

Jonathan Dunne

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>
Sent: Monday, September 22, 2025 5:29 PM
To: SIDS
Subject: Shannon LNG ABP322568=25
Attachments: ENVIRONMENTAL TRUST IRELAND LNG 22 Sept 2025.pdf

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Dear SIDS,

Please see attached.

ENVIRONMENTAL TRUST IRELAND

ENVIRONMENTAL TRUST IRELAND

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Re: Planning Application 311233 ABP Ref: 322568-25
Application for 10 year development by Shannon LNG Limited
for proposed Shannon Technology and Energy Park consisting of power plant, battery energy storage system, floating storage and regasification unit, jetty, onshore receiving facilities, above ground installation and all ancillary structures/works.

Development Address: Townlands of Kilcolgan Lower and Ralappane, Ballylongford, Co. Kerry.

TO:

**AN COIMISIÚN PLEANALA,
64 MARLBOROUGH STREET,
DUBLIN 1.
D01 V902**

Dear An Coimisiún Pleanala,

Environmental Trust Ireland raises the following submissions / observations/ objections in response to letter of 26th August 2025 and enclosures from An Coimisiún Pleanala on the proposed development at Ballylongford, Co. Kerry by Shannon LNG Limited.

JURISDICTION, BREACH OF STATUTE AND BREACH OF AARHUS

1. The application currently before An Coimisiun Pleanala is materially and substantially different from the planning application for permission made on the 27 August 2021 which resulted in the refusal of planning permission decision. That decision was quashed by the High Court in 2024 and remitted to An Bord Pleanala, which continues in being under section 495(1) of the Planning and Development Act 2024, albeit re-named as An Coimisiún Pleanala. - *Shannon LNG Limited v. An Bord Pleanála* [2024] IEHC 555
2. The quashed decision was remitted **in its entirety** for reconsideration, not merely a part of it.
3. Notwithstanding the above, the applicant for development has made material and substantive interventions which have completely altered the nature of the planning application to An Coimisiún. On 19 April 2024, the applicant for development applied to An Coimisiún for permission for the 600MW power plant and 120MW battery energy storage system (ABP-319566-24). In so doing, the applicant explicitly, materially and irrevocably altered the application upon which planning permission was sought. On a proper construction, this was prohibited under the applicable Planning and Development Act and the applicant developer should not be rewarded for material non-compliance. Instead, it should be estopped from pursuing the planning application now bearing Reference No. ABP322568-25.
4. The Commission granted permission on 13 March 2025 for (ABP-319566-24).
5. The facts of this matter are that the planning application of August 2021 remains before An Coimisiún, having been remitted to it for its consideration – this is the only application validly before An Coimisiun. There is a clear breach of the statutory formalities in relation to how this matter has progressed post-remittal. Further, there is a prohibition on making a second application for permission to the planning decision maker while the first application is still under appeal to the Board, or An Coimisiún.
6. The developer simply ignored the statutory requirements and ignored the public participation requirements under Aarhus and intervened to siphon off part of that planning application, apparently based on a recommendation in the Inspector's report which was not adopted by the Board at the time. The Board correctly treated the planning decision in its entirety and not in a piecemeal manner when it made its decision in September 2023.

7. In the circumstances, through the actions of the applicant developer, An Coimisiún has been denied the jurisdiction to grant planning permission on the application currently before it. A Coimisiún is urged to refuse planning permission.
8. Environmental Trust Ireland has raised the issue of the overall masterplan for the Shannon Technology and Energy Park which includes a future Data Centre Campus, referred to in the Planning Report. The data centre will also be subject to a separate planning application. It was submitted at that time that An Bord Pleanála was not in a position to make an informed decision on this project, which is clearly not a stand alone project, in the absence of complete information on the separate related projects identified by the Applicant. The proposal is disjointed, presented in a piecemeal manner and constitutes project splitting contrary to the provisions of EU law. For the avoidance of doubt, the term "project-splitting" is not to be construed within the limited meaning ascribed to it in EIA.
9. The applicant developer refers to different planning applications which are not part of this planning application and invites An Coimisiún to consider these different applications in its assessment of the current application. It is submitted by Environmental Trust Ireland that An Coimisiún should limit its consideration of this ABP-322568-25 application to the documentation on this planning file. To do otherwise would deprive the public of meaningful and effective public participation in the planning process, a right guaranteed under Aarhus and enshrined in EU law.
10. The applicant developer proceeds to refer to Energy Security, private ownership and other topics.

The Judgment of Humphreys J provides a comprehensive sequence of events, from which the following excerpts are extracted:

"30. On 15th June 2020, the Government published the Programme for Government "Our Shared Future" (<https://www.gov.ie/en/publication/7e05d-programme-for-government-our-shared-future/?app=true>). At p. 36, with respect to natural resources, the following commitment was made regarding LNG:

"As Ireland moves towards carbon neutrality, we do not believe that it [makes] sense to develop LNG gas import terminals importing fracked gas. Accordingly, we shall withdraw the Shannon LNG terminal from the EU Projects of Common Interest list in 2021. We do not support the importation of fracked gas and shall develop a policy statement to establish that approach."

11. Currently, imported natural gas is mainly from the U.K. and Norway. Imports are via two interconnector pipelines from Moffat in Scotland and the possibility of imported fracked gas from this source is very low. In contrast, natural gas imports to the U.K. contain a high proportion of fracked gas. It is probable that any LNG facilities, if introduced in this country, would depend heavily on imported fracked gas. It is noted that Government policy on fracked gas has expired. However, as Humphreys J. noted and indeed, the applicant for permission heavily relied on the fact in the High Court that undue weight was given to a policy, which was not binding at law. Similar criteria apply to the Energy Security in Ireland to 2030 report, which is simply a report or policy.
12. The LNG, if permitted, will be imported into this country and there has been no consideration of the environmental and social impact on communities in other jurisdictions generating this gas for conversion to a liquid form, the environmental impacts of the production and conversion processes needed, transport and subsequent use in Ireland. It is one planet which is undergoing a climate change and biodiversity crisis and the impacts on communities in Pennsylvania, USA or elsewhere cannot simply be discounted and set at nought without proper analysis and assessment, which has not been carried out. Climate justice and how the emissions are to be measured and where they are to be measured has not been properly or adequately considered.
13. The application completely ignores the Climate Emergency and Biodiversity crisis and the myriad of reports at both national and international level underpinning the need for reduction in energy consumption, fossil fuel consumption and a reduction in greenhouse gases. The source of LNG possibly from fracked gas and the dramatically increased carbon footprint from LNG has not been adequately or properly considered. The application is in complete conflict with the requirements imposed under the Paris Agreement and under the Climate Action and Low Carbon Development Amendment Act and is not in accordance with proper planning and sustainable development. The entire proposal is fundamentally flawed, would contribute to the climate and carbon emissions crisis and is contrary to the proper planning and sustainable development of the area.
14. The applicant for development refers to private ownership as distinct from State ownership. It refers to a SEVESO site, namely Atlantic Fuel Supply Company, which is also based in the Shannon Estuary being privately owned. The establishment of this facility pre-dated the Russian invasion of Ukraine. The Applicant does not wish to have a distinction between

public and private ownership but does not specify if nationality is a desired criterion. Would the Applicant be supportive of private ownership for all nationalities, or just some?

Environmental Trust Ireland reserves the right to make further submissions in this matter.

Dated this 22nd day of September 2025.

For and on behalf of Environmental Trust Ireland.

Michelle Hayes, Solicitor,
President, Environmental Trust Ireland,
3 Glentworth Street,
Limerick.