

4 Planning and Policy

4.1 Introduction

This chapter of the Environmental Impact Assessment Report (EIAR) examines waste management, energy, climate change and planning policy, and the legislative context at European, national, regional and local levels with relevance to the Proposed Development at Ballyvass, Castledermot, Co. Kildare.

The planning history most relevant to the Proposed Development site ('the Site' hereafter) is also summarised below.

4.2 Site Planning Application History

The planning history of review of the Site and adjacent sites was conducted using the Kildare County Council ('KCC' hereafter) 'ePlan Online Enquiry' planning application viewer and the MyPlan.ie 'National Planning Application Map Viewer'.

There is no planning history on the Site as a result of its rural locality.

Adjacent Sites:

We note the following planning history for adjacent sites relevant for the subject proposal.

Reg. Ref.: 02/345 – Refusal – C. 200m South of Site

KCC refused permission on the 23rd October 2002 on a site located c. 115m south of the current application Site, to retain a mobile concrete batching plant.

The Applicant appealed KCC's decision to refuse and the final decision was brought to An Bord Pleanála ('the Board' hereafter), under ABP Ref.: PL09.130889. The Board refused permission on the 13th May 2003.

Reg. Ref.: 05/2340 / ABP Ref.: PL 09.218352 – Grant C. 115m South of Site

KCC granted permission on the 5th June 2006, subject to 38 no. conditions, for a site comprising c. 3.46 ha, located c. 115m south of the current application Site. The proposal was outlined as follows within the public notices:

"Extension and retention of sand and gravel extraction. The development consists of the extension of sand and gravel extraction over an area of 3.46 hectares and an attenuation pond on an area of 0.7ha, the retention of sand and gravel extraction etc."

The decision to grant permission was appealed and the final decision was brought to the Board under ABP Ref.: PL 09.218352. The Board issued a final grant subject to 19 no. conditions (summarised below):

- Permission for a period of 8 years.
- Output materials from the site shall not exceed 50,000 tonnes/annum until the completion of the proposed accommodation road and enabling works and shall not exceed 90,000 tonnes/annum thereafter.

- Within three months, the following infrastructure shall be installed and operational: (a) Adequate hose capacity to damp down stockpiles, waste piles and equipment during dry windy weather to prevent the emission of fugitive dust; (b) A wheelwash facility; and (c) A fixed sprinkler system at the exit gate to damp down any dry load before it leaves the site.
- Total dust emissions arising from the on-site operations shall not exceed 350 mg/m²/day, averaged over a continuous period of 30 days.
- All overground oil, chemical storage tanks(s) shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume of 1.5 times the capacity of the bunded areas.
- An emergency hydrocarbon spill kit shall be maintained on site at all time
- Facilitate the planning authority in the archaeological appraisal of the site. Prior to commencement of development in the extension area, a report containing the results of the assessment shall be submitted to the planning authority. The developer shall then agree with the planning authority details regarding any further archaeological requirements prior to the commencement of works.
- Within two months, proposal shall be submitted to the planning authority for written agreement providing for the preparation of a method statement for the stripping, storage and replacement of the soils on the proposed extension area.
- Within three months, the developer shall erect a warning sign in the vicinity of the site entrance for the benefit of all road users.
- A phased restoration scheme with timescale shall be submitted to the planning authority for agreement within two months.
- One year prior to the cessation of extraction operations, a full landscape/restoration scheme shall be agreed with the planning authority and shall be implemented within four months of the cessation of extraction activities.
- Upon completion of restoration works, a full topographical survey of the site, accompanied by site sections shall be submitted to the planning authority demonstrating compliance with the conditions of this order and the submitted EIAR.
- Within two months, an Environmental Monitoring Plan shall be submitted to the planning authority for agreement. An Annual Environmental report including the results of all monitoring shall be submitted before the end of April each year to the planning authority and made available to for inspection by the public at the site.

Reg. Ref.: 15/125 – Grant of EOD – C. 115m South of Site

KCC issued a decision to grant Extension of Duration ('EoD' hereafter) of permission on the 5th June 2015, for a site comprising c. 3.46 ha, located c. 115m to the south of the current application Site. The grant was for EoD of permission granted under Reg. Ref.: 05/2340, consisting of the following development (as described within the public notices):

"Extension of Duration of Planning Ref. 05/2340 - extension and retention of sand and gravel extraction. The development consists of the extension of sand and gravel extraction over an area of 3.46 hectares and an attenuation pond on an area of 0.7ha, the retention of sand and gravel extraction etc."

Reg. Ref.: 23/60256 – Sand and Gravel Pit – C. 115m South of the Site

KCC issued a final grant of permission on the 28th November 2024, subject to 36 no. conditions, for the following development (as described within the public notices):

“(i) Extension to the existing sand and gravel pit with an extraction area of 4.890 hectares; (ii) Use of the existing sand and gravel pit for processing, storage of processed and unprocessed aggregates over an area of 4.681 hectares; (iii) Provision of mobile screening plant (no washing of aggregates will take place on site) and installation of a wheelwash within the existing sand and gravel pit; (iv) Restoration of the existing sand and gravel pit and proposed extension area to agricultural use with a combined total area of 9.571 hectares; (v) and all other ancillary site development works and activities associated with the proposed development. The duration for which the planning permission is sought is ten (10) years. Planning permission was previously granted for the existing sand and gravel pit and proposed extension area under Reg. Ref. 05/2340 as approved by An Bord Pleanála PL09.218352 and an extension of duration was also approved by Kildare County Council under Reg. Ref. 15/125 – Planning permission for both the existing sand and gravel pit and proposed extension have expired as has the extension of duration. No works have taken place since planning permission expired. An Environmental Impact Assessment Report (EIAR) will be submitted to the planning authority with the application. Revised by Significant Further Information which consists of the submission of a Site Restoration Plan.”

This application site comprises c. 9.57 ha and the main site area of the proposed works sits c. 115m south of the current application Site. The access to this site (including within its red line boundary) comprises the existing access road immediately to the east of the current application Site, from the L8050.

We note the following was required by condition of the final grant:

- Within 3 months, submit a detailed Site Restoration Plan for agreement to KCC.
- Submit to KCC for agreement, evidence of consent/legal interest to access the track.
- Operator shall provide a report from a competent Environmental Consultant on how they propose to ensure that excavation shall not take place below a level of 1m above the highest seasonal water table level on site.
- Overground oil, chemical storage tanks(s) shall be adequately bunded to protect against spillage. Bunding shall be impermeable and capable of retaining a volume equal or greater than 110% of the capacity of the largest tank within the bunding area or 25% of the total volume of the substance which could be stored within the area, whichever is greater. Filling and offtake points shall be located within the bunded areas.
- The total dust emissions arising from the on-site operations associated with the proposed development shall not exceed 350 milligrams/sq.m/day.
- Within 3 months of commencement of on-site operations, a Dust Assessment shall be carried out and submitted to KCC, and thereafter on an annual basis.
- Provide a closed loop wheel wash system.
- Ensure that all haulage movements, to and from the development, travel on the section of the L8050 along the link from the Quarry Exit southeast to the R448.
- Prior to commencement of development, pay a special development levy contribution of €93,331, to make improvement works on the L6061 to include passing bays. The developer shall not commence haulage until the required passing bays have been fully constructed.
- Prior to commencement of development, engage with the Municipal District Office (MDO) and arrange for necessary inspections/condition surveys to be conducted on the L8050 local road as far as the R448 regional road junction.
- Ensure that the entrance gate to the development is repositioned a minimum of 11.4m from the carriageway of the Local Road. Ensure the maximum gradient for the access road is not more than 2% for 7m from the tie-in with the main road L8050 and then not

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more than 10% further back.

- Install and maintain advance warning signage along the local road to alert drivers to the presence of a vehicular entrance.
- A suitably qualified archaeologist shall be retained to advise on and establish appropriate Exclusion Zones around the external-most elements of Recorded Monument KD038-036---- (Ringfort - Rath). (a) Exclusion Zones shall be fenced off or appropriately demarcated for the duration of the decommissioning and construction works in the vicinity of the monuments. The location and extent of each Exclusion Zone and the appropriate methodology for fencing off or demarcating at each location shall be agreed in advance with this Department and the Planning Authority. (b) No groundworks of any kind (including but not limited to advance geotechnical site investigations) and no machinery, storage of materials or any other activity related to decommissioning or construction will be permitted within Exclusion Zones.
- Engage with a suitably qualified archaeologist to monitor (license under the National Monuments Acts) all site clearance works, topsoil stripping and groundworks with greenfield sections of the proposed development.
- KCC shall be furnished with a final archaeological report describing the results of all archaeological monitoring and any archaeological investigative work/excavation required, following the completion of all archaeological work on site and any necessary post-excavation specialist analysis.

Reg. Ref.: 23/60263 – Refused – New Dwelling – C. 855m Northwest of the Site

KCC refused permission on the 16th November 2023 for the following development, as described within the public notices:

“For a new single story dwelling; new domestic vehicular entrance, domestic garage, wastewater treatment system with polishing filter and all associated site works.”

This application site is located c. 855m northwest of the current application Site.

Reg. Ref.: 24/61010 – Refused – New Dwelling – On the Same Site as 23/60263

KCC refused permission on the 28th November 2024, for a site located c. 855m northwest of the current application Site, for the following development (as described within the public notices):

“to construct a storey and a half style dwelling house, domestic garage, proprietary treatment system and associated percolation area, bored well, new site entrance, all ancillary site works and services.”

Reg. Ref.: 23/60101 – Grant – Alterations to Dwelling – Northeast of the Site

KCC issued a final grant of permission on the 25th October 2023, subject to 18 no. conditions, for the following development (as described in the public notices):

“The alterations and refurbishment of an existing single storey vernacular dwelling including demolition of existing extension; a new single storey extension to the rear and side; alterations and setback of vehicular entrance and the provision of all other associated site excavation, infrastructural and site development works above and below ground, including a new wastewater treatment system and percolation area.”

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This application site is located c. 855m northwest of the current application Site.

Reg. Ref.: 22/1403 – Dwelling Granted – Northwest of the Site

KCC issued a final grant of permission on the 15th May 2023, subject to 22 no. conditions, for the following development (as described in the public notices):

“Permission for the construction of a storey & half type dwelling, domestic garage, new entrance, bored well, Secondary Treatment System & soil polishing filter and all associated works.”

Reg. Ref.: 19/201 – Refused – Bungalow – Northwest of the Site

KCC refused permission on the 13th December 2019 for the following development (as described in the public notices):

“A bungalow, domestic garage/store, Aswaflow SBR wastewater treatment system and soil polishing filter and all ancillary site development works.”

This application site is located c. 900m northwest of the current application Site.

Reg. Ref.: 17/885 – Refused – Northwest of the Site – On the Same Site as 22/1403 and 19/201

KCC refused permission on the 28th September 2017 for the following development (as described in the public notices):

“A bungalow, domestic garage/store, Aswaflow SBR wastewater treatment system and soil polishing filter and all ancillary site development works.”

This application site is located c. 900m northwest of the current application Site, on the same site as Reg. Ref.: 19/201 and 22/1403.

Reg. Ref.: 18/1575 – Grant Northwest of the Site

KCC issued a final grant of permission on the 10th April 2019, subject to 3 no. conditions, for the following development (as described in the public notices):

“A new septic tank and percolation area to existing dwelling and all ancillary development works.”

This application site is located c. 1.16km to the northwest of the current application Site.

Reg. Ref.: 16/346 – Extension of Duration – Grant – Northwest of the Site

KCC granted an extension of duration permission on the 31st May 2016, subject to 1 no. conditions, for the following development:

“Extension of Duration of Planning Ref. 10/915 - for the erection of a new storey and a half dwelling, connection to a new effluent treatment system and percolation area and the erection of a separate garage.”

The application site is located c. 1.04km to the northwest of the current application Site.

Reg. Ref.: 06/1464 – C. 246m Southeast of the Site

KCC issued a final grant of permission on the 6th October 2006, for a site located c. 246m southeast of the current application Site, for the “*construction of an agricultural building included slatted unit*”.

4.2.1 Biogas Facility Related Planning Permission

Reg. Ref.: 03/734 – Original Permission at Gorteen Lower, Nurney, Co. Kildare

KCC issued a final grant of permission on the 27th May 2004, subject to 11 no. conditions, for the following development (as described within the public notices):

“a five span shed, 3 overground storage tanks, an engineered storage basin and associated site works incorporating a digester to process my pig manure and other organic material to produce renewable energy and fertiliser.”

This is the parent permission for the production of renewable gas on site for the following 2 no. applications located at Gorteen Lower, Nurney, Co. Kildare.

Reg. Ref.: 17/493 – Gas Upgrading Unit and Gas Pressurisation Unit – Gorteen Lower, Nurney, Co. Kildare

KCC issued a final grant of permission on the 27th November 2017, subject to 10 no. conditions, for the following development (as described within the public notices):

“installation of gas upgrading unit and gas pressurisation unit and associated site works in order to facilitate transport of renewable gas by HGV to grid entry point.”

KCC requested Further Information on the 26th June 2017. The requested items included:

- Submit a Fire & Explosion Risk Assessment.
- Submit an AA Screening Document.
- Submit proposals for a revised haul route using the Regional Road network, which shall be accompanied by traffic impact reports.

We note the following was required by condition of the final grant:

- Transportation of gas off-site to grid entry point shall be via the revised haul route. No HGVs serving the development are permitted to use the L7065.
- Prior to commencement of the biogas production on site, KCC required for agreement, a detailed Fire and Explosion Risk Assessment of the actual systems to be used on site.

Reg. Ref.: 20/1117 – Retention – Modifications to Existing Anaerobic Digestion Facility – Gorteen Lower, Nurney, Co. Kildare

KCC issued a final grant of retention permission (of permission granted under Reg. Ref.: 17/493 – see above) on the 18th June 2021, subject to 4 no. conditions, for a site comprising

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2.75ha, for the following development (as described within the public notices):

“Modifications to an established anaerobic digestion facility as follows: 1. Modifications to gas upgrading plant consisting of: (i) Relocation of Gas Compressor within the footprint area; (ii) Externally located chillers and H₂S filters; (iii) CO₂ recovery and collection system enclosure. 2. Biogas Boiler enclosures and Pasteurisation Plant Biofilter Enclosure located on a mezzanine floor Plant Room No. 1. 3. Waste Compactor enclosure located at the eastern end of the reception building. 4. Solid and semi-solid biomass feedstock intake structures located at the eastern end of the reception building. 5. Biofilter enclosure at north-east corner of reception building. 6. Geomembrane Manure Storage Basin. 7. Biogas Scrubbing Vessels, storage tank and fire water store. 8. Tipping enclosure over trailer tip and liquid intake bay. 9. Enclosure extension over pasteurisation equipment.”

Further information was requested on the 19th November 2020.

Reg. Ref.: 22/1035 – Lackagh More, Monasterevin

KCC issued a final grant of permission on the 22nd November 2023, subject to 52 no. conditions, for the provision of a renewable biogas and biofertiliser production facility. The proposed development is outlined as follows in the public notices:

*“The provision of a renewable biogas and biofertiliser production facility with an intake of up to 165,000 tonnes of feedstock per annum that will feed into the existing Gas Networks Ireland (GNI) network. The facility will comprise of: *Input weigh bridges and weighbridge offices; *Reception (incorporating offices, control room/laboratory, canteen, changing and toilet facilities) *Feedstock building and solid digestate store; *Boiler/plant maintenance including ESB and CHP store; *4 No digester units and 1 No post digester unit, pre-acidification unit, biological desulphurisation and technical building all located within a containment bund; *Covered storage tanks; * Silage clamps; *Connection to existing Gas Network Ireland infrastructure The proposed development includes for associated biogas tank; gas upgrade units (5 no.); and an emergency gas flare. The development also includes air cleaner (feedstock area); 5 no. air cleaner stacks and 2 no. boiler and CHP plant flues; odour abatement, firefighting water tank; attenuation pond, a new gated access from R445; internal access roads, car parking, loading bays and laybys, landscaping and boundary fencing. A personnel gate is proposed to the north of the site. The proposed development comprises all associated site development, drainage and infrastructure works above and below ground. The maximum height of the proposed development is the digester units at c.141m above ground level. The proposed facility will primarily utilise spent grains from breweries along with smaller quantities of other brewery by products such as yeast and discarded beer. Maize will also be accepted in smaller quantities as a feedstock to produce biogas which will be upgraded to bio methane and fed into the natural gas grid. Carbon Dioxide will be recovered as a by-product as part of the process. Solid and liquid digestate that will be produced from the process will be a biofertiliser. No waste materials will be accepted as feedstock at the facility. An Environmental Impact Assessment Report (EIAR) and Natura Impact Statement (NIS) have been prepared in respect of the proposed development on a site of approx. 7.9Ha. Revised by Significant Further Information which consists of revisions to the site access and works to the road and footpath alongside the site including the provision of public lighting, signage, anti-skid surfacing and a crash barrier. Tactile paving and dropped kerbs are proposed where required and there are changes to the car parking including the provision of EV charge points. Bicycle parking is also proposed. There are changes to the landscaping proposed and to the colour scheme of proposed buildings. While the focus of the project remains to inject the biomethane generated*

at the proposed development directly into the grid, occasionally there may be a need to send tankers of biomethane offsite if for example maintenance issues arose with the injection.”

Further information was requested the Council on the 17th October 2022, the 8th February 2023 and the 5th April 2023.

The conditions of the final grant of relevance are summarised below:

- The facility shall not accept food waste, animal waste or any other waste type and shall only accept 165,000 tonnes of feedstock per annum. The facility shall export no more than 145,000 tonnes of biofertiliser per annum.
- Prior the commencement, protective fencing shall be erected around all retained trees/hedgerows. The fenced area shall be an exclusion zone: no materials, equipment, spoil, or soils are to be stored within this protection area; and there shall be no incursion of machinery into the area.
- Prior to commencement, a comprehensive programme of archaeology testing shall be conducted.
- Ensure the construction of the following works along the R445: A right turning lane, public lighting, passively safe signage, drainage, anti-skid, hot rolled asphalt resurfacing, vehicle containment around lamp standards, concrete footpath and all associated works.
- Bicycle Parking, Cycle Locker Facilities shall be provided.
- EV Charing Point to be provided. Ensure that at least one of the EV spaces is wheelchair accessible; 2.4, wide with an additional 1.2m clearance zone on either side in compliance with Section 1.1 TGD Part M.
- Prior to commencement, submit design for public lighting along the Regional Road.
- All overground oil, chemical/process product storage tanks shall be adequately bunded to protect against spillage.
- Noise Survey to be carried out annually.
- Total dust emission arising from all on-site operations associated with the development shall not exceed 350mg/m³/day. Dust assessment to be carried out. Annual Dust Assessment Reports.
- Within 6 months of operation, an odour audit shall be carried out.
- Within 3 months, submit a proposal for an Environmental Management programme along with mitigation measures.
- Annual Environmental Audit of the site operations.
- The proposal requires an Air Pollution License in accordance with Section 6 and the 3rd Schedule of the Air Pollution Act.
- Drainage, attenuation, surface water, wastewater and soiled water related conditions.

An Bord Pleanála Ref.: ABP-317749-23 (Donegal CC Ref.: 23/50686)

An Bord Pleanála overturned Donegal County Council's (DCC) decision to refuse permission, and granted permission on the 13th July 2023, for the following development (as outlined within the Donegal County Council public notice), located at Maylin, Newtowncunningham, Co. Donegal:

“Construction and continuous operation of an agricultural biogas renewable energy facility, consisting of: (1) 3 no. primary digester tanks, (2) 2 no. post digester tanks with pumproom, (3) pasteurisation unit with auxiliary tanks, (4) emergency flare with base and security fencing, (5)

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3 no. agricultural solid feeders with associated concrete bases, (6) 2 no. underground pre-reception tanks, (7) 2 no. covered agricultural digestate storage tanks, (8) gas combined heat & power (chp) unit with concrete base, (9) site office/control building with associated staff car parking area and wastewater treatment system and percolating area, (10) biogas upgrading treatment and compression system, (11) electric transformer and sub-station with security fence, (12) covered agricultural storage clamp, (13) nutrient recovery system facility with ancillary tanks and equipment, (14) 4 no. ammonium sulphate solution (ass) storage tanks with concrete bases, (15) digestate drying and pelletising facility, (16) pellet storage facility, (17) weighbridge, (18) construction of new access and entrance improvement works, (19) site lighting with security cameras, (20) surface water drainage system with storage pond and discharge system, (21) boundary earth bunded areas, landscaping, and boundary security fencing and all associated ancillary works. A natura impact statement (nis) accompanies this application."

The site of this application was an agricultural site located in a rural area, c. 10.2km northeast from the built-up area of Letterkenny.

The Board's grant of permission was subject to 15 no. conditions; we note the following of relevance:

- Submit a Traffic Management Plan: Include details of proposed haul routes for HGVs and larger vehicles entering and existing and shall include any haul route that necessitates a left-hand turn from the N13 onto the L5024.
- There shall be no material change in the mix of feedstock or a change in the nature of the feedstock mix without the benefit of a further planning permission.
- Submit a Lighting Plan.
- Cash deposit, bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the reinstatement of the public roads which may be damaged by the transport of materials to the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory reinstatement of the public road.

The Board's Inspector, in their report for a recently granted biomethane facility in Maylin, Newtowncunningham, Co. Donegal, noted the following:

"Indeed, it would appear that the nature of the development, and its reliance on agricultural feedstocks, as well as the digestate outputs from same, which are used in land spreading, would appear to favour a rural location with farmland surrounding."

The same logic is applicable to the proposed development, which is an agri-centric anaerobic digestion facility, sourcing feedstock directly primarily from agricultural sources, and providing bio-based fertiliser directly to agricultural receivers in the surrounding area. It is also noted in the same Inspector's Report, that the proposed facility was noted to be "not defined as 'industrial'".

The Board's Inspector, in their report, provided the following recommendation: *"it is considered that, subject to compliance with the conditions set out below, the proposed development would support national and regional renewable energy policy objectives, would not conflict with the provisions of the operative Development Plan, would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would not be likely to have significant effects on the environment, or the ecology of the area, would be acceptable in terms*

of traffic and safety, would be acceptable in terms of archaeology, and would not give rise to increased risk of flooding of the site or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.”

The Board’s reasons for granting permissions, as outlined in the Order, is outlined below:

“Having regard to the provisions of the Donegal County Development Plan 2024- 2030, Ireland’s National Biomethane Strategy (May 2024), the Climate Action Plan 2024 and 2025, Ireland’s 4th National Biodiversity Action Plan 2023–2030, the Revised National Planning Framework (April 2025), the nature, scale, extent and layout of the proposed development, the existing hedging and screening on the site, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would support national and regional renewable energy policy objectives, would not conflict with the provisions of the operative development plan, would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would not be likely to have significant effects on the environment, or the ecology of the area, would be acceptable in terms of traffic and safety, would be acceptable in terms of archaeology, and would not give rise to increased risk of flooding of the site or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.”

4.3 European Policy and Legislation

4.3.1 Energy and Climate

The need to recognise the impact of anthropogenic climate change and transition our way of life towards dealing with the effects of climate change is dealt with across European policy and legislation. The key energy and climate policies and legislative documents with relevance to the Proposed Development are set out in this section.

The EU has pledged to achieve climate neutrality by 2050, delivering on commitments under the Paris Agreement (COP21). Reaching this objective will require a transformation of Europe’s energy supply, society, and economy. With the 2030 Climate Target Plan¹, the EC proposes to raise the EU’s ambition on reducing greenhouse gas (GHG) emissions to at least 55% below 1990 levels by 2030. The plan recognises the significant contribution of the agricultural sector to GHG emissions and while these emissions can never be fully eliminated under existing technology and management options, they can be significantly reduced, whilst ensuring food security is maintained in the EU. Efficient use of fertilisers, adopting precision farming, a healthier herd and the deployment of AD technologies treating organic waste to produce renewable biogas are highlighted within the plan as examples of existing technologies.

The European Green Deal package of policy initiatives was launched by the EC in 2019, which aims to set the EU on the path to a green transition, with the ultimate goal of reaching climate neutrality by 2050. The associated Fit for 55 legislative package aims to translate the ambitions of the Green Deal into law. The policy package itself underlines the need for a cross-sectoral approach in which all relevant policy areas contribute to the ultimate climate-related goal. The package includes initiatives covering the climate, the environment, energy, transport, industry,

¹ Communication from The Commission to The European Parliament, The Council, The European Economic and Social Committee and The Committee of the Regions - *Stepping up Europe’s 2030 climate ambition Investing in a climate-neutral future for the benefit of our people.* <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0562>

agriculture, and sustainable finance.

The Green Deal recognises that *“renewable and low-carbon gases, such as biomethane, will play a central role in achieving climate neutrality”*². Biogas and biomethane, renewable and low carbon hydrogen have the potential to gradually replace fossil gases, including natural gas, and can be used as a fuel to reduce emissions in hard-to-abate sectors, particularly in industry and transport.

As part of the Deal, the EU Farm to Fork Strategy³ was published which includes proposals to transform agriculture and position it as a key sector for climate mitigation and adaptation. The development of an agri-led biomethane industry in Ireland is strongly aligned with a number of the headline Farm to Fork goals, including:

- Ensure food production has a neutral or positive environmental impact.
- Carbon Farming Initiative - implement green business models that sequester carbon.
- Promote a circular bio-based economy.
- Reduce pesticide use and excess nutrients in the environment by 2030.
- Achieve a 50% reduction in nutrient losses without reducing soil fertility leading to a 20% reduction in fertiliser use.
- Increase the proportion of organic farming to 25% by 2030.

4.3.2 EU Common Rules on Renewable Gasses

The common rules for the internal markets for renewable gas, natural gas and hydrogen (recast) European Parliament legislative resolution was published on the 11th of April 2024.

The common rules outlined that the Commission communication of the 8th March 2022 entitled ‘REPowerEU: Joint European Action for more affordable, secure and sustainable energy’ (REPowerEU), which was adopted after the beginning of Russia’s unprovoked and unjustified military aggression against Ukraine, highlighted the importance of diversification of gas supplies to phase out the Union’s dependency on Russian energy.

REPowerEU recognised that *“scaling up sustainable biomethane and the roll-out of renewable hydrogen could play a decisive role”* in ensuring secure and more sustainable power supply for the EU.

The common rules recognise that *“Although electrification is a key element of the green transition, household natural gas consumption, including increasing volumes of renewable gas, in particular biomethane, will continue to exist in the future.”*

The common rules go on to state the following:

“Member States should take concrete measures to assist the wider use of sustainable biomethane, or other types of gas, that can technically and safely be injected into, and transported through, the natural gas system, the producers of which should be granted non-discriminatory access to that system, provided that such access is compatible with the relevant

² European Commission, Directorate-General for Communication, (2021) *Delivering the Green Deal: the role of clean gases including hydrogen*. <https://data.europa.eu/doi/10.2775/718801>

³ Communication from The Commission to The European Parliament, The Council, The European Economic and Social Committee and The Committee of the Regions - *A Farm to Fork Strategy for a fair, healthy, and environmentally friendly food system*. https://ec.europa.eu/info/sites/default/files/communication-annex-farm-fork-green-deal_en.pdf

technical rules and safety standards on an ongoing basis and unless otherwise provided for in this Directive”

The rules also state that Member States should seek to expedite and support the connection of biomethane producers to the natural gas network, and that Member States must ensure that transmission and distribution system operators adhere to reasonable time limits to assess requests for the injection of biomethane.

4.3.3 Renewable Energy Directive

The current Renewable Energy Directive 2018/2001/EU⁴ entered into force in December 2018 and has since been amended by Directive EU 2023/2413⁵ (RED III). On the 12th September 2023, RED III was adopted by the Parliament. The Directive establishes a basis in policy for the production and promotion of renewable energy, setting a new binding renewable energy target for the EU for 2030 of at least 42.5%, with this target having been revised upward in 2023 from 32%.

This target is a continuation of the 20% target for 2020. In order to help EU member countries to achieve this target, the directive introduces new measures for various sectors of the economy, particularly on heating, cooling, and transport. It also includes new provisions to enable citizens to play an active role in the development of renewables by enabling renewable energy communities and self-consumption of renewable energy. It also establishes strengthened criteria to ensure bioenergy's sustainability.

The 2023 amending Directive altered the 2018 Directive to align with increased climate ambitions and recognise renewable energy as an “overriding public interest” in the Appropriate Assessment process.

Under this revision the planning, construction and operation of renewable energy plants, their connection to the grid and the related grid itself, and energy storage assets are presumed to be in the overriding public interest and serving public health and safety when balancing legal interests for the purposes of the Birds, Habitats, and Water Framework Directives. The revisions to the Directive present further evolution of the target to accelerate the development of renewable energy developments in EU member states.

Building on the 2009 and 2018 directives, the revised directive introduces stronger measures to ensure that all possibilities for the further development and uptake of renewables are fully utilised. This will be key to achieving the EU's objective of climate neutrality by 2050 and to strengthen Europe's security of energy supply.

In addition to the new headline target to double the existing share of renewable energy sources, a strong policy framework will facilitate electrification in different sectors, with new increased sector-specific targets for renewables in heating and cooling, transport, industry, buildings, and district heating/cooling, but also with a framework promoting electric vehicles and smart recharging.

⁴ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources. https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=uriserv:OJ.L_.2018.328.01.0082.01.ENG

⁵ Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023 amending Directive (EU) 2018/2001, Regulation (EU) 2018/1999 and Directive 98/70/EC as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023L2413&qid=1699364355105>

To support renewables uptake in transport and heating and cooling, the revised directive converts into EU law some of the concepts outlined in the energy system integration and hydrogen strategies, published in 2020. These concepts aim at creating an energy-efficient, circular, and renewable energy system that facilitates renewables-based electrification and promotes the use of renewable fuels, including hydrogen, in sectors like transport or industry where electrification is not yet a feasible option. For these hard-to-electrify sectors, the directive sets new binding targets for renewable fuels of non-biological origin.

As an important bottleneck to the deployment of renewables on the ground, permitting procedures will also be easier and faster both for renewable energy projects (including through shorter approval periods and the creation of 'Renewables acceleration areas') and for the necessary infrastructure projects. Under the amended Directive, member states must identify areas for the acceleration of renewables where projects will undergo a simplified and fast-track procedure.

Member States (including Ireland) must transpose RED III into national law by the 21st May 2025. However, certain provisions – including those aimed at accelerating permit-granting procedures – are required to be transposed into national law by the 1st July 2024.

4.3.4 REPowerEU Energy Plan

The European Commission presented the REPowerEU Energy Plan⁶ on the 18th of May 2022, which aims to tackle the climate crisis by accelerating Europe's clean energy transition and adopts a call to end European dependency on Russian fossil fuels. The Plan recognises that the uptake of biomethane involves a continued support to innovative technologies for the production of sustainable biomethane, upgrade of biogas to biomethane and its integration within the gas network.

The proposal contains a Biomethane Action Plan⁷ to stimulate the renewable gas value chain within EU member states and achieve production of 35 billion cubic metres (bcm) of biomethane by 2030. This plan also includes a targeted revision of the Fitfor55 energy efficiency and renewable targets, together with the necessary measures to accelerate Renewable Energy Sources (RES) permitting and recommendations to facilitate renewable gas injection.

4.3.5 EU Strategy to reduce Methane Emissions

After CO₂, methane is recognised as the second largest GHG contributor to climate change. Methane emissions from livestock originate from ruminant species, manure management and feed cultivation. The EU Strategy to reduce Methane Emissions⁸, published in 2020, acknowledges the agriculture sector as having the highest potential in overall benefits for reducing methane emissions. The Strategy points to the benefits of biogas derived from organic agricultural wastes to reduce methane emissions, generate new revenue streams for farmers and contribute to wider rural development.

The use of digestate is also identified as an organic soil improver and mechanism to displace chemical fertilisers. It is noted that sequential cropping can be used with manure as feedstock

⁶ European Commission (May 2022) *REPowerEU*: [REPowerEU](#)

⁷ European Union (2022) *Biomethane action Plan*: [EUR-Lex - 52022SC0230 - EN - EUR-Lex](#)

⁸ European Commission (2020) *Communication from the Commission to the European Parliament, The European Council, The Council, The European Economic and Social Committee and the Committee of the Regions - on an EU strategy to reduce methane emissions*

for sustainable biogas production, while contributing to sustainable farming practices. The Strategy aims to provide targeted support to accelerate the development of the EU market for biogas from sustainable sources such as livestock manure, organic waste, and residues via policy initiatives.

4.3.6 Waste

The benefits of Anaerobic Digestion (AD) are recognised and promoted in European Union (EU) waste management legislation and policy. The EU Directives and policies discussed below, which set the context for the management of waste in Ireland (and which are transposed and implemented by domestic legislation), encourage the use of AD as an essential element of sustainable waste management and an efficient recycling method for organic wastes.

The Waste Framework Directive (2008/98/EC, as amended by Directive (EU) 2018/851) enshrines a key principle which aims to move waste away from landfill and towards treatment options. The separate collection of organic waste with a view to its biological treatment, through processes such as AD, is encouraged by this Directive.

The objective of landfill diversion is also a requirement of the Landfill Directive (1999/31/EC).

The foundation of EU waste management is the five-step “waste hierarchy”, established in the Waste Framework Directive. It establishes an order of preference for managing and disposing of waste.



Figure 4.1: The Waste Hierarchy

On the 5th of July 2023, a targeted revision of the Waste Framework Directive⁹ was published by the Environment Directorate General of the European Commission. The proposal aims to bring about increased circular and sustainable management of waste and aims to reduce the

⁹ Proposal for a targeted revision of the Waste Framework Directive. https://environment.ec.europa.eu/publications/proposal-targeted-revision-waste-framework-directive_en

environmental and climate impacts of food systems associated with food waste generation.

Towards a circular economy: a zero-waste programme for Europe¹⁰ was proposed in 2014 by the EC to establish a common and coherent EU framework to promote the circular economy. In December 2017, a provisional agreement was reached with representatives of the European Parliament on all four legislative proposals of the package with new targets. An obligation on EU member states to separately collect organic waste and associated ban of organic waste landfilling will come into effect as of 2024. The circular economy principles, and particularly the development of a bioeconomy can provide opportunities for agricultural residues such as those from crops, animal manures and dairy by-products, to be used to produce biobased fertiliser and renewable energy through the AD process.

4.4 National Planning, Climate, and Waste Policy and Legislation

4.4.1 National Biomethane Strategy¹¹

The National Biomethane Strategy ('NBS' hereafter) was published by the Department of Environment, Climate, and Communications and the Department of Agriculture, Food and the Marine on the 28th of May 2024. The NBS sets out the necessary policy and regulatory measures and provides a roadmap to developing a biomethane industry of scale in Ireland. In all aspects, this application aligns with the aspirations set out in the NBS as described in more detail below.

A wide range of support mechanisms were assessed during the development of the NBS, including Feed in Tariffs (FiT) and Contracts for Difference (CfD). Given the need to swiftly stimulate the industry, the Renewable Heat Obligation in conjunction with Capital Grants were the chosen method to support the delivery of a biomethane sector in Ireland. This offers budget certainty for the support programme while delivering a sector of scale.

Renewable Heat Obligation: The NBS states, *"To support the need to decarbonise the heat sector, the Government has agreed to the introduction of a Renewable Heat Obligation (RHO). The RHO will support an increased use of renewable energy in the heat sector and contribute to a reduction in emissions in line with Ireland's climate ambitions. As Ireland imports most of its fossil fuels, the heating sector is a significant contributor to Ireland's high energy import dependency. The RHO will also help reduce our reliance on imported fossil fuels and strengthen our energy security due to greater diversification of our energy streams. Under current proposals, the RHO would recognise biomethane as an eligible fuel for certification, providing an important policy tool to support the development of an indigenous biomethane sector. CAP 24 commits to the publication of a high-level RHO scheme by Q3 2024".* [Emphasis added].

The vision of the NBS states, *"By 2030, Ireland will have developed a sustainable biomethane industry of scale, meeting ambitious targets set by the Government".*

The primary objective of the NBS is to deliver on the ambitious target set by the Government as part of the agreement on the sector emission ceilings. This ambition is to scale up indigenously produced biomethane to 5.7 TWh per annum by 2030, which has been increased substantially

¹⁰ Communication from The Commission to The European Parliament, The Council, The European Economic and Social Committee and The Committee of the Regions - Towards a circular economy: a zero-waste programme for Europe. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52014DC0398>

¹¹ National Biomethane Strategy (2024): <https://www.gov.ie/en/publication/d115e-national-biomethane-strategy/>

from a previous Climate Action Plan 2019 target of 1.6 TWh by 2030.

The NBS states that *“biomethane has the potential to progressively replace fossil gas supplies at a national level as we substantially reduce our use of gas over the next 15 to 20 years.”*

The strategy states that Ireland is recognised by the European Commission as having one of the largest potentials for biomethane production in Europe on a per capita basis due to its substantial agriculture sector. The development of a new agri-centric biomethane industry can engender cross sectoral benefits for Ireland. However, the strategy states that currently Ireland has only two operational biomethane facilities injecting biomethane into the gas grid; the volume of biomethane injected into the grid at present is small, equating to c. 75 GWh per annum (0.001% of Ireland’s current gas demand).

The benefits that Ireland can realise from the development of a new agri-centric biomethane industry are summarised as follows:

- Without biomethane, Ireland is unlikely to meet its legally binding climate targets.
- Biomethane helps to reduce agriculture sector emissions.
- Diversification option for farmers.
- Opportunity to replace chemical fertiliser with a supply of biobased fertiliser.
- Helps reduce Ireland’s energy emissions.
- Improves gas security and diversification of supply.
- Stimulation of the rural economy.

This application proposes to develop an AD facility to produce biomethane for injection into the national grid. This proposal is supported by the National Biomethane Strategy, and it is evident from the strategy, that this development type is crucial in order to achieve climate targets, rural and farm diversification, the replacement of chemical fertiliser with a supply of biobased fertiliser and improve gas security and diversification of supply. The proposal will create full time jobs (direct and indirect), stimulating the rural economy.

The Strategy also notes the importance of biomethane production for ensuring security of energy supply in Ireland. It is noted that c. 75% of Ireland’s gas supply is currently imported from the UK, with biomethane (along with hydrogen in the future) playing a key role in ensuring a domestic supply of renewable gas to diversify gas supply and displace fossil gas. The Proposed Development directly contributes to this objective.

The Strategy analyses a range of policy options for the roll-out of biomethane production, with a combination of small scale and larger-scale facilities ultimately supported by Government Policy. Therefore, the scale of the plant aligns with the aspirations of the NBS.

The strategy recognises the effectiveness and maturity of carbon dioxide capture technology as part of biomethane production. This technology is an integral part of the Proposed Development, with CO₂ resulting from the biogas upgrading / refining process to be captured at source. In summary, this application fully aligns with the aspirations set out in the NBS as presented above.

The Strategy states that *“Without biomethane, Ireland is unlikely to meet its legally binding climate targets.”*

The Strategy states that *“biomethane has the potential to progressively replace fossil gas*

supplies at a national level as we substantially reduce our use of gas over the next 15 to 20 years.”

The Strategy further states that *“Due to the nature of feedstocks required for biomethane production, it is envisaged that most developments will occur in rural Ireland”* (emphasis added).

The site of the Proposed Development, which is within a rural area in line with the provisions of the Strategy, seeks to deliver biomethane production in a location that provides access to necessary feedstock sources in proximity to the site, while minimising environmental impact and allowing for direct connection to the gas grid within the site itself.

4.4.2 National Planning Framework – First Revision¹²

Both Houses of the Oireachtas have approved the first revision to the National Planning Framework (Revised NPF). The approval by the Seanad and the Dáil followed the decision of Government to approve the Draft Final Revised NPF on the 8th April.

The NPF forms the top tier of Ireland’s planning policy hierarchy, setting the policy context at a national level for Regional Spatial and Economic Strategies, County and City Development Plans, and Local Area Plans.

The Proposed Development aligns with the Revised NPF, the overarching policy and planning framework for the social, economic, and cultural development of Ireland. This development specifically relates to the Revised NPF in terms of Planning for Diverse Rural Places (Chapter 5) and Climate Transition and Our Environment (Chapter 9).

The Revised NPF recognised the economic, administrative, and social functions of rural towns, and seeks to strengthen such towns to become centres for local housing and employment growth, based on development that will include new low carbon and energy efficiency initiatives. We specifically note the following National Policy Objective with regard to this:

National Policy Objective (‘NPO’ hereafter) 32: *“Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT-based industries and those addressing climate change and sustainability.”*

The role of rural areas in providing a sustainable renewable energy supply is recognised in the Revised NPF, which states:

“In planning Ireland’s future energy landscape and in transitioning to a net zero carbon economy, the ability to diversify and adapt to new energy technologies is essential. Innovative and novel renewable solutions have been delivered in rural areas over the last number of years, particularly from solar, and wind energy sources.”

Furthermore, the competitive advantage of rural activities associated with the bioeconomy is highlighted in the NPF (Page 129), which states:

¹² Government of Ireland (2025) NPF First Revision: <https://www.npf.ie/first-revision-to-the-national-planning-framework/national-planning-framework-first-revision-april-2025/>

“While rural and coastal areas have the potential for, and will develop, many types of economic activities, those activities associated with the bio-economy such as development of new bio-refining technologies represent a competitive advantage. The bio-economy comprises “the production of renewable biological resources - such as crops, forests, fish, animals, and micro-organisms and the conversion of these resources and waste stream residues, by-products of municipal solid waste into value added products, such as food, feed, bio-based products and bioenergy” (European Commission, 2012). The transition to a more circular and bio economy, where the value of bio-based products, materials and resources is maintained in the economy for as long as possible, and the generation of waste is minimised, will provide an essential contribution to our national goal of developing a sustainable, low-carbon, resource efficient and competitive economy.”

We note the following National Policy Objectives, which aim to:

Reference	Description
NPO 30	<i>“Facilitate the development of the rural economy, in a manner consistent with the national climate objective, through supporting a sustainable and economically efficient agricultural and food sector, together with forestry, fishing and aquaculture, energy and extractive industries, the bio-economy and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting biodiversity and the natural landscape and built heritage which are vital to rural tourism.” [Emphasis added].</i>
NPO 32	<i>“Enhance the competitiveness of rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT-based industries and those addressing climate change and sustainability.” [Emphasis added].</i>
NPO 67	<i>“Support the circular and bio economy including in particular through greater efficiency in land and materials management, promoting the sustainable re-use and refurbishment of existing buildings and structures while conserving cultural and natural heritage, the greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development.” [Emphasis added].</i>
NPO 73	<i>“Support the co-location of renewable technologies with other supporting technologies and complementary land uses, including agriculture, amenity, forestry and opportunities to enhance biodiversity and promote heritage assets, at appropriate locations which are determined based upon the best available scientific evidence in line with EU and national legislative frameworks.”</i>

The Revised NPF also acknowledges the clear link between climate action and the potential for investment generation and employment and jobs, including green technology.

The Revised NPF has transitioned from an overarching climate policy of achieving a low carbon economy, to achieving a climate neutral economy and carbon neutral energy future: *“It is a national objective for Ireland to transition to be a competitive zero carbon, economy no later than 2050... . Government is committed to achieving climate neutrality no later than 2050 with a 51% reduction in GHG emissions by 2030. These legally binding objectives are set out in the Climate Action and Low Carbon Development (Amendment) Act 2021.”*

The Revised NPF includes a section on ‘Biomethane’. It states:

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“Biomethane is a carbon-neutral renewable gas made from farm and food waste through a process known as anaerobic digestion. A National Biomethane Strategy has been published⁶³ which requires the development of policies with the primary objective of delivering the ambitious target of producing 5.7 TWh of indigenous biomethane by 2030.

It is estimated that over 80% of biomethane will be produced from grass silage and cattle slurry. This will require grass from 120,000ha (3% of total agricultural area) to produce the required feedstock.

To meet Ireland’s target of 5.7 TWh of biomethane by 2030, a large number of anaerobic digestion facilities will need to be developed, alongside the related infrastructure necessary to support these facilities.”

The NPF identifies the need to reduce emissions while ensuring that Ireland has a reliable and resilient energy supply, as expressed in Section 9.2:

“Ireland’s national energy policy is focused on three pillars: (1) sustainability, (2) security of supply and (3) competitiveness. The Government recognise that Ireland must reduce greenhouse gas emissions from the energy sector by at least 80% by 2050, compared to 1990 levels, while at the same time ensuring security of supply of competitive energy sources to our citizens and businesses.”

This section of the Revised NPF states that our transition to a zero carbon future requires a shift from predominantly fossil fuels to predominantly renewable energy sources and supports development and deployment of new technologies relating to areas such as bio energy.

Section 9.2 states the following in relation to energy security: *“Gas will continue to play a key role to support the secure transition to an energy system, based on electrification and greatly increased renewables penetration. Ireland imports approximately three quarters of its gas from the UK and this is expected to increase as indigenous supply from the Corrib gas field declines.*

The technical analysis shows that the existing infrastructure and supply sources are largely able to meet Ireland’s gas demand requirements in the medium- to long-term. It also shows, however, that a disruption of gas supplies from the UK, for whatever reason, would have a very significant impact on Ireland’s economic and social well-being. The Package is supported by an Annex “Securing Ireland’s Gas Supplies” that sets out in more detail, the long-term approach to secure our gas security of supply. The report sets out a range of mitigation measures, including the need for additional capacity of indigenous renewable energy, but also energy imports, energy storage, fuel diversification, demand side response, and renewable gases.”

The transition of the energy sector towards low-carbon and renewable sources of energy is recognised as playing a key role in achieving a sustainable and climate-friendly future for Ireland, as expressed by the following National Policy Objectives:

Reference	Description
NPO 69	<i>“Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions as expressed in the most recently adopted carbon budgets.”</i>
NPO 70	<i>“Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving</i>

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	<i>a climate neutral economy by 2050.”</i>
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Finally, the NPF supports circular economy principles that aim to minimise the amount of waste that goes into landfill and maximise the utilisation of waste as a resource, as expressed by the following National Policy Objective:

NPO 76: *“Sustainably manage waste generation including construction and demolition waste, invest in different types of waste treatment and support circular economy principles, prioritising prevention, reuse, recycling and recovery, to support a healthy environment, economy and society.”*

Consistency with the National Planning Framework

The Proposed Development is consistent with the Revised NPF, the principles of which are reflected in the various regional and local policy documents as discussed below.

We note in particular the role that the proposed development can play in strengthening the economic and climate resiliency of the county and State. Furthermore, partnerships with the farming community can contribute to the reduction of emissions in the agricultural sector and the sustainable diversification of agricultural activities in response to climate change.

The energy sector must transition towards low-carbon and renewable sources to achieve the 80% reduction in emissions by 2050, as set out in the NPF. AD facilities can play an important role in this transition. Finally, the Proposed Development provides an opportunity to sustainably utilise agricultural waste as a resource, to produce biobased fertiliser and renewable energy through the AD process, allowing for the decarbonisation of the gas network.

The proposed development is strongly supported by, and is fully consistent with, the national policy objectives highlighted above. The development will deliver local employment and significant economic benefits in a rural area, while producing renewable biomethane and helping to improve the sustainability of the agricultural sector in the vicinity.

4.4.3 National Development Plan 2021 – 2030

The National Development Plan¹³ (‘NDP’ hereafter) sets out the national capital investment priorities to realise the objectives of the NPF, proving a guide for national, regional, and local planning investment decisions from 2025-2023. The NDP recognises that public capital investment choices from 202 to 2030 must not only contribute to the objective of a 51% reduction in greenhouse gas emissions by 2030 but also lay the pathway to achieve the national climate objective of net-zero greenhouse gas emissions by 2050. The NDP states that significant investment is needed by the Department of Climate Energy and the Environment to fund projects and programmes that will support renewable energy development.

The NDP states, *“the allocations outlined in this document represent the continued focus and commitment of this Government to climate action and to ensuring Ireland is well positioned to realise the benefits of the transition to a green and sustainable economy.”*

According to the NDP, in addition to the Exchequer allocations, €10 billion in equity and fund

¹³ Government of Ireland (2025) *National Development Plan Review 2025*: <https://www.gov.ie/en/department-of-public-expenditure-infrastructure-public-service-reform-and-digitalisation/campaigns/project-ireland-2040/>

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releases has been provided for the period to 2030 to support the delivery of large projects in the energy sector, including: “€3.5 billion in equity funding is being provided to ESB and Eirgrid in 2025 to fund enhanced energy grid capacity to support the Government’s housing and competitiveness objectives.”

The Department of Climate, Environment and Energy have been allocated €5.64 billion for the period of 2026-2030.

The NDP states that “The publication of the NDP in 2018 represented a step change in the Government’s commitment to tackle climate change, which has carried forward into the subsequent NDPs, both in 2021 and the current NDP review.”

We note that the Department of Agriculture, Food and the Marine have been allocated with 1.625 billion for the period of 2026-2030.

The National Development Plan¹⁴ (‘NDP’ hereafter) sets out the national capital investment priorities to realise the objectives of the NPF, providing a guide for national, regional, and local planning and investment decisions during this decade. The NDP recognises that public capital investment choices over the next 10 years must not only contribute to the objective of a 51% reduction in greenhouse gas emissions by 2030 but also lay the pathway to achieve the national climate objective of net-zero greenhouse gas emissions by 2050. The Plan states that significant Exchequer investment, combined with further household, State-Owned Enterprise (SOE), and crucially private sector investment in renewable energy projects such as the Proposed Development, are critical to delivering on these climate action objectives.

The NDP sets out 10 National Strategic Outcomes (NSOs) with Strategic Investment Priorities, with a particular emphasis on Climate Action and strengthening and developing rural economies and communities. The NSOs and Strategic Investment Priorities of particular relevance to the Proposed Development are outlined below:

Reference	Description
NSO 3 - Strengthen Rural Economies and Communities	This outcome recognises the importance of rural communities and community engagement in achieving the goals of the NPF and NDP. The NDP highlights the role that rural economies and communities can play in responding to climate change across sectors and supports the sustainable development of Ireland’s agri-food sector. For example, the On-Farm Capital Investment Scheme supports farmers looking to increase their environmental efficiency through, inter alia, the investment in and adoption of new technologies.
NSO 8 – Transition to a Climate-neutral and Climate Resilient Society	This outcome responds to the significant commitments by the Government to tackle the effects of climate change, reduce greenhouse gas emissions by 51% by 2030 (as compared to 2018 levels), and work towards achieving net-zero greenhouse gas emissions by 2050 in line with the Climate Action and Low Carbon Development (Amendment) Act 2021 (see below). The NDP recognises the special importance of the energy sector in achieving these targets, and that radical changes may be needed to reduce our reliance on fossil fuels: “Action in the energy sector will be critical to the achievement of Ireland’s climate targets and the transformation to a high-renewable, net-zero

¹⁴ Government of Ireland (2021) *National Development Plan 2021-2030*: [a36dd274-736c-4d04-8879-b158e8b95029.pdf](https://www.gov.ie/en/publications-and-resources/documents/a36dd274-736c-4d04-8879-b158e8b95029.pdf) (www.gov.ie)

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	<p><i>emissions future. This will require a fundamental shift in the means by which we supply, store, and use energy."</i></p> <p>The NDP also recognises the continued need for the supply and use of gas in Ireland, particular with regards to ensuring security of energy supply. Underpinning this theme is a commitment to a just transition, to ensuring that all people are able to participate in and benefit from the decarbonisation of economy:</p> <p><i>"A key focus of this investment is to support the transition of the existing workforces and the creation of new enterprise and employment opportunities so that the region remains vibrant, innovative and makes the most of the opportunities that decarbonisation will bring."</i></p>
<p>NSO 9 – Sustainable Management of Water and Other Environmental Resources</p>	<p>This outcome highlights the need for investment in the environmental resources and infrastructure Ireland, with a particular focus on the sustainable management of waste and water. This theme is supported by the whole-of-government Circular Economy Strategy (see below) as recognises that investments in waste management is critical to achieving an environmentally and economically sustainable future:</p> <p><i>"While the overall focus of Government waste policy is on prevention and waste minimisation, investment in indigenous waste treatment capacity remains critical to our environmental and economic well-being."</i></p> <p>AD facilities, such as the Proposed Development, are highlighted as one investment opportunity to achieve this NSO:</p> <p><i>"Capacity will continue to be built in waste facilities, including anaerobic digestion, hazardous waste treatment, plastics processing, recycling, waste to energy, and landfill and landfill remediation, to meet future waste objectives."</i> [Emphasis added].</p>

Consistency with the National Development Plan

Cross-sectoral investment in agriculture, energy and waste are vital to enable the timely transition to a low-carbon, climate-resilient and environmentally sustainable economy and society by 2050.

The Proposed Development directly aligns with the objectives of the NDP to strengthen rural economies and move towards an economy based on dependable and domestically sourced renewable energy. The Proposed Development is highly integrated with the just transition of the rural and agricultural communities and Circular Economy principles, in terms of the supply of agricultural waste by local farmers to be used as a resource for the sustainable production of bio-methane gas and biobased fertiliser within a state of the art facility.

4.4.4 Climate Action Plan

The development directly addresses and will assist in achieving the aims of section 15 of the Climate Action and Low Carbon Development Act 2015, as amended, in that it will contribute to the furtherance of the national climate objective and the most recent approved climate action plan and national long term climate strategy.

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The 2025 Climate Action Plan¹⁵ ('CAP25' hereafter) was published on the 15th of April 2025 and is the third statutory annual update to Ireland's Climate Action Plan under the Climate Action and Low Carbon Development (Amendment) Act 2021.

CAP25 builds upon last year's Plan (CAP24) by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings. The Plan provides a roadmap for taking decisive action to halve Ireland's emissions by 2030 and reach net zero by no later than 2050, as committed to in the Climate Action and Low Carbon Development (Amendment) Act 2021.

The Proposed Development directly contributes to the achievement of objectives within the CAP25, including the objective to achieve the production of up to 5.7 TWh of Biomethane by 2030.

The CAP25 states that *"agriculture remains the highest-emitting sector with 3.4% of CO_{2e}eq"*.

Section 15 'Agriculture' of the CAP25 states the following in relation to Biomethane:

"2024 saw the publication of the National Biomethane Strategy and the launch of grant aid towards development of the sector. This is expected to drive expansion of the anaerobic digestion sector towards the target of 5.7 TWh by 2030."

The Proposed Development will contribute directly to the achievement of this target of CAP25.

The swift deployment of biomethane production in the state was similarly a key objective of the CAP24 (which Government note should be read in conjunction with the new CAP25), in order to meet the ambitious targets set for 2025 and 2030. The urgency of reducing agricultural emissions is acknowledged in CAP25, which states that *"Although agricultural emissions have decreased, they remain above the proposed pathway outlined in Climate Action Plan 2024."*

Consistency with the CAP

The Proposed Development directly contributes to the realisation of the aims and objectives of the Climate Action Plan as outlined above. The swift deployment of biomethane production in the state is a key objective of the CAP25, in order to meet the ambitious targets set for 2025 and 2030.

The Proposed Development will also assist in achieving the steep emissions reductions required if the agricultural sector is to meet its sectoral emissions targets for 2025 and 2030.

The roll-out of biomethane production is rendered all the more urgent having regard to the recently published EPA projections on Ireland's Greenhouse Gas Emissions 2024 to 2050 (published in May 2025), which warn that Ireland is currently likely to miss both its first and second carbon budget targets, in the absence of additional measures. The timely rollout of additional renewable energy generation will assist in achieving current targets, and reduce the risk of steeper emissions reductions being required in later years to achieve 2030 targets.

4.4.5 Sectoral Emissions Ceilings

Following the approval of the Carbon Budgets, Ireland's Sectoral Emissions Ceilings were

¹⁵ Dept of the Environment, Climate and Communications (April 2025) CAP25: [Climate Action Plan 2025](#)
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agreed by Government on the 28th July 2022. Section 6C of the Climate Action and Low Carbon Development Act 2015 (as amended) (the Act) provides for the preparation of Sectoral Emissions Ceilings which set out the maximum amount of greenhouse gas emissions that are permitted in different sectors of the Irish economy.

This carbon budget programme comprises three successive 5-year Carbon Budgets as follows:

- 2021-2025: 295 Mt CO₂ eq. This represents an average reduction in emissions of 4.8% per annum for the first budget period.
- 2026-2030: 200 Mt CO₂ eq. This represents an average reduction in emissions of 8.3% per annum for the second budget period.
- 2031-2035: 151 Mt CO₂ eq. This represents an average reduction in emissions of 3.5% per annum for the third provisional¹ budget.

Following the process set out in the Act, the carbon budget programme proposed by the Climate Change Advisory Council was approved by the Government on 21 February 2022, and subsequently adopted by the Oireachtas on the 6th of April 2022.

For the agriculture sector, the sectoral emissions ceilings mandate a reduction in emissions of 10% over the period from 2021-2025, and a reduction of 25% from 2026-2030.

The rollout of AD and Biomethane production helps to contribute to a reduction in agricultural emissions, while also benefiting efforts to reduce carbon emissions in other hard to abate sectors which are currently reliant on natural gas.

4.4.6 Climate Action and Low Carbon Development Acts 2015 and 2021

The first Climate Action and Low Carbon Development Act 2015¹⁶ provided the statutory basis for the national goal of progressively pursuing a low carbon, climate resilient and environmentally sustainable economy by 2050.

In 2021 the Government passed the Climate Action and Low Carbon Development (Amendment) Act 2021¹⁷ enshrining the target to achieve net zero emissions by 2050 and a 51% reduction in emissions by 2030 into law. The roll-out of an agri-led biomethane industry can help to decarbonise both industry and agriculture, contributing to the goals set out in the new Act.

The Climate Action and Low Carbon Development Act 2015 established the National Mitigation Plan (NMP) and National Adaptation Framework (NAF), both of which are designed to address the causes and consequences of climate change in Ireland.

Published in July 2017, the NMP represented an initial step in transitioning Ireland to a low carbon, climate resilient and environmentally sustainable economy by 2050. This whole-of-government Plan drew on the perspectives and responsibilities of a range of government departments and reflected the central roles of key ministers responsible for electricity generation, the built environment, transport, and agriculture.

¹⁶ Climate Action and Low Carbon Development Acts 2015: [Climate Action and Low Carbon Development Act 2015 \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2015/act/12/enacted/en/html)

¹⁷ Climate Action and Low Carbon Development (Amendment) Act 2021: [Climate Action and Low Carbon Development \(Amendment\) Act 2021 \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2021/act/12/enacted/en/html)

The Plan acknowledges the role of the circular economy and particularly the bioeconomy, and opportunities for residues and agriculture residues such as from crops, animal, and dairy by-products to be used to produce biomaterials and biochemicals through biorefining or to produce heat and/or power through combustion or AD.

The NMP identifies the role that anaerobic digestion can play in contributing to the bioeconomy in particular, and the circular economy in general:

“The circular economy, or bioeconomy, provides opportunities for FBB and agriculture residues, such as animal by-products (ABP), to be used to produce heat and/or power through combustion or anaerobic digestion. In addition there is potential to reduce carbon emissions along the full life cycle of the food/processing chain through food waste reduction.”

The NAF provides a framework to ensure local authorities, regions, and key sectors can assess the key risks and vulnerabilities of climate change, implement actions to build resilience to climate change, and ensure climate adaptation considerations are mainstreamed into all local, regional, and national policy.

The Climate Action and Low Carbon Development Act 2021 commits the Government to moving to a climate-resilient and climate-neutral economy by the end of 2050. It sets the commitment to achieve net zero emissions by 2050 and a 51% reduction in emissions by 2030. It introduces carbon budgets for the State, and sectoral emissions ceilings.

We note in particular Section 4 of the Climate Action and Low Carbon Development Act 2021 (as amended), which states that:

“4. (8) For the purposes of performing their respective functions under this section, the Minister and the Government shall have regard to the following matters;

- *(h) the fact that the means of achieving a climate neutral economy and other measures to enable the State to pursue the national climate objective may not yet be fully identified and may evolve over time through innovation, evolving scientific consensus and emerging technologies;*
- *(n) the special economic and social role of agriculture, including with regard to the distinct characteristics of biogenic methane.”*

Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended, states the following:

“(1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with—

- a) the most recent approved climate action plan,*
- b) the most recent approved national long term climate action strategy,*
- c) the most recent approved national adaptation framework and approved sectoral adaptation plans,*
- d) the furtherance of the national climate objective, and*
- e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State.”*

This places a responsibility on Planning Authorities to consider the compliance of each Proposed Development with these criteria and to make decisions which are consistent with the listed policies in so far as practicable.

The criteria are addressed in turn below to assist the Planning Authority in considering the current application and in undertaking an Environmental Impact Assessment of the Proposed Development with cognisance of the above requirement of the Act.

Consistency with Climate Action Plan

The objectives of the CAP25 (which is now the current most recent approved climate action plan) which the Proposed Development will support have been set out above.

Consistency with Long Term Climate Action Strategy

The Long-term Climate Action Strategy¹⁸ was published on the 28th of April 2023. An update to the Strategy was published in 2024¹⁹. The Long-term Climate Action Strategy outlines the importance of (i) completing the actions in the Climate Action Plan, (ii) greater demand side management, (iii) better annual forecasting for the electricity and gas systems and (iv) security of gas supply infrastructure, particularly in the context of electricity generation.

The Long-term Climate Action Strategy recognises the role that biogas and biomethane can play in reducing carbon emissions in hard to abate sectors including the industrial sector.

The Strategy states:

*“Key measures included in Climate Action Plan 2024 to reduce on-farm emissions include a significant reduction in nitrous oxide emissions by changing farm management practices in relation to nutrient use improved GHG efficiencies from breeding, feed modification and earlier finishing age for cattle, an increase in the proportion of organic farming, and with the waste sector providing feedstocks for the production of **indigenous sustainably produced biomethane**.” [Emphasis added].*

The Strategy also recognises at Page 47 that the production of zero-emission fuels including biomethane is a key driver of the pathway to industrial decarbonisation. The same page of the Strategy states:

*“The 2030 target is a steppingstone towards the ambition of achieving climate neutrality, with a relatively clear trajectory for the sector to 2050. Achieving a fully decarbonised industry sector will require; driving material efficiency in construction to reduce embodied energy in materials; employing heat pumps for low-temperature heat and **zero emissions gas/ bioenergy** for high-temperature heat; fully switching fuel used for cement (e.g., waste, bioenergy) and alumina; and utilising CCS and innovative binders in cement.” [Emphasis added].*

¹⁸ Long-term Strategy on Greenhouse Gas Emissions Reductions 2023.

<https://www.gov.ie/en/publication/e4e81-long-term-strategy-on-greenhouse-gas-emissions-reductions/>

¹⁹ Long-term Strategy on Greenhouse Gas Emissions Reductions 2024.

<https://www.gov.ie/en/publication/e4e81-long-term-strategy-on-greenhouse-gas-emissions-reductions/#:~:text=Ireland%E2%80%99s%20Long-term%20Strategy%20on%20Greenhouse%20Gas%20Emissions>

The Proposed Development will support the achievement of the goals and objectives of the Long-term Climate Action Strategy.

Consistency with Approved National Adaptation Framework and Approved Sectoral Adaptation Plans

The National Adaptation Framework ('NAF' hereafter) (DECC, 2024) has outlined several actions to help ensure a targeted approach to achieving climate resilience into the future

Section 2.2 of the NAF states, that for climate resilience, Ireland must be open to innovative climate change solutions. It must have a reduced reliance on fossil fuel, will need to transition towards sustainable agricultural practices such as agroforestry and organic farming and Irish industries must embrace circular economy principles.

The NAF provides key guiding principles for climate adaptation, grouped into high-level themes including: 'Adaptation governance, engagement and resourcing': *"Mobilise Existing and New Resources: Maximise the efficient use of existing and new resources, including financial, human, and natural resources, to achieve adaptation."*

Section 2.6.4 of the NAF outlines the role of the private sector in enabling climate change adaptation. *"Businesses and industries, being both affected by climate change impacts and contributors to adaptation efforts, are at the forefront of developing and implementing innovative technologies and practices to enhance climate resilience. **This entails investments in renewable energy, sustainable agriculture**, and efficient water management systems, for example. Collaborative partnerships with the government further empower businesses to fulfil their role in climate adaptation by pooling resources and expertise, innovation, fostering green job opportunities, and collectively working towards a more sustainable and resilient future for Ireland."* [Emphasis added].

Section 2.9 of the NAF outlines the future research prioritise for climate change adaptation in Ireland including the following:

- **"Ecosystem Resilience:** *Understanding how ecosystems respond to climate change is crucial. Research into the adaptation of natural environments, biodiversity, and the sustainable management of natural resources will be essential."*
- **"Infrastructure Adaptation:** *Investigating how infrastructure, such as buildings, transportation, and energy systems, can be made more resilient to climate impacts, including retrofitting, sustainable design, and disaster preparedness."*
- **"Agriculture and Food Security:** *Given the importance of agriculture in Ireland, research into climate-resilient farming practices, crop and livestock management, and the impact of climate change on food security will be critical."* [Emphasis added].

The NAF outlines the potential impacts of the electricity and gas networks sector from climate change:

- Water shortages and drought may affect the availability of cooling at conventional power plants,
- Changes in rainfall distribution could reduce hydro power generation during certain seasons, while increasing the role of hydro station flood alleviation.
- Floods may damage electricity and gas transmission systems, and coastal erosion could impact infrastructure.

- Increased wind variability may require backup generation or storage, and strong winds may lead to turbine shutdown or damage.

Climate proofing of the project was undertaken using the approaches outlined in the *Guidance on Integrating Climate Change and Biodiversity into Environmental Impact Assessment* (EC, 2013) and *IEMA EIA Guide to Climate Change Resilience and Adaptation* (IEMA, 2020). Both documents outline a methodology for undertaking a risk assessment where there is a potentially significant impact on the project receptors due to climate change.

Furtherance of the National Climate Objective

Under the Climate Action and Low Carbon Development Act 2015 (as amended by the 2021 amendment Act). The National Climate Objective is as follows:

“The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy.”

The proposed development will reduce GHG emissions and help to decarbonise Ireland’s energy system by generating renewable gas to displace fossil fuels. The digestate produced by the proposed development will also displace chemical fertilisers, which are generally produced using fossil fuels. The development will directly further the National Climate Objective.

The Objective of Mitigating Greenhouse Gas Emissions and Adapting to the Effects of Climate Change in the State

The proposed development, which comprises a renewable energy development, directly addresses the need to mitigate greenhouse gas emissions by producing renewable energy to displace conventional natural gas in the gas grid.

The development serves to directly mitigate GHG emissions and to improve the resilience of the state to climate change by enhancing security of renewable energy supply.

4.4.7 Support Scheme for Renewable Heat (SSRH)

This support scheme²⁰ was developed to contribute towards Ireland’s 2020 renewable energy and emission reduction targets. It focuses on support mechanism to increase the energy generated from renewable sources in the heat sector, including an on-going operation support for biomass boiler and AD heating systems. This scheme aims to incentivise the development and Biomethane Utilisation and Renewable Gas Certification

The SSRH comprises an installation grant for heat pumps and an operational support (an ongoing payment for up to 15 years) for biomass and anaerobic digestion (biogas) heating systems. The SSRH was developed to incentivise the delivery of an additional 3% of heat use in Ireland to come from renewable sources. The current National Development Plan includes an allocation of €300 million for the rollout of the SSRH for the period up to 2027.

Gas Networks has recognised that there is significant growth in demand from households and businesses looking to source sustainable fuel alternatives that have been produced in Ireland.

²⁰ Department of the Environment, Climate and Communications (2019) *Support Scheme for Renewable Heat (SSRH)*: [gov - Support Scheme for Renewable Heat \(SSRH\) \(www.gov.ie\)](https://www.gov.ie/en/publications-and-resources/documents/support-scheme-for-renewable-heat-ssrh/)

They state that:

“Gas Networks Ireland registers and issues certificates to Irish producers that inject renewable gas into the gas network. This includes biomethane, which is a renewable gas produced by anaerobic digestion of biodegradable matter that is then upgraded to network entry specifications prior to injection. Each certificate represents our guarantee that the equivalent amount of renewable gas has been injected into the gas network.”²¹

AD facilities must be compliant with the requirements of Gas Networks Ireland’s Renewable Gas Certification for the export and utilisation of biogas. This certification system is in place to ensure that natural gas produced in Ireland is compliant with relevant legislation, and to assure customers that their gas has been generated in a sustainable manner. This is also relevant to ensure that gas produced aligns with EU policies and guidance, such as the EU Methane Strategy (2020) which estimates that by 2050, the EU’s annual consumption of biogas and biomethane will increase to between 54 and 72 Mtoe (up from c.17 Mtoe in 2017).

4.4.8 White Paper: Ireland’s Transition to a Low Carbon Energy Future 2015–2030

The White Paper²² sets out a framework to guide policy and the actions that the Government intends to take in the energy sector from 2015 up to 2030.

We note in particular Section 133 on bioenergy, which states:

*“Bioenergy is a versatile source of energy that can be used for heating, transport, and power generation. The most advantageous economic benefits arise when it is used for heating. Bioenergy encompasses a range of fuels in solid, liquid, and gaseous forms, including forest-based biomass, dry agricultural residues, energy crops, organic materials including wastes, and landfill gas and other biogases. **Bioenergy can contribute to broader policy objectives such as waste recovery and rural development, as is the case with anaerobic digestion, which not only generates energy, but also gives effect to national waste policy in terms of utilising waste as a resource.** It has been highlighted in waste management plans as a technology suitable for development at a local and regional level and at varying scales. **Anaerobic digestion also has the potential to improve air quality, for example through mitigation of ammonia emissions and odour by diverting slurry from land spreading.** However, expanding the uptake of bioenergy involves several challenges, including the availability of sufficient sustainably-sourced biomass, competition with other land uses such as food production, and the cost of support. Consideration must be given to the most prudent uses for bioenergy.” [Emphasis added].*

We also note Section 136 on waste policy, which states:

“Waste Management Policy in Ireland recognises the need to develop efficient ways to extract as much value as possible from waste in accordance with the requirements of the waste hierarchy and the opportunity for waste to be used as an indigenous energy resource [34]. In this regard, three new regional waste management plans for the period 2015-2021 support the development of additional thermal recovery and biological treatment capacity within the State.

²¹ Gas Networks Ireland, *Renewable Gas Certification*: [Renewable gas certification \(gasnetworks.ie\)](https://gasnetworks.ie/renewable-gas-certification)

²² Department of Environment, Climate and Communications (2020) *The White Paper: Department of Communications, Energy and Natural Resources - Ireland’s Transition to a Low Carbon Energy Future - 2015-2030* - e5aa9f25-da81-43eb-804d-57309615681e.pdf (www.gov.ie)

The REFIT schemes, which support the generation of electricity and CHP technologies including waste-to-energy, anaerobic digestion, and landfill gas, continue to support the use of waste as a renewable energy feedstock.”

4.4.9 Biomethane Energy Report – Gas Networks Ireland

While not a policy or guidance document, the Biomethane Energy Report was published by GNI, who are the public body responsible for connecting customers to the gas network and for connecting developments such as the Proposed Development to the grid. The Energy Report provides a detailed insight into the potential for biomethane production in Ireland. The Gas Networks Ireland (GNI) Biomethane Report²³ provides a rationale for accelerating biomethane production in Ireland and states the following:

- *“Domestically produced biomethane, dispersed throughout the country, boosts security of supply and can displace fossil gas from Corrib as it declines;*
- *Similar to the early years of the wind industry, the biomethane gate price is currently more expensive than natural gas.;*
- *Biomethane could rapidly reduce climate emissions across hard to abate energy demand sectors and can create negative emissions;*
- *Biomethane production boosts employment in rural areas, promotes circular economy in agriculture, and can improve soil health. Digestate, a byproduct of biomethane production can displace fossil produced fertilizer;*
- *Biomethane can deliver highly valuable energy, which is dispatchable, suitable for intensive heat industries, transport and other hard to abate sectors; and*
- *Biomethane is produced with existing technology and can therefore be rapidly scaled up. It can also be transported, stored, and distributed through existing gas grids.”*

The GNI report refers to the Climate Action and Low Carbon Development (Amendment) Bill. In 2021 the Bill was *“signed into law and Ireland is now on a legally binding path to net-Zero emissions no later than 2050, and to a 51% reduction in emissions by the end of this decade”*.

Section 6 of the report states that after the Russian invasion of Ukraine, *“Ireland must ensure that security of energy supply is maintained as Ireland transitions to a net-zero emissions future”*.

The report concludes by stating that *“Ireland has a real opportunity to develop a biomethane industry at scale, which will offer multiple benefits for our agricultural economy, assist in the decarbonisation of Ireland’s economy more generally, enhance our security of energy supply and lead to the development of a key renewable indigenous energy resource in the build-up to 2030”*.

4.4.10 Energy Security in Ireland to 2030

The Government Strategy for Energy Security in Ireland to 2030 was published in November

²³ Gas Networks Ireland, Biomethane Energy Report: [The Biomethane Energy Report \(gasnetworks.ie\)](https://www.gasnetworks.ie/the-biomethane-energy-report)

2023.

Energy Security in Ireland to 2030 outlines a new strategy to ensure energy security in Ireland for this decade, while ensuring a sustainable transition to a carbon neutral energy system by 2050. This report is being published as part of an Energy Security Package, containing a range of supplementary analyses, consultations, and reviews, which have informed the recommendations and actions related to energy security.

Informed by the Government's energy security policy objectives - to ensure energy is affordable, sustainable, and secure - the review considered the risks to oil, natural gas, and electricity.

The strategy states that *"the National Biomethane Strategy in development sets us on a trajectory to develop a new source of renewable indigenous gas in Ireland"*.

The strategy is clear that Biomethane has an important role to play in supporting Ireland's energy transition, while maintaining and safeguarding security of supply through indigenous renewable gas generation.

4.4.11 National Policy Framework on Alternative Fuels Infrastructure for Transport in Ireland

The National Policy Framework on Alternative Fuels Infrastructure for Transport in Ireland: 2017-2030²⁴ sets an ambitious target that from 2030 all new cars and vans sold in Ireland will be zero emission (or zero emission-capable) and that other technologies, perhaps still unknown, will be fueling larger vehicles, so that by 2050, the nation's car fleet, along with much of our public transport buses and rail lines, will be low/near zero emissions.

The framework highlights the importance of greater diversification of fuels in the freight sector to include a mix of natural gas, biogas/biomethane, electricity and renewable diesel or other biofuels.

4.4.12 Ag Climatise – National Climate & Air Roadmap for the Agriculture Sector

The National Climate & Air Roadmap for the Agriculture Sector²⁵ sets an ambitious vision for a 'climate neutral agriculture sector by 2050' and includes 29 actions with specific and targets aimed at reducing the environmental footprint and further building on the strong credentials of Irish Agriculture. Of particular relevance to the Proposed Development are the following action and targets:

Reference	Targets
Action 20	Engage with stakeholders to maximise the potential opportunities from Anaerobic Digestion for the agriculture sector. Work closely with DCCAE and other key stakeholders to set a target for the level of energy to be supplied by indigenous biomethane injection and consider the necessary supports including funding mechanisms.

²⁴ Department of Environment, Climate and Communications (2017) *National Policy Framework on Alternative Fuels Infrastructure for Transport in Ireland*: [6186_NPF_Alternative_Fuels_V5.indd - 6ce8a48a99c44e1dbf40a59a073cb06d.pdf \(www.gov.ie\)](#)

²⁵ Department of Agriculture, Food and the Marine (2020) *A Roadmap towards Climate Neutrality*: [7c8b812c-d857-4f39-96b9-1e7f134ba896.pdf \(www.gov.ie\)](#)

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	Work with DCCAE and other stakeholders to develop the necessary research, policies, and measures to provide policy certainty around the development of an Anaerobic Digestion industry in Ireland.
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The roadmap recognises that the agriculture sector has a key role to play in the provision for bio-energy feedstocks for the production of biogas/biomethane as a key renewable energy resource for the decarbonisation of the transport and heat sectors in particular.

4.4.13 National Energy and Climate Plan (NECP) 2021-2030

Ireland's National Energy & Climate Plan²⁶ ('NECP' hereafter) 2021-2030 was submitted to the European Commission in December 2018. The Plan outlines a long-term vision for the agriculture, forest and land use sectors based on an approach to carbon neutrality in these sectors, which does not compromise the capacity for sustainable food production. This effectively means that agricultural emissions are balanced by reducing emissions of methane, nitrous oxide, and carbon dioxide in so far as the best available science allows, increasing carbon-sequestration through forests and land use and displacing fossil fuel and energy intensive materials with renewable sources.

The NECP set an indicative target of 1.6 TWh/yr (Terawatt hour per year) for the level of energy to be supplied by indigenous biomethane injection in 2030, taking account of the domestic supplies of feedstock that meet strict sustainability criteria and agreed a commitment to consider how the supports necessary to reach this target would be funded.

The NECP stated the following:

"In the absence of certainty in relation to the mechanism by which biomethane will be supported, it is proposed to set an indicative target which will be reviewed in 2023 as part of the review process for the National Energy and Climate Plan. This review will take into account the development of supports and market development for biomethane and progress towards the indicative target. The indicative target for indigenous biomethane is therefore set at 1.6 TWh and will be reviewed in 2023."

As noted previously in this EIAR chapter, the CAP24 include the following key actions relevant to the development of a biomethane industry in Ireland, including:

- *"By 2025 – Production of up to 1 TWh of Biomethane by 2025; Construction of up to 20 AD plants of scale; and*
- *By 2030 – Production of up to 5.7 TWh of Biomethane by 2030; Construction of up to 200 AD plants of scale."*

This represents a significant uplift in the targeted level of biomethane production by 2030 vis a vis the National Energy and Climate Plan.

4.4.14 The Planning and Development Act 2000 (as amended)

The Planning and Development Act 2000²⁷ (as amended) also sets out provisions for climate

²⁶ Department of Environment, Climate and Communications (2020) *National Energy and Climate Plan 2021-2030: NECP DRAFT BRANDED - f3e50986-9fde-4d34-aa35-319af3bfac0c.pdf* (www.gov.ie)

²⁷ *Planning and Development Act 2000: Planning and Development Act, 2000* (irishstatutebook.ie)

change within Section 10 (2) (n). This includes requirements to:

- reduce energy demand in response to the likelihood of increases in energy and other costs due to long-term decline in non-renewable resources,
- reduce anthropogenic greenhouse gas emissions, and
- address the necessity of adaptation to climate change; in particular, having regard to location, layout, and design of new development.

The Planning and Development Act, as amended also transposes the requirements of the EIA Directive and provides the framework within which the Planning Authority, as competent authority, will undertake EIA of the current development proposal.

4.4.15 Whole of Government Circular Economy Strategy 2022 – 2023

The Whole of Government Circular Economy Strategy 2022-2023²⁸ is Ireland's first national circular economy strategy. It serves as a driver for the Irish government to achieve a 51% reduction in overall greenhouse gas emissions by 2030 and to reach net-zero emissions by no later than 2050, as per commitments in the Programme for Government and the Climate Act 2021. The strategy was a specific commitment in the Waste Action Plan for a Circular Economy (see below).

The Strategy states:

*"In Europe today, just **16% of bio-waste is recycled into something useful**. The EU has set a **target by 2035 of 65% of bio-waste to be reused or recycled**. In Ireland, the agri-food and municipal wastewater treatment sectors together produce over 100,000 tonnes of bio-waste per year. This waste is largely applied to agricultural land or disposed of as waste, thereby missing the opportunity for recycling into energy."*

This strategy also discusses the role of the bioeconomy in transitioning to a carbon-neutral and circular economy. It describes the bioeconomy as:

"... the part of our economy which uses renewable resources such as crops, forestry, and fisheries to produce food, products, as well as energy, while also reducing waste. Increasing the scope of the bioeconomy will mean diminishing our reliance on fossil-based fuels and carbon intensive resources and will boost our use of renewable biological resources."

4.4.16 A Waste Action Plan for a Circular Economy Strategy 2020-2025

This plan²⁹ provides a roadmap for cross-sectoral waste planning and management in Ireland. It broadly discusses the role of the Circular Economy in achieving the Sustainable Development Goals, including SDG7 'Affordable and Clean Energy'.

Among the measures outlined to achieve the optimum results of the Waste Action Plan is the following, which commits to the development of a government circular economy strategy (see above):

²⁸ Department of Environment, Climate and Communications (2021) *Whole of Government Circular Economy Strategy 2022-2023*: [bd90130d-494e-4d32-8757-46d36c77b912.pdf \(www.gov.ie\)](https://www.gov.ie/publications/uploads/system/uploads/attachment_data/file/130013/bd90130d-494e-4d32-8757-46d36c77b912.pdf)

²⁹ Government of Ireland (2020) *A Waste Action Plan for a Circular Economy: Ireland's National Waste Policy 2020-2025*: [dcf554a4-0fb7-4d9c-9714-0b1fbc7dbc1a.pdf \(www.gov.ie\)](https://www.gov.ie/publications/uploads/system/uploads/attachment_data/file/130013/0fb7-4d9c-9714-0b1fbc7dbc1a.pdf)

“One of its first tasks will be the development of a high-level all of government circular economy strategy. This will set a course for Ireland to transition across all sectors and at all levels of government toward circularity. Policy coherence across government will be key to ensuring all policy levers are set towards the same objective.”

We note in particular the following:

“We want to realise the Anaerobic Digestion (AD) and composting potential of the food waste resource. AD and composting provide opportunities for regional development with benefits for communities through sales of locally generated energy and compost.”

4.4.17 National Policy Statement on the Bioeconomy (2018)

This national policy statement³⁰ elaborates on how the strategic development of the bioeconomy might be advanced through greater policy coherence across all relevant sectors and dealing with fundamental challenges to its commercial success and social development. It outlines Ireland’s comparative advantages in developing bioeconomy and provides commitments in the form of a Policy Framework for Developing the Bioeconomy.

4.4.18 Common Agricultural Policy (CAP) Strategic Plan 2023 – 2027

First established in 1962, the CAP23³¹ (as revised) consists of a Two Pillar Structure: Pillar 1 Income Support (including Basic Payment Scheme and Greening) and Pillar 2 Infrastructure, Environment and Development Support (including GLAS, EIP-AGRI and TAMS).

4.4.19 European Union (Waste Directive) Regulations 2020³²

This Statutory instrument sets out regulations for the mode by which waste compost and digestate is recycled into fertiliser products. We note in particular the following replacement of Regulation 38 in the Regulations of 2011 (Bio-waste):

“38 (2): The Minister shall take measures in accordance with sections 21A and 32(1) of the Act of 1996 to: (a) encourage the recycling, including composting and digestion, of bio-waste in a way that fulfils a high level of environment protection and results in output which meets relevant high-quality standards.”

4.4.20 Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations, 2013³³ and Waste Facility Permitting

All operators of an AD Facility require consent to operate under one of the following: Waste Management Act, 1996³⁴ (as amended), the Environmental Protection Agency Act, 1992³⁵, the

³⁰ Government of Ireland (2018) *National Policy Statement on the Bioeconomy*: [gov - National Policy Statement on the Bioeconomy \(www.gov.ie\)](http://gov.ie)

³¹ Department of Agriculture, Food and the Marine (2020) *The CAP Strategic Plan 2023-2027*: [gov - The CAP Strategic Plan 2023 - 2027 \(www.gov.ie\)](http://gov.ie)

³² Gov. of Ireland: *European Union (Waste Directive) Regulations 2020*: [S.I. No. 323/2020 - European Union \(Waste Directive\) Regulations 2020 \(irishstatutebook.ie\)](http://www.irishstatutebook.ie)

³³ Gov. Of Ireland (2013) *Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations 2013*: [S.I. No. 137/2013 - Environmental Protection Agency \(Industrial Emissions\) \(Licensing\) Regulations 2013. \(irishstatutebook.ie\)](http://www.irishstatutebook.ie)

³⁴ *Waste Management Act, 1996*: [Waste Management Act, 1996 \(irishstatutebook.ie\)](http://www.irishstatutebook.ie)

³⁵ *Environmental Protection Agency Act, 1992*: [Environmental Protection Agency Act, 1992 \(irishstatutebook.ie\)](http://www.irishstatutebook.ie)

Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations, 2013³⁶, S.I. No. 821 of 2007, Waste Management (Facility Permit and Registration) Regulation (as amended 2008), the Industrial Emissions Directive (2010/75/EU) which introduced a class of license that can be granted by the EPA, known as an Industrial Emissions License.

S.I. No. 821 of 2007 Waste Management (Facility Permit and Registration) Regulation (as amended)³⁷ sets out the procedures for the making of applications for waste facility permits for the purposes of section 39(4) of the Waste Management Act, 1996, and the manner by which a waste authorisation can be granted by the EPA. The Regulations also provide rules pertaining to public consultation, consideration by the local authorities of submissions in relation to permit applications, and the grant, refusal, and review of permits by local authorities. They also prescribe rules for the spreading of organic waste on land from waste facilities and other matters relative to organic waste.

4.4.21 Animal By-Products Regulations

In order to build and operate a biogas plant, an operator must comply with the European Communities (Animal By-Products) Regulations 2014 (S.I. No. 187 of 2014)³⁸ and in accordance with Regulation (EC) No. 1069/2009 and Regulation (EU) No. 142/2011. If animal by-products are processed within the AD facility, certification may be required and obtained from the Department of Agriculture, Food, and the Marine.

Document 'CN11 – Conditions for Approval and Operation of Biogas Plants Transforming Animal By-Products and Derived Products in Ireland' provides details on the requirements of a biogas plant such as that proposed here. These include general requirements including animal by-product feedstocks, structural and equipment requirements, plant operational requirements, requirements for microbiological testing, Plant HACCP Plans and Plant Pre-requisite Programmes (PRPs), and record keeping requirements.

4.5 Regional Planning Policy

4.5.1 Regional Spatial and Economic Strategy for the Eastern and Midland Region

The Regional Spatial and Economic Strategy³⁹ ('RSES' hereafter) determines at a regional scale how best to achieve the shared goals set out in the NPF.

The vision of the RSES is *"to create a sustainable and competitive Region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all"*.

Section 2.2 of the RSES states that a *"key challenge facing the Region, along with all other regions, is the transition to a low carbon society. For the RSES this means five primary areas of*

³⁶ S.I. No. 137/2013: [S.I. No. 137/2013 - Environmental Protection Agency \(Industrial Emissions\) \(Licensing\) Regulations 2013. \(irishstatutebook.ie\)](http://www.irishstatutebook.ie/eli/2013/si/137/2013-01-01/epa/industrial-emissions-licensing-regulations-2013)

³⁷ Gov. of Ireland: Waste Management (Facility Permit and Registration) Regulations 2007: [S.I. No. 821/2007 - Waste Management \(Facility Permit and Registration\) Regulations 2007 \(irishstatutebook.ie\)](http://www.irishstatutebook.ie/eli/2007/si/821/2007-01-01/waste-management-facility-permit-and-registration-regulations-2007)

³⁸ European Union (Animal By-Products) Regulations 2014: [S.I. No. 187/2014 - European Union \(Animal By-Products\) Regulations 2014. \(irishstatutebook.ie\)](http://www.irishstatutebook.ie/eli/2014/si/187/2014-01-01/eu/animal-by-products-regulations-2014)

³⁹ Eastern and Midlands Regional Assembly (2017) RSES: [Eastern & Midland Regional Assembly Regional Spatial and Economic Strategy \(RSES\) - Eastern & Midland Regional Assembly \(emra.ie\)](http://www.emra.ie/emra-2017-rses)

transition which are at the core of the Strategy:

- sustainable development patterns which promote compact growth, reduce transport demand and encourage low carbon transport modes;
- sustainable transport systems (people and freight);
- carbon storing and sequestering land uses;
- energy efficient buildings and industry; and
- **renewable energy.** [Emphasis added].

The RSES acknowledges that the effects of climate change will be felt in the environment, society and economy of the Eastern and Midland Region. A key principle of the RSES is *“the need to enhance climate resilience and to accelerate a transition to a low carbon society recognising the role of natural capital and ecosystem services in achieving this”*. Renewable energy is a primary area of transition for the region and is at the core of the plan’s strategy.

According to Section 2.2, it is a ‘Key Principle’ of the RSES to *“enhance climate resilience and to accelerate a transition to a low carbon society recognising the role of natural capital and ecosystem services in achieving this”*.

We take note of the following Regional Strategic Outcomes outlined in Figure 2.4 of the RSES:

- *“Support the Transition to Low Carbon and Clean Energy.*
- *Build Climate Resilience.*
- *Sustainable Management of Water, Waste and other Environmental Resources.*
- *A Strong Economy supported by Enterprise & Innovation.”*

Outlined in Section 3.2 of the RSES, it is a ‘Growth Enabler for the Region’ to *“support rural areas by harnessing natural resources to develop renewables”*.

We highlight the following regional policy objectives, derived from this plan, as being of particular relevance for the Proposed Development:

- **RPO 7.7 (Air Quality):** *“To reduce harmful emissions and achieve and maintain good air quality for all urban and rural areas in the Region and to work with local authorities and the relevant agencies to support local data collection in the development of air quality monitoring and to inform a regional air quality and greenhouse gas emissions inventory.”*
- **RPO 7.10 (Water Quality):** *“Support the implementation of the Water Framework Directive in achieving and maintaining at least good environmental status for all water bodies in the Region and to ensure alignment between the core objectives of the Water Framework Directive and other relevant Directives, River Basin Management plans and local authority land use plans.”*
- **RPO 7.28 (Landscape):** *“Work with local authorities and relevant stakeholders, to identify areas of high value agricultural land and to ensure food security in the Region and to promote sustainable farming practices that maintain the quality of the natural environment, protect farm landscapes and support the achievement of climate targets.*
- **RPO 7.34 (Climate Change):** *“EMRA supports the National Policy Statement on Bioeconomy (2018) and supports the exploration of opportunities in the circular resource-efficient economy including undertaking a bioeconomy feasibility study for the Region to*

identify the area of potential growth in the Region to inform investment in line with the national transition objective to a low carbon climate resilient economy.”

- **RPO 7.37 (Decarbonising the Energy Sector):** *“A bioeconomy plan for the Region should be developed that outlines the capacity of the Region to supply the range of bioenergy resources required for the fuel mix as well as the current and projected consumption requirements for growth in this market.”*
- **RPO 6.23 (Low Carbon and Circular Economy):** *“Support enterprise development agencies and LEOs on the development of industries that create and employ green technologies and take measures to accelerate the transition towards a low carbon economy and circular economy.”*
- **RPO 6.24 (Agriculture):** *“Support the Departments of Agriculture, Food and the Marine, and Communications, Climate Action and Environment to enhance the competitiveness of the agriculture sector with an urgent need for mitigation as well as real and effective and adaptation mechanisms for the long-term sustainability of the agri-sector.”*
- **RPO 6.5 (Rural Economy):** *“Local authorities shall explore projects in LECPs for the enhancement of the competitiveness of their rural areas by supporting innovation in rural economic development and enterprise through the diversification of the rural economy into new sectors and services, including ICT-based industries and those addressing climate change and sustainability. Cross-boundary and inter-regional partnerships are encouraged and they will be supported.”*
- **RPO 6.7 (Rural Economy):** *“Support local authorities to develop sustainable and economically efficient rural economies through initiatives to enhance sectors such as agricultural and food, forestry, fishing and aquaculture, energy and extractive industries, the bioeconomy, tourism, and diversification into alternative on-farm and off-farm activities, while at the same time noting the importance of maintaining and protecting the natural landscape and built heritage.”*
- **RPO 4.84 (Rural Areas):** *“Support the rural economy and initiatives in relation to diversification, agri business, rural tourism and renewable energy so as to sustain the employment opportunities in rural areas... .”*
- **RPO 10.20 (Energy Infrastructure):** *“Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy. This Includes the delivery of the necessary integration of transmission network requirements to facilitate linkages of renewable energy proposals to the electricity and gas transmission grid in a sustainable and timely manner subject to appropriate environmental assessment and the planning process.”*

Statement of Consistency with the Regional Spatial and Economic Strategy

The RSES highlights the agricultural and energy sectors as key sources of emissions and recognises that there is a capacity in the region to supply the infrastructure required to help mitigate and reduce the carbon impact of these sectors.

AD facilities apply the principles of the bioeconomy and circular economy, by utilising biomass

as a resource for the use and long-term security of renewable energy across the region. Such facilities also contribute to the competitiveness of the agricultural sector, by encouraging the use of green technologies and other mitigation / adaptation opportunities. The development will have a positive impact on the rural economy. A such, this proposal is broadly compliant with and supported by the RSES for the Eastern and Midland Region.

4.6 Local Planning Policy

4.6.1 Kildare County Development Plan

The Kildare County Development Plan⁴⁰ 2023-2029 ('CDP' hereafter) recognises the central role of land use planning in promoting a low carbon society, mitigating the impact of climate change, and progressing towards a sustainable energy future for County Kildare. The CDP aligns with the NPF, by recognising the role that rural areas play in driving the economy, for example by attracting entrepreneurship and innovation development, particularly where low carbon outputs can be achieved. The 'Strategic Vision' for the CDP is:

*"To build on the strengths of the county in order to improve the quality of life of all residents, through the creation of **high-quality job opportunities**, by the provision of high-quality residential development supported by high quality community and social infrastructure, through the provision of a high-quality sustainable transport network, by healthy placemaking and transformational regeneration. The vision for County Kildare also **supports the transition to a low carbon climate resilient environment**, by embracing inclusiveness, enhancing our built environment and enshrining the importance of conserving, restoring and protecting Kildare's biodiversity for future generations."* [Emphasis added].

The 'Overarching Guiding Principles' to achieve this vision are expressed in section 1.8.1 of the CDP. The guiding principles of relevance to the Proposed Development are outlined below:

- *"To develop a county that is **resilient to climate change**, plans for and adapts to climate change and flood risk, **facilitates a low carbon future**, **supports energy efficiency** and conservation, and enables the decarbonisation of our lifestyles and economy;*
- *To recognise the role of the rural countryside in supporting the rural economy and its role as a key resource for agriculture, equine, bloodstock, forestry, energy production, tourism, recreation, mineral extraction, and rural based enterprises;*
- *To support, facilitate and promote the **sustainable development of renewable energy sources** in the county; and*
- *To protect local assets by preserving the quality of the landscape, open space, recreational resources, natural, architectural, archaeological, and cultural heritage and the material assets of the county."* [Emphasis added].

The Proposed Development will contribute to achieving the vision and guiding principles of the CDP creating a rural-based enterprise that produces renewable energy in a manner which directly benefits the local community and economy, while also helping to decarbonise the agricultural sector in the locality.

⁴⁰ Kildare CC (2023) CDP: [Kildare County Development Plan 2023 - 2029 - Kildare County Council \(kildarecoco.ie\)](https://kildarecoco.ie)

4.6.1.1 Zoning and Designation Specific to the Site

The Site comprises agricultural land and is not subject to any specific zoning objective under the CDP. The Site is located c. 3.3km northwest of the built-up area of Castledermot. Castledermot is designated as a town in the CDP. The lands are outside any settlement boundary, which is appropriate for the nature of use proposed.

According to the Municipal District Map located in Volume 1, Chapter 1 (see **Figure 4.2** below), the Site is located within the Athy Municipal District. The Site is located c. 10.2km southeast of the built-up area of Athy, which is designated as a 'Self-Sustaining Growth Town' within the CDP. Section 2.14.3 of the CDP states that such towns "*will continue to attract a moderate level of jobs and services through a range of employment types including biotechnology, ICT, high-tech manufacturing and research, bloodstock, tourism and food and beverage products*".

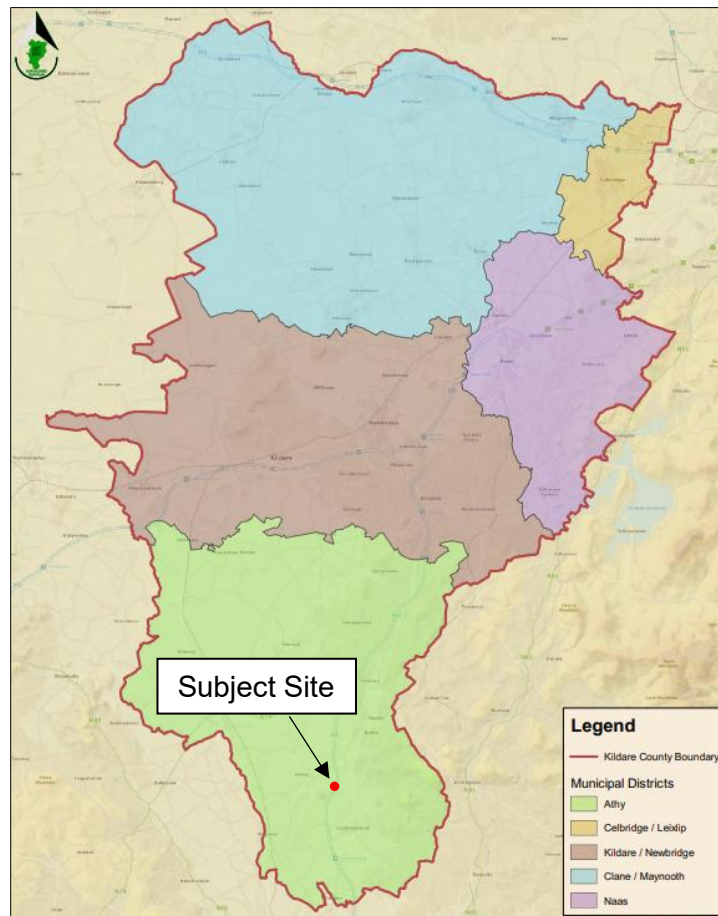


Figure 4.2: Athy Municipal District [CDP: Volume 1, Chapter 1]

Landscape Character Area

According to the Landscape Character Areas map within Chapter 13 of the CDP, the Site is located within the 'Eastern Transition' landscape character area (Medium Sensitivity) (see **Figure 4.3** below). Table 13.1 'Landscape Sensitivity Classification to Landscape Character Areas' states that lands within the Eastern Transition character area are "*Areas with the capacity to accommodate a range of uses without significant adverse effects on the*

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appearance or character of the landscape having regards to localized sensitivity factors.”

According to the ‘Landscape Sensitivity Areas map in Chapter 13, the Site is located c. 670m northeast of a ‘Broad Leaved Forest’ consisting of a ‘Ridgeline’.

Compatibility Key		Sensitivity Class	Agriculture and Forestry		Housing	Urbanisation			Infrastructure	Extraction		Energy	
	Most		Agriculture	Forestry	Rural Housing	Urban Expansion	Industrial Projects	Tourism Projects	Major Powerlines *	Sand & Gravel	Rock	Windfarm	Solar
	High												
	Medium												
	Low												
	Least												
Principal Landscape Character Areas													
North Western Lowlands		1											
Northern Lowlands		1											
Southern Lowlands		1											
Central Undulating Lands		1											
Western Boglands		3											
Eastern Transition		2											
Eastern Uplands		3											

Table 4.1: Likely Compatibility Between a Range of Land-Uses and Principal Landscape Areas [CDP, Table 13.1]

We take note of policy ‘LR P1’ of the CDP: *“Protect and enhance the county’s landscape, by ensuring that development retains, protects and, where necessary, enhances the appearance and character of the existing local landscape.”*

We take note of CDP policy objective ‘LR O14’: *“Maintain the visual integrity of Eastern Transition Lands which have retained an upland character.”*

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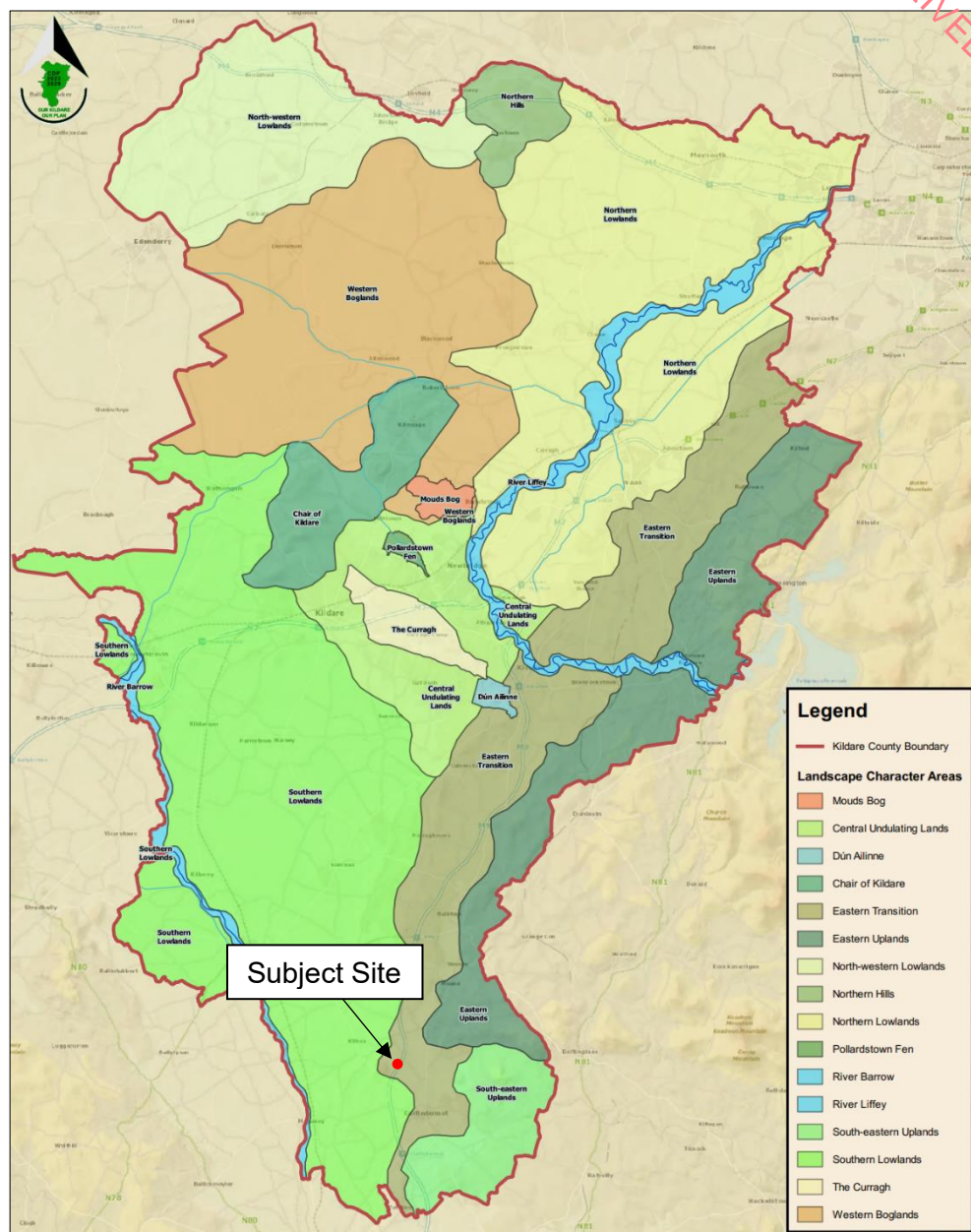


Figure 4.3: CDP Landscape Character Areas Map [CDP: Volume 1, Chapter 13]

4.6.1.2 Core Strategy and Settlement Strategy Objectives

We take note of the following Core Strategy and Settlement Strategy objectives of the CDP:

- **CS O2:** “Ensure that the future growth and spatial development of County Kildare provides for a county that is resilient to climate change, enables the decarbonisation of the county’s economy and reduces the county’s carbon footprint in support of national targets for climate mitigation and adaption objectives as well as targets for greenhouse gas emissions reductions.” [Emphasis added].

- **CS O8:** *“Support the implementation of Kildare’s Climate Change Adaptation Plan in conjunction with all relevant stakeholders.”*
- **CS O17:** *“Continue to work in a positive and proactive manner with key stakeholders to identify **ways of attracting investors and employers to locate in Kildare**, in partnership with the Kildare Chamber of Commerce, the Kildare Local Enterprise Office and the IDA.”* [Emphasis added].

The Proposed Development will deliver significant investment and additional high-quality employment in the locality, based on the sustainable production of renewable energy on site, promoting climate resilience and helping to achieve compliance with national climate mitigation targets.

4.6.1.3 Chapter 4: Resilient Economy and Job Creation

Chapter 4 sets out the CDP strategy for a ‘Resilient Economy and Job Creation’. The strategic aim of this strategy is *“To provide for the future well-being of the residents of the county by creating a strong and resilient economic base, providing expanded opportunities for employment and facilitating a good quality of life within vibrant and attractive places to live, work, visit and invest”*.

Section 4.17 ‘Green / Circular Economy and Bio-economy’ states that it is *“vital that the Development Plan recognises the importance of the green economy as industry mitigates and adapts to climate change”*. This section continues: *“The transition to a more circular economy and bio-economy, where the value of **bio-based** products, materials and resources is maintained in the economy for as long as possible, and the generation of waste minimised, will provide an essential contribution to Kildare developing a sustainable, **low carbon, resources efficient** and competitive economy. The Council will support the development of the **bio-energy** industry in the county (including bio-gas) where appropriate.”* [Emphasis added].

We take note of the following policies and objectives:

- **RE P12:** *“Ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions and accelerates the transition towards a sustainable, low carbon and circular economy.”*
- **RE O73:** *“Ensure that climate action and sustainable development is central to economic development in the County through sustainable land use and orderly growth and a co-ordinated approach to the preparation and implementation of the Kildare County Council Climate Change Adaptation Strategy (2019-2024) and the Local Economic and Community Plan (2016-2021) and any successors thereof.”*
- **RE O74:** *“Support the growth of business in the green and circular economy and use the European Green Deal as a roadmap, which promotes a sustainable framework for economic transition and development.”*
- **RE O76:** *“Support the measures contained within Kildare’s Climate Change Adaptation Strategy (2019-2024), or any superseding plan, to integrate the Circular Economy approach with economic development initiatives.”*

- **RE O78:** *“Support and promote sustainable rural based enterprises particularly those that help in achieving climate action goals, and to move away from fossil fuels in favour of low and zero-carbon sources including renewable energy and secondary heat sources and to support the development of green technologies.”*

Section 4.19 ‘Agriculture’ states that agri-food is an important area for future development in the County. **Policy RE P13** is to *“support and facilitate **sustainable agriculture**, horticulture, forestry and **other rural enterprises** at suitable locations in the County where there will be no potential for likely significant effects on a European Site or on a site that shares a hydrological connection to a European Site”*. **[Emphasis added]**.

We take note of the following objectives:

- **RE O89:** *“Protect agriculture and traditional rural enterprises from haphazard and/or incompatible development.”*
- **RE O90:** *“Promote the ‘Smart Farming’ initiative, the ‘Kildare Climate Change Adaptation Strategy (2019)’ and the ‘National Climate Action Plan 2021’ to farmers across Kildare to inform them of environmental sustainability and resource management, so as to reduce CO2 production on farms in accordance with the National Climate Action Plan 2021.”*

Table 4.1 provides the economic development hierarchy for the County. The table provides sectoral opportunities for economic development in towns (which includes Castledermot): *“Small scale industry, diversification of the rural economy, new economic opportunities arising from digital connectivity and indigenous innovation and enterprise as well as more traditional natural and resource assets (e.g. food, energy, tourism).”*

The Proposed Development supports the transition to a circular economy by utilising agricultural waste to produce biomethane, a renewable gas. The proposal enhances the sustainability and diversification of the County’s agricultural sector, and therefore is supported by Chapter 4 of the CDP.

4.6.1.4 Chapter 6: Infrastructure & Environmental Services

Chapter 6 of the CDP, ‘Infrastructure and Environmental Services’ emphasises the protection of water quality: **Policy IN P1** states *“ensure the protection and enhancement of water quality throughout Kildare in accordance with the EU WFD and facilitate the implementation of the associated programme of measures in the River Basin Management Plan 2018-2021 (and subsequent updates)”*.

The proposal will produce high-quality biobased fertiliser, supporting the transition away from chemical fertilisers and helping to improve water quality within the catchment of the development.

Section 6.8.1 ‘Waste Management’ recognises the need to transition to a green circular economy. We take note of the following objectives:

- **IN O39:** *“Encourage a just transition from a waste economy to a **green circular economy** in accordance with ‘A Waste Action Plan for a Circular Economy 2020-2025’ and the Whole of Government Circular Economy Strategy 2022-2023 ‘Living More, Using Less.’”*

- **IN O44:** *“Encourage **waste prevention**, minimisation, re-use, recycling, and recovery as methods for managing waste.” [Emphasis added].*

The Proposed Development will promote a green economy and waste prevention by using agricultural wastes to produce renewable energy.

Section 6.8.2 ‘Pollution Control – Water, Air, Noise and Light’ recognises the importance of water quality control. **Objective IN O65** states, *“protect water quality from pollution by agricultural sources and to promote the use of good farming practices in accordance with the Nitrates Directive (91/676/EEC) and Ireland’s Nitrates Action Programme 2017- 2021 (including any subsequent update)”*.

4.6.1.5 Chapter 7: Energy & Communications

According to the CDP, the aim in regard to energy and communications is *“to encourage and support energy and communications efficiency and to achieve a reasonable balance between responding to EU and National Policies on climate change, renewable energy and communications and enabling resources to be harnessed in a manner consistent with the proper planning and sustainable development of the county”*.

Section 7.3 ‘Climate Adaptation and Mitigation’ recognises the importance in the reduction of greenhouse gas emissions. **Policy EC P1** states, *“reduce our carbon footprint in line with national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emission reductions”*. To support this policy, **Objective EC O1** states, *“ensure that **energy intensive sectors incorporate significant renewable energy** sources to reduce their carbon footprint”*. [Emphasis added].

Section 7.4 ‘Renewable Energy’ states that due to the Government’s target of 80% share of electricity from renewable sources by 2030, our electricity supply must move away from fossil fuel sources to renewable and sustainable forms of generation. The Council recognises the range of new and developing technologies and supporting infrastructure that can contribute to minimising greenhouse gas emissions and to securing a greater proportion of our energy needs from renewable resources. We take note of the following policies and objectives:

- **EC P2:** *“**Promote renewable energy** use generation and associated electricity grid infrastructure at appropriate locations within the built environment and open countryside to meet national objectives towards achieving a net zero carbon economy by 2050.”*
- **EC O2:** *“Adopt an informed and **positive approach to renewable energy proposals**, having regard to the proper planning and sustainable development of the area, including community, environmental and landscape impacts and impacts on protected or designated heritage areas / structures.”*
- **EC O3:** *“**Support initiatives for limiting emissions of greenhouse gases** through energy efficiency and the development of renewable energy sources which make use of the natural resources in an environmentally and socially acceptable manner.”*
- **EC O4:** *“Support infrastructural renewal and development of electricity and gas networks in the county, subject to safety and amenity requirements, subject to AA screening and where applicable, Stage 2 AA so as to ensure and protect the favourable status of European sites*

and their hydrological connections. Such developments will have regard for protected species and provide mitigation and monitoring where applicable.”

- **EC O6:** *“Require developers of proposed large scale renewable energy projects to carry out community consultation (including, but not limited to Sustainable Energy Communities, where established) in accordance with best practice and to commence the consultation at the commencement of project planning. Details of all such consultation shall accompany planning applications for proposed renewable energy developments.” [Emphasis added].*

Section 7.9 recognises the importance of bio-energy for the environment. This section states that biogas can be injected into the natural gas grid to complement or substitute natural gas.

Policy EC P8 states, *“facilitate and **support** the development of **projects that convert biomass to gas** or electricity subject to national and regional policy. Such projects shall be subject to AA screening and where applicable, Stage 2 AA”. [Emphasis added].*

The CDP promotes the importance of utilising energy from waste:

- **Objective EC O41:** *“**Promote** the circular economy in terms of **waste planning** and management by promoting the development of local **biodigesters** subject to the prior grant of an Industrial Emissions License from the EPA”. [Emphasis added].*

Policy EC P11 supports renewable energy: *“Support Ireland's renewable energy commitments outlined in national policy”.*

Section 7.14 recognises the importance of natural and renewable gas, stating that the existing gas network will continue to have to play a role as we transition to a low carbon economy, particularly as the production of biomethane grows over the coming years this indigenous gas is injected into the gas network in increasing volumes. *“This energy source will be used to decarbonise sections of Ireland’s economy and will be complementary to renewable electricity generation at times when demand is high or on days when there is little or no wind or sunlight”.* We take note of the following objectives:

- **EC O89:** *“Support and facilitate the production of low carbon or renewable gases such as hydrogen produced using renewable electricity, and biomethane, produced largely from agricultural organic matter, and food waste, that can be injected into the national gas network, subject to appropriate environmental assessments.”*
- **EC O90:** *“Support the provision of measures such as the use of renewable gas injection points and Bio-CNG re-fuelling stations at appropriate locations in County Kildare.”*

Consistency with CDP Chapter 7 (Energy and Communications)

The Proposed Development of an AD facility promoted the County’s energy efficiency aiding Ireland’s response to EU and national policies on climate change and renewable energy, as promoted by this Chapter of the CDP.

The Proposed Development will support the County’s reduction in greenhouse gas emissions, supporting the agricultural sector (an energy intensive sector) to reduce its carbon footprint through renewable energy.

The proposal involves the conversion of agricultural wastes to gas (in the form of biomethane,

which can be injected directly into the national gas network), supporting the nation's aim to achieve a net zero carbon economy, promoting the circular economy, waste management, and Ireland's indigenous gas supply. Therefore, the Proposed Development is strongly supported by the Chapter 7 of the CDP.

4.6.1.6 Chapter 9: Our Rural Economy

We take note of Chapter 9's recognition of the importance of the rural economy and its support regarding the production of sustainable agriculture (e.g. biomethane production facilities).

Policy 'RD P1' states, *"support and promote rural enterprises and encourage appropriate expansion and diversification in areas such as **sustainable agriculture**, forestry, peatlands, peatlands rehabilitation and sustainable peatland related tourism, food, crafts, **renewable energy** at suitable locations in the county, particularly where they **contribute to a low carbon and resilient economy**". [Emphasis added].* The following CDP objectives support this:

- **RD O2:** *"Facilitate agriculture, horticulture, forestry, tourism, energy production and rural resource-based enterprise within the rural settlements and in appropriate rural locations subject to relevant development management standards".*
- **RD O3:** *"Promote resource efficiency and support the shift toward a low-carbon and climate resilient economy in the agriculture (including signpost farms), food, and forestry sectors in County Kildare."*
- **RD O7:** *"**Support the development of renewable energy production in rural areas** where appropriate." [Emphasis added].*
- **RD O10:** *"Encourage the development of environmentally sustainable agricultural practices, to ensure that development does not impinge on the visual amenity of the countryside and that the quality of the natural environment (watercourses, wildlife habitats and areas of ecological importance) is maintained and protected from the threat of pollution to support the achievement of climate targets."*

The Proposed Development will support the CDP energy-related objectives through the generation of renewable energy on site, helping to enhance energy security, reduce anthropogenic GHG emissions and the carbon intensity of gas usage.

4.6.2 Local Authority Climate Action Plan 2024-2029

The vision for the Local Authority Climate Action Plan⁴¹ ('KCAP' hereafter) states, *"Kildare County Council will deliver climate action across all council functions and will lead the community of County Kildare in the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral local economy".*

We take note of the KCAP mission, which states, *"The Council is committed to lead in translating National Climate Policy into local actions in Kildare by how we do our business and by supporting and enabling our citizens, communities and stakeholders to increase their capacity to achieve climate resilience and increase climate awareness towards a low carbon*

⁴¹ KCC (2024) Local Authority Climate Action Plan 2024-2029:
<https://kildarecoco.ie/AllServices/ClimateAction/KildareCountyCouncilClimateActionPlan2024-2029/LocalAuthorityClimateActionPlan20242029.pdf>

society”.

Goal 3 of the KCAP is to *“Protect and enhance the natural environment and green infrastructure within the County to support biodiversity and natural water systems, reduce the risk of negative impacts of climate change and enhance health and well-being for all citizens”*. We take note of **Objective 4** of this Goal, which seeks to *“promote and support farmers in diversifying to lower carbon agricultural activities within the County”*. **Action N23** of this Goal supports the development of Biomethane: *“Provide technical supports to farming enterprises in the development of biomethane from Anaerobic Digestion, including guidance on planning and environmental protection requirements”*.

We take note of the following objectives of the KCAP:

Goal 2, Objective 1: *“To reduce greenhouse gas emissions, increase the use of renewable energy sources and increase energy efficiency throughout our housing, offices, infrastructure and transport felt in line with national 2030 and 2050 targets.”*

Goal 5, Objective 2: *“Support circular initiatives and infrastructure within the County including prevention, reuse, repair and recycling.”*

Goal 5, Objective 3: *“Increase collection of circular resources for renewable energy systems.”*

4.6.3 Climate Resilient Kildare: Climate Change Adaptation Strategy 2019-2024 (KCCAS)⁴²

According to Section 7.1 of the CDP, the Kildare Climate Change Adaptation Strategy (‘KCCAS’ hereafter) was adopted in 2019. It *“takes on the primary role as the primary instrument at local level: to ensure a proper comprehension of the key risks and vulnerabilities of climate change; bring forward the implementation of climate resilient actions in a planned and proactive manner; and ensure that climate adaptation considerations are mainstreamed into all plans and policies and integrated into all operations and functions of Kildare County Council.”*

Within the KCCAS, **Goal 1 (‘Local Adaptation Governance and Business Operations’)**, **Objective 5** is to *“identify and support opportunities that may arise from pursuing adaptation efforts through the function of Kildare County Council”*. An action outlined to achieve this is to *“encourage and promote projects that will contribute positively and grow the Circular and Bio-economy to promote sustainable rural and urban economic development as part of the overall aim of transiting to a low carbon economy”*.

4.6.4 County Kildare Local Economic and Community Plan (LECP) 2024-2026⁴³

Section 1.1 of the LECP states, *“The purpose of the LECP is to set out the objectives and actions to promote Kildare’s economic and local/community development for a six-year period.”*

⁴² KCC (2019) Climate Resilient Kildare: KCC Climate Adaptation Strategy: <https://www.kildareppn.ie/wp-content/uploads/2020/05/Kildare-Climate-Change-Adaptation-Strategy.pdf>

⁴³ KCC (2024) County Kildare LECP 2024-2029: <https://kildarecoco.ie/media/County%20Kildare%20LECP%2020242029.pdf>

4.6.4.1 High Level Goal 3: County Kildare Promotes and Prioritises Climate Action, Climate Justice and Sustainability

We take note of the following objectives under Goal 3:

- **Sustainable Community Objective 3.1:** *“To increase the awareness and understanding of local communities to build their capacity for climate action and a just transition for economic and community development, particularly targeting more excluded groups/communities.”*
- **Sustainable Shared Community and Economic Development Objective 3.8:** *“That Kildare will be a leader in low-carbon development, with a focus on sustainable sectors including the circular/green economy, land use diversification and the potential of the bioeconomy, and that this leadership be recognised nationally and internationally”.*
- **Shared Community and Economic Development Objective 3.9:** *“That the Agricultural sector will be supported and will continue to be an important part of the county’s economy while transitioning to reduce emissions and become more sustainable.”*

4.6.4.2 High Level Goal 4: County Kildare Attracts the Resources and Investment to Be a Sustainable, Inclusive, Economically Vibrant Community For All

We take note of **Sustainable Economic Development Objective 4.4**, which states, *“To promote Kildare as the location of choice for new Foreign Direct Investment (FDI) and support existing FDI companies in sustaining and expanding their business”.*

The LECP states that *“growing renewables energy generation – both large scale and community”* is an opportunity for the County.

Statement of Consistency with the Kildare County Development Plan, Kildare Climate Action Plan 2024-2029, Kildare Climate Adaptation Strategy 2019-2024 and the LECP:

The Proposed Development is consistent with the best practice and planning principles in the CDP, including the prevention of negative impacts on the surrounding environment, landscape, biodiversity or local amenities.

With regards to the CDP, KCAP, and KCCAS, we make note of the following observations. The proposal seeks to utilise the waste agricultural resources of the local area in an environmentally acceptable manner, consistent with the CDP, KCAP’s, and KCCAS’s support of the development of the circular economy and bioeconomy.

AD is recognised as a potential and feasible option for the production of renewable energy in County Kildare, and as a means for the agricultural and energy sectors to move towards environmentally and economically sustainable models. Innovative developments such as this also recognise the importance of social sustainability, with community buy-in and local partnerships supported at the County level as a means by which communities are empowered to take control of the production and consumption of energy.

The Proposed Development supports the progression of the rural economy, the reduction of agricultural waste and pollution, the transition to renewable gases and the transition to renewable energy (of which energy intensive sectors such as agriculture are promoted to transition in the CDP).

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4.7 Summary Statement

This chapter examined and summarised the relevant planning, climate, and waste management policy, and the legislative context at European, and national levels with relevance to the Proposed Development at Ballyvass, Castledermot, Co. Kildare.

The Proposed Development aims to lessen the dependence on imported fossil fuels, provide greater security in energy supply, and increase the provision of renewable energy in line with government and planning policy at the national, regional, and local level.

It is considered that the Proposed Development is supported by the Kildare County Development Plan 2023-2029 and the local, regional and national policy discuss within this chapter.

The Proposed Development has been carefully designed so it will integrate into the local landscape, will not be prejudicial to public health, and would be acceptable in terms of traffic safety. The Proposed Development would therefore be in accordance with the proper planning and sustainable development of the area and will deliver local renewable energy generation and employment to support the economic development and prosperity of the area.

This EIAR is accompanied by a detailed Planning Report, produced by John Spain Associates.

The Planning Report is intended to supplement this chapter of the EIAR with a more extensive and detailed assessment of the consistency of the Proposed Development with the relevant national, regional, and local planning policy context. We refer the Planning Authority to the accompanying Planning Report prepared by John Spain Associates for further details.