



Our ref: FAC280/2019 CN84422

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15th January 2020

Subject: Appeal in relation to licence CN84422, Achonry, Sligo

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 CN84422. 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

Afforestation licence CN84422 for 8.18 ha at Achonry, Sligo was granted by the Department of Agriculture, Food and Marine on the 30th September 2019.

Hearing

A hearing of appeal 280/2019 was conducted by the FAC on 11th 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

Appellant: Not present

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

Kilminchy Court,
Portlaoise,
Co Laois
R32 DWT5

Eon/Telephone 076 106 4418
057 863 1900



Applicant: Not present

Department Representatives: Mr. Seppi Honna, Ms. Janet Farrell

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 CN84422.

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 summarised below and available on the public file.

The licence is for afforestation on a site area of 8.18 ha (mainly 85% Sitka Spruce and 15% broadleaves). The site is in three adjoining plots, the larger of which is bisected by a private roadway and also has frontage on to a public road. It is relatively flat and at an elevation of 80-90 metres with soil described as mineral, peat. The wider area is rural and agricultural in character but also supports significant areas of mature and maturing forests. There is a sparse settlement pattern with a large farming complex to the south of the site and an animal collections development to the north-north east. There are no rivers or streams crossing or bounding the site proposed for afforestation.

The proposed afforestation is sub-threshold for the purposes of the EIA Directive and does not require mandatory environmental impact assessment. Having regard to the nature and small scale of the proposed afforestation on mineral and peat soils, the characteristics of the site, the nature of the surrounding environment which is predominantly rural agricultural but with significant areas of mature and maturing forestry and with a dispersed settlement pattern, the FAC concluded that, following a preliminary examination, there is no real likelihood of significant effects on the environment arising from the proposed afforestation either by itself or cumulatively with other land uses in the area and that environmental impact assessment is not required.

Eleven European sites are identified within a 15km radius of the proposed afforestation as follows:

- Turloughmore (Sligo) SAC
- Templehouse and Clooncleigha Loughs SAC
- Dooncastle Turlough SAC
- River Moy SAC
- Cloonakillina Lough SAC
- Flughany Bog SAC

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- Ox Mountains Bogs SAC
- Unshin River SAC
- Lough Nabrickkeagh Bog SAC
- Bricklieve Mountains and Keishcorran SAC
- Knockachree and Knockachree Cliffs SAC

The nearest designated sites to the proposed afforestation site are Turloughmore (Sligo) SAC at 740m, Templehouse and Clooncleigha Loughs SAC at 3260m and Dooncastle Turlough SAC at 4175m. There is no hydrological connection between the proposed afforestation site and any of the European sites identified. No site outside of the 15km radius was identified that could be impacted by the proposal.

Other projects identified in the area include dwellings and septic tanks, slatted shed and animal unit. Felling licences were granted in the area for clearfell and thinnings and there are 3 adjoining/adjacent plantations. Having regard to the nature of these projects and the limited scale and nature of the proposed afforestation, the FAC concluded that there would be no significant in combination effects on any European site.

Having regard to the nature and small scale of the proposed afforestation on mineral soils, the nature of the surrounding environment as described, the designated European sites identified within the potential zone of influence of the proposed afforestation and the qualifying interests listed for these sites, and to the absence of hydraulic connectivity to any of these designated sites from the proposed afforestation site, the FAC concluded that the proposed afforestation, by itself or in combination with other projects and land uses in the area, would not give rise to an effect or effects on any designated European site, having regard to the conservation objectives listed. The FAC is satisfied that the proposed afforestation does not include any mitigation measures designed to avoid or reduce effects on any European site

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.

Yours sincerely

Vincent Upton, On behalf of the Forestry Appeals Committee

