



An
Bord
Pleanála

Board Order
ABP-301243-18

Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: NA0367

WHEREAS a question has arisen as to whether the cutting of small amounts of turf using a sléan within Mouds Bog, candidate Special Area of Conservation to demonstrate how turf is cut by hand to members of the public, at Hawkfield, County Kildare is or is not development or is or is not exempted development:

AND WHEREAS the Minister for Culture, Heritage and the Gaeltacht referred the declaration for review to An Bord Pleanála on the 22nd day of March, 2018:

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

- (a) sections 2(1), 3(1), 4(1), 4(4) and 4(4)(a) of the Planning and Development Act, 2000, as amended,
- (b) articles 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended, and
- (c) Class 17 of Part 3 of Schedule 2 to those Regulations:

AND WHEREAS An Bord Pleanála has concluded that -

- (a) the subject site lies within Mouds Bog, candidate Special Area of Conservation,
- (b) the activity requiring the consent of the Minister requires Appropriate Assessment under the Habitats Directive, and
- (c) inadequate information has been provided to assess the impacts of the proposed turf-cutting on the candidate Special Area of Conservation site:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (8) of the 2000 Act, hereby decides the activity proposed involving the cutting of small amounts of turf using a sléan within Mouds Bog candidate Special Area of Conservation to demonstrate how turf is cut by hand to members of the public, at Hawkfield, County Kildare is development and is not exempted development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Terry Ó Niadh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.