

**Coogan, Mary**

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**From:** Coogan, Mary  
**Sent:** Wednesday 19 January 2022 17:41  
**To:** forestry agriappeals  
**Cc:** Keary, Kevin; OBrien, MichaelG; Forestry Support Unit; Coogan, Mary  
**Subject:** DAFM Statement FAC149/2021 CN83195  
**Attachments:** CN83195 DAFM Statement FAC149 2021.docx

Please note that DAFM Statement FAC149/2021 CN83195 has been uploaded to FAC Cloud Link today.

Please note that no copy file is provided as IFORIS documentation is visible on the Forestry Licence Viewer for this contract.

Regards

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Mary Coogan

Forestry Support Unit

**Mary Coogan**  
Forestry Division, Forestry Support Unit,  
Rannóg/Seirbhís Foraoiseachta, Rannóg Cheadúchan,

**An Roinn Talmhaíochta, Bia agus Mara**  
Department of Agriculture, Food and Marine  
**Eastát Chaisleán Sheonach, Contae Loch Gorman, Y35 PN52**  
Johnstown Castle Estate, Co. Wexford, Y35 PN52

+353 (0)53 9170357  
mary.coogan@agriculture.gov.ie  
[www.agriculture.gov.ie](http://www.agriculture.gov.ie) +353 (0)761 064415



## Forestry Division Statement to the Forestry Appeals Committee

FAC Reference	149/2021
File Reference	CN83195
Scheme	Road
Approved length (M)	410 metres

### Summary of application:

Date Submitted	28/01/2019
Site Notice date	29/01/2019
Date Application Advertised	20/02/2019
Referrals to referral bodies	Clare County Council referral 15/02/2019 Reply (letter 11/03/2019) Scan 20/03/2019
Date Referred to Inspector	15/02/2019 - Certified 05/03/2019 13/03/2019 - Certified 18/06/2019 09/07/2019 - Certified 06/08/2019 06/09/2019 - Certified 08/12/2021
Desk Assessment/Desk & Field Assessment	Desk assessment, Field Inspection 11/06/2019
Submissions Received	1 Submission received 19/02/2019 + addition 04/03/2019
Appropriate Assessment Screening	Natura Sites 1,2,3,4. Screen AA required- Appropriate assessment is required in relation to one or more European sites. (See Ecology above)
Recommendation from Inspector	Approve with conditions
Decision	In addition to the Department's environmental and silvicultural guidelines the following specific conditions apply to this proposal: - The forest road project and all associated operations shall be carried out and completed in accordance with the requirements of the Forestry and Water Quality Guidelines, the COFORD Forest Road Manual and also to the section entitled 'Road Planning Guidelines' in the Forest Harvesting and the Environment Guidelines. Reason: In the interests of protecting water quality and aquatic ecosystems, ensuring good forest practice, and the protection of the environment.

	<p>- The forest road project and all associated operations shall be carried out and completed in accordance with the requirements of the Forestry and Biodiversity Guidelines.</p> <p>Reason: In order to protect the environment, in particular habitats for flora and fauna, and in the interest of the development of biodiversity value of forests.</p> <p>- Condition: Adhere to the mitigation measures set out in the attached Appropriate Assessment Determination, dated 02/12/2021.</p> <p>Reason: In the interests of protection of the environment, in particular the protection of European Site(s).</p> <p>- All guidelines to apply</p>
Date Decision Issued	09/12/2021
Date Decision Advertised	10/12/2021

**Administrative Comments:**

**The decision was issued in accordance with our procedures, S.I. 191/2017 and the 2014 Forestry Act.**

Please see the statement from the Inspectorate.

Name: Mary Coogan

Grade: EO

Date: 19/01/2022

## Ground of Appeal

- v. Transparency and openness in the use of personal data is important to the FAC which aims to fully inform all its customers about the purpose(s) for which their data will be used and why, where it may be shared elsewhere and why and how long their data may be held by the FAC. This information and the information on the rights of customers who provide personal data to the FAC are detailed in the data protection section on the Appeals Office's website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).
- vi. Personal data processed by the FAC will only be used for the specific purpose(s) as outlined when the data is collected (Notice of Appeal Form) and as outlined in detail in the data protection section on the Office's website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).
- vii. Please be advised that if you are attending the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5 that CCTV is in operation for the security and safety of visitors and staff. More information is in the data protection section on the Office's website [www.agriappeals.gov.ie](http://www.agriappeals.gov.ie).

### 14. Appellant's Grounds and Statement (additional pages may be included if required)

In accordance with section 14B(4) of The Agriculture Appeals Act 2001, I would be grateful if The Forestry Appeals Committee can vary the above referenced decision based on the following grounds:


1. I wrote to the Department of Agriculture Food & The Marine on 3 occasions in 2019 (See enclosures) expressing my various concerns regarding the impact of the proposed development on my property. I am the only resident on the proposed access unmade private laneway of approx. 2 km length, at the end of which is the proposed development. Sadly, 34 months later, I have still received no visit, no phone calls nor correspondence to show that my concerns were addressed to allay my fears.

### 15. Declaration

By signing the declaration below you are making an appeal against the decision referred to in this Notice of Appeal Form and declaring that your appeal details may be provided to other relevant parties and may be included in the record of and read publicly at any oral hearing held for this appeal and may be published.

*I declare that the information contained in my appeal is true and accurate and that I have read and accept the rules governing the submission and processing of appeals by the Forestry Appeals Committee including Sections 14 A to 14F of the Agriculture Appeals Act, 2001, the Forestry (Miscellaneous Provisions) Act, 2020 and the Forestry Appeals Committee Regulations 2020.*

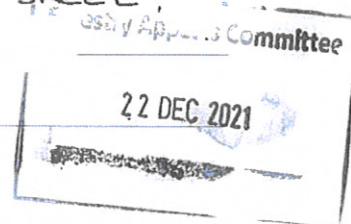
\* Please see single attached sheet.

Signature of Appellant: 

Date:

21-12-21 ✓

Version 10/08/2021



In accordance with Section 14.B(4) of the Agriculture Appeals Act 2001 (as amended), I would be grateful if the Forestry Appeals Committee can vary the above referenced decision based on the following grounds:

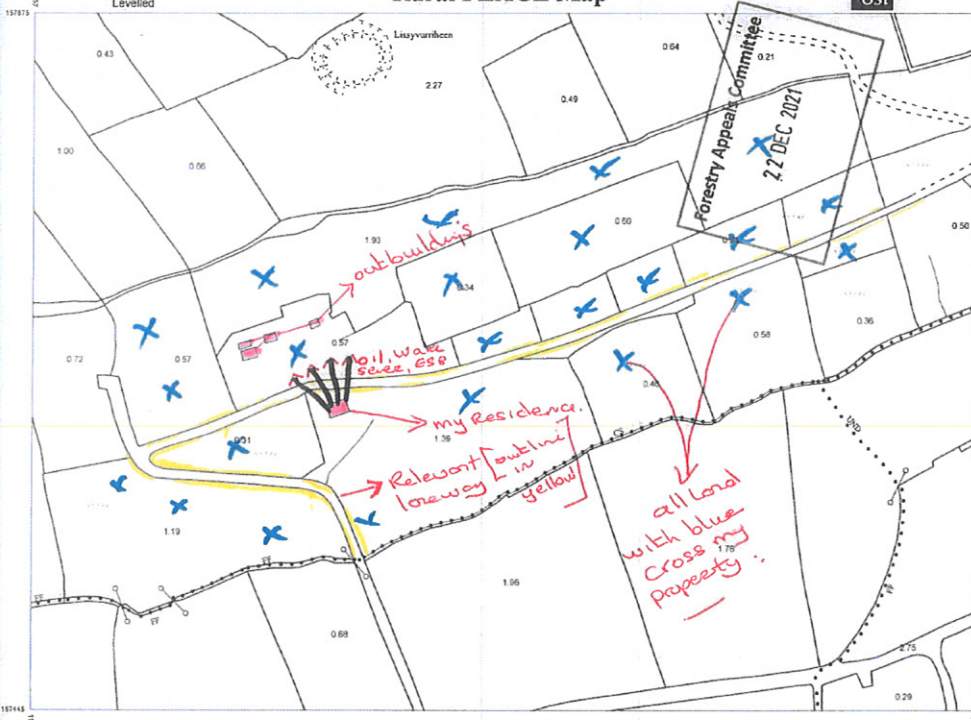
1. I wrote to the Department of Agriculture Food & Marine on 3 occasions in 2019 (see enclosures) expressing my various concerns regarding the impact of the proposed development on my property. I am the only resident on the proposed access unmade private laneway of approximately 2km length at the end of which is the proposed development. Sadly, 34 months later, I have still received no visit, no phone calls nor correspondence to show that my concerns were addressed to allay my fears.
2. My property consists of my residence which was built in the 1960s and situated 6 metres (see photograph) from the laneway along which I also have a right of way. There are outbuildings on the other side of the laneway that I need to access several times daily. There are 4 connections running under the laneway carrying mains electricity, mains water, sewage water and heating oil (see photograph showing locations, a small distance underground). My land abuts the laneway on 2 sides for 600 metres (see rural place map).
3. My concerns are many. Firstly my underground connections are at grave risk from the type of vehicles that I imagine will be crossing over them. Secondly my house being only 6 metres from the laneway will be subject to vibration and I worry for its integrity as a result. Thirdly I will be subject to a considerable impact from noise and other noxious factors passing so close to my home. Fourthly I am concerned that my land to either side of the laneway for 600 metres will be impacted by the nature of the traffic passing during this project.
4. As the only resident along the right of access laneway I have maintained it in such a way that access is possible at all times of the year. I am concerned that this project will degrade the condition of the laneway considerably.
5. The right of way into the development land was established many decades ago as was the laneway itself. It was surely for the purpose of pedestrian, bicycle and horse & cart traffic and never envisaged that there would be such activity and vehicles of such a size and frequency passing along it. I believe that the proposed development will require a considerable change of use of this right of way. It is highly questionable as to whether this laneway is wide enough or capable of withstanding this type of usage, there is also one significant U bend which will be extremely difficult for large or articulated vehicles to navigate.
6. I live alone and this proposed development and potential consequences to my overall health, my property and my environment are very stressful.

My appeal would seek to review and vary this decision to establish if the laneway is indeed capable of withstanding such usage and to indemnify me for any consequential damages to my property and the laneway if the project does go ahead.



Surveyed 2000  
Revised 2004  
Levelled

# Rural PLACE Map



ITM CENTRE PT COORDS  
518716,657704

DESCRIPTION

MAP SHEETS

Digital Map  
4572



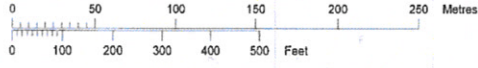
Produced by Map-Point Maps,  
544 Henry Street, Liverpool City  
On behalf of Ordnance Survey Ireland,  
Phoenix Park, Dublin 8

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Scale:- 1:2,500  
Scale:- 1:2,500



Plot Ref. No. 1312841\_1\_8  
Plot Date 12-JUN-2008



**Sales (TM Office Supplies)**

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**From:**  
**Sent:** 14 December 2021 13:03  
**To:**  
**Subject:** Fwd: To Whom it May Concern - ref.: - CN 83195

Sent from my iPhone

Begin forwarded message:

**From:** "Chigara, Lisa" <[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)>  
**Date:** 4 March 2019 at 11:05:21 am GMT  
**To:**  
**Subject:** RE: To Whom it May Concern - ref.: - CN 83195

Hi

Thank you for your email. The forest inspector will be notified of your views and you will be notified when a decision has been made. I have updated your address details also.

Kind regards,

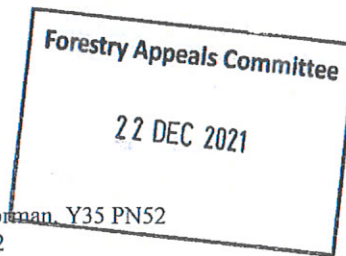
Lisa Chigara  
Executive Officer Forest Service

An Roinn Talmhaíochta, Bia agus Mara  
Department of Agriculture, Food and the Marine

Eastát Chaisleán Bhaile Sheáin, Chontae Loch Garman, Y35 PN52  
Johnstown Castle Estate, Co. Wexford, Y35 PN52

T +353 (0)53 9170360

[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie) [www.agriculture.gov.ie](http://www.agriculture.gov.ie)



-----Original Message-----

**From:**  
**Sent:** 01 March 2019 09:04  
**To:** Chigara, Lisa  
**Subject:** Re: To Whom it May Concern - ref.: - CN 83195

March 1st. 2019                      Hi Lisa! Lisa I have received your letter - thank you! I understand from your letter that 'all observation' made will be taken into account... This is reassuring from my perspective - thank you! I refer to the Ordinance Survey Map - I have some concerns in relation to this map i.e I don't believe that this map is the most recent

Ordinance Survey Map available as in a more recent map there are outlines not included in the map you sent. What is more concerning for me is that the house where I live is hardly featured except for a pin head mark barely visible and certainly not recognisable as a residence - may I draw your attention to this very important detail please - this is important to me as I have referred in previous correspondence to the existence of this house which is also my home. For my part Lisa I need to be clear in my mind that due process care respect and fairness is exercised which I hope is also your intention and the plan and desire of the company company concerned with this planned project. Thank you for your patience in respect to this matter. With best wishes -

Sent from my iPhone

On 27 Feb 2019, at 12:22 pm, Chigara, Lisa <[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)> wrote:

I have now posted the acknowledgment letter along with maps and information on the proposed development. Please note our postal address at the bottom of this email.

Kind Regards,

Lisa Chigara  
Executive Officer Forest Service



—  
An Roinn Talmhaíochta, Bia agus Mara  
Department of Agriculture, Food and the Marine

Eastát Chaisleán Bhaile Sheáin, Chontae Loch Gorman, Y35 PN52  
Johnstown Castle Estate, Co. Wexford, Y35 PN52 \_\_ T +353 (0)53 9170360

[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie) [www.agriculture.gov.ie](http://www.agriculture.gov.ie)

-----Original Message-----

From:  
Sent: 27 February 2019 12:06

To: Chigara, Lisa

Subject: Re: To Whom it May Concern - ref.: - CN 83195

Hi Lisa! - Thank you for your prompt reply! - much appreciated- Lisa please note previous correspondence from me did have my address. For my part I don't have a postal address for you which I would like to have - my address :-  
- with thanks! -

Sent from my iPhone

On 27 Feb 2019, at 11:28 am, Chigara, Lisa  
<[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)> wrote:

Good morning

Thank you for your email. Could you please provide me with your postal address in order to formally acknowledge your submission and also to provide you with maps and information on the proposed plantation. The forest inspector will be notified of your views and they will be taken into consideration. You will also be notified when a decision has been made .

Kind Regards,

Lisa Chigara

Lisa Chigara  
Executive Officer Forest Service

—  
An Roinn Talmhaíochta, Bia agus Mara  
Department of Agriculture, Food and the Marine

Eastát Chaisleán Bhaile Sheáin, Chontae Loch Gorman, Y35  
PN52  
Johnstown Castle Estate, Co. Wexford, Y35 PN52 \_\_ T +353  
(0)53  
9170360

[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie) [www.agriculture.gov.ie](http://www.agriculture.gov.ie)



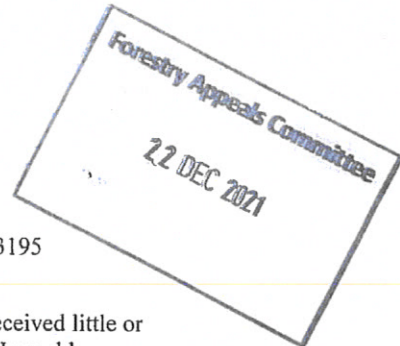
-----Original Message-----

From

Sent: 27 February 2019 05:23

To: forestryappenq

Subject: To Whom it May Concern - ref.: - CN 83195



As a follow up to previous texts I regret I have received little or no communion re previous expressed concerns - I would now wish to express my objections to using what is a private road for the transportation of felled wood - the road in question for the most part passes through my property & this road for the most part is in a very poor state of repair. I feel heavy traffic will render this road impassible as I use the road on a daily basis - may I also draw to your attention the road passes to within 5-6 metres of my residence. There are a number of concerns which I have namely 1/ weighty lorries near my home & possible damage to the foundation & structure of the house - 2/ there will be the ongoing noise factor for a period of time not yet specified by your company -3/ the road directly at the back of my home I have to use to access sheds directly connected to my home I really don't want to walk through a mud bath to gain access to these buildings . These are some of my concerns which I must share & express to you to take into account in your planning - as yet I have not received as promised a map

of "410 meters of a new road" -

Please see the above as real concerns on my part - what I have outlined is not intended to create difficulties rather it is my intention to seek clarity & definite answers & assurances - Thank

you very much!

ent from my iPhone

On 18 Feb 2019, at 1:06 pm,  
wrote:

Hi Breda - I'm

Writing with reference to site project in  
Coolmeen County Clare -

ref.: -cn 83195. I'll post this to ensure I have the  
right contact

details - I have some concern which I would like to discuss so that

I may have some clarity re proposed project - thanks

Sent from my iPhone

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Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolais san ríomhphost seo, agus in aon ceanglái leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.

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An Roinn Talmhaíochta, Bia agus Mara

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolais san ríomhphost seo, agus in aon ceanglín leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.



Sales (TM Office Supplies)

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From:  
Sent:  
To:  
Subject: Fwd: Ref. CN83195, Lissyvurriheen, Clare  
Attachments: Decision CN83195.pdf; ATT00373.htm

Sent from my iPhone

Begin forwarded message:

From: "Chigara, Lisa" <[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)>  
Date: 9 December 2021 at 3:32:12 pm GMT  
To: '  
Subject: Ref. CN83195, Lissyvurriheen, Clare

Dear

Please see attached decision which issued today.

Kind Regards,

Lisa Chigara  
*Approvals, Forestry Division*

—  
An Roinn Talmhaíochta, Bia agus Mara  
*Department of Agriculture, Food and the Marine*

—  
Eastát Chaisleán Bhaile Sheáin, Chontae Loch Gorman, Y35 PN52  
Johnstown Castle Estate, Co. Wexford, Y35 PN52

—  
E [www.agriculture.gov.ie](http://www.agriculture.gov.ie)





An Roinn Talmhaíochta,  
Bia agus Mara  
Department of Agriculture,  
Food and the Marine

09 December 2021



Ref. CN83195, Lissyvurriheen, Clare

Application for technical approval for a Forest Road

Dea

I refer to your letter dated 19/02/2019 regarding the above-mentioned proposed forest road construction.

Assessment of the application by the Forest Service is now complete. Taking into account the views expressed in your correspondence and following consultation with the relevant statutory bodies, it has been decided that, subject to conditions, the application satisfies the Forest Service criteria for granting a licence.

The Conditions are:

- The forest road project and all associated operations shall be carried out and completed in accordance with the requirements of the Forestry and Water Quality Guidelines, the COFORD Forest Road Manual and also to the section entitled 'Road Planning Guidelines' in the Forest Harvesting and the Environment Guidelines.  
Reason: In the interests of protecting water quality and aquatic ecosystems, ensuring good forest practice, and the protection of the environment.
- The forest road project and all associated operations shall be carried out and completed in accordance with the requirements of the Forestry and Biodiversity Guidelines.  
Reason: In order to protect the environment, in particular habitats for flora and fauna, and in the interest of the development of biodiversity value of forests.
- Condition: Adhere to the mitigation measures set out in the attached Appropriate Assessment Determination, dated 02/12/2021.  
Reason: In the interests of protection of the environment, in particular the protection of European Site(s).
- All guidelines to apply.

The licence in this case issued today but the applicant has been advised that work cannot commence for 14 days.

If you are dissatisfied with this decision, it is open to you to appeal against it to the Forestry Appeals Committee (FAC), which operates independently of this Department. In accordance with the provisions of the Forestry Appeals Committee Regulations 2020 (S.I. No. 418 of 2020 as amended by S.I. No. 353 of 2021) a notice of appeal must be received **within the statutory 14 day deadline** and in a format required by the Committee.

The notice of appeal must be accompanied by the relevant fee and must include your name and address, grounds of appeal including the facts and contentions on which you intend to rely together with such documentary evidence that you wish to submit in support of your appeal. The fee for an appeal to the Forestry Appeals Committee is €200.

A Notice of Appeal Form for Appeals to the FAC can be found on [www.agriappeals.gov.ie/forestryappealscommittee](http://www.agriappeals.gov.ie/forestryappealscommittee). Copies can also be obtained by calling the FAC on Lo Call 076 106 4418 or 057 863 1900 or e-mail: [forestry@agriappeals.gov.ie](mailto:forestry@agriappeals.gov.ie)

#### Submission of Appeals

Appeals may be submitted by post and the fee of €200 (payable by way of postal order, bank draft or cheque) must accompany each notice of appeal otherwise it cannot be accepted. The postal address is **Forestry Appeals Committee, Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois, R32 DTW5**. The Notice of Appeal form must be signed by the Appellant. **Appeals and payments that are not received within the statutory 14 day deadline cannot be accepted.**

Yours sincerely

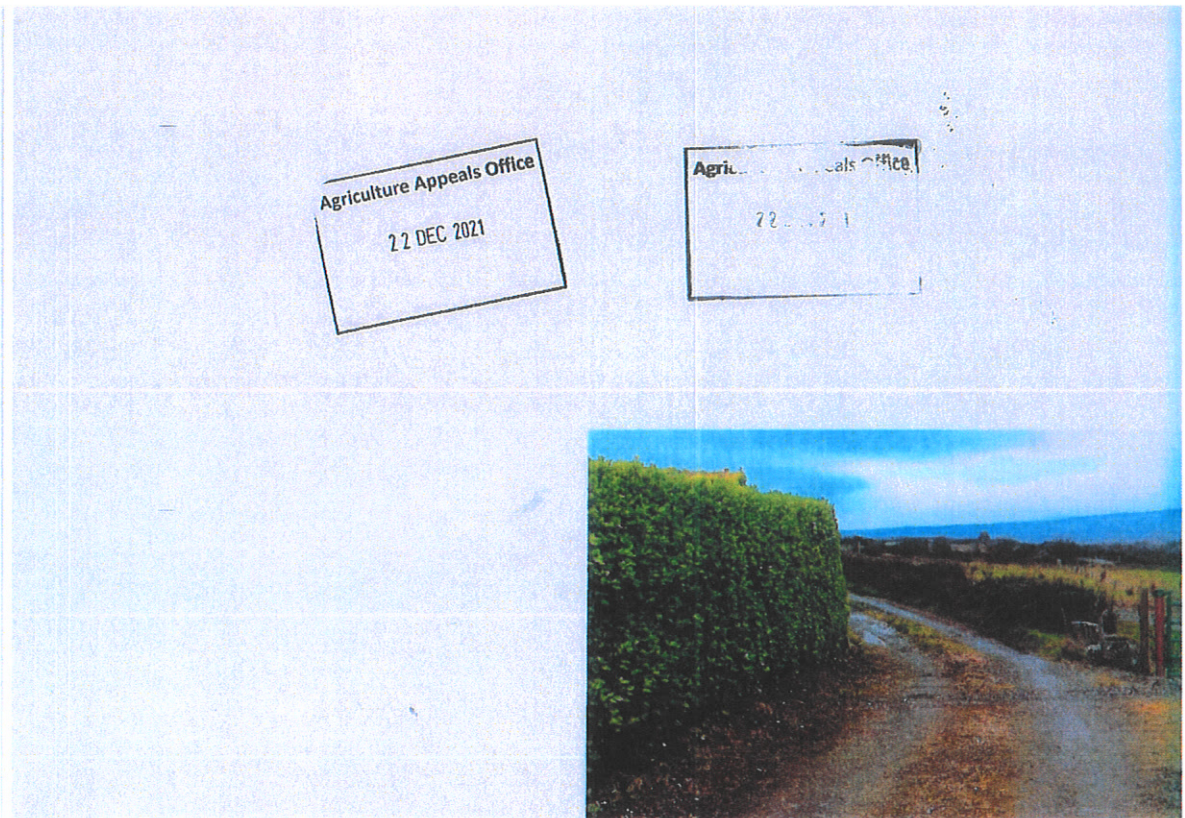
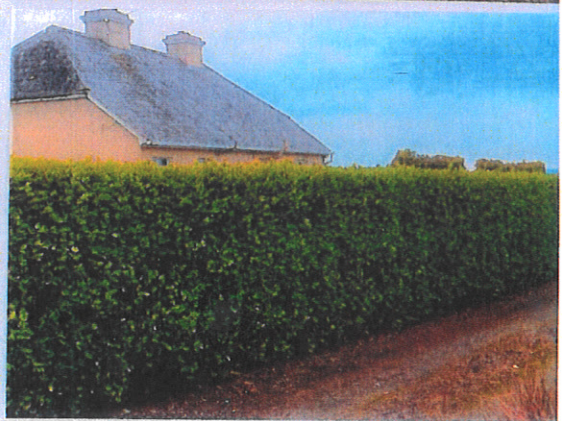
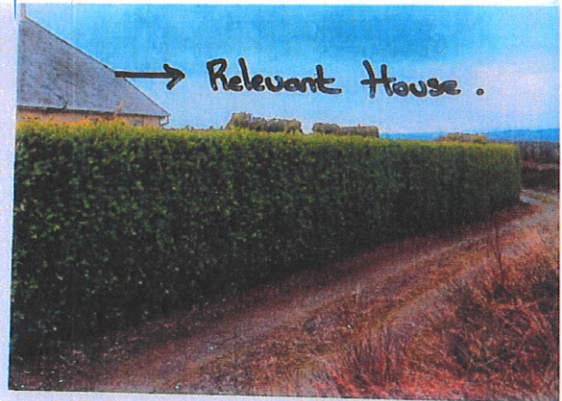
*Lisa Chigara*

LISA CHIGARA

Approval Section, Forestry Division  
DAFM, Johnstown Castle Estate  
Wexford, Y35 PN52







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Hi Lisa! I refer to your recent letter dated 09 12 '21 your letter informed me - a decision has been made etc..My I say this decision has been 34 <sup>weeks</sup> in the making bordering on 3 years since I expressed my concerns etc - the decision which has been reached has left be totally excluded & there has been no consultation whatsoever with me thus giving the impression that what I had to say was in fact ignored - it would not have been unreasonable of me to expect a phone call or a courtesy visit from the company would be preferable to allay my fears & cancers but this did not happen - the Question I ask :- is it best practice or strategy as the company sees it to ignore what the "client " has to say even though when the sign at the roadside was erected January 2019 responses were invited if objection or otherwise were needing to be expressed - I feel I have been totally ignored in this decision making process & to add insult to injury I have the right of appeal at a cost of E200 - I ask myself should I expected to pay E200 to be ignored - I live alone in a humble dwelling but many standards I could utilise this money to heat my modest home - as you rightly expressed care & concern for the flora & fauna may I remind you than what in my human habitation/home I need to feel it is respected protected & cared for & I need to know that in all I have said & referred to I have & expect others to have a duty of care to me & my home - for me the best way forward is cooperation not conflict I have as a rule of thumb in my professional career believed in:- what is reasonable & what is fair - this decision which I have received in two weeks out from Christmas I know we all have been impacted in one way or another by this pandemic personally the only thing I want for Christmas is peace of mind & maybe deep down the same for others - may I ask you to postpone or delay any work until the end of January 2022 - I suggest you make contact with me in the best interest of courtesy & cooperation- we are all charged with looking after the environment & environmental damage is to be avoided by individuals or companies alike - Lisa I'm sending grim my iPhone so this letter may lack a certain structure but it is essential & important for me to express how I honestly feel in the hope that I can be heard - with kind regards to you & your colleagues for Christmas & the New Year

Sent from my iPhone

On 9 Dec 2021, at 3:32 pm, Chigara, Lisa <[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)> wrote:

Dear

Please see attached decision which issued today.

Kind Regards,

Lisa Chigara  
*Approvals, Forestry Division*

—  
An Roinn Talmhaíochta, Bia agus Mara  
*Department of Agriculture, Food and the Marine*

—  
Eastát Chaisleán Bhaile Sheáin, Chontae Loch Gorman, Y35 PN52  
Johnstown Castle Estate, Co. Wexford, Y35 PN52

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Agriculture Appeals Office

23 DEC 2021

Department of Agriculture, Food and the Marine

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas san ríomhphost seo, agus in aon ceanglán leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.

<Decision CN83195.pdf>

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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolas san ríomhphost seo, agus in aon ceanglán leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.

Agriculture Appeals Office

23 DEC 2021

1/6.

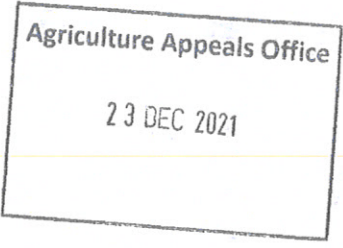
**Sales (TM Office Supplies)**

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**From:**  
**Sent:** 17 December 2021 11:38  
**To:**  
**Subject:** Fwd: Ref. CN83195, Lissyvurriheen, Clare

Sent from my iPhone

Begin forwarded message:



**From:** "Chigara, Lisa" <[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)>  
**Date:** 16 December 2021 at 2:22:40 pm GMT  
**To:**  
**Subject:** RE: Ref. CN83195, Lissyvurriheen, Clare

Hi

Thank you for your email. Unfortunately this matter is out of my hands but if you wish to appeal this decision you can contact the Forestry Appeals Committee (FAC), which operates independently of this Department.

Notice of Appeal Form for Appeals to the FAC can be found [www.agriappeals.gov.ie/forestryappealscommittee](http://www.agriappeals.gov.ie/forestryappealscommittee). Copies can also be obtained by calling the FAC on Lo Call 076 106 4418 or 057 863 1900 or e-mail: [forestry@agriappeals.gov.ie](mailto:forestry@agriappeals.gov.ie)

The decision issued on 9<sup>th</sup> of December so you are still within the statutory 14 day deadline for appeals.

Kind Regards,

Lisa Chigara  
*Approvals, Forestry Division*

—  
**An Roinn Talmhaíochta, Bia agus Mara**  
*Department of Agriculture, Food and the Marine*

—  
Eastát Chaisleán Bhaile Sheáin, Chontae Loch Gorman, Y35 PN52  
Johnstown Castle Estate, Co. Wexford, Y35 PN52

—  
E [www.agriculture.gov.ie](http://www.agriculture.gov.ie)

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**From:**  
**Sent:** Thursday 16 December 2021 10:42  
**To:** Chigara, Lisa <[Lisa.Chigara@agriculture.gov.ie](mailto:Lisa.Chigara@agriculture.gov.ie)>  
**Subject:** Re: Ref. CN83195, Lissyvurriheen, Clare

Statement from Inspectorate.

Assessment Criteria	
Was the AA screening procedure at the time of approval applied? (Y/N)	Y
What version of the AA procedure?	Most Recent
Standard Operating Procedures applied? (Y/N)	Y

Based on the information supplied by the appellant, do you recommend any change to the original decision?

(Tick as appropriate)

No change		Confirm recommendation to grant licence		Revise conditions of licence		Remit licence for reassessment	X	Revoke licence	
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- The site was inspected on the 11/06/2019. Following my inspection, I queried various aspects of the proposal specifically the depth of stone and the aquatic zone crossing.
- I was aware of the submission on file from the individual who owns the dwelling nearby. However, I felt that a rigid truck would be able to negotiate the sharp turn approaching the forest, before the dwelling in question.
- At no point during my assessment of the application was I aware of the existence of any sewerage or water pipes transecting the road from the dwelling to the outbuildings.
- I believed the distance from the dwelling to the road was sufficient and the presence of a hedgerow would mitigate any adverse impacts that may arise due to the imposition of timber trucks traveling up and down the road, albeit at very infrequent intervals (every 3 or 4 years for harvesting operations).
- Since there are utility pipes under the road, I recommend that the applicant / their agent investigate this matter, they may have to consult with the submitter to locate these and that they subsequently assess the situation. Furthermore an alternative approach to the forest be investigated, for example to cross the field south of the dwelling.
- The portion of the approach road that is not included in the licence application will suffer wear and tear during harvesting and road construction operations. Guarantees regarding its maintenance should also be made by the applicant, in the interest of neighbourly cooperation.

Name: Kevin Keary

Role: Grade III District Inspector

Date: 05/01/2022