

2.

BACKGROUND

2.1

Introduction

This chapter of the remedial Environmental Impact Assessment Report (rEIAR) sets out the strategic planning context for regularising the planning status of the peat extraction and ancillary activities that have been carried out within the Application Site, including detailed consideration of the operational and planning history of the Application Site. This chapter considers relevant National, Regional and Local climate action, planning policy and objectives. It sets out the scoping and consultation completed, and the cumulative impact assessment process undertaken as part of this rEIAR. This chapter also outlines the historical background of peat extraction at the Application Site from a strategic perspective, as it was the historical development policies which not only resulted in the development of the Application Site for peat extraction, but facilitated the continuance of peat extraction and ancillary activities at the Application Site through the decades up to and beyond the rEIAR baseline assessment year of 1988.

The Application Site lies within the functional area of Kildare County Council (KCC) and Offaly County Council (OCC), and therefore the local policy context is determined by the current and previous Kildare and Offaly County Development Plans (CDPs) and the relevant provisions set out therein.

The Application Site forms part of the Allen Bog Group and is located in Lullybeg and surrounding townlands in County Kildare and Offaly. The Application Site, comprising an area of 5,448 ha, is located approximately 2.2 kilometres (km) southeast of Edenderry, 3.3km west of Allenwood, 2.4 km north of the Rathangan and 1.7km east of Clonbullogue Village. Figure 2-1 below illustrates a site location map indicating the extent of lands included within the Application Site.

The Application Site is accessible via the local road network branching from the R402 to the north, R403 to the east, the R401 to the west and the R414 to the south, with the latter cutting through the southeast of the site. Peat extraction and ancillary activities at the Application Site are subject to the conditions associated with IPC Licence P0503-01. Peat extraction ceased at the Application Site in June 2020, and decommissioning activities as required by Condition 10 of the IPC Licence are currently ongoing. Subsequent to the completion of decommissioning activities, rehabilitation works will commence at the Application Site. A full description of decommissioning and rehabilitation activities is provided in Chapter 4: Project Description.

2.1.1

Historical Background of Peat Extraction

This section provides a background to the history of the peat industry in Ireland and the development works which have taken place at the Application Site since the 1930s.

Peatlands have long played an important cultural and economic role in Ireland, certainly long before the establishment of Bord na Móna (BnM) in 1946. Evidence shows that peatlands have been exploited as a fuel resource for well over a thousand years. Indeed, by the 17th century, turf had been established as a major fuel source across Ireland¹. By the 18th century, as urban centres, particularly Dublin, began to grow, and turf cutting to satisfy growing fuel demands began on a large scale on bogs within economical reach. This was aided by the extension of the Grand Canal, which served as a major transport route for turf to Dublin, through the Bog of Allen as far as Monasterevin, Co. Kildare in 1786. During this time, the policy of the Irish Department of Agriculture and the Bord of Trade appeared to prioritise agriculture as Ireland's sole industry, leading to a discouragement of peat fuel development due to concerns about potential competition with British coal. Surveys of peatlands were undertaken by the Bog Commissioners

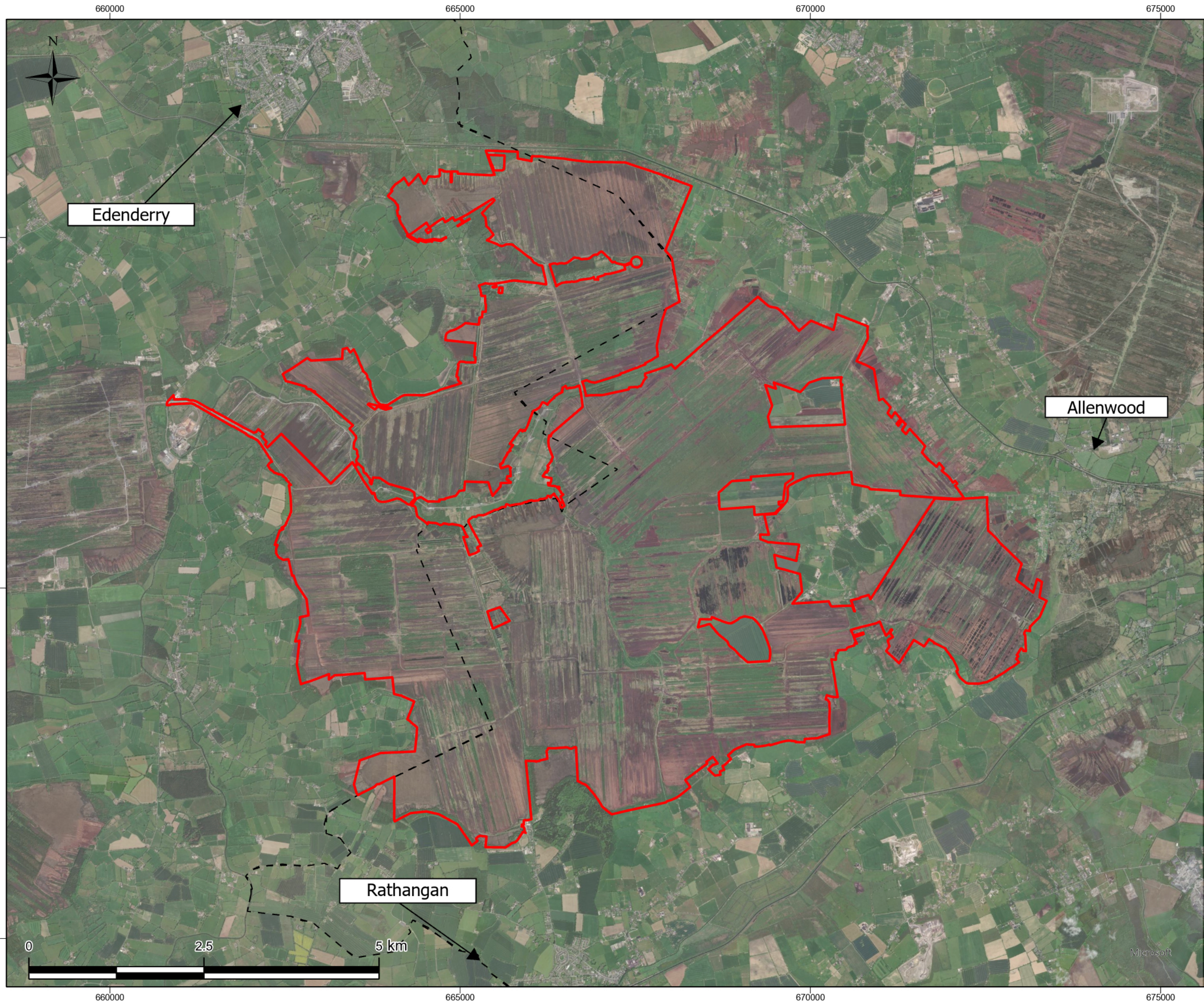
¹ Feehan, J., O'Donovan, G. (1996). "The Bogs of Ireland: An Introduction to the Natural, Cultural and Industrial Heritage of Irish Peatlands." University College Dublin.

in the early 1800s, which culminated in their publishing a series of four reports between 1810 and 1814, which examined the major bogs of Ireland specifically in relation to their suitability for use in agriculture. The Dublin Society had been actively promoting the drainage of peatlands from 1731 onward to facilitate their reclamation and repurposing as agricultural lands, with the British parliament also supporting this effort, with numerous bills presented between 1823 and 1875 following the publication of the Bog Commissioners reports. However, by the late 19th and early 20th centuries, there was a shift in emphasis towards promoting the development of Irish peatlands for fuel purposes and enhancing the quality of turf as a fuel source.

The peat industry, prior to the establishment by the Government of the Turf Development Board Ltd., which later became BnM (as discussed below), was largely underpinned by private enterprises and operators. In 1919, the Dáil established a National Commission of Enquiry into the Resources and Industries of Ireland, which in 1921 produced a report on the use of peat for power generation. This report recommended experimenting with the use of peat for electricity and the acquisition by the State of all the large bogs in the country². Interest in peatlands as a fuel resource continued, and in the early 1930s during their election campaign, Fianna Fáil made promises to the public to develop the bogs. In 1933, C.S. 'Todd' Andrews was appointed to the Department of Industry and Commerce to implement a scheme which would focus on the stimulation of private turf production, establish minimum standards for turf produced, fix prices, and organise distribution³. With the assistance of the Irish Agricultural Organisation Society, some 180 co-operative turf societies were formed to facilitate this scheme. Due to the complexities associated with managing the scheme, C.S. Andrews advocated for the streamlining of the management of national peat resources, and succeeding in persuading Government to establish the Turf Development Board Ltd.

² Ryan, H., Figgis, D., Connolly, J., Dillon, T., Moore, M., O'Shea, J. P., Sweetman, R., Tweedy, R. N. & Walsh, H. 1921. *Report on Peat, Commission of Enquiry into the Resources and Industries of Ireland*, pp. 4, 32, 35-38, 78. Dublin.

³ Andrews, C. S. 1982. *Man of no Property*, The Mercier Press, Cork.



Map Legend

Application Site Boundary

County Boundary

Spatial Reference
Name: IRENET95 Irish Transverse Mercator
Datum: IRENET95
Projection: Transverse Mercator



SITE LOCATION - NOT TO SCALE

Site Location Context (Aerial)

Project Title
**Peat Extraction at Ballydermot,
Co. Kildare and Co. Offaly**

Project No.	Drawing No.	Scale
250709	2-1	1:50,000
Drawn By	Checked By	Date
SOR	KON	23/07/2026



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2.1.2 The Turf Development Board Ltd.

The Turf Development Board Ltd ('TDB') was established in 1934 as a state-owned company financed by the exchequer, tasked with the development of peatlands. The identification of suitable peat extraction sites began in 1935, when the TDB began a systemic survey of all Irish bogs. The surveys of the bogs by the TDB built on the knowledge presented in the aforementioned Bog Commissioners reports, which provided an excellent starting point for the surveys of bogs suitable for peat extraction. From 1935 to 1937 some 13 initial surveys were carried out and over the next 17 years some 625 separate surveys were done to build an expansive knowledge of peatlands and allow informed decisions to be made with regards the selection of sites for peat extraction.

The Turf (Use and Development) Act 1936 (hereafter 'the 1936 Act') was subsequently passed by the Dáil in June 1936. One of the more significant provisions of the 1936 Act was Section 22(1) which gave the Minister power to acquire land required for the Turf Development Board's operations (i.e. 'production, the preparation for sale, or the storage of turf, or any purpose ancillary to such production, preparation, or storage') by compulsory purchase. In the same year, the Bord acquired Turraun Bog in Offaly and purchased large bogs in Clonsast, Laois, and Lyrechrumpene, Kerry. These bogs were drained and prepared for mechanised use with German "Baggers". Additionally, a peat briquette factory began operations in Lullymore, Co. Kildare in 1936, initially supplying priority industries and the railway network.

2.1.3 The War Years and the Need for Indigenous Fuel

The utilisation of peat as an indigenous fuel resource, as facilitated by the 1936 Act, came into prominence during the Second World War as a consequence of depleted coal reserves within the UK. These depleted coals reserves resulted in a shortage of imported coal into Ireland, on which energy production was largely dependent, which drove the impetus to increase our national fuel independence and security of energy supply using peat. In 1941, Hugo Flinn T.D. was appointed as Turf Controller, with a remit of overseeing the production of native fuels. Flinn established the Turf Emergency Committee, the findings from which informed the establishment by the Government of four major projects aimed at promoting the production and distribution of turf, namely by:

- Encouraging private turf production (the TDB handled publicity and marketing associated with this endeavour);
- Establishing County Council production schemes, in which County Councils took responsibility for the production of turf, with the assistance of powers bestowed on them by the Government to compulsorily acquire, work and let turf banks;
- Acquiring bogs and other lands in a scheme which became known as the 'Kildare Scheme'. The Kildare Scheme involved the crash development of c. 24,000 acres of bog, as well as the building of fourteen residential camps to house workers developing peat resources; and,
- Producing machine turf, briquettes and hand-won turf on TDB bogs.

The implementation of these Government projects during the Second World War ensured that Ireland had continuity of energy supply, at a time when the fuel imports on which the country so heavily relied, dwindled.

2.1.4 Establishment of BnM and the First Development Programme

Following the Second World War, the Irish State was keen to continue to develop indigenous fuel resources to increase national energy security, particularly in the event that imported fuels were ever

scarce again. The TDB were asked of the Government to devise a programme to develop the country's bogs. The initial result of this was the transformation of the TDB into BnM, which was established as a statutory authority responsible for the 'development of the nation's peat resources' under the Turf Development Act 1946 ('the 1946 Act'). The functions of BnM, as per Section 17(1) of the Act, are as follows:

- a. To produce and market turf and turf products;*
- b. To foster the production and use of turf and turf products;*
- c. To acquire bogs and other lands;*
- d. To manage, develop and work bogs and other lands vested in the Board [BnM]; and*
- e. Generally, to do all such other things as arise out of, or are consequential upon, the duties mentioned in the preceding paragraphs of this section.*

At this time, the Government issued a White Paper which set out a comprehensive plan for the development of the country's peat resources by mechanical methods, and which would also consequently reduce the country's reliance on imported fuel, while also providing substantial employment. This White Paper later became known as the First Development Programme. The principal proposals of the First Development Programme were as follows:

- The development of 24 no. bogs for peat extraction;
- The improvement of Lullymore Briquette Factory;
- The erection of a peat moss litter factory at Kilberry;
- The establishment of a government-funded peat research station; and,
- The building of Portarlinton, Allenwood, and Lanesborough peat-fired power stations.

The First Development Programme also outlined policies which underpinned the Government's commitment to developing the national peat resource for energy production, namely that new projects for the production of electricity were to be based on the use of turf, that all public or state-assisted housing in turf-producing areas were to have appliances suitable for burning turf, that all institutions built by local authorities were to have boilers capable of burning turf, and that any factories in turf-producing areas receiving government grants would be obliged to install turf-burning equipment.

By 1946, BnM employed 5,138 workers, and several bogs were either in development or already subject to peat extraction.

2.1.4.1 The Second Development Programme

In 1947, BnM proposed to the Government the doubling of the output of the ongoing First Development Programme. The proposal was well-received and resulted in the enactment of the Turf Development Act 1950 ('the 1950 Act'), effective from July 26th, 1950, which empowered BnM to broaden its scope of operations. This legislation marked the beginning of the Second Development Programme. Plans were made for expanding activities to achieve a capacity of two million tonnes of machine sod turf annually as well as the construction of five additional power stations at Ferbane, Rhode, and Shannonbridge Co. Offaly, Bellacorick, Co. Mayo, and Unit 2 of Lanesborough Power Station, Co. Longford. Furthermore, under Section 5(1) of the 1950 Act, BnM was granted the authority to build housing for its permanent workforce. Nine housing schemes, totalling 582 houses, were proposed to the Minister of Industry and Commerce for approval, with site development work commencing in 1951.

In the early 1950s, discussions between BnM and the Electricity Supply Board ('ESB') focused on expanding turf usage for electricity generation. They also considered the potential of milled peat as a boiler fuel for power stations. By 1952, BnM began supplying turf to the ESB's Allenwood station and identified suitable bogs for further development. In subsequent years, milled peat extraction started in the Boora bogs to fuel the planned Ferbane and Lanesborough power stations. Additionally, briquette factories were constructed, and horticultural endeavours expanded.

The Second Development Programme resulted in a significant increase in peat production output with 15 no. bogs coming into production between 1955 and 1959. Notably, BnM prepared for the construction of a milled peat power station in Bellacorrick, Co. Mayo, and development continued for the Shannonbridge station. Significant investments were also made in infrastructure, such as railways and roads within bog areas, as well as machinery development, to improve the efficiency and safety of peat extraction and transportation. By the late 1960s, BnM's operations had significantly increased, supplying seven ESB power stations. The company was also running three briquette factories and two horticultural peat factories, and the area of bogs allocated for energy, fuel, and horticultural peat production had notably expanded.

2.1.4.2 The Third Development Programme

The growing need for resources to supply the country's peat-fired power stations, and the later oil crisis emerging in the 1970s, highlighted the importance of indigenous fuel resources, and furthermore, BnM's role in supporting the provision of a robust power system. Peat emerged as a cost-effective alternative to other fuels during this period of hardship, prompting the government to request investments from BnM. In response, the Turf Development Act of August 1975 increased the company's capital borrowings to £60 million, facilitating the implementation of the Third Development Programme. This programme involved purchasing approximately 30,000 additional hectares of land and investing £164 million, including plans for expanding peat generating capacity and constructing new briquette factories.

By 1980, significant progress had been made in drainage and development works on about 17,000 hectares of the acquired land. The majority of these works related to the extension of its existing operations and the expansion of horticultural peat production. BnM became a vital contributor to Ireland's social and economic landscape, employing approximately 7,000 workers at its peak. Major civil works were carried out to extend the railway network and associated infrastructure, supporting the expansion of operations and horticultural peat production.

However, despite the increased utilisation of peat, the Third Development Programme faced financial challenges as it relied on high oil prices, which did not materialise. Additionally, the emergence of natural gas from Kinsale in 1979 and the Private Turf Development Act of 1981 led to shifts in consumer preferences towards more efficient fuels and encouraged private development of smaller bogs. Consequently, BnM's market share decreased, leading to the decision to construct only one new briquette factory in Littleton, Co. Tipperary.

2.1.4.3 After the Third Development Programme

By the late 1980s, BnM faced challenges as high-cost producers in an already costly industry. Falling energy prices exacerbated the situation, along with adverse weather conditions, particularly in 1985 and 1986. Despite these difficulties, the company's milled peat harvest in 1985 fell short of the target by 39%, leading to the difficult decision to lay off 2,300 employees by the end of August 1986. However, favourable weather in late autumn allowed for an unexpected extension of the harvesting season, resulting in 45% of the annual target being achieved during that time. Ultimately, the year's total harvest reached 78% of the target, largely due to the determination of the employees. This success prompted the company to proceed with only 350 layoffs, mostly on a voluntary basis, based on improved financial forecasts.

From 1989 to 1993, BnM implemented a rationalisation program aimed at reducing high production costs and boosting productivity. Various cost-cutting initiatives were introduced across all company operations. In the financial year 1988/89, staff costs amounted to £59.1m out of a total operating cost of £100m. Significant workforce reductions were made, and a new system called Autonomous Units was implemented, where workers were paid based on output and efficiency, resulting in productivity gains. However, around 3,500 jobs were lost during this process. Additionally, the company underwent divisionalisation in April 1989, with separate divisions established to operate autonomously, aligning the company's focus more closely with market demands and customer needs.

A key outcome arising from this rationalisation process was the commitment to secure the continued use of peat within Ireland's energy mix. In June 1993, a feasibility study for a proposed peat-fired generator ('Europeat 1' - Edenderry Power Plant) at Edenderry, Co. Offaly was submitted to the Minister for Transport, Energy and Communications, and in April 1995, an agreement was reached with the European Commission on the provision of financial support for the proposed 120MW power plant. The Ballydermot Bog Group and Derrygreenagh Bog Group were identified as the primary supply bogs for the power plant. Construction of the Edenderry Power Station was commenced in January 1999 and was commissioned for operation in December 2000.

2.1.5 Development at the Application Site

This section of the rEIAR sets out the operational history of BnM at the Application Site specifically.

1930s Development

As discussed in Section 2.1.4, prior to the establishment of BnM in 1946, hand-cut drains were introduced to Lullymore, Lullybeg and the west of Killina bog in 1935 by the Peat Fuel Company Ltd, the owners of the land at that time. Milled peat, a more mechanised form of peat production began to be extracted from these bogs that same year using the Peco milled peat harvesting method (described in Chapter 4 Section 4.2.2). This method achieved little success at this time due to the bog needing a longer period of time to dry out prior to the commencement of peat extraction resulting in a series of machine sinkages on the bogs. In 1938, 14,000 tons of milled peat was extracted from Lullymore bog significantly short of reaching the target of 50,000 tons set for the year⁴. The Peat Fuel Company Ltd built Lullymore Briquette Factory in the townland of Ticknevin which opened experimentally in the Summer of 1936. Between 1935 and 1950, milled peat was the only form of peat extracted from the Application Site, this was transported to the nearby Lullymore Briquette Factory from 1936 via the bog railway.

1940s Development

The Turf Development Board took over Lullymore Briquette Factory from the Peat Fuel Company Ltd in 1940 to aid with the fuel shortage during the emergency. In 1941 the Kildare Scheme was set up to supply Dublin with fuel from an area covering 250 square miles including the Application Site. Residential camps were set up and located at Killinthomas, Codd, Lullymore Lodge, Allenwood and Edenderry to provide labour for the scheme, each camp had the capacity to house 500 workers. Between 1940 and 1945, 686,950 tons of milled peat and 59,800 tons of briquettes were produced at Lullymore. During this time the sale of briquettes was controlled by a permit system, the briquettes supplied priority industries and the railway system. The briquettes from Lullymore Briquette factory were transported by canal until a bridge was erected over the canal in 1948 allowing for transportation by road. Peat extraction continued to expand at the application site as part of the first development programme in 1947 which aimed to produce 1,000,000 tons of sod peat annually, improve the Lullymore Briquette Factory and establish the first generation of turf fired power stations. As part of the first development programme initial drainage commenced on Ballydermot North, Ballydermot South and Blackriver bogs by 1947 and soon after the Annual Report for the year end 1st of April 1948 show expenditure on bog development work at Glashabaun North and Glashabaun South (drainage, machines, buildings, railways, engineering supplies, overhead expenses).

1950s Development

Sod peat was extracted at the Application site from 1950 to 2000. Ballydermot North, Ballydermot South and Blackriver were the first bogs within the Application Site which were subject to sod peat extraction between 1950 and 1951. The Annual Report for the year end 31st of March 1951 states that the hostel at

⁴ Clarke D. (2010) *Brown Gold: A History of BnM and the Irish Peat Industry*, Dublin: Gill & Macmillan Ltd

“Ballydermot, Co. Kildare, were completed and now conform to the improved standards of accommodation provided in newly-constructed Hostels”. Glashabaun North and Glashabaun South bogs were next to be subject to sod peat extraction in 1951. In 1952, a main railway line 4 miles in length connecting Blackriver and Lodge Works to Allenwood Power Station was completed, this involved a vertical lift bridge across the Grand Canal. By 1953, a railway line was constructed between Glashabaun Works and Blackriver Works which necessitated the erection of a bridge over the River Figile. Sod peat extraction commenced on Lodge bog in 1953 and Barnaran Bog by 1959. Sod peat was extracted to supply Portarlinton Power Station via trucks from its opening in 1950 and Allenwood Power Station via rail from its opening in 1952. Sod peat from the Application Site was also sent for domestic sale and to supply the Dublin market via trucks. In 1954 to 1957 Lullymore Briquette Factory was extended to allow for a greater capacity of briquettes and additional areas of bogs in the Application Site including the east of Killina, the south of Glashabaun South and the northwest of Barnaran were brought under development for milled peat extraction to supply the Briquette Factory. In 1955, BnM leased 55 acres of bog at Derrybrennan to the Department of Lands for an afforestation experiment to test the idea that once resources of the bogs were exhausted the cutaway could be planted with trees and the forestry managed by BnM.

1960s Development

In 1960, the afforestation experiment at Derrybrennan was taken over by An Foras Talúntais (AFT) also known as The Agricultural Research Institute. A small area of cutaway bog Lullymore was put at the disposal of AFT in the same year for water table control, soil treatment and various crop growing studies which aimed to provide valuable assistance in the future utilization of cutaway bog areas. AFT leased additional buildings and lands to establish Derrybrennan Farm, adjacent to the north of Killina here the milled peat cutaway was levelled, a drainage system installed, and a cutaway grassland established. In 1966, a Peatland Experimental Centre was established by AFT at Lullymore adjacent to the south of Killina to develop a nursery for growing ornamental shrubs and trees. The cutaway peatland was used as a test area for the growing of acid loving shrubs such as rhododendrons and azaleas for the export market. Milled peat extraction commenced on Derrybrennan bog by 1969.

1970s Development

In 1970, BnM extended the area of the nursery at Lullymore and purchased a substantial quantity of shrubs. According to the Annual Report year end 31st of March 1973 a beef systems research project at Derrybrennan Farm was developed, 80 acres of mineral soil was leased for the growing of corn, after removal of the crop the land was sowed with grass. This area was then used to develop a single suckling system and developed an 80 cow calf-breeding station for the production of stock. During 1973 development of the shrub nursery project at Lullymore continued. A total of 6 acres was fully developed and planted. Approximately 60,000 plants- azaleas, rhododendrons, ericas and andromedas were successfully rooted from cuttings during the year. Sales totalled 16,000 plants all of which were exported to Britain. They were well received by the nurseries there and were followed by repeat orders. During 1973, sod peat extraction commenced on Codd 1 bog.

The production of sod moss (detailed in Section 4.2.2.2 of Chapter 4) commenced at the end of the 1970s for its use in the horticulture industry. Ticknevin, Killina, Lullymore, Lullybeg, Barnaran and Lodge bogs were all subject to sod moss extraction during this time to supply Kilberry Factory with 130,000 cubic meters of sod moss annually. The sod moss was transported by road from the Application Site to Kilberry Factory and then from the Factory the sod moss was distributed to the horticulture industry overseas via Dublin Port. By 1977 the shrub nursery project at Lullymore has been expanded to 25 acres and 350,000 cuttings were rooted. Frost protection and an irrigation system had been installed in a shelter which ensured the production of a consistent number of plants of high quality. A total of 19 people were employed in the project by this time.

1980s Onwards Development

Development continued at the Application Site in the 1980s, the Annual Report from 1985/86 (p 19) states: *“The Third Development Programme was continued and involved the installation of a variety of new facilities at various locations during the year.”* A railway bridge over the river was completed at the Codd bogs in 1984 and a railway underpass on the Edenderry-Clonbullogue Road including a railway bridge over the Figle River was constructed between 1988 and 1989. In 1988, BnM sold Derrybrennan farm and the shrub nursery for profit.

In the 1980's, milled peat, sod moss and sod peat extraction were taking place across most of the Application Site. Sod peat supplied Portarlinton Power Station until its closure in 1988 and Allenwood Power Station until its closure in 1994. Milled peat extracted from the Application Site was transferred to Lullymore Briquette Factory until its closure in 1992, it was also used to supply the horticulture industry overseas. Sod moss was transferred to Kilberry factory via road. The closure of the sod peat fuelled power stations made the reorganisation of the drainage at the Application Site necessary. By the late 1980s works were underway to convert the drainage infrastructure in any sod peat producing bogs from sod peat drainage (as described in Section 4.2.2.2.1) to milled peat drainage (as described in Section 4.2.2.2.2). With milled peat extraction underway on the majority of the bogs by 1995 the Application Site was able to ensure supply to Edenderry Power Station when it opened in 2000.

2.2

Application Site - Operational History

The development of the Application Site commenced in the 1930s during the First Development Programme. Table 2-1 below summarises the peat extraction timelines at the Application Site.

Table 2-1 Application Site peat extraction timelines taken from Annual Reports as described in Chapter 4 of this rEIAR.

Bog Reference	Commencement of Site Preparation Works (vegetation clearance and drainage insertion)	Extraction began	Extraction Ceased
Ballydermot North	1946	1950	2020
Ballydermot South	1946	1950	2020
Blackriver	1947	1950	2020
Barnaran	1954	1959	2020
Lullybeg	1935	1935	2004
Lullymore	1935	1935	1992
Lodge	1947	1953	2020
Killina	1935	1935	2020
Derrybrennan	1959	1969	2015
Glashabaun North	1947	1951	2020
Glashabaun South	1947	1951	2020
Ticknevin	1973*	1981*	2019

Bog Reference	Commencement of Site Preparation Works (vegetation clearance and drainage insertion)	Extraction began	Extraction Ceased
Codd 1	1959*	1973*	2020
Codd 2	1973*	1981*	2019

*Estimated date indicated by available aerial imagery which are included in Appendix 4-4 of this rEIAR.

BnM records indicate that approx. 12,595,201 tonnes (sod, milled and sod moss combined) were extracted from the Application Site for the period 1935 to June 1988 inclusive, as detailed in Chapter 4 of this rEIAR. Extraction of milled peat commenced at the application site in 1935, sod peat commenced in 1950 and sod moss peat extraction commenced in 1976. Further details of estimated peat extraction volumes from 1935 to June 1988 is provided in Section 4.3.5 of Chapter 4 of this rEIAR.

Milled, sod and sod moss peat extraction continued on the Application Site after June 1988, and bin sod peat extraction commenced on the Application Site in 2000. BnM records indicate that the total volume of peat extracted at the Application Site from July 1988 to June 2020 is estimated to be 11,174,206 tonnes (sod, milled, sod moss and bin sod combined). Further details of estimated peat extraction volumes for the Peat Extraction Phase are provided in Section 4.6.1 of Chapter 4 of this rEIAR.

Industrial scale peat extraction paused across the Application Site in 2019 until June 2020 where extraction commenced again for 3 weeks in June before ceasing permanently across the Application Site in June 2020 following the High Court's judgment on Friends of the Irish Environment Ltd v Minister for Communications, Environment & Climate Action & Ors. [2019] IEHC 646, as discussed in greater detail below in Section 2.1.1, which set aside the Peat Regulations⁵ in their entirety. Peat extraction ceased when it was confirmed that peat extraction could not re-commence prior to An Bord Pleanála's (now referred to as 'An Coimisiún Pleanála') decision on an application for substitute consent, ABP Ref: SU19. 307279 (which was ultimately withdrawn by the Applicant (i.e. Bord na Móna Biomass Ltd) on the 14th of January 2021). BnM formally announced in January 2021 that all industrial scale peat extraction on lands within its management would permanently cease in line with its on-going climate action programme and its transition to becoming a climate solutions company, as discussed further below in Section 2.3.4.

During the Current Phase, the operations at the Application Site have reduced to the removal of stockpiled peat which was completed by October of 2021. Stockpile removal was primarily carried out by lorry, but some stockpiled peat was removed by rail to Edenderry Power Station.

2.2.1 Site Planning History

There have been a range of planning applications lodged for developments which are either within the overall footprint of the Application Site, or are adjacent to the Application Site, not all of which are associated with peat extraction and ancillary activities at the Application Site. Table 2-2 lists all of the valid applications within or adjacent to the Application Site boundary.

⁵ S.I. No. 4/2019 – European Union (Environmental Impact Assessment) (Peat Extraction Regulations 2019)

Table 2-2 Planning Applications adjacent to or within the Application Site Boundary

Planning Authority	Pl. Ref.	Description	Planning Authority Decision
Kildare County Council	Pl. Ref. 72702	Erection Of Covered Loading Bay & Bagging Plant	Granted - 28/02/1972
Kildare County Council	Pl Ref. 578/83	Erection of canteen at Ballydermot Works	Granted – 29/06/1983
Kildare County Council	Pl. Ref. 33472	Extension to Buildings	Granted – 26/05/1972
Kildare County Council	Pl. Ref. 7883	Erection of workshop extension	Granted - 28/02/1978
Kildare County Council	Pl. Ref. 83578	Erection Of Canteen	Granted - 28/02/1983
Kildare County Council	Pl. Ref. 841135	Erection of pilot plant at Lullymore Briquette Factory at Carbury, Co. Kildare	Granted - 28/02/1984
Kildare County Council	Pl. Ref. 85957	Erection of a beef suckling unit at Peatland Research Unit	Granted - 28/02/1985
Offaly County Council	Pl. Ref. 86184	Rail Underpass	Granted – 15/07/1986
Kildare County Council	Pl. Ref. 87251	Peat Interpretative Centre	Granted - 28/02/1987
Offaly County Council	Pl. Ref. 88182	Electric wires across Edenderry/ Rathangan Road	Granted – 14/07/1988
Kildare County Council	Pl. Ref. 89128	Loose briquette store	Granted – 04/04/1989
Kildare County Council	Pl. Ref. 891343	Alterations and additions and part change of use of The National Bogland Centre on site	Granted – 09/10/1990
Kildare County Council	Pl. Ref. 901358	Change of use of one room to craft workshop and extension to same	Granted – 11/12/1990
Offaly County Council	Pl. Ref. 97520	Construction of Railway Underbridge	Granted – 19/09/1997
Kildare County Council	Pl. Ref. 971140	To construct a Railway Underbridge	Granted – 12/11/1997

Planning Authority	Pl. Ref.	Description	Planning Authority Decision
Kildare County Council	Pl. Ref. 987	Retention of tea rooms at Lullymore Heritage Park	Granted – 21/08/1998
Kildare County Council	Pl. Ref. 12943	Erection of a guyed wind monitoring mast, with instruments, up to 100 m in height, on its lands	Granted - 07/06/2013
Kildare County Council	Pl. Ref. 17840	for an existing guyed wind monitoring mast, with instruments, 100m in height, for a further period of three years on its lands. The purpose of the mast is to assess the suitability of the company's adjacent lands for wind farm development. Original planning application reference number PL 12/943	Granted – 11/09/2017
Kildare County Council	Pl. Ref. 20307279	Substitute Consent to regularise the status of historic peat extraction (and ancillary works) on the milled peat production bogs of the Allen Bog Group located in counties Offaly, Westmeath, Laois and Kildare	Withdrawn
Offaly County Council	Pl. Ref. 97699	Railway underbridge	Granted – 19/03/1998
Kildare County Council	Pl. Ref. 201142	Retention permission for continued use of an existing guyed wind monitoring mast, with instruments, 100m in height on its lands at Blackriver Bog, Lullybeg, Co. Kildare for a further period of three years. The purpose of the mast is to assess the suitability of the company's adjacent lands for wind farm development. Previous planning application reference numbers: PL12/943 and PL17/840,	Granted – 18/05/2021
Offaly County Council	Pl. Ref. 19606 ACP Ref. 306924 20	A 10-year planning permission with a 30-year operational life for development on a site area of 60.674 hectares. The development will consist of up to 8 (eight) wind turbines with a tip height of up to 187 metres, and all associated foundations and hardstanding areas; approximately 4,750 metres of new internal access roads, associated drainage and turning areas; upgrade of approximately 3,500 metres of the existing l50062 public road including upgrade of the existing bridge; a new bridge crossing of the Figile river to provide access between turbine 3 and turbine 4; a 2,950-metre recreation trail and all associated development to include gravel pathways, a footbridge across the Figile river, a parking area, signage, information boards and outdoor fitness equipment; an off-site electrical substation and a battery energy storage facility; all associated underground electrical and communications cabling to connect the turbines to the substation including approximately 1,550m along the R401 regional road; a spoil storage area; a permanent meteorological mast up to 110.5 metres high; 2 no. Temporary construction compounds; 2 no. Temporary blade adapter set-down areas within the wind farm site and at the	Granted – 21/02/2020

Planning Authority	Pl. Ref.	Description	Planning Authority Decision
		junction of the r402 and r401 at Rathmore, Edenderry, Co. Offaly; turbine delivery route works including widening of the junction of the R420 and R402 at Ballina, Geashill, Co. Offaly and all associated site development works. The overall development is for a nine (9) turbine wind farm, with a separate planning application being submitted to Kildare County council for one (1) turbine located in the townland of Ticknevin, Carbury, Co. Kildare. An environmental impact assessment report (EIAR) and a natura impact statement (NIS) has been prepared in respect of the application	
Kildare County Council	Pl Ref. 191323 ACP Ref.	A 10-year planning permission with a 30-year operational life for development on a site area of 3.23 hectares in the townland of Ticknevin, Carbury, Co. Kildare. The development will consist of up to 1 (one) wind turbine with a tip height of up to 187 metres, and all associated foundations and hardstanding areas, 20 metres of new wind farm road, and all associated underground electrical and communications cabling. This single turbine application forms part of a larger wind farm development located within County Offaly and Kildare with a separate planning application being submitted to Offaly County Council concurrently. The overall development will consist of up to 9 turbines (8 in Offaly and 1 in Kildare) with a tip height of up to 187 metres, and all associated foundations and hardstanding areas, approximately 4,750 metres of new internal access roads, associated drainage and turning areas; upgrade of approximately 3,500 metres of the existing L50062 public road including upgrade of the existing bridge; a new bridge crossing of the Figile River to provide access between Turbine 3 and Turbine 4; a 2,950-metre recreation trail and all associated development to include gravel pathways, a footbridge across the Figile River, a parking area, signage, information boards and outdoor fitness equipment; an off-site electrical substation and a battery energy storage facility; all associated underground electrical and communications cabling to connect the turbines to the substation including approximately 1,550 metres along the R401 Regional Road, a spoil storage area; a permanent meteorological mast up to 110.5 metres high; 2 No. temporary construction compounds; 2 No. temporary blade adapter set-down areas within the wind farm site and at the junction of the R402 and R401 at Rathmore, Edenderry, Co. Offaly; turbine delivery route works including widening of the junction of the R420 and R402 at Ballina, Geashill, Co. Offaly and all associated site development works. This application is accompanied by an Environmental Impact Assessment Report and a Natura Impact Statement,	Granted - 23/09/2020

Planning Authority	Pl. Ref.	Description	Planning Authority Decision
ACP	LS19.312849	Leave to Apply for Substitute Consent for peat extraction and all associated bog development works.	Withdrawn
ACP	LS19.306241	Application for leave to apply for substitute consent under section 177C of the Planning and Development Act 2000, (as amended) to regularise the planning status of Bord na Móna historic peat extraction (and ancillary works) on the milled peat production bogs. Allen Bog Group located in counties Offaly, Westmeath, Laois and Kildare.	Board's Decision to Grant quashed by Order of the High Court
ACP	SU19.307279	Application for substitute consent in relation to Peat Extraction at Bogs in the Allen Bog Group:	Withdrawn
Offaly County Council	Pl. Ref. 22494	The development of (a) approximately 970m of new internal access roads for the permitted Cushaling wind farm (Planning ref. Pl2/ 19/606 and ABP 306924-20), (b) upgrade of approximately 560m of an existing Bord na Moná bog access road, (c) construction of a 1.6km double circuit 33kv underground collector cable from the permitted Cushaling wind farm to the permitted wind farm substation, (d) demolition and replacement of a Bord na Moná bogland access bridge and (e) relocation of the permitted Cushaling wind farm substation 25 meters southwest. A natura impact statement (NIS) will be submitted to the planning authority with the application	Granted – 04/05/2023
ACP	PA92.323980	Proposed Water Supply Project for the Eastern and Midlands Region	Decision due 30/06/2026

It should be noted that some of the planning applications listed above in Table 2-2 do not have any connection with the licenced peat extraction and ancillary activities undertaken within the Application Site. These developments have been considered within the cumulative assessment carried out as part of the rEIAR and rNIS.

2.1.1 Planning History of Peat Extraction at the Application Site

Industrial-scale peat extraction was on-going within the Application Site prior to July 1988, before the required transposition of the EIA Directive and Habitats Directive, with peat extraction commencing in 1935 within the Application Site. Peat extraction activities, which were within the definition of ‘agriculture’ with regard to turbary, were classified as exempted development under Section 4(1)(a) of the Local Government (Planning and Development) Act 1963, and this exemption was generally continued under Section 4(1)(a) of the Planning and Development Act, 2000 (‘the Act’), which stated the following:

“4. -(1) The following shall be exempted developments for the purposes of this Act –

- a. Development consisting of the use of any land for the purpose of agriculture and development consisting of the use for that purpose of any building occupied together with land so used”*

It should be noted however, that the 1963 Act included the use of the land for turbary within the definition of Agriculture, while the Act, 2000 did not. The Planning and Development Regulations 2001 (as amended) (“the Regulations”) include exemptions for certain classes of peat extraction Class 17, Part 3 (Schedule 2) refers:

Class 17 (Part 3, Schedule 2)

- a. Peat extraction in a new or extended area of less than 10 hectares, or*
- b. Peat extraction in a new or extended area of 10 hectares or more, where the drainage of the bogland commenced prior to the coming into force of these Regulations.*

The provisions of Class 17 (Subpoint b) remained relevant to the peat extraction and ancillary activities undertaken at the Application Site due to the historic nature of the drainage activities on site. The enactment of the Environment (Miscellaneous Provisions) Act 2011 on the 20th of September 2012, inserted Section 4(4) into the Act⁶,

“Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.”

Prior to the enactment of the Environment (Miscellaneous Provisions) Act 2011, Westmeath County Council referred a Section 5 Declaration of Exemption (S5-24-11) to An Bord Pleanála (‘the Board’) (now An Coimisiún Pleanála) on the 2nd of February 2012 concerning whether the drainage of boglands, peat extraction, accesses from public roads and peat handling activities at another site at Lower Coole, Mayne, County Westmeath was or was not development and whether it constituted exempted development (An Coimisiún Pleanála Ref. RL2975).

The Board concluded that the on-going development (i.e. the continuation of works to extract peat) on the subject site remained exempted development as per the adoption of The Act, despite the omission

⁶ Section 4(4) did not apply to development “completed not later than 12 months after such commencement”

of the reference to turbary in Section 2 of the Act, by virtue of Article 11⁷ of the Planning and Development Regulations 2001 and regardless of whether an EIA or AA is required. However, the Board then went on to consider whether the ongoing extraction of peat (that was not completed by the 21st of September 2011⁸) and which formed part of the Section 5 referral¹⁴ to the Board would need EIA and/or AA in the context of Section 4(4) of the Act (which had been inserted during the consideration RL.2975). The Board ultimately concluded that,

“because the development involved in continued works to extract peat from the site requires an Environmental Impact Assessment and Appropriate Assessment then, notwithstanding Article 11 of the Planning and Development Regulations 2001, any such works on or after the 20th day of September 2012 is not exempted development by virtue of section 4(4) of the Planning and Development Act, 2000, as inserted by section 17 of the Environment (Miscellaneous Provisions) Act 2011”

The Board’s decision on RL.2975 broadly established the precedent that the drainage of boglands and extraction of peat was development and not exempted development with regard to Section 4(4) of the Act. Westland Horticulture Limited and Bulrush Horticulture Limited were granted leave to seek judicial review to apply for an order of certiorari for quashing the Board’s decision on RL.2975 on the basis, inter alia, that the extraction of peat was a ‘use’, rather than works, and therefore, the development / works required to facilitate this use would have been completed ‘not later than 12 months after such commencement’ and peat extraction (as a use) should continue to be exempted development (Westland Horticulture Limited and Bulrush Horticulture Limited v An Bord Pleanála (2013/398/JR – [2018] IEHC 58). This argument was ultimately rejected by Mr. Justice Meenan in his judgment (February 2018) in which he held that peat extraction was both works and use and, as peat extraction involving a new or extended area of 30 hectares or more required EIA (Schedule 5, Part 2, Class 2a of the Regulations), planning permission was required. This decision was subject to an application for leave to appeal, which was refused on 7th December 2018, and consequently, the Board’s decision on RL.2975 was upheld by the High Court. As established by RL.2975 and the subsequent High Court judgment on [2018] IEHC 58, the need for EIA and/or AA effectively de- exempts peat extraction over 30 hectares due to the provisions of Section 4(4), and therefore, planning permission is required.

Following the High Court judgment under [2018] IEHC 58, the ‘Peat Regulations’ were enacted in January 2019, which consisted of two pieces of legislation⁹ that provided for an exemption from planning permission for large scale peat extraction activity (30ha or over) and the introduction of a regulatory framework (to include both EIA and AA) for these developments to be operated by the EPA within its activity licensing regime. The ‘Peat Regulations’ were subsequently challenged¹⁰, and ultimately quashed, by Mr Justice Simons by way of his judgment on 20th September 2019, and the following Order (18th October 2019) on the basis that they were invalid on the grounds that the legislation was inconsistent with the requirements of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (amended by Directive 2014/52/EU of 16 April 2014) (the EIA Directive) and Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the use of secondary legislation to give effect to the new licensing regime under the EPA was ultra vires. With regard to Class 17 and the introduction of Section 4(4) as discussed above, it is important to highlight the observation of Justice Simons within his consideration of [2019] IEHC 646,

⁷ Article 11 of the Planning and Development Regulations 2001 (as amended): “Development commenced prior to the coming into operation of this Part and which was exempted development for the purposes of the Act of 1963 or the 1994 Regulations, shall notwithstanding the repeal of that Act and the revocation of those Regulations, continue to be exempted development for the purposes of the Act.”

⁸ This being the date Section 17 of the Environment (Miscellaneous Provisions) Act 2011 came into force – S.I. No 474/2011 changing Section 4 of the Act.

⁹ European Union (Environmental Impact Assessment) (Peat Extraction) Regulations 2019, and Planning and Development Act 2000 (Exempted Development) Regulations 2019

¹⁰ Friends of the Irish Environment Ltd v Minister for Communications, Environment & Climate Action & Ors. [2019] IEHC 646

“One of the curious features of the approach initially taken to peat extraction under domestic legislation is that a distinction had been drawn between existing peat extraction, and peat extraction involving “new or extended” areas. Although not stated in express terms, the assumption underlying the legislation seems to have been that existing peat extraction did not have to comply with the EIA Directive. In order to benefit from this special treatment under domestic law, all that was necessary was that the drainage of the bogland had commenced prior to the coming into force of the relevant parts of the Planning and Development Regulations 2001 on 21 January 2002. Thus, it was not necessary even that the peat extraction had commenced prior to the implementation date for the EIA Directive on 27 June 1988.”

The observation of Mr Justice Simons on the interpretation of previous planning law for peat extraction activities is insightful in reflecting the ambiguity of the regulating framework for this type of activity pre-2012 / 2013.

In the interim, the Applicant had continued with the established industrial scale peat extraction in line with the conditions of its IPC Licence (Ref. P0503-01). On foot of [2019] IEHC 646, the Applicant ceased peat extraction on peatlands within its management, including the Application Site, and proceeded to prepare and lodge an application seeking leave to apply for substitute consent in December 2019 (ABP Ref. 306241) for the relevant works within a portion of the Allen Bog Group (including the Application Site) with the intention of continuing said works into the future.

The Applicant was granted leave to apply for substitute consent and subsequently lodged an application for substitute consent for the relevant peat extraction works at Bogs in the Allen Bog Group to the Board (SU19.307279) on the 2nd of June 2020. Subsequent to lodging the substitute consent application, peat extraction temporarily re-commenced at the Application Site on the 11th of June 2020 until it ceased at the end of June 2020. The Applicant formally announced in January 2021 that all industrial scale peat extraction on lands within its management would permanently cease. As such, ABP Ref. SU19.307279 was withdrawn by the Applicant on the 14^h of January 2024 due to changes in the operational requirements of the lands concerned.

The Applicant submitted a second leave to apply for substitute consent application in February 2022 (ABP Ref. LS19.312849) to regularise peat extraction and ancillary activities carried out at the Allen Bog Group, and to facilitate appropriate future uses. Following the enactment of the Amendment Act in August 2022, the substitute consent process changed from a two-step to a one-step application process i.e. the leave stage was removed. The pending leave application was subsequently deemed withdrawn by An Bord Pleanála in January 2024 in accordance with the Planning and Development, Maritime and Valuation (Amendment) Act 2022 (Commencement of Certain Provisions) (No.2) Order 2023.

As a result, substitute consent is now being sought by the Applicant of their own volition to regularise, without prejudice, the planning status of the Application Site to facilitate appropriate future uses of these lands in compliance with the requirements of the planning system. Substitute consent is being sought for the relevant peat extraction and ancillary activities that were undertaken at the Application Site from July 1988 onwards, as described in Section 1.4 of Chapter 1: Introduction. Further detail on the Project description is included in Chapter 4.

It has been established by the Court of Justice of the European Union in Case C-215/06 (Commission v. Ireland), that “substitute consent” is only permitted in exceptional cases. The judgment of the Supreme Court in *An Taisce v. An Bord Pleanála [2020] I.E.S.C. 39* found that Sections 177C(2)(a) and 177D(1)(a) of the Planning & Development Act 2000 (as amended) (“the Act”) were inconsistent with the EIA Directive, as interpreted by the Court of Justice, in that they failed to provide adequately for the exceptionality test as demanded by that Court. The Act has been amended to make adequate provision

for the exceptionality test¹¹. Accordingly, Section 177K(1A) 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.

The purpose of this current substitute consent application is to regularise, without prejudice, the planning status of peat extraction and ancillary activities within the Application Site.

2.1.2

Integrated Pollution Control Licence (IPC) Licence (Ref. P0503-01)

BnM is currently the only operator licenced by the Environmental Protection Agency (EPA), as per Part IV of the Environmental Protection Agency Act 1992, to carry out the extraction of peat in an area exceeding 50 hectares. BnM was granted its Integrated Pollution Control Licence (IPC) Licence (Ref. P0503-01) from the EPA for the Allen Bog Group, within which the Application Site is located, in addition to a number of other bogs located in Co. Offaly and Co. Kildare in May 1999. The EPA issues licences that contain strict conditions on how an activity must operate so as to protect the environment from pollution that might otherwise arise. The EPA Act, 1992 specifically prohibits the EPA from granting a licence if emissions from an activity would cause pollution¹².

The EPA has undertaken Technical Amendments of the licence on 27th of September 2012 for the purpose of aligning the operational conditions of the licence to the objectives of National and European environmental protection legislation enacted over the lifetime of the licence. The current IPC Licence contains 14 no. conditions relating to operation and monitoring, emissions to water and air, water protection, waste management and bog rehabilitation. The IPC Licence is managed by the BnM's Environmental Management Department in Land and Habitats, with Compliance Officer managing the day-to-day compliance requirements.

As per Condition 2 (Management of the Activity) of the IPC Licence, BnM is required to maintain an Environmental Management System (EMS) which fulfils the requirements of the licence and any associated objectives / targets relating to use of cleaner technology, cleaner production and the reduction and minimisation of waste. The EMS is required to form part of the Annual Environmental Report (AER), which details BnM's annual record of compliance with the terms of its licence, which is generally submitted to the EPA prior to 31st of March of each year. All AERs 2000-2025 can be found in Appendix 4-3 of this rEIAR (2018 to 2025 are available to view on the EPA's web portal¹³) and have been submitted in compliance with the conditions set out within IPC Licence P0503-01. The EPA's online web facility provides further opportunities for the public to observe records relating to the on-going licenced operations and associated assessments (the public can also make observations/complaints directly to the EPA in relation to any licenced activities) The most recent AER submitted by BnM was the AER for 2025 and covers the 2025 calendar year.

The EPA regularly audits and inspects compliance with its IPC Licences, and these reports are available on the EPA's web portal. Audits and inspections of the Allen Bog Group, which in part includes the Application Site, for 2025 were conducted in April 2025 (site visit). This site visit involved an inspection of Timahoe North and South bogs. Two observations were raised during this site visit in relation to an outstanding action in a Compliance Investigation and extraction activity occurring at Garrymore bog (c. 21km from the application site) which have now been resolved.

¹¹ Planning and Development, and Residential Tenancies Act 2020 introduced a number of alterations to Section XA of the The Act (as amended) in relation to the substitute consent process, and in particular, the consideration of exceptional circumstances as part of the overall decision-making process

¹² [Integrated Pollution Control \(IPC\) Licensing / Environmental Protection Agency](#)

¹³ [Annual Environmental Reports 2018-2024 available at: Authorisation Profile / LEAP Online](#)

There was one complaint of an environmental nature (i.e. water quality) raised on BnM's licensed activity during the 2024 calendar year; however, this complaint was of a minor to limited significance and was appropriately managed and closed out during the period with no further actions required. There have not been any open compliance investigations with the EPA since 26th January 2024 regarding BnM's nine IPC Licences, including Ref. P0503-01. The most recent AER (dated 27th March 2025) reported compliance levels of 100% for stormwater and 99% - 100% for wastewater.

2.3 Planning Policy Context

This section of the chapter outlines the planning policy relevant to the Project, including the historic planning policy (where available) that was in place at the time that the Project was carried out, along with current policy where relevant. In some cases, it has not been possible to identify the relevant policies that were in place at the time relating to the Project due to the historic nature of those policies. Where feasible, some historic policy documents have been sourced from various libraries and archives and are set out in Section 2.3.3 below.

This review and assessment conclude that the cessation of peat extraction (and proposed future uses of the Application Site) is consistent with the overarching planning policy framework with regard to achieving a climate neutral Ireland by 2050 and facilitating the promotion of proper planning and sustainable development.

2.3.1 National Policy Context

2.3.1.1 Climate Change Strategies

The use of peat as a power source in Ireland is coming to a close, however for a long period of time it was the main means by which power was generated en masse. The National Climate Change Strategy (2000) states the following with respect to the use of peat as a source of electricity:

“To the extent that peat continues to be used for power generation, its use will become more efficient with the commissioning of the new Clonbullogue plant in 2001, and the construction of two further new plants which will progressively replace all remaining, low efficiency, peat generation. These new plants will use the minimum amount of peat compatible with economic operation within the Public Service Obligation (PSO), and their construction, operation and management will be benchmarked on best industry practice to maximise the efficient use of peat” p. 33.

Under the National Climate Strategy (2007), government policy was supportive of *“co-firing of biomass with peat in power generation as a means of reducing greenhouse gas emissions and introducing additional diversity into the fuel mix for power generation.”*

The above extracts from the National Climate Strategies demonstrate the historic favourable outlook towards the use of peat for power generation in Ireland. Peat was viewed as a key component for diversifying the fuel mix for power generation whilst supporting rural economies where this peat was being extracted.

Climate policy has since changed to reflect the latest research findings on climate change and biodiversity loss. Climate policy today focuses on renewable energy, rehabilitation and restoration and the just transition. In Ireland's most recent climate policy document, the 2025 Climate Action Plan (CAP 25), the transition away from peat and oil-fired electricity generation is notable in the 32.1% reduction in greenhouse gas emissions from the electricity sector between 1990 and 2023. The considerable impact of *‘the cessation of commercial peat extraction as a feedstock for power generation’* is clearly recognised by CAP 25, with Chapter 7 titled *‘Delivering a Just Transition in the Midlands Region’*. CAP 25 supports the continued rollout of the National Just Transition Fund which aims to *‘support projects that contribute*

to the just transition to a low carbon, climate resilient economy of the wider Midlands region after the closure of peat-fired power stations. By the end of 2024, it was estimated that up to €15 million had been dispersed across 56 projects.

CAP 25 sets out a number of priorities under Chapter 7 relevant to the Application Site, which are detailed below.

7.3.1 Priority 1: *Generating employment for former peat communities by investing in the diversification of the local economy*

7.3.2 Priority 2: *Supporting the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets*

2.3.1.2 National Planning Framework – First Revision

The National Planning Framework (hereafter referred to as the ‘NPF’) was published by the Government in February 2018. The NPF has recently undergone a first revision (hereafter referred to as the ‘Revised NPF’), approved by Government on the 8th of April 2025, to reflect and address the changes that have occurred in Ireland since 2018. The Revised NPF supersedes the NPF. The Revised NPF is a 20-year planning framework designed to a focus on economic development and investment in housing, water services, transport, communications, energy, health and education infrastructure. The Revised NPF forms the top tier of the national planning policy structure and establishes the policy context for the Regional Spatial and Economic Strategies and local level development plans.

The Revised NPF notes that in the period between 2022 and 2040 it is expected that there will be roughly an extra one million people living in Ireland. This population growth will place further demand on both the built and natural environment, and subsequently, the services required to meet said demands. In order to strengthen and facilitate more environmentally focused planning at the local level, the NPF states that future planning and development will need to:

“Tackle Ireland’s higher than average carbon-intensity per capita and enable a national transition to a competitive low carbon, climate resilient and environmentally sustainable economy by 2050, through harnessing our country’s prodigious renewable energy potential.”

The Revised NPF set out key priorities at a regional level. Specifically, key priorities for the Eastern and Midland Region include:

- *Developing the potential of the region in renewable energy terms, in accordance with the capacity allocation targets set out in Chapter 9: Climate Transition and Our Environment, across the technological spectrum from wind and solar to biomass and, where applicable, wave energy, focusing in particular on the extensive tracts of publicly owned peat extraction areas in order to support a managed just transition of local economies to greener energy.*
- *Building on the progress made in developing an integrated network of greenways, blueways and peatways, that will support the diversification of rural and regional economies and promote more sustainable forms of travel and activity based recreation utilising canal and former rail and other routes.*

Chapter 9: Climate Transition and Our Environment, aims to address key national environmental challenges including the transition to a climate neutral economy, sustainable land management, renewable energy and resource efficiency. As per **National Policy Objective 66**, the NPF highlights the importance integrating climate action and environmental protection within the national planning decision-making process, particularly the provision of renewable energy infrastructure and protection / enhancement of carbon sinks.

- **NPO 66:** *The planning system will be responsive to our national environmental challenges and ensure that development occurs within environmental limits, having regard to the medium and longer-term requirements of all relevant environmental and climate legislation and the sustainable management of our natural capital.*

National Strategic Outcome 8 (*Transition to a Carbon Neutral and Climate Resilient Society*) notes that in creating Ireland's future energy landscape, new energy systems and transmission grids will be necessary to enable a more distributed energy generation which connects established and emerging energy sources, i.e. renewables, to major sources of demand. Ireland's national energy policy under **National Policy Objective 70** aims to *'Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a climate neutral economy by 2050.'*

Regional Renewable Energy Capacity Allocations have been introduced under the Revised NPF. Allocations are made by region for onshore wind and solar energy. The Eastern and Midlands Region, within which the Application Site is located, are allocated the largest number of MWs, an additional 1,966 MW by 2030. Given the large tracts of peatland in the Eastern and Midlands Region, it is clear that a significant portion of the onshore wind energy target will be developed on peatland sites.

The Revised NPF emphasises that rural areas, such as the Application Site, have a strong role to play in securing a sustainable renewable energy supply for the country and acknowledges that *"rural areas will continue to contribute to the energy needs of the country playing a strong role in securing a sustainable renewable energy supply"*. In this regard, the NPF supports *'the roll-out of renewables and protection and enhancement of carbon pools such as forests, peatlands and permanent grasslands.'*

The Revised NPF highlights that some of Ireland's cutaway bogs are *"suitable to facilitate the generation of energy, most notably wind/biomass."*. The role of peatlands in the 'Just Transition' is highlighted, with a careful balance being required *'realising the potential for renewable energy development to meet sectoral emissions targets, and the management of the potential for environmental impacts in terms of the protection and restoration of nature and cultural heritage in peatlands.'*

The future use areas such as the Application Site, is considered by the Revised NPF as a key planning and place-making priority for the Eastern and Midland Region. Acknowledging the potential of these areas to facilitate specific and direct climate action measures (e.g. rehabilitation and the green energy sector), the NPF characterises Ireland's peatlands, and the opportunities associated with their future uses including socio-economic benefits, as enabling a managed transition to low carbon economies.

2.3.1.3 National Development Plan 2021-2030

The National Development Plan 2021 – 2030 (NDP) was published on the 4th October 2021 and sets out the major public investment projects, as identified by Government, which are to play a significant role in addressing the opportunities and challenges faced by Ireland over the coming years such as Covid-19, Brexit, housing, health, population growth, and most relevant to the Project, climate change. It is stated that the NDP 2021 – 2030 will be *the 'largest and greenest ever delivered in Ireland'*, and in this regard, the NDP highlights that extensive consultation was undertaken to ensure that the plan adequately supports the implementation of climate action measures.

Reflecting on the recent publication of the IPCC's 6th Assessment Report, the NDP notes that the Irish Government is fully committed to *'playing its part'* to ensure that the worst climate change damage can be avoided, e.g. significant reductions in CO₂ and other greenhouse gas emissions as assisted by the achievement of both European and National renewable energy targets. Specifically, the NDP states that,

"The next 10 years are critical if we are to address the climate crisis and ensure a safe and bright future for the planet, and all of us on it."

The investment priorities included in this chapter [Ch. 13] must be delivered to meet the targets set out in the current and future Climate Action Plans, and to achieve our climate objectives. The investment priorities represent a decisive shift towards the achievement of a decarbonised society, demonstrating the Government's unequivocal commitment to securing a carbon neutral future."

Notwithstanding this, the NDP acknowledges that it is not its role to set out a specific blueprint for the achievement of Ireland's climate targets; but rather, facilitate capital investment allocations for the climate and environmental strategic priorities. For example, the Government has committed significant financial resources, supported by carbon tax revenues, to support the Midlands region through the *Just Transition* and will continue this programme of investment in the region over the coming years. The key focus of this investment is to support the transition of the existing workforces and the creation of new enterprise and employment opportunities associated with decarbonisation in order to provide a positive and enduring social impact.

One of the NDP's strategic investment priorities associated with the *Just Transition* is the conservation, restoration and management of Ireland's peatlands and other habitats in order to reduce carbon emissions; transition the lands towards carbon sequestration and strengthening their carbon storage potential. These projects will also provide natural capital opportunities pertaining to increased biodiversity, peatland amenity and eco-system services as well as improving water quality and attenuation. Another equally important opportunity concerning the *Just Transition* and Ireland's overall decarbonisation strategy is the need to establish a low-carbon, resilient electricity systems. The NDP commits to increasing the share of renewable electricity up to 80% by 2030. This is characterised by the NDP as an '*unprecedented commitment to the decarbonisation of electricity supplies*' and will be an explicit driver for the deployment of new renewable generators and the expansion of the Irish green sector. The regularisation of the planning status of the Application Site will enable future uses to be developed, including the potential for renewable energy uses which will contribute to the increasing the share of renewable electricity up to 80% as set out by the NDP.

2.3.1.4 National peatlands Strategy 2015-2025

The National Peatlands Strategy (NPS) was published by NPWS in 2015 and serves as a long-term strategic framework within which Irish peatlands are managed in order to optimise their social, environmental and economic contribution to the well-being of current and future generations. The NPS sets out a cross-governmental approach to managing issues that relate to peatlands, including compliance with EU environmental law, climate change, forestry, flood control, energy, nature conservation, planning and agriculture. In this regard, decisions made in peatland management can ultimately contribute to or detract from the achievement of European and national objectives and obligations, including those concerning climate change and decarbonisation.

Irish peatlands provide a range of ecosystem services, and consequently, are considered amongst the most important ecosystems of the world due to their functionality concerning biodiversity, climate regulation, water filtration and supply, and with regard to economic, amenity, heritage merits and human welfare. In recent years, scientific research has established the importance of peatlands as carbon stores and natural mitigation against some of the projected impacts of climate change. Specifically, peatlands remove carbon from the atmosphere and store it in the form of peat, and by extracting carbon over long periods and by emitting other greenhouse gases such as methane, peatlands affect and regulate the global climate. Once degraded or cutover, (i.e. industrial scale extraction,) this regulatory system is reversed, and carbon dioxide is emitted as peat decomposes (and burned as a fuel source). The role of peatlands in the carbon cycle is therefore a key consideration in their future management and will inform Ireland's response to climate change.

The NPS states that the sustainable use of peatlands, as illustrated below in Figure 2-2-2, will optimise the contribution of different economic, social and environmental services that peatlands provide. Relevant to the future of the Application Site, the NPS emphasises that the after uses of cutover peatlands should be

undertaken in a manner that minimises environmental damage, realises opportunities regarding environmental protection and enhancement and contributes to the State meeting its objectives and obligations relating to air, climate, water, nature and the environment. These objectives are captured in General Principles P2, P3 and P18 and Action A9 of the NPS:

- **P2:** The potential economic, environmental and social benefits and costs of peatland uses will be considered and applied to policy and land use decisions.
- **P3:** The future management of Ireland's peatlands will ensure the protection of threatened peatland habitats in compliance with environmental laws.
- **P18:** Environmentally, socially and economically viable options should be analysed to plan the future use of industrial cutaway peatlands, in conjunction with limiting factors as outlined in BnM's Strategic Framework for the Future Use of Peatlands
- **A9:** An examination of all publicly owned lands and privately owned cutaway will be undertaken with a view to identifying appropriate uses, which will aim to harness their potential to contribute to Ireland's environmental, ecological and economic wealth, with particular emphasis on mitigating carbon losses.

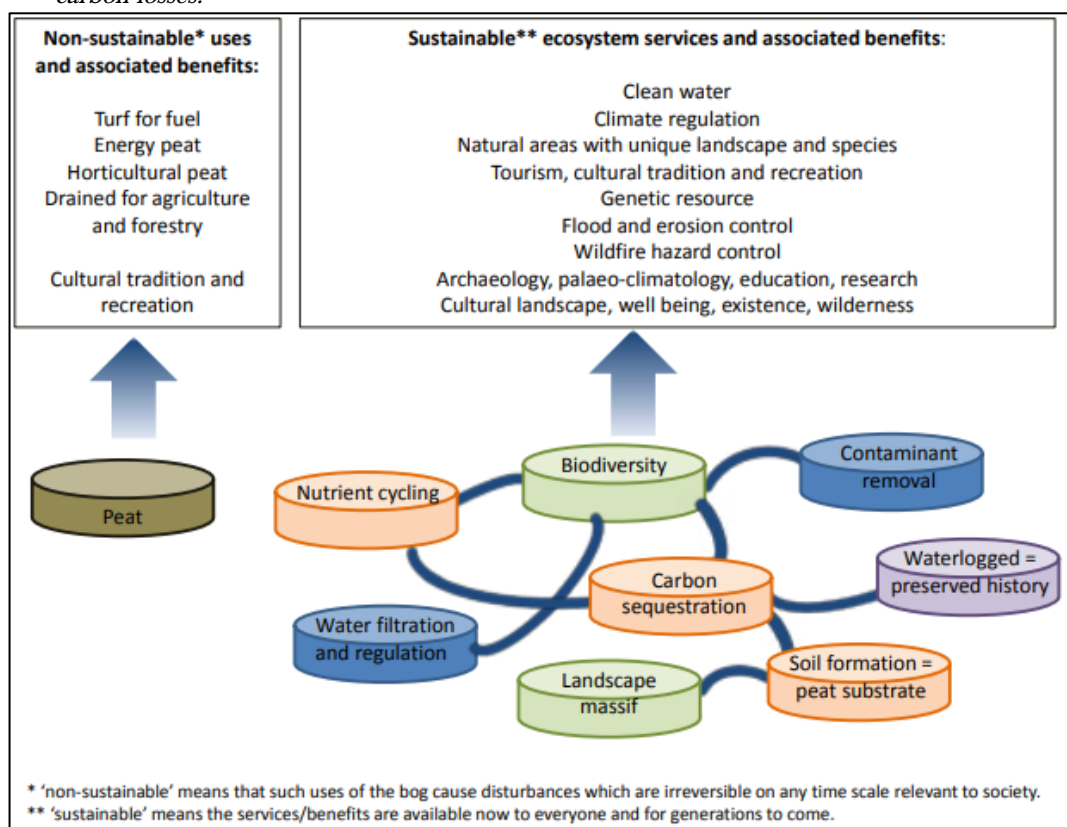


Figure 2-2-2 Use of peatlands (National Peatlands Strategy 2015)

In the context of climate action, the NPS states that, in identifying the most appropriate after use for cutover peatlands, consideration should be given to encouraging, where possible, the return to a natural functioning peatland ecosystem via re-wetting. The NPS also notes that cutover bogs have a number of advantages over other categories of land in terms of accommodating potential commercial wind farm developments. The rehabilitation and potential future uses of Application Site are considered compliant with the aims of the NPS and Principles P19, P20, P21 and P24 set out below:

- **P19:** The potential contribution of peatlands rehabilitation, restoration and enhancement to climate change mitigation and adaptation, in addition to peatland preservation, will be fully explored.
- **P20:** As part of Ireland's commitment to move towards a cleaner, more carbon efficient economy, means to reduce the dependency on peat as a source of fuel and horticultural compost will be fully explored.

- **P21:** Consideration will be given to how best cutaway bogs can contribute to a low carbon economy through their use as sites for renewable energy.
- **P24:** Coillte and BnM as the managers of significant tracts of peatlands on behalf of the Irish people will continue to show leadership in responsible management, rehabilitation and restoration of peatlands.

The implementation of the Draft Bord na Móna Cutaway Bog Decommissioning and Rehabilitation Plans for the Application Site (see Appendix 4-2 of this rEIA) will facilitate the transition from peat extraction to peatland rehabilitation contributing to achieving the abovementioned policies.

2.3.1.5 Ireland's 4th National Biodiversity Action Plan 2023-2030

The 4th National Biodiversity Action Plan, 2023 – 2030 (NBAP) was published by the National Parks and Wildlife Service in January 2024 and establishes an over-arching Government policy comprised of objectives, targets and actions aimed to achieve Ireland's Vision for Biodiversity.

"Biodiversity in Ireland is valued, conserved, restored and sustainably used, maintaining ecosystem services, sustaining a healthy planet and delivering benefits essential for all people".

As a Party to the UN Convention on Biological Diversity, Ireland has made a commitment to prepare Biodiversity Action Plans to contribute towards the Convention's targets: secure the conservation of biological diversity; sustainable use of its components; and the equitable sharing of the benefits arising out of the utilisation of genetic resources. In order to achieve these targets, the NBAP sets out 194 no. actions under a framework of 5 no. strategic objectives:

1. *Adopt a Whole-of-Government, Whole-of-Society Approach to Biodiversity;*
2. *Meet Urgent Conservation and Restoration Needs;*
3. *Secure Nature's Contribution to People;*
4. *Enhance the Evidence Base for Action on Biodiversity;*
5. *Strengthen Ireland's Contribution to International Biodiversity Initiatives;*

The NBAP states that scientific research indicates that 85% of Ireland's most valuable EU-protected habitats are in an unfavourable condition. Nearly half (46%) are continuing to decline, with the most significant losses seen in marine, peatland, grassland, and woodland habitats. While the findings of the NBAP are alarming, the NBAP does recognise the progress made under the previous NBAP 2017-2021, of which one of the key achievements is listed as follows.

'BnM implemented restoration/rehabilitation plans for peatland habitats, with almost 30,000ha rehabilitated by March 2023'

Under Objective Two – Meet Urgent Conservation and Restoration Needs, actions under Outcome 2C centre around the implementation of the Biodiversity Climate Change Adaptation Plan with a particular focus on peatlands rehabilitation and restoration. The actions relevant to the Application Site are listed below:

- **Action 2C1:** NPWS, BnM, DECC, DAFM, Coillte and other relevant stakeholders will implement the National Peatlands Strategy 2015-2025, and subsequent policy changes, taking account of the 2021 mid-term review;
- **Action 2C2:** BnM will develop and publish an updated Biodiversity Action Plan;

The rehabilitation of the Application Site, in conjunction with potential future uses such as renewable energy, will allow the Application Site to contribute towards the achievement of relevant climate action and biodiversity objectives.

2.3.1.6 National Energy and Climate Plan 2021-2030

The National Energy and Climate Plan (NECP) 2021-2030 aims to diversify and decarbonise Ireland's electricity generation sector, with the long-term objective of decarbonising the energy sector and achieving an economic transformation with a carbon neutral agriculture and land use sector by 2050.

The NECP reiterates the plan to move away from peat-fired power generation and the implementation of the Just Transition Plan for the midland's region particularly in response to the closure of two ESB power stations and the decision to cease all peat extraction a number of years earlier than had been planned. BnM's Edenderry Power Station ceased burning peat at the end of 2023 but continues to operate, firing biomass to produce electricity.

The regularisation of the planning status of the Application Site will provide the potential to allow the Application Site to contribute to the decarbonisation of the electricity generation sector.

2.3.1.7 Ireland's Transition to a Low Carbon Energy Future 2015 - 2030 White Paper

The Government White Paper entitled Ireland's Transition to a Low Carbon Energy Future 2015-2030 sets out a framework to guide Ireland's energy policy development. This White Paper sets out to guide policy and actions that the Irish Government intends to take within the energy sector up to 2030 and also reaching as far as 2050. The framework was developed in the context of the significant role played by European institutions in determining energy policy, markets and regulation. Similarly, it takes account of European and international climate change objectives.

The overall vision within the White Paper means that by 2050, greenhouse gas emissions from the energy sector will be reduced by between 80% and 95%, compared to 1990 levels, and will fall to zero or below by 2100. However, specifically in terms of non-renewable energies such as peat bogs, the White Paper notes that:

"Fuels with higher carbon content (peat and coal) will become relatively more expensive and be replaced over time by fuels with lower carbon content, for example natural gas and renewables".

It is significant as it was the first time a government has proposed the eventual elimination of fossil fuels from Ireland's energy system. The then Minister for Energy, Alex White, stated that

"high-carbon fuels like peat and coal will give way to lower-carbon or renewable alternatives in the short to medium term before fossil fuels are largely replaced by renewable energy sources by 2050. Greenhouse gas emissions from the energy sector will "fall to zero or below by 2100".

The regularisation of the planning status of the Application Site will provide the potential to allow the Application Site to contribute to the decarbonisation of the energy sector.

2.3.1.8 RePEAT Project

On 5th October 2021, the Minister for Agriculture, Food and the Marine along with Minister of State announced that their department is investing in two key projects that support the storing of carbon in our soils.

The projects will deliver increased and refined data and soil maps that inform the monitoring, reporting and verification of Greenhouse Gases (GHG) through two key actions:

- **Action no. 1:** identification of potential areas for reduced management intensity; and

➤ **Action no. 2:** the development of a National Soil Moisture Monitoring network.

The RePEAT project aims at addressing Action No. 1. The project is intended to be an interdisciplinary project that involves, “A Modern Resurvey of Mapped Irish Peatlands to Refine Assessment of Land Use Change and Progress Greenhouse Gas Removal and Emissions Inventories”.

This is because the soil maps that are currently available are not at a scale to accurately identify, at field level, the location of peat soils. Accurate peatland maps will be part of the requirements to incorporate reduced management of farmed peatlands into a larger agri-environment programme under Ireland’s CAP strategic Plan.

Research is therefore required to enable the precise identification of agricultural land use and intensity of land use on former peatlands, which will in turn facilitate better management of these systems and help to mitigate national emissions.

2.3.1.9 Electricity Generating Infrastructure 2002 - 2019

The provision of electricity generating infrastructure serves to further demonstrate policy which supported peat extraction activities. In the case of the Application Site, from 1988 to 2020 milled peat and sod peat were the forms of peat produced for energy generation, and these were transported to the nearby power stations by rail and road; Portarlinton Power Station until its closure in 1988, Allenwood Power Station until its closure in 1994, Lanesboro Power Station until its closure in 2004 and West Offaly Power Station and Edenderry Power Station until peat extraction ceased on the Application Site in 2020.

Under the National Climate Change Strategy (2000) and the Green Paper on Sustainable Energy (1999), a number of electricity plants were granted approval.

The National Climate Change Strategy (2000) states the following with respect to the use of peat as a source of electricity:

“To the extent that peat continues to be used for power generation, its use will become more efficient with the commissioning of the new Clonbullogue plant in 2001, and the construction of two further new plants which will progressively replace all remaining, low efficiency, peat generation. These new plants will use the minimum amount of peat compatible with economic operation within the Public Service Obligation (PSO), and their construction, operation and management will be benchmarked on best industry practice to maximise the efficient use of peat” p. 33

In granting approval for this infrastructure, An Coimisiún Pleanála stated the following:

“National security of supply is an important factor in the consideration of the acceptability of peat fired stations. It is estimated that the demand for electricity will increase by 65% between 1998 and 2010 (Green Paper on Sustainable Energy).”

Each of the permitted power plants above ceased operations in 2020.

Under the National Climate Strategy (2007), government policy states:

“The Government supports co-firing of biomass with peat in power generation as a means of reducing greenhouse gas emissions and introducing additional diversity into the fuel mix for power generation.”

BnM ceased peat extraction at the Application Site in 2020 and ceased the combustion of peat for energy generation in Edenderry Power Station in December 2023.

2.3.2 Regional Policy Context

2.3.2.1 Regional Spatial and Economic Strategy for the Eastern and Midlands Region 2019-2031

The Regional Spatial and Economic Strategy (RSES) came into effect on 28 June 2019 and provides a high-level development framework for the Eastern and Midland Region (EMRA) that supports the implementation of the NPF and the relevant economic policies and objectives of Government. The Application Site is located within the administrative boundaries of Offaly County Council, which have been part of the EMRA since January 2015.

The RSES provides a 12-year strategy to deliver the transformational change that is necessary to achieve the objectives and vision of the EMRA. The RSES includes guiding principles to be applied to development on peatlands, these are:

- Consideration of the potential contribution of peatlands to climate change mitigation and adaptation including renewable energy production;
- Consideration of the potential contribution of peatlands to an existing or proposed greenway/blueway/peatway network;
- Consideration of the ecosystem services and tourism potential provided by peatlands; and,
- Development of peatlands shall ensure that there are no negative impacts on water quality.

Other Policies in the RSES which are indirectly relevant to the Application Site include:

RPO 3.7 – Local authorities shall have regard to environmental and sustainability considerations for meeting sustainable development targets and climate action commitments, in accordance with the National Adaptation Framework. In order to recognise the potential for impacts on the environment, local authorities shall address the proper site/route selection of any new development and examine environmental constraints including but not limited to biodiversity, flooding, landscape, cultural heritage, material assets, including the capacity of services to serve any new development.

RPO 4.8.4 – Support the rural economy and initiatives in relation to diversification, agri-business, rural tourism, and renewable energy so as to sustain the employment opportunities in rural areas.

RPO 6.9 – The Regional Assembly supports the Regional Enterprise Plans to ensure that the Midlands is well positioned to address the challenges posed by the transition to a low carbon economy and renewable energy.

RPO 7.29 - Support collaboration between local authorities, the BnM Transition Team and relevant stakeholders and the development of partnership approaches to integrated peatland management that incorporate any relevant policies and strategies such as the BnM Biodiversity Plan 2016-2021 and the national Climate Mitigation and Adaptation Plans. This shall include support for the rehabilitation and/or re-wetting of suitable peatland habitats.

RPO 7.35 – EMRA shall, in conjunction with local authorities in the Region, identify Strategic Energy Zones as areas suitable for larger energy generating projects, the role of community and micro energy production in urban and rural settings and the potential for renewable energy within industrial areas. The Strategic Energy Zones for the Region will ensure all environmental constraints are addressed in the analysis. A regional landscape strategy could be developed to support delivery of projects within the Strategic Energy Zones.

RPO 7.36 – Planning policy at local authority level shall reflect and adhere to the principles and planning guidance set out in Department of Housing, Planning and Local Government

publications relating to ‘Wind Energy Development’ and the DCCAE Code of Practice for Wind Energy Development in Ireland on Guidelines for Community Engagement and any other relevant guidance which may be issued in relation to sustainable energy provisions.

Having regard to the above regional policies and outcomes, the RSES identifies the diversification and growth of smart specialisation of local economies (including energy and renewables, bioeconomy and circular economy) with a focus on publicly owned peatlands in the Midlands as key to supporting the ‘Just Transition’ and sharing the benefits of emerging green industries and technologies. In this regard, the RSES clearly acknowledges that the Region’s current reliance on traditional power sources (e.g. fossil fuels such as coal, peat and oil-fired generators) is not a sustainable long-term strategy, and in light of the climate change emergency occurring both within Ireland and at a broader global scale, the establishment of a low-carbon power system based on renewable energy is necessary pre-requisite for future development.

“The Strategy supports an increase in the amount of new renewable energy sources in the Region. This includes the use of wind energy – both onshore and offshore, biomass, and solar photovoltaics and solar thermal, both on buildings and at a larger scale on appropriate sites in accordance with National policy and the Regional Policy Objectives outlined in this Strategy”

Building on the above aim, the RSES identifies several key drivers required to support and facilitate the electricity generation via indigenous renewable sources:

- Facilitating the provision of appropriate renewable energy infrastructure and enabling technologies;
- Expansion and upgrading of the grid with the aim of increasing the share of variable renewable electricity; and,
- Moving from carbon intense fossil fuel generation to lower emissions fuels such as natural gas; and
- The need to ensure sufficient electricity to meet increased demand

The RSES supports an increase in the amount of new renewable energy sources in the Region in accordance with National policy and the RPOs outlined in this Strategy. The following RPOs ensure that regional energy resources are developed in a safe and secure way to meet projected demand levels, to meet Government Policy, to ensure a long-term, sustainable and competitive energy future for Ireland and enable energy service providers to deliver their statutory function:

RPO 7.43 (Resilience of Critical Infrastructure): *Climate Action Regional Offices and local authorities should consider the identification of critical infrastructure within their functional areas, and particularly of the interdependencies between different types of sectoral infrastructure, as a first step in ‘future-proofing’ services and to help to inform longer term adaptation planning and investment priorities; and,*

RPO 10.20: *Support and facilitate the development of enhanced electricity and gas supplies, and associated networks, to serve the existing and future needs of the Region and facilitate new transmission infrastructure projects that might be brought forward in the lifetime of this Strategy;*

The RSES references the increasing areas of cutaway peatlands within the region in the context of potential beneficial after-uses including renewable energy, biodiversity, amenity uses, water / carbon storage and other infrastructure. The majority of these proposed uses relate to both climate mitigation and adaptation measures and the need to ensure that land use changes do not impact on the ability of the natural environment to absorb climate impacts as per the following RSES Guiding Principles:

- Consideration of the potential contribution of peatlands to climate change mitigation and adaptation including renewable energy production;
- Consideration of the potential contribution of peatlands to an existing or proposed greenway/blueway/peatway network;
- Consideration of the ecosystem services and tourism potential provided by peatlands; and,

- Development of peatlands shall ensure that there are no negative impacts on water quality.

This is in line with BnM's own vision for the peatland extraction areas such as the Application Site. The regularisation of the planning status of the Application Site and the implementation of the Draft Bord na Móna Cutaway Bog Decommissioning and Rehabilitation Plans (see Appendix 4-2 of this rEIA) will contribute to the abovementioned guiding principles.

2.3.3 Local Policy Context

The Application Site is located within the functional area of Offaly and Kildare County Councils, and therefore, the planning framework applicable to the Application Site would have been set out in the relevant historic County Development Plans (CDPs), once they came into force. These are detailed below. The relevant provisions of the current CDP, the Offaly County Development Plan 2021 – 2027 and Kildare County development Plan 2023 – 2029, is set out in detail below while previous County Development Plans are also set out in this section for context, where available.

A review of the policy documents illustrates that for the lifetime of all County Development Plans, the industrial uses at the Application Site were largely consistent with local planning policy. The industrial heritage of BnM is recognised as part of the cultural heritage of the landscape and as an important contributor to the rural economy. Alongside this, policies to support the eventual transition of the peatlands have been included in more recent CDPs, acknowledging the ecological potential of the area as well as reflecting the emerging climate and energy goals.

2.3.3.1 Offaly County Development Plan 2021 - 2027

The Offaly County Development Plan 2021-2027 was adopted on 10th September 2021 and came into effect 22nd October 2021. The Plan outlines the overall strategy from proper planning and sustainable development as well as a land use plan for the County over a 6-year period. This CDP is informed by the National Planning Framework, Regional Spatial and Economic Strategy and Section 28 Guidelines and is accompanied by:

- Appropriate Assessment (AA) Screening Report and Natura Impact Report (NIR)
- Strategic Environmental Assessment (SEA)
- Strategic Flood Risk Assessment (SFRA)
- Record of Protected Structures (RPS)
- Housing Strategy including a Housing Need Demand Assessment (HNDA)
- Wind Energy Strategy

The Strategic Vision for the Plan is:

'To create a sustainable and competitive county that supports the health and wellbeing of our people and places, from urban to rural, with access to employment opportunities supported by high quality housing and physical, social and community infrastructure for all, in a climate resilient manner and with respect for our biodiversity.'

Chapter 3 of the CDP outlines the aims and objectives regarding Climate Action and Energy. The Global, European, National and Regional guidelines are briefly examined in relation to climate change adaptation and mitigation. The strategic aim of the chapter is:

'To achieve a transition to an economically competitive, low carbon climate resilient and environmentally sustainable county, through reducing the need to travel, promoting sustainable settlement patterns and modes of transport, and by reducing the use of non-renewable resources, whilst recognising the role of natural capital and ecosystem services in achieving this.'

The phasing out of peat-fired electricity generation is discussed in Section 3.4.1 of the CDP, a transition away from carbon intensive energy sources is stated as having an impact on employment and communities in the County of Offaly and the wider midlands region of Ireland. Bog restoration and rehabilitation as well as retraining and reskilling of workers are mentioned within this transition. The extensive peatlands are stated within the chapter as having:

‘considerable potential to accommodate the needs of the emerging and early deployment technologies for renewable energy and future energy storage on a regional scale such as data centres and battery energy storage’

The policies concerning peatlands in the Offaly County Development Plan 2021-2027 is as follows:

- **CAEP-16** *It is Council policy to support the preparation of a comprehensive after use framework plan for the industrial peatlands and associated workshops, office buildings and industrial sites in the midlands and adjacent parts of the north west and southern regions, which meets the environmental, economic and social needs of communities in these areas, and also demonstrating leadership in climate change mitigation and land stewardship. The Council recognises that the industrial peatlands in the midlands are a significant resource will transition to after uses ranging from amenity, tourism, biodiversity services, ‘wild areas’, flood management, climate mitigation, energy development, industry, education, conservation and many more.*
- **CAEP-17** *It is Council policy to investigate the potential for a Green Energy Hub on peatlands in the county and facilitate it if possible.*
- **CAEP-18** *It is Council policy to investigate the feasibility of an energy park with educational and amenity facilities relating to any future development of renewable energy projects of significant scale that comes forward over the lifetime of this Plan. Any development of renewable energy on cutaway bog will be required to provide increased opportunities for amenity access and educational facilities.*
- **CAEP-19** *It is Council policy that planning applications for development on or immediately adjacent to peatlands shall be accompanied by assessments considering the following issues where relevant; peatland stability, hydrology, carbon emissions balance and ecological impact assessment.*
- **CAEP-20** *It is Council policy to support the implementation of any relevant recommendations contained in the National Peatlands Strategy 2015 and any subsequent revisions.*
- **CAEO-06** *It is an objective of the Council to source E.U. and national funding to support projects which assist the transition of the industrial peatlands to sustainable after uses.*
- **CAEO-07** *It is an objective of the Council to ensure that renewable energy projects located on peatlands or in close proximity to peatlands do not negatively impact on any rehabilitation measures including enhanced rehabilitation measures (i.e. drain blocking and rewetting).*

2.3.3.2 Offaly County Development Plan 2014 - 2020

The Offaly County Development Plan 2014-2020 was adopted on 15th September 2014 and identifies as a challenge of achieving a reasonable balance between responding to central Government policy on renewable energy and enabling energy resources within the county to be harnessed in a way that is consistent with proper planning and development, in particular the historical role of the County in energy development associated with the peatlands and acknowledges the non-renewable nature of the resource. The CDP recognises BnM as the largest single landowner in the County and the opportunity presented by the cut away bogs for future land uses that can enhance both employment opportunities and habitat potential as *‘much of the area will return to wilderness and contribute to the green infrastructure network of the County’* (Section 2.3.2). In the plan period, the changing nature of the energy market is recognised, and while peat fired electrical stations are still in operation, the plan recognises the limited time remaining for such carbon based energy production. However, notwithstanding the above, the CDP states that non-renewable energy will still play a role in the generation mix for electricity, specifically peat as an energy source (Section 3.4.2). As such, in relation to the historic uses, the development takes the cut-away bogs as a baseline landscape use and landscape character with the future uses of the bogs such as the Application Site as a site of proposed future change i.e through restoration or alternative development. The Development Plan acknowledges the value of the existing transmission infrastructure left from the

legacy of peat fired stations. A number of policies and objectives relative to the historical use of the Application Site are outlined below.

➤ **Chapter 2: Economic and Enterprise Strategy**

'It is Council policy to actively encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the county, in particular, sites with antecedent uses or disused sites which were formerly ESB plants and BnM work' (Entp-07).

It is Council Policy to encourage expansion and employment in industries such as agriculture, horticulture, peatlands, food, craft, tourism and energy' (RDP-11).

The County Development Plan also recognises the potential of cutaway bog sites for wind energy development.

➤ **Chapter 3: Energy Strategy**

'The characteristics of cutaway bog appear to be particularly suitable for wind development. The individual sites on cutaway bogs are large and generally uninterrupted by hedgerows, streams, or other natural features. Many are already connected to each other via corridors i.e. bog railway routes, which will allow for transmission infrastructure and roadways to be built between sites, avoiding impacts on the public road in terms of traffic or visual impact. The areas where peatlands occur have a low density road network and are traditionally sparsely populated, and while they have not completely avoided sporadic urban generated one-off housing, they are the least densely populated areas of the county'

2.3.3.3 Offaly County Development Plan 2009-2015

The Offaly County Development Plan 2009-2015 was adopted on January 19th of 2009, replacing the Offaly County Development Plan 2003-2009. Policies related to the historical activities at the Application Site are noted below. At the time of the writing of the 2009-2025 CDP, 'after use' of cut away bogs and alternative development of cutaway bogs are being considered in the future planning and sustainable development of the county.

➤ **Chapter 3: Overall Strategy**

'The Council intends to facilitate proposals for employment generation and services improvement in this part of the county. One important action in this regard is to work closely with Bord na Mona to investigate and facilitate (were appropriate on planning grounds) the re-use and alternative development of cutaway bogs within its ownership for development which will give an employment and economic boost to the county'

➤ **Chapter 6: Employment, Economy & Enterprise**

The 32,400 ha of peatlands within the ownership of Bord na Mona are highlighted and identified as potential sites for industrial/business type generation, in particular wind/biomass energy generation. Section 6.4 acknowledges and is in favour of re-development of disused sites such as former ESB power stations and Bord na Mona works. P06-11 states: *It is Council policy to actively encourage the redevelopment of brownfield sites for enterprise and employment creation throughout the county, in particular, disused sites which were formerly ESB plants and Bord na Mona works.*

➤ **Chapter 10 Rural Development**

P10-15: It is Council policy to support the development of the peatlands within the county for appropriate alternative uses, subject to environmental considerations and nature designations.

➤ **Chapter 12: Environment**

The CDP recognises the commitment to the National Climate Change Strategy and seeks to facilitate measures which reduce emissions of greenhouse gasses in accordance with the

Kyoto Agreement. The CDP also commits to implementing ‘*relevant EU and Irish Legislation pertaining to the environment*’ (P12-08). The CDP also commits to co-operating with the EPA in regard to any licencing arrangements for scheduled industries in County Offaly in accordance with the provisions of the Environmental Protection Agency Act 1992 (P12-09).

➤ **Chapter 15: Natural Heritage**

The CDP notes that peatlands comprise the main topographical feature of the landscape in Offaly and the heritage value associated with them. As such the CDP commits to protecting areas of bogland in line with existing designations. As such the CDP sets an objective to prepare a biodiversity management strategy for Offaly’s peatlands in co-operation with BnM and other relevant authorities.

➤ **Chapter 16 Landscape and Amenities**

The preservation of landscape, views and amenities as well as places of natural beauty within the county is set out as a role of the Local Authority. To that effect the Local Authority will ensure that development respects and enhances the appearance and character of existing local landscape. The Landscape Character assessment identifies cut away bog as a moderately sensitive landscape. Lough Boora has been development as a ‘prototype’ parkland area and the CD P reiterates the need to plan for the future use of large areas of cut-away bog within County Offaly. Table 16.4 states that some cut away bog landscapes may be appropriate for sensitively designed and located development including renewable energy and/or industrial use.

2.3.3.4 Offaly County Development Plan 2003-2009

The Offaly County Development Plan 2003- 2009 was examined with regard to the Application Site and the following extract from the CDP considered of relevance to the Application Site.

The CDP recognises boglands as a major natural and archaeological resource. The development of this resource and its critical role in employment is also noted. The Council aimed to continue to promote and facilitate the conservation of a representative sample of peatlands and looked to co-operate with Dúchas and the Irish Peatland Conservation Council to have a Bog Conservation Study undertaken the remaining peat resources of County Offaly.

Plan for After-use of Industrial Peatlands (Cutaway Bogs)

‘The Council will seek the formulation of a comprehensive integrated landuse plan for the future development and utilisation of the large areas of cutaway bog, which now exists in the county. In addition, the plan should cater for development of further areas of cutaway bog, which will arise over the next thirty years as turf/peat production comes to an end of the county’s industrial boglands. There are 32,000 hectares (80,000) of peatland in BnM ownership in County Offaly. Because of the significant area of land involved, it is important to avoid piecemeal or unco-ordinated use/ development of this major resource.’

2.3.3.5 Offaly County Development Plan 1995

The Offaly County Development Plan of 1995 recognised the importance of the raised boglands as a major natural resource within the county. The importance of the development of peatlands for employment is clear. The CDP notes a major change in employment over the previous 10 years, owing to job losses at BnM. The Council state that it is an aim of the CDP to continue to support the development of peatlands for peat production:

‘The development of the County’s peat resources will be promoted and facilitated.’

However, the CDP also recognises the importance of the conservation and preservation of peatland habitats along with the potential for other peatland uses, such as tourism, amenity, educational and research purposes. The Council set a goal to secure at least 4% of the county's original peatland area for conservation.

While the continued industrialisation of peatland was supported, the Council acknowledged the need to develop a plan for the county's peatland when turf/ peat production comes to an end. The 1995 CDP states:

'The council will seek the formulation of a comprehensive integrated land use plan for the future development and utilization of the large areas of cutaway bog which now exist in the county. In addition, the plan should cater for development of the further areas of cutaway bog which will arise over the next 30 years as turf/peat production comes to an end on the County's industrial boglands. There are 32,400 hectares (80,000 acres) of peatland in BnM ownership in County Offaly. Because of the significant area of land involved; it is important to avoid piecemeal or uncoordinated use/development of this major resource.'

2.3.3.6 Offaly County Development Plan 1987

The Offaly County Development Plan 1987 recognised the significance of peatlands and peat production as an employment opportunity County Offaly. At the time of publication, over 50% of the industrial jobs in the county were provided by the joint activities of BnM and the ESB as follows:

"Over half the industrial jobs in County Offaly are provided by the joint activities of Bord na Mona and the E.S.B. Of the total 2,800 jobs provided by the two, 2,200 are provided in the seven Bord na Mona works and 600 in the three E.S.B Stations. This does not include Bord na Mona seasonal work which amounts to approximately 800 jobs every year. Many of the rural communities in the County are heavily dependent on peat-based employment. On a county-wide basis it is estimated that approximately 12,000, or one-fifth of the total population are directly dependent on this type of employment."

The 1987 CDP also recognized the heavy dependence on the peat industry and that "peat resources are running out will be major causes for concern in the coming years". With this in mind, it was anticipated that the OCC would need to cooperate with other agencies to identify new initiatives and an overall employment strategy for County Offaly.

2.3.3.7 Offaly County Development Plan 1967

The Offaly County Development Plan of 1967 details the significance of peatlands and peat production to the County Offaly. At the time of publication, 60% of the total production of BnM was attributable to peat extraction on peatlands located in County Offaly.

The importance of the industrial employment associated with BnM and peat production is highlighted. The 1967 CDP states:

'Turf production, since the event of the Turf Development Board Ltd. in 1934 and its successor, BnM, in 1946, has become of vital importance. In fact, it can be regarded as second only to agriculture in the county's employment structure.'

Records within the CDP show that, at the time, there was a total of 1,791 people working in the turf production industry, which represented 9.1% of total employment in the county.

While there is a clear optimism for the continued expansion of peat production operations and employment growth in the county, the CDP sounds a note of caution. The 1967 CDP estimated that the bogs of Offaly would be nearing the end of their commercial peat production lives by the turn of the

century. The CDP expresses the need to expand research into the potential future uses of peatlands, in particular, future uses which would provide alternative employment opportunities, especially to the towns of Ferbane, Kilcormac, Rhode, and Shannonbridge.

2.3.3.8 Kildare County Development Plan 2023-2029

The Kildare County Development Plan 2023-2029 (KCDP) came into effect 28th January 2023. The Plan outlines the overall strategy from proper planning and sustainable development as well as a land use plan for the County over a 6-year period. This CDP is informed by the National Planning Framework, Regional Spatial and Economic Strategy and Section 28 Guidelines.

The importance of climate action and renewable energy generation is outlined in ‘Chapter 7: Energy & Communication’ of the KCDP, the strategic aim of which is:

“To encourage and support energy and communications efficiency and to achieve a reasonable balance between responding to EU and National Policies on climate change, renewable energy and communications and enabling resources to be harnessed in a manner consistent with the proper planning and sustainable development of the county.”

The KCDP acknowledges the history of the County in relation to commercial peat exploitation and recognizes the “potential economic benefit of a transition from fossil fuel-based energy production through to investment in renewable energy”. The KCDP includes policy in support of long-term strategic planning for industrial peatlands as per Regional Policy Objective 4.84 of the Regional Spatial Economic Strategy:

- **EC O51:** *Support Bord na Mona in the preparation of a long-term strategic plan for the former industrial peatlands.*

CAP Actions for Natural Environment & Green Infrastructure set out an objective to “Protect and restore peatlands”, and Actions N16 and N17 have been incorporated in the Kildare Local Authority Climate Action Plan 2024-2029 (LACAP) in support of this objective:

- **N16:** *Deliver the enhanced rehabilitation of former industrial peatlands within the County in line with Ireland's National Recovery and Resilience Plan, whilst advocating and exerting influence to ensure such projects promote climate action co-benefits and do not contravene relevant environmental protection criteria or cause significant negative environmental effects.*
- **N17:** *Engage with Bord na Móna to explore the appropriate and sensitive diversification of former cutaway peatlands and development of alternative uses such as rewetting and recreational facilities under the brown to green agenda under the National Strategy on Outdoor Recreation, whilst advocating and exerting influence to ensure such projects promote climate action co-benefits and do not contravene relevant environmental protection criteria or cause significant negative environmental effects.*

The Kildare CDP also recognises peatlands as an ecological asset and the opportunity for renewable energy development and nature-based solutions to co-exist.

- **BI O54:** *Work with relevant agencies such as EMRA, BnM, the NPWS, Coillte and adjacent councils to prepare a comprehensive after use framework plan for large cutaway bog sites and associated workshops, office buildings and industrial sites which provide for future sustainable environmental needs and are a significant resource for amenities when peat harvesting ends.*

It is stated with the Kildare CDP that ‘While Bord Na Mona has clear intentions of developing extensive areas to meet government renewable targets – in the form of wind and solar farms - nonetheless, the Bog

of Allen represents a unique opportunity for nature based solutions on a grand scale to address the national biodiversity crisis and climate change mitigation.’

The Kildare CDP also highlights the potential for the creation of ‘Peatway Corridors’; a strategically planned trail network connecting through the Bog of Allen provide connections for amenity, ecology/ecosystem services. It is noted that these Peatway Corridors ‘*will be free for energy infrastructure such as solar farms and wind turbines*’.

The regulation of the planning status of the Application Site will enable the progression of any future applications for peatland after uses, such as renewable energy and amenity facilities, which are supported by the Kildare CDP.

2.3.3.9 Kildare County Development Plan 2017-2023

The Kildare County Development Plan 2017-2023 (KCDP 2017-2023) came into effect 1st March 2017, replacing the Kildare County Development Plan 2011-2017. Policies related to the historical activities at the Application Site are noted below.

➤ Chapter 7: Infrastructure

“SW 16 Recognise the important role of bogland and other wetland areas in flooding patterns. Development in these areas shall therefore be subject to a Flood Risk Assessment in accordance with the relevant guidance.”

➤ Chapter 10: Rural Development

“Bórd na Móna has produced a 15-year strategy, Sustainability 2030, which outlines the company’s plan to complete the transition from energy peat production into new sustainable business. The strategy recognises the role and responsibility of Bord na Móna in the rehabilitation of its peatlands to an environmentally sustainable condition with a higher biodiversity value.

The relevant policies in the KCDP 2017-2023 are as follows:

- **BL 1** Ensure that a balanced approach is taken to the development of the county’s peat resources and the restoration of cutaway bogs, in order to minimise the negative impact on biodiversity and the archaeological and cultural heritage of the county.
- **BL 2** Seek a balance between the peat extraction potential of the county, whilst ensuring the protection and conservation of bogland habitats. Limiting extraction to those bogland areas currently under development will help to minimise impacts by localising effects and thus protect the bog landscape character areas within the county.
- **BL 3** Take a balanced approach to the redevelopment of cutaway bogs recognising their significant landscape, environmental and heritage value. Future development should seek to conserve cutaway bogs and maximise their potential for wildlife, biodiversity, conservation and amenity in the first instance, whilst the potential for economic uses such as grassland, forestry and renewable energy in some circumstances is acknowledged, subject to the protection of the environment and landscape character.
- **BL 4** Liaise with Bord na Móna, the Irish Peatland Conservation Council, Coillte and the National Parks and Wildlife Service of the Department of Housing, Planning, Community and Local Government to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value.
- **BL 5** Seek a Hydrological Report which will also incorporate Flood Risk Assessment in accordance with the Planning Guidelines “The Planning System and Flood Risk Management (2009)” for significant developments within boglands, so as to ensure that the quality of ground

or surface water is assessed and mitigation measures identified. This assessment should address the issue of ground and slope stability.

- **BL 6** *Support the development of the peatlands within the county for appropriate alternative uses, subject to environmental considerations and nature designations.*
- **BL 7** *Recognise the potential and support the appropriate development of eco-tourism developments based on the unique characteristics and biodiversity of bogland in Kildare.*
- **REO 4** *Ensure that all new developments and practices do not undermine rural ecosystems, landscapes and conservation areas and are conducted in a manner consistent with the protection of the local environment and in line with national legislation and relevant guidelines."*

The KCDP 2017–2023 adopts a balanced policy framework regarding boglands and former peat extraction sites. It recognises the environmental sensitivity of peatlands in relation to flood risk, biodiversity, hydrology, and landscape character while also supporting their transition toward sustainable alternative uses. The KCDP prioritises environmental protection and ecological restoration as the primary objective for cutaway bogs. However, it simultaneously supports renewable energy and other appropriate economic uses, provided these are environmentally sustainable and supported by robust assessments.

2.3.3.10 Kildare County Development Plan 2011-2017

The Kildare County Development Plan 2011-2017 (KCDP 2011-2017) came into effect 2nd May 2011, replacing the Kildare County Development Plan 2005-2011. Policies related to the historical activities at the Application Site are noted below. The KCDP 2011-2017 promotes a balanced approach to the after-use of cutaway bogs, recognising the transition toward rehabilitation, biodiversity enhancement, and potential eco-tourism. It prioritises conservation of intact boglands and supports appropriate alternative uses for cutaway bogs (such as forestry or wind energy), subject to robust assessments.

Chapter 10 – Rural Development

"Bórd na Móna owns c. 8,500ha of peatlands in the county, representing c.10% of its national landholding.

Bórd na Móna is reviewing its peatlands with a view to developing a comprehensive plan for their future use after the peat production phase. Bord na Móna's Sustainability Report 2008/2009 states that it recognises its role and responsibility in the transition of the peatlands within its guardianship and to the rehabilitation and after care of such lands to an environmentally sustainable condition with a higher biodiversity value. The potential for eco-tourism based on the unique characteristics of the peatlands and the biodiversity habitats they provide is also being investigated.

The relevant policies in the KCDP 2011-2017 are as follows:

- **BL 1** *To ensure that a balanced approach is taken to the development of the county's peat resources and the restoration of cutaway bogs, in order to minimise the negative impact on biodiversity and the archaeological and cultural heritage of the county.*
- **BL 2** *To seek a balance between maximising the peat extraction potential of the county, whilst ensuring protection and conservation of bogland habitats. Limiting extraction to those bogland areas currently under development will help to minimise impacts by localising effects and thus protect the bog landscape character areas within the county.*

- **BL 3** *To take a balanced approach to the redevelopment of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity, conservation and their amenity value, whilst other portions can be utilised for economic uses such as grassland, forestry and wind energy, subject to all planning and environmental considerations being met.*
- **BL 4** *To liaise with Bord na Mona, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government, to ensure the sustainable use of cutaway bogland, with due consideration given to their ecological and amenity value.*
- **BL 5** *To seek a Hydrological Report which will also incorporate Flood Risk Assessment in accordance with the Planning Guidelines The Planning System and Flood Risk Management (2009) for significant developments within boglands so as to ensure that the quality of ground or surface water is assessed and mitigation measures identified. This assessment should address the issue of ground and slope stability.*
- **BL 6** *To support the development of the peatlands within the county for appropriate alternative uses, subject to environmental considerations and nature designations.*

Chapter 14 – Landscape, Recreation and Amenities

“It is the policy of the Council:

LL 4: *To recognise that intact boglands are critical natural resources for ecological and environmental reasons.*

LL 5: *To recognise that cutaway and cut-over boglands represent degraded landscapes and/or brownfield sites and thus are potentially robust to absorb a variety of appropriate developments.”*

The KCDP 2011-2017 reflects a shift from peat extraction toward sustainable redevelopment, biodiversity protection, environmental safeguards, and long-term ecological restoration of peatlands.

2.3.3.11 Kildare County Development Plan 2005-2011

The Kildare County Development Plan 2005-2011 (KCDP 2005-2011) was adopted by members of the Council on the 18th May 2005 and legally came into effect on the 15th June 2005. The importance of the development of peatlands is clear. The Council state that it is an aim of the KCDP 2005-2011 to continue to support the development of peatlands for peat production:

“BL 1 That in assessing bogland coverage and peat extraction activities within County Kildare, the Council shall seek to identify bogland areas currently under extraction and remnant bogland areas, so as to maximise the peat extraction potential of the county whilst ensuring protection and conservation of bogland habitats. Limiting extraction to those areas currently under development will help to minimise impacts by localising effects and thus protect the bog landscape character areas within the County.”

However, the KCDP 2005-2011 also recognises the importance of the conservation and preservation of peatland habitats along with the potential for other peatland uses, such as amenity, educational and research purposes. The Council set a goal to secure at least 4% of the county’s original peatland area for conservation.

Chapter 11 Forestry and Boglands states that *“There are approximately 24,300 hectares (60,045 acres) of land in Kildare covered by bogs, which represents 14% of the total land coverage of the county. 38% of this bogland is in industrial production with the majority (8,277 hectares) being operated by Bord na Móna. A number of bogs in the county are designated SACs, SPAs and proposed NHAs”.*

A key objective of the KCDP 2005–2011 is to “ensure that a balanced approach is taken to the development of the county’s peat resources and the restoration of cutaway bogs, in order to minimise the negative impact on biodiversity and the archaeological and cultural heritage of the county”. In support of this goal, the KCDP outlines several specific measures:

- “(1) To promote and facilitate the development of the county’s peat resources in a sustainable manner.*
- (2) To seek the conservation of designated bogs and to protect the bogland landscape character areas within the county.*
- (3) To encourage a balanced approach to the re-development of cutaway bogs.”*

Policies related to the historical activities at the Application Site are noted below.

- **BL 2** *To take a balanced approach to the re-development of cutaway bogs. Large portions of cutaway bog should be developed as areas for wildlife, biodiversity conservation and their amenity value, whilst other portions can be utilised for economic uses such as grassland, forestry and wind energy.*
- **BL 3** *To liaise with Bord na Móna, the Irish Peatland Conservation Council, Coillte, National Parks and Wildlife Service of the Department of the Environment, Heritage and Local Government, to ensure the sustainable use of cut away bogland, with due consideration given to their ecological and amenity value.*
- **BL 4** *To recognise that cutaway boglands represent degraded landscapes and/or brownfield sites and thus are potentially robust to absorb a wide variety of sympathetic developments. It should be noted that they have potential for grass and forestry, however difficulties can arise with crop production.*

Section 18.7.3 of Chapter 18 Landscape Character Areas of the KCDP 2005-2011 deals specifically with the Allen Remnant Bogs. Policies related to the historical activities at the Application Site are noted below.

- **AR 1** *To co-operate with the DOEHLG in the protection and conservation of the Allen Remnant Bog (Mouds Bog) a designated SAC.*
- **AR 2** *To promote, in conjunction with Bord na Móna and the IPCC, the amenity, ecological and educational value of Allen Remnant Bog (Mouds Bog) while at the same time ensuring the conservation of its fauna and flora.*

While the continued industrialisation of peatland was supported, the Council acknowledged the need to develop a plan for the county’s peatland when turf/ peat production comes to an end.

2.3.3.12 Kildare County Development Plan 1999-2005

The Kildare County Development Plan 1999-2005 (KCDP 1999-2005) was adopted in May 1999 and was subsequently amended by several variations, including 1, 2, 3, 4, 6, and 8. The KCDP 1999-2005 adopts a supportive position toward peat extraction, emphasising its role in sustaining employment and facilitating peat-based energy development, subject to environmental designations. It is stated that,

“Employment in agriculture, forestry and turf production, as well as mining and quarrying has fallen to the point where it now accounts for only 14% of total employment. The North-West has seen a marked decline in the peat-based economy in recent years, as a result of rationalisation, chiefly by Bord na Mona and the ESB. Employment in the services sector is now dominant accounting for 54% of total employment in the county”

The importance of the development of peatlands for employment is clear.

“The development of a peat-fired Generating Station adjoining the county (“Europeat 1”) will be of significance to Kildare, not only in terms of employment opportunities for residents of the county but also as most of its raw material will come from the boglands resource of the county. It is important that the Council should facilitate this development, through encouragement of the peat extraction, other than in Natural Heritage Areas and Areas of High Amenity, and in processing the necessary electricity supply distribution network arising from it.”

While the continued industrialisation of peatland was supported, the Council acknowledged the need to develop a plan for the county’s peatland when turf/ peat production comes to an end. Policies within the KCDP 1999-2005 in relation to the historical activities at the Application Site are noted below.

➤ **Part 1 Introduction and Review**

➤ **1.23.8 Robertstown Countryside**

The KCDP 1999-2005 recognizes The Robertstown Countryside area as an important recreational and tourism resource, featuring extensive boglands developed by Bord na Móna, canal villages such as Robertstown and Rathangan, natural amenities including Donadea Forest Park, Ballinafagh Lake, the Hill of Allen, and waterways linked to Pollardstown Fen.

➤ **1.24 Boglands**

“At present there is a total of 9,000 hectares (20,000 acres) of bogland in the county. Most of this is being or has been worked, by Bord na Mona, although in recent years there has been a small increase in private working of the bogs.

Practically all of the raised bogland in the county has been cut away or is being developed. It is considered important for educational and heritage reasons that at least one intact raised bog area should be preserved in County Kildare because of its location in the east of the county. It is considered that Carbury Bog, because of its international importance as an area of scientific interest and its status as being the most intact of the raised bogs in the East Midlands, should be considered for this preservation.

The after-use of cut away bogs in the Robertstown Countryside area is set out in the preceding section of this Plan. The policy in respect of Boglands generally is set out in paragraph 2.23 of this Plan.”

➤ **1.27 Areas of Scientific Interest**

“The county contains many areas of scientific interest, including Pollardstown Fen which is of international importance. Areas of National importance include Carbury Bog, which is of ecological interest, the Chair of Kildare/Grange Hill which is of geological interest, the Curragh, which is of both geological and ecological interest, and the Liffey Valley, which is of geomorphological and ecological interest.

Some of the areas, which were listed in the last Plan, have been designated by the Office of Public Works as Natural Heritage Areas and Special Areas of Conservation. While this will confer additional protection under national legislation, it is considered that their inclusion in the Development Plan remains warranted on planning grounds.”

➤ **Part 2 Policy**

➤ **2.25 Boglands**

“In the case of cut-away bogland, where the peat resource has been depleted, it will be Council policy to encourage the use of these areas for amenity forestry, using a growth of mixed native deciduous woodlands where possible, in line with the policies for the Robertstown Countryside, and in other areas for forestry and agriculture. In cases in which planning permission is required,

it will be the policy of the Council to ensure that the creation of tourist and amenity resources will be facilitated and that the quality of ground and surface water will not be impaired.”

➤ 2.51.1 Wind Energy

“The Council will encourage the development of wind energy, in accordance with government policy, and in particular will encourage its development in bogland areas and areas of cut-away bog, especially where there are already existing electricity power lines which can be utilised. Such developments will not generally be permitted in Areas of High Amenity, as set out in this Development Plan. Except in such Areas, the assessment of wind energy proposals will have regard to the "Guidelines for Planning Authorities on Wind Farm Development", published by the Department of the Environment, and "Planning Guidelines for Wind Energy", published by the Irish Planning Institute.”

The KCDP 1999-2005 seeks to protect designated and intact boglands of ecological value, while supporting the economic and renewable energy potential of cut-away bog areas.

2.3.3.13 Kildare County Development Plan 1985-1991

The Third Revision of the Kildare County Development Plan 1985-1991 (KCDP 1985-1991) was adopted by the Council in 1985. In relation to employment generated by the peat extraction industry in the county, the KCDP 1985-1991 states,

“The products are sod peat, briquettes and moss peat. Including office staff, there are approximately 1,000 people employed by Bord na Mona in the county.”

Policies within the KCDP 1985-1991 in relation to the historical activities at the Application Site are noted below.

➤ Part 1 – Section 1 Introduction

“Practically all of the raised bogland in County Kildare has been cut away or is being developed. It is considered important for educational and heritage reasons that at least one intact raised bog area should be preserved in County Kildare because of its location in the east of the country. A report to the European Parliament urged the total protection of Carbury Bog in County Kildare because of its National importance as an area of scientific interest and its status as being the most intact of the raised bogs in the East Midlands.

The preservation of the bog is also one of the aims of the Peatland Development Committee founded in 1979 with representatives from A.C.O.T., An Foras Taluntais, I.F.A, National Land League, Macra na Feirme, Forest & Wildlife Service, An Foras Forbartha and the Farm Development Service.”

➤ Section 2 Policy

“The council recognises the vast amenity and productive potential of the bog areas of the county. The Council will consult with bord na Móna, An Foras Taluntais and other appropriate bodies to ensure that the productive development of the bogland is carried out in such a way as not to prejudice the amenity potential. (Specific anti-amenity activities such as unauthorised dumping will be investigated and eliminated in accordance with extended powers available under the Litter Act, 1982). It is also Council policy to co-operate with the Peatland Development Committee and other interested bodies in furthering the preservation of Carbury Bog which is described in detail in S.1.26.

Carbury Bog is listed in Section 4 of Part 1 of the Plan as an area of scientific interest, with a rating of national importance together with other bog areas of regional and local interest.”

The KCDP 1985–1991 adopted a policy position that supported the productive utilisation of peatlands across the county, subject to safeguards for amenity value and designated sites of scientific importance.

2.3.3.14 Kildare County Development Plan 1984 (Draft)

Policies within the Draft Kildare County Development Plan 1984 in relation to the historical activities at the Application Site are noted below.

➤ Part 1 – Section 1 Introduction

➤ 1.26 Boglands

“Practically all of the raised bogland in County Kildare has been cut away or is being developed. It is considered important for educational and heritage reasons that at least one intact raised bog area should be preserved in County Kildare because of its location in the east of the country. A report to the European Parliament urged the total protection of Carbury Bog in County Kildare because of its National importance as an area of scientific interest and its status as being the most intact of the raised bogs in the East Midlands.

The preservation of the bog is also one of the aims of the Peatland Development Committee founded in 1979 with representatives from A.C.O.T., An Foras Taluntais, I.F.A., National Land League, Macra na Feirme, Forest & Wildlife Service, An Foras Forbartha and the Farm Development Service.”

➤ Section 2 - Development Policy

➤ 2.24 Bog Lands

“The Council recognises the vast amenity and productive potential of the bog areas of the county. The Council will consult with Bord na Mona, An Foras Taluntais and other appropriate bodies to ensure that the productive development of the bogland is carried out in such a way as not to prejudice the amenity potential. (Specific anti-amenity activities such as unauthorised dumping will be investigated and eliminated in accordance with extended powers available under the Litter Act, 1982). It is also Council policy to co-operate with the Peatland Development Committee and other interested bodies in furthering the preservation of Carbury Bog which is described in detail in S.1.26.

Carbury Bog is listed in Section 4 of Part 1 of the Plan as an area of scientific interest, with a rating of national importance together with other bog areas of regional and local interest.”

As with the KCDP 1985–1991, the draft KCDP 1984 adopted a policy position that supported the productive utilisation of peatlands across the county, subject to safeguards for amenity value and designated sites of scientific importance.

2.3.3.15 Kildare County Development Plan 1977-1984

The Kildare County Development Plan 1977–1984 (KCDP 1977-1984) acknowledges the historical significance of peatlands within the county, both as a resource for peat production and for their wider land-use potential. The KCDP 1977-1984 sets out the characteristics of different bog types and recognises opportunities for productive use.

Policies within the Kildare County Development Plan 1977-1984 in relation to the historical activities at the Application Site are noted below.

3. Peats:

“Fifteen percent of the total area of the County consists of various peat formations ranging from true fen peat to deep Sphagnum bog. Bogs have a very limited use range, rough grazing and meadows are common but a large amount of the more uneven areas is devoted to forestry.

There appears to be few problems in producing a wide range of crops on cutover bogs where there is a sufficient peat depth left after cutting, while grassland and forestry are potentially good on the shallow cutover areas.

A small area (440 acres) of typical swampy fen peat which occurs at Pollardstown near Newbridge has an extremely limited use - range."

22. Boglands

"The Council recognises the importance of the boglands as a major natural resource being raw material for power generation and peat production, and also being a major amenity area. At present, extensive research into the use of bog-lands for a variety of purposes, is being carried out."

2.3.3.16 Kildare County Development Plan 1972-1977

Policies within the Kildare County Development Plan 1972-1977 (KCDP 1972-1977) in relation to the historical activities at the Application Site are noted below.

➤ Part One – (3) Areas of High Amenity

"The following are the major areas of high amenity:

- *The Curragh and its environs.*
- *The Valley of the River Liffey.*
- *The Valley of the River Barrow.*
- *Castletown-Donaghumper area.*
- *East Kildare Uplands. (f) Carton Estate Area.*
- *Pollardstown Fen area.*
- *The Robertstown Area and Ballinacagh Lake.*

It is intended to exclude from these areas, any development which would be prejudicial to their natural beauty and it is proposed to have a selection of these areas specially surveyed with a view to considering in each case whether a special amenity area order should be made and the precise area to be covered by any such order."

➤ (4) Boglands

"At present research is being undertaken to ascertain the potential use of the boglands. The Council recognises the importance of these areas as a major natural resource and any development that might hinder their future use in the light of present knowledge will be restricted. Anti-amenity activities such as unauthorised dumping will be investigated and eliminated."

The approach to peatlands in the KCDP 1972-1977 indicates an early balance between resource use and environmental protection.

2.3.3.17 Kildare County Development Plan 1967-1972

The Kildare County Development Plan 1967-1972 (KCDP 1967-1972) states the following in relation to employment in the County.

➤ Part One - Development Policy

➤ 1.2 Population and Employment

"Irish Ropes Limited is by far the largest employer in the town; other major employers are, Newbridge Cutlery, Sanderson's, Bord na Mona, Cullen's and Doyle's."

➤ Appendix B - Survey Data

➤ 3. Employment – (c) Bord na Mona

“The Experimental Station and Central Stores employ about 90 people. The future of this employment will be dependent upon the future of the bogs. It is not expected that there will be any decrease during the period of the plan.”

The KCDP 1967-1972 indicates the significance of Bord na Móna and other key employers to local employment at the time, with peat-related activities recognised as providing a stable source of jobs dependent on the continued use of the county’s boglands.

2.3.4 BnM Policy Context

2.3.4.1 Brown to Green Strategy 2018

Building on the objectives of the Strategic Framework, BnM announced its ‘Brown-to-Green’ Strategy in October 2018¹⁴ which involves 3 no. key functions to support the company’s transition from peat extraction to developing climate solutions in renewable energy, sustainable waste management, carbon storage and biodiversity conservation:

- Consolidate and simplify BnM’s business structures in order to decarbonise and reposition the company as a renewable energy, resource recovery and low carbon sustainable business;
- Accelerate plans and the development of BnM’s renewable energy and resource recovery businesses; and,
- The development of new sustainable businesses to support significant employment.

The implementation of the ‘Brown-to-Green’ Strategy between 2018 – 2020 resulted in both significant changes and progress in re-focusing and strengthening BnM’s operations to renewable energy generation, recycling and the development of other low carbon enterprises. It also ultimately resulted in cessation of peat harvesting on all land owned by the Applicant.

BnM’s formal announcement in January 2021 that all industrial scale peat extraction on lands within its management would permanently cease represents a milestone in the implementation of the ‘Brown-to-Green’ strategy, as indicated within the announcement¹⁵ details,

“The Brown to Green strategy has involved the transformation of Bord Na Móna from a traditional peat business into a climate solutions company... As we have put our new climate-focused business in place, we move on to tackle the critical challenges concerning climate change, energy supply, biodiversity and the circular economy.” - Chief Executive Tom Donnellan

BnM continues to progress its ‘Brown-to-Green’ Strategy on the basis of 4 no. core strategic actions:

- Provide Ireland with sustainable energy from renewable sources at scale;
- Effectively rehabilitate our peatlands;
- Deliver world-class waste and resource recovery solutions; and
- Help Ireland reimagine how it engages with climate action.

Any future development proposals on the Application Site will be implemented in tandem with the rehabilitation of cutover peatlands therein to ensure environmental stabilisation of the site and the optimisation of climate action benefits associated with the same. As required under their IPC Licence obligations (refer to Section 2.1.2 above), BnM must prepare and implement a rehabilitation plan for each of the bogs comprising the Allen Bog Group, following consultation with relevant stakeholders, as defined by Condition 10 of their licence (Ref. P0503-01):

¹⁴ Remarks by the Chief Executive of BnM to the Oireachtas Committee on Climate Action (13th November 2018)

¹⁵ Source - <https://www.bordnamona.ie/bord-na-mona-delivering-on-climate-action/>

10.1 Following termination of use or involvement of all or part of the site in the licensed activity, the licensee shall:

10.1.1 Decommission, render safe or remove for disposal/recovery, any soil, subsoils, buildings, plant or equipment, or any waste, materials, or substances or other matter contained therein or thereon, that may result in environmental pollution.

10.1.2 Implement the agreed cutaway bog rehabilitation plan.

The discharge of Condition 10 will facilitate the permanent rehabilitation of the Application Site in conjunction with any parallel future end-uses (such as wind energy infrastructure). Chapter 4 of this rEIAR provides a more comprehensive review of the rehabilitation plan for the Application Site. The Draft Cutaway Bog Decommissioning and Rehabilitation Plan for the Application Site can be found in Appendix 4-2.

2.3.4.2 **BnM's Sustainability 2030 Strategy and Biodiversity Action Plan 2016 - 2021**

BnM launched its first Biodiversity Action Plan in 2010 with the aim to set out a strategic plan on how it intended to build on the wealth of peatland management, rehabilitation, restoration and conservation that it has built up since its establishment in the 1940s.

The BnM Biodiversity Action Plan 2016-2021 builds on the foundation of the original core objectives and the actions set out in the 2010-2015 plan, reframing them in the current context and perspectives of peatland biodiversity management, restoration and conservation and also in the outlook for BnM as set out in the company's Sustainability 2030 report launched in October 2015.

The key objectives of the Biodiversity Action Plan are to:

- Understand the current baseline ecological condition of BnM bog areas and the biodiversity present;
- Develop methods to rehabilitate and restore peatland areas in the post-production use phase;
- Engaging with the full range of stakeholders in relation to the management of biodiversity on BnM bogs and promoting awareness of the importance of biodiversity; and

Provide a mechanism whereby the delivery and progress of the objective outlined within the Biodiversity Action Plan could be reviewed and assessed annually.

2.3.4.3 **BnM Landbank Future Uses**

BnM's operations and management of its lands have historically reflected the overarching needs and aims of the country whether being the development of a national indigenous fuel source, or now, the need to reach net zero emissions and establish a low carbon power system by 2050. In this regard, BnM has historically exhibited a forward-facing approach to how Ireland's peatlands should be utilised for the betterment of local communities and citizens. BnM's current vision of a climate neutral Ireland and its transformation into a 'climate solution' company is therefore not a matter of happenstance; but rather, a carefully considered and programmed transition based on evidence-led studies and data concerning global climate change and necessary actions required to manage same.

BnM has a vast land bank totalling approximately 80,000 hectares, or approximately 7% of the peatlands of Ireland. These lands, located mainly in the Midlands, represent not only one of the company's principal assets, but also an important resource for the nation as a whole. The publishing of BnM's 'Strategic Framework for the Future Use of Peatlands' ('Strategic Framework') in 2011 initially set out the company's long-term commitment to the sustainable economic development of the Midlands region, for the benefit, and support of, its rural communities, through a mix of appropriate new uses, including renewable energy

and other developments. Specifically, one of the key themes underpinning the Strategic Framework is the need to unlock the potential of extant and future cutover bog for renewable energy development in addition to other alternative uses such as amenity and tourism, biodiversity and ecosystem services. The co-location of renewable energy infrastructure and other appropriate alternatives uses on cutover bog was considered a key driver in achieving a 'low carbon and climate resilient Ireland'¹⁶ within this early strategy.

2.3.5 Planning Policy Conclusions

As demonstrated by the strategic policies and objectives set out, national, regional and local planning policy, the investment in, and implementation of, climate action measures to achieve cross-sectoral decarbonisation and the establishment of low carbon economies through increased renewable energy generation is a key pre-requisite in achieving Ireland's binding climate change targets and net zero carbon energy system by 2050. These policy documents also provide support for the activities which took place at the Application Site during its production period as it provided essential employment to rural areas whilst facilitating power generation. The regularisation (without prejudice) of peat extraction and ancillary activities along with the remedial measures (set out in Chapter 4 of the rELAR) at the Application Site is considered consistent with the overarching planning framework set out in the abovementioned policy context. The rationale for this conclusion is based on the following, *inter alia*:

- The CAP 25 target of installing 9GW of onshore wind energy by 2030.
- The policies and objectives of Chapter 7 of CAP25 titled 'Delivering a Just Transition in the Midlands Region' and the continued rollout of the National Just Transition Fund
- The policies and objectives of the Revised NPF, particularly National Strategic Outcome 8 Transition to a Carbon Neutral and Climate Resilient Society.
- The NDP's strategic investment priorities associated with the Just Transition is the conservation, restoration and management of Ireland's peatlands and other habitats in order to reduce carbon emissions. The NDP also commits to increasing the share of renewable electricity up to 80% by 2030.
- The Eastern and Midland RSES emphasises the need for the sustainable management of strategic natural assets such peatlands. This requirement for proactive and sustainable management of peatland, for both socio-economic and climate action benefit, is set out in the Regional Policy Objectives, particularly RPO 4.84 and 7.29.
- The current and most recent Offaly County Development Plan 2021 - 2027 acknowledges the changing nature of peatland sites due to the phasing out of peat-fired electricity generation. It also supports potential future uses, such as wind energy, and peatland rehabilitation.
- The current and most recent Kildare County Development Plan 2023 - 2029 recognises the opportunity for after uses to be developed on post-industrial peatland sites. These future uses include renewable energy, amenity and tourism, ecosystem services and nature-based solutions.

2.4 Cumulative Impact Assessment

The EIA Directive and associated guidance documents state that, as well as considering any indirect, secondary, transboundary, short-, medium-, and long-term, permanent and temporary, positive and negative effects of the project (all of which are considered in the various chapters of this rELAR), the description of likely significant effects should include an assessment of cumulative impacts that may arise. The factors to be considered in relation to cumulative effects include population and human health, biodiversity, land, soil, water, air, climate, material assets, landscape and cultural heritage as well as the interactions between these factors.

¹⁶ Section 5.2.6 of 'Ireland 2040 Our Plan – Issues and Choices' (2016) – a paper issued in respect of public consultation for the National Framework Plan.

2.4.1 Methodology for the Cumulative Assessment of Projects

To gather a comprehensive view of cumulative impacts on the above environmental considerations and to inform the rEIA process being undertaken by An Coimisiún Pleanála, each relevant chapter within the rEIAR addresses the potential for cumulative effects to arise, where appropriate.

A cumulative impact assessment of the subject peat extraction and ancillary activities and other relevant development was undertaken with the purpose of identifying what influence the Project has had, or potentially could have, on the surrounding environment when considered cumulatively and in combination with relevant permitted, proposed and constructed projects and other land-uses in the vicinity of the Application Site. Cumulative impacts are defined as ‘*impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project*¹⁷’.

Annex IV Section 5(d) of the EIA Directive relates to information which should be included in the Environmental Impact Assessment Report. The wording is as follows:

1. A description of the likely significant effects of the project on the environment resulting from, inter alia:

(e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;

The cumulative impact assessment of projects has four principle aims:

- To establish the range and nature of existing projects within the cumulative impact study area;
- To summarise the relevant projects which have a potential to create cumulative impacts;
- To establish anticipated cumulative impact findings from expert opinions within each relevant field. Detailed cumulative impact assessments are included in each relevant section of the rEIAR.
- To identify the projects that hold the potential for cumulative interaction within the context of the subject development and discard projects that will neither directly nor indirectly contribute to cumulative impacts.

Assessment material for this cumulative impact assessment was compiled on the relevant developments within the vicinity of the Application Site with reference to Guidance contained in Section 3.7 of the Guidelines on the information to be contained in Environmental Impact Assessment Reports (EPA, 2022) and Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions (EC, 1999)

2.4.2 Projects Considered in the Cumulative Impact Assessment

2.4.2.1 Planning Applications & Permissions

A search was conducted using data from Offaly and Kildare Councils and An Coimisiún Pleanála’s planning portals to search for all planned and/or permitted planning applications within 5km of the Application Site boundary. Applications considered within this boundary include all extant permissions between July 1988 to September 2025 available on the various online portals mentioned above. This

¹⁷ Guidelines for the Assessment of Indirect and Cumulative Impacts as well as Impact Interactions, European Commission, 1999

distance was chosen as it is considered that cumulative impacts would not exist with any applications made greater than 5km from the Application Site boundary.

The majority of planning applications granted permission by the relevant planning authorities during the Peat Extraction Phase mainly relate to one-off rural dwelling houses, residential development (i.e. modification and/or re-development of existing dwellings) and agricultural development, including new entrances, sheds and ancillary plant and infrastructure. It should be noted that the commencement of peat extraction and ancillary activities within the Application Site pre-dates all decided planning applications included in the cumulative assessment. Consequently, potential impacts (e.g. traffic movements) arising from the activities associated with the Peat Extraction Phase would have been considered by the planning authorities in their assessment of planning applications within the cumulative list. A list of all planning applications considered across all cumulative impact assessments is included in Appendix 2-2

Within the 5km cumulative list, planning permissions were categorised and relevant developments were identified. The types of relevant developments considered within this study area include those associated with:

- Quarrying,
- Industrial developments,
- Intensive Agriculture,
- Forestry,
- Renewable energy,
- Peat extraction.

These planning applications have also been taken into account when describing the baseline environment and within the relevant environmental assessments comprising this rEiAR, where appropriate.

2.4.2.2 EPA Licenced Activities

EPA licensed activities refer to industrial and waste management operations that require a license from the Environmental Protection Agency under various pieces of environmental legislation. The categories of EPA licenced activities considered as part of the cumulative assessment are as follows:

- Industrial Emissions (IE) Licensing;
- Integrated Pollution Control (IPC) Licensing;
- Waste Licensing; and
- Waste Water Discharge Authorisations.

From May 2000, peat extraction and ancillary activities at the Application Site and the surrounding Allen Bog group were subject to the conditions of BnM's IPC Licence (Ref. P0503-01) from the EPA. The licence conditions, relating to operation and monitoring, emissions to water and air, water protection, waste management and bog rehabilitation, are intended for the protection, and where possible, the improvement of the environment and apply from the time of grant of the licence.

A list of all EPA licenced activities within the 5km cumulative study area is included in Appendix 2-2.

2.4.2.3 Arterial Drainage Schemes

The Office of Public Works (OPW) carried out several Arterial Drainage Schemes on catchments under the Arterial Drainage Act, 1945. Under section 37 of the 1945 Act, the OPW is required to maintain drainage works in proper repair and effective condition. These drainage works include watercourses, embankments and other structures.

Watercourses are subject to siltation and erosion, among other processes, while embankments are subject to settlement and erosion. The Boyne Arterial Drainage Scheme is located within the cumulative study area. The Boyne Arterial Drainage Scheme is particularly relevant to the Application Site as the benefitting lands to the scheme are located within the Application Site.

2.4.2.4 Licenced Forestry

Forestry licences are regulated by the Department of Agriculture, Food and the Marine (DAFM). These licences are legally required for a range of forestry activities to ensure that forestry operations are environmentally sustainable, comply with national and EU laws, and consider biodiversity, landscape, and water protection.

Commercial forestry is a land-use within the 5km cumulative study area. A list of all afforestation, clear-fell and thinning licences is included in Appendix 2-2.

2.4.2.5 Peatland Climate Action Scheme

In compliance with the IPC Licence, it is a requirement of the licensee to decommission the Application Site by removing/disposing/recovering buildings, equipment, waste etc. from the Application Site. These works are described in Section 4.8 of this rEIAR. In line with the Applicant's accelerated decarbonisation strategy, and the availability of government funding, the company has also committed to ambitious enhanced peatland decommissioning, rehabilitation and restoration measures, targeting circa 33,000ha in over 80 no. BnM bogs.

These measures are separate to those defined by the IPC Licence. This programme has been developed to optimise ecosystem service benefits of peatland rehabilitation and restoration, particularly carbon storage and reducing carbon emissions. In addition, this will also benefit biodiversity and water (water quality and catchment management), as well as providing space for local communities and people to enjoy the outdoors. The scheme is supported by Government through the Climate Action Fund and Ireland's National Recovery and Resilience Plan administered by the Department of Environment, Climate and Communications (DECC). Please see <https://www.bnmpcas.ie/> for details. The National Parks and Wildlife Service (NPWS) acts as the Scheme regulator and there is ongoing engagement with the EPA. This scheme is in addition to the IPC Licence requirements and therefore does not form part of this substitute consent application and is therefore being considered as part of the cumulative assessment.

PCAS measures are complete within areas of Lodge Bog (refer to the 2022 Lodge Bog Cutaway Bog Decommissioning and Rehabilitation Plan included in Appendix 4-2). Sites are considered for inclusion within the PCAS on a year-by-year basis and the inclusion of Ballydermot, Barnaran, Blackriver, Codd, Derrybrennan, Glashabaun, Killinagh, Lullybeg, Lullymore and Ticknevin Bogs are subject to ongoing review. In the event that future PCAS plans are not implemented or prepared, the Application Site will be rehabilitated in line with the Draft Bord na Móna Cutaway Bog Decommissioning and Rehabilitation Plans outlined and included in Appendix 4.2.

Both the enhanced rehabilitation measures (PCAS) and the proposed wind farm are cumulatively assessed in this rEIAR.

2.4.2.6 Proposed Ballydermot Wind Farm

In line with BnM's vision to assist in achieving a climate neutral Ireland by 2050, it is intended to utilise the Application Site for both peatland rehabilitation and wind energy infrastructure. BnM Powergen Ltd, a subsidiary of BNM is progressing a wind energy development consisting of 47 no. turbines through the pre-planning phase of development. It is intended that a direct application will be made to An Coimisiún Pleanála as 'Strategic Infrastructure Development' (SID) under the provisions of Section 37E of the

Planning and Development Act 2000, as amended. Following pre-application consultations with An Coimisiún Pleanála under 37B Act, An Coimisiún Pleanála determined that the proposed Ballydermot Wind Farm would be strategic infrastructure within the meaning of section 37A of the Act (ACP Ref: 310143). At the time of writing, the planning application for this development has not yet been submitted to An Coimisiún Pleanála.

2.4.2.7 Eastern and Midlands Region Water Supply Project

An application for the Eastern and Midlands Region Water Supply Project was submitted to An Coimisiún Pleanála (Case Ref: PA92.323980) on the 19th December 2025. The Water Supply Project includes a water pipeline from a new water treatment plant near Birdhill, Co. Tipperary to a termination point reservoir at Peamount, Co. Dublin. The Water Supply Project pipeline traverses the Application Site in an east- west direction across Codd 2, Glashabaun South and Derrybrennan bogs. The Water Supply Project has been considered in the Proposed Project and is considered in the relevant cumulative impact assessments in this EIAR.

2.4.3 Summary

The cumulative impact assessment list has been compiled using the best available data to provide details of plans and projects undertaken within a 5 km radius of the Application Site boundary since July 1988. The cumulative list, included in Appendix 2-2, has informed the cumulative impact assessments in the following Chapters of this rEIAR.

2.5 Scoping and Consultation

2.5.1 Scoping

Scoping is the process of determining the content, depth and extent of topics to be covered in the environmental information to be submitted to a competent authority for projects that are subject to a remedial Environmental Impact Assessment (rEIA). This process is conducted by contacting the relevant authorities and Non-Governmental Organisations (NGOs) with interest in the specific aspects of the environment with the potential to be affected by the Project. These organisations are invited to submit comments on the scope of the rEIAR and the specific standards of information they require. Comprehensive and timely scoping helps ensure that the rEIAR refers to all relevant aspects of the Project and its potential effects on the environment and provides initial feedback in the early stages of the project, when alterations are still easily incorporated into the design. In this way, scoping both informs the content and scope of the rEIAR and provides a feedback mechanism for the Project itself.

A scoping report, providing details of the Application Site and the Project, was prepared by MKO and circulated in October 2020. MKO requested the comments of the relevant personnel/bodies in their respective capacities as consultees with regards to the rEIAR process. Following the recent updates made to legislation on governing Substitute Consent as noted in Section 2.3.1 and the passage of time, another scoping report was recirculated in January 2026 with follow up requests sent in February 2026. The scoping responses from relevant personnel/bodies in their respective capacities as consultees are listed below and the relevant responses included as Appendix 2-1 of this rEIAR.

2.5.2 Scoping Responses

Table 2-3 List of Consultees and Record of Consultations

No.	Consultee	Date of Response	Response
1	An Taisce	None to date	None to date
2	Bat Conservation Ireland	22/01/2026	Bat Conservation Ireland does not provide opinions or comments on developments.
3	Bird Watch Ireland	None to date	None to date
4	Butterfly Conservation Ireland (BCI)	28/01/2026	BCI highlights the damage to priority habitats and protected species as a result of peat extraction, and that multiple remedial EIARs may be required due to the varied extraction timelines. The letter stresses the legal obligations for through environmental assessment and the need for meaningful restoration, including full re-wetting and rehabilitation under PCAS.
5	Coillte	27/01/2026, 11/02/2026	27/01/2026 Coillte confirms they have reviewed the Scoping Document and enquires what it is they need to do following review of the document. 11/02/2026 Coillte highlight an area close to the Application Site has been recently mapped to be managed for biodiversity. They have enquired about what work is proposed to be carried out on the Coillte land as part of the project.
6	Commission for Regulation of Utilities	None to date	None to date

No.	Consultee	Date of Response	Response
7	Department of Agriculture, Food and the Marine	11/02/2026	Provided information on the felling and reforestation policy and information on obtaining a Felling License prior to trees being removed.
8	Department of Climate, Energy and the Environment	None to date	None to date
9	Department of Defence	None to date	None to date
10	Department of Housing, Planning, Local Government and Heritage	11/02/2026	Noted the Department is not in a position to make specific comment on this particular referral at this time but may submit observations/recommendations at a later stage in the process.
11	Department of Culture, Communications and Sport	16/01/2026	Noted that Planning matters in general now fall within the remit of the Department of Housing, Local Government and Heritage.
12	Department of Transport	19/01/2026	Noted this is a matter under the remit of the Department of Climate, Environment and Energy and shared the Scoping Document with the Minister's private office in that Department for attention and direct reply.
13	Eastern and Midland Regional Assembly	None to date	None to date
14	Eirgrid	None to date	None to date
15	Environmental Protection Agency	11/03/2026	Referred to their scoping response issued on 16 th March 2022. Noted the presence of the IPC licence at the site and provided an opinion on the level of detail to be included in the rEIAR.
16	Faite Ireland	23/01/2026	Provided a copy of the Faite Ireland Guidelines 2023

No.	Consultee	Date of Response	Response
17	Forest Service	12/02/2026	The forestry service provided general feedback on the process and requirements for forestry licence applications and noted the note of the contents of Felling and Reforestation Policy document.
18	Geological Survey of Ireland	26/01/2026	Provided a list of publicly available datasets that are recommended to be used during the rEIAR process. Provide preliminary information on Geoheritage, GW, Geohazards, and Geochemistry of soils, surface waters and sediments
19	Health and Safety Authority	28/01/2026	Noted the Project appears to be outside their scope and have no comments to forward.
20	Health Service Executive – Dublin	None to date	None to date
21	Health Service Executive - Naas	None to date	None to date
22	Health Service Executive - Tullamore	None to date	None to date
23	Inland Fisheries Ireland (IFI)	11/02/2026	IFI highlights extensive historical peatland drainage, river modification, and habitat loss in the Figile, Slate, and wider Black River system have severely damaged critical salmon spawning and nursery habitats, contributing to the Barrow River's low salmon populations. IFI emphasises that these tributaries, though not SAC-designated, are essential to the Barrow SAC's salmon stock and offer major restoration potential. They ask that large-scale river and habitat restoration be made a central requirement of future development.

No.	Consultee	Date of Response	Response
24	Irish Peatland Conservation Council (IPCC)	30/01/2026	The IPCC highlights concern for BnM's legacy of peat extraction conflicting with today's requirements for ecological restoration under the Nature Restoration Law. IPCC emphasises that standard rehabilitation cannot prevent long-term carbon emissions, whereas enhanced, ecological and hydrologically focused rehabilitation is essential for sustainability. IPCC highlight historical lapses in site protection and encourage any future consent to include stringent, transparent, and legally binding conservation obligations.
25	Irish Red Grouse Association	None to date	None to date
26	Irish Rail	15/01/2026	This is remote from the Iarnród Éireann rail network and has no effect on it so Irish Rail have no comments to make.
27	Irish Raptor Study Group	None to date	None to date
28	Irish Wildlife Trust	19/01/2026	Noted that they had no capacity to provide a response at this time.
29	Kildare County Council – Planning Department	None to date	None to date
30	Kildare County Council – Environmental Department	21/01/2026	KCC highlighted concern for water quality impacts from peat extraction, especially sediment release, acidification, and elevated ammonium as they pose significant risks to adjacent rivers and streams. KCC ask for the report to have a thorough assessment of water quality impacts for the period after 1988 and future effects including extensive historical monitoring data

No.	Consultee	Date of Response	Response
			and consideration for the connectivity between bogs. KCC ask for the inclusion of KCC's CDP 2223-2029 Volume 1 Chapter 6 Infrastructure & Environmental Services and the current River Basin Management Plans in the assessment. KCC suggests including a separate Chapter within the report which deals with Water Quality impacts (past and future) and current or future risks to Water Quality.
31	Kildare County Council – Roads Department	None to date	None to date
32	Kildare County Council – Heritage Officer	None to date	None to date
33	Lullymore Heritage Park	None to date	None to date
34	Offaly County Council - Planning Department	None to date	None to date
35	Offaly County Council - Environment Department	None to date	None to date
36	Offaly County Council - Roads Department	None to date	None to date
37	Offaly County Council - Heritage Officer	None to date	None to date
38	Office of Public Works	None to date	None to date
39	Sustainable Energy Authority of Ireland	None to date	None to date
40	Southeast River Basin District	None to date	None to date
41	The Heritage Council	None to date	None to date

No.	Consultee	Date of Response	Response
42	Transport Infrastructure Ireland	11/02/2026	The response is aimed at a proposal for wind farm development at the site rather than Substitute Consent. The response also noted that regard should also be had to any relevant guidance available at www.TII.ie .
43	Uisce Éireann	10/02/2026	Uisce Éireann highlights the proximity of a key drinking water abstraction point to the Application Site and stresses that no activity can pose any risk to public water sources. They request that the EIAR thoroughly assess all potential hydrological and hydrogeological pathways, past and future impacts, and cumulative risks to drinking water, wastewater infrastructure, and receiving waters. Comprehensive measures, detailed monitoring, and strict compliance with Uisce Éireann standards, policies, and connection requirements must be incorporated to ensure full protection of water quality and public assets.
44	Waterways Ireland	None to date	None to date
45	Irish Aviation Authority	13/02/2026	Based on the information provided, the IAA has no comment or observations.

2.5.3 Pre-Planning Consultation

2.5.3.1.1 An Coimisiún Pleanála

Pre-Application Meeting Notes

A pre-application meeting was held between the Agent (MKO), the Applicant, and An Coimisiún Pleanála via Microsoft (MS) Teams on 19th June 2026. The meeting was held to discuss certain aspects of the Proposed Project. Those in attendance were:

On behalf of ACP:

- Lauren Murphy
- Una Crosse
- Donal Donnelly
- Mary Tucker
- Ronan Megannety

On behalf of Agent and Applicant:

- Francesca Rowson – MKO
- Shikha Gajula – MKO
- Karen O'Neill – MKO
- Eoin McCarthy – MKO
- Catriona Carter – BNM
- Emma Cross – BNM
- Andrew Reynolds – BNM
- Ellen Hillard – BNM

The design team gave an update of the Project in the form of a PowerPoint presentation which set out the following information:

- An introduction to the Proposed Project, the site, and the Applicant.
- An overview of the designates sites surrounding the Application Site
- An overview of the works for which substitute consent is being sought and outlined the Application Site's historical peat extraction activities
- Described the decommissioning and rehabilitation works undertaken to date, and the applicant's obligation under Condition 10 of the EPA IPC Licence
- A summary of the application contents, including the planning documentation and the structure of the rEIAR chapters.
- The administrative requirements, including drawing scales, inclusion of sectional drawings, submission of six hard copies and one digital copy to ACP, and planning fee requirements.

Following this presentation, further discussion was held between the project team and the representatives of ACP. Matters discussed included:

- The requirements in order for ACP to grant substitute consent
- The statement of effects in the rEIAR
- Mitigation measures
- Potential for a scoping exercise which may be requested under Section 177 of the Act