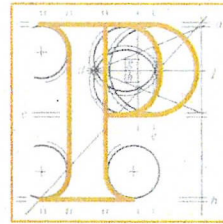


**Our Case Number:** ABP-318802-24

**Planning Authority Reference Number:**



An  
Coimisiún  
Pleanála

Valerie Elliffe & John Power  
5 Ardross Court  
Graball  
Crosshaven  
Co. Cork

**Date:** 02 December 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](http://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  
Glaó Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1890 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[communications@pleanala.ie](mailto:communications@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

Submission and Observation under Section 37E –  
Planning and Development Act 2000 (as amended)

Application Reference:

PA04.318802 – Proposed Resource Recovery / Waste-to-Energy Facility,  
Ringaskiddy,  
Co. Cork

Applicant:

Indaver NV t/a Indaver Ireland

Submitted by:

Valerie Elliffe and John Power

5 Ardross Court

Graball

Crosshaven,

Co. Cork

P43 Y002

Formal Submission and Observation

We, the undersigned, Valerie Elliffe and John Power, of 5 Ardross Court, Graball, Crosshaven, Co. Cork, hereby make this submission under Section 37E (4) of the Planning and Development Act 2000 (as amended) in respect of the above-referenced Strategic Infrastructure Development (SID) application by Indaver NV t/a Indaver Ireland.

We object to the granting of permission for this proposed 240,000 tonne per annum waste-to-energy facility for the reasons set out below and request that An Bord Pleanála hold an Oral Hearing under Section 134 (1) of the Act.

The following numbered sections set out the principal grounds on which this submission objects to the proposed development. Each heading identifies a distinct area where the application fails to comply with planning, environmental, and statutory requirements,

as well as conflicts with national and EU policy objectives.

1. Lack of demonstrable need and excessive capacity

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The applicant proposes to incinerate up to 240,000 tonnes per annum of residual waste (including 24,000 t of hazardous waste). However, official EPA National Waste Statistics (2024) demonstrate that:

Table 1:

Indicator (2023 data)	Quantity	Comment
Municipal waste generated in Ireland	3.13 Mt	Baseline total
Recycled	1.31 Mt (42 %)	Below EU 65 % target
Already incinerated for energy recovery	1.33 Mt (43 %)	Treated at existing plants in Dublin & Meath
Landfilled	0.47 Mt (15 %)	Only residual landfill stream remaining

Indaver proposal (240 000 tpa + 24 000 tpa hazardous)

0.24 Mt (+ 0.024 Mt hazardous)

≈ 18 % of all national residual waste

tpa = tonnes per annum | Mt = million tonnes

Ireland, therefore, already has sufficient incineration capacity to handle nearly three-quarters of its residual waste: Adding another 240,000 tpa would create national over-capacity, directly contradicting the National Waste Management Plan for a Circular

Economy (2024), which states:

“Ireland does not require further municipal waste incineration capacity.”

Even if all landfill waste were diverted to recovery, the total available residual waste nationally is  $\approx$  470,000 tpa, meaning Indaver’s facility would require almost half of Ireland’s entire remaining untreated waste stream to operate at full load.

This scale cannot be justified by local or regional arisings. It would therefore likely depend on imported waste, contrary to the EU Waste Framework Directive 2008/98/EC principles of proximity and self-sufficiency.

## 2. Conflict with national circular-economy and climate policy

The proposed development is in direct conflict with Ireland’s waste and climate policy objectives, which prioritise waste prevention, recycling, and the avoidance of new incineration capacity. These commitments are set out in the Waste Action Plan for a Circular Economy (2020–2025), the Circular Economy Strategy, and the Climate Action Plan.

As detailed in Table 1 (Section 1), EPA data show that in 2023, Ireland generated approximately 3.13 million tonnes (Mt) of municipal waste, of which:

- ☒ 1.31 Mt (42%) was recycled,
- ☒ 1.33 Mt (43%) was already incinerated at existing plants in Dublin and Meath, and
- ☒ 0.47 Mt (15%) was landfilled.

This means Ireland already incinerates almost all of its residual waste.

National and EU policy targets require that:

- ☒ Residual waste be reduced by 50% by 2030, to about 0.9 Mt/year,

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- ☒ Recycling increases to 65% by 2035, and
- ☒ No new long-term incineration capacity will be developed in order to support a circular and low-carbon economy.

Given typical Strategic Infrastructure Development timelines, the Indaver incinerator, if permitted, would not likely become operational before 2029–2030. By that time, under the Waste Action Plan trajectory, residual waste levels should already have fallen to approximately 0.9 Mt per year, while existing incinerators provide 1.33 Mt of treatment

capacity.

In simple terms, by the time this facility could be built, there will be no waste left to justify it. The proposed 240,000 tonne per annum incinerator (plus 24,000 tonnes hazardous) would create excess thermal-treatment capacity, locking Ireland into an outdated and high-carbon disposal pathway precisely when national policy requires the opposite, a decisive shift towards waste prevention, reuse, and recycling.

The evidence is clear: based on current data and national targets, there will be no demonstrated need for this or any new incineration facility by the time it could come into operation. The proposal, therefore, contradicts national and EU circular-economy goals and should be refused on that basis.

### 3. Proximity to educational and residential uses

The proposed site is located  $\approx$  300 m from the National Maritime College of Ireland and  $\approx$  1 km from residential areas in Ringaskiddy village. The Cork County Development Plan 2022-2028 zones adjacent lands (RY-I-09) for educational campus extension, directly abutting the proposed industrial site. The juxtaposition of a hazardous-waste incinerator with educational and residential uses is incompatible with proper planning and sustainable development.

### 4. Environmental and biodiversity impacts

The site adjoins the Cork Harbour Special Protection Area (SPA 004030), an internationally designated wetland supporting thousands of migratory and wintering birds. Construction, traffic, lighting and emissions pose potential adverse effects on the SPA's qualifying species (Wigeon, Teal, Dunlin, Redshank, etc.), contrary to Article 6(3) of the Habitats Directive. The risk of habitat disturbance and deposition cannot be excluded given the proximity ( $\approx$  500 m) of the SPA boundary.

### 5. Visual, heritage and coastal-amenity impact

The 70m emission stack and large-scale process buildings would dominate views across Cork Harbour, impacting heritage assets such as the Martello Tower and degrading the amenity of Gobby Beach. This contravenes the County Development Plan objective to protect landscape character and visual amenity in the harbour area.

### 6. Traffic, road safety and construction impacts

Access via the L2545 local road, a narrow route through Ringaskiddy village, would be heavily affected by increased HGV movements during the 31-month construction period

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and 24/7 operational phase. Such traffic intensity presents safety, noise and air-quality concerns for residents, students and pedestrians.

#### 7. Changed baseline and outdated assessment

The Environmental Impact Assessment Report relies on environmental data from 2001-2016.

Given the lapse of time, population growth, and infrastructural change in the area, these data no longer reflect current baseline conditions. A comprehensive updated environmental assessment should be required before any determination.

#### 8. Cumulative and long-term climate implications

The 10-year permission window, 31-month construction, and 30-year operational lifespan would lock Cork Harbour into a fossil-fuel-based waste model for nearly half a century, contrary to Ireland's Climate Action and Low Carbon Development Acts 2015–2021.

#### 9. Flawed Strategic and Economic Justification

The proposed development is classified as a Strategic Infrastructure Development (SID). However, the evidence presented by the applicant demonstrates that the facility's viability is based on commercial rather than strategic imperatives.

EPA data (2023 and 2024) confirm that existing Irish incinerators already treat approximately 1.3 million tonnes per annum of residual waste, almost three-quarters of the national total.

The additional 240,000 tpa capacity sought is therefore surplus to national need.

The applicant's reliance on imported or cross-regional waste to sustain operations directly conflicts with the EU Waste Framework Directive 2008/98/EC (Articles 16 & 17) and the National Waste Management Plan for a Circular Economy 2024.

Accordingly, the claimed "strategic" justification is obsolete. The proposal constitutes a large-scale commercial venture rather than an infrastructure of national necessity and therefore fails the test of proper planning and sustainable development required under Section 37E.

#### 10. Additional Procedural and Technical Flaws

(a) Outdated Baseline and Invalid Environmental Assessment

The Environmental Impact Assessment Report (EIAR) reuses data from 2001–2016 without updated field surveys.

Under Directive 2014/52/EU, an EIA must use current and relevant data; this renders the submission non-compliant.

(b) Inadequate Alternatives Assessment

The EIAR's "Alternatives" chapter gives only cursory consideration to non-incineration options such as advanced recycling or anaerobic digestion.

This fails the requirement under the Planning and Development Regulations 2001 (as amended) to examine "reasonable alternatives."

(c) Omission of Cumulative Impact Assessment

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The EIAR does not quantify combined effects with major Cork Harbour projects such as the M28 Motorway, Port expansion and Haulbowline remediation.

This breaches the EIA and Habitats Directives.

(d) Inadequate Climate-Change Assessment

The application ignores national carbon budgets and treats CO<sub>2</sub> emissions as offset without evidence.

Under the Climate Action and Low Carbon Development Acts 2015–2021, projects must demonstrate consistency with Ireland's carbon budgets and the Climate Action Plan 2024.

(e) Public-Participation and Transparency Defects

Key EIAR appendices have been incomplete or not easily accessible online, limiting effective public participation contrary to the Aarhus Convention.

The application fails to address previous deficiencies in public consultation on health and dioxin impacts.

(f) Questionable Strategic Infrastructure Classification

The project's SID status relies on outdated policy references pre-dating the National Waste Management Plan for a Circular Economy 2024, which confirms no further incineration capacity is required.

The classification as "strategic" is therefore procedurally unsound.

### (g) Financial and Economic Credibility

The application presents no independent economic assessment and assumes full capacity operation for 30 years.

This is inconsistent with Ireland's waste-reduction targets and casts doubt on the project's viability without waste imports.

### 11. Overall Non-Compliance with Statutory Requirements

Taken together, the deficiencies above represent material non-compliance with:

- ☒ the Planning and Development Regulations 2001 (as amended),
- ☒ the EIA Directive 2011/92/EU (as amended by 2014/52/EU),
- ☒ the Habitats Directive 92/43/EEC, and
- ☒ the Aarhus Convention.

Accordingly, An Bord Pleanála is precluded from granting permission until these deficiencies are rectified through a new, comprehensive assessment.

### 12. Operator Safety and Compliance Record

The applicant's international and domestic operational history demonstrates repeated environmental and safety incidents, which raise serious concerns about its capacity to operate safely in such a sensitive coastal location.

Documented events include:

- ☒ A fatal explosion and fire at Indaver's Antwerp facility (Belgium, September 2018), which resulted in one death and four injuries (source: Irish Times, 2018).
- ☒ Major fires and solvent explosions at Indaver's Antwerp and Willebroek plants in 2016 and 2025 (sources: Flemish Environment Department / media reports).
- ☒ Multiple EPA-recorded incidents at Indaver's licensed Irish facilities:

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- o Carranstown, Co. Meath (W0167-03) – repeated Category 1 incidents, including a 2025 "Quick Stop" trip and a 2024 groundwater chloride exceedance.

- o Dublin Port Hazardous Waste Transfer Station (W0036-02) – recorded surface-water exceedances (COD and zinc) in 2024 and 2018.

These incidents are verifiable in the EPA's LEAP incident database and in Flemish and Dutch regulatory registers. Together, they indicate a pattern of significant safety and compliance events across several Indaver facilities in Europe.

Given the proximity of the proposed Ringaskiddy site to residential areas, the National Maritime College, and the Cork Harbour SPA, the operator's global incident record raises legitimate concerns under Section 37E(4) about its fitness to operate and the adequacy of risk management measures.

A full disclosure of the applicant's safety and environmental compliance history should be required before any further consideration of the proposal.

#### Request for Oral Hearing

Given the project's scale, environmental sensitivity and strong public interest, we respectfully request that An Bord Pleanála convene an Oral Hearing under Section 134 (1) of the Act to ensure full public participation and expert scrutiny.

#### Conclusion

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Based on EPA 2024 waste statistics, national circular-economy policy, proximity to sensitive receptors, and the multiple procedural and technical deficiencies identified above, we submit that the proposed 240,000 tpa facility is unnecessary, excessive and contrary to proper planning and sustainable development.

This proposal has been pursued for over 25 years. Each reapplication recycles substantially the same design and justification, without demonstrating any new or genuine strategic need. The repeated reliance on outdated data, obsolete waste policy references, and the continued use of the SID route constitute planning fatigue and procedural abuse, undermining public confidence in the transparency and integrity of the process.

The Board should therefore exercise its discretion to refuse permission definitively under Section 37E of the Planning and Development Act 2000 (as amended), because the

project no longer serves any strategic or national purpose and fails the test of proper planning and sustainable development.

We therefore request that permission for Application PA04.318802 be refused.

Signed:

Valerie Elliffe: Valerie Elliffe

Date: 17<sup>th</sup> November 2025

John Power: John Power

Date: 17<sup>th</sup> November 2025

Date: 17<sup>th</sup> November 2025