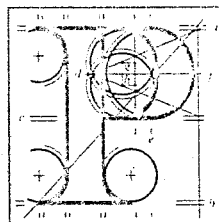


Our Case Number: ABP-318802-24

Planning Authority Reference Number:



**An
Coimisiún
Pleanála**

Natalie Moore
Manor House
Currabinny
Carrigaline
Cork

P43 T268

Date: 19 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,

Lauren Griffin

Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

PA04

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Natalie Moore
Manor House
Currabinny
Carrigaline, Co. Cork
P43 T268

RE: An Coimisiún Pleanála - Case reference: PA04.318802

Notwithstanding the information submitted in August 2025, the site is fundamentally too small for the project proposed and continues to reduce in size, with coastal erosion on one side and boundary reduced by M28 on the other. It is considered that the actual usable area of the site is inadequate in relation to the scale of development proposed. (Derek Daly, 2017).

By all 3 Bord Pleanála Inspectors, the EIS was found to be deficient in substance even where found legally adequate in form. The information as submitted to the Board is therefore insufficient to enable the Board to carry out an environmental impact assessment in an appropriate manner, and to form a basis for an informed decision on the application. (Daly, 2017). Despite revisions, the updated EIS material continues to repeat earlier conclusions and provide assertions without evidence.

There is no de novo site selection in the material submitted in 2025, but instead a justification based on site ownership by Indaver, with inadequate consideration given to major public and private investment initiatives which have transformed the character of the immediate area in the intervening period since 2000. (Daly 2017)

The site is located on a known flood risk area, marked as same in Table 4.1.17: Specific Development Objectives for Ringaskiddy, and on OPW floodinfo.ie , (Flood Summary ID-1364, 13082, 12085). Mitigation measures to locate the facility at levels significantly above projected flooding levels would exacerbate the negative visual impact of the proposed large structure. It is my considered opinion that the site is inherently unsuitable for location of a use which processes, and generates hazardous compounds. (Oznur Yukel Finn, 2009)

Notwithstanding the zoning of the greater Ringaskiddy area as industrial, the Indaver site area where the incinerator build is proposed (RY-I-09) is zoned as suitable for the extension of the Third Level Educational campus and enterprise related development including marine related education, enterprise, research and development. (RY-I-09, Table 4.1.17: Specific Development Objectives for Ringaskiddy, Cork County Development Plan 2022 - 28) This is dismissed in the August 2025 information but it is of critical importance that this zoning be upheld as it is directly linked to the investment in the NMCI and MaREI Campus areas and the potential for future growth of this sector. The proposed incinerator is therefore in direct contravention of the County Development Plan and contrary to the specified objectives for the immediate area.

According to the objectives of the Cork City Harbour and East Cork Destination and Experience Development Plan (Failte Ireland, Cork City Council, Cork County Council, 2024) one of the key objectives is to "Develop Cork Harbour into a world class visitor experience."

The siting of this 75m high incinerator stack and associated buildings approximately 700m from Spike Island flies in the face of this plan. Spike Island attracts more than 70,000 visitors per year. According to the Port of Cork, in 2025 over 170,000 people arrived in Cork on cruise ships, contributing €17 million to the local economy. Cork Harbour has changed markedly in the decades since Indaver originally purchased the site. Allowing this incinerator to be built now will have a catastrophic impact on the tourism opportunities that have been developed in the area, let alone the health and recreation opportunities the harbour affords local residents. Cork Harbour, as the second largest natural harbour in the world, should be developed for sustainable tourism, recreation and nature.

As a local harbour resident, I am deeply familiar with the weather patterns in winter. We often have still days where thermal inversions occur, meaning that cloud sits solidly and low in the harbour all day. We are all deeply concerned about what happens with the plume from the incinerator on these days and the subsequent impact on our health, as well as the impact on wildlife. Is this facility necessary when a 2023 report by Zero Waste Europe found incineration in Europe to be at overcapacity? Ireland should look to manage its waste using existing capacity with European neighbours rather than allowing an eyesore to be built that will no doubt become obsolete before the end of its intended life span.

Please refuse this planning application on the basis that the site is inherently unsuitable, concluded by all 3 Bord Pleanala Inspectors (Jones 2004, Yukel Finn 2009, Daly 2017) and the proposal contravenes the zoning of the Cork County Development Plan 2022 - 28 for this site.

I wish to request an Oral Hearing to continue full public participation in this application.

Incinerators produce emissions regulated under the **Industrial Emissions Directive 2010/75/EU** and the European **Best Available Techniques Reference Document (Waste Incineration BREF)**. Even emissions characterized as “within limits” include Persistent Organic Pollutants (POPs) and heavy metals. The NIS acknowledges that:

- **Dioxins and mercury bioaccumulate.**
- **Piscivorous Special Conservation Interest (SCI) species** (e.g., Cormorant, Great Crested Grebe) are at **risk**.
- Long-term chronic exposure has not been ruled out by the applicant.

This constitutes a credible pollutant pathway under **Article 6(3) of the Habitats Directive**.

SPA Special Conservation Interest species affected include:

- **Golden Plover (Annex I)**
- **Cormorant**
- **Great Crested Grebe**
- **Curlew (high conservation concern)**

The SPA Conservation Objectives (NPWS, 2014) require maintenance of the long-term population viability of these species. Any pollutant load that jeopardises survival or reproductive success fails the Article 6(3) test.

2.3 Disturbance to Breeding and Wintering Birds (Noise & Lighting)

Under **Birds Directive Article 5**, Member States must prevent:

- Disturbance to birds.
- Impairment of breeding.
- Abandonment of nests.

The proposal lies just **750 m** from a **Common Tern (*Sterna hirundo*)** breeding colony. Continuous 24/7 operation and multi-year construction exposes this colony to:

- Noise disturbance.
- Night-time light glow.
- Increased industrial activity.

These impacts conflict with the statutory obligations to avoid disturbance of **Annex I** species during their breeding and nesting periods.

2.4 Loss of Ex-Situ Foraging and Roosting Habitat

Birds Directive Article 4(4) extends protection to habitats outside the SPA boundaries where they are functionally linked to SPA populations.

Fields immediately south of the proposed site are used by:

- **Curlew**
- **Oystercatcher**
- **Wigeon**
- Other waders and waterbirds.

Road realignments, land-take, and increased heavy industrial activity will diminish these areas, contrary to the requirements of the **Birds Directive 2009/147/EC (Article 4)**, **Habitats Directive Article 6(3)**, and NPWS SPA Conservation Objectives (2014). Such habitat loss has clear potential to undermine population stability of SCI species.

3. Major Accident Risk: Substantial Hazard Identified in HIRA

Under the **Environmental Liability Directive 2004/35/EC**, **Seveso III Directive 2012/18/EU**, and the **Planning and Development Act 2000**, major accident hazards must be avoided through proper land use planning. The applicant's own HIRA identifies & admits a waste bunker fire as a "**Substantial**" risk.

The bunker will store:

- Residual municipal waste.
- Commercial/industrial waste.
- Up to **24,000 tonnes of "suitable" hazardous waste.**

The fire from this admitted ****Substantial Risk**** would lead to:

- Mass toxic emissions breaching IED limits.
- Contaminated firewater entering **Cork Harbour** (contrary to **Water Framework Directive 2000/60/EC**).
- Acute public health impacts.
- Emergency response blockage around **Haulbowline** and **Ringaskiddy**.

Such a risk directly conflicts with **Article 13 of the Industrial Emissions Directive** and **National Major Accidents Policy**, which require avoiding hazardous land-use siting near vulnerable receptors.

4. Coastal Vulnerability and Climate Adaptation Failures

The site is vulnerable under the **EU Floods Directive 2007/60/EC**, **Climate Action and Low Carbon Development Acts 2015–2023**, and the OPW/DoEHLG Planning System and Flood Risk Management Guidelines (2009, updated 2021). This site & areas around it consistently floods including as recently as Storm Babet (October 2023)

Key issues include:

- The waste bunker floor is at **0 mOD**, effectively sea level.
- The coastline is historically **eroding**.
- Future storm surges and sea-level rise threaten inundation.

A flooded waste bunker would cause **catastrophic marine contamination**, violating the **Water Framework Directive 2000/60/EC**, **Marine Strategy Framework Directive 2008/56/EC**, and the **Environmental Liability Directive 2004/35/EC**. The site fails to meet the Guidelines Requirement: *“Avoid development in areas at long-term flood risk”* (PSFRM 2009, Section 3.3).

5. Transboundary Waste Export: Non-Compliance With Waste Policy

The proposal generates **11,308 tonnes/year** of flue gas cleaning residue and boiler ash—classified as **hazardous waste**.

The applicant proposes indefinite export to Germany or Northern Ireland, contrary to the:

- **Waste Framework Directive 2008/98/EC**
 - Article 16 (Self-Sufficiency & Proximity Principle)
 - Article 4 (Waste Hierarchy)
- **National Hazardous Waste Management Plan 2021–2027**
- **Southern Region Waste Management Plan**

Ireland’s national policy requires developing **domestic capacity** for final disposal of hazardous residues. Reliance on unguaranteed foreign disposal capacity for a 40-year project lifespan is legally and strategically defective.

6. Failure of the Alternatives Test

Under the **Habitats Directive Article 6(4)**, **Birds Directive Article 4**, and **EIA Directive 2011/92/EU**, the developer must demonstrate that:

- There are **no less environmentally damaging alternatives**.
- The proposal is consistent with the **Waste Hierarchy**.

These requirements are not met. The assessment fails to adequately consider:

- Non-coastal alternative sites.
- Smaller-scale facilities.
- Enhanced recycling or waste prevention strategies.
- Separation of hazardous and non-hazardous waste treatment.

This is a critical procedural failure under EU law.

7. Incompatibility With Cork Harbour Land-Use and Tourism Policy

Cork County Council's local development plans (including the **Cork County Development Plan 2022–2028**) identify **Cork Harbour** as an area for:

- Tourism growth.
- Recreation and amenity enhancement.
- Improved pedestrian and coastal access.
- Environmental improvement.

The proximity of the proposed facility to:

- **Haulbowline Island Recreation Park**
- **Gobby Beach**
- **Paddy's Point**
- **National Maritime College Ireland**
- **MaREI**
- Proposed blueway/greenway amenities

conflicts with Development Plan objectives including Objective CS 4-1 (sustainable communities), Objective HE 2-1 (protection of natural heritage), and Objective TM 1-1 (tourism development). The proposal constitutes inappropriate industrial intensification in a location that the statutory plan identifies for amenity and waterfront enhancement.

8. National Security and Strategic Infrastructure Risk

The site is adjacent to **Haulbowline Naval Base**, the headquarters of the Irish Naval Service. Under the **National Security Strategy** and **National Risk Assessment Framework**, essential defence infrastructure must not be exposed to unnecessary industrial risk.

A fire, explosion, or major incident at the facility could:

- Restrict naval operational access.
- Block evacuation routes.
- Compromise maritime defence activities.
- Endanger Defence Forces personnel.

No credible mitigation is provided to eliminate these risks.

9. Conclusion

Based on the statutory requirements of the **Birds Directive**, **Habitats Directive**, **Waste Framework Directive**, **Industrial Emissions Directive**, **Floods Directive**, **Environmental Liability Directive**, and Irish planning, waste, and climate legislation, the proposed development:

- **Fails the Article 6(3) test (Habitats Directive).**
- **Increases the risk of major environmental accidents.**
- **Conflicts with national and regional waste policy (Proximity Principle).**
- **Is located in a climatically unsuitable, erosion-prone coastal zone.**
- **Undermines Cork Harbour's long-term amenity and tourism strategy.**
- **Poses unacceptable risks to national security infrastructure.**

Accordingly, An Coimisiún Pleanála is legally and procedurally precluded from granting permission.

On these grounds, it is respectfully submitted that the application for this waste to energy incinerator **must be refused.**