



An
Coimisiún
Pleanála

Commission Order
ABP-318213-23

Planning and Development Acts 2000 to 2024

Planning Authority: Tipperary County Council

Planning Register Reference Number: NA0617

WHEREAS a question has arisen as to whether the permanent removal of 3.9 hectares of Coniferous Sitka Spruce for the purposes of nature conservation and environmental protection at Scohaboy Bog Natural Heritage Area, County Tipperary is or is not development or is or is not exempted development:

AND WHEREAS the Department of Housing, Local Government and Heritage, National Parks and Wildlife Service of Government Offices, Saint Conlon's Road, Nenagh, County Tipperary referred this question for declaration to An Bord Pleanála on the 15th day of September 2023:

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

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

- (b) Articles 6, 8F, 8H and 9 of the Planning and Development Regulations, 2001, as amended,
- (c) Part 2, Class 1(d) (iii) of Schedule 5 of the Planning and Development Act 2000 as amended,
- (d) Section 6 of the Forestry Act 2014 (Number 31 of 2014),
- (e) the documentation and submissions received from the parties to the referral,
- (f) the nature of land use and the pattern of development in the area, and
- (g) the proposed works being directly connected to, and necessary for, the management of a Natura 2000 site and to restore the favourable conservation condition of an Annex I habitat.

AND WHEREAS An Coimisiún Pleanála has concluded that -

- (a) The permanent removal of 3.9 hectares of coniferous forestry and blocking of drains for the purposes of nature conservation and environmental protection at Scohaboy Bog NHA constitutes works on the land and would come within the scope of section 3(1) of the Planning and Development Act 2000, as amended, and is therefore development.
- (b) The felling of trees and the blocking of drains would be exempt by virtue of Section 4(1)(i) of the Planning and Development Act 2000, as amended, Article 6(1) of the Planning and Development Regulations 2001 as amended and Article 8F of the Planning and Development Regulations 2001 as amended.



- (c) The development would align with the conservation objectives for Scohaboy (Sopwell) Bog Special Area of Conservation (SAC) (Site Code 002206) and would not impact on the integrity of the SAC or any other European sites.
- (d) The development would not significantly affect the integrity of Scohaboy Bog Natural Heritage Area (Site Code 000937), or any other Natural Heritage Area.
- (e) By virtue of the nature, size and location of the development, it would not be likely to have a significant effect on the environment or require an Environmental Impact Assessment.

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the 2000 Act, hereby decides that the permanent removal of 3.9 hectares of Coniferous Sitka Spruce for the purposes of nature conservation and environmental protection at Scohaboy Bog Natural Heritage Area, County Tipperary is development and is exempted development.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 25 day of June 2025.