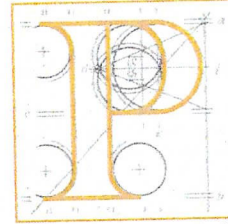


Our Case Number: ABP-318802-24
Planning Authority Reference Number:



An
Coimisiún
Pleanála

Dara Fitzpatrick
Chairman, County Nature Trust
2 Woodview
Camden Road
Crosshaven
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
Executive Officer
Direct Line: 01-8737263

PA04

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email communications@pleanala.ie

64 Sráid Maoilbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Dr. Dara Fitzpatrick
Chairman, County Nature Trust
2 Woodview,
Camden Road,
Crosshaven,
County Cork.

An Coimisiun Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902

APPEAL

Reference: Application for incinerator at Ringaskiddy Co Cork.

Planning application No.: Case no: PA04.318802 (ABP-318802-24)

Original ref: PL04. PA0045

Applicant: Indaver Ireland

Planning Authority: Cork County Council

Development: Proposed waste/toxic waste incinerator with energy recovery.

Location: Ringaskiddy, County Cork

Dear Members of the Commission,

I am making a submission based on the "significant additional information" and planning application on the proposed incinerator by Indaver located at Ringaskiddy, County Cork reference PA04.318802 (ABP-318802-24). I ask that you refuse planning based on the following observations.

Firstly, my background is as a Senior Lecturer in Analytical Chemistry at University College Cork and a long time member and volunteer for Birdwatch Ireland carrying out the Wetland Bird Surveys of Cork Harbour for over 15 years. My activities with the Tracton Biodiversity Group have been recognised through a national Pride of Place Award (Nov 2025) for climate action and biodiversity.

The grounds for refusal of planning are based on a significantly flawed and inadequate Environmental Impact Statement (EIS) and Natura Impact Statements (NIS). Despite the voluminous amount of information there is very little of substance when it comes down to empirical data. What is clear from the EIS is that the proposed site has now become a magnet for nature for a diverse range of species, including red-listed species such as Kestrel.

This submission will demonstrate that the proposed development will have direct and indirect impacts on the qualifying interests and conservation objectives of Cork Harbour SPA and its integrity.

It is clear from the EIS and NIS that the developer has allowed the proposed site to regenerate into an oasis for wildlife in the intervening decades since the first planning application. This is evident from the survey work which reports a diverse mosaic of habitats which hosts a large number of species indicating high biodiversity value. A full complement of breeding migratory warblers such as Blackcap, Willow Warbler, Chiffchaff and Whitethroat is also indicative of a rich

habitat supporting adequate invertebrates numbers to support them. The presence of semi-natural grasslands is significant in a highly intensive farming and industrial landscape.

A closer read of the EIS demonstrates minimum effort in some survey work and methodology and sub optimum timings of survey work. A case in point relates to the terrestrial mammal survey (Vol 2, Chapter 12, 12.3.6) , e.g., bat surveys. Potential roost site surveys were only carried out from ground level. This is indeed good practice but is only effective for roost sites below 15ft. Therefore, a comprehensive survey of roost sites was not carried out using ladders. The EIS reports no suitable roost habitat which is incorrect. The image below shows a line of mature Hornbeam trees suitable for bats. Note the trees are not reported in the EIS either.



The timing of the bat survey was also sub-optimum being carried out in September. Bat activity is coming to an end at this time of year and completely misses peak activity in mid-Summer. Remarkably, all surveys in previous applications were also carried out in September which leaves an unacceptable gap in knowledge of the use of the site by bat species. Six out of nine bat species have been recorded on site which is remarkable. Another indication of its biodiversity value. The EIS claims this is as a result of improvements in bat detectors. However, this is not an acceptable explanation. Some Leisler bat calls can be heard by the human ear. The report also claims the bats are just commuting through. However, it is clear that the proposed site is a destination for multiple species of bat as most will not travel over water and the site is at the end of a peninsula. This is due to rich invertebrate populations of moths and other insects which were not listed but stated to have specialised and localised distributions. The following statement with regard to moth species is clearly biased 'The presence of rare or uncommon species is unlikely, and some reduction in species diversity may have occurred since the previous surveys due to an increased dominance of scrub habitat'.

Therefore, the conclusions of the bat survey are completely incorrect. The site hedgerows and treelines on external boundaries as well as the internal scrub habitats are of high local value for foraging and resident bats. There is potential roosting habitat within the site boundary for feeding bats.

Badgers, a protected species, are actively using the site. It is suggested in the EIS that the construction of the nearby N28 motorway has affected their sets and may have moved to the

proposed site as a refuge. This begs the question as to where they can go next as they appear not to use artificial sets provided by mitigation for the N28 works.

Otters

Otters have protection because of their inclusion in Annex II and Annex IV of the Habitats Directive, as transposed into Irish law. Otters are also listed as requiring strict protection in Appendix II of the Berne Convention on the Conservation of European Wildlife and Natural Habitats. The otter survey carried out appears to be cursory with no evidence of activity within a small survey area of just 150 metres. The methodology used is not outlined. The use of camera traps used for badgers seems not to have been used for the otter survey on the beach. It seems inconceivable that otters do not frequent or use the shoreline of the proposed site. A more remarkable statement is made 'no holts were noted in this area, nor are they likely to occur in the area affected by beach nourishment works in the future'. This admission that proposed works that will last three years including night time construction will irreversibly destroy suitable habitat for the otter. The EIS, in general, downplays the importance of the site and the presence of many species from seals to shrews to lizards.

Table 1 of Appendix 6 provided by the applicant shows a list of incinerators in Europe within 15 kms of an SPA, none of which are within 1km of an SPA such as the proposed incinerator. The tiny minority within 4 km of an SPA were granted permission in the 1970's or early 80's before stricter environmental legislation was enacted. Therefore, it would be a precedent in the modern era to grant planning for an incinerator within a mosaic of SPA's.

It is clear from the EIS that red listed species such as Kestrel and Oystercatcher use the site for feeding and multiple amber listed species too. Red listed Curlew feed in the fields just to the south. A significant omission of both the desk research and surveys of the EIS was to overlook the presence of a nighttime roost of national importance of Great Crested Grebe within tens of meters of Goby beach. This is new information from research published in 2017. This declining species is a feature of interest for Cork Harbour SPA. The roost can hold up to 60% of the Cork Harbour SPA population of ~200. I participated in survey work for a publication in Irish Birds (T.Gittings, 2017, Vol 10, 483-492) highlighting the importance of the roost site (see acknowledgements). It is unavoidable that this winter roost, of national importance, will be affected by the disturbance during construction and operation of the proposed incinerator. Light pollution and noise may also affect the roost. The so called 'nourishment' of the beach with material to reduce coastal erosion is expected to disperse material northwards which may affect feeding areas for many diving birds including Grebes and Cormorants. The stated collision risk for the Grebes is level 2. Although the roost site is not immediately within an SPA is important to protect it as concluded by the author. The area is contiguous to an SPA and is protected through precedents set by the European Courts of Justice.

The long term trend for wetland birds has been a 40% decline in numbers in a few short decades. It is expected if trends continue many amber listed species will become red-listed in a short period of time.

The proposed site is also within 1km of breeding Common Terns. The stated collision risk is even higher at level 3. Common Tern were observed to overfly the site in 2025 by the EIS surveyor.

It is clear that the proposed site is in itself of high biodiversity value. Placing major infrastructure on it surrounded directly by a cluster of SPA's which constitutes the importance of Cork Harbour will have serious impacts for conservation objectives and the integrity of the SPA's.

The proposed mitigation measures amount to green washing and cannot undo the effects of major construction, noise, air pollution, light pollution, loss of habitat, loss of natural foreshore, contamination of ground waters etc.

Other Considerations

The members of the commission should be mindful that they now hold the decision for the vision and ambition of Cork Harbour due to the local authority being by-passed by strategic infrastructure legislation. The proposed site has now been zoned as educational due to the change of use of surrounding lands in the interim two decades. The largest natural harbour in the world is in Sydney where they had the vision to build an opera house as a focal point. This has become an international symbol to be proud of. The second largest natural harbour in the world is that of Cork. This proposed incinerator will become an unwanted focal point with negative impacts for visual amenity and Ireland's reputation for progressive planning where a balance is struck between the needs of the population and the environment.

The typical catchment for a waste incinerator in Europe is 300 km. This brings Cork into the catchment of existing incinerators. Given that boiler ash is expected to travel onto the north of Ireland for storage in a salt mine, it makes more sense to make use of infrastructure with existing capacity. It is expected that Indavar will not use available technology to ensure the plume is invisible and will request amendments to planning to avoid energy costs to do so. This will add to the intrusive nature of the incinerator. The cited modelling of persistent chemicals such as dioxins is flawed and is not representative of bioaccumulations in mammals such as seals and otters into the future. The background levels are already worryingly high. The incinerator will only add to them.

The risks and direct and indirect impacts of the proposed incinerator are unacceptable if the integrity and conservation objectives of the SPA's in Cork Harbour are to be met.

Finally, I would call on the Commission to grant a public hearing to determine the true facts regarding the application, the site selection, and to satisfy the lack of public consultation by the applicant in the run up to the submission as stated in the following instruments:

EIA Directive (2011/92/EU, as amended by Directive 2014/52/EU): Article 6 requires "early and effective public participation" in the EIA process, including timely access to information, opportunities for informed comments, and consideration of public input before decisions. The 2014 amendments strengthened this by mandating consultation on screening/scoping and ensuring "reasonable timeframes" for responses (transposed in Ireland via S.I. No. 296/2018 – European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018).

This observation is not exhaustive and does not cover other legitimate concerns which will be covered by other submissions such as poor site selection, site erosion, misleading dioxin level predictions, impact on visual amenity and tourism, and high carbon emissions.