

An  
Bord  
Pleanála

Board Order  
ABP-313515-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Meath County Council**

**Planning Register Reference Number: KAS52215**

**WHEREAS** a question has arisen as to whether the drainage of wetland (raised bog), the mechanical disturbance, extrusion of peat and removal of turf, of which some of the area is subject to turbary rights at Rathmore, Tullaghanstown, Greetiagh, Herbertstown and Jamestown, County Meath is or is not development or is or is not exempted development:

**AND WHEREAS** the said question was referred to An Bord Pleanála by Meath County Council on the 9<sup>th</sup> day of May, 2022:

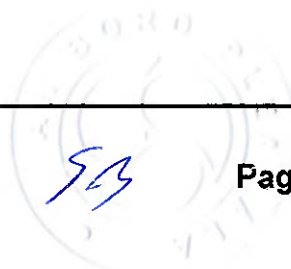
**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) Sections 2(1), 3(1) 4(1) and 4(4) 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,
- (c) Part 3 of Schedule 2 to those Regulations,
- (d) Part 2 of Schedule 5 to those Regulations, and
- (e) Schedule 7 to those Regulations:

**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 is development, and
- (b) 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 site, the location of the site within Jamestown Bog a designated Natural Heritage Area, Site Code: 001324, and the impact of such development on the Natural Heritage Area by way of loss of habitat and damage to the hydrological status of the site; the cumulative impact of such development taken together with similar development in the area, which would require Environmental Impact Assessment; and the drainage outflow to the River Boyne and River Blackwater Special Protection Area, Site Code:004232 and candidate Special Area of Conservation, Site Code:002299, which having regard to the potential impact on these Natura sites, requires Appropriate 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 drainage of wetland (raised bog), the mechanical disturbance, extrusion of peat and removal of turf, of which some of the area is subject to turbary rights at Rathmore, Tullaghanstown, Greetiagh, Herbertstown and Jamestown, County Meath is development and is not exempted development.

**Stephen Brophy**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

Dated this *31<sup>st</sup>* day of *October* 2023.