



An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.

Our ref: 200804-e

Date: 12th September 2025

Re: Substitute Consent under the provisions of Section 177E of the Planning and Development Act 2000 (as amended) for peat extraction and ancillary works within the Lemanaghan Bog in the townlands of Cooldorragh, Kilnagarnagh, Cappanalosset, Tumbeagh, Killaghintoher, Castlearmstrong, Leabeg, Cornafurish and Corrabeg, Lemanaghan, Kilnagoolny, Straduff, Lisdermot, Derrica More, Rosfaraghan, Rashinagh, Cor Mor and Cor Beg, and Corbane, Co. Offaly.

Dear Sir/Madam,

MKO has been appointed by Bord na Móna Energy Limited ('the Applicant') a subsidiary of Bord na Móna plc. to prepare and lodge an application for substitute consent with An Coimisiún Pleanála ('the Commission') in order to regularise the planning status of the Lemanaghan Bog ('the Application Site') located in Co. Offaly. The Applicant is seeking substitute consent for the relevant peat extraction and ancillary works in accordance with the provisions of Section 177E of the Planning and Development Act 2000 (as amended) ('the Act').

The Applicant

Bord na Móna was originally established in 1946 to develop and manage Ireland's extensive peat resources on an industrial scale in accordance with Government Policy. Bord na Móna has a vast land bank, totalling approximately 80,000 hectares, located mainly in the Midlands. Bord na Móna have been transitioning away from peat production and are now operating a portfolio of thermal and renewable energy developments and is committed to delivering a program of projects that have the potential to support national policy objectives across a range of sectors including renewable energy, recreation and tourism, and biodiversity.

Application Site

The Application Site comprises Lemanaghan Bog, which is part of the Boora Bog Group. The Application Site comprises an area of 1,111 hectares (ha) within which bog drainage works began in 1950 followed by the commencement of peat extraction from 1960. The Application Site is located 3.3km to the northeast of Ferbane, 7.8km southwest of Clara, and 8.7km south of Moate. The Application Site is connected by rail link to the Bellair South Bog to the north and to the Blackwater Bog Group to the west. The R436 Regional Road passes along much of the southern boundary. Derrynagun and Curraghlassa bogs are both located south of the road R436. The N62 National Road skirts the extreme western tip of the site. A local road, the L7002, passes through the northern part of

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the Application Site. The current main access points to the Application Site includes an existing entrance off the N62 National Road and along the R436 into the Lemanaghan Works site in the south of the Application Site.

Background of Development at Lemanaghan Bog

Bord na Móna is a semi-state company which was established from the Turf Development Board Ltd. following the commencement of the Turf Development Act 1946, with the aim of developing national peat resources and thereby providing security of energy supply and economic benefit for Irish communities. Under Bord na Móna's Second Development Programme, drainage works, buildings and railway networks were established at the Application Site from 1950, with the commencement of peat extraction activities in 1960. Aerial imagery from 1973 confirms that the Application Site was subject to peat extraction prior to 1988. In 1982 Bord na Móna was granted planning permission to erect a harvester repair bay and ancillary infrastructure at the Application Site (Planning Ref: 81375). The majority of the extracted material at the Application Site was supplied to Derrinlough Briquette Factory, the ESB Power Stations at Ferbane and Shannonbridge and some to third parties. 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.

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.

Integrated Pollution Control Licence

The Applicant was granted an Integrated Pollution Control Licence (IPC) Licence (Ref. P0500-01) from the EPA for the Boora Bog Group, of which the Lemanaghan Bog Group is a subset, in May 2000. The IPC Licence is managed by the Applicant's Environmental Management Department in Land and Habitats, with one Compliance Officer located in these operational areas who manages the day-to-day compliance requirements.

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 wind energy infrastructure). This is explained in more detail in Chapter 4 of the rEIAR which accompanies this application.

Development For Which Substitute Consent Is Being Sought

The development for which substitute consent is being sought, as set out in the public notices, is as follows:

The development for which substitute consent is being sought consists of peat extraction activities and ancillary works including the following:

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- (i) *Industrial scale peat extraction (milled peat) at the Application Site from 1988 to June 2020;*
- (ii) *Installation, use and maintenance of surface water drainage infrastructure (drains, silt ponds, pumps) at the Application Site to facilitate peat extraction activity from 1988 to present day;*
- (iii) *Provision of a welfare facility building and associated septic tank, 2 no. storage containers;*
- (iv) *Use and maintenance of pre-existing railway infrastructure to facilitate peat extraction activity from 1988 to present day;*
- (v) *Control Measures associated with the above, inclusive of the IPC Licence measures (Ref. P0500-01) which commenced from May 2000 onwards to the present day; and,*
- (vi) *All associated site development and ancillary works.*

The application relates to development which is subject to an existing Integrated Pollution Control Licence (Ref. P0500-01) granted by the Environmental Protection Agency.

Exceptional Circumstances

Subsection 177K(1A)(a) of the Act 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 favourably issue the Applicant substitute consent for the relevant peat extraction and ancillary works referred to above, as carried out at the Application Site.

Remedial Environmental Impact Assessment Report (rEIAR) and Remedial Natura Impact Statement (rNIS)

This application for substitute consent is accompanied by an rEIAR and an rNIS in accordance with Sections 177F and 177G of the Act respectively. The rEIAR and rNIS use July 1988 as the baseline for assessments carried out within these documents. The rationale for this approach is outlined in Chapter 1 of the rEIAR.

As this application has been subject to an rEIA, the Department of Housing, Local Government and Heritage have been notified of the application, and it is available to view on the mapped portal of EIA applications on the EIA Portal website.

Contents of the Application

This application comprises of 6 no. hard copies and 1 no. electronic copy of the following documents:

- Cover Letter,
- Application Form,
- Copy of the Site Notice erected on the 12th of September 2025 (9 no. site notices erected, see drawing no. 200804-e-02),

Galway - MKO, Tuam Road, Galway, H91 VW84 (**Correspondence address**)

Dublin - MKO, 9C Beckett Way, Park West Business Park, Dublin, D12 XN9W

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- Copy of the Newspaper Notice published in the Tullamore Tribune dated the 11th of September 2025,
- EIA Portal ID Confirmation Notice (Ref: 2025165),
- Planning Report,
- Planning Drawings (Drawing scales approved by the Commission in correspondence dated 10th of September 2025)
- Remedial Environmental Impact Assessment Report (rEIAR) and appendices, and
- Remedial Natura Impact Statement (rNIS) and appendices.

Planning Fee

The calculation of the planning fee is based on Class 5(d) (Peat extraction) and Class 4 (buildings other than buildings coming within class 1, 2 or 3) of Section 2, Schedule 9 of the Planning and Development Regulations 2001 (as amended).

Class	Calculation	Total
Class 5(d)	1,111 ha (site area) at €5 per ha	€5,555
Class 4	€3.60 for each square metre (welfare building + storage containers) – 78.4 sq. m at €3.6 per sq. m	€282.24
Application Fee Total:		€5,837.24

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

We trust that the information provided meets the Commission's requirements and we look forward to hearing from the Commission in due course.

Yours sincerely,



Ronan Dunne

Project Planner

MKO

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Appendix 1: Agreement of drawing scales

Ronan Dunne

From: Catherine Flynn <c.flynn@pleanala.ie>
Sent: 10 September 2025 14:05
To: Ronan Dunne
Subject: RE: Agreement of scales for substitute consent application - Lemanaghan Bog, Co. Offaly - ACP pre app ref: 319374

You don't often get email from c.flynn@pleanala.ie. [Learn why this is important](#)

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Hi Ronan,

The schedule and maps have been approved.

Kind regards,

Catherine Flynn

From: Laura Grady Lawlor <laura.gradylawlor@pleanala.ie>
Sent: Wednesday, September 10, 2025 1:58 PM
To: Catherine Flynn <c.flynn@pleanala.ie>
Subject: FW: Agreement of scales for substitute consent application - Lemanaghan Bog, Co. Offaly - ACP pre app ref: 319374

From: Ronan Dunne <rdunne@mkoireland.ie>
Sent: Wednesday 10 September 2025 09:56
To: Laura Grady Lawlor <laura.gradylawlor@pleanala.ie>; Appeals2 <appeals@pleanala.ie>
Cc: SIDS <sids@pleanala.ie>
Subject: RE: Agreement of scales for substitute consent application - Lemanaghan Bog, Co. Offaly - ACP pre app ref: 319374

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Hi Laura,

Just looking to follow up on my email below.

We intend on lodging the application this Friday so any guidance on this would be greatly appreciated.

Thanks in advance.

Best regards,
Ronan