

Daniel O'Connor

From: TIM O Rourke [REDACTED]m>
Sent: Monday 20 May 2024 16:19
To: Appeals2
Subject: Response submission to ABP-319615-24

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An Bord Pleanála,
Case Number: ABP-319615-24

Dear Sir/Madam,

Along with the letters I wrote to Planning Section, Offaly County Council, I had a number of telephone conversations with officials. Following receipt of my Planning Enforcement Complaint Form, Jan/Feb. 2023, I was contacted by Planning Section who asked for information to clarify the date that the peat harvesting had begun. I was able to say with certainty that there was no evidence of horticultural peat harvesting or associated drainage work at Annaghmore Lough Fen on 26 Jan. 2022. On that date I spent over two hours before dusk watching for hen harrier activity at the site which is a long-standing winter roost site for the species. My vantage point was on the raised bog to the west of the fen (where peat blocks are now being harvested). That location, with the help of binoculars, gave the best view of the area. The raised bog to the west and northwest of the fen had been untouched by turf cutting for domestic or any other use for several decades. I saw one male and one female hen harrier on that evening which I recorded. That record was e-mailed to NPWS and acknowledged by them. My reason for being at Annaghmore Lough Fen on 29 Jan. 2023 was again to observe hen harrier activity. The damage caused by drainage and horticultural peat harvesting was obvious and extensive at that time. I reported the damage to Offaly County Council on 30 January 2023.

I had previous observations of hen harriers at Annaghmore including: 14 Apr. 2013, one male; 9 Nov. 2014, one male; 4 Jan. 2015, one female or juvenile; 20 Jan. 2017, one female; 20 Jan 2019, one female. These records were all sent to NPWS, or recorded in the *Birds in Central Ireland: Mid-Shannon Bird Report 2012-2016*. During all of those visits, and many others, there was no horticultural peat harvesting observed in the raised bog area of Site 000413. NPWS has other records of hen harriers at Annaghmore.

As Annaghmore Lough Fen is only 3 km from the Slieve Bloom SPA, designated for hen harrier and other species, it is an important winter roost site. Hen harriers roost on or near the ground in extensive, undisturbed sites, often wetlands, which give protection from predators. The wider Annaghmore site, with bog woodland, fen and lake is also a hunting ground for hen harrier returning to breed in the mountains in spring. To the southwest of Annaghmore Lough Fen and closer to the SPA the Clonaslee Eskers and Derry Bog SAC provide further suitable habitat and safe passage from Annaghmore to the Slieve Bloom SPA. Hen harriers benefit from all three sites. The presence of corridors of marginal land and very low population density in the area add to the importance of this network of sites for hen harriers and other species. Another Annex 1 species, whooper swan, use both Annaghmore Lough and Pallas Lake NHA, 4.5 km to the northwest, as safe night roosts in winter. These sites and other bog and fen sites to the north are shown in *Figure 1 Site Location* map of the Blackthorn Ecology Report.

Any potential danger or loss of the hen harrier roost site at Annaghmore Lough Fen either through disturbance, surface damage or changes to the hydrology of the site should be avoided. The impact of extensive peat harvesting and drainage at Annaghmore Lough Fen on the designated species ... Slieve Bloom SPA must be considered. The development currently underway did not include any EIA or planning permission. The area used for horticultural peat harvesting and access and machinery storage areas, along with the fen area where the water table is being lowered by deep drainage work, far exceeds the area permitted under planning regulations (Planning and Development Regulations 2001, as amended). That being the case, I asked Planning Section during telephone conversations and in writing to stop the peat block harvesting and to order the blocking of drains to prevent the fen drying out.

Thanking you,
Tim O'Rourke.