

File With \_\_\_\_\_

**SECTION 131 FORM**

Appeal NO: ABP 3220978

Defer Re O/H

TO:SEO

Having considered the contents of the submission dated/ received 14/4/28

from Ray McDonnell I recommend that section 131 of the Planning and Development Act, 2000

~~is~~ not be invoked at this stage for the following reason(s): no w 1855

E.O.: [Signature]

Date: 23/4/28

To EO: \_\_\_\_\_

Section 131 not to be invoked at this stage.

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

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**

Appeal No: ABP \_\_\_\_\_

M \_\_\_\_\_

Please treat correspondence received on \_\_\_\_\_ as follows:

1. Update database with new agent for Applicant/Appellant _____ 2. Acknowledge with BP _____ 3. Keep copy of Board's Letter <input type="checkbox"/>	1. RETURN TO SENDER with BP _____ 2. Keep Envelope: <input type="checkbox"/> 3. Keep Copy of Board's letter <input type="checkbox"/>
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Amendments/Comments

4. Attach to file (a) R/S <input type="checkbox"/> (d) Screening <input type="checkbox"/> (b) GIS Processing <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/> (c) Processing <input type="checkbox"/>	RETURN TO EO <input type="checkbox"/>
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	Plans Date Stamped <input type="checkbox"/> Date Stamped Filled in <input type="checkbox"/>
EO:	AA:
Date:	Date:

# Lodgement Cover Sheet - LDG-079294-25



322098

## Details

Lodgement Date	14/04/2025
Customer	Ray McDonnell
Lodgement Channel	In Person
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-079294-25
Map ID	
Created By	Anthony Kelly
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

## Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Fingal County Council
Case Type (3rd Level Category)	

## Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	50.00
Refund Amount	

Observation/Objection Allowed?	
Payment	PMT-061990-25
Related Payment Details Record	PD-061838-25

BP240  
VLM

## Observation

LD 15/4 ✓

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

Run at: 14/04/2025 13:48

Run by: Anthony Kelly

**AN BORD PLEANÁLA**  
LDG- 079294-25  
ABP- \_\_\_\_\_  
14 APR 2025  
Fee: € 50.00 Type: CARD #  
Time: 13.42 By: ITAND

The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

Ray McDonnell  
Quickpenny road  
Lusk, Co Dublin

13th April 2025

**Bord Pleanála Case ref:** ABP-322098-25  
**Fingal County Council Ref:** F24A/1162E  
**Applicant Name:** Country Crest ULC  
**Location of Proposed Development:** Country Crest, Collinstown, Lusk, Co. Dublin

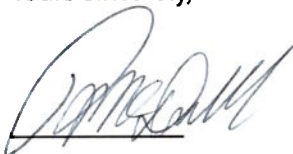
Dear Sir/Madam,

I would like to submit the attached observation/Submission in respect of the above appeal, Ref: ABP-322098-25.

I believe the decision made by Fingal County Council on 20th February 2025 (Copy enclosed) to refuse permission for the proposed development of an Anaerobic Digestion (AD) Facility at Collinstown Lusk, Co Dublin is the correct decision and I would implore An Bord Pleanála to uphold the decision made by Fingal County Council to Refuse Permission for this development.

I confirm that I have paid the appropriate submission fee of €50.00 to An Bord Pleanála.

Yours sincerely,



Ray McDonnell

## INTRODUCTION:

An appeal has been submitted to An Bord Pleanala by the Applicant/Agent for Country Crest ULC under reference ABP-322098-25. I respectfully ask the Board to reject the appeal to overturn Fingal County Council's Decision to refuse Permission for the Anaerobic Digester Facility at Collinstown, Lusk Co Dublin.

**Fingal County Council refused permission** for the development of an Anaerobic Digestion Facility at Collinstown Lusk Co Dublin under application F24A/1162E due to the following 3no. Very valid Reasons: (Copy of Fingal County Councils Decision attached)

**I believe that Fingal County Council made the Correct Decision to refuse Planning permission for the Proposed AD Facility at County Crest, Collinstown Lusk Co Dublin. I have outlined below items that I believe the An Bord Pleanala should be aware of and take into account when making their decision and we implore you to uphold Fingal County Councils decision to Refuse Permission.**

## ENVIRONMENTAL NEGATIVE IMPACT & LIGHT POLLUTION

The Proposed Anaerobic Digester (Industrial) facility will pose an unacceptable risk to Flora and Fauna of the area.

I would like to bring to the Board's attention that in addition to daytime visual impact, the **Night time impact** and **Light Pollution** arising from the proposed development due to its **INDUSTRIAL Scale and Design** would further exacerbate the visually obtrusive nature of the proposed development. As it stands **THE CURRENT LIGHTING DESIGN DOES NOT ADHERE TO THE DARK SKIES POLICY.**

Light pollution is harmful to the environment & our cultural heritage: • It is a waste of energy and carbon emissions, contributing to climate change. • It disrupts the biological clocks of all living things, interfering with ecosystems and impacting human health and well-being **Ref:**

<https://darksky.uk/environment>.

<https://www.darksky.ie/wp-content/uploads/2024/10/Updated-DSI-Environmentally-Friendly-Lighting-Guide.pdf>

It is clear that ***the proposed development will be Visually Obtrusive and seriously injure the amenities of the area and property in the vicinity. (The Proposed planning Development would therefore be contrary to proper planning.)***

## VISUAL IMPACT

**(Visually Obtrusive and seriously injure the amenities of the area and property of the vicinity.**

It is clear that the proposed development along with the current development will be **noticeably visible from the L1125, L1155 Quickpenny Lane (Man O War), Quickpenny road (an approach road to Lusk Village) and the R127 Skerries road**. It is therefore outrageous for the applicant to suggest that the current structures and along with the proposed development would be hidden away by hedging and blend in with the surroundings. It is clear due to the scale and height of the structures of the A.D Facility, that it would be visually obtrusive and have a **negative impact** on the visual amenities of the area, property in the vicinity and an negative impact on the **views of natural beauty/protected views** surrounding this area.

## TRAFFIC IMPACT & SAFETY

The applicants submission to An Bord Pleanala has not addressed the impact of the increased traffic movements on the L1155 quickpenny lane. The L1155 is used as a local amenity by locals walking, running club's, cycling clubs etc. These HGV's are an unacceptable hazard to all users of the L1155 quickpenny lane. The applicant has not addressed issues regarding pedestrian/road user safety concerns.

As it stands the **L1155 is substandard in nature** and is **not suitable for HGV's with Pinch points less than 6m wide and unmarked**.

As you can see from the pictures below showing a **Country Crest HGV**, there is not enough room for a car to pass safely, let alone for another HGV which will be coming from the other direction from the site. The Junction at where L1155 Quickpenny lane meets Quickpenny road, there is a blind bend and with the HGV movements and increased number of movements proposed this will make the L1155 even more dangerous to all users of L1155.



## **SCALE AND NATURE OF THE PROPOSED DEVELOPMENT.**

This proposed development is a **LARGE SCALE NON-AGRICULTURE COMMERCIAL/INDUSTRIAL ENTERPRISE** which will be importing waste materials from all over the Country and not just for their own waste. This type of waste facility is **incompatible with the "RU ZONING"** of the proposed Location and incompatible with current food production of adjacent lands.

The Structures of the AD Facility cannot be considered as Agricultural buildings as the applicant's agent is trying to spin, nor are they regarded as Utility Installations.

The applicant is changing from food Farming production to Energy farming, growing 500 acres of silage to feed the Anaerobic Digester, rather than growing 500 acres of food.

**The business model/feed stock which Country crest and their promoters have chosen is non-environmentally friendly and purely for Commercial gain.**

<https://www.antaisce.org/news/an-taisce-reaction-to-national-biomethane-strategy-costly-strategy-fails-to-deliver-credible-climate-action>

## **NEGATIVE IMPACTS FROM BIOGAS PLANTS AND ITS MATERIALS SOURCE INPUTS AND MATERIAL OUTPUTS (DIGESTATE),**

Methane leakage from biogas plants. The main component of biogas is methane, which is a powerful shortlived climate pollutant. When **methane leakages occur** due to increased biogas production, these can **contribute to global warming and reduce the environmental benefits.** **Methane loss** may be the **largest contributor to the carbon footprint of biogas production.**

Other environmental risks, The material remaining after anaerobic digestion is known as digestate and can be used as a fertiliser. **Digestate has** been shown to have **higher levels of ammonium** compared with the organic substrate going into the AD process. As a result there is a **risk of increased environmental impacts** from acidification due to the **emissions from digestate application.** This is a concern, particularly as Ireland continues to **breach its emissions target for ammonia under the National Emissions Ceilings Directive.** Appropriate digestate management will be critical, including the use of Low Emission Slurry Spreading (or LESS) for digestate application.

There is also a concern on using **sewage sludge as an input source** for the Anaerobic Digestion process.

According to **Bord Bia "The storage and use of raw or treated sewage sludges or sewage derived products on Bord Bia Certified Farms is Prohibited."**

**"Raw or treated sewage / sludges are prohibited from being used on Bord Bia certified farms."**

<https://irishriverproject.com/2021/11/16/aie-to-bord-bia-on-use-of-biosolids-biofert-or-sewage-sludge-as-fertiliser/>

### **AIE to Bord Bia on use of Biosolids, Biofert or Sewage Sludge as Fertiliser**

#### **Section 3.6(a) of the SBLAS states:**

*“The storage and or use of raw or treated sewage, sewage sludges or sewage-derived products on Bord Bia certified farms **is prohibited.**”*

*Where a non-compliance is identified regarding this requirement, the herd will be excluded from the Scheme and a re-application will not be accepted until 12 months after the date that the last prohibited product was stored or spread on farm.*

#### **This same critical requirement exists for the SDAS which sets out at section 3.6(a):**

*“Raw or treated sewage / sludges are prohibited from being used on Bord Bia certified farms.”*

According to their own Website, The Applicants (Country Crest ULC) are currently a Bord Bia Approved Farm. However, according to the abstract above from Bord Bia, their farm will no longer be considered Bord Bia Approved due to the usage of WWTP Waste Sludge being used on their farm. Therefore this shows the True commercial nature of the proposed plan.

I again wish for An Bord Pleanála to make the correct decision here and uphold Fingal County Councils decision to refuse permission for the Proposed AD Development and reject the applicants appeal.

Ray McDonnell, Quickpenny road Lusk Co Dublin



# USEFUL DATA FOR IRISH RIVER CONSERVATION / WATER QUALITY

TRACKING FLOOD RELIEF PROJECTS, WATER ABSTRACTION & POLLUTION IN  
IRISH RIVERS

## AIE to Bord Bia on use of Biosolids, Biofert or Sewage Sludge as Fertiliser

📅 November 16, 2021 👤 admin

TO: Anne, Bord Bia FOI Officer FOI@bordbia.ie

Under the AIE regulations can I request

Any previous FOIs that mention biosolids, biofert or sewage sludge as fertiliser

Any correspondence between Bord Bia and Dept of Agriculture and/or EPA that mention biosolids, biofert or sewage sludge

Date range 2019 to current

Response to AIE submitted 15/11/21

**Section 3.6(a) of the SBLAS states:**

*“The storage and or use of raw or treated sewage, sewage sludges or sewage-derived products on Bord Bia certified farms is prohibited.”*

*Where a non-compliance is identified regarding this requirement, the herd will be excluded from the Scheme and a re-application will not be accepted until 12 months after the date that the last prohibited product was stored or spread on farm.*

**This same critical requirement exists for the SDAS which sets out at section 3.6(a):**

*“Raw or treated sewage / sludges are prohibited from being used on Bord Bia certified farms.”*

**The full standards for SDAS and SBLAS are available on Bord Bia’s website at:**

[https://www.bordbia.ie/globalassets/bordbia.ie/farmers-growers/farmers/qas/document-libraries/sblas-pdfs/sustainable\\_beef\\_and\\_lamb\\_assurance\\_scheme\\_standard.pdf](https://www.bordbia.ie/globalassets/bordbia.ie/farmers-growers/farmers/qas/document-libraries/sblas-pdfs/sustainable_beef_and_lamb_assurance_scheme_standard.pdf)

and

[Click to access sdas-producertandard.pdf](#)

**Download AIE Response here:**

[aie-response-biosolids](#) [Download](#)

 [Agriculture, AIE Requests, Biosolids](#)

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**◀ PREVIOUS ARTICLE**

[Annual State Expenditure on Forestry in Ireland \(2008-2019\)](#)

**NEXT ARTICLE ▶**

[2020 Afforestation Statistics](#)

**Leave a Reply**

## **An Taisce reaction to National Biomethane Strategy: Costly Strategy fails to deliver credible climate action**

The Government's new [National Biomethane Strategy \(NBS\)](#) abjectly fails to address the multiple and very serious issues raised by An Taisce and by the Environmental Protection Agency (EPA) during the public consultation. As required by the [Aarhus Convention](#), the purpose of public consultation is to improve draft proposals but the final NBS shows that this has not happened.

Therefore, the Departments of Agriculture (DAFM) and Climate (DECC) are open to an Aarhus complaint and it is now entirely possible that large amounts of public monies will be spent supporting a Strategy that may deliver little or no climate benefit and could likely increase nitrate water pollution and ammonia emissions, contrary to Ireland's international commitments.

The [EPA submission](#) strongly advised that, to reduce the risk of poor implementation, "the Strategy should clearly set out the actions, targets, timeframes and responsible owners for implementation". The new NBS provides no such clarity, therefore the Strategy and the Green Gas Certification Scheme lack credibility.

[An Taisce's submission](#) raised a number of credible and serious concerns, based on peer-reviewed and EU report evidence. However, the updated NBS does not address any of this evidence directly, and it fails to provide any certainty that the Strategy will be backed by effective regulatory measures and to ensure sustainability concerns are met.

Consequently, the Strategy does not evidence meaningful public engagement by the Departments. The Strategy lacks transparency: it is unclear what is being signed up to, what risks are entailed, what benefits are likely relative to alternative options, nor how much the Strategy's delivery will ultimately cost the public purse.

The Government is now seeking €40 million in capital funding from the EU, but even in outline form the NBS does not remotely satisfy the [requirement](#) on public bodies to evaluate, plan and manage public investment.

It is likely that this NBS will primarily act to support greenwashing of fossil carbon "natural gas" delivery and increase the economic viability of emissions-intensive milk and meat production. System change to resilient

national energy and agri-food systems is urgently required, but the NBS mostly reinforces the business-as-usual model for Irish agriculture which is unsustainably imbalanced toward intensive livestock production.

Rather than being evidence-led and society-centred, the NBS states it will be "agri-led and farmer-centric". The updated NBS text overtly embeds bias toward vested interests by allowing industry stakeholder influence over its implementation and governance.

The only substantive improvement in the NBS relative to the Draft version is a new section on the (previously unmentioned) importance of minimising methane leakage from anaerobic digestion (AD) plants. However, this section fails to address the seriousness of the issue: it ignores the peer-reviewed international evidence showing unsustainably high methane losses from existing AD plants and instead cites only a biogas industry study.

Otherwise, the revised Strategy has ignored all of the key issues raised by the EPA and An Taisce, including the need for rigorous independent oversight, enforced limits on chemical nitrogen use in feedstock production, minimising AD plant impacts on communities, and limiting pollution from use of the digestate by-product as a fertiliser.

The credibility of the NBS or "Green Gas" credits as "sustainable" or significantly reducing climate impact relies on having an arms-length regulatory agency with clear enforcement powers and separate resources. But the NBS entirely fails to identify the crucial importance of independent regulatory oversight, by the EPA or any other agency, and makes no provision for the necessary annual budget requirement to cover that function.

These issues strongly indicate that large scale AD biomethane should not proceed without assessing far smaller scale roll-out first, and modelling of alternative options, which may be less costly and come with lower environmental impacts. In summary, the NBS is highly liable to further support existing business as usual vested interests at substantial public cost for little climate or environmental benefit.

Collectively, we need to outline an energy and land-use transition that is demonstrably aligned with meeting Ireland's agreed carbon budgets and producing food and energy within ecological limits to guide society and farming to the most resilient possible future. By failing to meet these crucial parameters, the new National Biomethane Strategy is not up to the task.

**Published:** 7<sup>th</sup> June, 2024

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[SEND FEEDBACK](#)

The fee for a third party appeal is €220, to request an Oral Hearing is a further €50, which must also be done within the statutory appeal period. For full details please refer to 'Making a Planning Appeal under the 2000 Planning Act' and 'Guide to Fees payable to the Board', which can be viewed on [www.pleanala.ie](http://www.pleanala.ie).

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1. (Tel:01-8588100). **Any appeal made to An Bord Pleanala will be invalid unless it is fully complete and the correct fee is received by An Bord Pleanala within the statutory appeal period.**

Interested parties are advised to consult An Bord Pleanala to ascertain if an appeal has been lodged by the applicant.

It should be noted that valid objectors, applicants or prescribed bodies may appeal to An Bord Pleanala against the decision or any conditions attached to the Council's decision **within four weeks** beginning on the date of the Council's decision.

I wish to inform you that a **DECISION** to REFUSE PERMISSION was made by Order dated 20-Feb-2025 for the above proposal. Details of the Planning Authority's conditions and reasons are attached.

Dear Sir/Madam,

<b>Date Recd:</b>	18-Dec-2024
<b>App. Type:</b>	Permission
<b>Applicant:</b>	Country Crest ULC
<b>Location:</b>	Country Crest, Collinstown, Lusk, Co. Dublin

The facility requires an Industrial Emissions Licence from the EPA and is accompanied by a Natura Impact Statement (NIS) and an Environmental Impact Assessment Report (EIA).

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 bounded areas for housing supporting plant, processing and storage facilities and all associated site works. All accessed by the existing Country Crest internal road network which uses as public roadway access point to the L1155 Man o War Road.



R McDonnell  
Quickpenny Road  
Lusk  
Co. Dublin

**Development:**

The development of an Anaerobic Digestion (AD) Facility to produce a renewable biomethane gas for direct injection into the national gas grid on a site of circa 7.28 hectares at the townland of Collinstown, Lusk, Co Dublin. The development comprises of AD tanks and processing equipment, feedstock storage facilities and equipment, silage storage clamps, digestate management and storage facilities. Carbon dioxide from the production of this biomethane will be captured for reuse in the Irish food industry.

**Area:**

Balbriggan

**Register Ref.:**

F24A/1162E

**Date:** 25-Feb-2025

The proposed supporting infrastructure to be developed includes inter alia, 1 no. 45m diameter combined primary and secondary digestion tank (8.5m high, 7947m<sup>3</sup> & 3981m<sup>3</sup> respectively) & attached pumping unit, 1 no. 32m diameter power digest tank & attached gas sphere (12m high, 4.825m<sup>3</sup> & 3130 m<sup>3</sup> respectively) & attached pumping unit, 1 no. digester 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