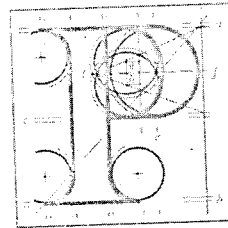


Our Case Number: ABP-318802-24
Planning Authority Reference Number:



An
Coimisiún
Pleanála

Anthony O'Reilly & Mary Molloy
8 Raheens
Carrigaline
Co. Cork

Date: 24 November 2025

Re: Proposed development of a resource recovery centre (including waste-to-energy facility)
in Ringaskiddy, County Cork.

Dear Sir / Madam,

An Coimisiún Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter. Please accept this letter as a receipt for the fee of €50 that you have paid.

The Commission will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Coimisiún Pleanála when they have been processed by the Commission.

More detailed information in relation to strategic infrastructure development can be viewed on the Commission's website: www.pleanala.ie.

If you have any queries in the meantime please contact the undersigned officer of the Commission. Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,

Kevin McGettigan

Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

PA04

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**An Coimisiun Pleanala
64 Marlborough Street
Dublin 1, D01 V902**

17th November 2025

Observation on Strategic Infrastructure Development (SID) Application
Case reference: PA04.318802
Proposed development of a resource recovery centre (including waste-to-energy facility) by Indaver NV t/a Indaver Ireland

Submission by: Anthony O'Reilly and Mary Molloy
Address: 8 Raheens, Carrigaline, Co. Cork

A Chara,

Introduction and General Considerations of the current application

The following letter represents a formal objection on the strategic infrastructure development application made by Indaver Ireland Ltd. to construct what is referred to as a 'waste to energy facility' in Ringaskiddy, Co. Cork, of which was originally submitted in 2016, and initially recommended to be refused by the Planning Inspector's Report dated 27th January 2017.

Owing to the fact that almost a decade has passed since the current application was submitted to An Bord Pleanála (now An Coimisiún Pleanála under planning legislation reforms in 2024), there has not only been notable procedural changes, both policy and legislatively wise, but also in terms of judicial scrutiny. Moreover, the landscape for planning and climate policy since 2016 has changed radically, and national, regional, and local priorities and mandates have evolved substantially.

To assess the same planning application, as lodged in 2016, with further iterations, addendums, and changes, relating to matters of a technically complex nature, creates

an exceptionally difficult circumstance for members of the public and communities to follow, not only those who were party to the original planning application in 2016, but also those who have become resident locally, taken up employment in the vicinity, or attend educational campuses in Ringaskiddy. This piecemeal approach to the strategic infrastructure development application is fundamentally incompatible with a fair, just planning system, and totally disregards the public's right to scrutinise proposals.

The documentation that accompanies this current iteration is outdated. It relies on data deriving from the 2016 application, and references documentation including an Environmental Impact Statement (which is no longer the correct terminology and has been superseded by the transposition of the Irish State of EIA Directive 2014/52/EU). Similar anomalies arise throughout the submitted environmental documentation, including discrepancies in data relating to planning policy, for instance, incorrect usage of department names (for example on Page 2.25 of Chapter 2 of the EIS which references the 'Department of Housing Planning and Local Government' which has not been the correct department name since 2020 (when it was renamed to the Department of Housing, Local Government and Heritage'. Collectively, these issues indicate that the convoluted manner by which the current documentation is presented, fails to provide an accurate, understandable reflection of what the current application entails. This in turn creates ambiguity and confusion for the public to understand how to make informed judgements.

Consideration of Alternatives and Inadequacy of Conformance to the EIA Directive

Article IV of the EIA Directive 2014/52/EU states that the information provided in an Environmental Impact Assessment Report (EIAR) (in this instance the outdated term EIS is used by the applicant) should include a description of the reasonable alternatives studied by the developer which are relevant to the project and its specific characteristics and an indication of the main reasons for the option chosen, taking into account the environmental effects.

Chapter 3 of the EIS sets out the developer's consideration of alternatives. Therein, the application references a site selection study undertaken in 1999-2000, with Indaver purchasing the current application site in 2000. The application site references how the proposed development is located in proximity to a cluster of pharmaceutical companies that produce both hazardous and non-hazardous industrial waste streams which the proposed site would treat. However, this assertion has been made to further the case for

not comprehensively considering alternatives, and is not backed up by any data or evidence that quantifies the treatment needed in this location, and also fails to recognise the already established waste incineration being undertaken in many of the cited industries, for example Sterling (Novartis previously) who have permissions to treat both hazardous and non-hazardous waste through incineration on site (under EPA licensing), as well as GlaxoSmithKline, and Pfizer to name a few.

It is evident under the EIA Directive, that the environmental impact assessment must include a thorough consideration of reasonable alternatives to a proposed project, including different locations, technologies, and designs. The purpose of this requirement is to ensure that the option with the least environmental impact is chosen and that decision-makers and the public are fully informed of potential choices. The alternatives assessment presented in this environmental assessment are fundamentally flawed owing to the fact that the site was purchased by the applicant in 2000, and by virtue of the absence of a robust consideration of alternative sites either in the applicant's ownership, or otherwise, demonstrating an inherent bias towards the site already owned, rather than objectively considering what is best for the environment and society as a whole.

The alternatives assessment is compromised by virtue of the applicant's acquisition of the site, and fails to independently give a reasonable consideration of the alternative sites or treatment technologies considered, suggesting that little consideration has been made of any other such alternative since the site was acquired by the applicant in 2000, over 25 years ago. This is particularly worrying, and further amplified by virtue of the language used in the EIS which to a certain extent, fails to give detailed information for evaluation purposes, is driven by biased rhetoric with beliefs of the applicant Indaver, rather than evidence-based information.

This approach contravenes the spirit of the EIA Directive which requires an independent and objective assessment of alternatives, not one that has been predetermined by prior commercial interests. By failing to adequately evaluate feasible alternatives, the application undermines the integrity of the EIA process and has contributed to the reduction of the public's ability to participate in this application process. This is notable, (and even more so applicable having regard to the extensive changes in development terms in Ringaskiddy) in the Senior Planning Inspector's report on application reference no. 04.PA0045 which states as a reason for refusal (refusal reason no. 2) that:

*“The overall appraisal and identification of alternative sites was **seriously deficient** and did not give **sufficient consideration and weighting** to recent development in the Ringaskiddy peninsula area which include major public and private investment initiatives, and which have transformed the character of the area in the intervening period since 2000.”*

In this regard, it is contended that the planning application should be refused due to the failure of the environmental impact assessment to provide a comprehensive assessment of the potential environmental impacts of the proposed development, in particular, but not limited to, an absence of sufficient and reasonable alternatives, to allow for an informed judgement of the potential impacts of the project, and to meet statutory requirements set under the EIA Directive and as transposed into Irish legislation.

Zoning Considerations

In terms of the current relevant local planning policy, the Cork County Development Plan 2022-2028, the site is zoned ‘RY-I-09’ Industry and ‘RY-I-15’

RY-I-15: “Suitable for large standalone industry with suitable provision for appropriate landscaping and protection of the access points and provision for open space buffer to the Martello Tower and its associated pedestrian accesses. Any development proposals will need to protect the special function and integrity of the setting of the Martello Tower and maintain the existing line of sight from the Martello Tower to the other four fortifications in the Harbour (Fort Camden Meagher, Carlisle Davis, Westmorland and the Martello Tower on Haulbowline Island).”

RY-I-09: “Suitable for the extension of the Third Level Educational campus and enterprise related development including marine related education, enterprise, research and development. Consideration will also be given to established operators in Ringaskiddy for the provision of ancillary office accommodation and for Research and Development facilities. This site is considered inappropriate for any short or full time residential accommodation. Any existing access to the nearby Martello tower which crosses this site should be protected and provision for an open space buffer to any existing access will need to be provided. Areas within this zone may be used by Special Conservation Interest bird species for which the Cork Harbour SPA is designated. Account will be taken of this when considering new development proposals in this area.”*

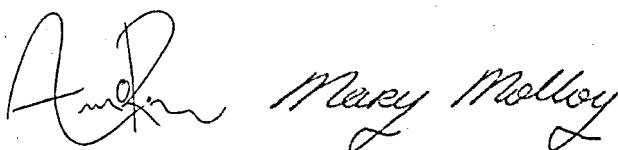
The Planning Report that accompanies this current iteration of the proposal suggests that the site is 'predominantly zoned RY-I-15 and part zoned RY-I-09'. This is incorrect, with the substantive development lying within lands zoned for third level educational campus and enterprise related development appropriate to RY-I-09. Furthermore, the submitted environmental reporting does not give due consideration to the site specific zoning, and moreover relies on a generic zoning objective relating to industrial lands as a whole (more specifically ZU 18-16 of the Cork County Development Plan 2022). Site specific zoning RY-I-09 seeks to extend third level educational campus and enterprise related development, specifically relating to marine-related education, innovation, research, and development activities, with a key opportunity linked to the National Maritime College of Ireland (NMCI) and the MaREI Research Campus, which represent nationally important education and research assets that has been recognised and supported by virtue of the site's zoning.

The proposal to locate an incinerator on lands that have been earmarked for pivotal marine-related education, innovation, research and development, is short-sighted and is not compatible with neither the neighbouring developments including the Maritime College, and Beaufort campuses, nor does it appropriately conform to the zoning ambitions for the site, the public investment in the harbour, in particular on Haulbowline and Spike Island, as well as through the public realm upgrades within Ringaskiddy village. It is for this reason that An Comisiún Pleanála is implored to refuse the planning application by virtue of its contravention to the Cork County Development Plan 2022.

Accordingly, this planning application should be refused on the basis that the site is inherently unsuitable, by virtue of the applicant's failure to undertake comprehensive environmental assessment and given that the proposal contravenes the Cork County Development Plan 2022.

Kind regards,

Anthony O'Reilly and Mary Molloy

Handwritten signatures of Anthony O'Reilly and Mary Molloy. The signature of Anthony O'Reilly is on the left, and the signature of Mary Molloy is on the right.