

Planning and Development Acts 2000 to 2021

Planning Authority: Westmeath County Council

Planning Register Reference Number: S5-9-21

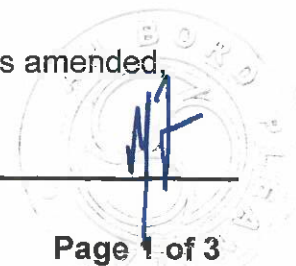
WHEREAS a question has arisen as to whether the industrial extraction of peat at Doon, County Westmeath is or is not development or is or is not exempted development:

AND WHEREAS Omard Mushrooms Limited care of Traynor Environmental Limited of Belturbet Business Park, Creeny, Belturbet, County Cavan requested a declaration on the question from Westmeath County Council and the Council did not issue a declaration:

AND WHEREAS Westmeath County Council of Áras an Chontae, Mullingar, County Westmeath referred this question to An Bord Pleanála on the 17th day of June, 2021:

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

- (a) Section 2 of the Planning and Development Act, 2000, as amended,
- (b) Section 3 of the Planning and Development Act, 2000,
- (c) Section 4 of the Planning and Development Act, 2000, as amended,

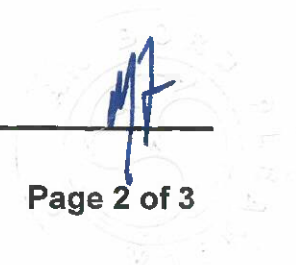


- (d) Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (e) Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (f) Schedule 5 to the Planning and Development Regulations, 2001, as amended,
- (g) Schedule 7 to the Planning and Development 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 industrial extraction of peat is development being both works and material change of use of land, and
- (b) the industrial extraction of peat is not exempted development because of the location, nature and scale of the works which require both Appropriate Assessment and Environmental Impact Assessment:

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the said industrial extraction of peat at Doon, County Westmeath is development and is not exempted development.



Matters Considered

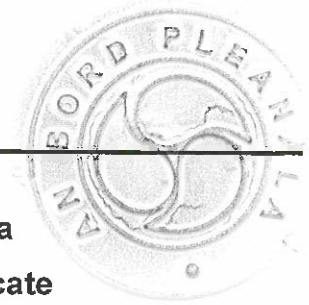
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 24th day of January 2022.