

File With _____

SECTION 131 FORM

Appeal NO: ACP - 323676-25Defer Re O/H ☐Having considered the contents of the submission dated/ received 30/7/26

from

EILISH BREYES +
NOEL COOLAHAN

I recommend that section 131 of the Planning and Development Act, 2000

~~be~~/not be invoked at this stage for the following reason(s): no new planning informationE.O.: Catherine FlynnDate: 5/8/26

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORMAppeal No: ACP - 323676-25M 1. BurkePlease treat correspondence received on 30/7/26 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with SC203. Keep copy of Commission's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Commission's letter ☐**Amendments/Comments**E. KEYES + N. COOLAHAN RESPONSE TO SC131**4. Attach to file**(a) R/S ☐ (d) Screening ☐(b) GIS Processing ☐ (e) Inspectorate ☐(c) Processing ☐**RETURN TO EO** ☐

	Plans Date Stamped ☐
	Date Stamped Filled in ☐
EO: <u>[Signature]</u>	AA: <u>NB Wre</u>
Date: <u>31/7/26</u>	Date: <u>4/8/26</u>



ACP-323676-25

From Tullamore Auto Services <tullamoreautoservices@gmail.com>

Date Thu 30 Jul 2026 2:44 PM

To Appeals2 <appeals@pleanala.ie>; eilish469@gmail.com <eilish469@gmail.com>

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Submission to An Coimisiún Pleanála

Eilish Keyes & Noel Coolahan

Cappalalosset

Ballinahown

Co Westmeath

N37 PT82

Case Reference: SU19.323676

Applicant: Bord na Móna Site: Lemanaghan Bog in the townlands of Cooldorrageh, Kilnagarnagh, Cappalalosset, Tumbeagh, Killaghintoher, Castlearmstrong, Leabeg, Conafurrish, Corrabeg, Lemanaghan, Kilnagoolny, Straduff, Lisdermot, Derrica More, Rosfaraghan, Rashinagh, Cor Mor, Cor Beg and Corbane, Co. Offaly.

1. Hydrological Integrity of the Bog Complex

The area referred to as “Lemanaghan Bog” in this application is **not a standalone site**. It forms part of the wider **Dernagun and Bellair bog complex**, which functions hydrologically as one connected system. While Bord na Móna has begun rewetting works on the Dernagun side, this process takes many years and requires consistent water retention.

In contrast, **no rewetting has taken place on the Lemanaghan side**, including the townlands of Cooldorrageh, Kilnagarnagh, Cappalalosset, Tumbeagh, Killaghintoher, Castlearmstrong, Leabeg, Lisdermott, Derrica, Rosfaraghan, Rasinagh, Cor Mor, Cor Beg, and Corbane. These areas continue to be actively **drained through a pumping system**, which lowers water levels across the entire bog complex.

This raises a fundamental question: **how can meaningful rehabilitation or restoration occur when the site is still being artificially drained?** Rewetting and drainage cannot operate simultaneously, and ongoing pumping directly undermines any claim of ecological recovery or peatland restoration.

2. Land Ownership and Procedural Validity

A further serious concern relates to **land ownership within the application boundary**. Many of the areas that Bord na Móna claim to own are **not registered** on the Land Registry, nor are they listed as pending registrations. Local residents with long-standing knowledge of the area can provide evidence

that several of these plots have **never been formally transferred** to Bord na Móna, despite being included in the planning maps.

This raises a critical procedural question: **what special circumstances allow Bord na Móna to apply for Substitute Consent on lands where they cannot demonstrate legal ownership or registered title?** Planning law requires clarity of ownership or written consent from the legal landowner. Yet this application proceeds on the basis of unverified or disputed ownership.

The manner in which ownership has been presented is **misleading** and undermines the validity of the application. Before any Substitute Consent can be considered, Bord na Móna should be required to provide **documentary proof of title** for every townland and parcel included within the red-line boundary.

3. Absence of Public Health Assessment (HSE)

The HSE response provides **no public health assessment** of the impacts of peat extraction, drainage, pumping, air quality, smoke events, or water contamination. The HSE defers entirely to the EPA and offers **no independent evaluation**.

Given the scale of the site and the proximity of homes, farms, and community infrastructure, this represents a **significant gap** in the Substitute Consent process. It is not acceptable that major public health risks — including dust, smoke from bog fires, contaminated runoff, and drainage-related flooding — appear to be overlooked.

A Substitute Consent decision should not proceed without a **full, independent HSE assessment** of community health impacts.

4. Road Safety and Infrastructure Constraints (TII & Local Roads)

4.1 National Road (N62) – TII Concerns

The site boundary adjoins the **N62**, a high-speed national road with a **100 km/h limit**, making it a strategic and high-risk route in terms of traffic safety.

TII's national policy is explicit:

- **No new access points** onto national roads where speed limits exceed 50 km/h.
- **No increase in traffic** using existing private or non-public entrances onto the N62.

This means Bord na Móna **cannot increase activity** at the existing N62 access. Any future development on the bog must **not intensify traffic** or generate additional vehicle movements.

4.2 Local Bog Roads – Structural Failure

In addition to TII's concerns, the **local bog roads surrounding the Lemanaghan site are structurally failing**. These roads are built directly on peat and are now **sinking, subsiding, and deforming** due to ongoing drainage, pumping, and the natural instability of the underlying bog.

Many sections are already **unsafe for normal vehicles** and are entirely unsuitable for **heavy goods vehicles (HGVs)** or any increase in traffic volumes.

This demonstrates that the wider road network — not just the N62 — is incapable of supporting intensified activity on the bog. For this reason, it is of **critical importance** that the future use of this bog does **not** involve industrial development, commercial activity, or any operations that would add HGVs or increased traffic to the area.

The current road conditions make such development **unsafe, unsustainable, and incompatible** with both TII policy and local infrastructure capacity.

Conclusion

The issues outlined above — hydrological inconsistency, disputed land ownership, absence of public health assessment, and severe road infrastructure constraints — collectively demonstrate that the application for Substitute Consent (SU19.323676) is **fundamentally flawed**.

Until these matters are fully addressed, clarified, and independently assessed, the application should **not be granted or proceed**.

Thank you for taking the time to read our submission.

Kind Regards

Eilish Keyes & Noel Coolahan

