

File With

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SECTION 131 FORM

Appeal No

ABP-322098-28

Defer Re O/H

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Having considered the contents of the submission dated/received 14/4/28 from Mireen + John McLaughlin I recommend that section 131 of the Planning and Development Act, 2000 be/not be invoked at this stage for the following reason(s):

no w lssy

Section 131 not to be invoked at this stage.

[Checked box]

Section 131 to be invoked — allow 2/4 weeks for reply.

[Empty box]

Signed

[Signature]

Date

23/4/28

EO

Signed

[Empty box]

Date

[Empty box]

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

[Empty box]

Task No

[Empty box]

Allow 2/3/4 weeks

BP

Signed

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Date

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EO

Signed

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Date

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Planning Appeal Online Observation

Online Reference
NPA-OBS-004494

LDG-CF9 305-25

Online Observation Details

Contact Name
John McLoughlin

Lodgement Date
14/04/2025 14:21:49

Case Number / Description
322098

Payment Details

Payment Method
Online Payment

Cardholder Name
John McLoughlin

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

Yes — See attached 131 Form

N/A — Invalid

Signed

John Swamy

Date

17/04/25

EO

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

Reason for Refund

Documents Returned to Observer

Yes No

Request Emailed to Senior Executive Officer for Approval

Yes No

Signed

Date

EO

Finance Section

Payment Reference

ch_3RDmxNB1CW0EN5FC09xAM4S7

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

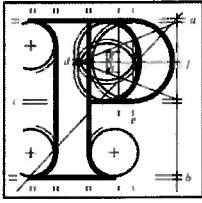
SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date



An
Bord
Pleanála

Observation on a Planning Appeal: Form.

Your details

1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

John McLoughlin & Miriam McLoughlin.

(b) Address

Quickpenny Road, Rathmooney, Lusk. Co. Dublin,
K45 HW24

Agent's details

2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not Applicable

(b) Agent's address

Click or tap here to enter text.

Postal address for letters

3. During the appeal process we will post information and items to you **or** to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

You (the observer) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

(a) Planning authority

(for example: Ballytown City Council)

Fingal County Council

(b) An Bord Pleanála appeal case number (if available)

(for example: ABP-300000-19)

APB-322098-25

(c) Planning authority register reference number

(for example: 18/0123)

F24A/1162E

(d) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Country Crest, Collinstown, Lusk, Co. Dublin

Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please see attached.

Quickpenny Road,
Rathmooney
Lusk
Co. Dublin
K45 HW25

An Board Pleanála
64 Marlborough Street
Dublin 1
D01 V902

April 12, 2025

References:

An Board Pleanála Appeal reference	APB-322098-25
Fingal County Council Application Reference	F24A / 1162E
Location of proposed Development	Country Crest, Collinstown, Lusk, Co. Dublin

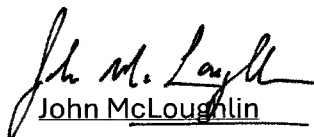
Dear Sir / Madam,

We would like to submit the attached observations in support of the February 20th 2025 decision by Fingal County Council to refuse permission for the development of an Anaerobic Digester facility at Collinstown, Lusk, Co Dublin.

We are firmly of the view that the decision to refuse planning permission was correct and we urge An Board Pleanála to uphold that decision and confirm the assessment and outcome arrived at by Fingal County Council.

We live in the immediate vicinity of the proposed development (1.5km). We confirm we lodged an objection to the original planning application, a copy of which is attached to this document as Appendix 2. We also confirm this submission to An Board Pleanála has been accompanied by the required payment of €50.00

Yours Sincerely


John McLoughlin


Miriam McLoughlin

Introduction

The appeal to overturn the decision to refuse planning permission should be rejected for the following reasons:

1. The nature and scale of the proposed development and the proposed sourcing strategy for raw material are incompatible with and contravene the objectives of the RU zoning of the area.
2. The traffic analysis provided grossly understates the additional volume of heavy duty truck traffic on the only public access road, L1155 Quickpenny Lane. This additional traffic will compromise safety for all road users, in particular pedestrians, cyclists, and younger members of the Man O'War GAA Club.
3. Contrary to all assertions in the original application and subsequent appeal, this development will significantly impact the visual amenity of what is a predominantly rural agricultural area. The night-light pollution arising from this development will exacerbate that degradation to an even greater extent.

Scale and Nature of proposed development & proposed Raw Material Sourcing Strategy

Scale and Nature of proposed development

This is a large scale industrial complex, the primary objective of which is the production of biogas and the purification and sale of biomethane.

The proposed development is quite enormous. The footprint is 18 acres (7.28 Hectares), and to put this into context, the entirety of St. Stephens Green in Dublin is only 27 acres.

Thirty (30) individual structures are listed in the planning application for construction. Three of these exceed 8m in height, with the tallest being 12m. (See Appendix 1)

Taken collectively, these thirty structures are intended and designed for use in the production of biogas and biomethane. That is not an agricultural process and they cannot be described as “*agricultural buildings and utility installations*” (Ref: **F24a_1162E_Appeal-documents_1_of_5.pdf, Page 52**)

The expected annual output from this industrial scale complex is 8,794,070 Nm³ of biogas and 4,778,951 Nm³ of biomethane, with 93.5% of the biomethane being injected into and sold to the national grid. (Ref: **F24A_1162E_Appeal_Documents_2_of-5.pdf**)

For context; 4,778,951 Nm³ biomethane is equivalent to approximately 47.4 million KWh¹. That is equivalent to almost 20% of the total annual output of Turlough Hill Power

¹ 1 Nm³ Natural Gas (NCV) = 35.67 MJoules

Station in County Wicklow and approximately 50% the maximum output of Tawnaghmore Power Station in Co. Mayo.

The 12 month average wholesale price for methane in Ireland is €0.0395 / KWh.
(Ref: <https://www.utilityfair.ie/business-energy-guides/wholesale-gas-prices-in-ireland>)

4,469,239 Nm³ biomethane will be injected into and sold to the national gas network grid annually. On the basis of the current 12 month average wholesale price of €0.0395/KWh, this is valued at €1.75 million per year. This is the business model and economic logic for the proposed development. By-products such as carbon dioxide and digestates are useful in their own right, but the fundamental rationale behind this proposal is the production and sale of biomethane.

The proposed development is a large scale industrial and commercial bio-methane facility. By virtue of its scale and nature, it has no place in the middle of a high amenity RU zoned elevated agricultural landscape.

Source of Raw Material & Sewage Sludge Volumes

The Fingal Planning Officer concluded “*the majority of the raw material required by the AD process would be sourced from outside the local area*”. (Ref: **CE Order F24A.1162E_ce.pdf, Page 23**). This material is sourced from up to 120km away in the case of Monaghan Chicken Litter Recycling.

One of the input materials listed by the proposers is WWTP Sludge – aka Sewage Sludge. The proposal states 1,300 tonnes will be used annually, all of which will be sourced internally. The dry matter content is estimated at 10% - equivalent to 130 tonnes. (Ref: **eiar_report_country_crest_ad_plant_2024-2025.pdf, Page 40 Table 2.1**)

Elsewhere, the proposers state they employ 500 staff
(Ref: **F24A_1162E_Appeal_Documents_3_of_5.pdf, Page 1**)

It is difficult to reconcile an annual production of 1,300 Tonnes of WWTP Sewage Slurry from a population 500 – the majority of whom are there less than 10 hours per day.

In a 2018 study of 14 Domestic WWTP sites, the Environmental Protection Agency found the solid sludge accumulation rates ranged from 1 to 10 kg/person /year.
(Ref: **epaResearch Report_253.pdf, Page ix.**)
(https://www.epa.ie/publications/research/water/Research_Report_253.pdf)

Notwithstanding this was a study of domestic Waste Water Treatment Plants, this research suggests the expected annual volume of solid sludge from a population of 500 would be of the order of 500 x 10kg = 5000kg (5 Tonnes)

1 GJoule = 0.2778 MWh

(Ref SEAI Conversion Factors: <https://www.seai.ie/data-and-insights/seai-statistics/conversion-factors>)

This is very different to the 130 tons of solids above, and this calls into question how and from where the shortfall will be sourced.

Traffic

Incremental Truck Traffic

The promoters of the development submitted an analysis of the estimated annual daily traffic at the site and concluded:

- Resulting Worst Case Max AM / PM Peak Hours Trucks Arriving = 1
 - Resulting Worst Case Max AM / PM Peak Hours Trucks Departing = 2
- Reference: Table 11.1 Page 264 eiar-report_country_crest_ad-plant_2024_2241f.pdf**

The proposed Anaerobic Digester will

- Import 22,960 tonnes / annum
- Export 52,083 tonnes / 36 week spreading period.

The suggestion this tonnage could be transported by one truck arriving and two trucks departing every 8 hour period is fundamentally flawed.

The proposers have estimated this volume of truck traffic based on the following:

- Deliveries and Collections will be occur 365 days of the year (i.e. every Saturday, every Sunday, every bank holiday inclusive of Easter and Christmas)
- Deliveries and Collections will occur on a 24 hour basis for each of those 365 days.
- They have ignored the fact that every truck makes two journeys – every inbound delivery truck arrives fully loaded and leaves empty and every outbound collection truck arrives empty and leave fully loaded.

The following table presents an analysis of incremental truck traffic based on a set of more reasonable assumptions. These are:

- Weekday transportation only
- No transportation on bank holidays
- 10 Hours per Working Day for transportation purposes

Incremental 28T Truck Traffic

	Inbound	Outbound
Tonnage Transported /year	22,960	52,083
No. Working Days / Year	250	174
Tonnage Transportage / Day	92	299

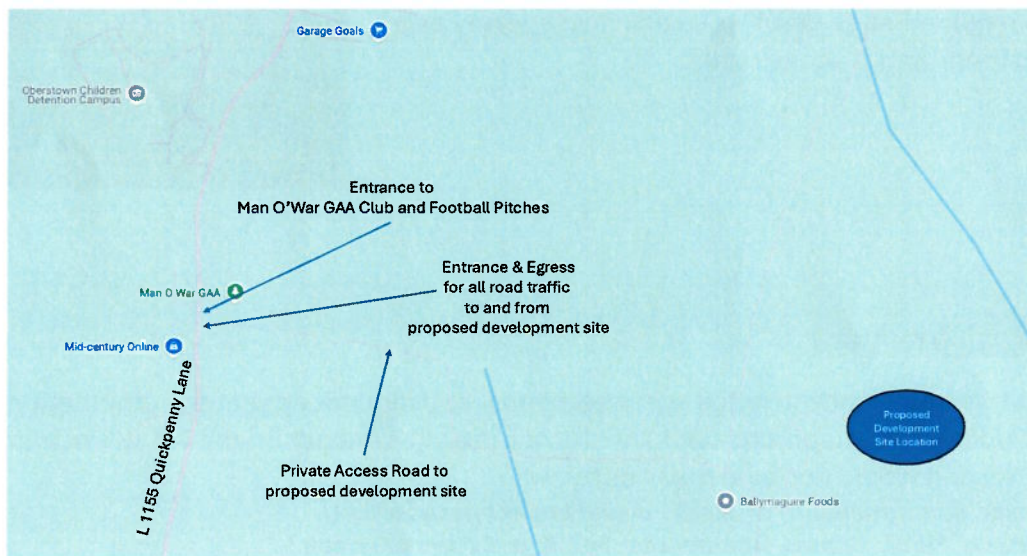
	Peak 36 Week Period	
Total Tonnage transported /day during 36 Week Spreading Period	391	Tonnes
Carrying Capacity / Truck (Tonnes)	28	Tonnes
No. of Truck Load required / Day	14	
No. Truck Journeys / Load	2	
Total No. of Truck Journeys / Day	28	
Hours / Working day	10	Hours
Frequency of Truck Journeys / Day on L1155 (Mins) (An empty or full 28T truck will travers the L1155 by every 21 minutes)	21	Minutes

Notes

Inbound - 250 days per year (52 weeks / year, 5 days per week and 10 bank holidays/year)
 Outbound 174 days (36 Week "Spreading season", 5 days per week, 6 bank holidays)
 Each truck makes two journeys on L1155 - one when fully loaded and one when empty.

This analysis indicates a 28T truck will pass pedestrians and cyclists on the L1155 Quickpenny Lane **every 21 minutes**. It should be noted that the 21 minute frequency assumes the truck traffic is evenly distributed over the 10 hour working day. This however is highly unlikely, and anything other than an even distribution will mean there will be periods during the day when the truck frequency will be greater than once every 21 minutes.

The L1155 Quickpenny Lane is a popular route for cyclists and pedestrians alike. It is important to note and draw attention to the fact that the entrance to the proposed site for the anaerobic digester is immediately adjacent to the entrance to Man O'War GAA Club and pitches. Many members of that club travel to and from it on their bicycles.



Source: Google Maps.

In their submission to An Board Pleanála, the promoters addressed proposed traffic arrangements within the Country Crest / Ballymaguire Foods complex. They have ignored the implications from the increase in heavy duty traffic on the L1155 Quickpenny Lane. Those implications are significant increase in risks and hazards for all road users and especially for the more vulnerable pedestrians and cyclists.

Note: Any suggestion that this facility be permitted to operate on a 365 days per year / 24 hours per day basis for truck collection and deliveries would be unconscionable and would have a major impact on local residents' entitlement to quiet enjoyment of their houses and homes. There are more than 30 residential properties (excluding the adjacent Oberstown Campus) in the immediate vicinity of the proposed site and along the L1155 Quickpenny Laneway access route to the R132. Furthermore, such an arrangement would directly contravene the proposer's own Environmental Impact Report recommendation; *"It is recommended that all collections and deliveries from the site are conducted during normal working hours"* (Ref: [eiar_report_country_crest_ad_plant_2024_22415.pdf](#), Page 14.)

Access & Road Network

In [F24A_1162E_Appeal_Documents_1_of_5.pdf](#), Page 5 (Map) and Page 6 (Section 1.1), the promoters state *"There is also a secondary entrance to south of the site which provides access to a local road that leads to Quickpenny Road c1.5km to the south"*.

This is misleading. This refers to a laneway so narrow it does not warrant either an official name or number.

There is no vehicle access to the site via this laneway - as the signage at the laneway entrance attests. It is fair to say however, a number of Country Crest / Ballymaguire Foods employees use this laneway as a pedestrian/cyclist access route



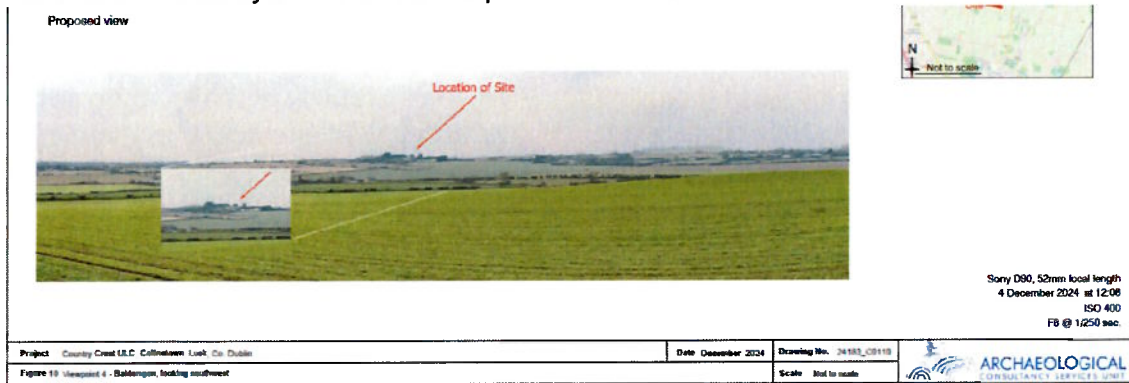
Visual Impact

Much has been made in initial application and subsequent appeal documentation that the proposed development would not have a negative impact on the visual amenities of the area and would not be visually obtrusive

(Ref: [eiar_attachments_2_of_2.pdf](#) . Visual Impact Assessment)

(Ref: [F24A_1162E_Appeal_Documents_1-of_5.pdf](#), Page 67 et seq.)

This is self-evidently incorrect as the picture below illustrates.



Ref: Figure 18, Visual Impact Assessment Report contained in eiar_attachments_2_of_2.pfd)

This photograph was provided by the proposers themselves, and it illustrates quite clearly the site's high-lying nature and visibility from many directions and locations.

One of those locations is the R127, Skerries Road, close to the farm vehicle access point referenced in *F24A_1162E_Appeal_Documents_1_of_5.pdf Page 6*. The picture below is from that location and it shows very clearly the view from the road of the existing structures on the site. It is untenable to suggest that constructing an additional 30 structures on 18 acres adjacent to this site would not have a negative impact on the visual amenities of the area.

It is worth noting that in addition to the day-time visual impact, the night-time impact and light pollution arising from the proposed development would further exacerbate the visually obtrusive nature of the proposed development.



Conclusion

Anaerobic Digestion is a valuable and useful technology. However when contemplated on the scale envisaged in this planning application, the suitability of the location and the impact on the local area and its residents have to be taken into account. Planning regulations, the local area development planning process and area zonings are the tools available to assure and achieve this.

The planning office in Fingal County Council were fully correct determining that permission should not be granted for this development in this area. It is incumbent on An Board Pleanála to uphold that decision and we trust your determination of the appeal submitted will do so.

Appendix 1: Structures to be constructed on proposed site

The proposed supporting infrastructure to be developed includes inter alia,

- 1 no. 45m diameter combined primary and secondary digestion tank (8.5m high, 7947 m³ & 3981 m³ respectively) & attached pumping unit,
- 1 no reception tank (5m high, 250 m³) & attached pumping unit,
- 1 no. 32m diameter power digest tank & attached gas sphere (12m high, 4.825 m³ & 3130 m³ respectively) & attached pumping unit,
- 1 no digestate separator building (119.5 m²),
- 1 no. pasteurization unit & hygenization buffer tank,
- 1 no. gas upgrading unit,
- 1 no. gas pre-treatment unit,
- 1 no. gas valve chamber,
- 1 no. gas flare (9m high),
- 1 no. GNI gas injection unit (25.1 m²) with an underground gas pipeline to the gas grid connection adjacent the site to the west,
- 1 no. combined heat and power unit,
- 2 no. boiler containers,
- 1 no oxygen compound,
- 1 no heat distribution container,
- 1 no switchboard container,
- 1 no carbon dioxide liquefaction unit,
- 2 no weighbridges &integrated lever arms & access control & attached bio security units,
- 1 no single-storey office and administration building (123 m²),
- 1 no ESB sub-station (66 m²),
- 1 no enclosed feedstock reception building (1527 m²),
- 1 no odour abatement machinery (with 14m high chimney),
- Silage clamps (8m high),
- 1 no machinery shed (309.4 m²),
- 1 no services building (288.6 m²),
- 1 no solid digestate storage building (484.1 m²),
- 2 no covered digestate lagoons, attached pumping building (30 m²) and attached digestate loading-unloading areas,
- roof mounted solar arrays / photovoltaic panels,
- all associated car and bicycle parking, internal road layouts, earthen berms, site retaining walls, palisade fencing and boundary treatments, hard surface and bunded areas for housing supporting plant, processing and storage facilities and all associated site works.

Ref: **Planning Application Form – Part A.pdf**, Page 3 (Fingal County Council Planning Portal <https://planning.agileapplications.ie/fingal/application-details/100000>)

Appendix 2: Original Objection

Quickpenny Road
Rathmooney
Lusk
Co. Dublin
K45 HW25

Fingal County Council
Planning Permission Section
County Hall
Main Street
Swords
Co. Dublin

January 29, 2025

Ref: **Planning Application F24A/1162E: Development of an Anaerobic Digestion (AD) Facility to produce biometric gas for direct injection into the national grid at Collinstown, Lusk, Co. Dublin**

Dear Sir / Madam,

We wish to object to the above planning application on the following reasons.

1. The proposed development fundamentally conflicts with the zoning objective of the area.
2. This proposal poses an unacceptable risk to the Natura 2000 Site (Rogerstown)
3. This proposal is contrary to proper planning and sustainable development it is prejudicial to public health, and it fails to adequately address safe disposal of effluent and digestate
4. This proposal will be visually obtrusive and will seriously injure the amenities of the area and of property in the vicinity
5. This proposal will have a negative impact on public safety and road users
6. This proposal does not adequately address surface water drainage
7. This proposal is an attempt to overturn the precedent set by the planning decision in respect of Application F14A/0187

We would also like to make a number of observations in respect of:

- A. The promoters' failure in their duty to inform the local community of this development proposal.
- B. Misleading information provided – specifically in relation to “Neighbours consent to apply for planning permission”
- C. The general bona fides of the EIAR – Environmental Impact Assessment report

The required fee of €20.00 has been paid.

Yours truly

John McLoughlin & Miriam McLoughlin & Family.

The proposed development fundamentally conflicts with the zoning objective of the area.

The proposed development fundamentally conflicts with the zoning objective of the area.

In the Fingal County Development Plan 2023-2029, this area is designated “RU”.

The RU Zoning Objective is defined as:

“Protect and promote in a balanced way, the development of agriculture and rural related enterprises, biodiversity, the rural landscape and the build and cultural heritage”

The proposed development **DOES NOT PROTECT** and **DOES NOT PROMOTE** any of the RU Zoning objectives in a balanced way.

The development of a 7.28 Hectare site for an Anaerobic Digester and associated plant cannot be presented as “promoting the development of agriculture”.

- It will not result in any greater volume or any greater diversity of “agriculture activity” – in fact the opposite will be the case.
- It will diminish and damage the “clean and green” reputation of the immediate area to the detriment of all local farming and food production activity in the area.

The fundamental nature of the proposed development is a large-scale commercial gas generation facility and has nothing to do with agriculture or rural related enterprises. It is inconsistent with the RU zoning of the area and it runs counter to the objectives of the development plan for this area.

This proposal poses an unacceptable risk to the Natura 2000 Sites

This site is physically very close to the two Rogerstown Natura 2000 sites and is hydrologically linked to the Rogerstown estuary.

The closest Natura 2000 sites to the farm are the Rogerstown Estuary SAC (Site Code: 000208) and Rogerstown Estuary SPA (Site Code: 004015), located 4.2km south from the site.

Applicant’s EIAR Report – Page 18

The proposed development is located within the Water Framework Directive (WFD) Nanny-Delvin 08 Catchment, the Palmerstown 010 Sub Catchment and the Palmerstown 010 River Sub Basin. The proposed development is hydrologically linked to the Palmerstown 08 stream and to the Rogerstown estuary

Applicant’s EIAR Report – Page 73

The EIAR accepts:

“A deterioration in the water quality of the Palmerstown 08 stream has the potential to impact upon human beings by adversely affecting its own and downstream water bodies’ water quality” (Page 73) and yet the report surmises:

“It is not anticipated that the proposed development would have the potential to adversely impact water quality during the operational phase” (Page 74).

That is pure conjecture and is grossly optimistic. It presumes no adverse event will ever occur on the

site for the entirety of its operating life (20+ years). That is an untenable view to adopt. Having regard to the scale and location of this development, it is clear it represents an unacceptable risk to the two Natura 2000 sites above.

This proposal is contrary to proper planning and sustainable development, is prejudicial to public health and it fails to adequately address safe disposal of effluent and digestate

A minimum of 35%² of the feedstock required for this development will be sourced externally, necessitating 44 PCU's (TRUCKS) per day. No evidence of from where or from how far away this feedstock will be sourced appears to have been provided. It is noted however that it includes 1,300 tonnes of SEWAGE sludge (WWTP).

The proposal estimates more than 49,000 tonnes of liquid digestate and more than 10,000 tonnes of solid digestate will be produced annually. The EIAR repeatedly asserts this will be:

"...applied within the applicant's lands and delivered to partner farmers as detailed within the Nutrient Management Plan".

No document entitled "Nutrient Management Plan" appears to be included with the submission provided.

It is unclear how this waste from the anaerobic digester will be disposed of. Disposing this volume of liquid and solid waste every year on the applicant's own lands for the lifetime of the anaerobic digester is unsustainable.

This proposal will be visually obtrusive and will seriously injure the amenities of the area and of property in the vicinity

Despite assertions to the contrary, this development will be visually obtrusive and will have a negative impact in the amenities of the area and of property in the vicinity.

The development will occupy 7.28 hectares and will comprise 30+ individual units, inclusive of

- OCU Stack - 14.2m height
- Power Digest tank and gas sphere – 12m height
- Gas Flare – 9m height
- Digestion tank – 8.5m height

In its entirety, the application proposes:

- 1 no. 45m diameter combined primary and secondary digestion tank (8.5m high, 7947m³ & 3981m³ respectively) & attached pumping unit,
- 1 no reception tank (5m high, 250 m³) & attached pumping unit,
- 1 no. 32m diameter power digest tank & attached gas sphere (12m high, 4.825m³ & 3130 m³ respectively) & attached pumping unit,
- 1 no digestate separator building (119.5 m²),
- 1 no. pasteurization unit & hygenization buffer tank,
- 1 no. gas upgrading unit,
- 1 no. gas pre-treatment unit,

² Table 2.1- Proposed Feedstock (P40) and Table 11.1 – Estimates Annual Average Daily Traffic (P264) of the EIAR

- 1 no. gas valve chamber,
- 1 no. gas flare (9m high),
- 1 no. GNI gas injection unit (25.1 m2) with an underground gas pipeline to the gas grid connection adjacent the site to the west,
- 1 no. combined heat and power unit,
- 2 no. boiler containers,
- 1 no oxygen compound,
- 1 no heat distribution container,
- 1 no switchboard container,
- 1 no carbon dioxide liquefaction unit,
- 2 no weighbridges & integrated lever arms & access control & attached bio security units,
- 1 no single-storey office and administration building (123 m2),
- 1 no ESB sub-station (66 m2),
- 1 no enclosed feedstock reception building (1527 m2),
- 1 no odour abatement machinery (with 14m high chimney),
- Silage clamps (8m high),
- 1 no machinery shed (309.4 m2),
- 1 no services building (288.6 m2),
- 1 no solid digestate storage building (484.1 m2),
- 2 no covered digestate lagoons, attached pumping building (30 m2) and attached digestate loading-unloading areas,
- roof mounted solar arrays / photovoltaic panels,
- all associated car and bicycle parking, internal road layouts, earthen berms, site retaining walls, palisade fencing and boundary treatments, hard surface and bunded areas for housing supporting plant, processing and storage facilities and all associated site works..

This is an industrial scale development, adjacent to sports clubs and pitches, the Oberstown Campus, and overlooking the village of Lusk. If permission is granted, this will be visually obtrusive in the extreme.

This proposal will have a negative impact on public safety and road users

The application suggests at worst case, this development will give rise to 3 inbound 28T trucks per day and 8 outbound 28T trucks per day. (Table 11.1 EIAR Page 264)

These estimates are FALSE and MISLEADING and are based on deliveries 365 days per year for inbound traffic and 7 days per week for outbound traffic over the 36 week spreading period.

The traffic estimates are false and misleading. They are self-serving to the applicant's objectives. Their method of calculation is in sharp contrast to the equally self-serving statement in the EIAR vis-à-vis noise impact:

*"It is recommended that all collections and deliveries from the site are conducted during **normal working hours.**"* (EIAR Page 14)

Heavy duty vehicle traffic on the access road L1155 will increase significantly, and will compromise the safety for all users of that road, in particular for pedestrians and cyclists

This proposal does not adequately address surface water drainage

The application proposes that surface water will be collected and ultimately discharged into an

existing ditch. (EIAR P43)

Put simply, this adds to the increased risk to the Natura 2000 sites and is unacceptable.

This proposal is an attempt to overturn the precedent set by the planning decision in respect of Application F14A/0187

In 2014 a similar application for an Anaerobic Digester was resolutely rejected by Fingal County Council.

That application, F14A/0187, was for an Anaerobic Digester facility located approximately 1.8km from where the subject Anaerobic Digester facility is proposed.

The subject Anaerobic Digester facility of F24A/1162E is similar in nature but of massively greater scale that that of the refused F14A/0187.

	F14A /0187	F24A/1162E	Comment
Site Size	2 Hectares	7.28 hectares	More than 3.5 times larger
Digestate consumes	16,000 Tonnes	70,000 Tonnes	4.4 times more digestate

None of the underlying reasons for the refusal of F14A/0187 have changed in any way.

The two proposed sites are within 1.8km of each other and have the same “catchment area” vis-à-vis their negative impacts

The difference between the two proposal is the much larger scale of proposal F24A/1162E

It would be unconscionable of Fingal County Council to reverse their 2014 decision and grant permission to F24A/1162E.

OBSERVATIONS

The promoters failed in their duty to inform the local community of this development proposal.

There was an almost visceral reaction to the 2014 Anaerobic Digester application (F14A/0187) in the local Lusk and environs community. That application gave rise to protests, and public meetings and generated the highest number of objections to any planning application ever seen by Fingal County Council.

The feelings and attitudes of the people of Lusk and its environs have not changed, and yet this application (F24/1162E) has generated a much smaller response. As of today, there were only two Objections / Submissions on record on the Fingal County Council Website.

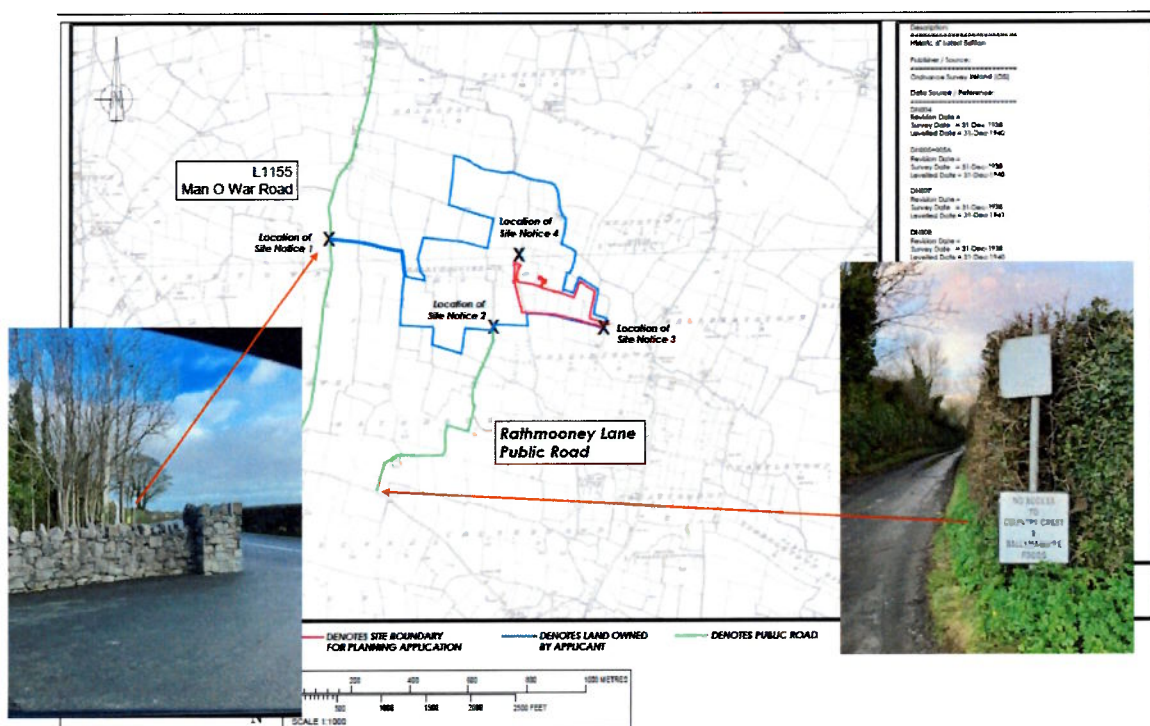
The explanation for this lack of engagement in to be found in the cynical approach the applicants adopted in making this application.

Date of application

The application was submitted on December 18th 2024 – a week before Christmas. It is difficult not to have the opinion that this date was chosen as most people would be otherwise preoccupied, and those that normally pay attention to planning matters would be less likely to do so at this time.

Placement of Public Notices

The Public Notices were located as per below: (Ref: Site Location Map included with Application)



Site Notices 2, 3 and 4 are all at the end of a cul-de-sac laneway which explicitly states there is no access to Country Crest. While it is a “public laneway”, it is a cul-de-sac, and there is very little traffic to the end of it where the notices are located.

Furthermore, site notices 3 and 4 are not visible from any public location. They are all on private property and there are no adjacent public roadways or walkways.

Site Notice 1 is the only notice that is visible from the public roadway, but even with that, its location is set so far back from the edge of the road and is so obscured within the trees there, it is effectively impossible to see in passing.

The proposal contains misleading information – specifically in relation to “Neighbours consent to apply for planning permission”

“Neighbours consent to apply for planning permission” is a supporting document included with the application. This is disingenuous and would appear to be deliberately misleading. The neighbour in question, Mr Gabriel Hoey, is a co-founder and owner of Country Crest. While he

might own land adjacent to Country Crest, he lives at considerable distance away from it. This supporting material is not a “neighbours consent...” but rather it is a “co-owner and co-applicant’s consent....”

General bona-fides of the Environmental Impact Assessment Report (EIAR) accompanying this submission.

The general bona-fides of the EIAR must be called into question.

The report consists of:

- Main report – 303 Pages
- Attachment 1 – 234 Pages
- Attachment 2 – 181 pages

It is incredulous and beyond belief that in 617 pages of analysis and evaluations, there is not one single negative impact for the local area, the local environment or any of the local residents from a large-scale industrial development on 7.28 hectares wherein:

- 70,000 tonnes of waste material will be processed
- 58,000 tonnes of digestate will be produces

Every conclusion in the EIAR is positive towards the application regardless of the evidence to the contrary.

- No negative Noise impact
- No negative Odour impact
- No negative Traffic Impact
- No negative Environmental impact
- No negative Amenity impact
- and the list goes on.

Even the EIAR’s persistent use of the term “*the farm*” (Pages 14, 15, 18, 19, 20,) to describe this large-scale industrial complex calls into question the integrity of the entire report. If the authors cannot recognise this proposal for what it is, a large-scale industrial complex, it is difficult to have any confidence in their overall environmental analysis.