



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

Our ref: 250709

Date: 20th August 2026

Re: Substitute Consent under the provisions of Section 177E of the Planning and Development Act 2000 (as amended) for peat extraction and ancillary activities at Ballydermot within the Allen Bog Group at Ticknevin, Glashabaun North, Glashabaun South, Codd 1, Codd 2, Ballydermot North, Ballydermot South, Blackriver, Lullymore, Lullybeg, Barnaran, Killina, Derrybrennan and Lodge Bogs), located in Counties Kildare and Offaly.

Dear Sir/Madam,

MKO has been appointed by Bord na Móna Biomass Limited ('the Applicant') a subsidiary of Bord na Móna plc. to prepare and lodge an application for substitute consent with An Coimisiún Pleanála ('the Commission') in order to regularise the planning status of peat extraction and associated ancillary activities carried out at Ticknevin Bog, Glashabaun North Bog, Glashabaun South Bog, Codd 1 Bog, Codd 2 Bog, Ballydermot North Bog, Ballydermot South Bog, Blackriver Bog, Lullymore Bog, Lullybeg Bog, Barnaran Bog, Killina Bog, Derrybrennan Bog and Lodge Bog, located in Counties Kildare and Offaly (the 'Application Site'). The Applicant is seeking substitute consent for the relevant peat extraction and ancillary works in accordance with the provisions of Section 177E of the Planning and Development Act 2000 (as amended) ('the Act').

The Applicant

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

Application Site

The Application Site is located 2.2km southeast of Edenderry, 3.3km west of Allenwood, 2.4km north of Rathangan and 1.7km east of Clonbullogue Village. The site comprises 14. No. bogs located on the Offaly-Kildare County border. The bogs include: Ticknevin, Glashabaun North, Glashabaun South, Codd 1, Codd 2, Ballydermot North, Ballydermot South, Blackriver, Lullymore, Lullybeg, Barnaran, Killina, Derrybrennan and Lodge.

The site measures approximately 10 km in length from north to south, and approximately 10.7 km from east to west, at its widest point. The ITM Grid Reference co-ordinates for the approximate centre of the

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Bog Group are X 666104 Y 725170. The Application Site is generally 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.

Background of Development at the Application Site

BnM is a semi-state company which was established from the Turf Development Board Ltd. following the commencement of the Turf Development Act 1946, with the aim of developing national peat resources and thereby providing security of energy supply and economic benefit for Irish communities. In the context of the Application Site, Ballydermot Bog was first drained in 1935 by the Peat Fuel Company Ltd, the owners of the land at that time. Further bog development works pertaining to drainage, buildings, railways, power lines and stores were commenced by BnM under the Second Development Programme. The Application Site was subject to sod peat extraction from 1950 to 2020. By the 1980s, milled peat, sod moss and sod peat extraction were taking place across most of the Application Site. 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 to milled peat drainage. As drainage and clearance works were complete by 1988, all drainage works took place prior to the EIA and Habitats Directive being transposed into Irish law. Industrial-scale peat extraction ceased at the Application Site in June 2020, and the Applicant formally announced in January 2021 that peat extraction across all its land holdings would permanently cease.

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

Integrated Pollution Control Licence

The Applicant was granted an Integrated Pollution Control Licence (IPC) Licence (Ref. P0503-01) from the EPA for the Allen Bog Group, of which the Application Site is a subset, in April 2000. The IPC Licence is managed by the Applicant's Environmental Management Department in Land and Habitats, with one Compliance Officer located in these operational areas who manages the day-to-day compliance requirements.

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

Development For Which Substitute Consent Is Being Sought

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

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

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- i. *Industrial scale peat extraction (milled peat, sod peat, sod moss and bin sod) at the Application Site from 1988 to June 2020;*
- ii. *Installation, use and maintenance of surface water drainage infrastructure (drains, silt ponds, pumps) at the Application Site to facilitate peat extraction activity from 1988 to present day;*
- iii. *Vegetation clearance to facilitate peat extraction activity from 1988 to June 2020;*
- iv. *Provision of 1 no. welfare building, 1 no. handwashing facility, a toilet cubical building and an associated septic tank, 19 no. containers, 2 no. sheds, 8 no. vehicular bridges and 7 no. rail bridges;*
- v. *Use and maintenance of pre-existing railway infrastructure to facilitate peat extraction from 1988 to present day;*
- vi. *Control Measures associated with the above, inclusive of the IPC Licence measures (Ref. P0503-01) which commenced from 2000 onwards to the present day; and,*
- vii. *All associated site development and ancillary works.*

The application relates to development which is subject to an existing Integrated Pollution Control Licence (Ref. P0503-01) granted by the Environmental Protection Agency.

Exceptional Circumstances

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

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

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

As an rEIAR accompanies this application, the Department of Housing, Local Government and Heritage have been notified of the application, and it is available to view on the mapped portal of EIA applications on the EIA Portal website (Ref: 2026128).

Contents of the Application

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

- Cover Letter,
- Application Form,
- Copy of the Site Notice erected on 13th August 2026 (29 no. site notices erected, see drawing no. 250709-02),
- Copy of the Newspaper Notice published in the Leinster Express and Leinster Leader dated 11th August 2026,
- EIA Portal ID Confirmation Notice (Ref: 2026128),

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- Planning Report,
- Planning Drawings (Correspondence on drawing scales with ACP attached as Appendix 1 to this letter)
- Remedial Environmental Impact Assessment Report (rEIAR) and appendices, and
- Remedial Natura Impact Statement (rNIS) and appendices.

Planning Fee

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

Class	Calculation	Total
Class 5(d)	5,448 ha (site area) at €5 per ha	€27,240
Class 4	€3.60 for each square metre (welfare facilities, Containers, Sheds) –522.6 sq. m at €3.6 per sq. m	€1,881.36
Application Fee Total:		€29,121.36

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

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

Yours sincerely,



Ronan Dunne

Project Planner

MKO

rdunne@mkofireland.ie / +353 (0)91 735 611

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Appendix 1: Correspondence on drawing scales with ACP

FW: ACP-324044-26 - Agreement of drawing scales - Ballydermot Substitute consent application

From Ronan Dunne <rdunne@mkoireland.ie>

Date Wed 2026-08-19 12:17 PM

To Shikha Gajula <sgajula@mkoireland.ie>

From: Catherine Flynn <c.flynn@pleanala.ie>

Sent: 19 August 2026 10:16

To: Ronan Dunne <rdunne@mkoireland.ie>

Subject: RE: ACP-324044-26 - Agreement of drawing scales - Ballydermot Substitute consent application

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

Dear Ronan,

I have been asked by the Commission to respond to your email dated 19th August 2026. Please be advised that the onus is on the Applicant/Agent lodging the application for Substitute Consent to ensure that the correct documents are submitted.

Regards,

Catherine Flynn

From: Ronan Dunne

Sent: 18 August 2026 11:49

To: 'Catherine Flynn' <c.flynn@pleanala.ie>

Subject: RE: ACP-324044-26 - Agreement of drawing scales - Ballydermot Substitute consent application

Hi Catherine,

Thank you for the feedback on drawing scales.

We have reviewed the proposed drawing scales and wish to clarify some points below and regarding the scales proposed and their suitability.

It is our view that key plans at 1:20,000 are suitability scaled at A1 for the purposes of a key plan. To provide these drawings at 1:10,000, it would require the site to be covered by 3 A0 sheets, making it more difficult to read across the multiple sheets. The key plans are provided to show the corresponding layouts sheets in the layout plan/ drainage plan series and to assist the reader in navigating the detailed sheets which follow.

Similarly, the peat extraction layouts are provided at 1:20,000 at A1 to show the entirety of the site. This scale was chosen to provide the peat extraction areas across the site on a single drawing rather than multiple drawings at a closer scale. As these drawings show the hatching of areas within the site only and don't contain detailed features, it is considered that this scale is sufficient.

I have attached the key plans and peat extraction layouts for the Commission's further consideration. Please note that the drawings attached have been compressed and split across two emails in order to send via email. The version to be submitted with the application will be greater in quality.

Please do get in touch if there are further queries on this matter. If I would greatly appreciate if this could be looked at today as we do plan to submit the application in the next day or two, thanks.

Best regards,
Ronan

Ronan Dunne
Project Planner

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From: Catherine Flynn <c.flynn@pleanala.ie>

Sent: Monday 17 August 2026 15:43

Subject: RE: ACP-324044-26 - Agreement of drawing scales - Ballydermot Substitute consent application

Hi Ronan,

The Inspector has recommended the following in relation to the map query.

The following drawings should be at a scale of **1:10,000**.

- Site Layout Key Plan
- Peat Extraction Layout Plan (1988, 1995, 2004 and 2020)
- Site Drainage Key Plan and
- Site Section Map.

Regards,

Catherine

From: Ronan Dunne <rdunne@mkoireland.ie>

Sent: Tuesday, August 11, 2026 11:40 AM

To: Catherine Flynn <c.flynn@pleanala.ie>; Appeals2 <appeals@pleanala.ie>

Cc: Shikha Gajula <sgajula@mkoireland.ie>; Ronan Megannety <ronan.megannety@pleanala.ie>

Subject: ACP-324044-26 - Agreement of drawing scales - Ballydermot Substitute consent application

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Hi Catherine,

I refer to previous pre-application discussions in relation to a forthcoming substitute consent application at Ballydermot Bog (ACP pre app ref: 324044). We would like to take the opportunity to agree the drawing scales with the Commission prior to lodging the substitute consent application.

Please see attached a draft drawing schedule and some sample layouts and section. Just to note, the drawing scales are similar to those in the Lemanaghan substitute consent application (ACP Ref: 323676-25).

We intend on lodging the application at the end of this week.

Your feedback is much appreciated. If you require any further details/ drawings, please do let me know.

Best regards,

Ronan

Ronan Dunne

Project Planner

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