



**An Coiste um Achomhairc  
Foraoiseachta  
Forestry Appeals Committee**

**Our ref: FAC204/2019 CN83498**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15<sup>th</sup> January 2020

**Subject: Appeal in relation to forest road licence CN83498, Edergole, Co. Leitrim**

Dear [REDACTED]

I refer to your appeal to the Forestry Appeals Committee (FAC) against the decision by the Department of Agriculture, Food and Marine on licence CN83498. The FAC established in accordance with Section 14 A (1) of the Agriculture Appeals Act 2001 has now completed an examination of the facts and evidence provided by the parties to the appeal.

**Background**

Forest road licence CN83498 at Edergole, Co. Leitrim was granted by the Department of Agriculture, Food and Marine on 27/08/2019.

**Hearing**

A hearing of appeal 204/2019 was conducted by the FAC on 18<sup>th</sup> December 2019 at the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois.

**In Attendance at Hearing:**

**FAC Members:** Mr. Des Johnson (Chairperson), Mr. Pat Coman, Mr. James Conway & Mr. Vincent Upton

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Forestry Appeals Committee**

Kilminchy Court,  
Portlaoise,  
Co Laois  
R32 DWT5

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**Appellant:** Not present  
**Applicant:** Not present  
**Department Representatives:** Mr. Seppi Honna, Ms. Eilish Kehoe  
**Secretary to the FAC:** Ms. Ruth Kinehan

### **Decision**

Having regard to the evidence before it and, in particular, the following considerations and reasoning, the FAC has decided to confirm the decision of the Minister regarding licence CN83498.

Prior to making this decision the FAC undertook a preliminary examination of this proposal in relation to environmental impact assessment and undertook an appropriate assessment screening of the possibility of significant effects on Natura 2000 sites. The determinations of this examination and assessment are available on the public file.

The proposed development is for a forest road utilising an existing access on to the public road (314m in length). This is sub-threshold for the purposes of mandatory environmental impact assessment. Having regard to the nature and scale of the proposed forest road, to the area of existing forestry to be serviced (12.57ha), the nature of the surrounding environment which includes extensive mature and semi-mature forest cover, agriculture and a sparse and dispersed settlement pattern, and to the drainage pattern in the area, the FAC concluded that, following a preliminary examination, there is no real likelihood of significant effects on the environment arising from the proposed forest road either by itself or cumulatively with the area of forestry to be serviced and other land uses in the area, and that the need for environmental impact assessment can be excluded without the requirement for a screening.

The FAC further concluded that the proposed forest road is not directly connected with or necessary to the management of any European site. Also, having regard to the absence of any designated European sites within a 15km radius and within a possible zone of influence from the subject site and the absence of hydrological connectivity, the proposed forest road by itself, or in combination with other projects and land uses in the area, including mature and semi-mature forestry and agriculture, would not have any effect on any European site. In particular, the FAC noted that the proposed forest road is not within Lough Gill SAC (Code: IE0001976) and is a very considerable distance separated from that designated site. In the circumstances outlined above, the FAC concluded that a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required. The FAC considered that none of the conditions attached to the licence require measures which are designed to mitigate effects on a European site, in this instance.



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The FAC concluded that the proposal is consistent with Government policy and Good Forestry practice and would not be detrimental to the amenities of the area.

Before making its decision, the FAC considered all of the information submitted with the application, the processing of the application by the DAFM, the grounds of appeal and submissions and observations received, including information provided at the Oral Hearing.

Note: the granting of this licence should not be interpreted as meeting any requirement to obtain planning permission under planning legislation in circumstances where the provisions of that legislation require permission to be obtained. If you are in any doubt as to whether or not planning permission is required, it is recommended that you contact the relevant planning authority for clarification.

Yours sincerely

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Des Johnson, On behalf of the Forestry Appeals Committee

