

File With

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SECTION 131 FORM

Appeal No

ABP-3220918-28

Defer Re O/H

[Empty box]

Having considered the contents of the submission dated/received 9/4/28 from Peter Foley 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 131

Section 131 not to be invoked at this stage.

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

Signed

[Signature]

Date

22/4/28

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

[Empty box]

Date

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EO

Signed

[Empty box]

Date

[Empty box]

AA



Planning Appeal Online Observation

Online Reference
NPA-OBS-004469

LDG-079221-25

Online Observation Details

Contact Name Peter Foley	Lodgement Date 09/04/2025 10:06:09	Case Number / Description 322098
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Payment Details

Payment Method Online Payment	Cardholder Name Peter Foley	Payment Amount €50.00
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Processing Section

S.131 Consideration Required

Yes — See attached 131 Form

N/A — Invalid

Signed

Peter Foley

EO

Date

09/04/25

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

EO

Date

Finance Section

Payment Reference

ch_3RBuaDB1CW0EN5FC0Cde0Jq6

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

RE: Submission in respect of planning application F24A/1162E. Proposed Development of an Anaerobic Digestion Facility at Country Crest, Collinstown, Co. Dublin

In relation to the application of Country Crest to build an Anaerobic Digestion facility on lands spanning some 18 acres in Collinstown, Lusk, Co. Dublin, I say that this development should not be allowed for the following reasons.

1. The proposed development unambiguously constitutes a material contravention of the Development Plan 2023-2029. This development will specifically impact negatively on the biodiversity of the area, the rural landscape and the built heritage.
2. The negative impact this development will have on the High-Lying Agricultural' landscape character type of the surrounding area.
3. Proximity of the development to private homes and the negative health implications from by-product emissions.
4. Road Safety
5. The potential future use of the facility.
6. The potential negative impact on the Rogerstown Estuary, Special Area of Conservation
7. Lack of consultation form Country Crest with the local community

1) Contravention of the Development Plan 2023-2029

The proposed development is located on lands zoned 'RU – Rural' as set out in the Fingal Development Plan 2023 – 2029 which seeks to protect and promote in a balanced way, the development of agriculture and rural related enterprise, biodiversity, the rural landscape and the built heritage.

As the proposed development is a facility to produce Biomethane Gas for direct injection into the gas grid (effectively a power plant) I respectfully submit that this development as proposed would contravene materially a development objective indicated in the development plan for the zoning of land as 'RU' Rural. Furthermore, the zoning objective vision of this area seeks to maintain '**visual remoteness from significant and distinctive urban influences, the promotion of the integrity of the landscape and the enhancement of the built and cultural heritage**'. Given the scale of this development, the large number of buildings including a 14 mere high chimney, machinery shed, service buildings, solid digestate storage building, amongst others, it is clear that this development would result in the inappropriate use of this site which would seriously injure the amenities of properties in the vicinity and would be contrary to the proper planning and sustainable development of this rural area.

I respectfully submit that it is a correct assertion that this facility would be a commercially operated Anaerobic Digestion plant. Country Crest by their own admission were previously granted permission to develop a much smaller facility of this nature however those plans did not proceed as it was deemed not to be economically viable. The sole purpose of this site is to receive waste at a commercial scale and to generate energy using that waste. This facility is not some kind of philanthropic venture by the Hoey brothers to combat climate change, it is a business venture to increase the bottom line for Country Crest.

The appellant, describes the plan to develop an AD facility as the next step in the natural progression in this business. It is described as a business simply diversifying and growing. I say that this is more than diversification. This is a shift away from what Country Crest was, and a million miles from the family farm that the Hoey's grew up on. Rather than diversification, this is a shift away from farming to large scale gas production. The purpose of this facility is not to efficiently dispose of waste, the purpose is to generate gas, and waste disposal is merely a process and a means to an end.

I respectfully submit that no part of this application is in keeping with 'RU – Rural' zoning of this area and that to grant permission for this development would greatly injure, in particular, the biodiversity, rural landscape and the built cultural heritage.

2) Negative impact on the High-Lying Agricultural' landscape character type of the surrounding area

In their report, the planner states that the proposed site is located in a High-Lying Agricultural landscape type and that when viewed collectively, the proposed development will have a cumulative profound negative impact on the visual amenities of the area. It is true to say that a large number of the proposed buildings are in keeping with the agricultural type of the area however the gas spheres, chimney and flare would without doubt irreparably alter the rural character of the site.

The appellant in this case states that the development '*would not disrupt scenic views*' however this is factually incorrect. Baldongan Church, which is all that remains of a 13th century castle built by the Knights Templar, overlooks this area from the crest of the hill on the L1285. This historical site is regularly visited by locals as well as domestic and international tourists.

From Baldongan Church, visitors are treated to spectacular views of the North Dublin countryside. The current Country Crest buildings and wind turbine are visible from this site and it is undeniable that the proposed site, which will almost double the amount of buildings there, will severely and negatively impact on the view from this location.

In addition to the negative effect on the Baldongan Church views, this proposed development will also negatively impact on the aesthetic of the drive south from Skerries towards Lusk on the R127 and the West to East drive on the L1125 from Cortlough to the Skerries Road. All of these roads and sites overlook the proposed development site.

3) Proximity of the development to private homes

The site chosen by Country Crest, from within their vast site, is extremely close to a cluster of family homes, and although the applicant only refers to one dwelling being 150 metres from the site, there are five family homes within 350 metres of the site and eleven homes within 500 metres. Connolly Lane in Collinstown (just off the R127) is home to nine families including twenty young children. The applicant has gone to some length in their aerial photographs to hide just how close this site is to our family homes but the image below serves to correct this.

In this picture, the site can be seen in the upper right hand side of the shot (marked below with an X) bordering the Country Crest facility. This photo, as well as showing the proximity of the site to family homes also highlights the size of the site which will effectively double the size of this industrial complex.



Given the close proximity of the proposed site to the homes in Collinstown and the fact that the 14-metre high chimney is clearly an exhaust for a by-product in the production of biomethane, I would have grave concerns about the impact that this development will have on our enjoyment of our homes as well as the potential negative health implications.

In addition to the exhaust fumes that would be emitted from this facility, I also respectfully submit that there will be a negative impact on our lives through excess noise generated both in the construction and in the additional truck movements during the operation of the digester.

In addition to the above, the proposed AD facility as per the appellant's submission will require 8,000 tonnes of water per annum to operate. Eight thousand tonnes of water equates to a staggering seven million, two hundred and fifty-seven thousand, four hundred and seventy-seven litres. 7,257,477!

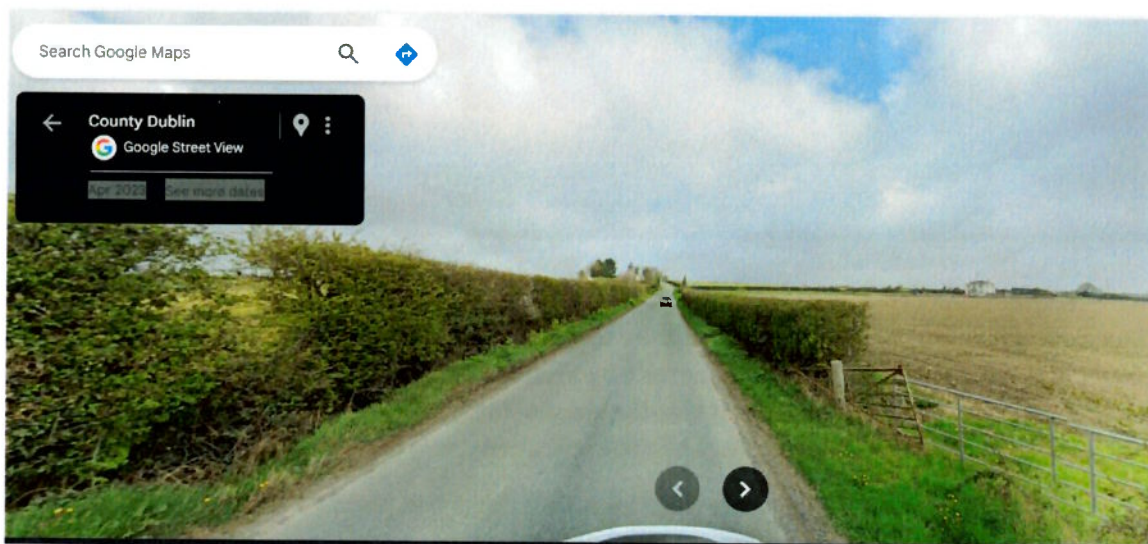
There appears to be no information as to where this water will come from, but all of the homes in the area rely solely on our wells for **all of our water supply**. If the astonishing figure of 8,000 tonnes of water is taken from the water table on site, it simply cannot be argued that it will not severely impact on the supplies to our homes. 7,257,477 litres of water is the equivalent to the average annual use of 60 family homes. This is simply far too much pressure on the water table in Collinstown, especially during prolonged spells of low rainfall. Granting permission for this facility will have a dangerous impact on the health and wellbeing of the many families (including a number of families with children who have additional needs) that rely on their wells for water.

Relying on our wells for our water supply, as we do in Collinstown, also gives rise to the concern of the contamination of the water supply should any issue arise with the AD facility. The storage of the massive amounts of liquid digest in the two lagoons, gives rise to the possibility that one or both of those lagoons could leak with devastating consequences for us.

As stated in the planner's report submitted by the appellant, AD facilities are a new technology. This particular proposal is an extremely large AD plant. Given the extremely close proximity of the site to our homes and the scale of the facility, I respectfully submit that the risk to life and property should there be a fire is simply too great to allow this development.

4) Road Safety

The L1155, Quickpenny Lane, is a narrow country road with no road markings, footpaths or hard shoulder (see google street view images below). It is a country road that is used by residents, a number of small to medium sized business as well as access to the Man-O-War GAA Club and the Oberstown Detention Centre. Country Crest is by far the biggest facility accessed along this road which is already bulging at the seams for a road this size.



It is proposed by the appellant that the following will be brought to site to feed this monster digester every year;

- 24,500 tonnes of grass silage
- 17,080 tonnes of slurry
- 10,000 tonnes of whole crop silage
- 8,000 tonnes of water
- 7,000 tonnes of chicken faeces
- 1,080 tonnes of cattle faeces
- 650 tonnes of vegetable by-product
- 100 tonnes of food by-product
- 400 tonnes of draft grains

The above mentioned waste will require in the region of 2,500 truck movements into the site. This number could well be higher if trucks smaller than 24 tonne trucks are used. In addition to the

movements into the facility, there will be somewhere in the region of 50,000 tonnes of digestate to be removed from the facility. That is an additional 2,000 truck movements, again assuming the larger 24 tonne trucks are used.

This colossal amount of waste will vastly increase the truck movements on such a small country road and these movements are in addition to the truck movements already in existence accessing Country Crest.

Although the figures stated by the appellant are annual figures, these will not be evenly spread out throughout the year. The grass and whole crop silage, a combined 34,500 tonnes, will all be moving on our roads during May & June when they are harvested. These movements will be on top of the already busy farming movements in the area at this time of year. This will mean an already hectic time on our roads for large machine movements will be drastically worsened.

The massive amount of truck movements and the carbon emissions are a direct contradiction to the argument being put forward that this site is being developed to fight climate change.

Additionally, if the appellants were so concerned about climate change, would they be engaged in the mass importation of sweet potatoes from as far away as America, South Africa, Brazil and Honduras?

5) Potential Future Use

Although the business that is now Country Crest, grew from what was originally a small family farm, it is not beyond the realms of possibility that the entire business could one day fall under new ownership. Although this application can only be assessed on its merits, I say that the location of the chosen site is such that would allow the AD facility to be separated from the rest of the business with future access via Connolly Lane onto the R127, Skerries Road. Any future new owner of this facility, once it is established, would be free to receive waste from all four corners of the country including from waste water treatment plant. Should the price of gas drop, the operators will inevitably seek out the cheapest material to feed the digester in order to maintain their profits. I therefore submit that the breakdown of feedstocks into the proposed AD as presented by the appellant could be subject to dramatic change.

6) Biodiversity & Rogerstown Estuary, Special Area of Conservation

The Environmental Impact Assessment commissioned by country crest does not mention the possible impacts on Bride Stream which runs approximately 100 metres to the north of the site. This stream rises in the Man-O-War and runs through the countryside before combining with Jones Stream and running into the Rogerstown Estuary. Rogerstown Estuary is home to the Rogerstown Nature Reserve which is an essential feeding and breeding habitat for a number of protected species of birds including Golden Plover, Lapwing, Curlew, Black-tailed Godwits, Dunlin, Redshank, Light-bellied Brent Geese, Shelduck, Wigeon and Teal. There is simply not enough evidence contained within the report to definitively state that there will be no negative impact on this special area of conservation either during the construction of the facility or during its operation.

Bride Stream itself is also home to a wide variety of wildlife including frogs and newts. As otters are present in the Rogerstown Nature Reserve, it is also highly probable that they are present in Bride

Stream, certainly closer to the mouth of the stream if not further up closer to the proposed development site.

In addition to the negative impact of the development on this waterway, Collinstown is teeming with wildlife including foxes, badgers, hedgehogs, pheasants, bats and hares all of which will be negatively impacted by the construction and operation of this facility.

7) Lack of Consultation

The owners and operators of Country Crest have not consulted with the community in relation to this development. The site notices for the original planning application were posted in areas where no member of the public would see them. This was a cynical act in attempt to conceal this application. Taking the small residential area of Connolly Lane. There are just nine family's living on the lane that will be most impacted by this development. It would have taken little effort for Country Crest to consult with us in relation to their plans and to listen to our concerns. Rather than do this, they chose to hide their application and ignore the fact that we might have genuine concerns.

In summary, it is my honest belief that this development should not be allowed as it constitutes a material contravention of the Development Plan 2023-2029. The additional truck movements would be simply too much for the small country road to take and will put other road users and pedestrians at risk. The proposed development would severely and negatively impact on the visual amenity of our area and will have a detrimental impact on the enjoyment of our homes in Collinstown. Finally, I have grave concerns that this proposed development will impact negatively on the natural environment and wildlife both in Collinstown and in the nearby Bride Stream and by extension the Rogerstown Nature Reserve.

Kind Regards,

*Peter Foley,
Tara,
Collinstown,
Lusk,
Co. Dublin*