levels of demand and to facilitate further growth in line with NPF population growth projections, prioritisation of water supply investment should occur. In addition, Objective RPO 10.1 states that Local authorities shall include proposals in development plans to ensure the efficient and sustainable use and development of water resources and water services infrastructure in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements and a cleaner environment. (emphasis added) Data centres use an estimated 500 000 litres of water per day and are currently putting additional pressure on water infrastructure in the Dublin region. (<https://www.irishtimes.com/news/politics/data-centres-could-use-70-of-ireland-s-electricity-by-2030-committee-to-hear-1.4685589>). In June 2020 a Water Conservation Order was issued by Irish Water for several regions including the Greater Dublin Region. With the increasing risk of severe weather events due to climate change it is in the interest of proper planning to consider the impact of further data centres on water infrastructure in the region. The amendments comply with Regional Planning Objective 10.1 to 'manage and conserve water resources'. Since the beginning of

2020, Semo, the Single Electricity Market Operator, has issued 11 system alerts for Ireland to warn of capacity shortages on the electricity grid, compared with just 13 alerts over the previous ten years. (Two amber alerts issued by system operator since Saturday | Business Post) In 2021, it issued at least seven amber alerts, warning of a potential shortfall in power. Six of these alerts were due to a 'reduced margin' between the level of electricity generation and demand. Two amber alerts were issued in early April this year alone. According to Eirgrid; Over the last 4 years we have seen annual increases in demand usage of around 600 GWh from data centres alone - equivalent to the addition of 140,000 households to the power system each year. 3. The proliferation of Data Centres in South Dublin As per the Chief Executive's reply to Cllr Kieran Mahon's Question No. 9 at the May County Council Meeting, there were 34 data centres operating in the South Dublin County area in May 2021. At that time there were 66 operational data centres in the country. This means that as of May 2021 over 50% of all data centres were located in South Dublin. The Regional Spatial and Economic Strategy for EMRA RPO 8.25 states that local authorities shall 'Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.' (emphasis added). Due to the burden placed on infrastructure by the existing data centres it should be considered that no further data centres should be located in the county for the duration of the Development Plan on the basis of it no longer constituting an appropriate location. It is noted that the RSES for the EMRA contains a regional policy objective (RPO 8.25) which states 'Local authorities shall: ... •Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations. '. This is contradictory to the achievement of carbon emissions targets, as stated by the EPA, and it is proposed that the National Policy Objective 54 supersedes RPO 8.25. It is also noted that EDE7 Objective 2 and the new Eirgrid guidelines places additional requirements on space extensive developments and data centres. However, there are a number of proposals contained EDE7 Objective 2 that will not contribute to the meeting of carbon emissions targets. For example, the option of corporate purchasing power agreements doesn't mean that data centres are 'green' as they still get their primary energy from the grid which remains heavily reliant on oil coal and gas. Centres will also have back up generation which will usually be gas turbines. In conclusion, taking all the above information into consideration the amendments 13.1, 13.2 and 13.3, which would place a moratorium on data centres for the duration of the Development Plan, constitute an appropriate response to Climate Change and should be considered to be in the interest of proper planning and sustainable development in the county.

Response

The motion seeks to retain Amendments 13.1, 13.2 and 13.3, which would move Data Centre as a use type from the category 'Open for Consideration' in the Employment (EE), Regeneration (REGEN) and Major Retail Centre (MRC) zoning objectives in the Draft Plan to 'Not Permitted'.

It should be noted that for all other zoning objectives in the Draft Plan, Data Centres are a 'not permitted' use type. Should the Amendments be retained, as sought by the motion, data centres will be a use type not permitted in any zoning throughout the County.

The Draft Plan, for the first time has included Data Centres as a specific land use type. This means that data centres are now included in every zoning objective matrix giving very clear guidance on where they are permitted, open for consideration or not permitted. As outlined above, there is no zoning objective where data centres are permitted in principle in the Draft Plan. They are open for consideration only in employment zonings, that is in EE, REGEN and MRC zonings and are not permitted in every other zoning type.

Data Centres continue to be supported by national and regional policy. National Strategic Outcome 5 'Strong Economy Supported by Enterprise, Innovation and Skills' of the National Planning

Framework (NPF) aims to create places that can foster enterprise and innovation and attract investment and talent. Delivering this outcome will require the coordination of growth and place making with investment in world class infrastructure, including digital connectivity. NSO 5 sets out the importance of digital and data innovation and indicates a number of objectives to achieve this including:

'Promotion of Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities.'

The Office of the Planning Regulator (OPR) has stated in their submission at Proposed Material Amendments stage, that due to 'the absence of any strategic justification to support making data centres a 'not permitted' use across all zoning objectives, it is considered that the proposed changes to the zoning matrix are not consistent with RPO 8.25.

The EMRA RSES indicates that the increasing use of digital technologies is impacting on every aspect of our lives and due to a fast moving and evolving infrastructure, the region will need to be able to respond and adapt to future communications networks and technology along with changing work practices and emerging economic models. RPO 8.25 on Communications Networks and Digital Infrastructure states:

'Support the national objective to promote Ireland as a sustainable international destination for ICT infrastructures such as data centres and associated economic activities at appropriate locations.'

In a Dáil question on 4th November 2021 to the Minister for the Environment, Climate and Communications on how the carbon budget plan is compatible with the Government's support of continued data centre expansion, the Minister responded that the Department of Enterprise, Trade and Employment is committed to reviewing the 2018 'Government Statement on the Role of Data Centres in Ireland's Enterprise Strategy' to align with renewable energy targets, sectoral emissions and climate priorities. This was indicated as part of a suite of actions to ensure that Ireland is planning appropriately for new energy demand in the context of electrification and decarbonisation ambitions, while facilitating growth in digitalisation and the technology sector.

The Climate Action and Low Carbon Development (Amendment) Act provides, among other things, for a maximum amount of emissions to be permitted in different sectors of the economy during a carbon budget period, referred to as 'sectoral emissions ceilings'. All sectors of the economy will have sectoral emissions ceilings and the government has stated that emissions from Data Centres will be accounted for within the relevant sectoral emissions ceilings.

The Government has indicated that it is working with the relevant state agencies to ensure that there is a plan-led, regionally balanced approach to large developments such as data centres in future taking into account existing grid availability and the opportunity to co-locate significant renewable energy opportunities.

In recognising that data centres and other industries have particular needs which, if left uncontrolled, could have undue negative environmental impacts, EDE7 Objective 2 of the Draft Development Plan contains strong policy and criteria which must be addressed by space extensive enterprises such as Data Centres. This policy has been prepared in consultation with Codema, Dublin's energy agency, which aims to accelerate Dublin's low-carbon transition and states:

EDE7 Objective 2

To require that space extensive enterprises demonstrate the following:

The appropriateness of the site for the proposed use having regard to EDE7 Objective 1;
 Strong energy efficiency measures to reduce their carbon footprint in support of national targets towards a net zero carbon economy, including renewable energy generation;
 Maximise on site renewable energy generation to ensure as far as possible 100% powered by renewable energy, where on site demand cannot be met in this way, provide evidence of engagement with power purchase agreements in Ireland (PPA);
 Sufficient capacity within the relevant water, wastewater and electricity network to accommodate the use proposed;
 Measures to support the just transition to a circular economy;
 Measures to facilitate district heating or heat networks where excess heat is produced;
 A high-quality design approach to buildings which reduces the massing and visual impact;
 A comprehensive understanding of employment once operational;
 A comprehensive understanding of levels of traffic to and from the site at construction and operation stage;
 Provide evidence of sign up to the Climate Neutral Data Centre Pact.'

The Draft Plan, through EDE7 Objective 2 sets a hierarchy of approaches to energy which must be demonstrated by space extensive development such as data centres. This means that relevant development must in the first instance Maximise on site renewable energy generation to ensure as far as possible 100% powered by renewable energy. Where 100% is not possible they must show evidence of a power purchase agreement made in Ireland. This is a direct agreement with a renewable electricity developer in Ireland. The addition made to EDE7 Objective 2 as set out above accords with the recent Policy Statement of Security of Electricity Supply issued by the government in November 2021 and which requires large energy users proposing to connect to the electricity grid to take into account the potential impact on security of electricity supply and on the need to decarbonise the electricity grid.

Also, in November 2021 in conjunction with the above the Commission for the Regulation of Utilities issued a direction to the System Operators related to Data Centre grid connection. The direction provides criteria to EirGrid, ESB networks and other service providers on how to assess new applications for a connection to their respective transmission and distribution networks to ensure security of supply and combat constraint issues.

In respect of a potential moratorium EirGrid echo the CRU position and do not adopt a moratorium but look to adopt 'Connection Measures' based on the criteria set out by the CRU. EirGrid are open to considering connections from Data Centres and will make an assessment based on the criteria set out by the CRU. It is the understanding of the Council and confirmed by Codema, the Dublin Energy Agency, that there is no moratorium in place.

As well as this, under Action 99 of the Climate Action Plan 2021, a 'review of the policy context for Large Energy Users (including Data Centres) will take place, which will ensure alignment of enterprise policy and wider regulatory environment with electricity emission targets and security of supply'.

EirGrid operate and manage the electricity grid so they are best placed to assess whether a Data Centre or any other large electricity user should be granted a grid connection. EirGrid's primary objectives are to ensure the grid operates well and to "Lead the island's electricity sector on sustainability and decarbonisation". EirGrid have all the relevant information to make a well-informed decision on connections to ensure "a safe, secure and reliable supply of electricity on the island of Ireland" as stated in their Group Strategy.

This includes assessing any potential risks brought about by connecting large electricity users. EirGrid use a 2-stage engagement procedure before granting connections and the first of these occurs before the data centre applies for planning permission. As a result, EirGrid are best placed to decide on whether data centres should go ahead or not, from an electricity supply perspective.

In relation to water supply, all development must have a connection agreement with Irish Water, and it is a standard planning condition that development must comply with the water supply and waste water requirements of Irish Water. Irish Water is a prescribed body and as such planning applications are referred to them for comment as part of the planning assessment procedure.

The CE recognises that a rationale has been put forward in the motion which suggests that there are conflicting objectives in national policy. However, having regard to the above and to continued support for Data Centres within Government policy documents, an outright ban on their development within the county, which is effectively what the motion would do, runs contrary to government policy at this time.

Given the complex issues surrounding this type of development, it is considered that the approach taken in the Draft Plan and CE Report, which leaves Data Centre as an 'open for consideration' use, is the most reasonable and appropriate at this time, allowing for an assessment at planning application stage against the relevant objectives in the Plan. Such a categorisation also allows for assessment against the relevant government policy and any changes to that policy that may occur. Eirgrid will undertake their own independent assessment based on the criteria set out by the CRU.

Should the Members agree this motion, the Council may be in a position where the Development Plan contains an objective which does not accord with section 12 (11) of the Planning and Development Acts which state:

'In making the development plan under subsection (6) and (10), the members shall be restricted to considering the proper planning and sustainable development of the area to which the development plan relates, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or any Minister of the Government.'

CE Recommendation

Make the Plan without Amendments 13.1, 13.2 and 13.3 and revert to the Draft Plan where the use category 'Data Centre' is open for consideration in the zoning objectives EE, REGEN and MRC.

Minutes

Minutes are attached here: [July 2022 County Council Meeting Agenda | South Dublin County Council \(sdublincoco.ie\)](#).

A Roll Call Vote on the motion followed, the result of which was as follows:

FOR 21 (Twenty-One)

AGAINST: 10 (Ten)

ABSTAIN 2 (Two)

Roll Call Vote M16

The Motion was PASSED.