

AN COIMISIÚN PLEANÁLA  
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Time: 9.15 By: Reg Post

Case Ref SU19.323676

ACP-323676-25

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Date: 12<sup>th</sup> February 2026

Case Reference: SU19.323676

Development Description:

Substitute Consent under Section 177E, Planning and Development Act 2000 (as amended) relating to development at Lemanaghan Bog, Co Offaly.

Location: Lemanaghan Bog located in the townlands of Cooldorrigh, Kilnagarnagh, Cappanallosset, Tumbeagh, Killaghintoher, Castlearmstrong, Leabeg, Cornafurris and Corrabeg, Lemanaghan, Kilnagoolney, Straduff, Lisdermot, Derrica More, Rosfaraghan, Rashinagh, Cor Mor and Cor Beg, and Corbane, Co Offaly.

The Secretary

An Coimisiún Pleanála

64 Marlborough Street

Dublin 1,

D01 V902

Dear Sir/madam, I, Noeleen Hamilton, of the above address, wish to make this submission/observation on the above Substitute Consent application. Please acknowledge receipt of this submission and keep me informed, on the above email, of any further stages in the process.

Yours faithfully Noeleen Hamilton Email: noeleenhamilton@gmail.com

## **Lemanaghan Bog Additional Information: Noeleen Hamilton**

### **Carbon :**

Peatlands can store carbon in different parts of their ecosystem (biomass, litter, peat layer, mineral subsoil layer and pore water), with each pool having its own dynamics and turnover. The peat layer is a main long term store of carbon as peat largely consists of organic material (by definition more than 30% of the dry mass), with a carbon content ranging from 48% to 63%. Recent estimates show that worldwide, peatlands have accumulated between 274 and 550 billion tonnes of atmospheric carbon.

Peatlands are exceptional environments for the preservation of unique and invariably fragile archaeological remains. The waterlogged, anoxic (without oxygen) conditions that are responsible for the accumulation of peat, also permit the survival of organic materials which may have deliberately or accidentally been incorporated into these peatlands in the past. The only other environments that can preserve organic remains over long (centuries to millennia) time scales, are those at the extremes of hot and cold.

Peatlands have played an important role in climate regulation over the past 10,000 years. Natural peatlands are a small carbon sink (absorbing carbon dioxide while emitting methane), but 82% of Irish peatlands have been damaged to various extents. Disturbance from human activities, mainly in the form of drainage (for agriculture and forestry) and peat extraction produce increased carbon dioxide and nitrous oxide emissions, and reduced methane emissions. To mitigate emissions from peatlands two actions must be taken: (1) avoid new or recurrent drainage and (2) reduce emissions on the existing drained areas. The rewetted and restored cutover bogs monitored in this study are carbon sinks, while their drained counterparts are substantial carbon sources. Cutover bogs hold large carbon stocks that must be sustainably managed if Ireland wishes to meet its climate change targets. <https://www.epa.ie/>

**Assessment of Compliance** Ireland's 2030 target under the EU's Effort Sharing Regulations (ESR) is to reduce its greenhouse gas emissions by at least 42% by 2030. The latest projections (May 2025) indicate that currently implemented measures (With Existing Measures) will achieve a reduction of 10% on 2005 levels by 2030, significantly short of the 42% reduction target. If measures in the higher ambition (With Additional Measures) scenario are implemented, EPA projections show that Ireland can achieve a reduction of 22% by 2030, also short of the 42% reduction target.

The 42% reduction target now applies for 2030, but new annual emission limits that are binding under the ESR have yet to be fully implemented. To-date new AEAs have been implemented for 2021 to 2025 only. Limits for 2026-2030 have been estimated as per the methodology in the 2023 amendment of the Effort Sharing Regulation.

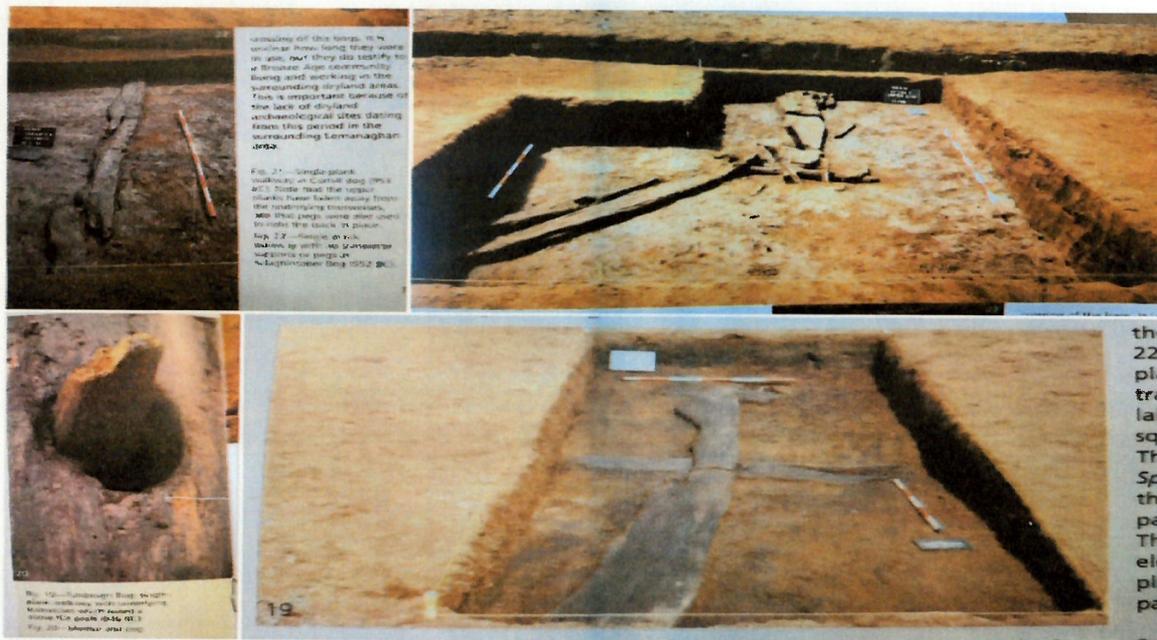
The ESR provides two flexibilities (EU-ETS and LULUCF) to allow for a fair and cost-efficient achievement of the targets. New Regulations in 2023 mean there are new rules around LULUCF flexibility that incorporates split budgets 2021-2025 to 2026-2030<sup>1</sup>. Additional analyses are needed to estimate the impact of the new rules on flexibility. In the interim, based on latest LULUCF inventory and projections data, the maximum amount of LULUCF flexibility now projected to be available is 13.4 Mt CO<sub>2</sub>eq in the first 5-year period (or 2.68 Mt CO<sub>2</sub>eq per annum from 2021-2025), with no flexibility available in the second 5-year period. <https://www.epa.ie/>

**Bronze Age Community** :The First Evidence of human activity in the Lemanaghan Bog area, dates from over 5500 years ago. These people left their mark on the bog landscape in Lemanaghan Bog

by constructing a network of classic plank toghers which can be traced across the bog from one side to the other.

In the Straduff Bog area, part of Lemanaghan Bog, a classic plank walkway was excavated, it has been dated to 953 BC.

Two other wo trackways were shown to consist of split oak planks, laid end to end and supported by transverses in particularly wet areas of the bog, were located in the Tumbleagh and Killaghintober bogs. The Tumbleagh Bog trackway, which can be seen at the northern end of lemanaghan bog, has been dated to 946 BC, while the site at Killaghintober Bog was constructed approximately six years later in 952 BC. **The Archaeology of Lemanaghan by Ellen O'carroll.**



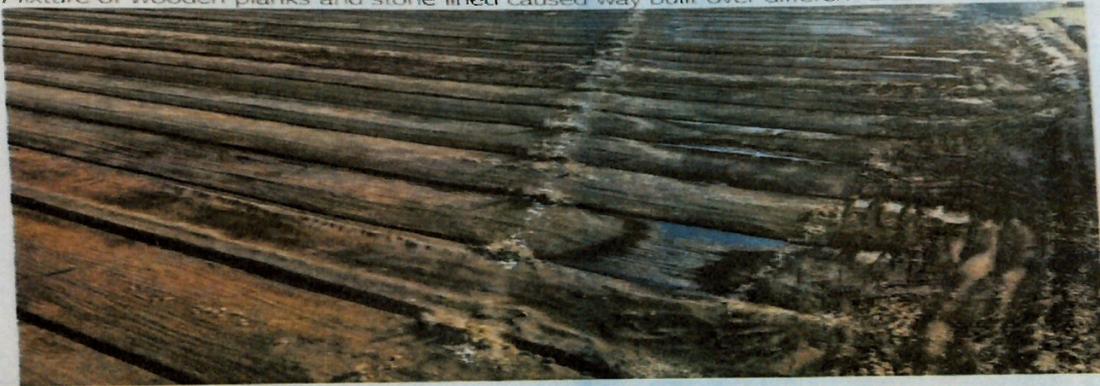
**National Museum Dublin, March 2022.**

A significant oak-plank trackway used from 5000 BC was discovered in Lemanaghan. **The National Museum** is also home to the following items, all found in Lemanaghan Bog; a **Neolithic axe head**, **Neolithic flint scraper**, **Spearhead**, **The Wooden Staff** — a **blackthorn staff** discovered adjacent to a medieval trackway, a Bog Body, two different **leather shoes**, one is post-medieval and the other medieval and a **hoard of silver coins**. Hence, Lemanaghan Bog is often hailed as one of the highest densities of wetland archaeology in the world, giving us a very unique insight into the lives of people over the last 5,500 years. The fact that two different **Bishop's Croziers** were found in Lemanaghan Bog, one of which appears to date from the sixth or seventh century, means Lemanaghan Bog was important enough for a bishop to visit. Both these Croziers are on display in the National Museum.

## Potential to Develop Lemanaghan Bog & Surrounding Area

- Potential to re-create "Offaly's Camino" route from Lemanaghan to Clonmacnoise along the ancient pilgrim path.

Image below © Kevin O'Dwyre Photography – shows the pilgrim path exposed above the bog. Mixture of wooden planks and stone lined caused way built over different eras.



- Potential to develop center similar to Corlea Trackway Centre in Londonderry see image below where building was built around a section of the ancient road to preserve and exhibit/display the ancient trackway.



Developing **Lemanaghan Bog** as a historical site could create a valuable cultural, educational, and ecological attraction. A well-planned project would highlight peatland heritage, local history, and environmental value while engaging community and visitors.

**Environmental & Archaeological Survey** Conduct ecological and archaeological assessments to understand sensitive zones and protect natural heritage. Map features of historical and environmental interest.

### **Walking Trails & Signage**

Develop **boardwalks and trails** with interpretive panels explaining:

Peat extraction methods

Local flora and fauna

Cultural stories, poetry, and music related to the bog

Use QR codes linking to audio guides in Irish and English.

### **Restoration Zones**

Use renewable energy in facilities.

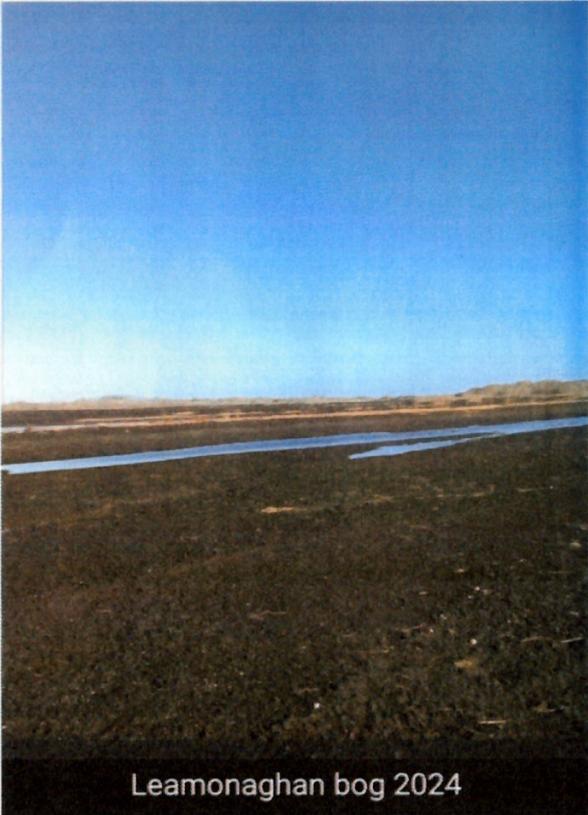
Eco-friendly materials for trails and buildings.

Restore degraded bog areas to improve biodiversity and carbon sequestration.

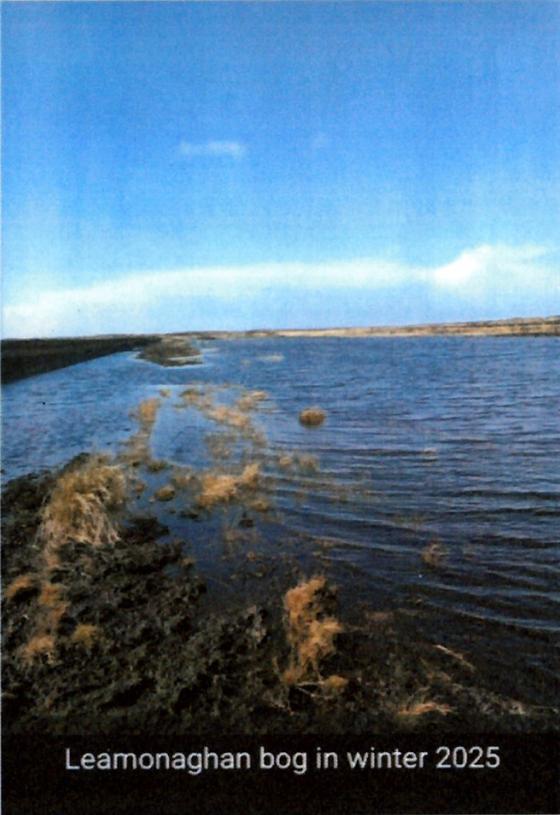
**Lemanaghan Bog – Inside Red Boundary Line 2024/2025**



Long eared 🐣



Lemanaghan bog 2024

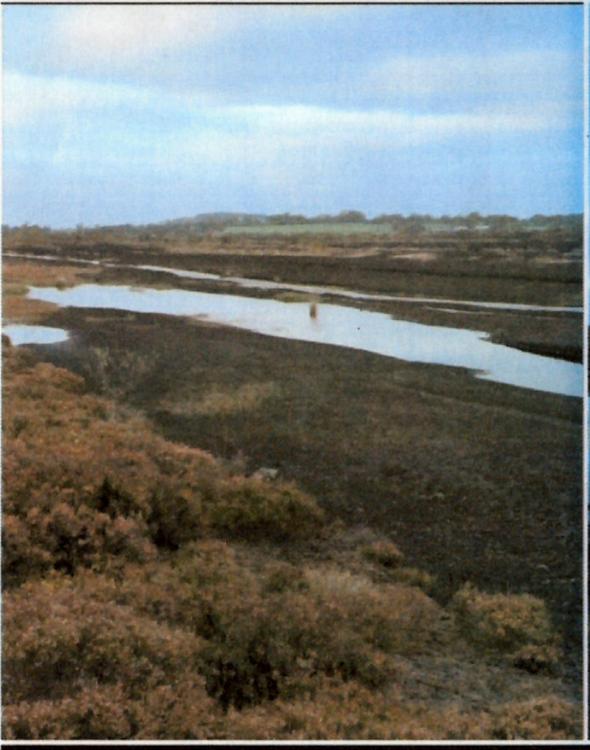
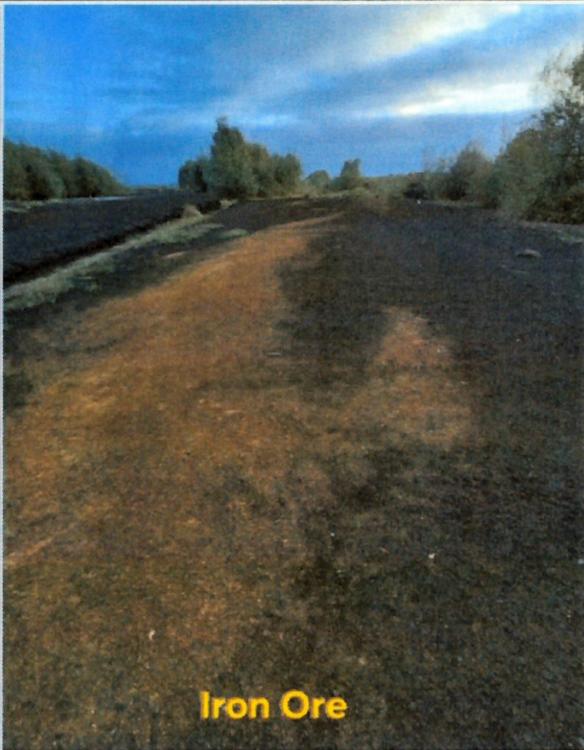
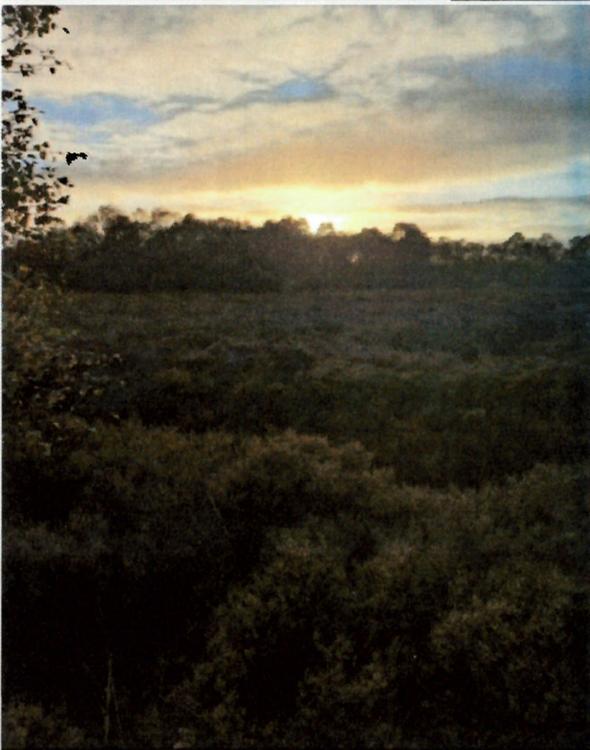


Lemanaghan bog in winter 2025

**Lemanaghan Bog – Inside Red Boundery Line 2024/2025**



**Lemanaghan Bog – Inside Red Boundary Line 2024/2025**



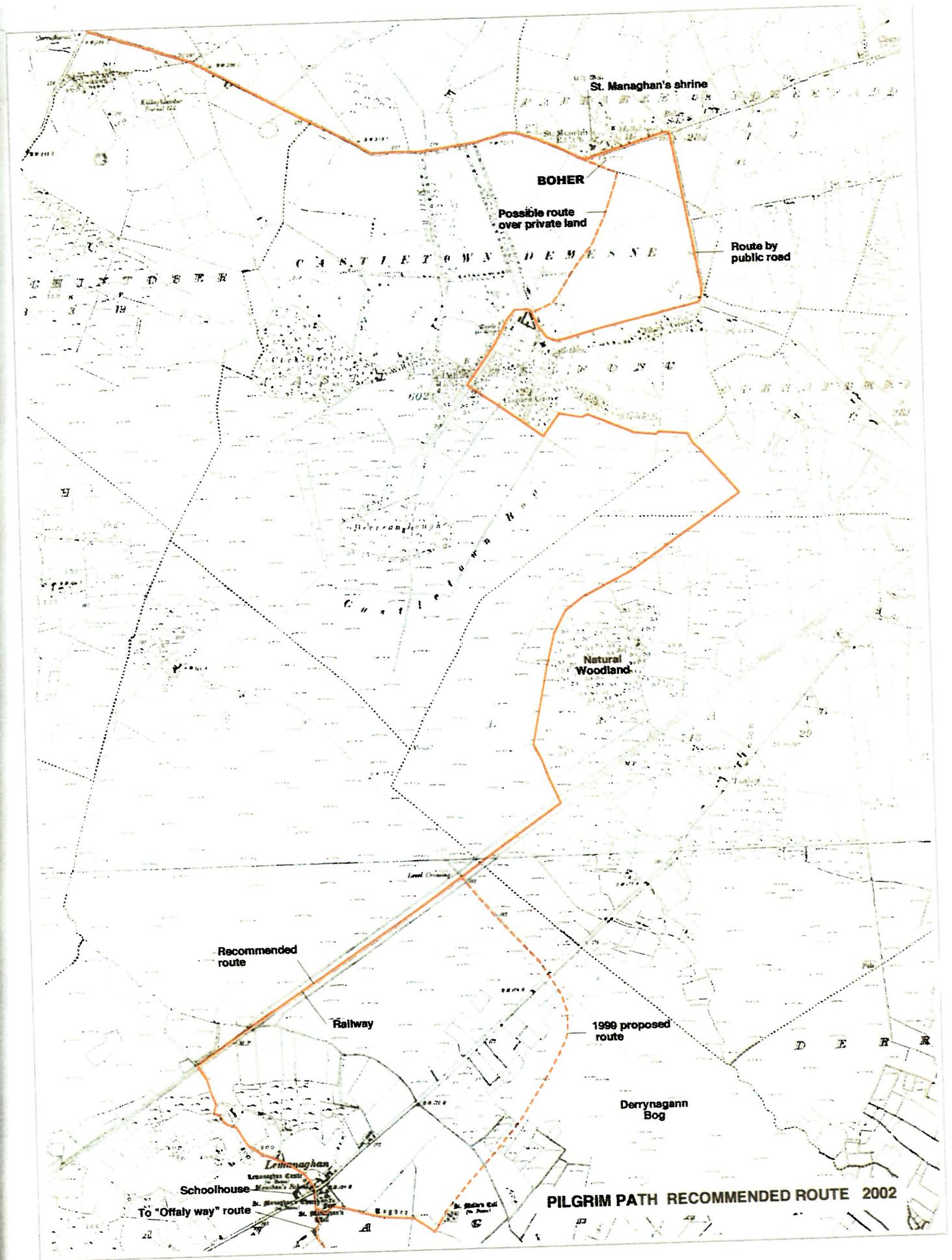


Figure 8: A map of the Pilgrim Path.

FIGURE 8 NOTE: The recommended route is on a line which has been agreed in principle with Bord na Móna. It is not intended to imply that, in its present state, the surface and terrain are necessarily suitable for visitors.

## OBSERVATIONS ON FURTHER INFORMATION

### SUBSTITUTE CONSENT APPLICATION SU19.323676

#### Section 177E Planning and Development Act 2000 (as amended)

Dear Sir / Madam,

I write further to the Commission's invitation to make submissions or observations in relation to the further information furnished by the applicant in respect of the above substitute consent application.

The enclosed observations are submitted in a constructive and limited spirit, and are intended to assist the Commission in its assessment of whether the statutory preconditions for the exercise of the exceptional jurisdiction under Section 177E have been demonstrated.

The observations rely exclusively on **publicly available State material**, including Oireachtas debates and publications of the National Parks and Wildlife Service. They do not seek to determine land ownership, turbary entitlement, or the validity or enforceability of any individual rights. Nor do they invite the Commission to adjudicate on such matters.

Rather, the purpose of the observations is to draw attention to the fact that **turbary is consistently recognised in Irish law, State policy, and administrative practice as a proprietary land-use interest**, routinely identified, managed, and spatially referenced in the context of peatland regulation and conservation.

This public record is relevant to the Commission's consideration of whether a substitute consent application which relies on a generalised assertion of ownership, and which does not identify or reconcile acknowledged third-party proprietary interests, has demonstrated the procedural completeness and legal clarity required to ground jurisdiction under Section 177E.

The observations are submitted in the interests of ensuring that the Commission's assessment proceeds on a fully informed and procedurally robust basis, having regard to the manner in which turbary and related land-use interests are treated in publicly documented State practice.

I trust the enclosed material is of assistance to the Commission.

Yours faithfully,

Noeleen Hamilton

## 1. Purpose of These Observations

These observations are made by reference solely to **publicly available State material**, including Oireachtas debates and publications of the National Parks and Wildlife Service (NPWS).

They do not seek to determine land ownership, turbary entitlement, or the validity or enforceability of any individual rights. Their purpose is limited and procedural: to demonstrate that **turbary is a recognised proprietary land-use interest in Irish law and State policy**, which is routinely identified, managed, and spatially referenced by public authorities in the administration of peatland regulation.

This is relevant to the Commission's consideration of whether the applicant has demonstrated the requisite legal interest and procedural compliance necessary to invoke the exceptional jurisdiction under Section 177E.

## 2. State Recognition of Turbary Rights in Oireachtas Debates

Public debates in **Dáil Éireann** over many years confirm that turbary rights are treated by the State as a **distinct legal and proprietary category**, rather than a merely informal or historic activity.

Ministerial statements in the context of peatlands regulation, raised bog designation, and turf-cutting cessation consistently refer to:

- turbary rights-holders as a defined class;
- the need to **identify, manage, accommodate, or compensate** turbary interests; and
- turbary as a **pre-existing legal interest capable of constraining land use**.

These debates form part of the public legislative record and demonstrate that turbary is understood at State level as a proprietary land-use interest that cannot be assumed away by generalised ownership assertions.

By way of illustration, a written parliamentary response dated 10 February 2015 records that:

*“Works have been undertaken **on Lemanaghan Bog** in County Offaly with a view to facilitating turf cutters from Moyclare Bog.”*

This publicly recorded facilitation of turf cutters on Lemanaghan Bog demonstrates that turbary activity has been recognised and accommodated at State level. In that context, reliance on an unparticularised assertion of “freehold and beneficial ownership”, without reconciliation of potential third-party turbary interests, may raise a legitimate procedural issue for consideration.

## Department of Arts, Heritage and the Gaeltacht Turf Cutting Compensation Scheme Data



**Denis Naughten** (Roscommon-South Leitrim, Independent)

[Link to this](#) | [In context](#) | [Oireachtas source](#)

247. To ask the Minister for Arts, Heritage and the Gaeltacht the number of bog relocations that have been completed; the number where alternative locations have been sourced that will meet the demand for relocation; the number where alternatives have to be sourced; and if she will make a statement on the matter. [S461/15]



**Heather Humphreys** (Cavan-Monaghan, Fine Gael)

[Link to this](#) | [In context](#) | [Oireachtas source](#)

3,057 applications have been received under the cessation of turf cutting compensation scheme for raised bog special areas of conservation to date. Of these, 783 applicants have expressed an interest in relocation to non-designated bogs. Relocation is a complex process in terms of

- investigating suitable sites for turf quality and quantity;
- the infrastructure/drainage works required;
- establishing the number that can be accommodated on the site;
- the cost and feasibility of land purchase or lease; and
- possible planning and Environmental Impact Assessment requirements.

Notwithstanding this complexity, progress in relocating turf cutters to non-designated bogs is being achieved in a number of cases and arrangements have been made to date as regards:

- Clara Bog special area of conservation in Co Offaly, where 25 qualifying turf cutters have been accommodated on Kileranny Bog; and
- Carrowmagappul Bog and Curraghleanagh Bog special areas of conservation in Co Galway, where 23 qualifying turf cutters have been accommodated on the Islands Bog and Killasolan Bog.

Works have been undertaken on Lemanaghan Bog in County Offaly with a view to facilitating turf cutters from Moydare Bog. Works have also been completed at Cloonabricka Bog in County Galway to facilitate additional cutters relocating from Carrowmagappul and Curraghleanagh Bogs.

Potential relocation sites had been identified for each of the remaining raised bog special areas of conservation where relocation may be required. When relocation sites have been assessed as suitable, my Department has been seeking expressions of interest from turf cutters with a view to them moving to these sites. In 2014, the Department wrote to over 250 turf cutters, from 14 special areas of conservation, seeking expressions of interest in relocating to specific non-designated bogs.

(Image 1: Screenshot of Dáil Written Answer, 10 February 2015 – kildarestreet.com)

### 3. NPWS Documentation and National Raised Bog Policy

Publications of the **National Parks and Wildlife Service** relating to raised bog protection and peatland management further reinforce this position.

National raised bog management plans, environmental assessments, and policy documents published by NPWS:

- explicitly recognise turf cutting and turbary as historic and ongoing land-use activities;
- treat turbary as a **constraint requiring identification and management** in conservation and rehabilitation planning; and
- document how turf-cutting features (including banks, plots, and access routes) are identifiable in historic mapping and aerial records.

While such documents do not purport to adjudicate individual rights, they demonstrate that State authorities routinely acknowledge turbary as a **spatially identifiable land-use interest**, rather than an abstract or theoretical concept.

#### 4. Relevance to Legal Interest and Procedural Compliance

Taken together, Oireachtas debates and NPWS documentation establish a clear public-policy baseline:

- turbary is a recognised proprietary land-use interest in Irish law and administration;
- it is routinely identified and managed in State peatland policy; and
- its existence is not contingent on private dispute resolution or individual enforcement.

Against that backdrop, a substitute consent application which:

- relies on a bare ownership assertion,
- provides **no mapping, schedule, or reconciliation** of such interests within the application lands,

raises a legitimate procedural question as to whether all proprietary interests capable of being materially affected have been adequately identified for the purposes of jurisdiction under Article 22 and Section 177E.

These observations do not suggest that turbary rights necessarily subsist over any particular parcel of land, nor do they seek to determine the existence or enforceability of any individual right. They draw attention, however, to the well-documented reality that turf cutting by local families has historically and continues to take place on Lemanaghan Bog, and that such activity is repeatedly acknowledged in publicly available State policy and administrative material.

In that context, the absence of any identification, mapping, or reconciliation of potential turbary interests within the application lands raises a legitimate procedural question as to whether such interests have been taken into account by the applicant for the purposes of Article 22 and Section 177E.

## 5. Conclusion

Publicly available State material confirms that turbary is a recognised proprietary land-use interest, historically and administratively linked to Lemanaghan Bog.

Where an applicant seeks to invoke the exceptional substitute consent jurisdiction under Section 177E, and where turbary is acknowledged in State policy as a land-use constraint requiring identification and management, the absence of any mapping, schedule, or explanation addressing such interests is a matter of **procedural completeness**, rather than private dispute.

These observations are submitted to assist the Commission in assessing whether the statutory preconditions for jurisdiction have been demonstrated, having regard to publicly documented State practice and policy.