

# Submission on behalf of Cork Harbour for a Safe Environment (CHASE)

Re: Proposed Ringaskiddy Resource Recovery Centre, Cork

(Applicant: Indaver (NV))

An Coimisiún Pleanála Reference 318802-24



Image taken in May 2025  
This graphic is for diagrammatic purposes only. No measurement to be taken.

Ringaskiddy Resource Recovery Centre <b>INDAVER</b> ARUP		Figure Title: <b>Site in Context (Aerial) Looking West</b>	Figure No. <b>4.4</b>
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Project No. 307174-00 | Scale NTS | Date August 2025

Figure 1: Aerial Image of Proposed Development Site (Source: Indaver Planning Statement 2025)

November 2025.

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## 1. Introduction

This planning report has been prepared by Tricia O’Sullivan, BA(Hons), MPlan, MIPI, a qualified planner and member of the Irish Planning Institute, on behalf of CHASE in response to the re-opening of the application file and reactivation of the application submitted in 2016 (ref: PA04.PA0045), which was granted conditional permission. However, that decision was the subject of a High Court challenge and subsequently quashed.

The application has now been reactivated under An Bord Pleanála ref: ABP-318802-24 (now An Coimisiún Pleanála (ACP))

CHASE (Cork Harbour for a Safe Environment), address: c/o NLCC Solicitors, North Main Street, Cork, have been invited to make a submission on the reactivated proposed development.

This document therefore includes a commentary on the proposed development and the most recent documents submitted by Indaver to An Coimisiún Pleanála, who have

Throughout this document reference is made to the historical matters dealt with by An Bord Pleanála (ABP) and matters dealt with by its successor An Coimisiún Pleanála (hereinafter referred to as the Commission or ACP).

CHASE have made submissions in respect of the proposed development at each stage of the planning process since 2003.

The applicant variously refers to the proposed development as a Resource Recovery Centre, A Waste to Energy Facility and a Waste Incinerator. For simplicity, within this document, the author has generally referred to ‘incinerator’ which while representing a portion of the proposed development, this has been the term previously used by the Inspector and the various submissions to refer to the proposals on site.

## 2. Proposed Development

Indaver (NV), hereinafter referred to as “Indaver”, seeks to develop the “Ringaskiddy Resource Recovery Centre”, comprising a Waste to Energy Facility, comprising of a waste incinerator with energy recovery and associated works, on lands located in the townland of Ringaskiddy, Co. Cork.

The application is made under Section 37E of the Planning and development Act 2000, as amended. Section 37E refers to Strategic Infrastructure proposals.

An updated Planning Report, EIS and NIS accompany the planning application documentation and drawings.

The site is located to the east of Ringaskiddy Village, accessed from the l2545 between the Hammond Lane Metal Recycling facility and the shoreline at Gobby Beach, on the south side of the road where it turns towards the Naval Base at Haulbowline, a recently developed public park on former industrial lands, the crematorium and lands zoned for third level education.

### 3. Planning History

#### **ABP ref: PL04.131196 Refused.**

Inspector recommended 14 reasons based on: (not verbatim):

1. Inadequacy of the EIS
2. Prematurity and excessive scale over that envisaged in the National Hazardous Waste Management Plan would tend to inhibit achievement of the Prevention Programme as provided in the Plan. Therefore the proposed incinerator would be contrary to national policy in relation to hazardous waste management and disposal.
3. The development of an incinerator facility for the treatment of non-hazardous industrial waste is contrary to the provisions of the Cork Waste Management Plan.
4. Cork Waste Management Plan 1999 makes no provision for therm treatment to deal with this type of waste.
5. Nature and location of the proposed incinerator would contravene materially the zoning development of the site as indicted in the 2003 Cork County Development Plan, Objective ZZON 2-13, which envisages the use of the site primarily for the development of industry/enterprise, but not including the development of 'contract incineration', in that the proposed development constitutes contract incineration.
6. Limited employment content would materially contravene Development Plan objective I-15, which specifies the lands as suitable for large stand-alone industry.
7. Nature and purpose of the development in a location adjacent to Cork harbour and port-related activities in Ringaskiddy would represent a material contravention in respect of Objective I-22. **The proposed development is not port related** and hence is an inappropriate use that would be inconsistent with the Council's policy of promoting **Ringaskiddy as the appropriate location for the future development and expansion of the Port of Cork and uses that are complementary to that purpose.**
8. The proposed development by reason of bulk, scale, height, design and location, would be visually obtrusive and seriously injurious to the visual amenities of the area, including impact on scenic routes.
9. Site is fundamentally unsuitable to accommodate the proposed development, having regard to the scale , nature and purpose of the proposed development by reason of the site's topography, climatic conditions, geological and hydrogeological characteristics, and the rise of erosion and flood of parts of the site.
10. Proximity to high density housing at Ringaskiddy would result in serious impacts on residential amenity from noise and disturbance during both construction and operation.
11. The site location on the south coast of the State at the end of the Ringaskiddy peninsula , with a single road access and no rail access, in the context of the sale of the development which will source waste from the entire State, would result in excessive movement of vehicular traffic through urban areas and give rise to conditions that would be prejudicial to public safety and amenity.
12. The existing road infrastructure in the vicinity of the site and along the N29 route at Carr's Hill, and the Shannonpark and Shanbally roundabouts and the local LP2545 road within Ringaskiddy is the subject of serious traffic congestion and inadequate to accommodate

the extra volume of traffic and traffic movements that would be generated by the proposed development, both during and operational phases, particularly the significant HGV content. The proposed development would endanger public safety by reason of a serious traffic hazard and obstruction of road uses.

13. The proposed development would be premature by reference to the existing deficiencies in the road network serving the area, which is not likely to be rectified within a reasonable period.
14. The Board is not satisfied, on the basis of evidence submitted, including at the oral hearing, that the proposed development would not pose significant risks to public safety in the event of major accident hazard, particularly in view of the proximity of the site to the National Maritime College and to nearby Seveso II establishments and, having regard to the inadequacy of emergency infrastructure in the area and to the location of the site at the end of the peninsula, with limited road access.

The grounds for the above refusal reasons remain largely unchanged, apart from the development of the M28 motorway to address the volume traffic between Cork City, Carrigaline and Ringaskiddy, which has increased in the interim.

#### **ABP ref: 04.PA0010**

The Inspector noted the proposals provided **for two separate incinerators under one roof – one for hazardous waste and non-hazardous industrial waste**, the other a grate incinerator to process municipal solid waste. Included in the proposals was an independent waste transfer station within the larger site area but not directly required for the operation of the main incineration facility.

While legally adequate, the Inspector determined that it was deficient in content and impact analysis, with information on the receiving environment seriously deficient.

The Inspector noted a large proportion of the national hazardous waste is generated in Munster, especially in Cork by the pharmaceutical industry, However s significant portion of this hazardous waste is solvent based, for which the most appropriate form of treatment is solvent recovery or use as a fuel substitute. There is a change in processes associated with the pharmaceutical industry towards bio-based processes, which generate significantly less hazardous waste than the traditional pharmaceutical industry and a number of the existing large producers of hazardous waste have installed on-site incinerators or solvent recovery facilities or on-site incinerators (which are preferable to general incinerators as they are specific to hazardous waste). The peak levels of export of hazardous waste for incinerator originating in Cork has declined since the peak of 2004.

The Inspector also noted that the amount of hazardous waste originating in Cork in 2007 for export for incineration abroad is no more than 7,00-10,500 tpa and questioned the need for the location of a hazardous waste incinerator with a 50,000tpa capacity.<sup>1</sup> The site constraints also raise a question regarding its suitability for an integrated national hazardous waste facility and

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<sup>1</sup> As has CHASE since 2003

the oral hearing heard from the applicant of a n agreement with a landfill in Leinster for ash disposal. It was also noted that the proposed development of the potential of the Ringaskiddy Incinerator could prejudice achievement of the option of a centrally located national facility for integrated hazardous waste facility to include solvent recover, co-incineration and hazardous waste landfill. The inspector also noted a move away from 'mass burn incineration' in Irish Waste Management Policy, which remains the case.

The current development proposal was initially assessed under the provision of the 2014 Cork County Development Plan. This plan has since been superseded, with the current Cork County Development Plan 2022-28 now being the relevant Development Plan for the Ringaskiddy area, and, apart from other plans and documents, the Development Plan under which the proposed development is assessed.

## 4. Planning Policy - Cork County Development Plan 2022-28

The assessment of the proposed development is now subject to the provisions of the Cork County Development Plan 2022-28, and any other relevant plan, Guidelines, Standards or other document that has been superseded in the interim between the previous assessment and the proposal currently under consideration. The **Planning and Development Act 2024**, states that decisions must be made with due regard to the most current planning policy. Specifically, **Section 86** of the Act unequivocally mandates that both the planning authority and An Coimisiún Pleanála shall have regard to '*the provisions of the development plan and any local area plan for the area at the time of the decision*'.

This legislative provision confirms that planning applications are to be assessed against the development plan in force at the point of decision-making, rather than at the time of initial lodgement, ensuring that current planning objectives and policies, such as those within the 2022–2028 Cork County Development Plan, are fully applied."<sup>2</sup>

The current zoning and objectives must be respected, including the specific objectives for the Indaver site (RY-I-09 and RY-I-15), neither of which supports the proposed development, particularly the eastern side of the Indaver site in the area adjacent to the shoreline, where the incinerator building is proposed. This is discussed further below.

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<sup>2</sup> [www.irishstatutebook.ie](http://www.irishstatutebook.ie)

## Site Zoning – Indaver application site

As outlined above, while the overall Indaver site lies within an area zoned as “Industry”, the specific portion of those lands to the east of the Indaver land parcel was zoned as RY-I-09 in the Cork County Development Plan 2022-2028. See image below (Figure 2):

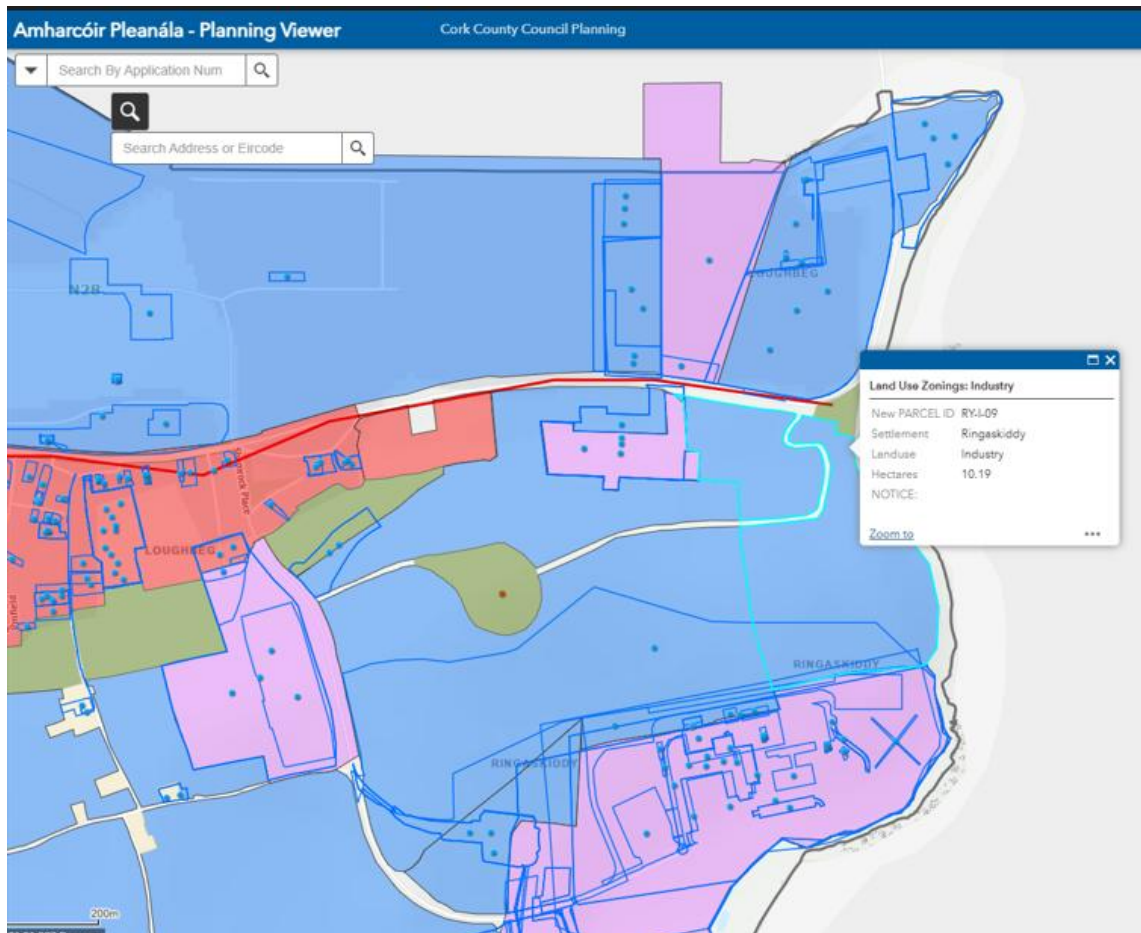


Figure 2: Current zoning applicable to applicant site (Source: Cork Council Development Plan 2022-28)

Therefore, the location of the site proposed for the Incinerator (to the east of the Hammond Lane facility and the Martello Tower and adjacent to Gobby Beach) while within an area to the east of Ringaskiddy which is generally zoned for Industrial use, is currently subject to a site specific designation : Parcel ID ref: RY-I-09 (10.19 hectares).

The objectives of this site-specific zoning designation (RY-I-09) are:

- *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 image below is a copy of Figure 1.3, EIS Volume 3, hand-annotated by the author to roughly indicate the two zoning designations of the overall site, demonstrating the proposed Waste to Energy Facility lies within the RY-I-09 area, with the remainder of the site within RY-I-15 where the Land Use Zoning is for Industry, with the objective noted as:

*“Suitable for large stand-alone 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).”*



Figure 3 : Proposed site layout hand annotated by author to roughly indicate the two separate site zoning designations (Source of original :EIS Volume 3)

There is therefore no objective for an Industrial waste management facility or Incinerator included in the Zoning Designation of the applicant site in the 2022 Cork County Development Plan, in spite of the site first being proposed for such a development in 2003. In addition, the quantum of personnel to be employed at the site is unlikely to concur with the ‘Strategic Employment Area’ objectives.

Therefore, the current zoning and objectives (i.e. RY-I-09 and RY-I-15) must be respected, including the specific objective for the eastern side of the Indaver site in the area adjacent to the shoreline, where the incinerator is proposed.

## Site Location and Context

Located 16k southeast of Cork City on the western side of the inner Cork Harbour, Ringaskiddy is the main location of modern deep water port facilities, together with a national Naval Base and marine training institution, and a number of large-scale high technology manufacturing plants, including pharmaceuticals., and third level educational facilities. Bounding the site to the west is the established mixed-use site enclosing the Hammond Lane Scrap Metal business.

The Indaver site immediately adjoins the Cork Harbour Special Protection Area ref: 004030 and the Monkstown Creek proposed Natural Heritage Area ref: 001979. A Gas Networks Ireland gas transmission pipeline is located to the north of the Indaver site. The site is adjacent to the continuously eroding and vulnerable Gobby Beach to the east. It should also be noted that the access road to the proposed development is designated as a Scenic Route S54 between Passage West and Ringaskiddy. This route passes along the front of the site, terminating at Gobby Beach car park and the access point to the public path to the Martello Tower and surrounding amenity area. (Cork County Council Record of Protected Structures ID 75)

A similar mixed zone designated area is located directly across the main 'Haulbowline' road, L2545, is the CIT Educational Facility, National Maritime College of Ireland and the UCC Beaufort Building, with a 10 year permission for temporary use of lands for open storage of port related cargo, no permanent buildings on site, permitted under application ref 224356, an extension of a similar use for 5 years permitted under Planning ref 18/4712.

This site has been also identified as being suitable for third level educational campus and enterprise related development in the longer term. The application noted that the storage use based on existing import/export schedules would include a total of 240 truck movements relating to the importation of cargo and a total of 72 truck movements relation to the exportation of cargo during the operational phase of the site which would equate to less than 4 days per month where cargo would be transported to and from the open storage site on a monthly basis, similar to the existing use on site since 2018. The 'oversize' cargo was stated to larger over-sized item such as the importation of wind turbines and export of crane parts.

The site was zoned in the 2022 Development Plan as parcel RY-I-19, and designated as *suitable for the extension of the adjacent educational campus and enterprise related development with consideration given to established operators in Ringaskiddy for the provision of ancillary office accommodation and for Research and Development facilities*. The temporary nature of the application envisaged reinstatement of the site, which would have no permanent structures during the temporary use, following the completion of the Port of Cork's own facilities and appropriate alternative storage areas.

The Cork County Development Plan sets out a vision for Ringaskiddy as one of the key employment locations in Cork County. Ringaskiddy is designated as a 'Strategic Employment Location' within the County Metropolitan Cork Strategic Planning Area. The Development Plan state that Ringaskiddy

*"... has developed into one of the most significant employment areas of the county". (1.7.1), supported by the development of the N28 motorway, with the N28 current road*

*network being decommissioned to allow for enhanced connectivity through sustainable and active transport between the two villages and surrounding areas and amenities in the area such as the recently developed Haulbowline Island Park. (1.7.8)*

The main objective and stated aim for Ringaskiddy is

*“... to promote the development of Ringaskiddy as a Strategic Employment Location suitable for large scale industrial developments which is compatible with relevant environment, nature and landscape protection policies as they apply around Cork Harbour, protected from inappropriate development which may undermine Ringaskiddy suitability as a Strategic Employment Centre. (Chapter 8 Economy and Employment)*

Paragraph 1.7.5 identifies the following issues:

*“Securing enhanced public transport infrastructure, possibly by the provision of a high-quality green route, improved traffic management and **environmental protection for the existing residential community in the area.**”<sup>3</sup>*

Section 1.7.8: states

*“While the predominant use in the area is industrial/employment, the settlement consists of two small villages, Shanbally and Ringaskiddy, with additional residential development within the existing built-up areas outside of the villages’ boundaries”.*

While no large-scale housing developments are proposed, the Development Plan states that *“...it is deemed appropriate that residential development could take pace within the town centre zonings ...with funding provided as part of the Strategic Infrastructure Development of the Port of Cork being invested in the public realm of Ringaskiddy village.”*

Section 1.7.9 notes that town centre sites have been identified at both Shanbally and Ringaskiddy villages, which represent the existing town centre/village core. The Development Plan continues: *“The remaining two sites RY-T-03 and RY-T-04 have been identified for town centre expansion with the provision of community facilities. It is an objective of this plan to protect and enhance the amenity value afforded to these existing communities.”*

The population of Ringaskiddy in 2016 was 580 and Shanbally stood at 349 and the Development Plan includes a target of an additional 45 housing units to be developed to 2028. The Development Plan aims to maintain the current population of the settlement and envisages opportunities for small scale infill development in the area, including both Ringaskiddy and Shanbally Villages to alleviate the housing pressures in Carrigaline and support sustainable development in the Ringaskiddy employment area whilst also ensuring that the amenity and quality of life experienced by the residents will not be compromised by development of Ringaskiddy as a strategic employment location.

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<sup>3</sup> Our emphasis

The Development Plan also notes:

*“The land which was zoned for residential development in previous plans has now been included within the overall town centre zonings of Ringaskiddy and Shanbally villages. The scale and form of development will be very much dependant on retaining the character of the villages. While there may be opportunities for terraced and infill development in the village core areas, most development will be in the form of clusters of dwellings of varying sizes and types. As well as this student, staff and short-term visitor accommodation associated with existing and future educational facilities located in the area will be deemed appropriate within the town centre zoning of Ringaskiddy village. The Council seek to support existing pockets or nuclei of residences in order to bring cohesion and connections between them. Access to lands to the east of the soccer pitches and south of the village of Shanbally zoned as Existing Residential/ Mixed Residential and Other Uses will need to be given careful consideration to protect the residential amenities of existing properties.”*

Para 1.7.22 states:

*“While it is the Councils intention to develop Ringaskiddy as a Strategic Employment Location within Metropolitan Cork, **there is a need to protect the amenity afforded to the existing communities of Ringaskiddy village and Shanbally.** Balancing these two requirements is a challenge which will require much consideration. While Cork County Council will continue to promote the employment role of Ringaskiddy **greater recognition will be given to the needs of the established resident community.**”<sup>4</sup>*

Para. 1.7.23:

*“There is a need to promote and support the educational facilities available in Ringaskiddy by UCC. These facilities that exist need increased provision for student accommodation and amenities. As UCC further develops its research and teaching facilities at Ringaskiddy, there will be an increased demand for accommodation for students, researchers, and short-term visitors. Accommodation in Ringaskiddy is limited with the only available student accommodation being linked to the NMCI. Lack of suitable short-term accommodation in the Ringaskiddy area will restrict UCC’s ability to attract post graduate researchers and visiting collaborative researchers/lecturers. Any student, staff and short-term visitor accommodation should be catered for within the town centre of Ringaskiddy at an appropriate scale.”*

Para. 1.7.30:

*Paddy’s Point Park, Cork Harbour’s newest amenity for harbour users is now open. This new marine leisure facility is free for the public to use and includes a pontoon to launch leisure craft and a secure trailer park along with picnic benches in a landscaped area for all to enjoy. Haulbowline Island Amenity Park is now open and enhance the community amenities within Ringaskiddy. The new park includes 4km of walkways along the side of the harbour, a 1km jogging circuit, and numerous seating areas. The park has also been extensively landscaped. There are more than 200 trees in the park, as well as wildflower areas to promote biodiversity and wildlife*

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<sup>4</sup> Bold is our emphasis

habitation. There is a need to provide certainty in terms of what needs to be considered with regard to economic and (or) operational impact upon current activity and future opportunity for expansion of port and harbour activities: planning applications proximate to Port of Cork must demonstrate consideration of the National Ports Policy and the SOP.

Para. 1.7.33:

In addition to the pharma industry, a €52 million state of the art National Maritime College of Ireland (NMCI) opened its doors to students in October 2004. Located near the bridge to Haulbowline Island on a Naval Service site, the college is one of the most sophisticated centres of its kind in the world. National Maritime College offers naval training/education using Navy staff and Merchant Navy training using staff from the Munster Technological University.

Para. 1.7.34:

Work has recently been completed of the national Beaufort Laboratory adjacent to the NMCI and this will be extended into a maritime energy, science campus. Additional suitable lands have been identified to allow for the possible expansion of these marine educational related facilities. There is a need to promote Ringaskiddy as an Energy Hub and recognise the role that the Cork harbour region currently plays in facilitating Ireland's existing and future energy demands. (Future energy streams will require new port facilities in deepwater which will be outlined in Port of Cork 2020 - 2050 Strategic Plan.

Para 1.7.37:

Ringaskiddy provides **the only road access to the Irish Naval Service base at Haulbowline Island.** ....<sup>5</sup>The continued Naval presence, the planned remediation work and the proposals for the future development of the area will provide significant employment opportunities, particularly in the tourism/amenity areas while providing new amenities for both local people and the wider region.

The Development plan also states (1.7.44) that

*"...Given the location of Ringaskiddy along the shoreline of Cork **Harbour it is important that public access to the water is available and existing facilities are protected and improved to facilitate residents, visitors and local boat and leisure craft owners while taking account of and protecting natural and other heritages resources of the harbour.**"* The other resources include historic structure such as the Martello Tower and Tobar Lic, both of which are of both historic and cultural significance to the area."

In terms of community facilities, the established residential areas of Shanbally and Ringaskiddy village make up the core of the settlement. Aside from the normal facilities, such as pre-school and primary school, and local shops and community facilities, there are two sports clubs (GAA and Soccer) at Shanbally and the Prizer Ireland sports facilities nearby. More recently, the development of Haulbowline Island Park has provided walking and jogging circuits, with seating

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<sup>5</sup> Bold is our emphasis

areas overlooking the harbour which the development plan notes “...serves as a very valuable asset to the community of Ringaskiddy and surrounding Areas”.

While it is acknowledged that the piecemeal development of Ringaskiddy over the past 25 years was based around industrial and pharmaceutical business, some of which have closed or relocated, it is evident from the above that the current statutory Development Plan 2022-2028, and supporting documents and strategies, aims to develop Ringaskiddy as the base within the Cork Harbour for the development of Port of Cork related activities while maintaining and developing an appropriate residential area in the village and environs of Ringaskiddy and the development of leisure, tourism and heritage related uses. The focus is on a move away from the historical polluting and less environmentally friendly uses towards a more environmentally appropriate development, together with a strong emphasis on the development of educational facilities such as the National Maritime College of Ireland, UCC’s Beaufort College.

While some industrial and strategic employment developments are open for consideration, there is no provision, objective or policy which supports the development of a large scale stand-alone commercial incinerator, in Ringaskiddy or the surrounding area.

## Cork County Development Plan 2022-28 – Chapter 8 Economic Development

This chapter includes provision for the development of the area in accordance with the vision for County Cork as an attractive, competitive and sustainable place to live and do business. The quality of the economy, natural and built environments, culture and the strength and viability of its communities are expected to be designed and maintained to the highest standards.

Objective 8-3 Strategic Employment locations aims to: “*promote the development of Strategic Employment Locations suitable for large scale industrial developments at Carrigtwohill, Little Island, Ringaskiddy and Whitegate where any such development must be sensitively designed and planned to provide for the protection of any designated sites. Any development must be compatible with relevant environment, nature and landscape protection policies as they apply around Cork Harbour and the protection of residential amenity.*”

Objective ZU 18-16 relates to Industrial Areas and states it is an objective to “*Promote the development of industrial areas as the primary location for uses that include heavy industry, manufacturing, repairs, medium to large scale warehousing and distribution, biomedical, pharmaceutical, bioenergy plants, open storage, waste materials treatment, port related facilities and port related activities and recovers and transport operating centres. The development of inappropriate uses, such as office based industry and retailing will not normally be encouraged. Subject to local considerations, civic amenity sites and waste transfer stations may be suitable on industrial sites with warehousing and/or distribution uses.*”

We note that submissions to the proposed development included from the Department of Defence, which commented “Given the proximity to Haulbowline Naval Base, operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 30 days before use...” Condition No. 12 of the Grant of Permission included provision for such co-ordination. “No later

*than 30 days before use of cranes, the developer/applicant shall contact and coordinate the operation of cranes with Air Corps Air Traffic Services. Reason: In the interest of orderly development.”*

## Other Planning Documents:

### Policy – Draft National Planning Framework – First Revision (April 2025)

Sees Key future growth enablers for Dublin, Galway including:

*“Improving sustainability in terms of energy, waste management and resource efficiency and water, to include district heating and water conservation, water reuse and Sustainable Drainage Systems (SuDS) and the circular economy.”*

Referring to cork City and Metropolitan Area, the document notes that an ambitious vision for Cork is required *...“...at the heart of which must be an internationally competitive, sustainable urban environment. In the future, Cork needs to accommodate a greater proportion of the growth it generates within its metropolitan boundaries, while offering improved housing choice, transport mobility and quality of life. This means providing a range of critical enabling infrastructure to deliver large-scale urban growth - housing, transport, amenities and energy systems in a best practice European context.”*

The National Planning Framework, First Revision, page 125, states:

*The planning process provides an established means through which to implement and integrate climate change objectives, including mitigation and adaptation, at local level. Planning legislation also requires different levels of the planning process to address climate change.*

The NPF includes policy measures that support national high-level climate policy, consistent with:

- the national statutory objective for climate neutrality not later than 2050,
- the implementation of latest adopted Climate Action Plan,
- complying with the adopted Carbon Budgets and Sectoral Emissions Ceilings,
- the National Energy Security Framework, by supporting accelerated renewable energy development, and
- the implementation of Ireland’s ‘Long-term Strategy on Greenhouse Gas Emissions Reductions’.

Pg 127:

*Land Use Review. The Programme for Government is committed to a Land Use Review to ensure that optimal land use options inform all relevant Government decisions. The Land Use Review seeks to optimise land use to achieve environmental objectives in relation to climate, air,*

*biodiversity and water while also supporting the achievement of socio-economic objectives in rural and urban areas.*

*Phase 1 of the Land Use Review provides an evidence base to determine the environmental, ecological and economic characteristics of land types across Ireland. Phase 2 of the Land Use Review commenced on 26 October 2023 and seeks to identify the key demands on land (both public and private) to inform policies for land use across key Government objectives, improving socioeconomic, climate, biodiversity, water, and air quality outcomes. Circular Economy Ireland is advancing its development as a circular economy and bio economy where the value of all products, materials and resources is maintained for as long as possible and waste is significantly reduced or even eliminated. Further developing the circular economy will require greater efficiency with raw materials, energy, water, space and food by reusing natural resources wherever possible and where smartly-designed products based on alternative plastic feedstock and recyclable materials will form the basis of smart material cycles, in order to create less waste and reduce resource consumption. Buildings themselves form part of the circular economy, and measures which reduce embodied carbon and promote re-use and refurbishment, over demolition or dereliction will reduce waste as well as retaining density and protecting heritage. The European Commission adopted a new circular economy action plan (CEAP) in March 2020. A focus of the circular economy approach is on reducing material resource consumption, the prevention and designing out of waste and to effect behavioural change at an individual, household, and business level; and seeks to find measures to improve the simplification of the end-of-waste process to encourage meaningful reuse.*

*The Circular Economy and Miscellaneous Provisions Act 2022 provides a statutory framework for moving from a focus on managing waste, to a much greater focus on adapting patterns of production and consumption; preventing waste generation; and extending the productive life of all goods and products.*

*The National Circular Economy Strategy published in 2022 sets a course for Ireland to transition across all sectors toward circularity. Bio-based material, such as wood, crops or fibres, can be used for a wide range of products and energy uses. Apart from providing an alternative to fossil-based products, bio-based materials are also renewable, biodegradable and compostable. At the same time, using biological resources requires attention to their lifecycle, environmental impacts and sustainable sourcing.*

*Pg 128: “The Environmental Protection Agency leads the Circular Economy Programme, a Government of Ireland initiative, and a statutory programme under the Circular Economy Act, 2022. The Programme’s vision is an Ireland where the Circular Economy ensures that everyone uses less resources and prevents waste to achieve sustainable economic growth. The Programme delivers activities to implement, regulate and measure the circular economy.”*

*Pg 136: Managing Waste: Managing Waste Ireland has actively improved its waste management systems, but we remain heavily reliant on export markets for the treatment of residual, recyclable and hazardous waste. A population increase of around one million people, alongside economic growth to 2040, will increase pressure on waste management capacity, as consumption is still a*

*key driver of waste generation. While the ultimate aim is to decouple, as much as possible, consumption from waste generation over time, additional investment in waste management infrastructure, and in particular different types of waste treatment, will be required. In managing our waste needs, the NPF supports circular economy principles that minimise waste going to landfill and maximise waste as a resource. This means that prevention, preparation for reuse, recycling and recovery are prioritised in that order, over the disposal of waste<sup>67</sup>. Soil contamination and degradation and water pollution can occur as a result of unauthorised waste-related activities, historical activities, leakages and accidental spillages of chemicals. Proposals to develop areas with potential or known histories of unauthorised waste related activities should include measures for remediation of these lands and associated waterbodies, and addressing these issues can be a lengthy and costly process.”*

National Policy Objective 76 aims to: *Sustainably manage waste generation including construction and demolition waste, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.*

Pg 146: air Quality

*Ireland benefits from prevailing weather patterns which typically bring relatively clean south westerly Atlantic air over the country. Under certain conditions, typical weather patterns can be disrupted, and pollutant emissions build up in the air. These conditions can occur at any time of the year, but the impact on air quality can be particularly severe during winter, when the combination of cold, still weather, and increased emissions associated with a higher heating demand, particularly from solid fuels, can lead to high concentrations of pollutants with a consequent increased risk to human health. Pollutants can be produced depending on how we travel, consume goods and heat our homes. In our largest urban areas, air pollution levels can be higher, primarily as a result of exhaust emissions from vehicles and from residential heating emissions. In some rural areas, particularly where there is no access to the gas grid, air quality can be poor during the winter due to a reliance on solid fuels such as coal, peat and wood for home heating. Port-related activities can also have localised impacts on air quality. Air pollution can have negative implications for the health of our citizens and the attractiveness of cities and towns. Measures which seek a reduction in fossil fuel-based energy sources will further reduce air pollution. Implementation of this Framework will assist in reducing emissions and help prevent people being exposed to unacceptable levels of pollution by supporting public transport, walking and cycling as more favourable modes of transport to the private car and the promotion of energy efficient buildings and homes and innovative design solutions. The careful planning of green spaces and vegetation are also important for air quality in urban areas, as trees naturally remove pollutants from the air and help better manage urban micro-climates. The Clean Air Strategy provides the high-level strategic policy framework necessary to identify and promote the integrated measures across government policy that are required to reduce air pollution and promote cleaner ambient air, while delivering on wider national objectives.*

National Policy Objective aims to “*Improve air quality and help prevent people being exposed to unacceptable levels of pollution in our urban and rural areas through integrated land use and spatial planning that supports public transport, walking and cycling as more favourable modes of transport to the private car, the promotion of energy efficient buildings and homes, heating systems with zero local emissions, green and blue infrastructure planning and innovative design solutions.*”

Pg 170: Effective Waste Management:

*Local Authorities are statutorily responsible for the preparation of waste management plans pursuant to the provisions of the Waste Management Act 1996. The Regional Waste Management Planning Offices published a new National Waste Management Plan for a Circular Economy 2024-2030, which sets out the required actions needed at local and regional levels. The Circular Economy and Miscellaneous Provisions Act 2022 strengthened provisions in relation to waste management plans, by requiring waste management plans to include indicators and targets relating to the use of products and materials that have been re-used, re-manufactured or repaired. The new National Waste Management Plan will contain targets for reuse, repair, resource consumption and recycling, and address measures such as: enhanced use of civic amenity sites as circular economy hubs; and supporting the development of indigenous waste treatment capacity to reduce reliance on export; Regional Spatial and Economic Strategies and the core strategies of MASPs and city and county development plans will support national and regional waste policy and the efficient use of resources; Biological treatment and increased uptake in anaerobic digestion with safe outlets for bio stabilised residual waste; Development of necessary and appropriate hazardous waste management facilities to avoid the need for treatment elsewhere; Adequate capacity and systems to manage waste, including municipal and construction and demolition waste in an environmentally safe and sustainable manner and remediation of waste sites to mitigate appropriately the risk to environmental and human health*

## National Waste Management Plan for a Circular Economy 2024-2030

As An Coimisiún are aware, the above document is pertinent to the design and consideration of the proposed development.

The document (pg 25) notes that there are a number of pending developments and changes which may contribute to additional capacity to help address this shortfall and these are documented in Table 2.1:

*Table 21 includes reference to Indaver Ringaskiddy (no licence reference as no application lodged) : Capacity Change is stated as “A circa 216,000 tonnes rMSW capacity at the waste to energy plant in Ringaskiddy, Co. Cork which has yet to lodge any application for planning or licencing (capacity unlikely to be delivered in the timeframe of this plan by 2030).*

Pg 72: ***“The quantity of hazardous waste generated at thermal treatment facilities has increased in 2019 and 2020 since the introduction of a new pre-treatment practice where flue gas residue and boiler ash are mixed together with water to form solid blocks (the additional water increases the weight). Due to the introduction of this new practice the different weights of each ash type are no longer separately reported”.***

We also note Chapter 8: FINANCE, includes the comments *“Ireland’s waste sector has evolved significantly since the publication of the RWMPs in 2015 with a move away from residual waste disposal to landfill to waste to energy and recycling. **This Plan requires a further shift in focus to incentivise greater waste prevention, reuse, preparation for reuse and repair in line with both economic and circular economy principles.**”*

## EIS

In the planning context, we believe the EIS is deficient in a number of instances and also raises some concerns regarding the proposed development.

Please note that, separate to this submission, we are aware of a number of expert submissions which set out concerns errors and deficiencies regarding other areas of the EIS and other supporting documentation submitted with the application. This document focusses mainly on the planning policy elements.

## Noise and Vibration

The EIS, Chapter 10 addresses Noise and Vibration potential issues. Page 10.28 states:

*“The majority of the processes and associated plant and equipment for the facility are all internally housed within the main process building, waste bunker, ash hall, firewater pumphouse and turbine building. The furnace, boiler and flue gas cleaning equipment will be located in the building. External items of plant include the turbine cooling plant, grate furnace coolers, and the air-cooled condensers. The location of these items is located within the south-east area of the facility which are significantly screened from the nearest noise sensitive locations by the on-site adjacent buildings and the ground topography.”* .....” The source data used as part of this assessment is taken from measured emissions levels from similar items of plant and equipment at Indaver's waste-to-energy facility at Beveren, Flanders, Belgium.”

However, and in layman’s terms, Flanders topography is generally flat – somewhat different to the proposed site at Ringaskiddy, which will be bounded to the south by a cliff face, to the west by a built-up area, and, possibly more relevant to the north and the east by the harbour. The fact that noise travels differently over water than land does not appear to have been considered. For example, will there be a rebound effect from the cliff to the south of the site – both in terms of noise and vibration?

In respect of traffic noise, the EIS also states that the noise from the new motorway will provide a muffling effect by raising the ambient noise and therefore reducing the impact of noise from the Indaver site – “*The overall effect is Negative, long-term and Imperceptible.*” (Pg. 10.32.) However, we submit that whether the individual characteristics of various noise sources are discernible, **noise + noise = more total noise.**

#### Section 10 - Operational Phase:

It is too late at operational periods for any significant effects to be dealt with, therefore the credibility and accuracy of the predictive documentation must be paramount.

Section 10.8.1: includes

*“The results of the cumulative assessment indicate the operation of the proposed resource recovery centre **is not calculated**<sup>6</sup> to add to the prevailing ambient noise environment at the nearest residential NSLs in the vicinity of the development site (R4 & R5) during the day and evening periods. During the peak night-time period (06:00 to 07:00hrs) when HGV traffic is along the internal access roads within the site, an increase of 1 dB is calculated above the baseline ambient noise environment. During the remaining night-time period without site traffic on-site there is no calculated increase in the existing ambient noise level. The effect is not significant and is not considered to pose any significant notable noise effect.”*

Page 10.40:

*“All other areas of the Cork Harbour SPA are located at distances beyond 1.5km from the proposed site with lower construction noise levels predicted at these distances, (less than 30dB LAeq) which is well below typical baseline noise levels in the surrounding environment. **Taking the above into consideration, the construction phase of the Resource Recovery Centre is determined to have no significant effect to the existing noise environment at any parts of the designated Cork Harbour SPA.** The overall effect is neutral, short-term, imperceptible.”*

There appears to be a certain element of contradiction in the above statement.

Operational Phase 10.9.2:

*“The proposed waste-to-energy facility has been assessed against the relevant operational noise emission limit values (ELV’s) prescribed within the EPA’s noise guidance document *Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4, EPA 2016)* at the closest noise sensitive locations the assessment has concluded that due to the distance between the proposed*

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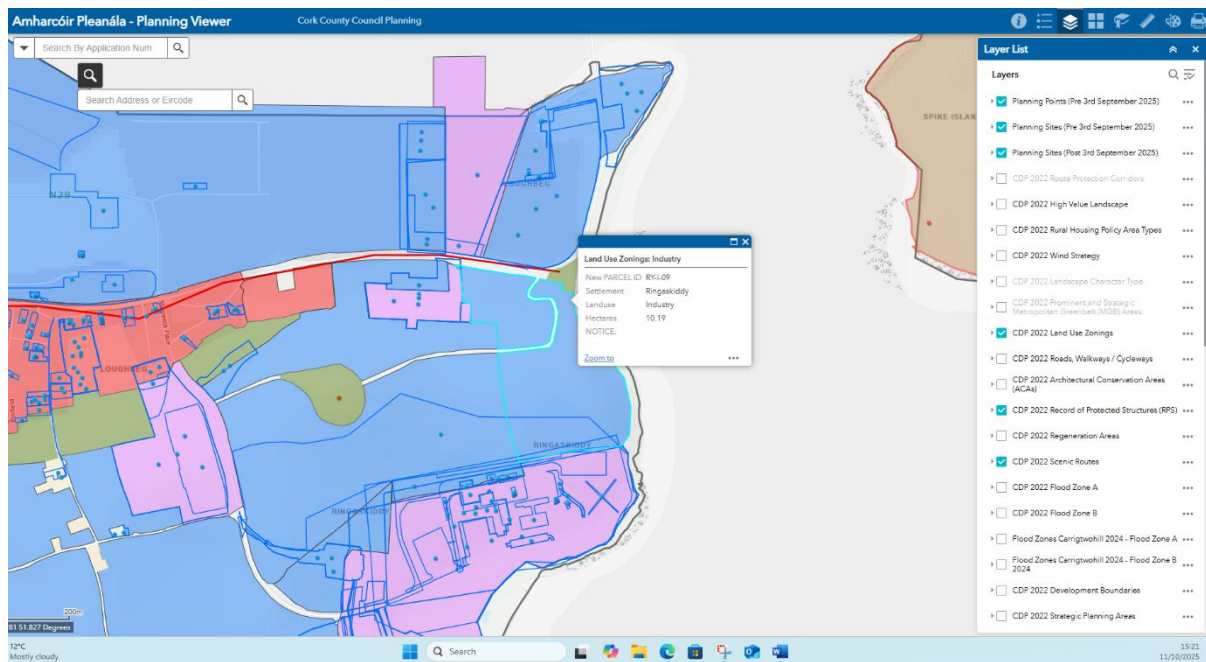
<sup>6</sup> Are these calculations available

*development and the nearest sensitive buildings, the proposed site layout and the recommended noise mitigation measures, the facility can operate within the adopted day, evening and night-time noise limit values. The overall noise and vibration effect from the operation of the proposed facility is expected to be long term, not significant taking account of the existing noise environment and the predicted effect of the proposal.”*

We are not aware whether either of the above calculations take account of how noise travels over water. None of the documents listed in Section 10 References relate to any consideration of the characteristics of noise passing over water in an enclosed harbour area, including the potential for impacts as a result of the topographic changes when the site is excavated leaving a ‘cliff face’ area to the south of the proposed incineration process building, which in itself has the potential to change the way noise is absorbed or reverberated around the surrounding area.

In terms of archaeology, given the historic location of the site adjacent to the Martello tower and the shoreline or the stability of the lands and cliffs adjacent to the site’s southern and eastern boundaries. We also note there is a small rectangle of land not in Indaver’s ownership that is encircled by the proposed development site. Will safe access to these lands be maintained?

## Landscape



The proposed incinerator site is located in an area designated in the Development Plan as High Value Landscape, Notably the wind strategy map in the Development Plan indicates wind developments are normally discouraged at Gobby Beach and along the coastline to the south east, although we note the installation of a wind turbine to the south.

Ringaskiddy also lies within an area of very high landscape value and sensitivity and an area of national importance, designated as ‘Cork City and Harbour’.

## Conservation Designations

The Ringaskiddy area is of biodiversity value due to the important feeding area for waterfowl provided by the nearby mudflats and Cork Harbour itself is of international importance for waterfowl. There are two conservation designations which must be taken into account when assessing potential impacts from developments in Ringaskiddy:

- Cork Harbour Special Protection Area (SPA-004030) and the Monkstown Creek proposed Natural Heritage Area (PNHA001979 – these form part of the network which aims to give protection and support to populations of birds that are rare or threatened in Europe.
- The Cork Harbour Special Protection Area (SPA-004030)

We refer an Coimisiún to submissions made separately which address the potential impacts of the proposed development on these conservation areas.

## Flooding and Coastal Erosion

Of key consideration in respect of the proposed Incinerator, flooding and coastal erosion are notable issues in the vicinity of the site. We refer the Board to other expert documents submitted in this respect.

## Traffic

The L2545 from Gobby Beach to Ringaskiddy has been upgraded to facilitate active travel. While the new road layout may accommodate HGVs alongside active travel in terms of engineering and design, the introduction to this road of relatively constant HGV traffic, will do very little to encourage cyclists and pedestrians and it is unclear whether traffic between the naval base and the proposed N28 roundabout will result in congestion or delays.

- Along the road going northwards from the northern boundary of the site to the bridge which provides access to the Naval Base and Crematorium, is a new public park ‘Paddy’s Point and access to the Ringaskiddy Crematorium.
- Flood Zone A applies to the Gobby Beach site to the east of the applicant site entrance and the adjacent cliffs to the south along the shoreline towards Golden Rock, which have experienced significant erosion since the first planning permission. There is also a smaller area designated Flood zone B further west of the shoreline towards the beach car park.

- We see no consideration of the potential impact of the changed, temporary use of the site to the north for the storage of wind turbines and other large structures which would need to use very long vehicles.

Cork County Council Planning ref 25/04702 Hovione Ltd – Permission granted for:

*Permission for the construction of 1) a new three-level extension to the north elevation of the existing production building 02, 2) a new five-level extension to the eastern elevation of the existing production building 02 , 3) roof mounted plant and external plant, 4) additional signage, 5) provision of 20 no. car spaces (19 car spaces and 1 no. EV) together with all associated site development works, including demolition of external plant and equipment, relocation of existing vent tank and bund to the south of the existing production building 02, provision of 2 no. water tanks, local modifications to internal site roads, footpaths and underground drainage utility services. **The application relates to a development which comprises an activity requiring an industrial emissions directive licence and a Sub-Threshold EIAR screening document was submitted. . Hovione is notified as a lower tier establishment under the major accidents’ directive (as enacted by S.I.209 of 2015). According to the planning application documentation, Hovione hold an Industrial Emissions (IE) licence for the production of pharmaceutical projects and recovery or disposal of waste in a facility, although no increase in licensed emissions and discharges from the site were associate with the proposal. The extension on site will result in a total of 325 employees on site.***

As far as we can ascertain, the increase in traffic and personnel on site has not been considered in the application documentation.

*In addition, Hovione Ltd were previously granted planning permission for an administration/canteen building (Planning ref: 234896) and a single storey office building (ref 22/5786, both applications noting development which comprises and activity requiring and Integrated Pollution Licence. These developments do not appear to have been considered in the course of the Indaver application now under consideration.*

## Emissions

The effect and potential impacts of emissions from the proposed incinerator are of paramount importance. We therefore refer the Commission to the comprehensive document submitted by Cobh Action for Clear Air, prepared by Dr Orla Kelleher, which includes a number of observations, including:

- The Climate Chapter of the EIAR is incorrect in its statement that the proposed development is ‘aligned with ‘ section 15 of the revised Climate Act and several assumptions place strong reliance with the EPA;s “With Additional Measures” document “rather than the more conservative and realistic “With Existing Measures” scenarios in the EPA’s Ireland publication “Ireland Greenhouse Gas Emissions Projection 2024-2055”, which results in the mistaken impression that the proposed development is compatible

*with Irelands national climate objective and the objective of mitigating CHG emissions and adapting to the effects of climate change in the State.”*

- The EIAR selectively quotes from the EPA;s Emissions projects report and failes to note that ..”*there is effectively no GHG emissions headroom in the first two carbon budgets to allow for the development of the Ringaskiddy Resource Recovery Centre.”*
- Omissions in respect of analysis of the Waste chapter of the Climate Action Plan 2025. Omits the commitment to “*Reduce waste sent to landfill and or other incineration*”
- Dr Kelleher also refers to the recent “Friends of Killmooney Lough v An Coimisuín Pleanála cases [2025] IEHC 407 and[2025] [IEHC 576, particularly in the context of the three essential steps involved in assessing a project that causes emissions:
  - (i) Identification of net emissions
  - (ii) Evaluation against targets
  - (iii) Evaluation of practicability of compliance.

Dr Kelleher notes in the above context: “*in considering this recent guidance from the High Court, it is **noteworthy that the proposed development is not climate neutral nor is it provided for with Climate Action Plan 2025. On the contrary, the only mention of this category of project (incineration) in CAP2025 is to refer to the need to reduce waste that is sent to incineration.***”

While the above section is a limited extraction from the document, we encourage An Coimisuín to refer to the entire submission by Dr. Kelleher, a copy of which can be supplied on request.

## Visual Impact

The visual impact of the proposed incinerator site, particularly from the road to the north and the Gobby Beach is significant. Anyone travelling south from the Naval Base, Public Park or Crematorium areas who are currently met with an overgrown green site topped by a Martello tower set in an historic landscape, will instead be presented by a vertical wall of varying heights and varying shades of green, which will cast significant shadow at low sun heights from the south and with very little skyline presenting from the south.

We also refer to EIS Chapter 3, Figure 14.10 which emphasises the historic landscape with the dominance of the Martello tower above the development on the shoreline.

## Summary

We have set out an outline of the impacts and potential effects of the proposed Incinerator at Ringaskiddy. This document is only one of several to be submitted to An Coimisiún Pleanála, including reports from experts in relevant fields on behalf of CHASE and others.

The negative planning history coupled with the strength of opposition from the local and wider community have reflected the physical issues with the site which is too small, lacks adequate and future proofed road connections, no rail connections, and raises concerns regarding site stability, erosion and public safety in a very constrained area which is at the focus point of the enclosed basin of Cork Harbour, near to one of the largest concentrations of population in the State. The EIS appears deficient in a number of areas, as previously set out in this document and others, including that the special environmental protection areas of Cork Harbour have not been given due consideration by the developer and the visual impact of the proposed development would be significantly adverse.

While the site is located in an area zoned for Industrial uses, the site-specific objectives, in two separate parcels encompassing the site, do not support the development of a Waste to Energy (Incinerator) facility. The quantum of employment indicated in the proposal would not satisfy the designation of Strategic Employment Area,

Whether one agrees or not with the principle of an incinerator facility in Ringaskiddy, which has been strongly opposed by a wide range of objectors for a number of reasons over the past twenty years, with arguments and Planning Application refusal reasons including the lack of a demonstrable need for extensive incineration facilities in an era where waste management is promoting an ethos of reduce, reuse and recycle, together with a reduction in the percentage quantum of need for incineration in waste management and the potential adverse effects on the environment, flora and fauna and population of the immediate and wider area, we submit the siting of the proposed incinerator at this site is simply the wrong location for such a facility.

We therefore urge An Coimisiún Pleanála to again refuse permission for the proposed development of the proposed incinerator at this sensitive and vulnerable location.