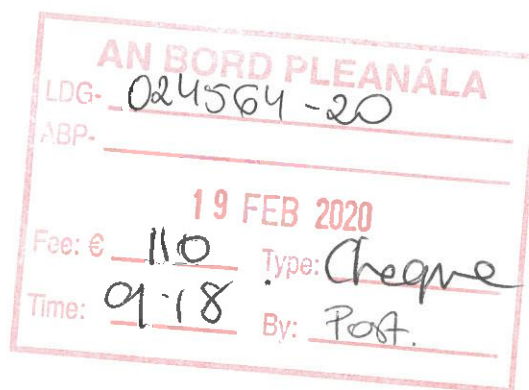




Comhairle Contae an Chabháin  
Cavan County Council



Ref. No. 246

17<sup>th</sup> February 2020

An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Cavan County Council  
Courthouse  
Farnham Street  
Cavan H12 R6V2

**Re: Declaration under Section 5 of the Planning and Development Act, 2000 - 2018.**

T: 049 437 8300

Dear Sir/Madam,

E: [info@cavancoco.ie](mailto:info@cavancoco.ie)

I enclose herewith copy of Section V Application received from Dr Patrick Moran for drainage of wetland habitat (raised bog) and mechanical disturbance and removal of peat from site at Corryrourke, Cornakill, Mullagh, Co Cavan which we refer to you for decision in accordance with Section 5(4) of the Planning and Development Act 2000

Comhairle Contae an Chabháin  
E: [eolas@cavancoco.ie](mailto:eolas@cavancoco.ie)

W: [www.cavancoco.ie](http://www.cavancoco.ie)

Fee of €110 is enclosed.

Yours faithfully,

  
Senior Staff Officer



No. 246

20<sup>th</sup> January 2020

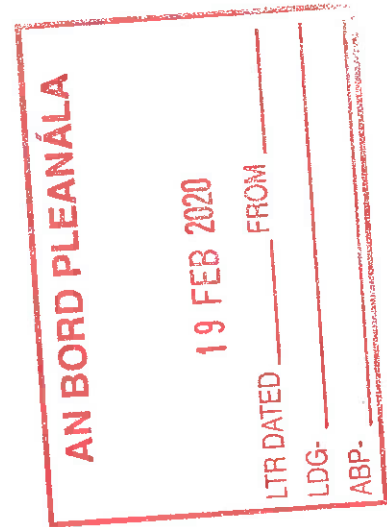
Dr Patrick Moran

Silloque

Kilberry

Navan

Co Meath



**Re: Declaration under Section 5 of the Planning and Development Act, 2000 - 2018.**

Dear Sir,

I wish to acknowledge receipt of your correspondence in the Planning Office on 20<sup>th</sup> January 2020 in relation to Section 5 of the Planning and Development Act 2000 - 2018. The Planning Authority wish to advise that the matter is being dealt with and we shall be in further contact with you in due course.

Please find attached receipt No. 53407 in the sum of €80.

Yours faithfully,

---

**Senior Staff Officer**

AN BORD PLEANÁLA

19 FEB 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

LDG- \_\_\_\_\_

ABP- \_\_\_\_\_

**Application for Declaration under Section V of the  
Planning and Development Act 2000- 2018**



1. Applicant Name: Dr Patrick Moran

2. Applicant Address: Sillaghe Kilberry, Navan  
Co. Meath  
C15R6Y3

3. Contact Telephone No: 087 7573121

4. Name and Address of Agent: \_\_\_\_\_

20 JAN 2020

5. Address to where correspondence to be sent: Sillaghe

Kilberry, Navan  
Co. Meath  
C15R6Y3

6. Location of proposed development: Corryhouse, Carnakill,  
Mucklagh, Co. Cavan

7. Is this a Protected Structure or within the curtilage of a Protected Structure?

Yes ☐ No ☒

**Cavan Co. Council  
RECEIVED**

20 JAN 2020

**Planning Section**

AN BORD PLEANÁLA

19 FEB 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

LDG- \_\_\_\_\_

ABP- \_\_\_\_\_

8. Description of Proposed Development: Drainage of wetland habitat (raised bog) and mechanical disturbance and removal of peat from site
9. Applicant's interest in site: As an ecologist, the destruction of this site of of interest

Signed: Patrick Nunn Date: 20/01/20

**Application for Declaration under Section V of the Planning and Development Act 2000- 2018**

Please submit the following details with your application form:

- 1) Site Location Map
- 2) Site Layout Plan
- 3) Details of gross floor space of development (if applicable)
- 4) Dimensions of proposed development
- 5) Details of previous extensions
- 6) Fee €80

Please note that your application cannot be fully processed until the attached form and appropriate documentation have been submitted to the Planning Department:

Planning Department

Cavan County Council

Johnston Central Library

Farnham Street

Cavan

Co. Cavan H12 V3W4

Tel: (049) 4378300

AN BORD PLEANÁLA

19 FEB 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

LDG- \_\_\_\_\_

ABP- \_\_\_\_\_

Site location Maps:

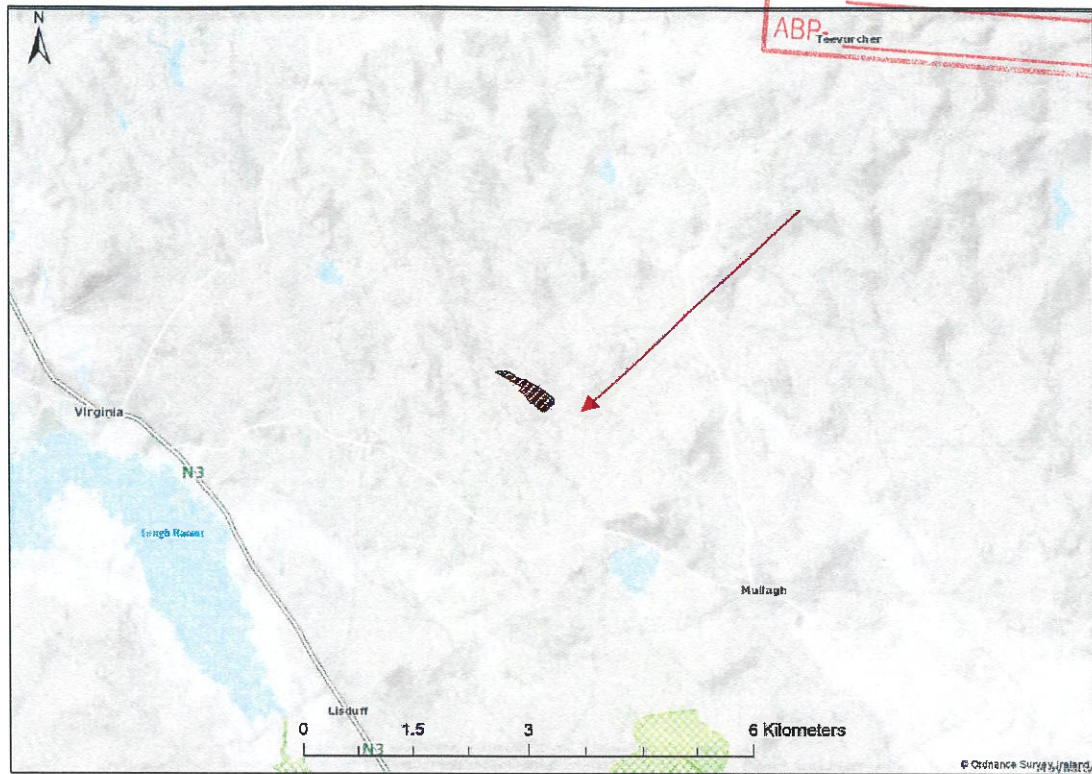


Figure 1: Location of proposed unauthorised development (1:50,000)

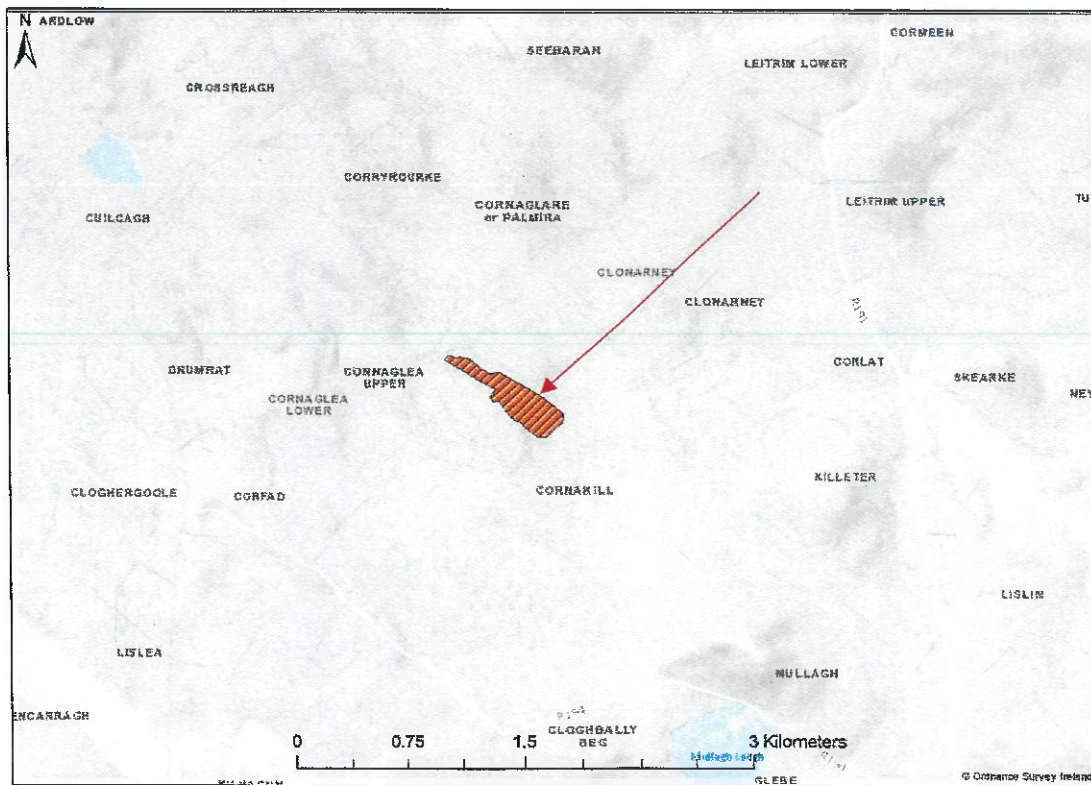


Figure 2: Location of proposed unauthorised development (1:25,000)



19 FEB 2020

LTR DATED

FROM

LDG

ABP-

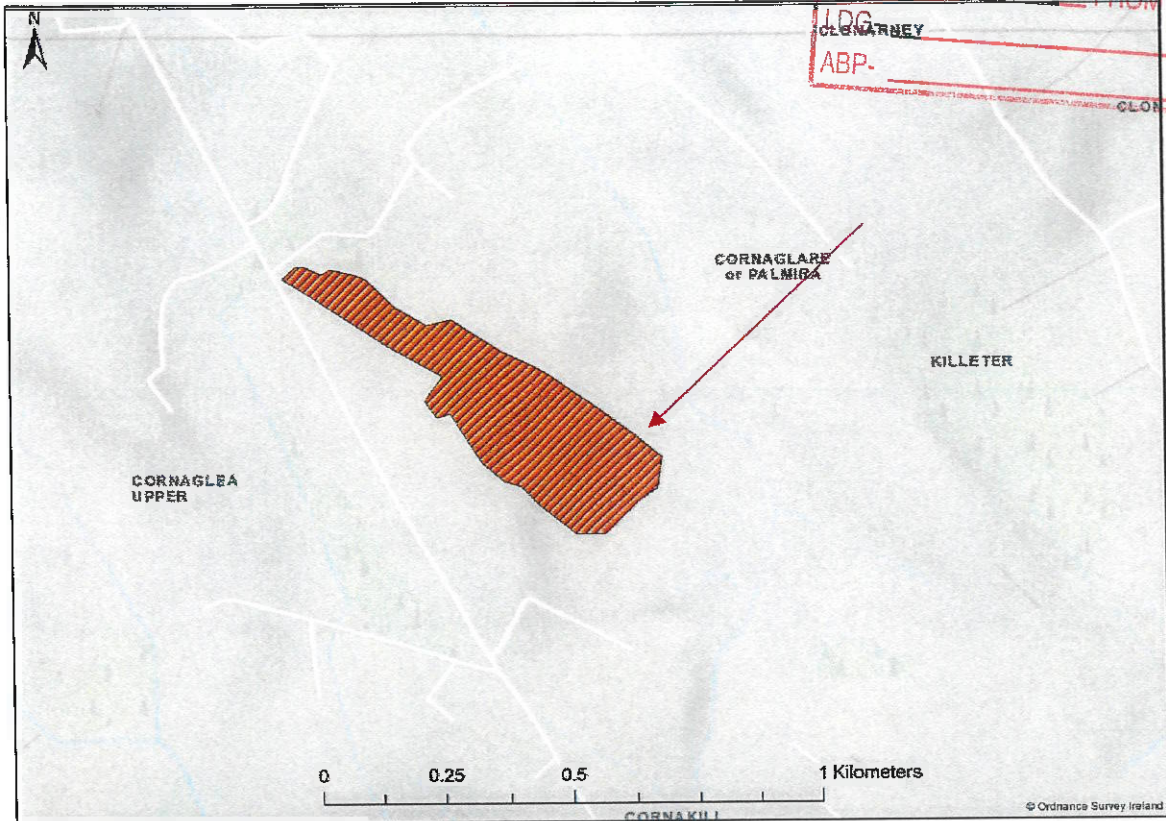


Figure 3: Location of proposed unauthorised development (1:8,000)



Figure 4: Location of proposed unauthorised development (1:5,000)



19 FEB 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

Aerial Imagery (Google Earth Pro) illustrating damage to bog between 2009 and 2019



Figure 5: Image from 2009



Figure 6: Image from 2019



19 FEB 2020

LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_

LDG-

ABP

Photographs of proposed unauthorised activity, which includes

"DRAINAGE OF A WETLAND HABITAT (TOTAL AREA 13 HA APPROXIMATELY) WHERE IN EXCESS OF 2 HA OF WETLAND HABITAT IS BEING AFFECTED (CF 1 (C) PART (2) SCHEDULE 5 OF THE PLANNING AND DEVELOPMENT REGULATIONS (AS AMENDED) 2001). THIS A WETLAND SITE OF HIGH BIODIVERSITY VALUE THAT IS BEING DRAINED AND FROM WHICH PEAT IS BEING EXTRACTED. THIS DEVELOPMENT AND SIMILAR DEVELOPMENTS NATIONWIDE ARE CONTRIBUTING TO THE CLIMATE AND BIODIVERSITY EMERGENCY DECLARED BY THE GOVERNMENT. THIS ACTIVITY IS HAVING A SIGNIFICANT IMPACT ON THE ENVIRONMENT. EVEN IF CONSIDERED SUB-THRESHOLD, THE IMPACT ON THE ENVIRONMENT OF THE DEVELOPMENT SHOULD REQUIRE AT MINIMUM EIAR SCREENING IN ACCORDANCE WITH THE PLANNING AND DEVELOPMENT REGULATIONS (AS AMENDED) 2001"

are illustrated below.

Cavan Co. Council should be cognisant of a recent Section 5 application to Meath Co. Council concerning similar activity at a site in Meath (Planning Authority Reference Number KAS51942), which was referred to An Bord Pleanála. The Bord Order (ABP-305340-19) determined that the development identified in the Section 5 comprises Development and is not Exempt Development. Furthermore, the Bord Order (ABP-305340-19) determined that the development would require both an Environmental Impact Assessment and an Appropriate Assessment.



Figure 7: Aerial imagery illustrating extent of drainage and damage to the wetland habitat





Figure 8: Photograph of pump draining water from the site - discharge licence not in place



Figure 9: Photograph illustrating area of relatively intact wetland habitat into which development is encroaching





Figure 10: Photograph indicating depth of peat presently being extracted from site as a component of an unauthorised development



Figure 11: Aerial imagery of proposed unauthorised development. Striations visible in wetland/bog habitat are almost certainly owing to peat shrinkage associated with drainage

The area of peatland habitat currently under threat from this proposed unauthorised development, which is actively draining a wetland habitat of greater than 2 Ha and peat comprises approximately 13 Ha of habitat.