



16 January 2020

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Our ref: FAC 319/2019

Subject: Appeal in relation to tree felling licence TFL00331419

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 TFL00331419.

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

Tree felling licence TFL00331419 was granted by the Department on 17 October 2019.

Hearing

A hearing of appeal 319/2019 was conducted by the FAC on 17 December 2019 at the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois.

In Attendance at Hearing:

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| FAC Members: | Mr. Des Johnson (Chairperson), Mr. Pat Coman, Mr. James Conway & Mr. Vincent Upton |
| Appellant: | Not present |
| Applicant: | Not present |
| Department Representatives: | Mr. Jhan Crane, Mr. Frank Barrett & Ms. Eilish Kehoe |
| Secretary to the FAC: | Ms. Ruth Kinehan |

Decision

Having regard to the evidence before it and, in particular, the following considerations, the FAC has decided to confirm the decision of the Minister regarding licence TFL00331419:

The proposal is for the clearfelling on a site divided into 3 plots (1.32ha, 1.05ha and 0.16ha). The proposed lots are flat and have mineral soils. The trees were planted in 1993 and proposed replanting would be with Sitka Spruce (85%) and Birch (15%). The plots proposed for felling are bordered by or adjacent to small streams flowing in a south eastern direction. This is a rural agricultural area with a dispersed settlement pattern served by narrow roads bounded by hedgerows. Modern dwellings are interspersed with farm complexes incorporating large agricultural sheds.

The FAC carried out a preliminary examination of the information submitted with the application and supplementary information submitted to the FAC in the course of the appeal process. The proposed felling and replanting (2.53ha) is sub-threshold for the purposes of environmental impact assessment (EIA). Having regard to the nature, scale, location and design of the proposed felling and replanting, the nature and extent of existing forestry in the area and to the characteristics of the surrounding environment, the FAC concludes that the proposed felling and replanting either by itself, or in combination with other projects and land uses in the area, would not give rise to any real likelihood of significant effects on the environment and that environmental impact assessment of the proposal is not required.

The FAC consider that the proposed clearfelling and replanting is not directly connected with or necessary to the management of any European sites. European sites identified are in excess of 20km from the proposed site are Stabannan-Braganstown SPA and Dundalk Bay SPA/SAC. Information was provided to the FAC at the Oral Hearing in respect of other projects in the area – 2 dwellings, 3 bay slatted shed and a domestic garage.

Having regard to conservation objectives set for these sites and the nature and scale of the proposed clearfelling and replanting, and the separation distances to the European sites, the FAC concluded that the proposal by itself, or in combination with other projects and land uses in the area would not have an effect on any European site.

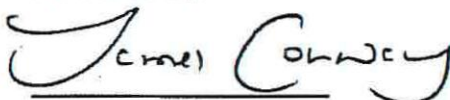
The FAC considered the conditions attached by DAFM to the licence and concluded that none of the conditions required measures to be taken to prevent or reduce effects on any European site.

Details of the preliminary examination for EIA and the screening for Appropriate Assessment of the possibility of significant effects on Natura 200 sites are available on the public file.

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,

A handwritten signature in dark ink, appearing to read 'James Conway'. The signature is fluid and cursive, with the first name 'James' and the last name 'Conway' clearly distinguishable.

James Conway, on behalf of the Forestry Appeals Committee