



An
Bord
Pleanála

Inspector's Report

ABP-319374-24

Development

Request to enter into pre-application consultation pursuant to Section 177E(1a) of the Planning and Development Act, 2000, as amended.

Planning Authority

Offaly County Council

Applicants

Bord Na Móna Plc.

Date of Consultation Meeting

12th September 2024.

Date of Site Inspection

No inspection required.

Inspector

Dolores McCague

1.0 Introduction

- 1.1.1. The Board received a request on the 20th March 2024 from MKO Ireland on behalf of Bord Na Móna, to enter into pre-application consultations under section 177E(1A) of the Planning and Development Act, 2000, as amended. The Board decided to grant this request from the prospective applicants by Direction dated 5th June 2024.
- 1.1.2. One pre-application consultation meeting was held on 12th September 2024. The purpose of this report is to inform the Board of the nature of the pre-application consultations undertaken, pursuant to Section 177E(1A) of the Planning and Development Act 2000, as amended.

2.0 Site Location and Description

- 2.1.1. Lemanaghan Bog is located at townlands surrounding Lemanaghan in west County Offaly, (townlands of Killaghintoher, Tumbeagh, Kilnagoolny, Castlearmstrong, Lisdermot, Derrican More, Rosfaraghan, Lemanaghan, Leabeg and Derrynagun), 3.5km northeast of Ferbane, 2.5km southwest of Ballycumber and 1.5km north of Pollagh. It comprises one large bog with three smaller areas separated from the main bog by a public road. The R426 Ferbane-Clara Road passes through the southern end of the site and the N62 Ferbane to Athlone Road passes to the west of the site.
 - 2.1.2. The details given state that it is part of the Boora Bog Group and comprises 1,256ha. The site is described as featuring various landcover types including bare cutaway peat, re-vegetated bare peat, degraded blanket bog, scrub, low woodland and remnants of high bog.
 - 2.1.3. The nearest Natura site, Ferbane Bog, is 2.3km to the west.
- 1.1 The applicant was granted an Integrated Pollution Control Licence (IPC) (Ref.P0500-01 Boora Group) from the EPA for Boora Bog, which includes Lemanaghan Bog, on 18th May 2000. This licence relates to the extraction of peat in the course of business which involves an area exceeding 50 hectares.

3.0 Description of Proposal

- 1.2 The development for which Substitute Consent is being sought is for relevant peat extraction activities that were undertaken at the application site from July 1988 onwards.
- 1.3 The development is outlined in the presentation made to the meeting of 12th September 2024, a copy of which is appended to this file, and include the following;
- The use and maintenance of surface water drainage infrastructure at Lemanaghan Bog to facilitate peat extraction activity from 1988 to June 2020;
 - Vegetation clearance to facilitate peat extraction activity from 1988 to June 2020;
 - Industrial scale peat extraction at the Lemanaghan Bog, from 1988 to June 2020;
 - Use and maintenance of pre-existing ancillary supporting infrastructure and services to facilitate peat extraction and associated activities (e.g., railway infrastructure, fixed fuel tanks, (drainage (drains, silt ponds, pumps), machine passes etc.), from 1988 to present day.
 - Control measures associated with the above, inclusive of the IPC Licence measures (ref P0500-01) which commenced from May 2000 onwards to present day;
 - All associated site development and ancillary works.

4.0 Planning History

From the Board's map register:

313412-22 Leave to apply for substitute consent for peat extraction and all associated bog development works which forms part of the Boora Bog Group, within Lemanaghan Bog located north east of Ferbane in Co. Offaly consisting of the following:

(1) Installation of surface water drainage incorporating pump stations, silt ponds and drain channels;

(2) Installation of rail network (including rail lines, underpass/bridges and ancillary infrastructure);

(3) Construction of machine passes and underpasses/bridges;

(4) Clearance and excavations - removal of the upper layers of vegetation from within the production footprint to facilitate peat extraction.

Industrial scale peat extraction (from 1955 to June 2020 (when extraction ceased), and implementation and use of ancillary services and infrastructure to facilitate peat extraction (e.g. fixed fuel tanks).

Application withdrawn.

307282-20, Application for substitute consent in relation to Peat Extraction at Bogs in the Boora Bog Group, Bellair North, Lemanaghan, Kilaranny, Noggusboy, etc. in Co Laois. Hall, Clonaltra (King), etc. in Co Westmeath. Lemanaghan, Lumcloon, etc. in Co Offaly.

Application withdrawn.

306246-19, application for leave to apply for substitute consent under section 177C of the Planning and Development Act 2000, (as amended) to regularise the planning status of Bord na Móna's historic peat extraction (and ancillary works) on the milled peat production bogs; Boora bog group located predominantly in County Offaly. Board decision quashed by order of the High Court on 7 May 2021.

5.0 Legislation

- 5.1 Any subsequent application for Substitute Consent will be lodged under the provisions of section 177E of the Planning and Development Act, 2000, as amended and Part 19 of the Planning and Development Regulations, 2001, as amended.

6.0 Pre-Application Consultation Meeting

- 7.1 A Pre-Application Consultation meeting took place via Microsoft Teams on the 12th day of September 2024, commencing at 2.00pm. Representatives of the prospective

applicant and An Bord Pleanála were in attendance. An agenda was issued by An Bord Pleanála prior to the meeting. The prospective applicant was advised in advance of the meeting that the consultation would relate solely to the administrative procedures around the lodgement of an application, and any associated requirements.

6.1.1. This report should be read in conjunction with the copy of the presentation made to the meeting, the written record of the pre-application consultation meeting held with the prospective applicant on file, and the prospective applicants comments on the written record received on Wednesday 16th October 2024. It is not proposed to repeat the contents of those records in detail here. The main topics raised for discussion at the meeting were as follows:

- Introductions
- Description of development and relevant background / planning history- clarity regarding the scope of any application.
- Procedural Advice / Queries arising with regard to any subsequent application for Substitute Consent, and legislative requirements relating thereto.

7.0 Conclusion

7.1.1. The meeting concluded with An Bord Pleanála representatives stating that they did not foresee the need for a further meeting but if requested by the prospective applicant, the request would be examined. I therefore recommend that the pre-application consultation process should be closed.

Planning Inspector

1st November 2024