

La Grady Taylor

Dáire Littleton Caden

From: pat fitzpatrick <[REDACTED]>
Sent: Dé Céadaoin 5 Meitheamh 2024 00:35
To: Appeals2; Bord
Subject: ABP-319615-24 - Patrick Fitzpatrick Submission
Attachments: ABP-319615-24 - PF Folio Markup.pdf; ABP-319615-24 - PF response.pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

To whom it concerns,

Please find attached my submission with regards to Case Number: ABP-319615-24

Regards
Patrick Fitzpatrick
[REDACTED]

The Property
Registration Authority
An tÚdaráis
Cláracháin Maoinne
Folio: OY28437F

This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

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(centre-line of parcel(s) edged)

Freehold

Leasehold

Subleasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Pipeline

Well

Pump

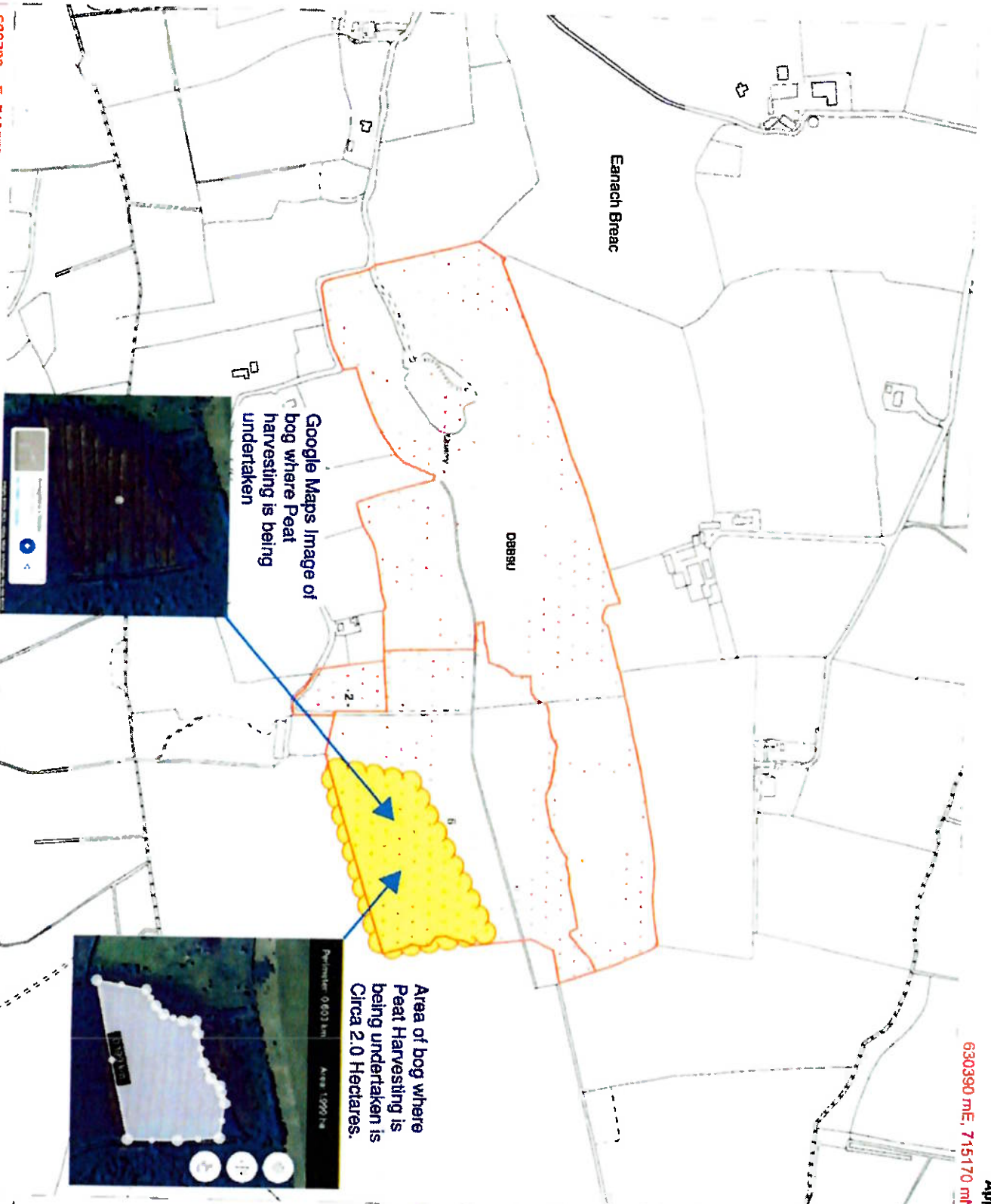
Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at: www.landdirect.ie

The registry operates a non-conclusive boundary system

The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor the identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.



✓ r Case Number: ABP-319615-24

Date: 5th June 2024

BY EMAIL – appeals@pleanala.ie AND bord@pleanala.ie

Faolán Bashford
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Patrick Fitzpatrick
Brittas
Clonaslee
Co. Laois

Response to your notice given under section 129 of the Planning and Development Act, 2000, (as amended) about whether peat extraction at Annaghmore, Lough Fen, Co. Offaly is or is not development and is and or is not exempted development.

Dear Faolán,

In response to your letter dated 9th May 2024 I calculate that the last day for response is 5th June 2024.

From the information contained within your letter it states that Timothy O'Rourke (The Applicant) of St O'Haras Hill, Cloonagh East, Tullamore, Co. Offaly issued a Planning Enforcement Complaint to Offaly County Council on 30th Jan 2023 regarding a development causing damage to a large area of raised bog for commercial production of horticultural peat blocks, he submitted follow up letters to Offaly County Council on 18th July 2023, 13th August 2023 and also submitted to Offaly County Council a Declaration on Development & Exempted Development, Section 5 on 11th September 2023.

Having reviewed the above mentioned correspondence from Timothy O'Rourke to Offaly County Council I note the following:

I confirm that I have not been contacted by Offaly County Council or The Applicant nor any other parties in relation to this matter and I first learned of this matter upon receipt your letter dated 9th May 2024.

The Applicant states that the location of the development is Annaghmore Lough fen Site Code 000413, Folio OY28437F, Grid reference N300143. I would note that this Grid Reference is outside the footprint of Folio OY28437F.

The Applicant has stated the area of land which peat is being harvested from is "possibly in excess of 20 acres in site", This statement is grossly inaccurate. Please refer to the attached marked up Folio Map, which identifies the area where peat is being extracted from within Folio OY28437F this mark-up also provides a snip image of the measured area being Circa. 2.0 Hectares.

The Applicant states that "No turf cutting had been undertaken in this raised bog area for many decades" This statement is grossly inaccurate as turf cutting has taken place on this bog during the past number of decades.

As part of the peat cutting process within this area of raised bog over the last number of decades the bog has been drained with the drains being maintained and cleared as the peat cutting has progressed.

Under the Planning and Development Act 2000, as amended, (the 2000 Act), Under the 2001 Regulations, peat extraction of areas less than 10 hectares are exempted developments.

Given the nature of this Peat Extraction and the current Planning Regulations I believe this development is an exempted development and therefore Planning Permission is NOT required.

Yours sincerely

(bears no signature as issued by email)

Patrick Fitzpatrick

Mobile: [REDACTED]

Email: [REDACTED]