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Our Ref: 12334

7th October 2026

Your Ref: ACP-324392-26

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

RE: Substitute Consent under the provisions of Section 177E of the Planning and Development Act 2000 (as amended) for peat extraction and ancillary activities at Toar Bog, Derryarkin Bog, Ballybeg Bog, Drumman Bog, and Derryhinch Bog, located in Counties Meath, Offaly and Westmeath.

Dear Sir/Madam,

On behalf of our client Bord na Móna Biomass Limited (a subsidiary of Bord na Móna plc., hereafter referred to as “the Applicant”), please find enclosed a planning application for substitute consent for peat extraction and ancillary activities from July 1988 to the present day that have been carried out at Toar Bog, Derryarkin Bog, Ballybeg Bog, Drumman Bog and Derryhinch Bog (the ‘Application Site’) in Counties Westmeath, Offaly and Meath.

The Application Site is located in the townlands of: Derryhinch, Baltigeer, County Meath; Cornaher, Killavally, Pallasboy, Monrath, Rathgarrett, Rahincuill, Kiltotan and Collinstown, Farthingstown, Drumman, Milltown, Pass of Kilbride, Rattin County Westmeath; and Bunsallagh, Derryarkin, Derrygreenagh, Knockdrin, Garr, Corbetstown, Carrick, Ballybeg, Croghanhill, Barrysbrook, Togher, Toberdaly, Clonin, Coolcor, Derryiron, County Offaly.

This application is being made directly to An Coimisiún Pleanála (hereafter referred to as the Commission) for ‘Substitute Consent’ under the provisions of Section 177E of the Planning and Development Act 2000, as amended. A pre-planning consultation meeting took place with the Commission on the 2nd of September 2026, under section 177E (1A) of the Planning and development Act, 2000, amended. (Case reference no. AC P-324392-26). The consultation is now closed and a copy of the associated correspondence with the Commission is enclosed with this application form.

The Applicant

The Applicant is Bord na Móna Biomass Ltd., which is a subsidiary of Bord na Móna plc., (today known as BnM).

BnM was originally established in 1946 to develop and manage Ireland’s extensive peat resources on an industrial scale in accordance with Government Policy. BnM has a vast land bank, totalling approximately 80,000 hectares, located mainly in the Midlands. BnM have been transitioning away from peat extraction and are now operating a portfolio of renewable and thermal energy developments and is committed to delivering a program of projects that

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Technical Directors: B. Gallagher B. Heaney C. Kelly T. Mackey O. Fitzpatrick P. Cloonan P. Cunningham J. Forde L. Kennedy

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have the potential to support national policy objectives across a range of sectors including renewable energy, recreation and tourism, and biodiversity.

BnM also intend to seek consent for a renewable energy development, known as Derrygreenagh Wind and Solar project, at the Application Site. This separate planning application will be made directly to An Coimisiún Pleanála.

EIA and Habitats Directive

The latest dates for the required transposition of the EIA and Habitats Directives were 3rd July 1988 and 10th June 1994 respectively. These directives do not purport to have retrospective effect, i.e., neither the EIA Directive nor the Habitats Directive apply to works undertaken prior to 1988 and 1994 respectively. As such, substitute consent is being sought to regularise the planning status of the Application Site for the period 1988 to the present day. This application is being made strictly without prejudice to the fact that the Project benefitted from exempted development status for part of the period covered by this application.

Background to the Application

Bord na Móna Biomass Ltd, a subsidiary of Bord na Móna plc. is an Irish, semi-state climate solutions company helping to lead Ireland towards a climate neutral future. Bord na Móna was founded in 1946, though it's precursor, the Turf Development Board, was established in 1934 with the one of the overarching aims of both entities being to enhance national energy security through peat extraction.

Drainage works and vegetation clearance to facilitate industrial peat extraction commenced at the Application Site in 1950. Industrial milled peat extraction commenced in 1958 across all five bogs comprising the Application Site.

Industrial-scale peat extraction ceased at the Application Site in June 2020, and the Applicant formally announced in January 2021 that peat extraction across all its land holdings would permanently cease.

Development for which Substitute Consent is sought

The peat extraction and ancillary activities undertaken at the Application Site which comprise the development for which Substitute Consent is being sought consist of the following:

- *Industrial scale peat extraction (milled peat);*
- *Use and maintenance of pre-existing surface water drainage infrastructure (drains, silt ponds, pumps) at the Application Site to facilitate peat extraction activity from 1988 to present day;*
- *Use and maintenance of pre-existing railway infrastructure to facilitate peat extraction from 1988 to present day;*
- *Provision of 2 no. vehicular bridges, 2 no. rail bridges and 2 no. gated access points;*
- *Control Measures associated with the above, inclusive of the IPC Licence measures (Ref. P0501-01) which commenced from 2000 onwards to the present day; and,*
- *All associated site development and ancillary works.*

The application includes a remedial Environmental Impact Assessment Report (rEIAR) and a remedial Natura Impact Assessment (rNIS). A detailed description of the proposed development is set out in the application documents

There are several ancillary structures and features associated with peat extraction and ancillary activities at the Application Site. These include:

- Workshops
- Works offices
- Welfare Facilities
- Vehicular and rail bridges
- Local holding areas; and
- Railway infrastructure.

With the exception of most railway infrastructure, vehicular and rail bridges, and local holding areas, the remaining ancillary infrastructure is located outside of the Application Site boundary and as such substitute consent is not being sought in respect of this ancillary infrastructure. Nonetheless, to provide as detailed a description as possible of the Project, all of the ancillary infrastructure is described in Chapter 4 of the remedial EIAR.



The Derrygreenagh Works provided a central location for support services to the Application Site and other bogs within the Derrygreenagh Bog Group and includes offices and welfare facilities such as a toilet and a canteen. The workshops and offices at Derrygreenagh Works were originally constructed in 1955, prior to the enactment of the Planning and Development Act 1963 (i.e. 1 October 1964) and are therefore not included as part of this Substitute Consent application.

For the purposes of the submitted rEIAR (Please refer to Chapter 4: Project Description), the Project is defined under three different timeframes termed 'phases' as:

- Peat Extraction Phase: peat extraction and ancillary activities at the Application Site from July 1988 to the cessation of peat extraction in June 2020 (July 1988 – June 2020).
- Current Phase: the management of the Application Site from June 2020 to present day.
- Remedial Phase: the activities intended to be carried out at the Application Site in the future.

All elements of the development carried out during the various phases as outlined above, have been considered and assessed in the rEIAR and rNIS submitted with this application.

Integrated Pollution Control Licence

Bord na Móna was granted an Integrated Pollution Control Licence (IPC) Licence (Ref. P0501-01) from the EPA for the Derrygreenagh Bog Group, within which the Application Site is located, in April 2000. The IPC Licence is managed by the Bord na Móna's Environmental Management Department.

The discharge of Condition 10 of the IPC licence will facilitate the permanent rehabilitation of the Application Site in conjunction with any parallel future end-uses (such as renewable energy infrastructure). This is explained in more detail in Chapter 4 of the rEIAR which accompanies this application.

Exceptional Circumstances

Subsection 177K(1A) (a) of the Planning and Development Act (2000) requires that, in any given case, the Commission must be satisfied that exceptional circumstances exist that would justify the grant of substitute consent. As set out in the enclosed Planning Report, it is clear that exceptional circumstances prevail in this particular case which meet the criteria necessary for the Commission to grant the Applicant substitute consent for the relevant peat extraction and ancillary works referred to above, as carried out at the Application Site.

Enclosed Documents

The following documents are included in the application pack:

- Planning Application Documentation
 - Planning Application Form
 - EIA Portal Confirmation No. 2026148 (appended to application form)
 - Planning Application Fee (paid as a cheque and included with the planning application documents)
 - Site Notice erected on 1st October 2026 (see drawing no. 12334-2000 for site notice locations)
 - Copy of the Newspaper Notice published in the Irish Independent, dated 01/10/2026.
 - Planning Report
 - Landowner Letter of Consent and Map of Landowner Boundaries
- Planning Application Drawings
- Remedial Environmental Impact Assessment Report (rEIAR) and appendices
- Remedial Natura Impact Statement (rNIS) and appendices.

Planning Fee

The calculation of the planning fee is based on Class 5(d) (Peat extraction) of Section 2, Schedule 9 of the Planning and Development Regulations 2001 (as amended).



Class	Total Area	Total
Class 5(d) – Peat Extraction	<u>2,637 ha (site area) at €5 per ha</u>	€13,185
Application Fee Total		€13,185

This payment is being made by cheque which is enclosed with this application.

Please find 10 no. hard copies and 1 no. electronic copy (USB format) of the above-mentioned documents enclosed with this letter.

I trust that you have all the information you require to progress the application. If, however, you have any queries or wish to discuss any matter in detail, please do not hesitate to contact me.

We look forward to your decision in due course.

Yours sincerely



Bertha Kasonde

Project manager

For and on behalf of TOBIN

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