



An
Bord
Pleanála

Board Direction
ABP-305340-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 12/12/2019.

The Board decided, as set out in the following Order, that

WHEREAS a question has arisen as to whether the drainage of wetland (raised bog), the mechanical disturbance, extrusion of peat & removal of turf at Drakerath, Wilkinstown, County Meath is or is not development and is or is not exempted development:

AND WHEREAS Patrick Moran of Sillogue, Kilberry, Navan, Co. Meath requested a declaration on this question from Meath Council and no declaration issued by the planning authority:

AND WHEREAS Patrick Moran referred this question to An Bord Pleanála on the 2nd day of September 2019:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Section 2(1) of the Planning and Development Act, 2000, as amended,
- (b) Section 3(1) of the Planning and Development Act, 2000,
- (c) Section 4(1) and 4(4) of the Planning and Development Act, 2000, as amended,
- (d) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Part 3 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) Part 2 of Schedule 5 to the Planning and Development Regulations, 2001, as amended,
- (g) Schedule 7 to the Planning and Development Regulations, 2001, as amended,
- (h) the planning history of the site, and
- (i) the pattern of development in the area.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) the drainage of wetland (raised bog), the mechanical disturbance, extrusion of peat and removal of turf at this location is not exempted development, having regard to the sensitivity of the area, the cumulative impact of such development taken together with similar development in the area, which would require environmental impact assessment; and
- (b) the drainage outflow to the River Boyne and River Blackwater Special Protection Area (Site Code: 004232) and the River Boyne and River Blackwater Special Area of Conservation (Site Code: 002299), which having regard to the potential impact on these Natura sites, requires an appropriate assessment:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (b) of the 2000 Act, hereby decides that the drainage of wetland (raised bog), the mechanical disturbance, extrusion of peat & removal of turf at Drakerath, Wilkinstown, Co. Meath is development and is not exempted development.

Board Member:

Date: 13/12/2019

Maria FitzGerald