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**APPLICATION FORM – DECLARATION ON DEVELOPMENT & EXEMPTED DEVELOPMENT**

**Part 1 Section 5 of Planning and Development Act 2000-2021, as amended**

1. **Name:** Emmett Scanlon, Director; Irish Architecture Foundation

Contact details: to be supplied at the end of this form (Question 13)

2. **Name of person/ agent acting on behalf of the applicant, if applicable**

Evelyn D'Arcy; 12<sup>th</sup> Field

Contact details: to be supplied at the end of this form (Question 14)

3. **Location of Development and/or Subject Site:** Girley Bog, Chamberlainstown. Co. Meath

4. **Description of Development:** Erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour"

5. **Will the development take place within the curtilage of a dwelling house?**

Please tick as appropriate: YES ☐ NO ☒

6. **Will / does development take place in / on a Protected Structure or within the curtilage of a Protected Structure?**

Please tick as appropriate: YES ☐ NO ☒

- 6(b) If "YES", has a Declaration under Section 57 of the Planning & Development Act 2000 – 2014, as amended, been requested or issued for the property by the Planning Authority?

Please tick as appropriate: YES ☐ NO ☐

7. **State overall height of structure if applicable:** 4.5m

8. **State in square metres the floor area of the proposed development:**

21sqm

9. **List of plans / drawings etc. submitted:**





**Drawings**

Tailte Site Location map;  
S5101 Existing Site Plan; Parking  
S5101 Existing Site Plan; Bothy  
S5102 Proposed Site Plan;  
S5103 Proposed Plans & Sections;  
S5104 Proposed Elevations

**Documents**

Cover letter;  
Letter of permission from landowner;  
Landowner maps for permission;  
NPWS Screening for Appropriate Assessment

**10. Please state applicants interest in this site: Applicant has no legal interest in the site; has permission from the NPWS for temporary installation**

**If applicant is not the owner of site, please provide name & address of owner:**

Noel Bugler, Divisional Manager, North East Division,  
National Parks & Wildlife Service,  
90 King Street North,  
Dublin 7,  
D07 N7CV

**11. Are you aware of any enforcement proceedings connected to this site?**

**Please tick as appropriate: YES ☐ NO ☒**

**11 (b), If "YES" please supply details:**

**12. Are you aware of any previous planning application/s on this site?**

**Please tick as appropriate: YES ☐ NO ☒**

**12 (b), If "YES" please supply details:**

**SIGNED**



**DATE:**

23.05.2025





**26<sup>th</sup> May 2025**

To whom it may concern,

On behalf of The Irish Architecture Foundation, I wish to make a Section 5 Declaration application for the temporary installation of a wooden pavilion (the bog bothy) on NPWS-owned land at Girley Bog, for the purposes of hosting workshops and guided events from mid-August to mid-September 2025. I enclose the below drawings and documents in support of the application. I was advised that payment of the €80 application fee can be made over the phone upon receipt of this application by Meath Co Co; my contact details are provided at the end of this letter in order to do so.

#### **Schedule of Documents**

- 1no. Copy of the completed Section 5 Application Form
- 2no. Copies of this cover letter
- 2no. Copies of the NPWS Screening for Appropriate Assessment
- 2no. Copies of the NPWS Landowner Permission Letter
- 2no. Copies of the NPWS Landowner Maps

#### **Drawings**

<b>No. Copies</b>	<b>DWG No.</b>	<b>Title</b>	<b>Scale</b>
2no.	N/A	Site Location Map	1:2500
2no.	S5100	Existing Site Plan – Bothy Site	1:500
2no.	S5101	Existing Site Plan – Designated Parking Area	1:500
2no.	S5102	Proposed Site Plan – Bothy Site	1:500
2no.	S5103	Proposed Bothy Plans and Sections	1:50
2no.	S5104	Proposed Bothy Elevations	1:50

#### **Background to the Section 5 Application**

12<sup>th</sup> Field and the Irish Architecture Foundation have been working with the local community in Girley to facilitate the hosting of the Bog Bothy in Girley Bog for a short period from mid-August to mid-September 2025. The bog bothy is a temporary timber pavilion that will be erected on land owned by the NPWS (see attached site location map) as part of the Bog Bothy Tour being hosted in Offaly and Meath over Summer 2025, an event which is funded by Creative Ireland's Climate Action Fund, Meath

County Council and the NPWS. The NPWS have given permission for the use of the land for this purpose, and have been fully engaged with the process, including site selection. A letter of permission is included with this application. Furthermore, the NPWS have carried out screening for Appropriate Assessment, given that the site is located on the edge of the Girley Bog NHA, and have screened the site out. A report with details is also included with this application.

The bothy will consist of a temporary timber pavilion (21sqm in area and 4.5m high), that will be erected on the site from 15<sup>th</sup> August until mid-September. The structure is self-contained and has no foundations, so the ground where it installed will not be disturbed. The structure will be used for workshops and guided events run by the Irish Architecture Foundation, the NPWS and the local community as part of National Heritage Week.

It is not intended that there will be parking available on site. Visitors to the bothy will be asked to walk from the two established parking areas, and an area designated for parking closer to the bothy will be provided only for those people who cannot walk the longer distance to the bothy. This area – an agricultural field with no livestock - has also been selected in consultation with the NPWS.

The bog bothy is a structure designed to raise awareness of the bog, the living culture and architectural heritage of the bog, and to allow people to spend time with the bog without damaging the bog. As part of the project we have had extensive conversations with NPWS staff both at local and national level. The team have selected this site with local ranger Ciara Rock and regional manager Padraig O'Donnell as it is located on the edge of the NHA. It has been screened out for Appropriate Assessment, meaning it would not pose any risk to the NHA through the activities in the bothy. The site itself was until recently a Christmas tree plantation and is in the very early stages of bog restoration. It will be accessed from the public road across level firm ground. The field gate and bothy are lockable and can be fully secured between activities. It is not intended that anyone would overnight in the bothy while it is installed in Girley.

We have also had extensive conversations with Emma Prunty and Meadhbh Rogan, Meath Co Co Creative team, and with Ben Malone Biodiversity Officer, in relation to the activities at the bothy. All are fully supportive of the bothy visit to Girley Bog.

### **Reason for Exemption**

As the structure is a temporary structure intended to be used not continuously for a period of approximately 4 weeks we propose it is exempted development under Class 37 (development for amenity or recreational purposes) of the Planning and Development Regulation, 2001. As there are no dug foundations for the bothy, the land will be reinstated as before after use. The structure and associated activities have been screened out for Appropriate Assessment.

**Planning and Development Regulations, 2001**

**Part 1; Exempted Development – General**

**Development for amenity or recreational purposes**

**CLASS 37**

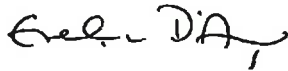
*Development consisting of the use of land for any fair, funfair, bazaar or circus or any local event of a religious, cultural, educational, political, social, recreational or sporting character and the placing or maintenance of tents, vans or other temporary or movable structures or objects on the land in connection with such use.*

*1. The land shall not be used for any such purposes either continuously for a period exceeding 15 days or occasionally for periods exceeding in aggregate 30 days in any year.*

*2. On the discontinuance of such use the land shall be reinstated save to such extent as may be authorised or required by a permission under the Act.*

I trust that the above is in order and ask that a Section 5 Declaration be issued for this structure. If you have any questions, or require any further information, and to make payment for this application, please do not hesitate to contact me on 087 253 3741.

Regards,



Evelyn D'Arcy MRIAI (Agent)

12<sup>th</sup> Field









**Rialtas na hÉireann**  
**Government of Ireland**

# **Screening for Appropriate Assessment**

**Determination of proposed Bog Bothy  
Festival within Girley Bog, Natural  
Heritage Area in accordance with  
Regulation 42A EC (Birds and Natural)  
Habitats Regulations 2011-2021**

Prepared by the Department of Housing, Local Government and Heritage  
[npws.ie](http://npws.ie)

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## **1. Introduction**

This determination on Screening for Appropriate Assessment (AA) has been made by the Ecological Assessment Unit (EAU) of the Department of Housing, Local Government and Heritage (DHLGH) in accordance with Regulation 42A(8) of the European Communities (Birds and Natural Habitats) Regulations 2011-2021 ('the 2011 Regulations').<sup>1</sup>

On the 14<sup>th</sup> February 2025, in accordance with the requirements of Regulation 42A(3) of the 2011-2021 Regulations, the Minister for Housing, Local Government and Heritage ('the Minister') furnished the EAU with a request for a Screening for Appropriate Assessment (AA) determination for a proposed Bog Bothy Festival at Girley Bog Natural Heritage Area [001580]. Hereafter referred to as "the project".

The EAU have evaluated and analysed the information contained in the referred to above document and location maps provided and carried out a determination. The purpose of this document is to provide a record and an audit trail of the EAU reasoned thinking in view of best scientific knowledge and the Conservation Objectives of the European Sites.

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<sup>1</sup> As inserted by Regulation 7 of the European Union (Birds and Natural Habitats) (Amendment).

## **2. Background**

Pursuant to Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), a Screening for AA is required to be carried out on the project. AA is a process required under Article 6(3) of the EU Habitats Directive. Article 6(3) is transposed in Ireland by the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, and by Part XAB of the Planning and Development Act, 2000, as amended.

All plans and projects which are not directly connected with or necessary to the management of a European Site, but which either individually or in combination with other plans or projects, are likely to have a significant effect on a “European Site”, require that an AA of these effects to determine if they will adversely affect the integrity of these sites. The proposed Bog Bothy Festival is considered to fall under the requirements of AA as applied to all plans and projects.

The Screening for AA process scrutinises the plan or project to determine if there is potential for likely significant effects either individually or in combination with other plans or projects, on a European Site. European Sites are part of the Natura 2000 network and include those designated as Special Areas of Conservation (SAC), Candidate SACs (cSACs) or Special Protection Areas (SPA). This Screening for Appropriate Assessment describes the outcome of this analysis in respect of the project.

### **3. Legislation and Guidance**

This section provides details on the adopted methodology with sources of guidance and information gathered to inform the preparation of the report.

#### **3.1. Guidance and Data Sources**

- AA of Plans and Projects in Ireland - Guidance for Planning Authorities (Department of Environment, Heritage and Local Government, 2010 revision);
- AA under Article 6 of the Habitats Directive; Guidance for Planning Authorities. Circular NPW 1/10 and PSSP 2/10;
- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodical Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2021);
- Communication from the Commission on the precautionary principle. European Commission (2000);
- Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC (European Commission, 2007);
- Guidelines for Good Practice AA of Plans under Article 6(3) Habitats Directive (International Workshop on Assessment of Plans under the Habitats Directive, 2011);
- Managing Natura 2000 Sites: The Provision of Article 6 of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2018); [hereafter referred to as MN 2018]; and,
- Office of the Planning Regulator Practice Note PN01 - AA Screening for Development Management (OPR, 2021).

### **3.2. Assessment Methodology**

This report is based on review of desktop data. Sources of information utilised for this report and accessed during March 2025 include the following:

- National Parks & Wildlife Service (NPWS) Designations Viewer<sup>2</sup>; and,
- National Biodiversity Data Centre (NBDC) Maps<sup>3</sup>.

### **3.3. Legislative Background**

According to the EU Habitats Directive (92/43/EEC) and the EU Birds Directive (79/409/EEC), Member States are required to establish a Natura 2000 network of sites of highest biodiversity importance for rare and threatened habitats and species across the EU.

In Ireland, the Natura 2000 network of European sites comprises SACs, candidate SACs and SPAs.

SACs are selected for the conservation of Annex I habitats (including priority types which are in danger of disappearance) and Annex II species (other than birds). SPAs are selected for the conservation of Annex I birds and all migratory birds and their habitats. The Annex habitats and species, for which each site is selected, are the qualifying interests (QI) for SACs and special conservation interests (SCI) for SPAs of each site. Conservation objectives for the site are defined for these qualifying interests.

A key requirement of the Habitats Directive is that the effects of any plan or project, which is not directly connected with or necessary to the management of a European Site, but which alone, or in combination with, other plans or projects, are likely to have a significant effect on a European Site, should be assessed before any decision is made to allow that plan or project to proceed. The obligation to undertake a screening for AA, and if necessary, an AA, derives from Article 6(3) of the Habitats Directive and both involve a number of steps and tests that need to be applied in sequential order.

Article 6(3) is concerned with the strict protection of sites, while Article 6(4) is the procedure for allowing derogation from this strict protection in certain restricted circumstances.

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<sup>2</sup> National Parks & Wildlife Service Designation Viewer. Accessed at ArcGIS Web Application 04/03/2025

<sup>3</sup> National Biodiversity Data Centre Maps. Accessed at Maps - Biodiversity Maps (biodiversityireland.ie) 04/03/2025

Article 6(3) of the Habitats Directive states:

“Any plan or project not directly connected with, or necessary to, the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only having ascertained that it will not adversely affect the integrity of the site concerned and if appropriate, after having obtained the opinion of the general public”.

Article 6(4) states:

“If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”

The competent authority is required to carry out a screening for AA, and if necessary, an AA as required by Article 6(3) of the Habitats Directive. If the competent authority determines that the plan or project will adversely affect the integrity of a European site, it may only authorise that plan or project by following the Article 6(4) procedure.

The Article 6(3) and 6(4) procedures are outlined as follows:

**Stage 1 - Screening for Appropriate Assessment** – to assess, in view of best scientific knowledge, if the project or plan, individually or in combination with another plan or project is likely to have a significant effect on the Natura 2000 site.

**Stage 2 - Appropriate Assessment** – This is required if it cannot be excluded, on the basis of objective information, that the project or plan, individually or in combination with other plans or projects, will have a significant effect on a Natura 2000 site. The AA must include a final determination by the competent authority as to whether or not a proposed project would adversely affect the integrity of a Natura 2000 site. In order to reach a final determination, the competent authority must undertake examination, analysis and evaluation, followed by findings, conclusions and a final determination. The appropriate assessment must contain complete, precise and definitive findings and conclusions, and may not have lacunae or gaps.

**Stage 3 – Assessment of alternative solutions** - the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.

**Stage 4 - Assessment where no alternative solutions exist and where adverse impacts remain** - an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

Under Regulation 42A(1) of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477 of 2011), the Ecological Assessment Unit is the competent authority in relation to screening for AA of projects and plans (such as the proposed project) which the Minister proposes to undertake or adopt.



## **4. Overview of the Project**

The proposed project is for Bog Bothy Festival at Girley Bog NHA [001580] (Figure 1).

Girley Bog NHA comprises a raised bog that includes both areas of high bog and cutover bog, and is bounded in parts by coniferous forestry to the south and north. This site supports a good diversity of raised bog microhabitats, including hummocks and pools. This site is one of the few remaining raised bogs in County Meath and represents the eastern extreme of the range of raised bogs in the country.

The proposed Bog Bothy Festival is a two location celebration of peatland heritage, conservation and community climate action. The second location – Clara Bog SAC - has been assessed separately.

### **4.1. Purpose**

The proposed Bog Bothy Festival by Irish Architecture Foundation (IAF) has sought funding via the Peatlands and Natura Community Engagement Scheme. The Scheme aims to encourage communities, local organisations and other interested parties to become involved in the enhancement of their natural surrounding areas and to raise awareness.

Applications are welcomed across a diverse range of initiatives with community benefit from events, education programmes, promotions, publications, exhibitions, development of conservation management plans, public amenity and recreational measures, maintenance measures that support conservation measures, monitoring or surveying work to inform of restoration/conservation projects, invasive species and fire control measures, anti-littering initiatives to local environmental improvements in the area of the designated sites and other peatland areas.

Bog Bothy Festival is intended to educate and raise public awareness of the living landscape of the bog and its habitats and species. It is proposed to celebrate, community, climate action and cultural connection to these sites. The festival aims to support audiences and communities to understand the inextricable link to natural heritage.

### **4.2. Project Description**

The project proposes to create a Bothy – a space for shelter, retreat and engagement with Irelands evolving peat landscapes. The festival is proposed for two periods of 28 days in both Offaly (June) and Meath (August) and would incorporate exhibitions, ecological walks, workshops and climate conversations while convening in the bog habitat. The festival will utilise a temporary Bothy installation with a platform for the community, education and ecological activities as part of the programme. The Bothy will be in place for less than 28 days at each location. This application does not include funding for the Bothy structure (which has been funded through Community climate action funding from Creative Ireland), however the proposed festival and activities in

this application make use of the proposed Bothy structure and so it is considered in the impact of this proposal.

The proposed bothy site at Girley Bog (Figure 2) is part of the cutover bog, bounded to the North by a road/track with a ditch. The site has recently been cleared of a planted conifer plantation. The site is in a degraded condition and has recently undergone tree clearance under the direction of the NPWS. It is significant in being a good example of the early stages of peatland restoration in action, and is suitable as a site to educate visitors and the wider public about this process. A temporary walking exhibition is proposed to utilise the boardwalk at the end of the track road adjacent the bothy site. This will comprise a number of project information panels affixed to the boardwalk in agreed locations and will be in place for the duration of the festival.

The works at both sites comprise the installation of a temporary “Bog Bothy” structure – an enclosed space for group gatherings, workshops and a base for research. The bothy itself will be constructed off-site. The structure is approximately 20sqm in floor area and sits on a temporary platform placed on the surface of the bog. The bothy will remain in place on each site for less than 28 days and will be removed at the end of this period.

A defined site work area will be set out and clearly demarcated. The ground will be prepared prior to the arrival of the bothy on site. The site will be walked with the ecology team to carry out a final check for the presence of protected species. The footings for the structure will comprise timber ground beams on tyres. Boards laid across this base will form a platform approx. 7m by 7m in area. The bothy will be transported to the site in segments. There will be some on-site construction work comprising the erection of the frame onto the platform and bolting together of panel elements.

A post-use site survey is proposed to be carried out by the ecology team to ascertain the impact of the festival. Damage to the ground is expected to be minimal however any local areas where foot traffic has flattened the earth will be repaired in consultation with the ecology team and to NPWS guidelines.

## 5. Part 1: Necessary conservation measures

Answer these questions if the activity is “directly connected with or necessary to the management of the site”. Otherwise go to Part 2.

- a). List the European site(s) and the relevant Conservation Objectives (include version number of the Conservation Objective).

Proposed location of Bog Bothy Festival is not within a European Site.

- c). Does this activity have the potential to impact negatively on any Conservation Objective (CO), Qualifying Interest (QI)/Special Conservation Interest (SCI) for this or any other European site?

Location of proposed event is 400m from the nearest European Site, notably Girley (Drewstown) Bog Special Area of Conservation (SAC) [Site Code: 002203].

Yes ☐

No ☒

- d). Are there aspects of this activity which are NOT directly connected with the management of the site?

Not applicable.

Yes ☐

No ☐

If the answer to EITHER of the above questions is **Yes** a Screening for AA is required, go to Part 2.

If the answer to BOTH questions is **No** go to Part 5.

## 6. Part 2: Identification of European Sites within the Potential Zone of Influence of proposed activities

List all European sites which may be affected by this activity because they are linked by an ecological pathway. If the site has a second European designation (SAC, SPA) this also needs to be considered.

**Girley Bog NHA [Site code: 001580]** is designated under S.I. No. 600/2003 - Natural Heritage Area (Girley Bog NHA 001580) Order 2003. The proposed project has been checked against the list of works specified for the purposes of section 19 (1) of the Wildlife Acts (as amended) as outlined in Schedule 2 of the above Order 2003.

The nearest European Site to the proposed project is Girley (Drewstown) Bog SAC [Site Code: 002203] with a closest proximity to the event c. 400 metres to the North-west. None of the proposed elements of the Bog Bothy Project held at Girley Bog NHA are within the Girley (Drewstown) Bog SAC.

**Girley (Drewstown) Bog SAC [Site Code: 002203].**

NPWS (2023) Conservation Objectives: Girley (Drewstown) Bog SAC 002203. Version 1.

Available at: [npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO002203.pdf](https://npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002203.pdf)

## 7. Part 3: Assess the likelihood of significant effects

Provide this information for **each site** listed in Part 2.

List the QI/SCIs for the site(s), their current conservation condition and the Site Specific Conservation Objectives (SSCO) for that QI/SCI. Then answer the questions about the impact on that QI/SCI.

**Girley (Drewstown) Bog SAC [Site Code: 002203].**

**Qualifying Interests**

Degraded raised bogs still capable of natural regeneration [7120]

~ Overall assessment of Conservation Status: **Bad**

Tick all the boxes below which may apply.

Your answer will determine if the activity is likely to have a (negative) effect on this QI/SCI. Negative effects may arise because of the activity's location within the site; its proximity to the QI/SCI or the size of the land take involved; the abstraction of water or minerals; emissions or waste arising; the types of transport or machinery being used; the length of time involved or seasonality of the work.

- a). There is likely to be a reduction in the area of QI/SCI habitat ☐
- b). The physical/chemical quality of the environment is likely to be changed in a way which may cause the deterioration of the QI/SCI habitat (e.g. applying lime to an acidic soil) ☐
- c). The structure of the ecological community is likely to be altered (e.g. through altered species composition) in a way which will have negative impact on the QI/SCI. ☐
- d). A QI/SCI species is likely to be disturbed (e.g. through noise, vibrations) ☐
- e). The population size, characteristics or reproductive success of a QI/SCI species is likely to be changed either directly or indirectly (e.g. lighting close to a bat roost entrance) ☐
- f). QI/SCI species or habitats are likely to be more vulnerable to change or less resilient to external change (e.g. to flooding, fire or drought) ☐
- g). There are likely to be effects on other species /habitats (not a QI/SCI for this site) which are ecologically linked with this QI/SCI and, as a consequence, there are likely to be negative effects on this QI/SCI (e.g. the impacts on geese which are the SCI when their non-QI feeding areas are damaged). ☐

- h). This activity will cause a deterioration in the conservation condition of this QI/SCI. ☐
- i). There are likely to be other ecological effects not listed above which are likely to have a significant effect on the QI/SCI. ☐

Explain the effects:

No element of the proposed project has a source-pathway-impact to the Girley (Drewstown) Bog SAC.

**If you have ticked a box for any QI/SCI in any of the sites affected by this activity the likelihood of a significant effect cannot be ruled out and the activity MUST be screened IN for AA.**

## 8. Part 4: In Combination Effects

Is this activity likely to cause negative effects in combination with any other plan or project?

(In answering this question you should consider any other consents which have been applied for or granted. For example, other ARCs, planning consents, forestry consents, or activities authorised as part of an agreed farm or land management plan. List the plans or projects considered).

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No ☒ Yes ☐ Uncertain ☐

**If the answer is Yes or Uncertain the activity MUST be screened IN for AA. Fill in Part 5 accordingly.**

## 9. Part 5: Findings of the Screening for AA

Screening not carried out as the activity is “directly connected with or necessary to the management of the site”. ☐

Likely significant effects are expected or uncertain.

This activity Screens **IN** and AA is required. ☐

Likely significant effects are NOT expected.

This activity Screens **OUT** AA is not required. ☒

Signature: Ryan Wilson-Parr, Ecological Assessment Unit

Date: 13<sup>th</sup> May 2025

## 10. Part 6: Conclusion

Following an analysis of the project, the EAU determines<sup>4</sup>, in accordance with Regulation 42A(8) of the 2011 Regulations, that an Appropriate Assessment of the Irish Architecture Foundation’s proposed Bog Bothy Project is not required because it can be concluded, on the basis of objective scientific information following a Screening for Appropriate Assessment, that the project individually or in combination with other plans or projects is considered not likely to have significant effects on a European site or sites in view of the sites’ Conservation Objectives.

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<sup>4</sup> Ryan Wilson-Parr, Head of Ecological Assessment Unit, Department of Housing, Local Government and Heritage, 13<sup>th</sup> May 2025.

## 11. Supplementary Information

Figure 1. (below): Location of Girley Bog NHA [001580] (blue highlighted area) as per NPWS designations map viewer,

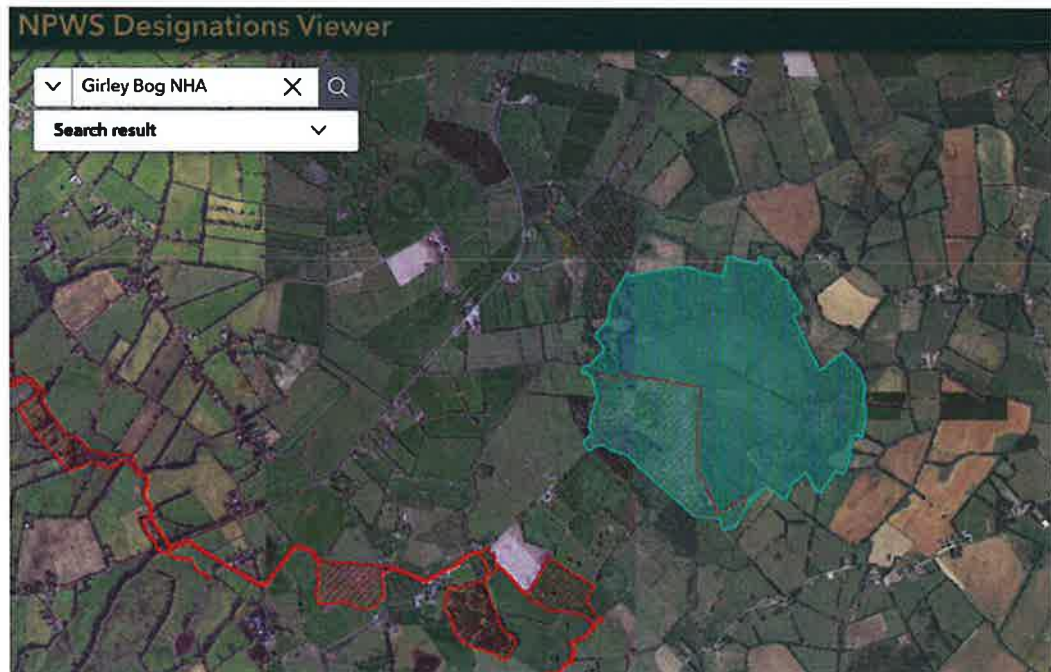
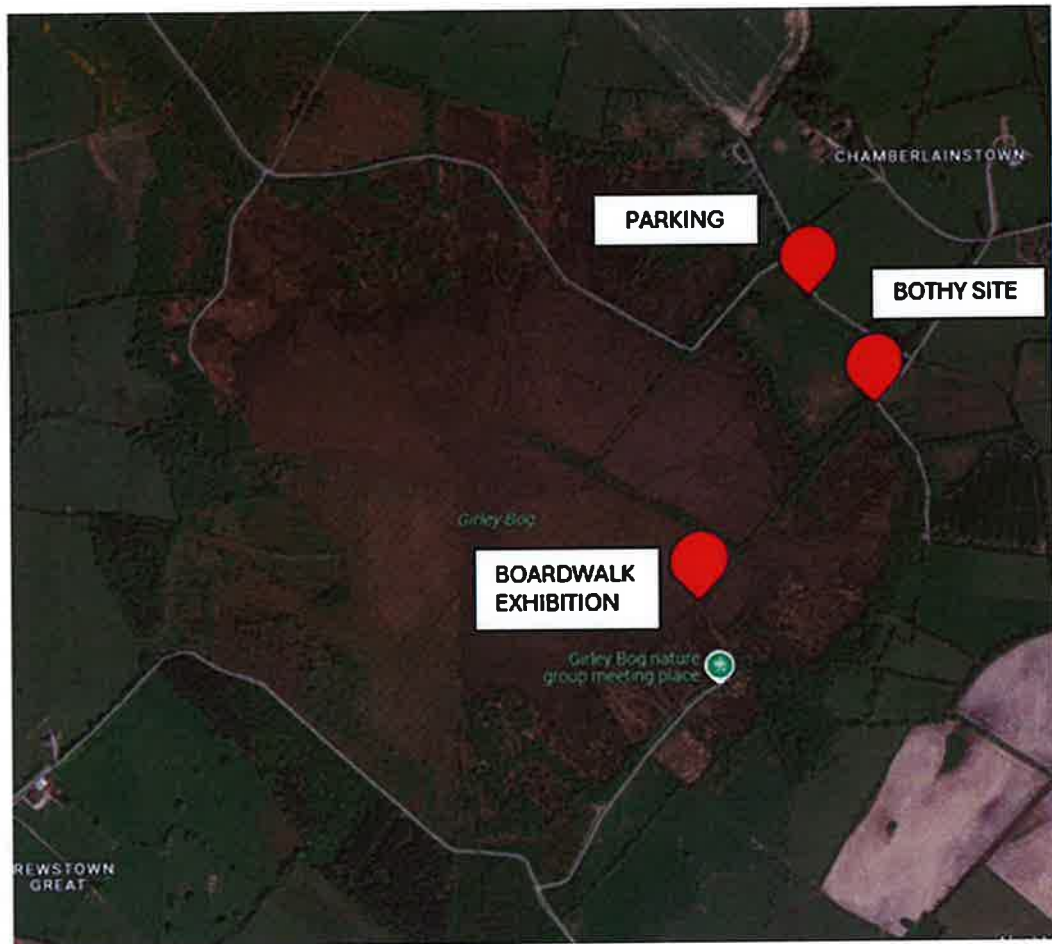




Figure 2. (below): Proposed location of the Bog Bothy Festival within Girley Bog NHA as per the proponent's method statement submitted to NPWS in support of the PNCES application.



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Department of Housing, Local Government and Heritage



Rialtas na hÉireann  
Government of Ireland



**CENTRE  
COORDINATES:**  
ITM 671140,770207

**PUBLISHED:**  
22/01/2025

**ORDER NO.:**  
50444597\_1

**MAP SERIES:**  
1:5,000

**MAP SHEETS:**  
2434

**COMPILED AND PUBLISHED BY:**  
 Tailte Éireann,  
 Phoenix Park,  
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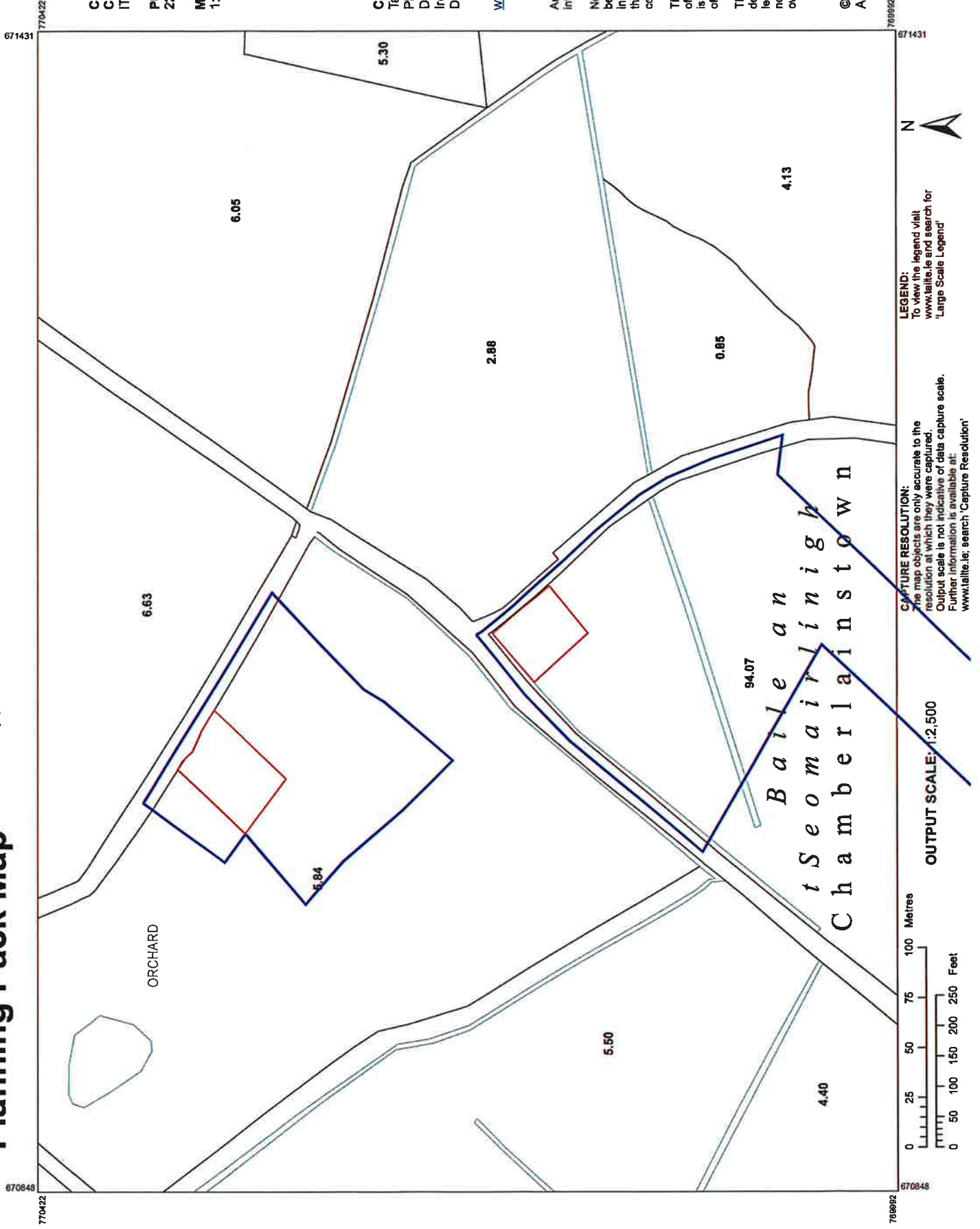
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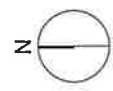
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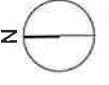
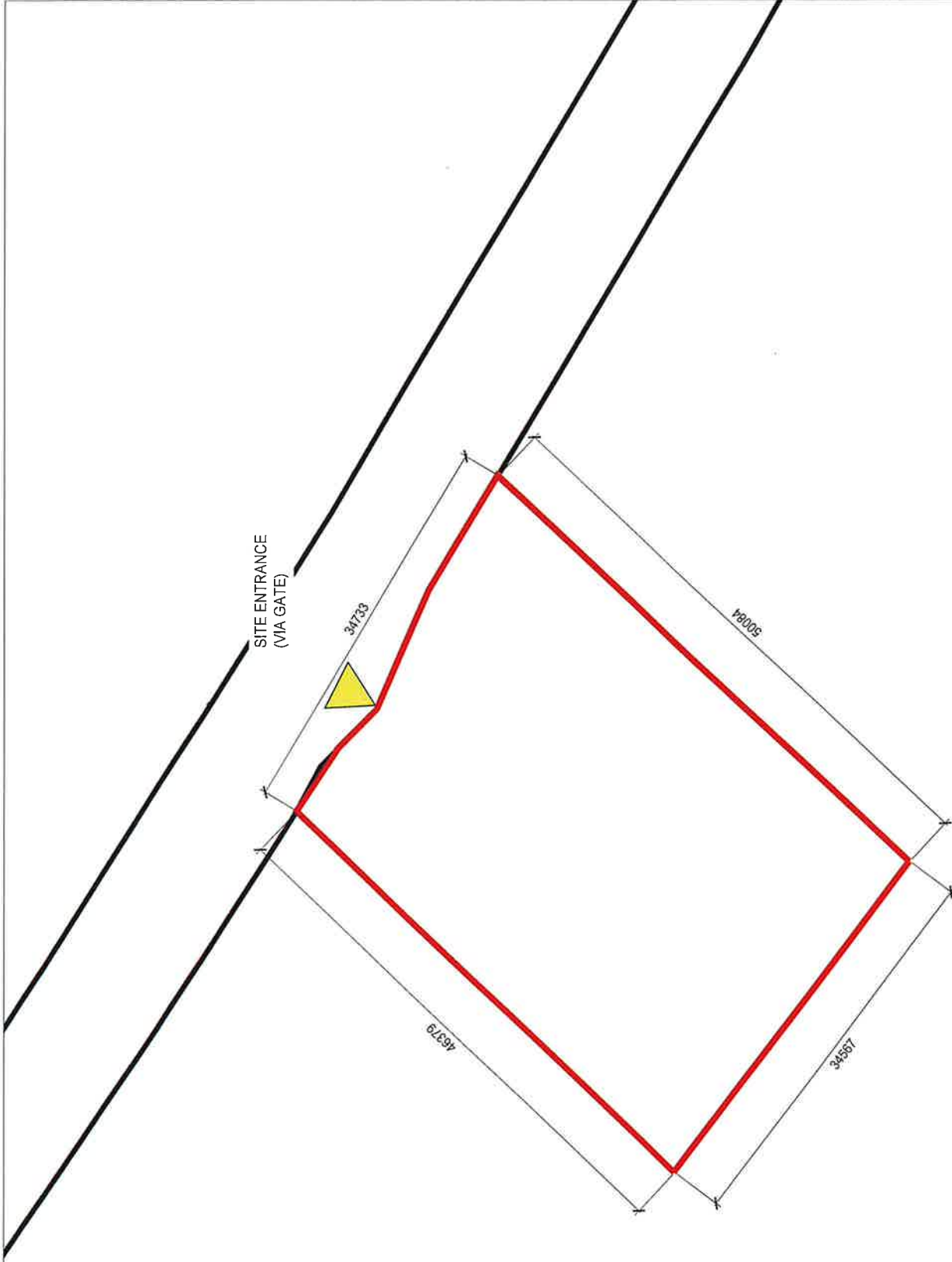
Bog Bothy  
Section 5 Application  
S5100 Existing Bothy Site Plan  
Scale 1:500 : A3  
12th Field, 22.05.25

K5525065



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Bog Bothy  
Section 5 Application  
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Scale 1:500 : A3  
12th Field, 22.05.25

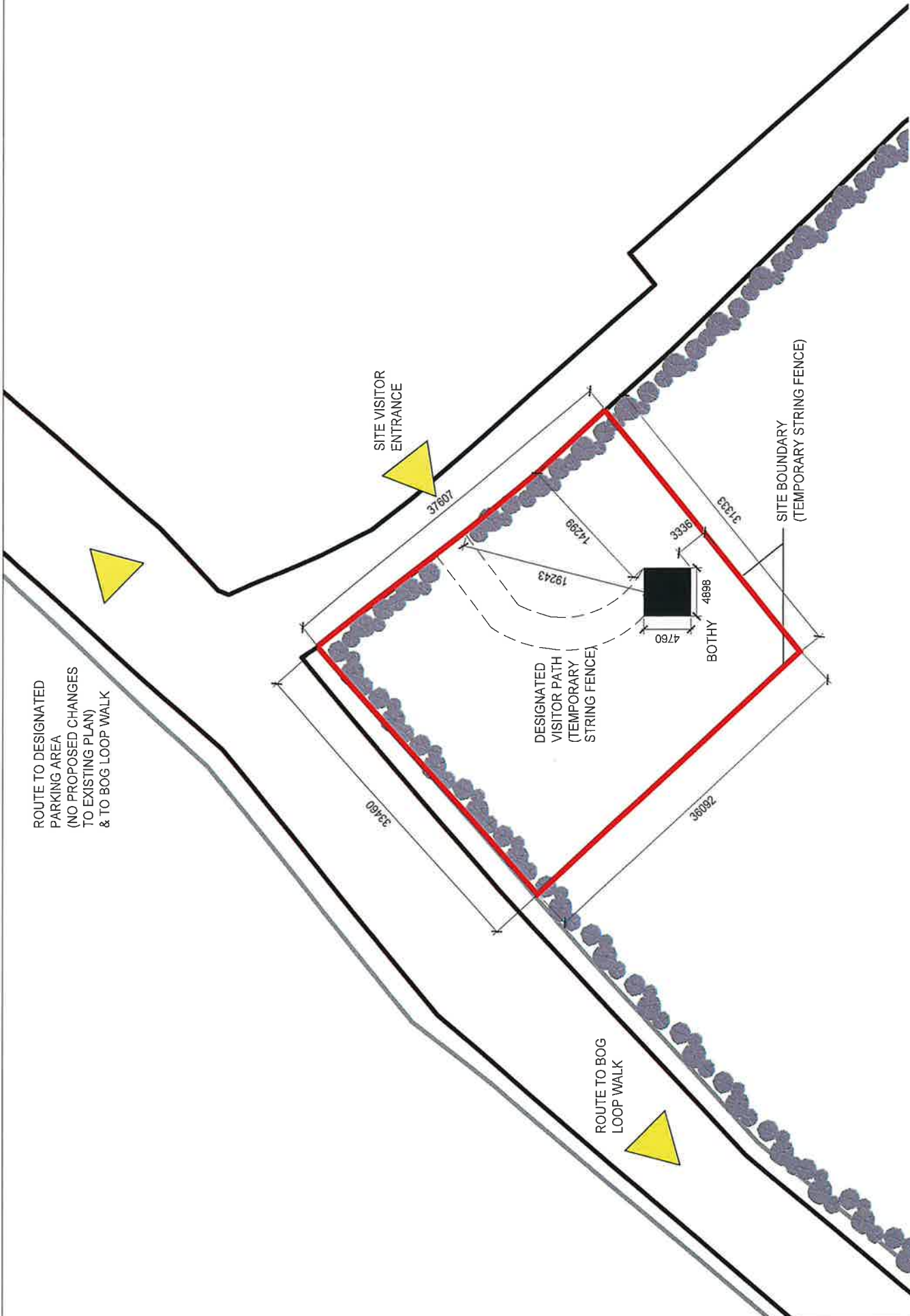
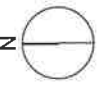






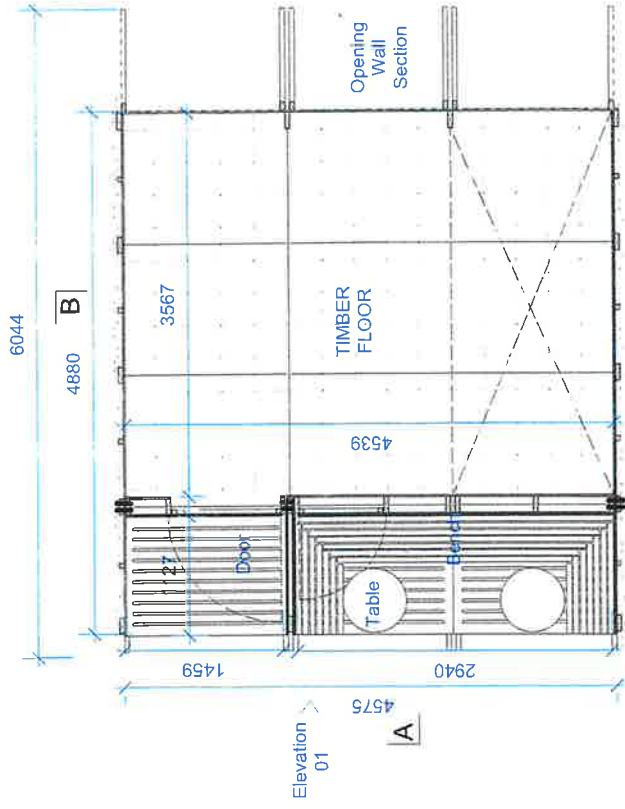


Bog Bothy  
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Scale 1:500 : A3  
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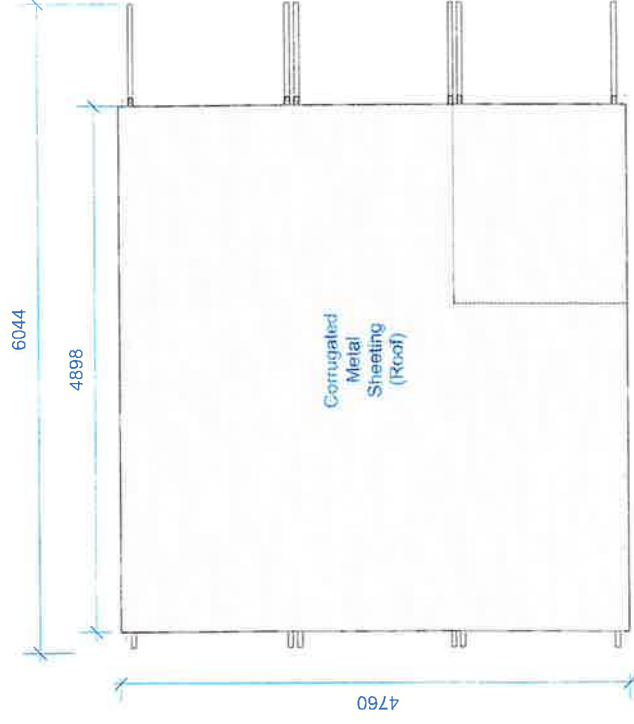


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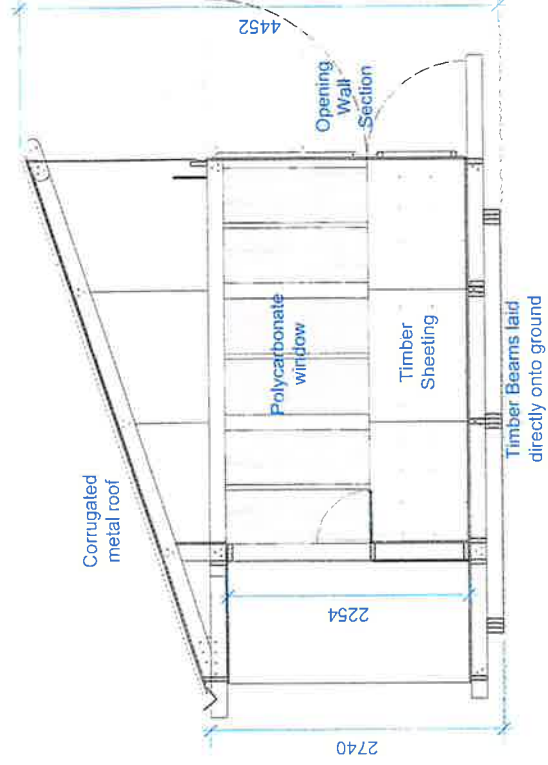




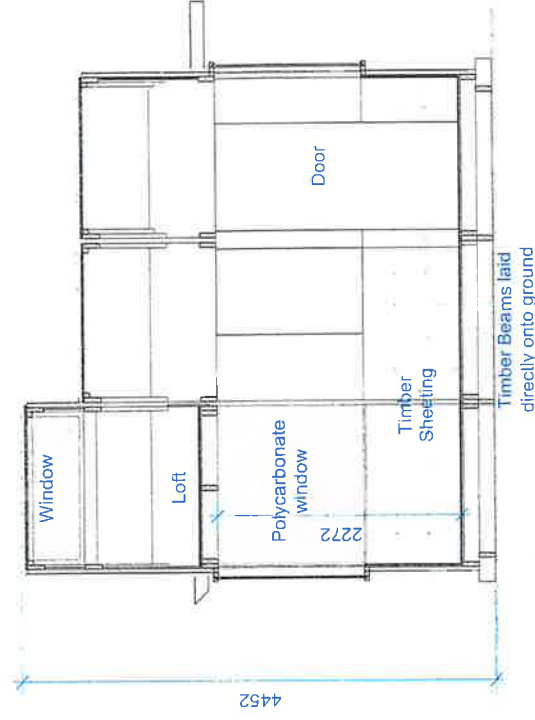
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Elevation 02



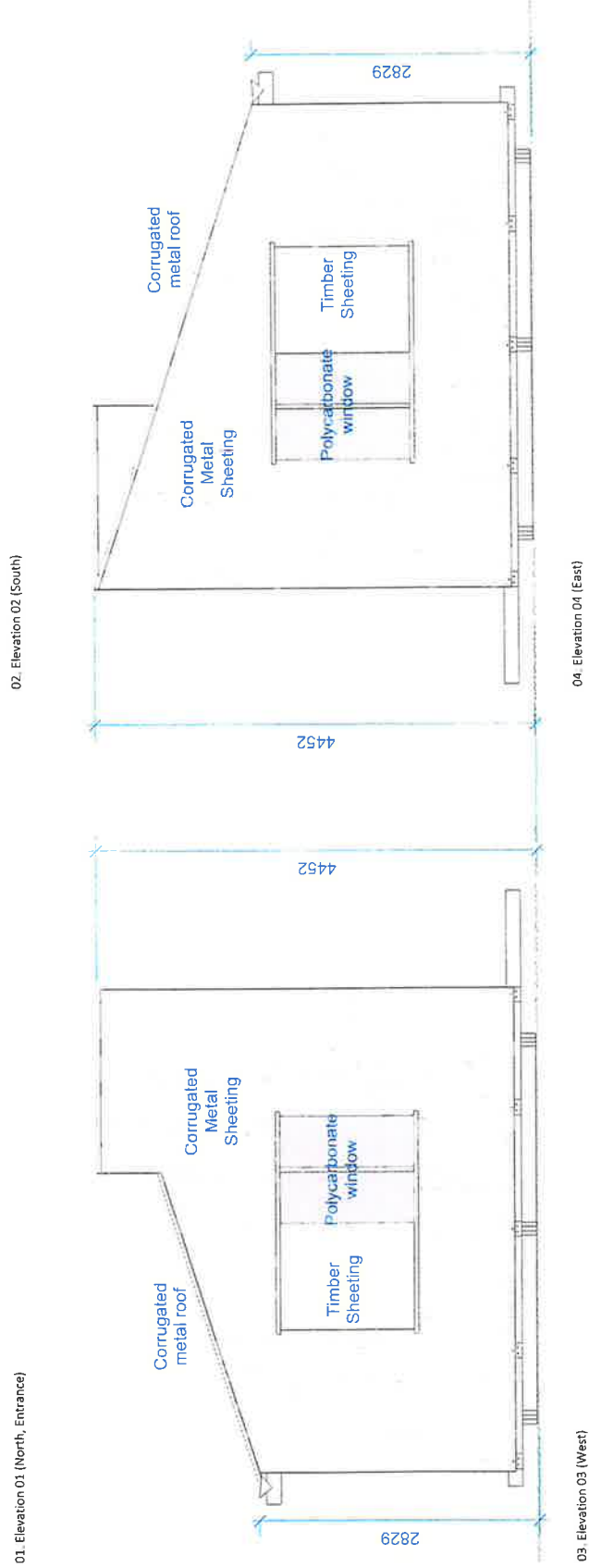
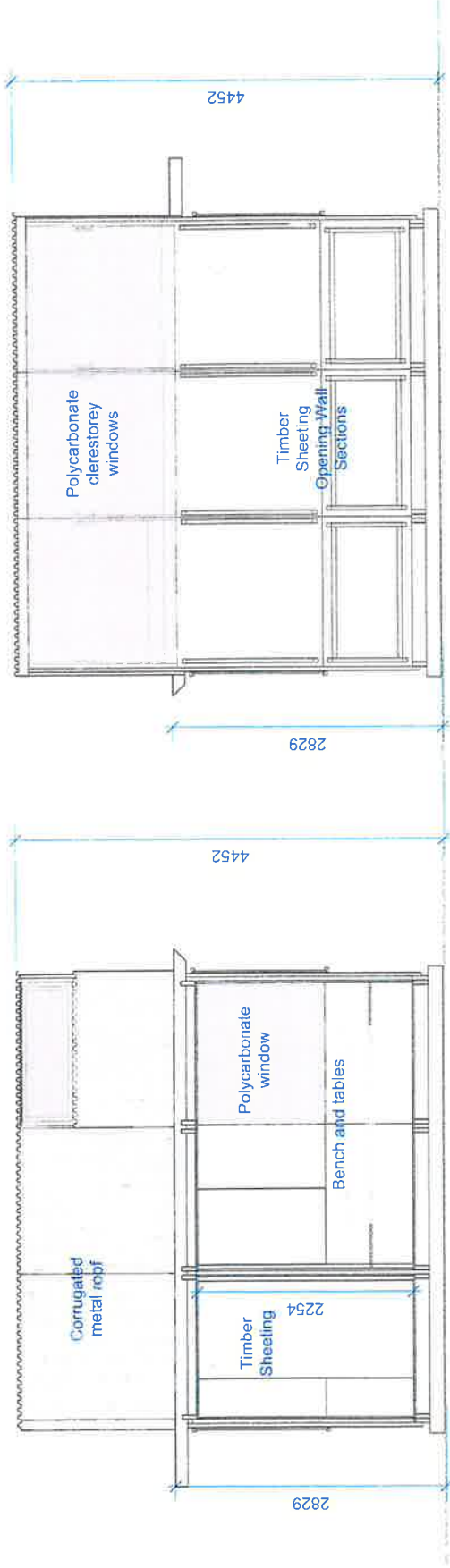
03. Section AA



04. Section BB







KS525065



**MEATH COUNTY COUNCIL**

**CHIEF EXECUTIVE ORDER**

**Chief Executive Order Number:** 1079/25

**Reference Number:** K/S525065

**Subject:** Declaration under Part 1, Section 5, Planning and Development Act 2000-2023

**Name of Applicant:** Emmet Scanlon, Director, Irish Architecture Foundation

**Address:** c/o Evelyn Darcy : 12<sup>th</sup> Field  
16 Stoneybatter  
Dublin 7  
D07 C7FN

**Nature of Application:** Erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour".


**Location of Development:** Girley Bog, Chamberlainstown, Co Meath

**DECLARATION:** This development is **EXEMPT** from Planning Permission.

**ORDER:**

Being satisfied that all requirements relating to the Application have been complied with and to consider the proper Planning and Development of the County Meath Health District, IT IS HEREBY DECIDED, in pursuance of the above Act to declare that this is **EXEMPTED DEVELOPMENT**.

**SIGNED:**

  
On Behalf of Meath County Council

**DATE:**

25.06.25





**MEATH COUNTY COUNCIL**

**Planning Department**

**Buvinda House**

**Dublin Road**

**Navan Co Meath**

**046 - 9097500**

**Planning & Development Act 2000- 2023**

**DECLARATION**

**To: Emmett Scanlon, Director, Irish Architecture Foundation  
c/o Evelyn D'Arcy : 12<sup>th</sup> Field  
16 Stoneybatter  
Dublin 7  
D07 C7FN**

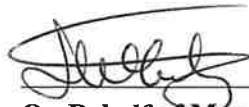
**PLANNING REFERENCE NUMBER: K/S525065**

**APPLICATION RECEIPT DATE: 29/05/2025**

**FURTHER INFORMATION DATE: N/A**

**In pursuance of the powers conferred upon them by the Planning and Development Act 2000-2023, Meath County Council has by order dated 25.06.25 decided to Declare the proposed development is EXEMPT, in accordance with the documents submitted namely: Erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour" at Girley Bog, Chamberlainstown, Co Meath**

Date: 25.06.25



**On Behalf of Meath County Council**

**NOTE:**

1. Any appeal against a Declaration of a Planning Authority under Section 5, sub-section 3(a) of the Planning and Development Act 2000-2022 may be made to An Bord Pleanala by the applicant WITHIN FOUR WEEKS beginning on the date of issue of the Declaration.
2. Appeals should be addressed to An Bord Pleanala, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. The fee for an appeal against a Declaration of the Planning Authority is € 220.

**For more information on Appeals you can contact An Bord Pleanala at:**

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Fax: 01 - 8722684

E-mail: [bord@pleanala.ie](mailto:bord@pleanala.ie) Web: [www.pleanala.ie](http://www.pleanala.ie)



# Meath County Council



1079

## Planning Report

<b>To:</b>	Wendy Bagnall, Senior Executive Planner
<b>From:</b>	Stephen O' Brien, Assistant Planner
<b>Date:</b>	24 June 2025
<b>MCC File Number:</b>	KS525065
<b>Applicant:</b>	Emmet Scanlon, Director; Irish Architecture Foundation
<b>Development Address:</b>	Girley Bog, Chamberlainstown, Co. Meath
<b>Application Type:</b>	Section 5 of the Planning & Development Acts 2000-2023: Declaration on Development/Exempted Development.
<b>Development Description:</b>	Erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour".
<b>Date Decision Due:</b>	26 <sup>th</sup> June 2025.

### **1. Site Location & Description**

The application site is located in the townland of Girley, in Girley Bog, approximately 500m west of the rural node of Fordstown. The proposed project is for Bog Bothy Festival at Girley Bog NHA (001580). Girley Bog comprises a raised bog that includes both areas of high bog and cutover bog and is bounded in parts by coniferous forestry to the south and north. This site is one of the few remaining raised bogs in Co. Meath and represents the eastern extreme of the range of raised bogs in the country. The proposed Bog Bothy Festival is a two-location celebration of peatland heritage, conservation and community climate action. The second location – Clara Bog SAC has been assessed separately by Offaly County Council.

There are no National Monuments within or adjoining the application site. The site is located in a RA – Rural Area. The site is not located within an Architectural Conservation Area (ACA). The site is designated an Area Under Strong Urban Influence, according to the Meath County Development Plan 2021-2027. There are no Protected Structures, National Monuments or Protected Views within the application site. The site is located in the Lowland Landscape (namely the Southwest Kells Lowlands) which has a moderate value and moderate sensitivity.

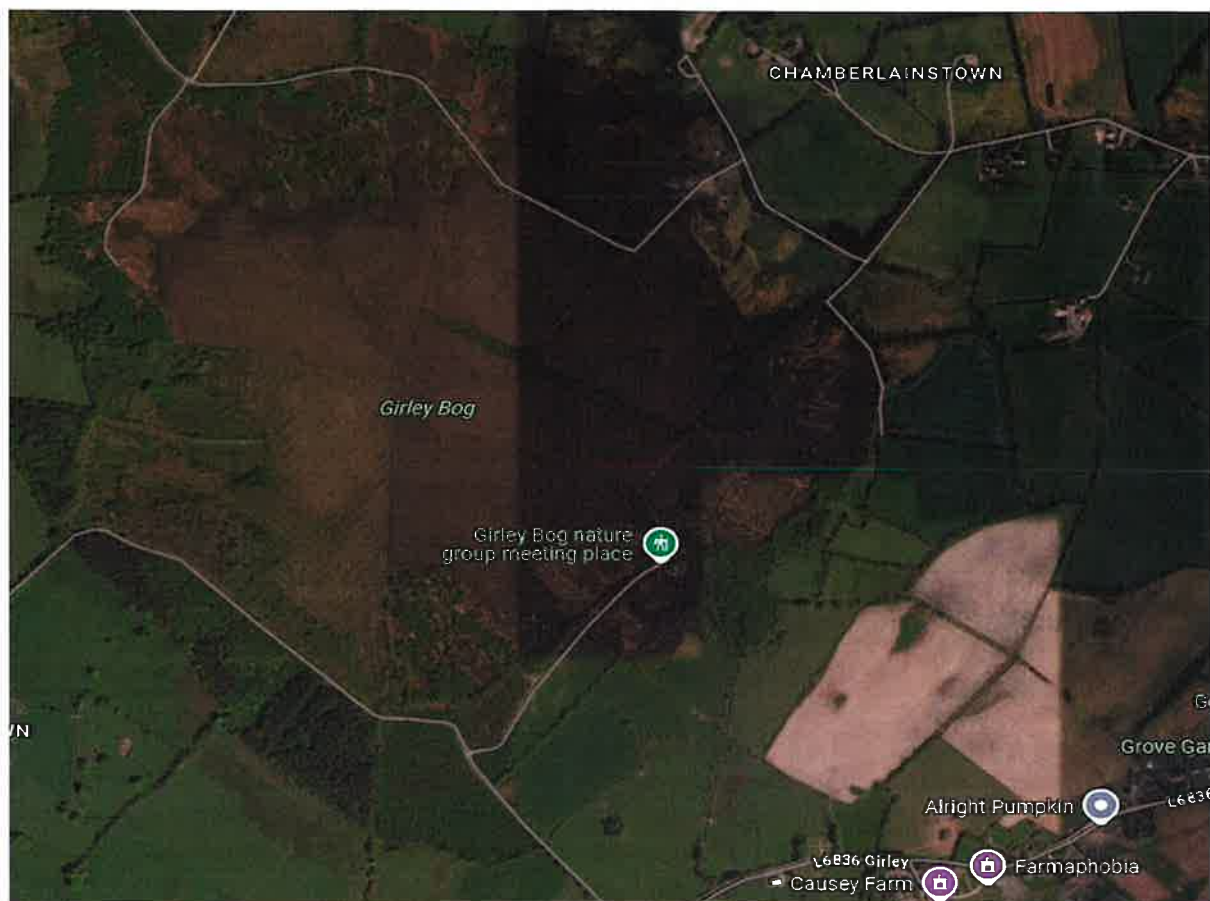


Figure 1: Extract from Google Imagery showing subject site.

## 2. Proposed Declaration:

The applicant describes the development in the completed application form as *'the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour"'*. The Planning Authority is considering this question as:

***Whether the extension of an existing dwelling is or is not development and is or is not exempted development.***

The completed application form and submitted documents indicate that the extent of works proposed shall comprise of a temporary timber pavilion (21sqm in area and 4.5m in ridge height).

## 3. Planning History:

A review of Meath County Council's historical planning data and mapping systems indicates no planning history with the subject site.

## 4. Internal, External and Prescribed Body Referrals:

No referred.

## **5. Relevant National Legislation**

In order to assess whether or not the works described in Section 2 of this report is or is not development or is or is not exempted development regard must be had to the following national legislation set out below.

### **5.1 Section 2 of the Planning & Development Acts 2000-2023**

Section 2 of the Planning & Development Acts 2000-2023 provides the following interpretations which are relevant:

“development” has the meaning assigned to it by section 3, and “develop” shall be construed accordingly.

“Exempted development” has the meaning specified in section 4.

“structure” means *inter alia* any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure so defined, and where the context so admits, includes the land on, in or under which the structure is situate; and

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

### **5.2 Section 3 of the Planning & Development Acts 2000-2023**

Section 3(1) of the Planning & Development Acts 2000-2023 defines “development” as follows:

*“Development means except where the context otherwise requires, the carrying out of any works on, in over or under land or the making of any material change in the use of any structures or other land.”*

### **5.3 Section 4 of the Planning & Development Acts 2000-2023**

Section 4(1) of the Planning & Development Acts 2000-2023 provides a list of statutory exempted development including:

*“(j) development consisting of the use of any structure or other land within the curtilage of a house for any purpose incidental to the enjoyment of the house as such;”*

Section 4(2) of the Planning and Development Acts 2000-2023 provides for the making of regulations relating to exempted development. The Planning & Development Regulations 2001-2025 give effect to section 4(2).

Section 4 (2) (a) (i)

*‘The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—*

*(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or.'*

Section 4 (4)

*'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.'*

#### **5.4 Section 5 of the Planning & Development Acts 2000-2023**

Section 5 of the Planning & Development Acts 2000-2023 provides *inter alia*:

- (1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.
- (2) (a) Subject to *paragraph (b)*, a planning authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which its decision is based to the person who made the request under *subsection (1)*, and, where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.  
  
(b) A planning authority may require any person who made a request under *subsection (1)* to submit further information with regard to the request in order to enable the authority to issue the declaration on the question and, where further information is received under this paragraph, the planning authority shall issue the declaration within 3 weeks of the date of the receipt of further information.  
(c) A planning authority may also request persons in addition to those referred to in *paragraph (b)* to submit information in order to enable the authority to issue the declaration on the question.

#### **5.5 Section 32 of the Planning & Development Acts 2000-2023**

Section 32 of the Planning & Development Acts 2000-2023 sets out a general obligation to obtain planning permission in respect of any development of land, not being exempted development, and in the case of development, which is unauthorised, for the retention of that unauthorised development.

#### **5.6 Article 6 of the Planning & Development Regulations 2001-2025**

Article 6 of the Planning & Development Regulations 2001-2025 provides (subject to the restrictions in article 9 of the Planning & Development Regulations 2001-2025) for the classes of exempted development under column 1 of Parts 1, 2 and 3 of Schedule 2, subject, where applicable, to the conditions and limitations imposed upon such classes as set out in column 2.

## **5.7 Class 37 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025**

Class 37      *Development consisting of the use of land for any fair, funfair, bazaar or circus or any local event of a religious, cultural, educational, political, social, recreational or sporting character and the placing or maintenance of tents, vans, or other temporary or movable structures or objects on the land in connection with such use.*

Conditions and Limitations attached thereto:

1. *The land shall not be used for any such purpose either continuously for a period exceeding 15 days or occasionally for periods exceeding in aggregate 30 days in any year.*
2. *On the discontinuance of such use the land shall be reinstated save to such extent as may be authorized or required by a permission under the Act.*

5.8  
~~5.7~~

## **Article 9 of the Planning & Development Regulations 2001-2025**

Article 9 of the Planning & Development Regulations 2001-2025 imposes specific restrictions on development of classes specified in Parts 1, 2 and 3 of Schedule 2 and in effect de-exempts certain classes of development that would be exempt under normal circumstances.

### **6. Assessment:**

In essence, the question has arisen as to whether *‘the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation’s “Bog Bothy Tour”,* is or is not development and is or is not exempted development. In this regard, it is necessary to consider the question of “development” and “exempted development” as provided for in statute and summarised above.

#### **6.1 “Development”**

It is considered that the subject proposal, as outlined above, falls within the statutory interpretation of “works” within the section 3(1) Planning & Development Acts 2000-2023 definition of development. Whether the works are development and exempted development or development and not exempted development requires an assessment of each of the component elements against the provisions of Class 1 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025 respectively.

#### **6.2 “Exempted Development”**

In terms of whether the development is exempted development, the Applicant proposes to erect a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation’s “Bog Bothy Tour”. This will be a temporary timber pavilion with a floor area of 21sqm and a ridge height of 4.5m. This will be erected on site from 15<sup>th</sup> August 2025 until mid-September 2025.

The structure is self-contained and has no foundations, so the ground where it is will not be disturbed. The structure will be used for workshops and guided events run by the Irish Architecture Foundation, the NPWS and the local community as part of National Heritage Week. It is stated with the application the project proposes to create a Bothy – a space for shelter, retreat and engagement with Ireland's evolving peat landscapes. The festival is proposed for 28 days and is within the Conditions and Limitations for time schedule.

To benefit from an exemption under Class 37 of Article 6, Part 1 of Schedule 2 of the Planning and Development Regulations 2001-2025, which provides for 'the extension to rear of existing cottage' must accord with the listed conditions/limitations. In this regard, *the proposed erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour"* falls within the listed conditions/limitations. Furthermore, from a review of the submitted drawings the Planning Officer considers that the proposed development would comply with all relevant conditions and limitations set out under Class 37, Part 1, Schedule 2 of the Planning & Development Regulations 2001-2025.

On the basis of the details submitted with the application, the Planning Officer considers that the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour" proposed meets the Conditions and Limitations set out under Column 2 of Class 37 of Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025 and is therefore exempted development.

Based on the foregoing, I believe that the *erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour"*. At Girley Bog, Fordstown is development and is exempted development pursuant Class 37 of Article 6, Part 1 of Schedule 2 Planning and Development Regulations 2001-2025.

## **7. Appropriate Assessment:**

Article 6(3) of Council Directive 92/43/EEC (as amended) on the conservation of natural habitats and of wild fauna and flora ('the Habitats Directive') requires that any plan or project that is not directly connected with or necessary to the management of the Natura 2000 site concerned but is likely to have a significant effect on it, on its own or in combination with other plans and projects, is to be authorised only if it will not adversely affect the integrity of that site. The application site is not within any designated Natura 2000 site. The nearest sites located within 15km of the subject site are as follows:

- Girley (Drewstown) Bog SAC (002203) ~ 400m to the northwest
- Girley Bog NHA (001580) ~ adjacent to the site.

The NPWS have given permission for the use of the land for this purpose, and have been fully engaged with the process, including site selection. A letter of permission is included with the application. Furthermore, the NPWS have carried out screening for Appropriate Assessment, given that the bog is located on the edge of the Girley Bog NHA and have screened the site out. The proposed bothy site at Girley Bog (see in Figure 2 of AA Screening Report), is part



of the cutover bog, bounded to the north by a road/track with a ditch. The site has recently been cleared of a planted conifer plantation. The site is in a degraded condition and has recently undergone tree clearance under the direction of the NPWS. A temporary walking exhibition is proposed to utilise the boardwalk at the end of the track road adjacent the bog site. The Bog Bothy will be located on a temporary structure above the ground and will be at this location permanently.

The Planning Authority considered the nature, scale and location of the proposed development and other plans and projects (where there could be potential for cumulative or in-combination effects), the conservation objectives/ qualifying interests of European Sites within the vicinity of the site and the distance to European Sites, any protected habitats or species, the WFD catchment location, the underlying aquifer type and vulnerability and the excavation works, emissions, transportation requirements and duration of construction and operation and cumulative impacts associated with the proposal.

The Planning Authority's Screening for Appropriate Assessment has considered the potential effects including direct, indirect and in-combination effects of the proposed development, individually or in combination with the permitted developments and cumulatively with other plans or projects on European Sites. The Planning Authority concludes that the proposed development (entire project), by itself or in combination with other plans and developments in the vicinity, would not be likely to have a significant effect on European Site(s). In light of this, it is considered that a Stage 2 Appropriate Assessment (Natura Impact Statement) is not required in this instance.

## **8. Environmental Impact Assessment:**

The proposed development is not a development type listed under Part 1 or 2 of Schedule 5 of the Planning & Development Regulations (PDR) 2001 - 2025 nor is it considered a sub-threshold development for the purposes of Schedule 7 PDR. Based on information provided and having considered the nature, size and location of the development, there is no real likelihood of significant effects on the environment and as such as EIS/EIAR is not required.

## **9. Conclusion and Recommendation:**

Having regard to the development proposed, I conclude that the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour" at Girley Bog, Fordstown County Meath proposed by Emmet Scanlon, Director; Irish Architecture Foundation is development and is exempted development.

**I recommend** that the application for an exempted development certificate is **GRANTED** for the following reason:

**WHEREAS** the question has arisen as to whether the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour". at Girley Bog, Fordstown, Co. Meath is or is not development and is or is not exempted development.

**AND WHEREAS** the said question was referred to Meath County Council by the Applicant, Emmett Scanlon, Irish Architecture Foundation

**AND WHEREAS** Meath County Council, in considering this reference, had particular regard to:

- (a) Sections 2, 3, 4, 5 and 32 of the Planning & Development Act 2000-2023 and articles 6 and 9 of the Planning & Development Regulations 2001-2025.
- (b) The definition of "development" in section 3 of the Planning & Development Act 2000-2023 and
- (c) The provisions under Class 37 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025

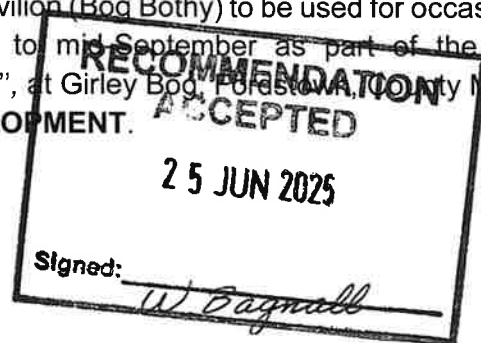
**AND WHEREAS** Meath County Council has concluded that:

- (a) The erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour" at Girley Bog, Fordstown, County Meath comprises works and is development under section 3(1) of the Planning & Development Act 2000-2023 and
- (b) the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour" at Girley Bog, Fordstown County Meath is exempted development under the provisions of Class 37 of Article 6, Part 1 of Schedule 2 of the Planning & Development Regulations 2001-2025.
- (c) Information submitted.

**NOW THEREFORE** Meath County Council in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000-2023 hereby decides that 'the erection of a temporary wooden pavilion (Bog Bothy) to be used for occasional workshops and events from mid-August to mid-September as part of the Irish Architecture Foundation's "Bog Bothy Tour", at Girley Bog, Fordstown, County Meath is development and is **EXEMPTED DEVELOPMENT**.

*Stephen O'Brien*

**Stephen O'Brien**  
**Assistant Planner**  
**24/06/2025**



**Wendy Bagnall**  
**Senior Executive Planner**  
**24/06/2025**

**Note:** Declaration is made strictly on the information submitted with this application and the Case Officer's interpretation of the thresholds for exempted development as set out in the Planning & Development Regulations 2001-2025.

