

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo

Forestry Appeals Committee,  
Agriculture Appeals Office,  
Kilminchy Court,  
Portlaoise,  
Co. Laois, R32DTW5

Name

Address:

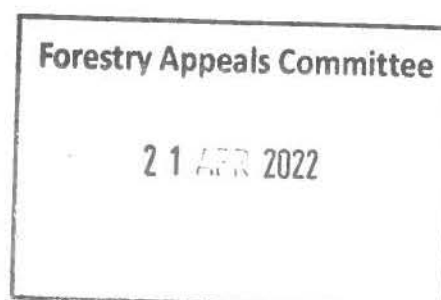
Date: 20/04/2022

To whom it concerns,

I am lodging a notice of appeals form with the Forestry Appeals Committee which outlines the reasons why the Forestry Services Approvals Section decision to grant a forestry license for afforestation application CN 86604 at Annaghgowan and Ballynarry, Sligo is incorrect and should be revoked.

**Deer Fence Impacting Negatively on SAC and SPA and other reasons proposed afforestation impacts negatively on this protected scenic area:**

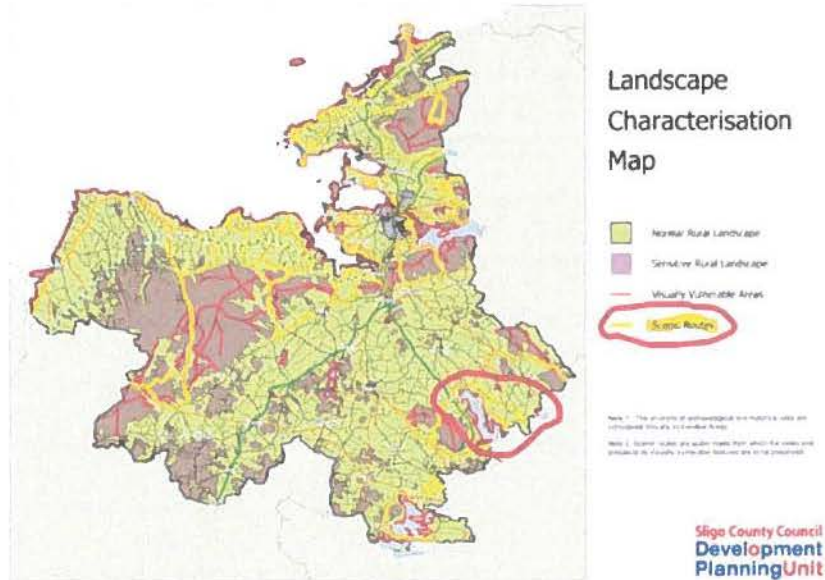
1. The Forestry services have outlined to the applicant on 04Nov21 that a deer fence is required around the perimeter of the proposed area which would be 1.9m high as per Forestry Standards Manual Page 67 Planning Act 2000 and the Sligo County Development Plan aims to protect views, amenities, and prospects. This project will have a significant negative and detrimental impact on the protected scenic views and the SAC and SPA area.
2. The land is within a visually vulnerable area and a Class 1 scenic route as per the County Sligo Development Plan as outlined on the land characterisations map. Detailed #56 page 283 2017-2023.
3. This area is also within a SAC (Site Number 001673) and SPA this considerable 2km length of deer fence would have a significantly negative impact on maintaining these sensitive scenic and protected views within an SAC and SPA.
4. The Appropriate Assessment Determination (AAD) also outlined the requirements of hard wear reflective tags being placed on the fencing every 1 meter which may also be considered as impacting the protected scenic views within area considering there is over 2000m of fencing to be erected for this afforestation
5. The deer fencing requirement was not outlined in the application at the time a submission request was sent to Sligo County Council on 18Sep20. The amended application should have been referred again to Sligo County Council on the application changes as it may now require Planning Permission with the deer fence and the additional hard-wearing reflective tag requirement every 1 meter of the fence.
6. The deer fence along the lake shore has no defined set-back distance for fishermen of which Lough Arrow is a well known fishing lake that attracts tourists with fisher men using the lake shore to capture flies and the takes their breaks from the lake fishing. The fence erection will not encourage fisherman to use the lake as an amenity.



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**Prescribed Bodies not Notified of application changes and requirements for appropriate assessment of consideration**

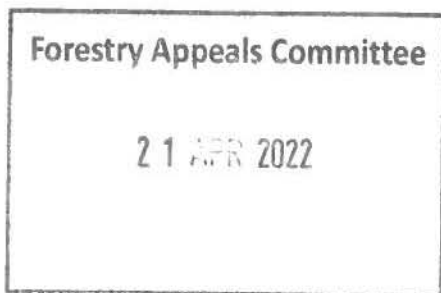
7. There was also no notification to other prescribed bodies as they may consider the changes of to the original application as having additional negative impacts on their areas of interest.
8. The list of prescribed bodies was not notified of the additional readvertising of the application for additional consultation due the changes that were implemented to the file. The granted license that has been granted should be revoked as due process has not been followed through for the appropriate assessment of the application.



- |  |   |
|--|---|
| 55. L 3605, view of Slieve Donard and Slieve Dargan, between junctions with R 264 and R 267  | Views of Slieve Dargan, Slieve Donard and Lough Dargan          |
| 56. Lakeshore drive around Lough Arrow from Castlebaldwin to Roscommon County boundary (L 1404, L 1403 & L 1905)                       | Views of Lough Arrow and Bricklieve Mountains                   |
| 57. Old N 4 along western shore of Lough Arrow from Maganagh through Ballinadfad village to junction with new N 4 south of Ballinadfad | Views of Lough Arrow, Bricklieve Mountains and Curlew Mountains |
| 58. Carrowcrov crossroads to Ballinadfad (L 1806)  | Views of Bricklieve Mountains, Curlew Mountains and Lough Arrow |
| 59. Ladies Brae to Beltra via Chapel Street (L 6213)   | Views of Ox Mountains, Coolera peninsula and Ballysadare Bay    |

283

9. The proposed development would require planning permission from Sligo County Council in addition to Forest Service consent.

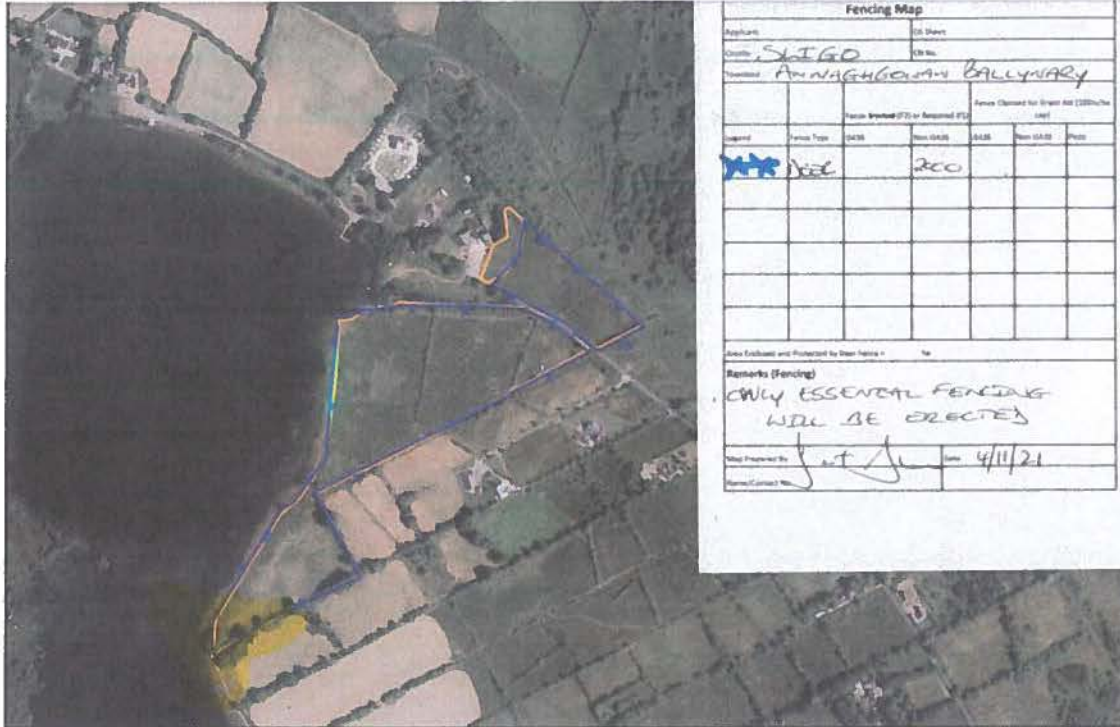


Section 9 - Forestry that is not exempt (vi)

(v) for an area which is subject to a...  
 (vi) a request of an owner of a...  
 (vii) a request of an owner of a...  
 (viii) a request of an owner of a...

**Fencing Map outlines fence being placed directly through the identified monument on the site**

10. The fencing map outlines that it will be placing the fence directly through the monument site identified on the site and it is not clear within the map or the granted license from the Forestry Services where this fence shall be placed along the public lake of Lough Arrow which is popular with tourist and locals alike.



Ordnance Survey Ireland Licence No. EN 0076413 Copyright Ordnance Survey Ireland/Government of Ireland  
 02 Nov 2021  
 Unauthorized reproduction is not permitted. This map is for Forestry Services use only.

Contract: CN86604 Scale: 1:5000

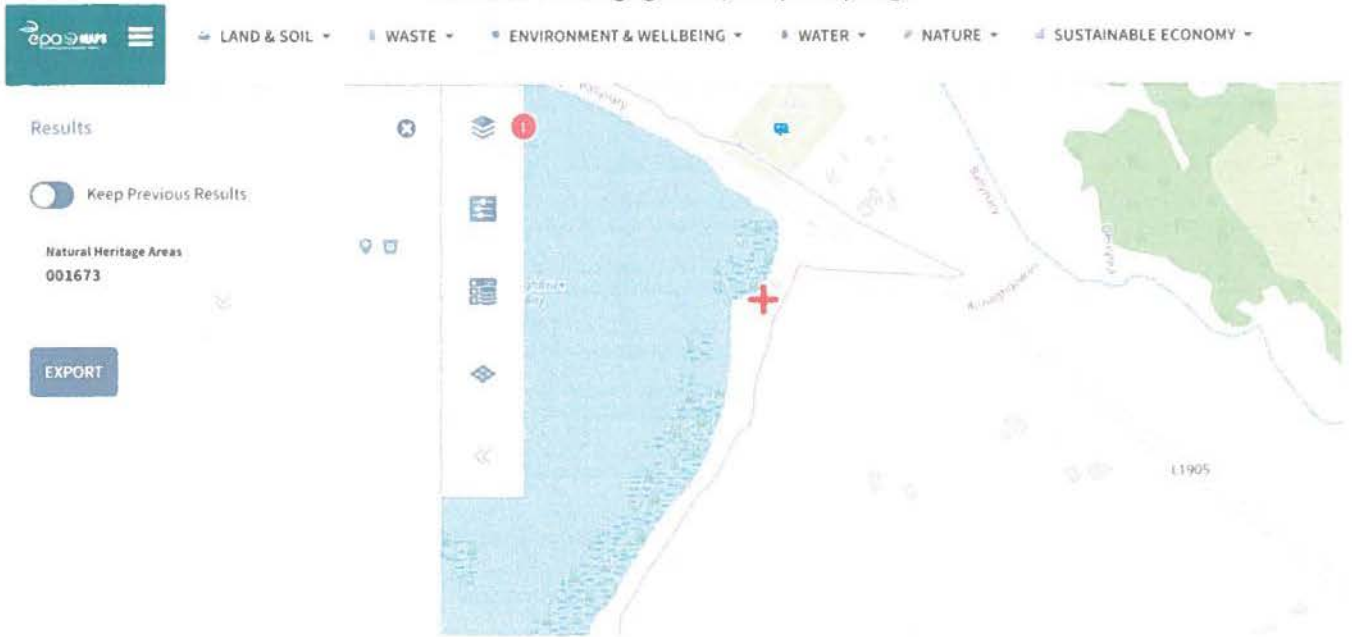
There is also no detail of a public access pathway being maintained for the public to view this monument. Within the Department for agriculture, food and Marine documentation on Environmental Requirements for afforestation December 2016 Section 2.6.3 it outlines the requirements of avoidance of the areas of monuments, access routes and unplanted lines of sight. None of these have been addressed or outlined within any assessments carried out to date.

**Lack of a Landscape Architect involvement within proposed afforestation within an SAC and SPA:**

11. As this area is within a SAC and SPA area as outlined within the Environmental Requirements for Afforestation's 2016 Section 2.3 published by the Dept. for Agriculture, Food, and the Marine outlines that a landscape architect should be involved in sensitive areas. The application contains no detail on the positioning of the various trees that have been outlined thus may be positioned inappropriately considering that the areas sensitive scenic views are protected. The lack of a landscape architect would be another reason the approval should be revoked.
12. As the different trees' types have different width spans, there is no detail on the position of the particular trees to ensure that the span of the tree does not grow over the set-back distance outlined within the forestry manual.

**Forestry Appeals Committee**  
  
21 APR 2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application CN 86604 Annaghgowan/Ballynarry Sligo

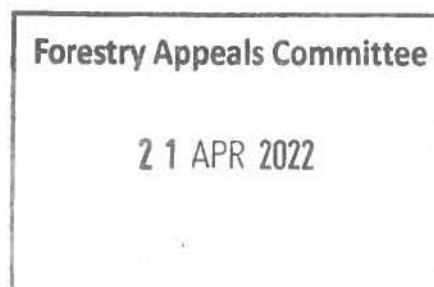


Afforestation within Natural Heritage Area 001673

**Forestry Appeals Committee**  
21 APR 2022

**Incorrectly and inaccurately Filled Out Application therefore application is invalid:**

13. The fertilizer section states Yes to Zero Fertilizer but the application has not answered the other fertilizer questions.
14. There are numerous questions with no answer within the application therefore application is incomplete.
15. The question on water quality on the application of area being greater than 5 hectares is not answered although it is greater than 5 hectares for the consideration of impacts to water quality within the area and to the local water group scheme.
16. There is incorrect detail on the current application CN 86604:
  - Silvicultural Considerations Q4 the area is prone to flooding but the application says No.
  - Q1.2 The area is sensitive to fisheries, but the application says No.
  - Q2.1 The area is within a SPA and SAC area, but the application says No.
  - Q4.1 The area is within a prime scenic area in the County Development Plan but the applications says No.
  - Q4.2 The area is a visually vulnerable area and is a protected view, but the application says No.
  - There is no road access into the proposed sites for any level of commercial vehicles, but the application says that there is.
  - There is no detail of the proposed Herbicide to be used in Year 2 of the proposed afforestation.
17. There are no page numbers on the application, so it is unknown if we have received the full application details to review and consider.
18. The Date of Erection notice was initial erected on 23Jun20 but when a copy of the application was requested the full application was not received from the forester then when the application went live on the National Forestry website the site notice sign at the site was changed to another date, but the application number remained the same. The townland details also changed from Annaghgowan to Annaghgowan Ballynarry. This was and is misleading for any possible submissions of the proposed afforestation application. Below are images of the notification signs variations and changes.



Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo

19. The site notice image uploaded onto the Forestry License viewer as no details on the notification and judging by the vegetation is not the location of the site notices on the proposed lands. Image of FLV site notice below.



Below are images of the original site notice and then modified one later on.

**SITE NOTICE  
AFFORESTATION**

made in pursuance of the Forestry Act 2014 to the Department of Agriculture, Food and the Marine for a licence in respect of Afforestation.

In this site notice:  
Townland: **ANNAGHGOWAN BALLYNARRY**  
County: **SLIGO**  
Contract Number: **86604**

Proposed Development	Area Hectares (ha)
Afforestation Area	<b>8.89</b>

Details of the licence application may be inspected free of charge, or may be purchased, at a fee not exceeding the reasonable cost of doing so, by request in writing the post or e-mail from Forest Service, Department of Agriculture, Food and the Marine, Shannon Castle Road, Co. Tipperary, email: [licensing@agriculture.gov.ie](mailto:licensing@agriculture.gov.ie) or at the office of the Agent, Department of Agriculture, Food and the Marine, Shannon Castle Road, Co. Tipperary between 10.00 and 16.00 Monday to Friday excluding Public Holidays.

When the licence application is referred to the Department, a further notice will be posted on the Department's website at: <http://www.agriculture.gov.ie/afforestation>.

A contribution or deposit in relation to the licence application may be made in writing the post or e-mail to Forest Service, Department of Agriculture, Food and the Marine, Shannon Castle Road, Co. Tipperary, email: [licensing@agriculture.gov.ie](mailto:licensing@agriculture.gov.ie) within 30 days of the date the notice is posted on the Department's website. The contribution and information will be returned to the licence holder on making a deposit on the licence application.

The Department may grant a licence with or without conditions, as may refer to grant a licence.

Signed (Applicant): [Redacted]  
Name of Agent: [Redacted]  
Date of Notice: **23/6/20**

**SITE NOTICE  
AFFORESTATION**

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Name of Agent: [Redacted]  
Date of Notice: **23/6/20**

**Forestry Appeals Committee**

21 APR 2022

**Negative Impacts on the Sensitive Waters of Lough Arrow**

20. The Environmental Protection Agency (EPA) water quality maps show that the water quality of the lake has deteriorated, and the proposed afforestation would be in danger of making it worse within a SAC area and would not be compliant with the Water Frameworks Directive.
21. Within the Environmental Protection Agency water quality maps, it has identified the water quality under the Water Frameworks Directive as moderate therefore the lake is very sensitive to any activities that would increase the negative impact on the lake water.

<https://gis.epa.ie/EPAMaps/>



EPA Maps show the water quality of Lough Arrow to be moderate and at risk.



22. In green above the EPA maps identify from 2018 that the lake has water dependant habitat and species so there should be no developments that occur that would risk having a negative impact on this.
23. The EPA maps also show in purple outline that the area is within a Natural Heritage Area which would be protected by laws and sensitive to any development activities.

**Forestry Appeals Committee**

21 APR 2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgown/Ballynarry Sligo  
Lake Waterbodies Risk

**Abstract:** This layer represents the risk for each waterbody of failing to meet their Water Framework Directive (WFD) objectives by 2027. The risk of not meeting WFD objectives was determined by assessment of monitoring data, data on the pressures and data on the measures that have been implemented. Waterbodies that are At Risk are prioritised for implementation of measures. This assessment was completed in 2020 by the EPA Catchments Unit in conjunction with other public bodies and was primarily based on monitoring data up the end of 2018. The three risk categories are:

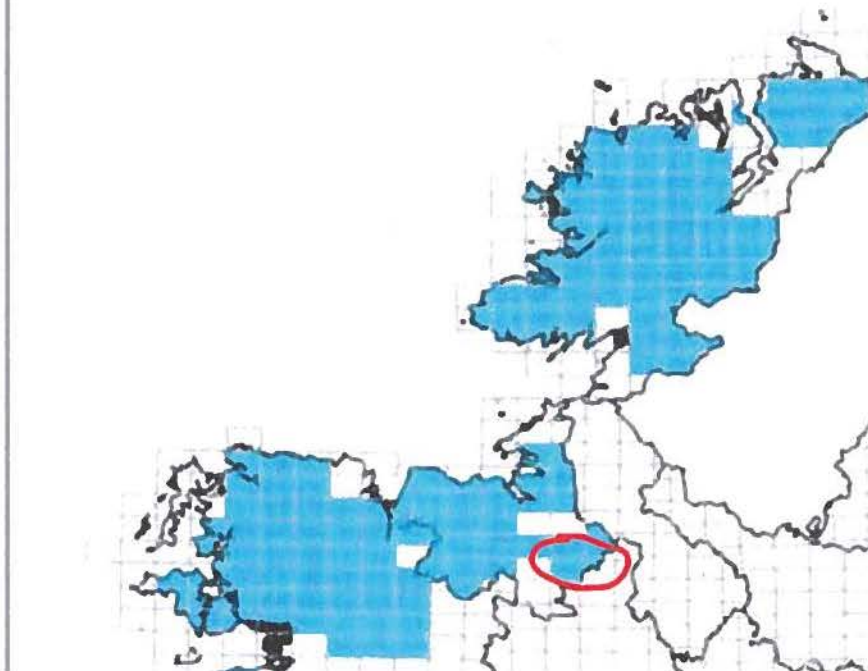
- Waterbodies that are At Risk of not meeting their Water Framework Directive objectives. For these waterbodies an evidence-based process was undertaken to identify the significant pressures; once a pressure is designated as 'significant', measures and accompanying resources are needed to mitigate the impact(s) from this pressure. These At Risk waterbodies require not only implementation of the existing measures described in the various regulations, e.g. the Good Agricultural Practices Regulations, but also in many instances more targeted supplementary measures.
- Waterbodies that are categorised as Review either because additional information is needed to determine their status before resources and more targeted measures are initiated or the measures have been undertaken, e.g. a wastewater treatment plant upgrade, but the outcome hasn't yet been measured/monitored.
- Waterbodies that are Not at Risk and therefore are meeting their Water Framework Directive objectives. These require maintenance of existing measures to protect the satisfactory status of the water bodies.



24. The EPA maps also outline that the lake is at risk of failing to meet the Water Framework directive and thus the addition of a propose afforestation would only be seen to further increase the risk of not meeting the Water Framework directive
25. The proposed afforestation site is within a designated area of potential fisheries sensitive as outlined within the Forest Standards Manual 2015 page 177 for map.

**Forestry Appeals Committee**  
21 APR 2022

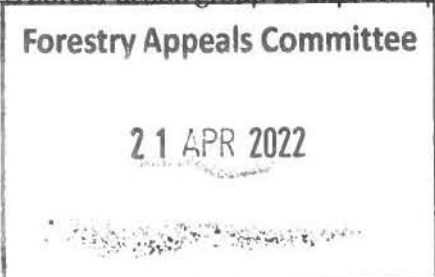
**Map 1** Six inch Ordnance Survey sheets designated as areas of potential fisheries sensitivity.



26. Lough Arrow is renowned for its Brown trout fishing with many people from different regions locally, regionally, and internationally visit the lake and staying within the area. This afforestation would have a negative impact on the Lake for fishing thus impacting tourists within the area resulting in an economic decline and potential future revenue from tourists.
27. Nuttall's waterweed is identified as an invasive species Under Article 19 of Invasive Alien Species Regulation (1143/2014) and has been identified as being taking over Lough Arrow. IN the image below this is Brickbay on Lough Arrow which the proposed afforestation land parcel covers a significant amount of this. The proposed plantation could potentially have a negative impact on the efforts to try to control and eliminate this invasion species from the lake.



28. There are also erected signs on public display with details the Collaborative Action for the Natura Network (CANN) which is a cross border action group to improve Special Areas of Conservative





29. There are no details of any sediment traps on the land going into the lake which could have a detrimental negative impact on the sensitive waters of Brickbay within Lough Arrow.
30. The Sligo County Development Plan Lough Arrow site code 001673 outlines that the threats to the site integrity include arterial drainage/water abstraction/lowering of the regional water table, loss of fringe vegetation, changes in seasonal water levels / fluctuations, direct loss of habitat, loading from effluents (WWTP) which this proposed afforestation will have a significant negative impact on this.
31. The adjoining waters of Brickbay in Lough Arrow is also a special area of conservation and the proposed afforestation will have a negative hydrological impact on instream habitats, and aquatic plants. There is a steep gradient in Brickbay from the proposed site. Run off from the proposed site will go directly into Brickbay.

**Forestry Appeals Committee**

**21 APR 2022**

**Negative and potentially detrimental Impacts to local group water scheme water quality:**

32. The prescribed body letter was sent to Sligo Co. Co. but the local water scheme is not run by Sligo Co. Co. to consider the impacts on any water quality for the region that is being supplied by the Geevagh Highwood group water scheme thus the appropriate impacted bodies have not be considered adequately for what may impact the water quality for a significant amount of people within the Region.



33. The water flow into the lake is directly alongside the proposed afforestation so there is a significant and direct impact of people's water quality as the local group water scheme (Geevagh/Highwood) pump house is at the end of the identified water flow shown in the image above..
34. The river that flows from Lough Agh to Lough Arrow passes along the proposed afforestation site is a spawning river. Where it flows into Lough Arrow there is a group water scheme (Geevagh/Highwood) that provides water for Geevagh, Highwood, Soeey, Ballinafad, Castlebaldwin and Ballintogher. Lough Arrow acts as a water reservoir for Geevagh Highwood group water scheme therefore the integrity of the water quality is protected by European Directive 98/83/EC. There has being insufficient assessment on this impact and the potentially negative impact to the quality of water to over 700 group water scheme members.

Forestry Appeals Committee

21 APR 2022

**Land Prone to flooding**

35. Within the Natura impact assessment it recognises that the site mainly consists of GS4v wet grassland which is defined at water-logged lands that periodically flood as per the FOSSITT CLASSIFICATION CODES AND DESCRIPTIONS (From 'A Guide to Habitats in Ireland' by Julie A. Fossit). [http://heritagemaps.ie/documents/fossittclassification\\_heritagemaps.pdf](http://heritagemaps.ie/documents/fossittclassification_heritagemaps.pdf)

As the land does periodically flood this would mean the land is not suitable for a proposed afforestation due to significantly high risk of the impacts on the water quality in the region and impacts that may occur to the water for the local group water scheme. The images below are of the neighbouring property as the Plot 2 site is covered in rushes and vegetation so not as visible from the public road.



36. The area on the north eastern side of the site floods annually during the winter and early spring months of the year and creates significant risk to people water quality as the afforestation area are within this flood region which feed into the waters going to the group water scheme.

**Forestry Appeals Committee**

21 APR 2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo

**Wetlands area within afforestation application requires planning permission**

As detailed within the In-combination report it outlines that wetlands due to recent changes to legislation require that work or development involving drainage of a wetland greater than 0.1 Ha requires planning permission and this application has a area of wetland greater than 0.1Ha. The peat land as shown within the EPA website shows this to be covering within Plot 1 and plot 4 of the application. With both plot having areas greater than 0.1Ha of wet lands.

Original application states no drainage but also then states 500 under drainage comment with no other details which would indicate drainage being completed on the site. This would be conflicting details on the application and not properly assessed for impacts on the area and within the wetlands.



Fallen over unsightly trees at forestry TFL00299319 located less the 1 km from this afforestation where trees are planted on peat lands and this is not good for a protected scenic route area as identified within the Sligo Development plan as shown within this appeal. Trees plant within the identified wetland peaty area pose a high risk of similar scenes of fallen tress and residents do not wish to see this occurring and why the previous application would have identified the area as unplantable and inspector advised to refuse the application.

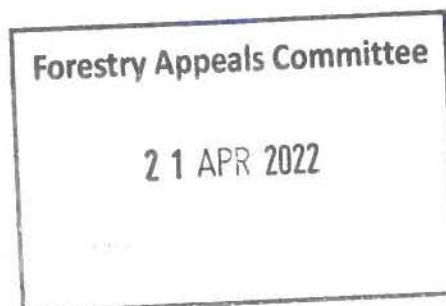


Forestry Appeals Committee

21 APR 2022

**Previous Refusals on this proposed afforestation site**

37. This parcel of land has been refused on 2 previous occasions of application under CN 43443 and CN 43084.
  - Reason for Refusal – High water table, environmental and landscape considerations, and land unplantable.
  - Reason for refusal – The view of Lough Arrow is among the views to be preserved under the County Development Plan and the area is adjoining a “Sensitive Rural Landscape” a “Visually Vulnerable Area” which is along a “Scenic Route”. Evidence of inspector’s previous refusals attached.
38. Inspector reports on previous applications under CN43443 and CN 43084 advised to refuse the application as the land was unplantable, sensitive for Fisheries, high amenity area, within a designated Lough Arrow SPA/SAC area and within a proposed NHA (National Heritage Area). This land would not have changed so would be still relevant that it is unplantable and has a high-water table.
39. There is no detail on the Forestry License Viewer of the previous application for the same parcel of land that was previously refused and there is no evidence that this was considered or was part of the assessment for this application.



**Set-back Distances not detailed accurately within a SAC and SPA**

40. The local group water scheme water mains run along this land which has not be considered or outlined and as per the Forestry guidelines manual section 6.4.4 a corridor of 15m applies but this has not been outlined.
41. There are no set-back distances outlined within the application where it states that 7.61 Hectares is identified as the parcel of land available and 7.57 hectares is to be planted. Due to the shape of the proposed land this is not achievable with the required set-back as per Forestry Standards Manual. The section along with other areas of the application is inaccurate and misleading for appropriate evaluation.
42. There are also mains electricity wires which are within the plot areas which have not being outlined on the maps where corridor widths would also apply as per Forestry Manual Section 6.4.6.
43. There is no detail on the set back from the hedgerows of 3m as outlined within the Forestry Manual 6.4.9 and there are a number of hedge rows within the proposed land parcel.

**Insufficient detail of the setbacks from neighbouring land**

44. With the various different tree types detailed as Oak, Alder, Birch, and Hazel within the different plots it is not outlined that the tree spread should be taken into consideration when positioning any potential trees to ensure it does not grow in onto the set-back distances or into neighbouring lands. Details confirmed on Future Forest website of the identified tree types to the application which outline a significant spread and height of the trees [www.futureforest.ie](http://www.futureforest.ie)

Tree Type per Application	Tree Spread	Tree Height
Pedunculate Oak	25m	25m
Sessile Oak	20m	20m – 40m
Common Alder	12m	20m+
Birch	10m	20m
Hazel	8m	8m

45. There is no detail of the set-back distance to consider for impacts to neighbouring lands of which I the landowner object to this granting of a license for this afforestation. The trees will have a significant impact on these lands for grass growth from depleted light.
46. There is a significant risk of seeds from these trees being blown onto my land which will have a negative impact on my land and have cost implication where undesired tree growth occurs.

**Insufficient details for setbacks for tree planting position**

47. With these Broadleaved tree width considerations there is no detail on the planting position of these trees to ensure that they do not close in on the set-back distances defined.

**Set-back distances from lake not defined from the highest point of lake during the winter months**

48. The afforestation license granted outlines a 20m set-back distance from the lake, but it does not outline that this should be at the highest point of the lake during the winter months as the lake rises significantly over those months. This could be as much as 4 to 5 m due to the sloping nature of the land.

Forestry Appeals Committee  
21 APR 2022

**Appropriate Assessment Screening Report Incorrectly completed**

49. Q2 Within the Appropriate assessment it outlines that the project area does not over the European sites of Lough Arrow SAC 001673 and the Lough Arrow SPA 004050 which is error on the report as this site is within the European site and would significantly impact the consideration of an Environmental Impact Assessment requirement.

[https://www.npws.ie/sites/default/files/protected-sites/conservation\\_objectives/CO001673.pdf](https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001673.pdf)



50. Q3 only offers a Yes answer to the District inspector having reviewed all referral responses and submissions but there is no evidence that this would have been completed with no signatures on the documents being asked have they been reviewed therefore insufficient evidence that this has actually been completed. Integrity of the file impacted to reflect insufficiently completed.

**Forestry Appeals Committee**  
  
21 APR 2022

**Note on In Combination effects with particular focus on Water pollution issues**

It is not sufficient, when assessing possible In-combination effects of this project CN86604, to simply present a computer generated list of all other projects within a 15km radius and state that since these other projects would also be subjected to planning/licence scrutiny there was no possibility of In-combination effects.

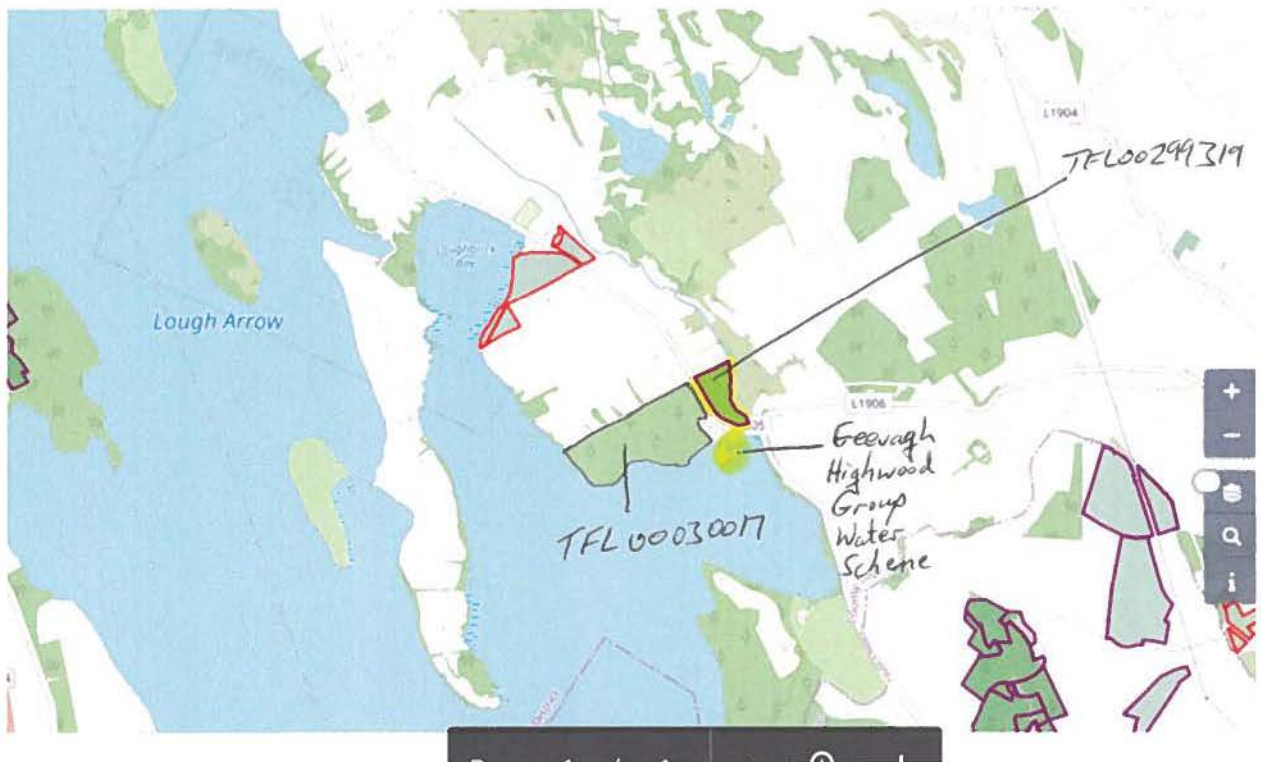
This is illustrated in this case with regard to 2 nearby Felling License applications, one of which is Pending, the other which was Approved and carried out.

1. Felling Licence TFL00299319 3.19 hectares was Approved by DAFM Forest Service on 19/5/2021 Despite having been the subject on an Appropriate Assessment, on Appeal the licence was remitted \*and sent back to Forest Service by the Forestry Appeals Cttee due to serious errors (FAC reference no 100/2021) & problems arising from its possible negative effect on the water quality in Lough Arrow SAC/SPA, which is also the water being extracted in this location to supply the Geevagh Highwood Group Water Scheme.

TFL00299319 is shown with purple outline on FLV map and is listed on page 14 of the In-combination report

Forestry Licence Viewer

<https://forestry.maps.apps.dhos.agriculture.gu>



2. Felling Licence TFL00030017 17.06 Hectares, immediately adjacent to the above mentioned TFL00299319 was Approved by DAFM Forest Service on 15/8/2017. Despite being located in a position immediately bordering Lough Arrow SAC & SPA it was not subjected to an Appropriate Assessment. It was felled and replanted in two main phases during 2018 /2019 Between these phases 2 complaints were made to the Environmental Protection Agency regarding to the dumping of polluting package material (namely the bags which had contained the new trees which had been dipped in Cypermethrin) A further complaint was made to IFI when it was discovered that the forestry company had on notification of the original complaint simply covered the bags with sods of earth rather than remove them.

A complaint regarding the dumped bags and also the fact that felling operations had continued through a prolonged period of heavy rainfall (approx. one week) was also registered with the Forestry Stewardship Council FSC who were in the process of auditing the forestry company for accreditation. Following a meeting with the FSC Auditor the company acknowledged that both incidents had occurred

In Q1 2022 the EPA published a report showing results from research/tests carried out in 2020 on serious incidences of pollution in private Group Water Schemes. Geevagh Highwood Group Water Scheme was found to have been polluted with THM's (Trihalomethanes) are produced in water when chlorine, normally used to sterilise raw water supply, is added to raw water which contains an above average level of sediment. It is very

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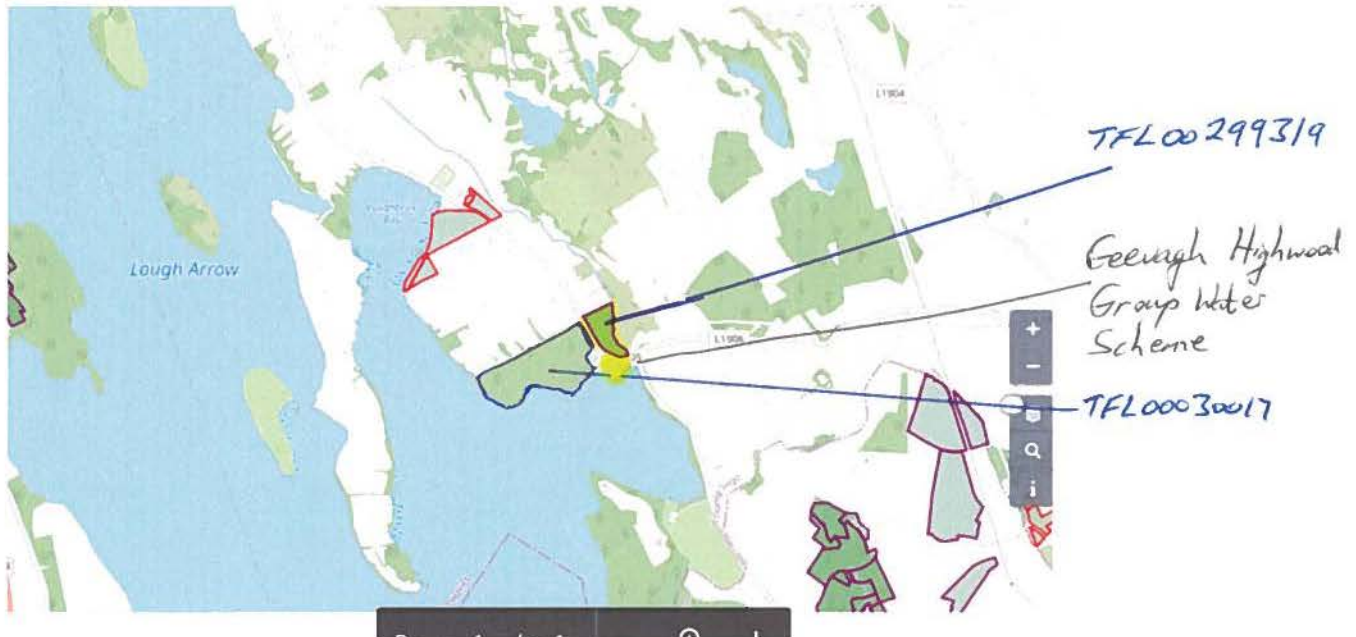
possible that sediment run-off from this felling project caused the occurrence of the THM's found by the EPA tests.

TFL00030017 Is **not** shown on the current FLV map (so has been inserted by author) **neither** does it appear on the In combination list (although it does appear on another in combination list for a 2021 Appropriate Assessment of Afforestation Licence application CN97072 near the southern shoreline of Lough Arrow.

As can be seen from the FLV map below both these felling areas are directly downstream from Afforestation Application CN86604 along the banks of the stream running directly into Lough Arrow beside the extraction pipe and pump house for the Group Water Scheme.

Forestry Licence Viewer

<https://forestry.maps.app.dhos.agriculture.gov>



To summarise -

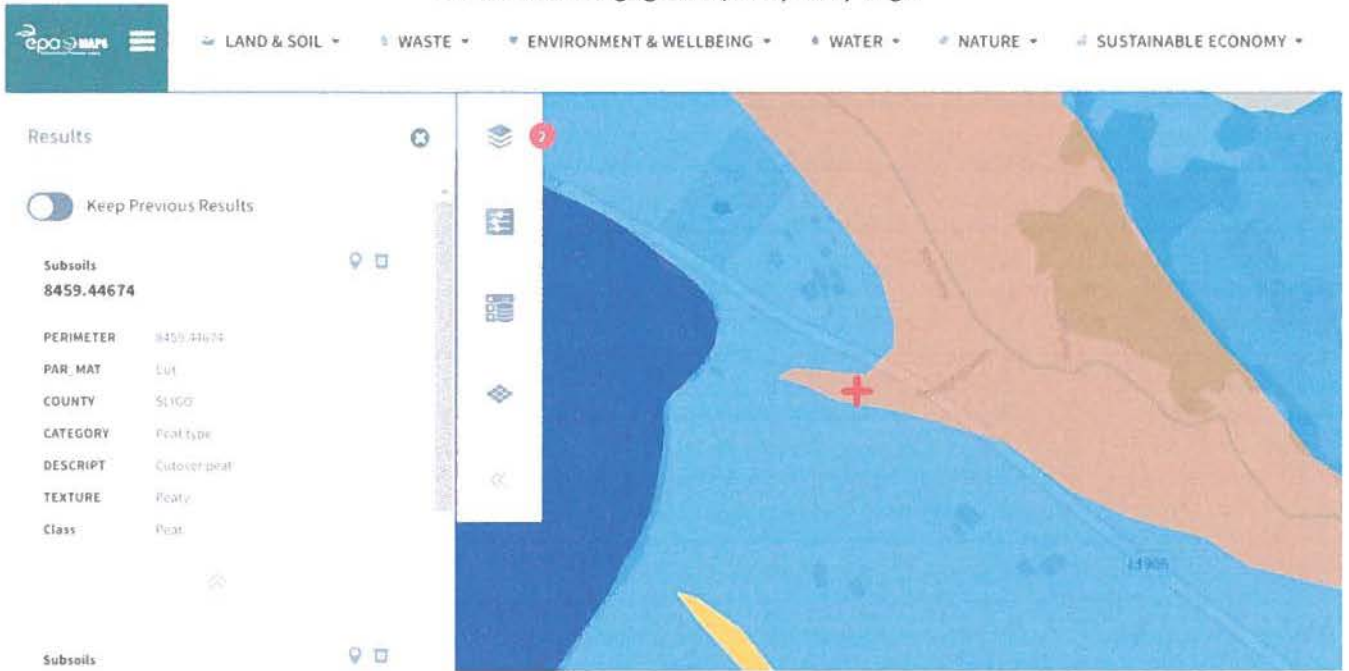
In-combination listed may have critical omissions

It cannot be assumed that all projects listed have been correctly evaluated or monitored.

It cannot be scientifically shown beyond reasonable doubt that despite mitigations being put in place there is no possibility of In-combination & cumulative effects arising from soil sediment and residues of various chemical substances used in the planting, maintenance and felling processes described above, negatively affecting the water in the stream and the lake.

Forestry Appeals Committee  
21 APR 2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application CN 86604 Annaghgowan/Ballynarry Sligo



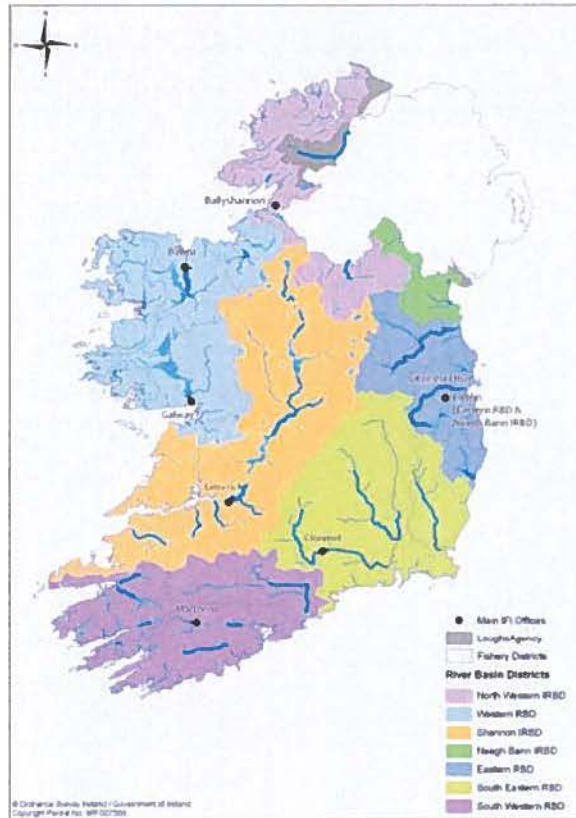
EPA map show areas of the plantation on peaty soils which would make the area high risk of damage within the waters within the stream that feeds into the local group water scheme and

Forestry Appeals Committee  
21 APR 2022

**Fishing Boards Submission not on FLV**

- 51. It is surprising of the documents shown on the forestry license viewer that there has being no submission from the Fisheries Board.
- 52. The prescribed body letter to the fisheries board was sent to the incorrect board as the region is within the western Fisheries board area and not the north-west Fisheries board.

<http://wfdfish.ie/index.php/inland-fisheries-ireland-offices/>



- 53. On review with Aisling Donegan, Senior Fisheries Environmental Officer, Inland Fisheries she confirmed on 25Jan2022 that she had sent a submission into the Forestry Service and would confirm receipt. She followed on to confirm that the Forestry services confirmed receipt of the submission. Refer to images below on the email correspondence on this matter. The forestry License Viewer did not display this submission on the Forestry license viewer as required and I attached images taken on 08Apr22 showing the documentation that was uploaded on the forestry licence viewer as evidence that there was no submission from the Inland Fisheries included. This reflects a serious lack of the required and submitted details on the application and questions the integrity of the handle of this file and the relevant documentation in place to make an appropriate assessment and conclusion. The afforestation license granted should be revoked.

**Aisling Donegan** <Aisling.Donegan@fisheriesireland.ie>  
to me \* Tue, 25 Jan, 12:00 ☆ ↶ ⋮

Hi >

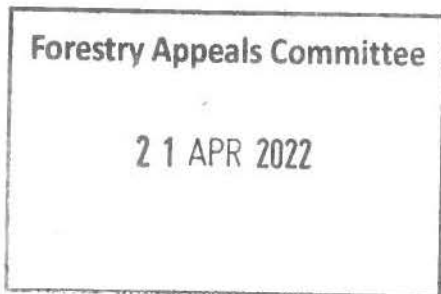
IFI did make a submission last September in relation to this afforestation application. I will contact the Forest Service to confirm their receipt of the letter sent.

Kind Regards

Aisling Donegan  
Senior Fisheries Environmental Officer

Iascach Intire Éireann  
Inland Fisheries Ireland

Tel +353 (0)96 22788  
Mob +353 (0) 87 126 4446  
Fax +353 (0)96 70543  
Email [aisling.donegan@fisheriesireland.ie](mailto:aisling.donegan@fisheriesireland.ie)  
Web [www.fisheriesireland.ie](http://www.fisheriesireland.ie)  
Ardnaree House, Abbey Street, Ballina, Co. Mayo, Ireland F26 K029



# Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application CN 86604 Annaghgowan/Ballynarry Sligo

**Aisling Donegan** <Aisling.Donegan@fisheriesireland.ie>  
to me

31 Jan 2022, 10:10

Morning

I have received confirmation from the Forest Service that our submission has been received. I would expect to see it on the Forestry Licence Viewer in the coming days.

Kind Regards

Aisling Donegan  
Senior Fisheries Environmental Officer

Iascaich Inliré Éireann  
Inland Fisheries Ireland

Tel: +353 (0)906 22788



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

Recent Applications About Help

Search

Date Received	Document Description	View
25-FEB-2022	Submission	View
23-FEB-2022	Submission	View
14-DEC-2021	Prescribed Body Appendix	View
30-NOV-2021	Other	View
30-NOV-2021	Other	View
05-NOV-2021	Fencing map	View
04-NOV-2021	Request for Pre-Approval Missing Information Letter	View

05-NOV-2021	Fencing map	View
04-NOV-2021	Request for Pre-Approval Missing Information Letter	View
02-NOV-2021	Other	View
02-NOV-2021	Bio Diversity/Operational Map	View
05-AUG-2021	Request for Pre-Approval Missing Information Letter	View
06-MAY-2021	Request for Pre-Approval Missing Information Letter	View
24-NOV-2020	NPWS Response	View
24-NOV-2020	NPWS Response	View
29-OCT-2020	Submission	View

**Forestry Appeals Committee**

21 APR 2022

# Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application CN 86604 Annaghgowan/Ballynarry Sligo

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

Recent Applications About Help Search

24-NOV-2020	NPWS Response	View
29-OCT-2020	Submission	View
09-OCT-2020	Prescribed Body Letter	View
08-OCT-2020	Submission	View
08-OCT-2020	Submission	View
07-OCT-2020	Submission	View
07-OCT-2020	Submission	View
07-OCT-2020	Submission	View
06-OCT-2020	Submission	View
30-SEP-2020	Submission	View

16:35 00/01/2022

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

Recent Applications About Help Search

06-OCT-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View

16:36 08/01/2022

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Recent Applications About Help Search

30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
30-SEP-2020	Submission	View
28-SEP-2020	Submission	View

16:37 08/01/2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo

FLV An Roinn Talmhaíochta, Bia agus Mara  
Department of Agriculture, Food and the Marine Recent Applications About Help Search

30-SEP-2020	Submission	View
28-SEP-2020	Submission	View
18-SEP-2020	Prescribed Body Letter	View
18-SEP-2020	Prescribed Body Letter	View
18-SEP-2020	Prescribed Body Letter	View
18-SEP-2020	Prescribed Body Letter	View
18-SEP-2020	NPWS Referral	View
14-SEP-2020	Site Notice in Situ	View
14-SEP-2020	Site Notice in Situ	View
14-SEP-2020	Bio Diversity/Operational Map	View

16:39 08/04/2022

FLV An Roinn Talmhaíochta, Bia agus Mara  
Department of Agriculture, Food and the Marine Recent Applications About Help Search

14-SEP-2020	Site Notice in Situ	View
14-SEP-2020	Site Notice in Situ	View
14-SEP-2020	Bio Diversity/Operational Map	View
14-SEP-2020	Site Notice	View
14-SEP-2020	Site Notice in Situ	View
04-AUG-2020	Bio Diversity/Operational Map	View
04-AUG-2020	Location Map	View

16:38 08/04/2022

Close

**Forestry Appeals Committee**

21 APR 2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo

**Additional documentation added to FLV after decision date:**

54. Below are images adding onto the ones above that reflect that important additional files relevant to the application were only uploaded to the FLV after the decision date. There was 50 documents available on the FLV on 08Apr22 with an additional 7 documents added relevant after the decision date but now there are 66 documents available with additional documents added that was detail as added much earlier in the year such as the Archaeology report which was only uploaded after the 08Apr22 but reflects it to have being added on This impacts on the integrity of the files and assessment completed

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

Recent Applications About Help Search

Application Details Parcels (4) Documents (66)

Date Received	Document Description	View
11-APR-2022	Assessment for EIA Requirement	View
11-APR-2022	Site Details Report	View
11-APR-2022	Appropriate Assessment Screening Report	View
11-APR-2022	Site Plots Report	View
11-APR-2022	Inspectors Certification Report	View
08-APR-2022	Approval Letter to Objector	View
08-APR-2022	Afforestation Licence and Technical Approval Letter	View

21:25  
13/04/2022

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

Recent Applications About Help Search

02-NOV-2021	Bio Diversity/Operational Map	View
02-NOV-2021	Other	View
05-AUG-2021	Request for Pre-Approval Missing Information Letter	View
06-MAY-2021	Request for Pre-Approval Missing Information Letter	View
07-JAN-2021	Archaeology Report	View
24-NOV-2020	NPWS Response	View
24-NOV-2020	NPWS Response	View
29-OCT-2020	Submission	View
09-OCT-2020	Prescribed Body Letter	View
08-OCT-2020	Submission	View

21:28  
13/04/2022

Forestry Appeals Committee

21 APR 2022

**Insufficient Environmental Impact Assessments completed or conducted:**

55. The appropriate assessment details that a 15km radius area has being considered has detailed 3 SAC's but on a neighbouring application CN83345 along the lake the appeals committee outlined that there was 5 SAC's in this region so the assessment for deemed to be inappropriately conducted so from this detail there has being an inadequate assessment completed and does not meet with the requirements of the Habitats Directive.
56. The natura Impact statement does not have original signatures of the detailed assessors but look to be a copy and paste of a signature on the document meaning the document is invalid for assessment.
57. There is no page numbering on the Natura statement to reflect the total number of documents within the statement thus unknown if other sections of the Nutura statement are missing or not included within the application for the inspectors consideration of the proposed afforestation..
58. There is no detail within the application of the type of soil within the area to ascertain that the area is suitable for a forestry plantation as per Section 8.1 of the forestry manual.
59. Dermot Slevin who was part of the Appropriate Assessment and Natura assessment being carried out for this application was the previous Forester applicant on a previous application for the exact same site that was refused under CN43443. There is a conflict of interest here with potential biases over considerations for the site in its suitability for an afforestation and therefore no independent appropriate assessment has been completed as required. There is also no evidence of being suitably qualified to conduct such survey or be part of the co-signing of these assessments.
60. There is no evidence of independence from the application in providing an independent assessment as the applicant is paying directly for the statement thus not an independent unbiased assessment.
61. Again question 2.1 on the area being within a SAC or SPA is unanswered yet the area is within an SAC and SPA thus impacting the reviewer's decision on the application thus the application should be refused.
62. It is important that an Environmental Impact Assessment is carried out by the Environmental Protection Agency (EPA).

**Insufficient Road opening for Equipment requirements and also entrances close to public road bend.**

63. There is no detail on the road open being suitable for the equipment required to complete a afforestation and the entrance existing on the road would need to be modified thus requiring planning permission yet this has not being detailed or considered within the application thus the application should be refused. On the Department of Agriculture, Food and Marine Forest Entrances – Requirements for Mandatory Consultation (Version, February 2020) it states DAFM Forest Road scheme Form 1 would be required if constructing a new forest entrance or widen an existing entrance. This is no possible way for the equipment requirements of afforestation or any future felling of trees to occur without requiring any of these thus the application should be refused.
64. There is a bend on the road which would result in danger during planting, thinning, and clear-felling of the proposed plantation. The bend on the road would result in danger during planting, thinning, and clear-felling of the proposed plantation. The road frontage for access is not adequate – it is 60 meters long on a bend of the road with no sight lines suitable for commercial access.
65. There is no suitable entrance for any future vehicular access for the felling of any trees for commercial use.

**Forestry Appeals Committee**

21 APR 2022

**Impact to surrounding houses and business requiring mobile broadband and TV signals**

66. There would be a detrimental impact on the environment and on people living within the area resulting from rural isolation and interruption to TV, phone, and internet signals. The proposed site is within the direct line the signal masts for a number of these rural house who would rely on these signals to conduct their businesses, work, and social interactions thus this proposed afforestation would have a dramatically negative impact on the lives and livelihood. Refer to <https://www.gov.ie/en/service/map-of-mast-locations/> and this will show the direct line of the impacted dwelling house to these very important masts. Due to the lie of the land in the region these are the only signal masts available to these dwellings. Satellite internet signal is not an option for us as the signal is not strong enough to conduct business.

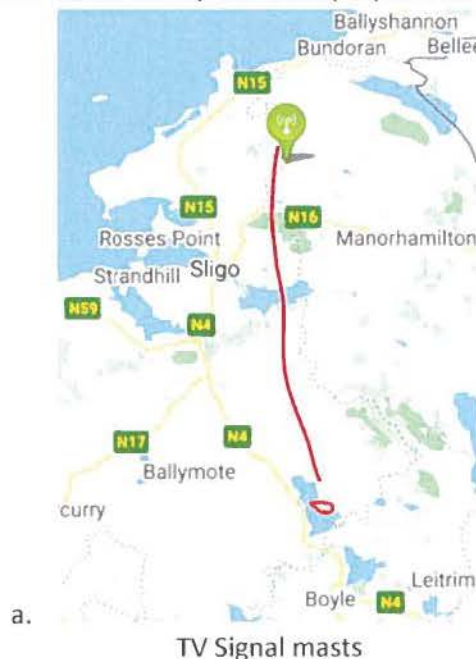


Broadband and telephone signal maps



Impacted House from position of proposed afforestation

**Forestry Appeals Committee**  
21 APR 2022



TV Signal masts

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application CN 86604 Annaghgowan/Ballynarry Sligo



Afforestation would surround our house on 2 sides as shown in the images above



No set-back distance outlined for neighbouring land of which it would have a significantly negative impact on my land and property. Images also shows a number of the houses that would have no access to mobile broadband to run their business and work. Also impact to Tv signals.

**Forestry Appeals Committee**  
  
21 APR 2022

Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo



Forestry Appeals Committee  
21 APR 2022

**Negative Impacts to neighbouring dwellings and lands:**

67. I have a neighbouring dwelling to this proposed afforestation so this will have a direct impact on my quality of life quality. There has being no approach by the applicant, developer or Forester on the proposed afforestation as outlined in Forest Standard Manual 6.4.2.
68. Within the afforestation public consultation stages there was numerous submissions outlining local area resident's objection, unhappiness, disagreement, annoyance, frustration, and shock of a potential afforestation being considered within their visually protected scenic area.
69. The proposed afforestation will surround our dwelling house and farmland on 2 sides. This proposed commercial afforestation will completely block out our significant 120 Degree view of Lough Arrow and we fear that this will significantly devalue our property and dwelling.

**Lack of consultation with neighbouring land and dwelling owners**

70. There has being no approach by the applicant, developer or Forester on the proposed afforestation as outlined in Forest Standard Manual 6.4.2. The forestry developer has not liaised with us to date to resolve any concerns. This proposed development should be refused. This proposed afforestation is causing undue stress and pain to us which is doing damage to our health and state of mind.

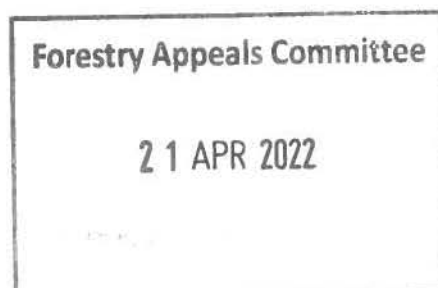
**Documentation from Forestry services states Approval Sections which is misleading**

71. Within the documentation shown on the FLV all documentation from the Forestry services to the Prescribed bodies refers to the department as the Approval Sections thus potentially impacting the readers viewing on the requested assessment for the proposed afforestation that approval is the required and desired requirements. This department could also equally / equivalently be referred to as the Refusals Section which could also be considered to have an impact on the person reading the document to provide feedback on the file. This overall has an overwhelming impact on the integrity of the application. Below is an example of the letter details reflecting approvals section.

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

**Not all appropriate prescribed bodies notified for submission on the afforestation application:**

72. Prescribed bodies Sligo County Council, North West Fisheries, An Taisce, National Parks and Wildlife Service were notified of the proposed afforestation and requested for submission but there was no notification to National Heritage Monuments due to the archaeological site with the proposed afforestation, Failte Ireland for potential impacts to an area that is a designated scenic route thus impacting its tourist appeal, or Irish Water for the impacts of the proposed afforestation.
73. There was an additional public consultation due to the application changes but no notification to other prescribed bodies as they may consider the changes of to the original application as having additional negative impacts on their areas of interest. Therefore, the processing of the file is invalid and thus the license granted should be revoked.



Site Plot Pre-Approvals details from Inspector not aligned or detailed correctly to application

74. The FLV has the details plot number differently to that of the inspection report on the site plot pre-approval as outlined in images below. This is another reflection on the inappropriate and undetailed approach to the assessment and completion of the application file.



Application Details Parcels (4) Documents (66)

Label	Area(ha)*	Parcel Id	Species	GPC	Bio	Exclusion
1	1.19	53967143	Additional Broadleaves, Common alder, Birch, Pedunculate oak	10 - NWS Est (Scenario 4)	N	N/A
2	0.24	53967145	N/A	10 - NWS Est (Scenario 4)	Y	N/A
3	1.04	53967159	Additional Broadleaves, Sessile oak, Hazel, Birch	9 - NWS Est (Scenarios 1-3)	N	N/A
4	5.14	53967160	Additional Broadleaves, Common	10 - NWS Est (Scenario 4)	N	N/A

Site Plots - Pre Approval

CN86604 11/04/2022

Plot Details					
Plot No	1	Claimed Area (ha)	24	GPC	10 - NWS Est (Scenario 4)
Land use Type	BH	Mixture Type	None	Planting Year	
Parcel ID	53967145	ABE Plot	Y		
Exclusion Type 1		Exclusion Area (ha) 1			
Exclusion Type 2		Exclusion Area (ha) 2			
Exclusion Type 3		Exclusion Area (ha) 3			
Species 1		Species Area (ha)		Yield Class	
Species 2		Species Area (ha)		Yield Class	
Species 3		Species Area (ha)		Yield Class	
Species 4		Species Area (ha)		Yield Class	

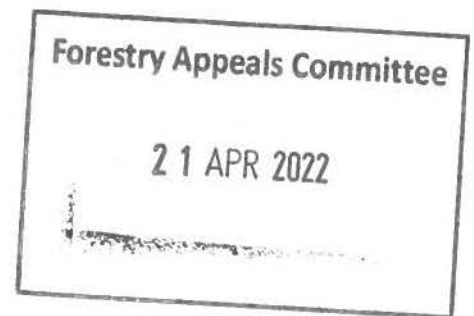
Plot Details					
Plot No	2	Claimed Area (ha)	1.44	GPC	10 - NWS Est (Scenario 4)
Land use Type	BH	Mixture Type	Integrated Mix	Planting Year	
Parcel ID	53967143	ABE Plot	N		
Exclusion Type 1		Exclusion Area (ha) 1			
Exclusion Type 2		Exclusion Area (ha) 2			
Exclusion Type 3		Exclusion Area (ha) 3			
Species 1	Common alder	Species Area (ha)	86	Yield Class	8
Species 2	Birch	Species Area (ha)	14	Yield Class	6
Species 3	Pedunculate oak	Species Area (ha)	14	Yield Class	4
Species 4	Additional Broadleaves	Species Area (ha)	29	Yield Class	4

Site Plots - Pre Approval

CN86604 11/04/2022

Plot Details					
Plot No	3	Claimed Area (ha)	5.14	GPC	10 - NWS Est (Scenario 4)
Land use Type	BH	Mixture Type	Integrated Mix	Planting Year	
Parcel ID	53967160	ABE Plot	N		
Exclusion Type 1		Exclusion Area (ha) 1			
Exclusion Type 2		Exclusion Area (ha) 2			
Exclusion Type 3		Exclusion Area (ha) 3			
Species 1	Common alder	Species Area (ha)	3.08	Yield Class	8
Species 2	Birch	Species Area (ha)	.51	Yield Class	6
Species 3	Pedunculate oak	Species Area (ha)	.51	Yield Class	6
Species 4	Additional Broadleaves	Species Area (ha)	1.04	Yield Class	4

Plot Details					
Plot No	4	Claimed Area (ha)	1	GPC	9 - NWS Est (Scenarios 1-3)
Land use Type	BH	Mixture Type	Integrated Mix	Planting Year	
Parcel ID	53967159	ABE Plot	N		
Exclusion Type 1		Exclusion Area (ha) 1			
Exclusion Type 2		Exclusion Area (ha) 2			
Exclusion Type 3		Exclusion Area (ha) 3			
Species 1	Sessile oak	Species Area (ha)	.5	Yield Class	6
Species 2	Hazel	Species Area (ha)	.15	Yield Class	4
Species 3	Birch	Species Area (ha)	.1	Yield Class	6
Species 4	Additional Broadleaves	Species Area (ha)	.25	Yield Class	4

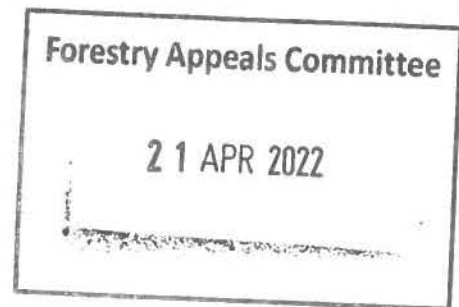


Letter of Appeal to the Forestry Appeals Committee to revoke the granted license for afforestation Application  
CN 86604 Annaghgowan/Ballynarry Sligo

For all the above reasons I object strongly to this afforestation license being granted and appeal to the Forestry Appeal Committee to revoke this decision to grant this license as it is concerning for the local community and area. It brings no value to the area, has a negative impact on the landscape and we have seen the devastation of previous afforestation along the Lough Arrow Lake Road. We do not want the land adjoining onto the lake being impacted negatively on the current and future generations. Please acknowledge this letter of appeal for this granted afforestation license CN86604.

Should further relevant details applicable to this appeal that may need to be considered by the Forestry Appeals Committee, I reserve the right to add details to this appeal.

Print Nam. \_\_\_\_\_ Signed \_\_\_\_\_ Date: 20/04/2022



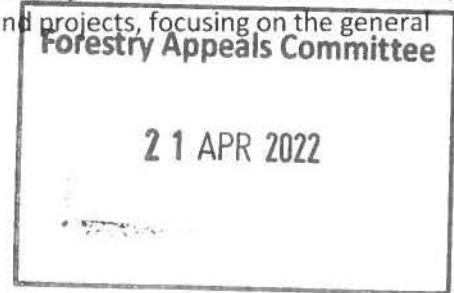
**Appropriate Assessment Screening Report and Determination  
Appendix A: In-combination report for afforestation project CN86604**

**1. Other Plans and Projects**

The potential for the proposed afforestation project CN86604 to contribute to an in-combination impact on European sites was considered by the Department of Agriculture, Food & the Marine (DAFM).

As detailed below, various online planning systems and datasets (including DAFM's Forest Licence Viewer) were consulted on the 28/03/2022 in order to identify other plans and projects, focusing on the general vicinity of the project area in the River Sub-Basin Unshin\_010.

The following details those plans and projects identified.



**1.1. Local Authority**

The Department of Housing, Planning and Local Government's website <https://www.housing.gov.ie> was examined on the above date. It identified the following projects as having been (within the last five years), or in the process of being, granted planning permission by Sligo County Council and located within the vicinity of the project area.

Planning Authority	Application Number	Development Description	Application Status	Application Type	Decision	Decision Date
Roscommon County Council	177	for the construction of a dwelling house with domestic effluent treatment system and polishing filter together with all ancillary site works and services at	APPLICATION FINALISED	PERMISSION	CONDITIONAL	02/03/2017
Roscommon County Council	17290	Retention Permission to Retain existing sun room to the side of existing dwelling house at	APPLICATION FINALISED	RETENTION	CONDITIONAL	26/09/2017
Roscommon County Council	18629	to 1) demolish existing derelict dwelling 2) construct a replacement dwelling, entrance by boundary wall and install an on-site wastewater treatment and disposal system at	APPLICATION FINALISED	PERMISSION	CONDITIONAL	11/02/2019
Roscommon County Council	1967	construct a dwelling house, domestic garage, entrance by boundary wall and install an on-site wastewater treatment and disposal system	APPLICATION FINALISED	PERMISSION	CONDITIONAL	02/04/2019
Roscommon County Council	19179	for the construction of a new forestry road entrance and all associated works, for the harvesting of plantation at	APPLICATION FINALISED	PERMISSION	CONDITIONAL	24/05/2019
Roscommon County Council	19216	for the construction of new forestry road entrance and all associated works for the harvesting of plantation at	APPLICATION FINALISED	PERMISSION	CONDITIONAL	17/06/2019

58 pages  
+ 27 "  
+ 2 "  
+ 2 "

Sligo County Council	16475	development consisting of (1) retention of dwelling house as constructed on amended and extended application site boundaries (2) construction of a splayed entrance	APPLICATION FINALISED	RETENTION	CONDITIONAL	06/02/2017
Sligo County Council	1782	retention of a forestry road entrance on land together with associated site works	APPLICATION FINALISED	RETENTION	CONDITIONAL	26/04/2017
Sligo County Council	17209	development consisting of: (1) retention of dwelling house as constructed with revised design from that previously granted under PL 04/331 on amended application site boundaries (2) decommissioning of existing septic tank and installation of a new on-site wastewater treatment and disposal system	APPLICATION FINALISED	RETENTION	CONDITIONAL	19/07/2017
Sligo County Council	17325	for development consisting of the upgrade of an existing waste water treatment system to current EPA code of practice standards together with all associated ancillary works	APPLICATION FINALISED	PERMISSION	CONDITIONAL	20/12/2017
Sligo County Council	17405	Development consisting of construction of new dwelling house, onsite wastewater treatment system, access to the public road via existing private laneway and associated site development works	APPLICATION FINALISED	PERMISSION	CONDITIONAL	14/12/2017
Sligo County Council	17407	Development consisting of erection of a new dwelling house and garage with effluent treatment system, package tertiary polishing system and percolation area and all associated site development works.	APPLICATION FINALISED	PERMISSION	CONDITIONAL	14/12/2017
Sligo County Council	17428	for development consisting of a dormer style dwelling house, domestic garage, entrance, effluent treatment system and polishing filter together with all ancillary site works and services	APPLICATION FINALISED	PERMISSION	CONDITIONAL	08/03/2018
Sligo County Council	1845	Retention permission for development at the existing filing station premises a) Retention of a single storey extension to the rear of the premises c.19 sq.m. b) retention of as constructed internal layout & elevations including the demolition of a single storey glazed bay window and replacement signage as installed c) Retention of alterations to the site boundary treatments and site layout. And all associated site development works and services provision	APPLICATION FINALISED	RETENTION	CONDITIONAL	09/04/2018
Sligo County Council	18489	for development consisting of the erection of a single storey granny flat extension area 50m2 to side of existing dwelling	APPLICATION FINALISED	PERMISSION	CONDITIONAL	03/04/2019
Sligo County Council	1962	for development consisting of revisions to dwelling design, driveway and carparking configuration to that permitted under Planning Ref Ref. No. PL 08/955	APPLICATION FINALISED	PERMISSION	CONDITIONAL	10/04/2019
Sligo County Council	1983	Development consisting of construction of an extension to rear and side of existing house and to construct	APPLICATION FINALISED	PERMISSION	CONDITIONAL	24/05/2019

Forestry Appeals Committee

21 FEB 2022

		garage and carry out all ancillary site works.				
Sligo County Council	19158	development consisting of permission for a new forest road access onto the L5049 with associated security barriers.	APPLICATION FINALISED	PERMISSION	CONDITIONAL	07/06/2019
Sligo County Council	19159	for development consisting of a new forest road access onto the L5049, with associated security barriers	APPLICATION FINALISED	PERMISSION	CONDITIONAL	07/06/2019
Sligo County Council	19363	Development consisting of the (a) demolition of existing derelict dwelling house; (b) construction of a proposed new dwelling house, septic tank system and percolation area, complete with all associated works.	APPLICATION FINALISED	PERMISSION	CONDITIONAL	18/10/2019
Sligo County Council	19373	Development consisting of retention of new opening and side extension on existing structure, completion of new opening, side extension and ancillary site development works and change of use from office to dwelling house.	APPLICATION FINALISED	RETENTION	CONDITIONAL	18/10/2019
Sligo County Council	19442	development consisting of (1) a sunroom extension, to the front of my existing dwelling house (incorporating modification to roof), (2) a detached outbuilding to side of house, (3) Planning Permission is also being sought for the construction of a recessed vehicular entrance, on the northern section of the roadside boundary and realignment of front boundary fence (consistent with layout submitted with permission previously granted under Ref. PL. 14884 dated 18th May 1987), together with all ancillary site works and services	APPLICATION FINALISED	RETENTION	CONDITIONAL	12/12/2019
Sligo County Council	19490	development consisting of (1) Demolish existing building (2) Construction of a 4 Bay Slatted Shed with a creep area and underground slurry storage tank along with all associated site works	APPLICATION FINALISED	PERMISSION	CONDITIONAL	29/01/2020
Sligo County Council	19522	development consisting of the construction of a dwelling house, domestic garage, entrance by boundary wall and install an on-site wastewater treatment and disposal system	APPLICATION FINALISED	PERMISSION	CONDITIONAL	19/02/2020
Sligo County Council	20446	development consisting of (1) to demolish an existing outbuilding to the South of the existing dwelling. (2) to renovate and amend existing dwelling elevations. (3) to construct a single storey extension to the rear of the existing dwelling with storage area underneath. (4) to construct a single storey extension to the side of the existing dwelling together with all ancillary works	DECISION MADE	PERMISSION	CONDITIONAL	18/02/2021
Sligo County Council	2121	Development consisting of the construction of a slatted shed and a concrete apron together with all ancillary site works and services	DECISION MADE	PERMISSION	CONDITIONAL	16/03/2021

**Forestry Appeals Committee**

21 APR 2022

## 1.2. An Bord Pleanála

An Bord Pleanála website [www.pleanala.ie/index.htm](http://www.pleanala.ie/index.htm) was examined on the above date. It identified the following projects located within the vicinity of the project area:

No projects identified.

## 1.3. Environmental Protection Agency

The Environmental Protection Agency website [gis.epa.ie/EPAMaps/AAGeoTool](http://gis.epa.ie/EPAMaps/AAGeoTool) was examined on the above date. It identified the following projects located within the vicinity of the project area:

Reg CD	Category	Sub Category	Licence Status	Active licence Number	Licence Type	COUNTY
A0348	Urban Waste Water	Agglomeration PE < 500		A0348-01		CO. SLIGO
A0311	Urban Waste Water	Agglomeration PE < 500		A0311-01		CO. SLIGO

## 1.4. County Development Plan

The current Sligo County Development Plan was examined and the following objectives relating to European Sites were identified:

Objectives relating to Natura 2000 sites set out within Sligo County Development Plan 2017-2023 were consulted and are as follows:

### Sligo County Development Plan 2017–2023 - Volume 1

7. Heritage PAGE 105

7. Heritage

County Sligo has a rich and diverse heritage, which includes landscapes, countryside, archaeological sites and the built environment of towns and villages. Heritage is integral to the identity of Sligo. It provides the county with a strong sense of place, character and distinctiveness. Heritage protection is an integral part of sustainable development, it has environmental and quality of life benefits for the people of Sligo, and also brings significant economic benefits. In 2002, the Government published the National Heritage Plan and the National Biodiversity Plan, which set out strategies for the conservation and management of our heritage. A key element of both plans is an enhanced role for local authorities in heritage awareness and management, to be given effect through the preparation and implementation of County Heritage Plans and Biodiversity Action Plans.

Relevant legislation

**Forestry Appeals Committee**

**21 APR 2022**

Many features of Sligo's heritage are nationally and/or internationally important and are therefore protected by international and national heritage legislation.

The National Monuments Acts (1930-2004) provides the framework for the protection of archaeological heritage.

The Planning and Development Act (2000-2015) provide the mechanism for protecting and managing built heritage by listing historic buildings on the Record of Protected Structures and through the designation of Architectural Conservation Areas.

The European Birds Directive (1979) and Habitats Directive (1992), Birds and Natural Habitats Regulations 2011, the Wildlife Act 1976 and the Wildlife (Amendment) Acts 2000-2010 provide for the protection of natural heritage. In addition, Ireland has ratified a number of international conventions and agreements relating to heritage.

The National Heritage Plan (2002) and National Biodiversity Plan (2011) state national policy and identify national priorities in relation to the protection and management of national heritage. The core objectives of these plans are to protect the national heritage and to promote it as a resource to be enjoyed by all. These plans require local authorities to prepare and implement Heritage and Biodiversity Plans, in partnership with relevant stakeholders.

#### Heritage – general objectives

It is the objective of Sligo County Council to:

O-H-1 Implement, in partnership with all relevant stakeholders, the County Sligo Heritage Plan 2016-2020 and subsequent heritage plans.

O-H-2 Adopt and implement, in partnership with all relevant stakeholders, the County Sligo Biodiversity Action Plan 2011-2015 and subsequent biodiversity plans.

O-H-3 Prepare and support the implementation of a Green Infrastructure Strategy<sup>1</sup> for County Sligo

#### 7.1 Natural heritage and biodiversity

Natural heritage includes the variety of life we see around us every day, often referred to as biodiversity. It consists of native plants, animals and their habitats, the physical and geological foundation that forms landscapes and seascapes, and the influence of people who have settled there. These elements combined make up the unique biodiversity of the county. Biodiversity loss is recognised as a global threat. Accordingly, the EU has set a target to halt biodiversity loss by 2020 through implementation of the EU Biodiversity Strategy (2011). The strategy reflects the commitments taken by the EU in 2010, within the international Convention on Biological Diversity. The EU Biodiversity Strategy has the following 6 targets:

Target 1 Protect species and habitats

Target 2 Maintain and restore ecosystems

Target 3 Achieve more sustainable agriculture and forestry

Target 4 Make fishing more sustainable and seas healthier

**Forestry Appeals Committee**

**21 APR 2022**

Target 5 Combat invasive alien species

Target 6 Help stop the loss of global biodiversity

Natural heritage – general policies

It is the policy of Sligo County Council to:

P-NH-1 Protect, sustainably manage and enhance the natural heritage, biodiversity, geological heritage, landscape and environment of County Sligo in recognition of its importance for nature conservation and biodiversity, and as a non-renewable resource, in association with all stakeholders.

P-NH-2 Promote increased understanding and awareness of the natural heritage and biodiversity of the county.

P-NH-3 Protect and, where possible, enhance the plant and animal species and their habitats that have been identified under the EU Habitats Directive, EU Birds Directive, the Wildlife Act and the Flora Protection Order.

P-NH-4 Take full account of the precautionary principle where uncertainty exists regarding the potential impact of a proposed development on the natural heritage resource.

7.1.1 Designated sites for nature conservation EU nature legislation, most notably the Birds Directive and the Habitats Directive, forms the backbone of biodiversity policy and the legal basis for Natura 2000, the nature protection network, through designation of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). This European network of biodiversity sites is supplemented by the designation of Natural Heritage Areas (NHAs) designated in Ireland by the National Parks and Wildlife Service (NPWS). Locally, sites of heritage value are designated through the County Development Plan as County Biodiversity Sites. The lists and maps of pNHAs, cSACs and SPAs, Ramsar Sites and statutory Nature Reserves occurring in County Sligo, are provided in Appendix A.

Protected natural areas cannot thrive in isolation. Maintaining and re-establishing connectivity between these natural areas is needed to restore the health of ecosystems and allow species to thrive across their entire natural habitat. This connectedness can be achieved through “green infrastructure” which seeks to harness biodiversity as a natural infrastructure for the benefit of both people and nature.

Designated sites for nature conservation – policies

It is the policy of Sligo County Council to:

P-DSNC-1 Protect and maintain the favourable conservation status and conservation value of all natural heritage sites designated or proposed for designation in accordance with European and national legislation and agreements. These include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Natural Heritage Areas (NHAs), Ramsar Sites, Statutory Nature Reserves. In addition, the Council will identify, maintain and develop non-designated areas of high nature conservation value which serve as linkages or ‘stepping stones’ between protected sites in accordance with Article 10 of the Habitats Directive.

P-DSNC-2 Promote the maintenance and, as appropriate, achievement of ‘favourable conservation status’ of habitats and species in association with the NPWS.

Forestry Appeals Committee

21 APR 2022

P-DSNC-3 Carry out an appropriate level of assessment for all development plans, land-use plans and projects that the Council authorizes or proposes to undertake or adopt, to determine the potential for these plans or projects to impact on designated sites, proposed designated sites or associated ecological corridors and linkages in accordance with the Habitats Directive, All appropriate assessments shall be in compliance with the provisions of Part XAB of the Planning and Development Act 2000.

P-DSNC-4 Consider development within, or with the potential to affect, Natural Heritage Areas or proposed Natural Heritage Areas, where it is shown that such development, activities or works will not have significant negative impacts on such sites or features, or in circumstances where impacts can be appropriately mitigated.

#### Designated sites for nature conservation – objective

It is an objective of Sligo County Council to: O-DSNC-1 Identify and protect local areas of high nature conservation value and support the management of landscape features which are of major importance for wild fauna and flora in accordance with Article 10 of the Habitats Directive.

#### 7.1.2 Protected plant and animal species

County Sligo hosts many native wild plant and animal species, some of which are unique and special to the county. Certain species are rare or vulnerable and are protected by law, as they require special measures to ensure their continued survival. At national level, the Flora (Protection) Order (2015) lists legally protected plant species. The Wildlife Act 1976 and the Wildlife (Amendment) Act 2000 list protected animal species. The Habitats Directive contains Annexes for plant and animal species (other than birds) identified to be of conservation concern and for which conservation measures and regulations apply. The Birds Directive contains a number of Annexes which list bird species for which varying conservation measures and regulations apply. This protection applies wherever the bird species are found and is not confined to sites designated for nature conservation. This is particularly important when assessing development proposals for lands outside an SPA which are used for roosting, feeding, nesting etc. by bird species for which the SPA is designated. The Habitats Directive and the implementing Birds and Natural Habitats Regulations 2011 require that certain species listed in Annex IV of the Habitats Directive be strictly protected. These are as follows (species known to occur in Sligo are indicated thus \*): all Bat species\*, Otter\*, Whales and Dolphins\*, Leatherback Turtle, Natterjack Toad, Kerry Slug, Killarney Fern\*, Slender Naiad and Yellow Marsh Saxifrage. These species are not restricted to designated nature conservation areas. Bats and otters may be found anywhere in the county, where conditions and habitats are suitable. Carrying out of any work that has the potential to disturb these species, and for which a derogation licence has not been granted by the National Parks and Wildlife Service, may constitute an offence. A list of all known protected plant and animal species known to occur in County Sligo is included in Appendix B.

#### Protected plant and animal species – policies

It is the policy of Sligo County Council to:

P-PPAS-1 Ensure that development does not have a significant adverse impact, incapable of satisfactory mitigation on plant, animal or bird species protected by law P-

PPAS-2 Consult with the National Parks and Wildlife Service (DAHG) and take account of any licensing requirements when undertaking, approving and authorising development which is likely to affect plant, animal or bird species protected by law.



P-PPAS-3 Provide guidance to developers and others in relation to species protected by law and their protection and management in the context of development

Protected plant and animal species – objective

It is an objective of Sligo County Council to:

O-PPAS-1 Undertake surveys, as appropriate, to establish the location of protected flora and fauna in the Plan area through the County Heritage Plan and the County Biodiversity Action Plan.

### 7.1.3 Nature conservation outside of designated sites

Nature conservation legislation provides for the protection of sites and species of international and national importance. However, sites and species benefitting from statutory protection do not alone represent the full extent of natural heritage. In fact, most biological diversity occurs throughout the countryside. Rare and protected sites and species cannot survive independently of their surroundings. The wider landscape provides vital links and corridors to allow the movement of plants and animals between protected sites.

Promoting and protecting biodiversity and wildlife corridors

Article 10 of the Habitats Directive requires EU member states to secure the ecological coherence of the Natura 2000 network by maintaining, and where appropriate developing, features of the landscape (including those crossing national borders) which are of major importance for wild fauna and flora. Such features are those which, by virtue of their linear and continuous structure (such as rivers with their banks or the traditional systems of marking field boundaries) or their function as stepping stones (such as ponds or small woods), are essential for the migration, dispersal and genetic exchange of wild species.

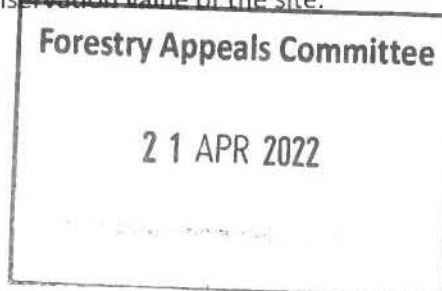
County Biodiversity Sites

Many sites of biodiversity value within the County do not meet the criteria that would enable them to be designated at an international or national level. Although these sites are of immense importance at a regional and county level, to date they have not been fully surveyed or recognised as such. In order to inform this process, the County Council has commissioned – and continues to commission – surveys of habitats such as hedgerows, wetlands and unimproved grassland. It is critical to the overall ecological network and biodiversity value of County Sligo that these sites are identified, valued and conserved. Identification of important elements of the county's ecological network commenced under the County Habitat Mapping Programme. This ongoing work is also listed as an action of the County Sligo Heritage Plan and County Sligo Biodiversity Action Plan.

Nature conservation outside designated sites - policies

It is the policy of Sligo County Council to:

P-NCODS-1 Minimise the impact of new development on habitats of natural value that are key features of the County's ecological network. Developments likely to have an adverse effect on recognised sites of local nature conservation importance will be required to demonstrate the impacts on the ecological value of the site and will not be approved unless it can be clearly demonstrated that there are reasons for the development that outweigh the need to safeguard the nature conservation value of the site.



P-NCODS-2 Ensure that development proposals, where relevant, improve the ecological coherence of the Natura 2000 network and encourage the retention and management of landscape features that are of major importance for wild fauna and flora as per Article 10 of the Habitats Directive.

P-NCODS-3 Ensure that proposals for development protect and enhance biodiversity, wherever possible, by minimising adverse impacts on existing habitats and by including mitigation and/or compensation measures, as appropriate, which ensure that biodiversity is enhanced.

P-NCODS-4 Apply the precautionary principle in relation to development proposals with potential to impact on County Biodiversity Sites or on local nature conservation interest by requiring an ecological impact assessment (EclA) to ensure that any proposed development will not affect the integrity and conservation value of the site.

P-NCODS-5 Ensure that no ecological networks, or parts thereof which provide significant connectivity between areas of local biodiversity, are lost without remediation as a result of implementation of this Plan.

P-NCODS-6 Provide guidance for developers and the general public in relation to nature conservation outside designated sites and the conservation and enhancement of biodiversity and geological heritage in general.

P-NCODS-7 Integrate biodiversity considerations into Local Authority plans, programmes and activities where appropriate.

Nature conservation outside designated sites – objectives

It is an objective of Sligo County Council to:

O-NCODS-1 Continue the County Habitat Mapping project, thereby generating the necessary information to identify landscape features that are of major importance for wild fauna, flora and County Biodiversity Sites, as key features of the county's ecological network

O-NCODS-2 Identify and protect, in co-operation with the relevant statutory agencies and other relevant groups, County Biodiversity Sites which are not otherwise protected by legislation. O-NCODS-3 Ensure that the findings of the county Habitat Mapping project (when completed) are utilised to inform the development management process.

#### 7.1.4 Wetlands

Wetlands include water courses, water bodies marshes, fens, reed beds, bogs and wet woodlands. Wetlands tend to have high biodiversity value, protect water quality and reduce flood risk. While many protected areas include wetlands, most wetland areas occur outside designated sites. Recent changes to planning legislation require that work or development involving the drainage or reclamation of a wetland greater than 0.1 ha needs planning permission. For drainage or reclamation of wetlands greater than 2 ha, an Environmental Impact Assessment is necessary. The Council will require an ecological assessment (including where necessary EIA) is carried out at the appropriate level in relation to proposals for drainage or reclamation of wetlands.

Wetlands policies

It is the policy of Sligo County Council to:

Plot 1 and Plot 4 have peat wetlands therefore planning permission would be required as it is above 0.1 Ha.

Forestry Appeals Committee

21 APR 2022

P-WET-1 Have regard to the County Sligo Wetlands Surveys 2008-2011 and subsequent wetland surveys that may be published during the lifetime of this Plan. Protect surveyed wetland sites that have been rated of A (International), B (National) and C+ (County) importance.

P-WET-2 Ensure that an ecological assessment at an appropriate level is undertaken in conjunction with proposals involving drainage or reclamation of wetland habitats

#### 7.1.5 Trees, woodlands, and hedgerows (A-7-3)

Trees and woodlands make a significant contribution to biodiversity, landscape character and visual amenity. Trees are wildlife habitats, soften hard urban edges and provide scale and backdrops to streets and buildings. They also filter out noise, dust and pollutants and prevent flooding by retaining moisture. Insensitively designed development can result in loss of or damage to important trees. It is therefore desirable that existing trees are taken into consideration in the formulation and assessment of development proposals. Where trees or groups of trees are of particular value and may be at risk from development or other activities, consideration will be given to the making of tree preservation orders in accordance with the Tree Preservation Guidelines. Hedgerows constitute an important natural and historic resource, given their contribution to landscape quality, their ecological importance as wildlife habitats, corridors between habitats and historical significance as townland and field boundaries. Hedgerows are afforded protection under the Wildlife (Amendment) Act, 2000, which prohibits the cutting of hedges during the bird nesting period (1st March to 1st September). While the relative importance of hedgerows is difficult to assess without a detailed survey, in general, the following categories are worthy of protection:

♣ ancient hedgerows – field systems dating prior to the mid-17th Century; ♣ townland boundaries; ♣ hedgerows that have a farming, landscape, cultural function; ♣ hedgerows incorporating archaeological features; ♣ hedgerows that are important as wildlife corridors between habitats; ♣ hedgerows adjacent to roads, green lanes, tracks and wooded ground; ♣ banks and ditches that may have the above characteristics.

#### Woodlands, trees and hedgerows policies

It is the policy of Sligo County Council to:

P-WTH-1 Protect trees, woodlands and hedgerows from development that would impact adversely upon them. Promote new tree and woodland planting and the enhancement of existing hedgerows by seeking increased coverage, in conjunction with new development using native species of local provenance, where possible.

P-WTH-2 Discourage the felling of mature trees to facilitate development and, where appropriate make use of tree preservation orders to protect important trees and groups of trees which may be at risk or have an important amenity or historic value.

P-WTH-3 Require the planting of native broadleaved species, and species of local provenance, in new developments.

P-WTH-4 Promote the planting of native tree and shrub species by committing to using native species (of local provenance wherever possible) in its landscaping works and on County Council property.

7.1.6 Inland Waters - lakes, rivers, streams and groundwater The rivers and streams, lakes, wetlands and groundwater occurring within the Plan area are home to a variety of habitats and species. Lough Gill, Lough Arrow, Lough Talt, the lakes Gara, Easky and Templehouse, together with the rivers Owenmore, Unshin, Moy and Easky, are the main water bodies in County Sligo. The banks of rivers and streams (riparian zones) are

particularly important, as they contain a range of habitats and species which are different from the surrounding landscape. Riparian zones function as ecological corridors and “stepping stones” that enable species to move from place to place. Groundwater is important for supplying water and maintaining wetlands and river flows in dry periods. Rivers and streams should be maintained in an open, semi-natural condition, wherever possible. Their corridors and valleys should be protected and maintained for their biodiversity, landscape and flood protection value. This should be achieved by strictly controlling development in river/stream corridors and valleys and by implementing sustainable drainage systems for commercial and residential developments. Groundwater resources should be protected and managed in a sustainable manner

#### Riparian zones

Riparian zones are particularly vulnerable to damage from inappropriate development. While this Plan does not prohibit development in a riparian zone, developments taking place in such zones must ensure the protection of these vulnerable areas. A key watercourse protection measure is the set-aside of sufficient land along the river margin or corridor: — for larger river channels (over 10 m), the recommended width of the core riparian zone (CRZ) is 35- 60 m (18-30 m on each side of the river) and may be larger where flood plains adjoin the riparian zone; — for smaller channels (under 10 m), a core riparian zone (CRZ) of 20 m or greater (minimum 10 m on each side of the river) is recommended. The determined width should be tailored to the specific site, river reach or lakeshore characteristics and their associated habitats. — for salmonid rivers, the core riparian zone should be a minimum of 25 m on each side of the river. It is important that the buffer zone is large enough to protect the ecological integrity of the river (including emergent vegetation) and the riparian zone (bankside vegetation including trees), taking into account the historical use of the area.

In identifying the Core Riparian Zone along a watercourse, regard will be had to the following criteria: — provision of bed and bank stability; — protection of water quality; — maintenance of viability of riparian vegetation; — provision of continuity and connectivity along the riparian zone; — integration with floodplain processes; — management of edge effects at riparian/urban interface; — protection of natural values within channels.

#### Inland waters policies

It is the policy of Sligo County Council to:

P-INW-1 Protect rivers, streams and other water courses and their associated Core Riparian Zones (CRZs) from inappropriate development and maintain them in an open state, capable of providing suitable habitats for fauna and flora. Structures (e.g. bridges) crossing fisheries waters shall be clear-span and shall be designed and built in consultation with Inland Fisheries Ireland.

P- INW-2 Protect and enhance biodiversity richness by protecting rivers, stream corridors and valleys by reserving land along their banks for ecological corridors, maintaining them free from inappropriate development and discouraging culverting or realignment.

P- INW-3 Ensure that all proposed greenfield residential and commercial developments use sustainable drainage systems (SUDS) in accordance with best current practice, ensuring protection of the integrity of wetland sites in the adjoining area, including their hydrological regime.

P- INW-4 Ensure that floodplains and wetlands within the Plan area are retained for their biodiversity and flood protection value.

**Forestry Appeals Committee**

21 APR 2022

P- INW-5 Ensure that proposed developments do not adversely affect groundwater resources and groundwater-dependent habitats and species

#### Inland waters objectives

It is an objective of Sligo County Council to:

O- INW-1 Consult with prescribed bodies prior to undertaking, approving or authorising any works or development that may impact on rivers, streams and watercourses.

O- INW-2 Require that runoff from a developed area does not result in deterioration of downstream watercourses or habitats, and that pollution generated by a development is treated within the development area prior to discharge to local watercourses

#### 7.1.7 Invasive species

Invasive non-native plant and animal species are the second greatest threat to biodiversity worldwide after habitat destruction. They can negatively impact on native species, can transform habitats and threaten whole ecosystems, causing serious problems to the environment and the economy. Irish legislation makes it an offense to plant, breed, disperse, allow dispersal or cause to grow a range of plant and animal species, or to import or transport these or vector material such as soil or spoil from which they can grow (Articles 49 and 50 of the European Communities (Birds and Natural Habitats) Regulations, 2011). There is potential for the spread of invasive species during excavation and construction works. The Council will seek to prevent the spread of invasive non-native species through the control of movement of contaminated spoil where such movement is regulated or undertaken by the Planning or Local Authority.

#### Invasive species policies

It is the policy of Sligo County Council to:

P-INV-1 Prevent and control the spread of invasive plant and animal species within the county.

P-INV-2 Require, where appropriate, Invasive Species Management Plans to be prepared for development proposals regulated by the Planning Authority or undertaken by the Local Authority, and in particular for Japanese Knotweed and Giant Hogweed.

#### Invasive species objective

It is an objective of Sligo County Council to:

O-INV-1 Undertake a study through the County Heritage Plan and County Biodiversity Plan to quantify the extent of selected invasive species (Japanese Knotweed and Giant Hogweed) within the Plan area, with recommendations of priority species for control or eradication, the degree of threat posed and the resources required for effective management.

**Forestry Appeals Committee**

**21 APR 2022**

21 APR 2022

### 1.5. Forestry Plans and Projects

DAFM's Forest Licence Viewer was examined on the above date. It identified the following forestry-related projects located within the vicinity of the project area, that were (i) submitted and still under evaluation; (ii) with valid licences / approval in place; or (iii) completed and approved, over the past five years.

Licence	Scheme	Date Approved	Status	Area (ha)
CN80436	Afforestation	22/03/2018	Approved	0.49
CN80436	Afforestation	22/03/2018	Approved	4.70
CN87413	Afforestation		Decision Pending	2.39
CN87072	Afforestation		Decision Pending	13.31
CN87413	Afforestation		Decision Pending	1.43
CN80792	Afforestation	30/10/2018	Planted	0.01
CN87413	Afforestation		Decision Pending	0.67
CN87072	Afforestation		Decision Pending	0.15
CN88470	Afforestation		Decision Pending	2.33
CN88593	Afforestation	21/07/2021	Planted	0.04
CN88593	Afforestation	21/07/2021	Planted	0.18
CN85803	Afforestation	24/04/2020	Planted	7.99
CN88593	Afforestation	21/07/2021	Planted	1.79
CN83101	Afforestation	22/06/2021	Approved	5.59
CN82286	Afforestation	10/12/2018	Planted	20.04
CN88593	Afforestation	21/07/2021	Planted	0.36
CN87413	Afforestation		Decision Pending	4.14
CN87413	Afforestation		Decision Pending	0.42
CN87413	Afforestation		Decision Pending	1.61
CN87413	Afforestation		Decision Pending	0.77
CN79070	Afforestation	19/07/2017	Approved	1.92
CN87072	Afforestation		Decision Pending	0.01
TFL00128418	Private Felling	27/09/2018	Approved	0.77
TFL00132618	Private Felling	16/10/2018	Approved	0.13

TFL00132618	Private Felling	16/10/2018	Approved	0.95
TFL00128418	Private Felling	27/09/2018	Approved	2.63
TFL00128418	Private Felling	27/09/2018	Approved	0.37
TFL00176118	Private Felling	05/10/2018	Approved	3.54
TFL00176118	Private Felling	05/10/2018	Approved	10.73
TFL00132618	Private Felling	16/10/2018	Approved	1.00
TFL00132618	Private Felling	16/10/2018	Approved	1.21
TFL00132618	Private Felling	16/10/2018	Approved	0.49
TFL00132618	Private Felling	16/10/2018	Approved	1.36
TFL00132618	Private Felling	16/10/2018	Approved	0.46
TFL00132618	Private Felling	16/10/2018	Approved	2.50
TFL00132618	Private Felling	16/10/2018	Approved	2.54
TFL00132618	Private Felling	16/10/2018	Approved	7.98
TFL00132618	Private Felling	16/10/2018	Approved	0.43
TFL00132618	Private Felling	16/10/2018	Approved	5.78
TFL00299319	Private Felling	19/05/2021	Decision Pending	3.19
TFL00310219	Private Felling		Decision Pending	9.44
TFL00397619	Private Felling		Decision Pending	3.24
TFL00397619	Private Felling		Decision Pending	2.28
TFL00397619	Private Felling		Decision Pending	0.28
TFL00397619	Private Felling		Decision Pending	10.84
TFL00447519	Private Felling	24/03/2021	Decision under Appeal to FAC	0.16
TFL00445519	Private Felling	27/04/2020	Approved	1.67
TFL00536820	Private Felling	18/01/2022	Approved	7.87
TFL00536820	Private Felling	18/01/2022	Approved	2.43
TFL00070317	Private Felling	14/11/2017	Approved	0.16
TFL00046417	Private Felling	20/09/2017	Approved	0.28
TFL00030017	Private Felling	15/08/2017	Approved	17.06
SO11-FL0030	Coillte Clearfell	25/02/2019	Approved	7.01

SO12-FL0037	Coillte Clearfell	10/10/2018	Approved	2.22
SO12-FL0075	Coillte Clearfell	20/11/2019	Approved	4.39
SO12-FL0076	Coillte Clearfell	20/11/2019	Approved	2.51
SO12-FL0082	Coillte Clearfell	10/12/2020	Approved	0.01
SO12-FL0082	Coillte Clearfell	10/12/2020	Approved	11.37
SO12-FL0083	Coillte Clearfell	21/01/2021	Approved	8.39
SO12-FL0084	Coillte Clearfell	01/10/2021	Approved	11.43
SO12-FL0088	Coillte Clearfell		Decision Pending	4.76
SO11-FL0016	Coillte Clearfell	20/07/2017	Approved	4.63
SO12-FL0067	Coillte Thinning	26/03/2019	Approved	0.05
SO12-FL0067	Coillte Thinning	26/03/2019	Approved	2.07
SO12-FL0067	Coillte Thinning	26/03/2019	Approved	0.42
SO12-FL0060	Coillte Thinning		Decision Pending	11.41
SO12-FL0060	Coillte Thinning		Decision Pending	3.68
SO12-FL0060	Coillte Thinning		Decision Pending	1.99
SO12-FL0060	Coillte Thinning		Decision Pending	1.73
SO12-FL0060	Coillte Thinning		Decision Pending	1.50
SO12-FL0060	Coillte Thinning		Decision Pending	1.43
SO12-FL0060	Coillte Thinning		Decision Pending	0.36
SO12-FL0060	Coillte Thinning		Decision Pending	0.10
SO12-FL0060	Coillte Thinning		Decision Pending	0.06
SO12-FL0068	Coillte Thinning	26/03/2019	Approved	2.57
SO12-FL0068	Coillte Thinning	26/03/2019	Approved	0.51
SO11-FL0029	Coillte Thinning	26/03/2019	Approved	0.46
SO11-FL0029	Coillte Thinning	26/03/2019	Approved	1.08
SO12-FL0060	Coillte Thinning		Decision Pending	1.10
SO12-FL0058	Coillte Thinning	26/03/2019	Approved	0.04
SO12-FL0058	Coillte Thinning	26/03/2019	Approved	3.12
SO12-FL0058	Coillte Thinning	26/03/2019	Approved	2.09

SO12-FL0072	Coillte Thinning	26/03/2019	Approved	2.63
SO12-FL0071	Coillte Thinning		Decision Pending	1.69
SO12-FL0071	Coillte Thinning		Decision Pending	1.26
SO12-FL0058	Coillte Thinning	26/03/2019	Approved	5.22
SO11-FL0016	Coillte Thinning	20/07/2017	Approved	4.63

Reference	Scheme	Status	Date Approved	Total Forest Road Length (m)	Upgrade Length (m)
CN78207	Forest Road	Approved	2017	166	0
CN84934	Forest Road	Approved	2019	203	0
CN88637	Forest Road	Approved	2021	150	0

\*Multiple entries for the same reference indicate more than one land parcel make up that particular property and or multiple sub-basin intersection.

### Forestry Programme 2014-2020

The project is in line with the Forestry Programme 2014-2020, as set out in the 2015 DAFM document *Forestry Programme 2014 – 2020: IRELAND* Submitted in accordance with European Union Guidelines on State aid for agriculture and forestry and in rural areas 2014 to 2020.

## 2. In-Combination Statement

The proposed afforestation project CN86604 lies in a rural landscape in the townland(s) of ANNAGHGOWAN, BALLYNARY, Sligo. It is within the River Sub-Basin Unshin\_010, approximately 16% of which is under forest cover, which is greater than the national average of 11%. At 7.61 hectares, the proposed project is considered small in scale. The review of the DAFM Forestry Licence Viewer identified a number of forestry projects within the vicinity. These projects undergo environmental assessment, including AA screening and appropriate assessment (if necessary). As can be seen from the ortho photo, this afforestation application does not adjoin an existing forest.

In the River Sub-Basin Unshin\_010 over the last 5 years a number of developments have been or were in the process of being granted planning permission. These too undergo environmental assessment, including AA screening and appropriate assessment, if necessary..

It is concluded that there is no possibility that the proposed afforestation project CN86604, with mitigation measures set out in Section 4, will itself, i.e. *individually*, giving rise to an adverse effect on the integrity of the following European Sites and their associated Qualifying Interests / Special Conservation Interests and Conservation Objectives:

**Forestry Appeals Committee**  
21 APR 2022

- Lough Arrow SAC 001673
- Lough Arrow SPA 004050
- Unshin River SAC 001898

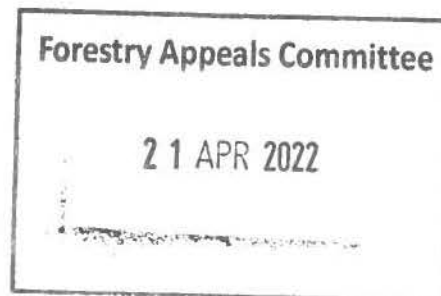
Therefore, there is no potential for the proposed project to contribute to any cumulative adverse effect on the integrity of the above European Site(s), when considered *in-combination* with other plans and projects.

Furthermore, it is considered that the regulatory systems in place for the approval, operation (including any permitted emissions) and monitoring of the effects of these other plans and projects are such that they will ensure that they too do not give rise to any adverse effect on the integrity of these European Sites.

Therefore, it is deemed that this project, when considered in combination with other plans and projects, will not give rise to any adverse effect on the integrity of the above European Site(s).

Note that this relates to the proposed activities under CN86604 only. Any subsequent forestry-related activity shall be subject to the DAFM Appropriate Assessment Procedure, including an in-combination assessment, prior to any future consent being granted.

In-Combination Statement completed on the: 28/03/2022



Appeal CN86604 - Sligo Co. Co. leas in relation to previous application on Annaghgowan/Ballynary site

# COMHAIRLE CHONTAE SHLIGIGH SLIGO COUNTY COUNCIL

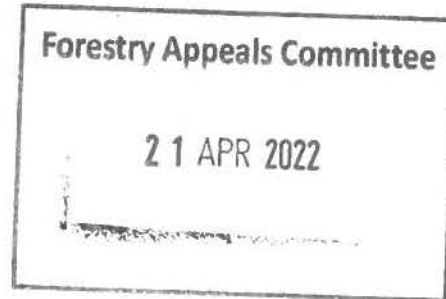


## PLANNING SECTION

Tel No.: 071 9111217, 9111213  
Fax No.: 071 9138054  
E-Mail: [planning@sligococo.ie](mailto:planning@sligococo.ie)

COUNTY HALL  
RIVERSIDE, SLIGO  
[www.sligococo.ie](http://www.sligococo.ie)

5<sup>th</sup> March 2008



**RE: Afforestation at Ballynary and Annaghgowan**

A Chara,

I refer to your letter received in this office on the 7<sup>th</sup> February 2008 regarding the above. I wish to inform you that this Planning Authority has not received any notification from the Department of Agriculture and Food in relation to a licence for the afforestation of lands at Ballynary and Annaghgowan.


Under the Planning & Development Regulations 2001 initial afforestation is considered to constitute exempted development (Part 3 Exempted Development – Rural ) Class 15.

Restrictions on exempted development however are outlined in Article 9 of the Planning & Development Regulations 2001 and (1) (a)(vi) of Article 9 states that development to which article 6 relates shall not be exempted development for the purposes of the Act if the carrying out of such development would ;

*“interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or pending the variation of a development plan or the making of a new development plan in the draft variation of the development plan or the draft development plan”*

You are therefore advised to consult with the Department of Agriculture and Food regarding the proposed afforestation at Ballynary and Annaghgowan.

Mise le meas,

  
Janet McNamara,  
Administrative Officer.  
PLANNING SECTION

EC/NF





20<sup>th</sup> March 2008



*File copy*

**Re: CN43443, site at Annaghgowan and Ballynarry, Co. Sligo**

Dear 

I refer to the approval notice for afforestation which issued to you 29<sup>th</sup> November 2007.

Unfortunately, following further investigation and under the provisions of Regulation S.I. 538/2001, I must notify you that your afforestation approval is hereby **withdrawn**.

This area is in or adjoining a "Sensitive Rural Landscape" a "Visually Vulnerable Area" and is along a "Scenic Route" as described in the Sligo County Development Plan 2005-2011. (It is also in an SAC and SPA). The view of Lough Arrow is among the views to be preserved in the County Development Plan and therefore requires Planning Permission in addition to Forest Service consent if it is to be planted. (This restriction on afforestation planning exemption is outlined in Article 9 of the Planning and Development Regulations 2001)

Your approval for afforestation has therefore been withdrawn unless Planning Permission is provided from Sligo County Council.

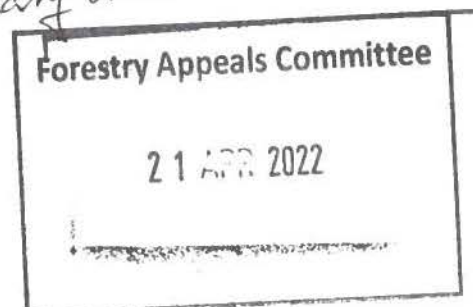
Yours sincerely

  
Gerry Fogarty  
Assistant Principal  
Forest Service

Tel: 053 9153517  
Email: [ann.dunne@agriculture.gov.ie](mailto:ann.dunne@agriculture.gov.ie)

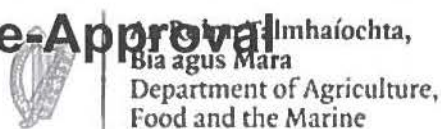
CC Dermot Slevin, Forester.  
Seamus Dunne, Divisional Inspector.  
Senan Kelly, District Inspector.

*Appeal CN86604 - Previous  
withdrawal of granted license  
for afforestation at Annaghgowan  
Ballynarry area.*



Appeals CN86604

# Inspector Certification - Pre-Approval



[Home](#) | [Contacts](#) | [Notes](#) | [Help](#) | [Exit](#)

Name [REDACTED] | Contract ID CN43443 | FO [REDACTED] | Area 6.46  
[Applicant Details](#)   [CCS Details](#)

### Warning

If the last EIA query run pre-dates 20/09/2019 please ensure you re-run the EIA query so as to carry out AA Screening

Select the tickbox and press the 'Update In Progress' button to mark this inspection as In Progress

## Inspection Details

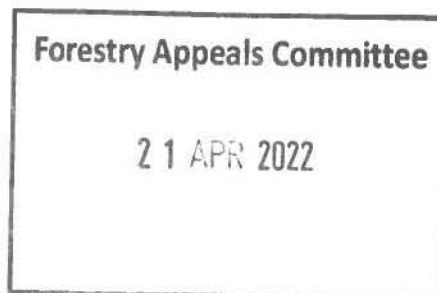
[top](#) | [bottom](#)

Scheme Type	Afforestation	Location of Proposed Plantation	
Inspection Date	<input type="text" value="16/06/2006"/>	Field & Desk <input checked="" type="radio"/>	Desk Only <input type="radio"/>
Risk Analysis	<input checked="" type="checkbox"/>		
Grant	Grant Eligibility has not been indicated on Application		
District Inspector	SEPPI HONA	Certifying Inspector	Senan Kelly
Inspection Type	Pre-Approval		
If field inspected, was site notice displayed in the marked location (Select NA where 5 week notification period has elapsed)?	Yes <input type="radio"/>	No <input type="radio"/>	NA <input type="radio"/>

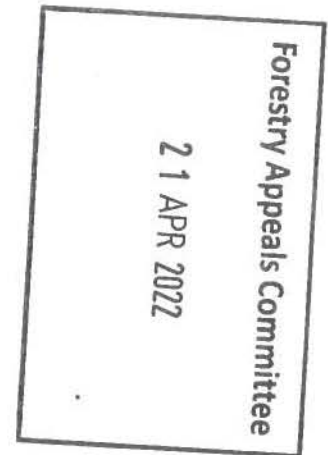
## Risk Analysis

[top](#) | [bottom](#)

Indicative Reasons for Field Inspection



- There is the possibility of shell marl
- There is a local issue on the proposed planting of the site
- There is an access concern
- Potential impacts of proposed development on designated site(s) (SAC, SPA, pNHA, Nature Reserves, National Parks)
- Possibility of high exposure
- Possibility of flooding / high water table
- Possibility of unsuitability of selected species to site
- Possible under declaration of GPC1 areas / unenclosed lands on Form 1 proposal
- Third party submission or referral warrants site inspection
- Line Manager / Land Owner / Admin request for inspection
- Other



Comment

**Selected by Risk Analysis for Field and Desk Inspection**

**Forester Details**

[top](#) | [bottom](#)

For. Company / Forester FORESTRY SERVICES LTD

E

**Silvicultural Considerations**

[top](#) | [bottom](#)

		Forester		Report Attached	Inspector		
1	Suitable for 10% broadleaf afforestation	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
2	If so, does the Broadleaf Plot meet the minimum width criteria (where applicable)?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
3	Will at least 10% of the total conifer area be a conifer species other than Sitka Spruce/Lodgepole Pine and/or at least 10% of the total area be comprised of suitable broadleaves (rule does not apply where plantations consist of GPCs 5, 6,7 and 8 only)	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
4	Is the site prone to flooding?	Yes <input type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>

5	The site is free of shell marl or highly calcareous soils?	Yes <input type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
---	--	---------------------------	--------------------------	--------------------------	---------------------------	--------------------------	---------------------------

**Environmental Considerations**

top | bottom

		Spatial	Forester		Report Attached	Inspector		
1.1	Is the area designated potentially acid sensitive by the Forest Service?	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
1.2	Is the area greater than 5 hectares and sensitive for Fisheries?	<input checked="" type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
1.3	Is the area greater than 40 hectares and non-sensitive for Fisheries?	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
1.4	Is the area greater than 10 hectares and within a catchment area of Local Authority designated water scheme?		Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
2.1	<b>Is the area within an NHA, pNHA, SAC, cSAC, SPA, pSPA or National Park? Specify Site Code(s).</b>	<input checked="" type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
2.2	Is the area within 3km upstream of an NHA, pNHA, SAC, cSAC, SPA, pSPA or National Park? Specify Site Code(s).		Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
2.3	Does the area contain a current REPS plan habitat?	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
2.4	Is the area completely within or inside the 0.5km buffer of an NHA, pNHA, SAC, cSAC, SPA or pSPA or is the area hydrologically connected to and within the 1 and/or 3km upstream buffer of a pNHA, SAC, cSAC, SPA or pSPA?		Yes <input type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
3.1	<b>Does the area contain an archaeological site or features within intensive public usage?</b>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
3.2	Does the area contain or adjoin a listed archaeological site or monument?	<input checked="" type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
4.1	<b>Is the area within a prime scenic area in the County Development Plan?</b>		Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
4.2	Are there any other High Amenity Landscape Considerations?		Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
5.1	Is the area greater than 25 hectares?	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	<input type="checkbox"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>

6.0 Other Environmental Considerations

Lough Gara is asource of local water supply. Lar

Inspector's Other Env. Considerations

Lough Gara is asource of local water supply. La



**Drainage**      Required       Not Required

**Firebreaks/Res.**      Required       Not Required

**Road Access**      Provided       Required

<b>Weed Control</b>	Herbicide Control yr0	<input type="checkbox"/>	Herbicide Control yr1	<input checked="" type="checkbox"/>
	Herbicide Control yr4	<input type="checkbox"/>	Herbicide Control yr2	<input checked="" type="checkbox"/>
	Herbicide Control yr3	<input checked="" type="checkbox"/>	Manual	<input checked="" type="checkbox"/>

<b>Agro Forestry (GPC 11)</b>	Tree Shelters	<input type="checkbox"/>	Plant Size and Stocking	<input type="checkbox"/>
-------------------------------	---------------	--------------------------	-------------------------	--------------------------

<b>Forestry for Fibre (GPCs: 12a and 12b )</b>	Is Land Free Drainage arable or pasture soils	<input type="checkbox"/>	Are there surface water gleys without a peat layer	<input type="checkbox"/>
	Do you intend to use improved genetic material	<input type="checkbox"/>	Details	<input type="text" value="500"/>

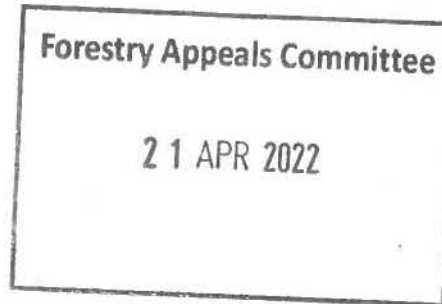
**Referrals to Prescribed Bodies**

[top](#) | [bottom](#)

Prescribed Body	Date of Referral	Response Received	Response Date
SLIGO COUNTY COUNCIL	09/08/2006	No Objection	09/08/2006
FAILTE IRELAND	09/08/2006	No Objection	09/08/2006

Prescribed Body	Date of Referral	Response Received	Response Date
EMMET BYRNES	09/08/2006		09/08/2006
AN TAISCE	15/05/2006		-
N W REGIONAL FISHERIES BOARD	15/05/2006		-
NATIONAL PARKS & WILDLIFE	15/05/2006		-

Response



Appropriate Assessment Screening

top | bottom

**Q.1 Site Details**

This project comprises hectares of afforestation. The predominant soil type underlining the project area is predominantly podzols in nature. The slope is predominantly flat to moderate (<15%). The project area is crossed by / adjoins an aquatic zone(s). The vegetation type(s) within the project area comprise .

Create/Edit

**Q.2 European Sites**

IFORIS MAP VIEWER has identified the following European site(s) as lying within 15 km of the project area, defined as the likely zone of impact. Other European sites further away can also be inputted manually, if deemed necessary. For example, a proposed felling over 15 km from a FPM SAC but still overlapping the corresponding catchment (as per draft Forests & FPM Plan).

European site & code	Project area overlaps this European site	Project area 15km or less from this European site (regardless of hydrological connectivity)	This European site is greater than 15 km from the project area, but is inputted manually for the following reasons:

Manually Add European Site

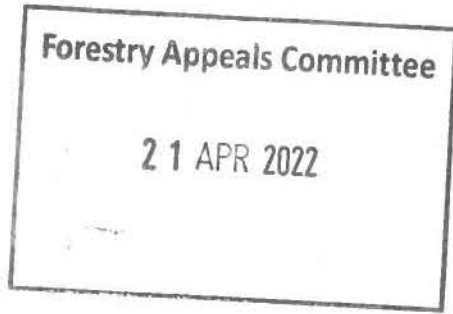
Q3. As District Inspector, have you reviewed all referral responses and submissions received in relation to this ?

Yes  No

Q4. Is there sufficient information within the application and available from elsewhere to form a sound judgement regarding the likelihood of the project having a significant effect on a European site ?

Yes  No

Screening Conclusion



**Screen Out**  
The zone of influence centered on this application does not overlap with any Natura site. Therefore, due to spatial separation, this project is screened out for the purpose of Appropriate Assessment.

**Overall Conclusion    Screen Out: No likelihood of a significant effect on any European site, and Appropriate Assessment not required**

Comment(s):

Describe

(1000 characters remaining)

Last EIA Spatial Run Date is

Assessment to Determine EIA Requirement

[top](#) | [bottom](#)

Inspectors comments

[Empty text box for inspectors comments]

Inspector's Certification Report

[top](#) | [bottom](#)

1	The application form detailing this proposal is in accordance with procedures in the Forestry Schemes Manual.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
2	All changes to this proposal have been recorded in the previous screens.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
3	All available environmental datasets have been cross checked.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
4	All broadleaved plots meet the minimum width and area criteria.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
5	At least 10% of the total conifer area be a conifer species other than Sitka Spruce/Lodgepole Pine and/or at least 10% of the total area be comprised of suitable broadleaves	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
6	The species proposed are silviculturally and environmentally suitable for this site.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
7	The land proposed for afforestation is agricultural land.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
8	The site is suitable for 10% broadleaf afforestation.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
9	The proposed development outlined in this proposal has taken into consideration environmental considerations identified on the ground.	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
10	The site is free of shell marl or highly calcareous soils.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
11	All changes resulting from inspection to this proposal have been recorded in the previous screens.	Yes <input checked="" type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>
12	The applicant(s) were sent a SMS text prior to inspection where a valid mobile number has been supplied?	Yes <input type="radio"/>	No <input type="radio"/>	N/A <input type="radio"/>

Date Sms sent

Other Comments / Field Notes  
 Lough Gara was once a popular fishing lake but its reputation has faded.

Grade 1 Comments

Inspector's Recommendation

Recommendation  
 Reason for Refusal

Refuse

Land Unplantable

Incapable of producing commercial crop YC>14

Shell Marl

High Water Table

No Access

Rock Outcrop

top | bottom  
 → Previous application to CN86604 under CN43443 confirmed inspectors Refusal that Land unplantable with High Water Table. Land has not changed

**Forestry Appeals Committee**  
 21 APR 2022

- Landscape Considerations
- Enviromental Considerations
- Outside scope of scheme
- Other

Other Details

[Close](#)   [View Map](#)   [Plots](#)   [Site Details](#)   [Fencing Details](#)   [Archaeologist Report](#)



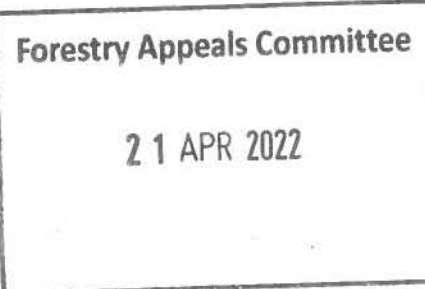
Appeal CN86604

v.24Aug20

## Natura Impact Statement

for Afforestation project CN86604, located at Ballynary  
and Annaghgowan, Co. Sligo

Compiled by: James Owens BSc, MSc and Dermot Slevin BSc  
Completion date: 25/11/2021



# TABLE OF CONTENTS

Section 1: GENERAL DETAILS.....	3
Section 2: SCREENED-IN EUROPEAN SITES – POTENTIAL IMPACTS & PROPOSED MITIGATION (IF POSSIBLE).....	8
Section 3: RESIDUAL EFFECT .....	15
Section 4: IN-COMBINATION EFFECT.....	15
Section 5: COLLATED MITIGATION MEASURES .....	18
Section 6: AUTHOR DECLARATION .....	18
REFERENCES.....	19
APPENDICES .....	20

Forestry Appeals Committee  
21 APR 2022

## Section 1: GENERAL DETAILS

Details of Author(s)	
Name	James Owens
Address	Carrowndangan, Four-Mile-House, Roscommon F42XN81
Company name (If relevant)	Oran Ecology
Tel. no.	083 1747213
E-mail	info@oranecology.ie
Details of relevant qualifications / affiliations / years of experience (Provide additional details on separate a sheet)	This report was prepared and the ecological survey carried out by ecologist James Owens (B.Sc., M.Sc.) who has relevant academic qualifications and is a competent expert in the Appropriate Assessment process. James has five years' experience as an ecologist and has prepared Natura Impact Statements which has involved the assessment of hydrological impacts on numerous projects including OPW flood relief schemes, afforestation and felling applications, local authority drainage projects and renewable energy developments.
Describe scope of contribution in preparing this NIS	Reviewed report, ecological survey, mitigation and assessment.

Details of Author(s)	
Name	Dermot Slevin
Address	Cillín Hill, Dublin Road, Kilkenny
Company name (If relevant)	Forestry Services Ltd.
Tel. no.	086 3839430
E-mail	dermot@forestryservices.ie
Details of relevant qualifications / affiliations / years of experience (Provide additional details on separate a sheet)	The report was reviewed by Dermot Slevin (BSc. (Ag.) and MSIF) who has worked in forestry since 1987. Dermot has been working as a forester in the private forestry industry since 1990 and has extensive experience in forest establishment operations.

**Forestry Appeals Committee**

21 APR 2022

Describe scope of contribution in preparing this AA Pre-Screening Report	Reviewed report and co-authored the proposed operations.
--	--

**Forestry Appeals Committee**  
**21 APR 2022**

Project location & general details*		
County(-ies): Sligo		Nearest village: Ballinafad
Townland(s): Ballynary and Annaghgowan		6 inch OS Map number: SO040
Proposed activity (tick):	Afforestation	<input checked="" type="checkbox"/>
	Forest road construction	<input type="checkbox"/>
	Thinning (incl. CCF)	<input type="checkbox"/>
	Clearfell & Reforestation	<input type="checkbox"/>
	Clearfell & No Reforestation	<input type="checkbox"/>
	Aerial fertilisation	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>
Project area (hectares) / Length (metres):		7.82 hectares

DAFM file reference no. (if issued):		
Indicate the nature of the application	Application for forestry licence only	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Application for forestry licence & scheme support	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Application for scheme support only	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Indicate the origin of this NIS:	NIS was sought by the FS-DAFM <i>via</i> a NIS Request Letter.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	NIS submitted with the licence / scheme application, based on the results of a pre-screening exercise.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Other (describe):	

**Forestry Appeals Committee**

21 APR 2022

### **Description of the Project Area (i.e. site of proposed works)**

The proposed project site mainly consists of Wet grassland (GS4) with a small area of Dry calcareous and neutral grassland (GS1) also recorded. The south-western fields at the site border Lough Arrow, classified as a Mesotrophic lake (FL4). Hedgerows (WL1) and Treelines (WL2) formed some field boundaries within the site.

Topography within the fields north of the public road was mainly flat, with gradients of less than <5%. The fields south of the public road were on a gradually sloping drumlin which had a gradient of 8-10%. Soil consisted of mineral gleys and peaty mineral soil across the site.

The south-western boundary of the site overlaps with the Lough Arrow SAC and Lough Arrow SPA. A habitat map is included as Map 1 Appendix 1 and a detailed description of the habitats is given in Appendix 3

### **Proposed Operations**

The following works are proposed;

Afforestation of GPC 9 and 10 through the Native Woodland Establishment Scheme. The project consists of the following plots;

Plot 1 – Bio area (unplanted)

Plot 2 – Alder, birch, pedunculate oak and additional broadleaves

Plot 3 – Alder, birch, pedunculate oak and additional broadleaves

Plot 4 – Sessile oak, hazel, birch and additional broadleaves

The Native Woodland Scheme has an overriding ecological focus and puts an emphasis on minimal site disturbance. Therefore, drainage works are not proposed as part of native woodland establishment and fertilisation is not permitted. An operations and mitigation map is provided as Map 2 in Appendix 1.

#### Site Setup (1 day)

Prior to the outset of works, setbacks will be marked out at the site (Forestry Standards Manual Section 6).

#### Cultivation (Duration approximately 1-2 weeks)

As per the requirements of the Native Woodland Scheme, ground cultivation will be minimal. Ripping will be undertaken in Plot 4 and invert mounding using an excavator will be undertaken in the remaining areas.

#### Fencing (Approximate duration 4 days)

The perimeter of the site will be fenced to exclude stock using timber fence posts and barbed wire and sheep wire. Fencing will be done in accordance with the Forestry Standards Manual Section 12.

#### Planting (Approximate duration 2-3 weeks)

Tree planting will be undertaken manually through slit and/or pit planting. Planting will be done in accordance with the Forestry Standards Manual Section 10.

Vegetation Control (Throughout the 4-year establishment window as necessary)

Vegetation control will either be done manually (cleaning) or using herbicide. Vegetation control will be done in accordance with the Forestry Standards Manual Section 13.

Beating Up (Throughout the 4-year establishment window as necessary)

Tree replacement planting will be undertaken manually through slit planting and/or pit planting. Planting will be done in accordance with the Forestry Standards Manual Section 10.

Ongoing monitoring of the site will take place within the first four to five years at which point it is anticipated that the forest will be established.

**Forestry Appeals Committee**

**21 APR 2022**

## Section 2: SCREENED-IN EUROPEAN SITES – POTENTIAL IMPACTS & PROPOSED MITIGATION (IF POSSIBLE)

Lough Arrow SAC [001673]			
<p>List each of the Qualifying Interest(s) (if SAC) / Special Conservation Interest(s) (if SPA) for this European Site.</p> <p>Assign each QI / SCI its own row.</p>	<p>Set out components of the Conservation Objectives (relevant information including attributes, conservation status &amp; locations) for this European Site relevant to this project.</p>	<p>Considering the QI / SCI &amp; the Conservation Objective(s), and supporting habitats and species(*), is it likely that the project will have an adverse effect on this QI / SCI &amp; the achievement of the corresponding Conservation Objective?</p> <p>If 'yes', describe the nature, severity, mechanism &amp; timeline of the adverse effect.</p>	<p>If the potential for an adverse effect on this QI / SCI exists, detail the necessary mitigation to avoid, reduce or prevent this potential, and describe the mechanism through which this is achieved.</p>
<ul style="list-style-type: none"> <li>Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. [3140]</li> </ul>	<p><b><u>Conservation Objectives for the QI</u></b></p> <p>To maintain or restore the favourable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected</p> <p><a href="https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/C0001673.pdf">https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/C0001673.pdf</a></p> <p><b><u>Relevant Attributes</u></b></p>	<p>Part of the proposed afforestation site overlaps with the boundary of the SAC along the shoreline of Lough Arrow. The proposed works will be restricted to agricultural fields and no works are proposed within the lake or its fringing habitat. Direct effects in the form of habitat loss are not anticipated.</p> <p>The Barroe-South EPA watercourse is separated from</p>	<p><b>All mitigation measures have been derived from scientifically proven and up to date design and best practice guidance from Department of Agriculture publications. Setback distances are included in the Operations Map (Maps 2) in Appendix 1.</b></p> <p><b>The following mitigation will be followed to protect shoreline habitat and water quality:</b></p> <ul style="list-style-type: none"> <li>A 10m water setback will be established along the lakeshore of Lough Arrow. (Map 2 in Appendix 1).</li> <li>There will be no refuelling, fuel stored or maintenance of machinery within 50m of a water setback or the Barroe South stream.</li> </ul>

<div data-bbox="190 885 472 1329" style="border: 1px solid black; padding: 5px; text-align: center;"> <p style="margin: 0;"><b>Forestry Appeals Committee</b></p> <p style="margin: 0;">21 APR 2022</p> </div>	<p>Only generic conservation objectives are currently available for this SAC. Detailed conservation objectives have not yet been published.</p> <p><b><u>Location</u></b></p> <p>Lough Arrow is located immediately adjacent to part of the proposed project site and the shoreline of the lake overlaps with part of the native woodland establishment boundary.</p>	<p>the proposed works area by 10m, there is no potential for pollution related effects impacting the watercourse.</p> <p>Drainage and fertiliser usage are not permitted as part of the native woodland scheme, therefore a deterioration of water quality as a result of sediment run-off or increased nutrients is not anticipated. Significant hydrocarbon spillage or leaks at the site are unlikely. However, should fuel be stored or machinery be used near Lough Arrow, there is the potential for hydrocarbons to enter the waterbody. In addition, if herbicide is used in close proximity to the lake there is the potential for chemicals to enter the lake waterbody through spray drift or spillage.</p> <p>Therefore, potential adverse effects on the QI as a result of a hydrocarbon spill or leak from plant machinery during ground cultivation works (1-2 weeks duration) or herbicide entering</p>	<ul style="list-style-type: none"> <li>• There will be no use of herbicide, storing of chemicals or re-filling within 50m of Lough Arrow or the Barroe South stream.</li> <li>• All water protection measures will be adhered to relating to setbacks, cultivation, monitoring, re-fuelling and the location of onsite storage depots and the disposal of waste, as set out in the Environmental Requirements for Afforestation (DAFM, 2016), Native Woodland Establishment GPC9 &amp; GPC10 Silvicultural Standards (DAFM, 2015) and Forestry Standards Manual (DAFM, 2015)</li> </ul>
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		the lake waterbody during vegetation control (within the 4-5 years of establishment) cannot be completely excluded.	
<b>Lough Arrow SPA [004050]</b>			
<p>List each of the Qualifying Interest(s) (if SAC) / Special Conservation Interest(s) (if SPA) for this European Site.</p> <p>Assign each QI / SCI its own row.</p>	<p>Set out components of the Conservation Objectives (relevant information including attributes, conservation status &amp; locations) for this European Site relevant to this project.</p>	<p>Considering the QI / SCI &amp; the Conservation Objective(s), and supporting habitats and species(*), is it likely that the project will have an adverse effect on this QI / SCI &amp; the achievement of the corresponding Conservation Objective?</p> <p>If 'yes', describe the nature, severity, mechanism &amp; timeline of the adverse effect.</p>	<p>If the potential for an adverse effect on this QI / SCI exists, detail the necessary mitigation to avoid, reduce or prevent this potential, and describe the mechanism through which this is achieved.</p>
<ul style="list-style-type: none"> <li>• Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]</li> <li>• Tufted Duck (<i>Aythya fuligula</i>) [A061]</li> </ul>	<p><b><u>Conservation Objective for the SCI;</u></b></p> <p>To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA</p> <p><b><u>Relevant Attributes</u></b></p>	<p>Part of the proposed afforestation site overlaps with the boundary of the SPA along the shoreline of Lough Arrow. The proposed works will be restricted to agricultural fields and no works are proposed within the lake or its fringing habitat. Direct effects in the form of habitat loss are not anticipated.</p>	<p><b>All mitigation measures have been derived from scientifically proven and up to date design and best practice guidance from Department of Agriculture publications. Setback distances are included in the Operations Map (Maps 2) in Appendix 1.</b></p> <p><b>The following mitigation will be followed to protect shoreline habitat and water quality:</b></p> <ul style="list-style-type: none"> <li>• A 10m water setback will be established along the lakeshore of Lough Arrow. (Map 2 in Appendix 1).</li> </ul>

<div data-bbox="190 885 481 1332" style="border: 1px solid black; padding: 5px; text-align: center;"> <p style="margin: 0;"><b>Forestry Appeals Committee</b></p> <p style="margin: 0;"><b>21 APR 2022</b></p> </div>	<p>Only generic conservation objectives are currently available for this SPA. Detailed conservation objectives have not yet been published.</p>	<p>The shoreline and fringes of the lake offers suitable supporting habitat for the SCI species. However, the proposed project footprint will be restricted to wet grassland which does not provide suitable supporting habitat for the SCI species.</p> <p>The works proposed as part of the native woodland establishment project are small in nature and scale and short-term in duration. In addition, the proposed works are similar to the activity levels of agricultural works in the surrounding area. Disturbance related effects as a result of noise and human activity are not anticipated.</p> <p>Drainage works or fertiliser usage are not proposed as part of the project. Drainage and fertiliser usage are not permitted as part of the native woodland scheme, therefore a deterioration of water quality as a result of sediment run-off or increased</p>	<ul style="list-style-type: none"> <li>• There will be no refuelling, fuel stored or maintenance of machinery within 50m of a water setback or the Barroe South stream.</li> <li>• There will be no use of herbicide, storing of chemicals or re-filling within 50m of Lough Arrow or the Barroe South stream.</li> <li>• All water protection measures will be adhered to relating to setbacks, cultivation, monitoring, re-fuelling and the location of onsite storage depots and the disposal of waste, as set out in the Environmental Requirements for Afforestation (DAFM, 2016), Native Woodland Establishment GPC9 &amp; GPC10 Silvicultural Standards (DAFM, 2015) and Forestry Standards Manual (DAFM, 2015)</li> </ul>
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<div data-bbox="197 678 497 1121" style="border: 1px solid black; padding: 5px; text-align: center;"> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Forestry Appeals Committee</p> <p>21 APR 2022</p> </div>		<p>nutrients is not anticipated. Significant hydrocarbon spillage or leaks at the site are unlikely. However, should fuel be stored or machinery be used near Lough Arrow during ground cultivation works, there is the potential for hydrocarbons to enter the waterbody. In addition, if herbicide is used in close proximity to the lake during weed control works there is the potential for chemicals to enter the lake waterbody through spray drift or spillage.</p> <p>Therefore, potential adverse effects on the SCIs as a result of a hydrocarbon spill or leak from plant machinery during ground cultivation works (1-2 weeks duration) or herbicide entering the lake waterbody during vegetation control (within the 4-5 years of establishment) cannot be completely excluded.</p>	
<ul style="list-style-type: none"> <li>Wetland and Waterbirds [A999]</li> </ul>	<p><b><u>Conservation Objective for the SCI;</u></b></p> <p>To maintain or restore the favourable conservation</p>	<p>Part of the proposed afforestation site overlaps with the boundary of the SPA along the shoreline of Lough Arrow. The proposed works will be restricted</p>	

<div data-bbox="174 906 459 1343" style="border: 1px solid black; padding: 5px; text-align: center;"> <p style="margin: 0;"><b>Forestry Appeals Committee</b></p> <p style="margin: 0;">21 APR 2022</p> </div>	<p>condition of the wetland habitat at Lough Arrow SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.</p> <p><b>Relevant Attributes</b></p> <p>Only generic conservation objectives are currently available for this SPA. Detailed conservation objectives have not yet been published.</p>	<p>to agricultural fields and no works are proposed within the lake or its fringing habitat. Direct effects in the form of habitat loss are not anticipated.</p> <p>The shoreline and fringes of the lake offers suitable supporting habitat. However, the proposed project footprint will be restricted to wet grassland which does not contain wetland supporting habitat.</p> <p>Drainage and fertiliser usage are not permitted as part of the native woodland scheme, therefore a deterioration of water quality as a result of sediment run-off or increased nutrients is not anticipated. Significant hydrocarbon spillage or leaks at the site are unlikely. However, should fuel be stored or machinery be used near Lough Arrow, there is the potential for hydrocarbons to enter the waterbody. In addition, if herbicide is used in close proximity to the lake there is the potential for chemicals to enter</p>	
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		<p>the lake waterbody through spray drift or spillage.</p> <p>Therefore, potential adverse effects on the wetland supporting habitat as a result of a hydrocarbon spill or leak from plant machinery during ground cultivation works (1 week duration) or herbicide entering the lake waterbody during vegetation control (within the 4-5 years of establishment) cannot be completely excluded.</p>	
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**Forestry Appeals Committee**  
**21 APR 2022**

### Section 3: RESIDUAL EFFECT

The incorporation of fundamental design measures and mitigation measures in Section 2 will protect the QIs of the SAC for which pathways for effect were identified and ensure there will be no residual effects on the Lough Arrow SAC [001673] or Lough Arrow SPA [004050]. Therefore, there is no possibility of the project itself individually having an adverse effect on the integrity of the European Sites.

### Section 4: IN-COMBINATION EFFECT

The proposed development was considered in combination with other plans and projects in the area that could result in cumulative effects on European Sites.

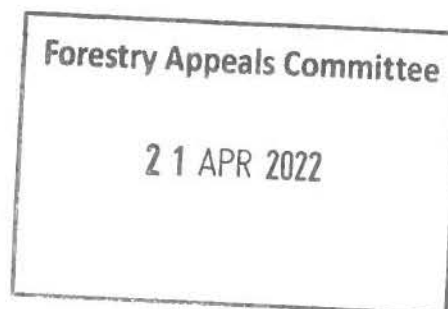
The online Forestry Licence Viewer was searched for recent forestry licence applications from within the same surface water sub-catchment (Unshin\_SC\_010) as proposed project, undertaken on the 25/11/2021. The following applications were returned;

#### Afforestation

- CN88593
- CN87072
- CN83101
- CN85803
- CN82286
- CN88470
- CN80436
- CN86875
- CN83974
- CN84378
- CN84070
- CN87224
- CN87176
- CN85035
- CN86549
- CN83140
- CN83345

#### Forest Roads

- CN84934
- CN88637
- CN83614
- CN83501
- CN81426
- CN82615
- CN81936
- CN84657



### Private Thinning and Felling

- TFL00536820
- TFL00176118
- TFL00128418
- TFL00310219
- TFL00397619
- TFL00574520
- TFL00256518
- TFL00313719
- TFL00355719
- TFL00131018
- TFL00136518
- TFL00521420
- TFL00293819
- TFL00182218
- TFL00456320
- TFL00254618
- TFL00259318
- TFL00380419
- TFL00259418
- TFL00502920
- TFL00521720
- TFL00119218
- TFL00456420
- TFL00128818
- TFL00411819
- TFL00470420
- TFL00240118
- TFL00220418
- TFL00610521
- TFL00163318
- TFL00603120
- TFL00133618
- TFL00466620
- TFL00193618
- TFL00396519
- TFL00492120
- TFL00565920
- TFL00276619
- TFL00447519
- TFL00447619
- TFL00299319

### Coillte Clearfell and Thinning

- SO12-FL0088
- SO12-FL0083
- SO12-FL0082
- SO11-FL0030
- SO12-FL0076
- SO12-FL0084
- SO12-FL0075
- SO12-FL0037
- SO08-FL0055
- SO08-FL0048
- SO08-FL0049

**Forestry Appeals Committee**

**21 APR 2022**

- SO09-FL0037
- SO09-FL0029
- SO09-FL0021
- SO09-FL0036
- SO09-FL0033
- SO09-FL0031
- SO09-FL0019
- SO12-FL0058
- SO12-FL0067
- SO12-FL0071
- SO12-FL0072
- SO12-FL0060
- SO11-FL0029
- SO12-FL0068
- SO08-FL0039
- SO08-FL0043
- SO09-FL0026
- SO09-FL0027
- SO09-FL0025

A search of the online planning system for Leitrim County Council for recent planning applications was undertaken on the 25/11/2021. Refused, withdrawn and incomplete information applications were not included in the assessment. There were no planning applications in the townlands of Ballynary or Annaghgowan within the past five years.

An Bord Pleanála website [www.pleanala.ie/index.htm](http://www.pleanala.ie/index.htm), consulted on the 25/11/2021 indicated the following relevant applications in the general vicinity of the project: No results were returned

The EPA website [www.epe.ie](http://www.epe.ie) was consulted on the 01/07/2021 and indicated the following licenced activities in the same surface water sub-catchment the project: No results were returned

The following other plans and projects that were considered in the assessment;

- Sligo County Development Plan 2017 – 2023 was also reviewed and considered as part of this assessment. The review focused on policies and objectives that relate to European sites.

Any potential future works associated with the proposed forest site will be subject to licence and Appropriate Assessment.

After the assessment of residual effects was considered in Section 3, no pathway for adverse effects was identified in relation to any European site as a result of the proposed project when considered on its own. In the review of other plans and projects described above, no additional pathways for effect on European sites were identified as a result of those plans or projects. Neither was there any potential for additional effects resulting from the combination of the various projects and plans in association with the proposed development. No potentially adverse cumulative and/or in-combination effects on any of the SCIs has been identified with regard to the proposed project.

**Forestry Appeals Committee**

**21 APR 2022**

## Section 5: COLLATED MITIGATION MEASURES

The following collates the various mitigation measures identified above, deemed necessary following the examination of the potential adverse effects of the proposed project on the QIs / SCIs and Conservation Objectives of the various screened-in European Sites, taking into account potential residual effects and in-combination effects (i.e. Sections 2-4 above) .

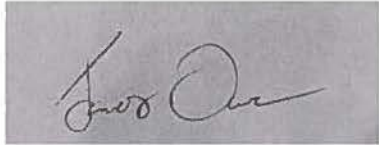
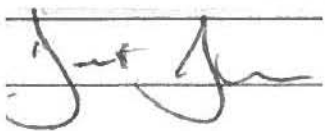
**The following mitigation will be followed to protect water quality during reforestation operations:**

1. A 10m water setback will be established along the lakeshore of Lough Arrow. (Map 2 in Appendix 1).
2. There will be no refuelling, fuel stored or maintenance of machinery within 50m of a water setback or the Barroe South stream.
3. There will be no use of herbicide, storing of chemicals or re-filling within 50m of Lough Arrow or the Barroe South stream.
4. All water protection measures will be adhered to relating to setbacks, cultivation, monitoring, re-fuelling and the location of onsite storage depots and the disposal of waste, as set out in the Environmental Requirements for Afforestation (DAFM, 2016), Native Woodland Establishment GPC9 & GPC10 Silvicultural Standards (DAFM, 2015) and Forestry Standards Manual (DAFM, 2015)

## Section 6: AUTHOR DECLARATION

It is objectively concluded, in light of the above objective scientific information, that, when the above mitigation measure(s) is / are implemented, the project, individually or in combination with other plans and projects, will not have an adverse effect on the integrity of any of the European Sites listed in Section 2 above, in view of their conservation objectives and in view of best scientific knowledge.

I / we declare that this Natura Impact Statement accurately reports on the scientific examination of the project within the context of any relevant European Site(s) and on the findings of that scientific examination.

<i>Author name</i>	<i>Signature</i>	<i>Date</i>
1. James Owens		25/11/2021
2. Dermot Slevin		25/11/2021

**Forestry Appeals Committee**

**21 APR 2022**

## Appendix 3: ECOLOGICAL SURVEYS & INVESTIGATIONS

### ➤ Scope

A desk study and field study were carried out to provide baseline information on the ecology of the site.

### ➤ Desk study

#### EPA Water Quality Data

Lough Arrow is given a Water Framework Directive (WFD) status of 'Moderate' and a risk rating of 'At Risk'.

### ➤ Field Study

#### Habitat Survey

A multi-disciplinary walkover survey of the proposed project site was undertaken on the 14/06/2021 in accordance with Ecological Surveying Techniques for Protected Flora & Fauna during the Planning of National Road Schemes (NRA, 2008) to provide baseline information on the site. All habitats within the site were categorised in accordance with A Guide to Habitats in Ireland (Fossitt, 2000) and habitat mapping was carried out as per Best Practice Guidance for Habitat Survey and Mapping (Smith et al. 2011). The walkover survey also included a search for invasive species listed under the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011). A habitat map is provided as Maps 1 in Appendix 1.


## Results


The proposed project site is comprised of a number of small agricultural fields. The site is divided by a public road, categorised as Buildings and artificial surfaces (BL3). The fields north of the public road were dominated by rank Wet grassland (GS4) with a small area of Dry calcareous and neutral grassland (GS1) forming the western boundary on drier ground (Plate 1 and Plate 2). The wet fields north of the public road were on waterlogged mineral soil with high organic content. The vegetation consisted of heavy soft rush (*Juncus effusus*), meadowsweet (*Filipendula ulmaria*), Yorkshire fog (*Holcus lanatus*), common sedge (*Carex nigra*), hairy sedge (*Carex hirta*), meadow buttercup (*Ranunculus acris*), ragged robin (*Lychnis flos-cuculi*), flag iris (*Iris pseudacorus*) and reed canary-grass (*Phalaris arundinacea*). The small area of Dry calcareous and neutral grassland (GS1) on drier mineral soil was ungrazed and consisted of sweet vernal grass (*Anthoxanthum odoratum*), meadow buttercup, sorrel (*Rumex acetosa*), cock's-foot grass (*Dactylis glomerata*) and ribwort plantain (*Plantago lanceolata*). There was two existing field drains, categorised as Drainage ditches (FW4), which were well vegetated and contained no visible flow of water.

The fields to the south of the public road were located on a gradually sloping drumlin. The soils were moderately draining mineral gleys and consisted of Wet grassland (GS4) up to the lake shore (Plates 3 and 4). The vegetation composition consisted of meadow foxtail (*Alopecurus pratensis*), soft rush, sweet vernal-grass, Yorkshire fog, sorrel, meadow buttercup, brown sedge (*Carex disticha*), meadowsweet, white clover (*Trifolium repens*) and red clover (*Trifolium pratense*). The lake was categorised as a Mesotrophic lake (FL4) which had a stony margin and the margins of the lake also contained some stands of common club-rush (*Schoenoplectus lacustris*). A vegetated drainage ditch (FW4) with no flow of water was recorded along the northern boundary of Plot 3.

Hedgerows (WL1) and Treelines (WL2) formed some field boundaries across the site (Plates 2 and 4). Hedgerows (WL1) consisted of the whitethorn (*Crataegus monogyna*), hazel (*Corylus avellana*), holly (*Ilex aquifolium*), grey willow (*Salix cinerea*) and blackthorn (*Prunus spinosa*). Treelines (WL2) consisted of ash (*Fraxinus excelsior*), alder (*Alnus glutinosa*) and grey willow (Plates 3 and 4).



Biodiversity Map		
Contract Number (CN): 86604		
Townland(s): Annaghgowan Ballynary		
County(-ies): Sligo		
Features (existing & proposed)	Colour/Symbol	Details (e.g. width (m), area (ha), specifications), as relevant
Site access point	A	NOTE: Site notices are on access points so only SN marked to reduce clutter
Position of site notice	SN	
Aquatic zone (streams/rivers/lakes)		
Archaeological / built heritage (number as shown, if more than one)	+1	
Hedgerow		
Dwellings & other utilised building	●	
ESB overhead line (state voltage)		10 Kv line 20 m corridor
Public road (nearest section to project)		
Water setback from aquatic zone	■ ■ ■ ■ ■ ■ ■ ■	10 m
Public road setback	□ □ □ □ □ □ □ □	10 m
Utilised building setback		
Direction of planting <i>'No mound drains or other new drains to be installed onsite'</i>	→	
Map compiled by the following Registered Forester:		
Name (PRINT): Dermot Slevin 086-3839430		
Signature: 		
Date: 2/11/21		

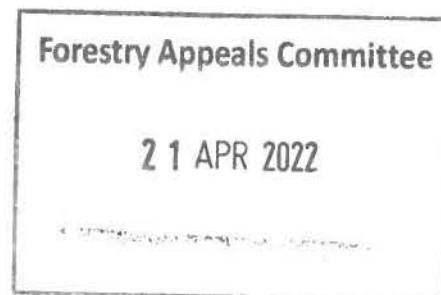
Bio Map			
CN Number: 86604			
Plot Nos	ABE Type	Length (m)	Area (ha)
1	Open space		0.24
3	A-Z	360	0.36
1,2,3	Road setback	290	0.29
3,4	Archaeology		0.25*
NB Bio Map 2 shows requested designations. *Archaeology will specify setbacks so that will change the map.			
Area Surveyed by: 		15 % ABE = 1.14 ha	
Dermot Slevin. 086-3839430		2/11/21	

Ordnance Survey Ireland Licence No. EN 0076413. Copyright Ordnance Survey Ireland/G  
 Unauthorized reproduction is not permitted. This map is for Forest Service related use or  
 Map 2: Operations and mitigation

Scale 1:5000

## Appendix 2: SUPPORTING DOCUMENTS

N/A



The fields to the north of the public road were mainly flat and low lying with a gradient of less than 5%. The fields to the south of the public road were gradually sloping with a gradient of 8-10%.

No habitats listed under Annex I of the EU Habitats Directive were recorded within the site. No species listed under the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011) were recorded during the survey.

### **Fauna**

Bird species recorded in the fields during the site visit included reed bunting (*Emberiza schoeniclus*), willow warbler (*Phylloscopus trochilus*) and wood pigeon (*Columba palumbus*). Mallard (*Anas platyrhynchos*), tufted duck (*Aythya fuligula*), mute swan (*Cygnus olor*), coote (*Fulica atra*) and cormorant (*Phalacrocorax carbo*) were recorded on Lough Arrow.

### **Wildfowl Habitat Suitability Assessment**

The proposed native woodland project is located solely in grassland fields, most of which consisted of wet grassland. The grassland habitat runs immediately adjacent to the lakeshore. There will be no works within the lake habitat. The SCI species for Lough Arrow SPA are tufted duck and little grebe. The lake and its margins of reedbeds provide suitable foraging and nesting habitat for these species. However, the wet grassland fields are not utilised by the SCI species for foraging or nesting.



**Plate 1 Dry calcareous and neutral grassland (GS1) grading into Wet grassland (GS4)**



**Plate 2 Soft rush dominated Wet grassland (GS4) and Hedgerow (WL1)**

**Forestry Appeals Committee**  
**21 APR 2022**



**Plate 3 Wet grassland (GS4) bordering the lakeshore (FL4) and Treelines (WL2) in the background**

**Forestry Appeals Committee**

**21 APR 2022**



Plate 4 Wet grassland (GS4), Hedgerows (WL1) and Treelines (WL2)

↳ Wetlands area and as per in-Combination Report section 7.1.4 with this area greater than 0.1Ha planning permission <sup>end</sup> is required due to recent legislative changes to planning permission requirements

Forestry Appeals Committee

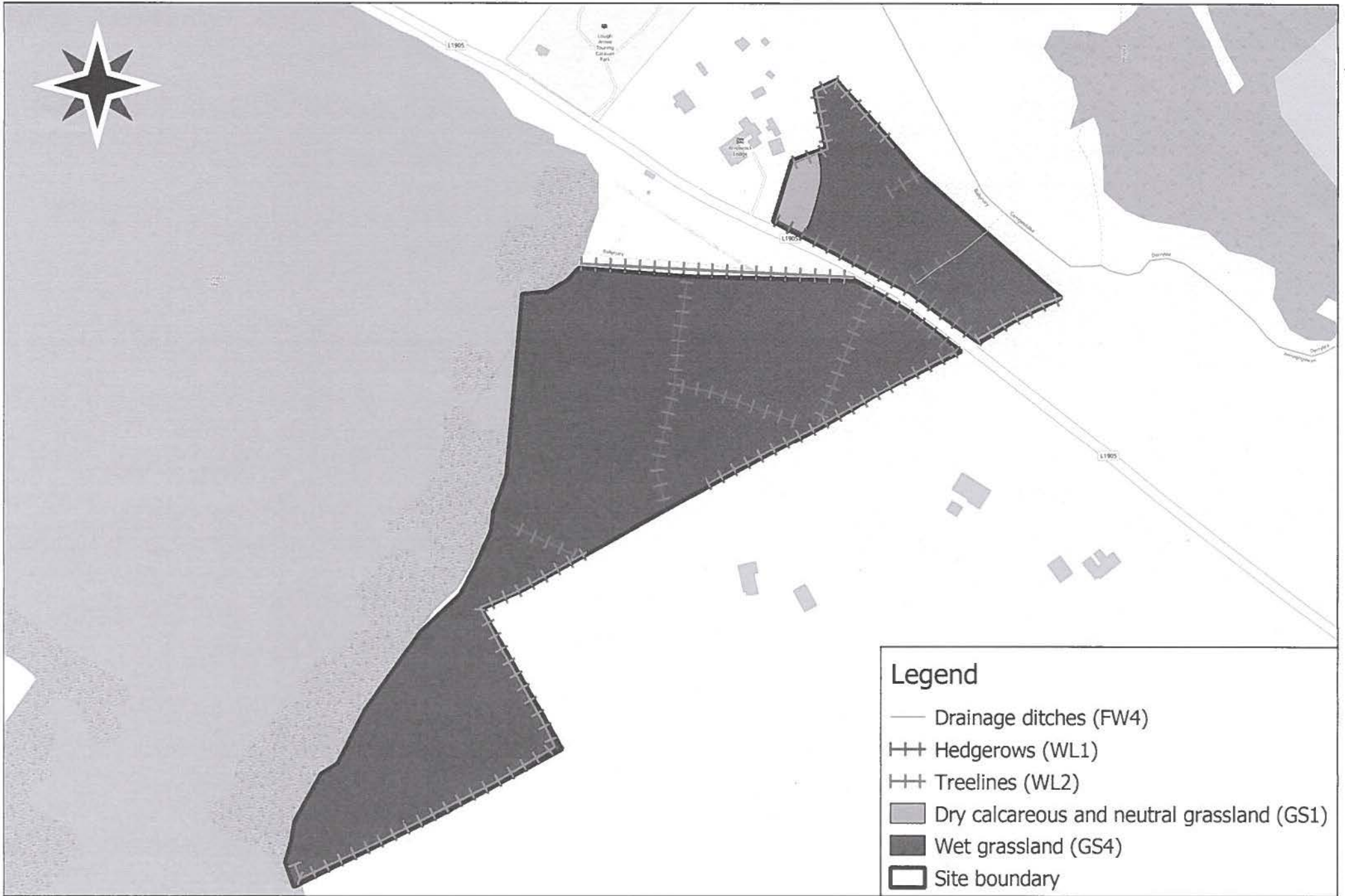
21 APR 2022

**Appendix 1: MAPS**

**Forestry Appeals Committee**

**21 APR 2022**

• FORESTRY

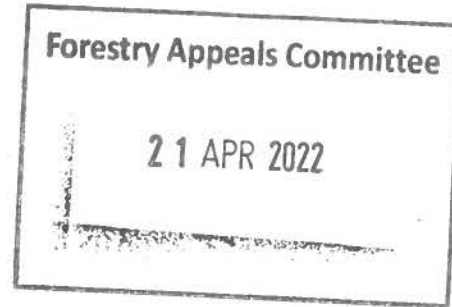


Map 1 Habitats Created By: James Owens Date: 26/11/2021 Scale: 1:6,000

0 50 100 m



PLANNING DEPARTMENT  
SLIGO COUNTY COUNCIL  
COUNTY HALL  
RIVERSIDE  
SLIGO  
CO SLIGO



18/09/2020

Contract Number	CN86604
Townland	Annaghgowan, Ballynary
County	Sligo
Proposed Area (HA)	8.88
6" OS Map No.	SO11

I refer to an application for technical approval for an afforestation licence.

In operating the Forestry Grant Schemes, this Department is anxious to ensure that actions undertaken are compatible with the protection of the environment. Accordingly we would like to know whether you have any observations to make on landscape, amenity or any other grounds regarding the proposed development of this land.

Failing receipt of a reply within one month of this letter, it will be assumed that you have no observations to offer in relation to this application.

This application has also been referred to AN TAISCE, N W REGIONAL FISHERIES BOARD, NATIONAL PARKS & WILDLIFE for their observations.

I enclose the proposed plantation details and relevant map submitted in support of this application.

Please quote the above contract number in all correspondence.

Yours sincerely

---

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

Appeal CN 86604  
Initial email to Sligo Co. Co.  
on Sep 2020 of which there  
was no deer fence details on  
the application thus a deer fence  
map request from Forestry Service  
~~was~~ was sent to applicant in  
Nov 2021 of which Sligo Co. Co.  
would not have being aware  
of prior to their submission



FORESTRY SERVICES LTD  
UNIT 3, CILLIN HILL  
BUSINESS CENTRE  
DUBLIN RD  
CO KILKENNY

04/11/2021

Request for Supporting Documentation

Forest Owner(s)	[REDACTED]
Contract Number	CN86604
Townland	Annaghgowan, Ballynary
County	Sligo

I refer to your afforestation licence application.

In order to process your application further under this Scheme it will be necessary for you to provide the following documentation:

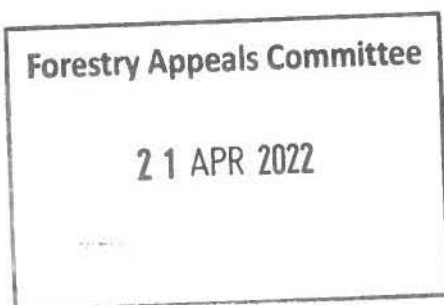
Please submit updated fence map. The project area requires a deer fence to protect against fallow deer population in the area. Lakeshore also requires deer fencing.

Yours sincerely,

\_\_\_\_\_  
VERONICA BRENNAN  
Forestry Division

*Appeal CN 86604*

*Nov 2021 with change to deer fence and no fencing map on file. Sligo Co. Co. would not have had availability of fence details of deer fence which may impact on the sensitive and protected views of Lough Arrow*



Appeal CN86604

Application Incomplete

Department of Agriculture, Food and the Marine

Afforestation - Proposed Details

Contract Number	CN86604
Townland	Annaghgowan, Ballynary
County	Sligo
Proposed Area (ha)	7.61
OS Map No.	SO40

Should not have been accepted by the Forestry Dept. Highlighted sections of unanswered questions and incorrect answers

The following information has been submitted by the applicant and will be subject to assessment.



Site Details

Soil Type	Mineral Peat						
Elevation (m)	0 to 0						
Aspect	West Neutral						
Exposure	Not Exposed						
Vegetation Types	Grass	No	Grass/Rush	Yes	Sedge	Rush	Yes
	Bracken	No	Molinia	No	Furze	No	
	Europhirium	No	Scrub/Laurel/Rhodo	No			

Silvicultural Considerations

1. Is the site suitable for 10% broadleaf afforestation?	Yes
2. If the site is suitable for 10% broadleaf, does the proposed broadleaf area meet the minimum width criteria?	Yes
3. Will at least 20% of the total conifer area be a species other than Sitka Spruce/Lodgepole Pine?	Yes
4. Is this site prone to flooding?	No
Forester Comments:	

Environmental Considerations

<b>1. Water Quality</b>	
1.2 Is the area greater than 5 hectares and sensitive for Fisheries?	
1.0 Does the proposed afforestation project involve an area of 50 hectares or more? If yes the application must be accompanied by an Environmental Impact Statement	No
1.1 Is the area designated potentially acid sensitive by the Forest Service?	No
1.2 Is the area greater than 5 hectares and sensitive for Fisheries?	No
1.3 Is the area greater than 40 hectares and non-sensitive for Fisheries?	No
1.4 Is the area greater than 10 hectares and within a catchment area of Local Authority designated water scheme?	No
<b>2. Designated Habitats</b>	
2.1 Is the area within an NHA, pNHA, SAC, cSAC, SPA, pSPA or National Park?	
2.1 Is the area within an NHA, pNHA, SAC, SPA, or National Park? Specify Site Code(s).	No
2.2 If the area is within a NHA, is a completed Notifiable Action Form/Action Requiring consent Form (consent from National Parks and Wildlife Service) included?	No
2.3 If the area is within a Hen harrier SPA, will operations occur between the 1st of April and the 15th August inclusive?	No
2.4 Is the area within a NPWS referral zone for NHA, pNHA, SAC or SPA?	Yes
2.5 Is the area within 3km upstream of an NHA, pNHA, SAC, SPA, or National Park? Specify Site Code(s).	Yes
2.6 Is the area within a Freshwater Pearl Mussel 6km zone? If YES, the Forestry and Freshwater Pearl Mussel Requirements Forms A and B should be included in the application	No
2.7 Is the area within a Freshwater Pearl Mussel catchment?	No
2.8 Does the area contain a current REPS plan habitat?	No

<b>3. Archaeology</b>	
3.1 Does the area contain an archaeological site or features within intensive public usage?	No
3.2 Does the area contain or adjoin a listed archaeological site or monument?	Yes
<b>4. Landscape</b>	
4.1 Is the area within a prime scenic area in the County Development Plan?	No
4.2 Are there any other High Amenity Landscape Considerations?	No
<b>5. Size for Notification to Local Authority</b>	
5.1 Is the area greater than 25 hectares?	No
<b>Other Environmental Considerations</b>	
6.1 None Entered	
Forester Comments:	

### Calcium Carbonate CaCO3

Test Results as per question 1.1: Required N Submitted N Pending N			
	OS Map No.	Date	Result mg CaCO3 per litre
February			0
March			0
April			0
May			0
Did you notify the Forest Service District Inspector in advance of the exact location time and date of samples to be taken for CaCO3?			
Drainage Survey Results: Required No		Submitted No	
Soil Analysis: Required No		Submitted No	

### Species Plot Table

Plot	Area	GPC	Land Type	Species	Species Area	Yield Class	Mixture Type	Exclusion Area	Exclusion Type
2	1.43	GPC 10 - NWE	BHF	ALD	.86	8	Integrated Mix		
				BI	.14	6			
				PO	.14	4			
				ADB	.29	4			
3	5.14	GPC 10 - NWE	BHF	ALD	3.08	8	Integrated Mix		
				BI	.51	6			
				PO	.51	6			
				ADB	1.04	4			
4	1	GPC 9 - NWE	BHF	SO	.50	6	Integrated Mix		
				HZ	.15	4			
				BI	.10	6			
				ADB	.25	4			
Total Species Area (Ha)					7.57				
Parcel ID		Plot Number		GPC		Area*			
53967145		1		GPC 10 - NWE		.24			
53967143		2		GPC 10 - NWE		1.19			
53967160		3		GPC 10 - NWE		5.14			
53967159		4		GPC 9 - NWE		1.04			

\* Parcel areas include non digitisable exclusions.

All afforestation applications must include a minimum of 15% broadleaf species

### Operational Proposal Details

<b>Ground Prep.</b>	
1. Woody Weed Removal	
2. Ripping	Yes

3.	Pit Plant				
4.	Mole Drainage				
5.	Mounding				
6.	Ploughing				
7.	Other Details	50			
<b>Standard Stocking</b>					
1.	Standard Stocking	Yes			
2.	Details	50			
<b>Planting Method</b>					
1.	Angle Notch				
2.	Pit				
3.	Machine				
4.	Slit	Yes			
5.	Other Details	50			
<b>Fertiliser</b>					
1.	Zero	Yes			
2.	350 Kg Granulated Rock Phosphate				
3.	250 Kg Granulated Rock Phosphate				
4.	Split Application				
5.	Other Details	50 - Indicates Fertiliser being completed			
<b>Drainage</b>					
1.	Drainage	Not Required			
2.	Drainage Comment	500 - Indicates drainage being completed			
<b>Firebreaks/Res.</b>					
1.	Firebreaks/Res	Not Required			
<b>Road Access</b>					
1.	Road Access	Provided			
<b>Weed Control</b>					
1.	Herbicide Control yr0				
2.	Herbicide Control yr1				
3.	Herbicide Control yr2	Yes			
4.	Herbicide Control yr3				
5.	Herbicide Control yr4				
6.	Manual	Yes			
<b>Agro Forestry (GPC 11)</b>					
1.	Tree Shelters				
2.	Plant Size and Stocking				
<b>Forestry for Fibre (GPCs: 12a and 12b )</b>					
1.	Is Land Free Drainage arable or pasture soils				
2.	Are there surface water gleys without a peat layer				
3.	Do you intend to use improved genetic material				
4.	Details	500			
<b>Fencing Details</b>		Stock	0	Stock-Sheep	0
		Stock-Rabbit	0	Upgrade to Deer	0
		Deer-Rabbit	0	Deer	1500
		Upgrade Existing Fence(s)	0		
		Upgrade Details:			

**Forestry Appeals Committee**

21 APR 2022

We would like to draw your attention to our Land Types for Afforestation document and our Environmental Requirements for Afforestation document. These are available on our website at:

<https://www.agriculture.gov.ie/media/migration/forestry/grantandpremiumschemes/schemecirculars/2018/LandTypesForAfforestationOct17030118.pdf>

<https://www.agriculture.gov.ie/media/migration/forestry/grantandpremiumschemes/2016/EnvironmentalRequirementsAfforestationDecember121216.pdf>

**Forestry Appeals Committee**

**21 APR 2022**

Grant and Premium Category	Definition	Description (* all afforestation must contain 15% broadleaf)
1	Unenclosed	No application can contain more than 20% unenclosed land and all land afforested must meet the Land Types for Afforestation requirements
2	Sitka spruce/ lodgepole pine	Mix of Sitka spruce and lodgepole pine
3	10% Diverse conifer	Sitka spruce with 10% diverse (broadleaves)
4	Diverse conifer	Conifers other than Sitka spruce or lodgepole pine
5	Broadleaf	Broadleaf species including sycamore, Norway maple and historically ash
6	Oak	100% oak
7	Beech	100% beech
8	Alder or Birch	Alder or birch planted as a plot
9	Native woodland	Native woodland (oak-birch-holly-hazel)
10	Native woodland	Native woodland (Alder-oak or birch)
11	Agroforestry	Larger trees ((broadleaves) planted at wider spacing to allow agricultural activity like sheep or silage production to continue)
12	Forestry for Fibre	Species such as Eucalyptus or aspen grown on a shorter rotation to produce biomass

land Use Type (LUT)	Definition	Grant and Premium Category (GPC) definition
CHF	Conifer High Forest	GPCs 1, 2, 3 and 4
MHF	Mixed High Forest	Broadleaf / conifer mixtures
BHF	Broadleaf High Forest	Broadleaf GPCs 5, 6, 7, 8, 9, 10, 12, where plots are planted as pure broadleaf

Burned	Burned forest	Areas damaged by fire
Blown	Blown forest	Areas damaged by windblow
Felled	Felled forest	Areas felled not yet reforested
Bio	Biodiversity plot	Denotes area of plot size identified as biodiversity
BCF	Broadleaf Coppice	Forest area of pot size managed for coppice
Agro-for	Agroforestry	Areas managed as agroforestry under GPC 11

Harvest Type	Definition	Description
CF	Clearfell	Clearfell harvesting; all commercial trees in the area are removed and the area is reforested
TH	Thinning	Canopy is left intact but trees are selected for removal. TH1 denotes the first thinning, TH2 the second, etc.
CCF	Continuous Cover Forestry	Silvicultural system where forestry is managed through a cycle of thinning with underplanting or using natural regeneration under canopy, and never clearfelling

Species (acronym)	English Name
Adb	Additional broadleaves
Ald	Alder
AP	Austrian pine
Ash	Ash
Be	Beech
Bi	Birch
Cherry or WC	Wild cherry

CP	Corsican pine
CR	Coast redwood
DF	Douglas fir
EL	European larch
GF	Grand fir
HL	Hybrid larch
Hornbeam	Hornbeam
JL	Japanese larch
LC	Lawson cypress
Lime or Li	Lime
LPN	LPN Lodgepole pine (north coastal)
LPS	Lodgepole pine (south coastal)
MC	Monterey cypress
MP	Monterey pine
NF	Noble fir
NM	Norway maple
NS	Norway spruce
PO	Pedunculate oak
Ro	Rowan
ROK	Red Oak
SB	Southern beech
SC	Spanish (Sweet) chestnut
SF	Silver fir
SO	Sessile oak
SP	Scots pine
SS	Sitka spruce
Syc	Sycamore
WH	Western hemlock
WRC	Western Red Cedar

**Forestry Appeals Committee**

**21 APR 2022**

Forestry Appeals Committee

# Appropriate Assessment Determination

made by the Minister for Agriculture, Food & the Marine,  
for afforestation project CN86604 located at  
Annaghgowan and Ballynary Co. Sligo



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Unauthorized reproduction is not permitted. This map is for Forest Service limited use only.

Contract: CN86604 Scale 1:5000

Forestry Appeals Committee

21 APR 2022

prepared by  
Saoirse O'Donoghue, Consultant Ecologist,  
North-West Ecology Ltd.,  
on behalf of the Department of  
Agriculture, Food & the Marine

30 March 2022

## Section 1. Overview

The Habitats Directive (Council Directive 92/43/EEC) is implemented in Ireland *inter alia* by the European Union (Birds and Natural Habitats) Regulations 2011, as amended, the Forestry Act 2014, as amended, and the Forestry Regulations 2017, as amended. The requirement for Appropriate Assessment is set out in Article 6(3) of the Habitats Directive.

As the Minister for Agriculture, Food & the Marine (the "Minister") is the licensing authority under the Forestry Act 2014 for regulated forestry activities (i.e. afforestation, forest road works, tree felling, and the aerial fertilisation of forests) and issues financial approvals under various support schemes, s/he is the public authority responsible for implementing the requirement for Appropriate Assessment in respect of those projects or activities.

The purpose of this Appropriate Assessment (AA) Determination is to record that an appropriate assessment of the project below has been carried out by the Minister in accordance with the relevant legislation, for the information of the public and interested bodies.

## Section 2. Screening for Appropriate Assessment

The afforestation proposed under CN86604 at Ballynary and Annaghgowan, Co. Sligo is not directly connected with or necessary to the management of any European site. Therefore, in accordance with Regulation 19 of the Forestry Regulations 2017 (S.I. No. 191 of 2017), as amended, and Regulation 42 of the European Communities (Birds & Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), as amended, the Minister, as the relevant public authority, undertook a screening for Appropriate Assessment to determine if the activity, individually or in combination with other plans or projects, is likely to have a significant effect on any European Site, in view of best scientific knowledge and the conservation objectives of the European Site. In this context, particular attention was paid to the following European Sites, listed below as being either screened out or screened in.

### Screened Out European Sites

In concluding the AA screening, the Minister has determined that there is no likelihood of the afforestation project CN86604 having any significant effect, either individually or in combination with other plans or projects, on any of the following European site(s), in view of their conservation objectives, for the reasons set out:

**Bricklieve Mountains and Keishcorran SAC 001656 3.2km away:** The proposed native woodland site is located entirely outside the boundary of the European Site and therefore there is no potential for direct effects. No surface water connection exists between the proposed project site and the European site. There is no source-pathway-receptor. There is no potential for the proposed development to result in significant effects on the terrestrial Qualifying Interest QI (DAFM Annex I Habitats Table vers. 18 Dec 2019). Marsh Fritillary requires areas of suitable habitat sufficiently close to other populations to allow interaction/colonisation. It is thought the maximum migration distance for the species is 10 km, but a distance of 2 km between habitat patches is more appropriate when defining the functional landscape. Females are considerably less mobile than males, which also restricts the distance across which colonies can spread.

**Lough Gara SPA 004048 13.3km away:** The proposed native woodland site is located entirely outside the boundary of the European Site and therefore there is no potential for direct effects. The application site is located entirely outside the core foraging range for SCI species associated with this European site (DAFM Bird Foraging Table 6 Jan. 2020). No surface water connection exists between the proposed project site and the European site. No pathways for direct or indirect effects were identified and therefore the designated site is not considered further in this assessment.

Forestry Appeals Committee

21 APR 2022

### Screened In European Sites

In concluding the AA screening, the Minister has determined that there is the likelihood of afforestation project CN86604 having a significant effect, either individually or in combination with other plans and projects, on the following European Site(s), for the reasons set out, in view of best scientific knowledge and in view of the conservation objectives of the European Site(s).

**Lough Arrow SAC 001673 0km (Part of the site overlaps with the boundary of the SAC along the shoreline of Lough Arrow):** There is potential for direct effects to occur. Due to proximity, there is also the potential for indirect effects to occur as a result of a chemical spill or hydrocarbon pollution should there be a spillage or leakage from machinery.

**Lough Arrow SPA 004050 0km (Part of the site overlaps with the boundary of the SPA along the shoreline of Lough Arrow):** There is potential for direct effects to occur. The proposed project site lies within the potential foraging range of tufted duck and little grebe. Therefore disturbance/displacement effects cannot be ruled out. Due to proximity, there is also the potential for indirect effects to occur as a result of a chemical spill or hydrocarbon pollution should there be a spillage or leakage from machinery.

**Unshin River SAC 001898 5.0km away (9.1km surface water distance):** The proposed project site is located entirely outside the boundary of the European Site and therefore, there is no potential for direct effects. The proposed project site is located immediately adjacent to Lough Arrow. The River Unshin flows from the north of Lough Arrow and therefore surface water connectivity between the proposed project site and the SAC exists. The Unshin River SAC is located over 9km surface water distance from the proposed project site. Although the NIS 25/11/2021 screens this site out, a source-pathway-receptor exists and there is potential for impact

### Section 3. Appropriate Assessment

Accordingly, the Minister determined that an Appropriate Assessment of the activity proposed under CN86604 was required in relation to the above 'screened in' European sites. For this reason, without being requested to do so, the applicant submitted a Natura Impact Statement (completed 25/11/2021) to facilitate the Minister carrying out an appropriate assessment. North-West Ecology Ltd., acting on behalf of the DAFM, subsequently evaluated the submitted NIS, defined as *"a report comprising the scientific examination of a plan or project and the relevant European Site or European Sites, to identify and characterise any possible implications of the plan or project individually or in combination with other plans or projects in view of the conservation objectives of the site or sites, and any further information including, but not limited to, any plans, maps or drawings, scientific information or data required to enable the carrying out of an Appropriate Assessment"*.

In undertaking the Appropriate Assessment of the likely significant implications and effects of the activity on European Sites, the following were considered: the initial application CN86604, including all information submitted by the applicant, information available via iFORIS (including its GIS MapViewer), responses from referral bodies and submissions from 3<sup>rd</sup> parties;

- any subsequent supporting documentation received from the applicant including the above mentioned NIS
- any other plan or project that may, in combination with the plan or project under consideration, adversely affect the integrity of a European Site;
- any written submission or observation made by a consultation body or the public to the Minister in relation to the application

Forestry Appeals Committee

21 APR 2022

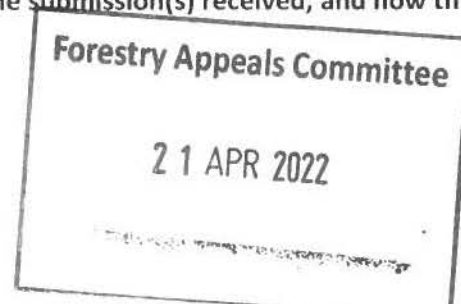
*As per appeal letter yet not available on FLU* *TTSLing margin confirmed submission*

Referral Body/ Third Party Submissions	Date Outgoing Letter	Response Received	Detail
NPWS	18/9/20	24/11/20	Requirement for AA. See CONTACTS for further information
An Taisce	18/9/20		
NW Regional Fisheries Board	18/9/20		
IFI		<p>23/9/20</p> <p>↓</p> <p><i>As per appeal letter, this submission not available for viewing as required on FLU.</i></p>	<p>Part of the site also lies adjacent to a tributary stream of Lough Arrow which provides spawning habitat for brown trout. Lough Arrow has limited inflowing streams and river habitat for the lake trout to access for spawning which makes the small streams available more important</p> <p>The ecological status of this catchment has declined from good to moderate in the past five years and this status must be restored to good to comply with the Water Framework Directive. See CONTACTS for further information</p>
Sligo Co. Co.	18/9/20	9/10/20	Concerns over planting within a visually vulnerable landscape and adjoining European sites. See CONTACTS for further information
Third Party Submissions x 1	<div data-bbox="443 1778 890 2078" style="border: 2px solid black; padding: 5px; text-align: center;"> <p><b>Forestry Appeals Committee</b></p> <p><b>21 APR 2022</b></p> </div>	29/9/20	Concerns over impacts to aquatic zone as land is considered unplatable. Concerns over potential impacts to sensitive rural landscape within a visually vulnerable area and partially within two European sites. Concern over potential silt and sediment loss risks to aquatic environment/ fisheries/ Otter. Loss of chemicals from herbicide/

			fertilizers etc.. Concerns regards access/ impacts to archaeology. Requirement for AA. See CONTACTS for further information
Third Party Submissions x 15		30/9/20	
Third Party Submissions x 1		6/10/20	
Third Party Submissions x 3		7/10/20	
Third Party Submissions x 2		8/10/20	
Third Party Submissions x 1		29/10/20	
Third Party Submissions x 1		22/2/22	Concerns over potential impacts to Bats/ Birds. Badger/ Otter present. Concerns over impact of deer fence. Concerns over impact to archaeology, aquatic risks and quality of life. See CONTACTS for further information
Third Party Submissions x 1		25/2/22	Concerns over potential impacts to Bats/ Birds. Badger/ Otter present. Concerns over impact of deer fence. Concerns over impact to archaeology, aquatic risks and quality of life. See CONTACTS for further information

- any supplementary information furnished in relation to any such report or statement,
- if appropriate, any further information sought by the Minister and furnished by the applicant in relation to a Natura Impact Statement,
- any information or advice obtained by the Minister,
- any other relevant information.

Further to the receipt or preparation of additional information in relation to this application (**in the form of a Natura Impact Statement (NIS) or an Appropriate Assessment Report (AAR)**), and a decision pursuant to Regulation 10(4) of the Forestry Regulations 2017 (S.I. No. 191 of 2017) to publish a formal notice of the same, **there was a 30-day public consultation period to allow for submissions or observations in writing concerning the application. This 30-day period is now closed. The table below lists the key points raised in the submission(s) received, and how these are addressed, either in this AAD or elsewhere (if appropriate):**



Key points raised in submission(s) received	Response
Concerns over potential impacts to Bats/ Birds/ Badger/ Otter present. Concerns over impact of deer fence to protected views. Concerns over impact to archaeology, aquatic risks from flood events and quality of life	Flood issues have been dealt with by increasing set-back distances. Potential impacts of fencing to wildlife have been dealt with in mitigations in Section 4 below. The visual impact, impact on quality of life and archaeology impact is not relevant to ecological aspect of AA process. Local Bat populations will utilize existing habitat corridors eg. Hedgerows for navigation. Hedgerows will be retained and there will be no additional light pollution from project and no existing trees/ potential roosts to be disturbed or removed. All current Forest Standards and Environmental Requirements for Afforestation are to be adhered to. See Section 4.

Part of the site lies adjacent to a tributary stream of Lough Arrow which provides spawning habitat for Brown Trout. Lough Arrow has limited inflowing streams and river habitat for the lake trout to access for spawning which makes the small streams available more important. The ecological status of this catchment has declined from “good” to “moderate” in the past five years and this status must be restored to “good” to comply with the Water Framework Directive. Though there is no indication on IFORIS or within the NIS of potential flooding, several objections have been made on the ground of potential flooding and some photographic evidence of such has been provided in plot 3 to the north-east of the project area. Additional mitigation in the shape of increased set-back to 20m along aquatic zone and along the northern boundary of plot 3 is now warranted, particularly given the necessary addition of 1.9m high deer fence (see FIR letter 3 of 4/11/2021 in CONTACTS) to the project area which was not discussed in the NIS (25/ 11/2021 in CONTACTS). Fence posts must not be chemically treated. Access must be provided along the north and west boundary for Badger/ Otter via two-way Badger gates. Gates should be provided every 100m along the length of the fence.

The NIS does not include a discussion on potential impacts of 1.9m high deer fence on Conservation Objectives (only stock-proof fencing. It merely states “the perimeter of the site will be fenced to exclude stock using timber fence posts and barbed wire and sheep wire. “Mitigation is required to prevent potential for impacts to integrity of Conservation Objectives and SCIs of concern from displacement, disturbance and potential collision. For this reason, mitigation should include the avoidance of works during the breeding season (March-September), where disturbing operations such as fence installation, will not impact breeding SCIs present locally. Though the habitat in the grassland area is not strictly suited to foraging SCIs, unexpected disturbance in the locality may cause flushing and potential for collision may occur. In addition, lower flying waterbirds along lakeshore, may collide with fence, particularly when the proposed woodland is immature. Deer fence does incur increased risk of bird strike (Barnes et al. 1997). It is advised for this reason, to provide marking on top wire of fencing utilising hard wearing vinyl tags with reflective coating every metre on the fencing. Fence markers have been reported to reduce fence collisions by upto 83% (Stevens et al., 2012).

#### Section 4. Appropriate Assessment Determination

The Minister has carried out the Appropriate Assessment of potential impacts on the likely significant effects of the activity / project on those European sites ‘screened in’ (as listed above) and has made certain, based on best scientific knowledge in the field and the European Communities (Birds & Natural Habitats) Regulations 2011 (as amended) and the Forestry Regulations 2017, as amended, and Article 6(3) of the Habitats Directive, that the project proposed under CN86604, individually or in combination with other plans or projects, will not adversely affect the integrity of any of the aforementioned European Sites, having regard to their conservation objectives, provided the following mitigation is implemented:

- Avoidance of works during the breeding season (March-September), where disturbing operations such as fence installation, will not impact breeding SCIs present locally
- Fence posts must not be chemically treated.
- Access must be provided along the north and west boundary for Badger/ Otter via two-way Badger gates. Gates should be provided every 100m along the length of the fence.

As per appears under, some new 10m or 15m required planning permission within this designate scenic route as Sligo Co. Co. not made aware of deer fence requirement

- Provide marking on top wire of deer fencing utilising hard wearing vinyl tags with reflective coating every metre on the fencing
- Reflecting the sensitive nature of the project area and the adjoining receiving environment, the required width of the water setback (to north and west boundaries), to be applied at afforestation as specified in the *Environmental Requirements for Afforestation* (DAFM, 2016) (see Tables 5 & 6 therein, primarily) is 20 metres
- Apply a 5-metre wide water setback to relevant watercourses and hotspots, as defined in the *Environmental Requirements for Afforestation*. Such setbacks are to be applied as specified in those Requirements (see Tables 5 & 6 therein, primarily).
- 3m set-back from any vegetated drains
- no machinery within set-backs
- Do not carry out any works before during or after extreme weather events (orange/ red events) or prolonged periods of rainfall where soils are saturated
- No crossing through drains with machinery
- 50m set-back from relevant water courses and aquatic zones to fuel/ chemical storage areas
- There will be no use of herbicide which can cause sub-lethal impacts to bees as 30% of Ireland's bees are threatened with extinction. See All Ireland Pollinator Plan 2021-25 and Aichi target 7 of the Convention on Biological Diversity)
- Biosecurity: Control of spread of pathogens and exotic species. Avoidance of spread of invasive exotics through hygienic use of machinery and equipment and maintaining aquatic set-backs. Clean all equipment and machinery before and after use in project area.
- Utilize certified stock only

In relation to Otter, the following mitigation is required, presented in the form of conditions to be attached to any licence / approval issued:

- retain all scrub within 50m of any aquatic zone
- no clearing of existing agricultural drains within 50m of aquatic zones

The proposed works shall adhere to the

- *Environmental Requirements for Afforestation, December 2016* (DAFM, 2016)
- *Forestry Standards Manual* (DAFM, 2015)
- *Forestry and Otter Guidelines (2009)*
- *Native Woodland Establishment GPC9 & GPC10 Silvicultural Standards* (DAFM, 2015)

The basis for this AA Determination is as follows:

Mitigation measures will ensure no impact to the integrity of the conservation measures for European sites within the zone of influence

Therefore, the Minister for Agriculture, Food & the Marine has determined, pursuant to Regulation 42(16) of the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) and Regulation 19(5) of the Forestry Regulations 2017 (as amended), based on objective information, that no reasonable scientific doubt remains as to the absence of any adverse effect on the integrity of any European site.

**Forestry Appeals Committee**

21 APR 2022

Prepared by  
Saoirse O'Donoghue, Consultant Ecologist, North-West Ecology Ltd.,  
on behalf of the Department of Agriculture, Food & the Marine

30 March 2022

*end*

**Forestry Appeals Committee**  
21 APR 2022

# Site Details - Pre Approval

CN86604

11/04/2022

## Location of Plantation

Nearest Village		Net Area (ha)	7.61	OS Map No	SO40
County	Sligo	DED	Kilmastranny	Townland	Annaghgowan
Applicant has certified that 15% of the proposed site will be ABE			Y		

## Land Details

In Agricultural Use Agricultural

## Site Details

Soil Type	Mineral	Y	Aspect	North	N	Vegetation Type	Grass	N
	Peat	Y		South	N		Grass Rush	Y
	Other	N		East	N		Sedge & Rush	Y
Exposure	Exposed	N	West	Y	Bracken/Briar	N		
	Moderately Exposed	N	Neutral	Y	Molinia/Calluna	N		
	Not Exposed	Y			Furze	N		
Elevation	0	to	0			Europhirium/ Heather	N	
						Scrub/Laurel/ Rhodo	N	
						Other	N	
Site Area (ha)	8							
Land Status	Enclosed							

*There is no other trees or plantation in the area. Site is exposed and has significant site lines with designated scenic route within an SAC and SPA.*

Do you have adequate access to manage this site?

Yes - Adequate Access

*- Access does not seem suitable for forestry equipment*

Site Notice in the format prescribed has been erected?

Yes

*- 2 sections of land and only 1 site notice shown on FLV which is not adequate*

# Assessment to Determine EIA Requirement

CN86604

11/04/2022

## Assessment to Determine EIA Requirement

Last Spatial Run Date: 05-NOV-21

### Project Description

- The description and characteristics of this afforestation project outlined in the Form 1 for EIA determination has been examined? Yes

### Existing Land Use

- The existing land use outlined in the Form 1 for EIA determination has been examined? Yes

### Cumulative effect and extent of project

- Is the total area of this application 50 ha or greater? (nett digitised area) No

- Does this application, together with existing afforestation of 3 years or less within a 500 metre radius, constitute an area greater than 50 ha? No 7.61

- Does this application, together with other Form 1 applications within 500 metres and recommended for approval but not yet planted, constitute an area 50 ha or greater No 7.61

- What is the approximate % of forest cover at present in the applications townland? 12.44

- What was the approximate % of forest cover in the applications townland(s) 5 years ago?

- What is the approximate % of forest cover at present within 5 km? 18.55

- What is the approximate % of forest cover 5 years ago within this 5 km buffer? 16.89

- Based on the extent of forestry as outlined above, is the cumulative effect of this application likely to have a significant impact? If so tick yes and describe in the Inspectors comments box below. No

- Is the amount and type of forest cover in this locality known to be a significant issue? If so tick yes and describe in the Inspectors comments box below. No

### Water

- What was the approximate % of forest cover in the underlining waterbody (or waterbodies) 5 years ago? 15.56

- Does the application and its associated operations threaten the achievement of 'good ecological status' recovery objective set for the underlining waterbody or waterbodies under the WFD River Basin Management Plan? No

- What is the approximate % of forest cover currently in the underlining waterbody (or waterbodies)? 20.59

- Is the site within an area designated as potentially acid sensitive by the Forest Service? If yes, insert comment in comment box No

- Is the site within an area designated as sensitive to fisheries? Yes

- Has the proposed development been identified in the application as being greater than 10 ha and located within the catchment of a Local Authority designated water scheme? No

- Will adherence of this proposal to the Forestry and Water Quality Guidelines, and any additional conditions attached to the approval be sufficient to prevent any potential significant impact to aquatic zones and their Q value. Yes

### Soil

- Is the site within an area of high nutrient sensitivity? S/A

- Is the site likely to require more than one application of fertilizer? N/A

### Protection of Fresh Water Mussel FPM

- Are there populations of the Fresh Water Pearl Mussel likely to be affected by the proposed development? No

Refer to appeals letter in 25-Combination statement Factor

→ 25 submission from local residents objecting to the afforestation

Refer to appeals letter for more det as this is incorrect assessment and answer

Questionable ←

Insufficient Answer Why N/A →



## Archaeology

- Following referral to the Forest Service Archaeologist and National Monuments Service (DoEHLG), in evaluating the scale and significance of any potential impact, the following was recommended:

- Does the area contain an archaeological site or feature with intensive public usage?	No
- Does the area contain or adjoin a listed archaeological site or monument, archaeological area, zones of archaeological amenity or World Heritage Sites?	Yes
- A - Adherence to the normal standards of the Forestry and Archaeology Guidelines	Yes
- B - Specific conditions regarding buffer zones etc	Yes
- C - Archaeological Monitoring during ground preparation or drainage works	Yes
- D - Archaeological Assessment	N/A
- E - EIA	N/A
- F - Refusal in part	N/A
- G - Refusal	N/A

## Landscape

- Were comments from the Local Authority received and examined?	Yes
- Were comments from the Local Authority requested?	Yes
- Is the forest design submitted (and any additional design improvements recommended) sufficient to prevent any significant impact on the landscape and does the design comply with the Forestry and the Landscape Guidelines?	Yes
- Is this site in any other High Amenity Landscape?	No
- Is this site within a prime scenic area in the County Development Plan or within an area listed in the Inventory of Outstanding Natural Landscapes or in a Landscape Conservation Area?	Yes

*No landscape architected used within sensitive scenic area*

## Designated Habitats

- Nature reserves and national parks, special protection areas and areas of conservation designated pursuant to Directive 79/409/EEC and 92/43/EEC, SACs, etc. (NB: Afforestation can not be recommended without explicit approval of NPWS). Candidate, indicative and proposed sites are also included.

- Is this proposed area within a European or national designation, including SACs, cSACs, SPAs, iSPAs, NHAs, pNHAs Nature Reserves and National Parks?	Yes
- Is this proposed area within 3km upstream of a European or national designation including SACs, cSACs, SPAs, iSPAs, NHAs, pNHAs Nature Reserves and National Parks?	No

*Incorrect Answer*

## Non Designated Habitats

- Should this application be referred to the Forest Service Ecologist?	Yes
--	-----

## Designated and non designated Habitat Recommendation

- Following referral to the Forest Service Ecologist and/or NPWS, in evaluating the scale and significance of any potential impact, the following was recommended:

- A - Adherence to Forest Service Guidelines	Yes
- B - Supplementary operational conditions	Yes
- C - Ecological Monitoring	N/A
- D - Ecological Survey and Report	N/A
- E - EIA	N/A

- F - Refusal in part	N/A
- G - Refusal	N/A
<b>Social</b>	
- Does the proposed area impact on a densely populated area?	No
- Does the proposed area impact on an area commonly used by the general public for recreation? <i>Site overlaps a very popular fishing lake</i>	No
- Does the proposed area impact on a Way-Marked Way?	No
<b>Accidents</b>	
- Is there a significant risk of accidents, having regard in particular to substances or technologies used? If so, describe in Inspectors comments box below.	No
<b>Transfrontier</b>	
- Will the proposed project be likely to have a significant transfrontier impact? If so, describe in Inspectors comments box below.	No
- Is the proposed application within 3km upstream of the border with Northern Ireland?	No
- Is the proposed application within 500m of the border with Northern Ireland?	No
<b>Public Participation and NGO participation</b>	
- Comments and issues from the general public and non-governmental bodies were received and examined?	Yes
<b>Determination</b>	
- the probability of the impact	
- the duration, frequency and reversibility of the impact	
- the combined impacts and interactions	
- the transfrontier nature of the impact	
- the extent of the impact (geographical area and size of the affected population)	
- Any significant potential effects identified above must be considered having regard in particular to:	
- the magnitude and complexity of the impact	
- EIA: On the basis of this examination this application be subject to the EIA process	No

Inspector's  
Comments

# Appropriate Assessment Screening Report

CN86604

11/04/2022

## Q.1 Site Details

This project comprises 7.6 hectares of afforestation. The predominant soil type underlining the project area is **predominantly podzols** in nature. The slope is predominantly flat to moderate (<15%). The project area is crossed by / adjoins an aquatic zone(s). The vegetation type(s) within the project area comprise agricultural grassland dominated by grass, grass/rush.

*Peat soils on significant area of application*

## Q.2 European Sites

iForis MAP VIEWER has identified the following European site(s) as lying within 15km of the project area, defined as the likely zone of impact. Other European sites further away can also be inputted manually, if deemed necessary. For example, a proposed felling over 15km from a FPM SAC but still overlapping the corresponding catchment (as per draft Forests & FPM Plan).

European site and Code	Project area overlaps this European site	Project area 15km or less from this European site (regardless of hydrological connectivity)	This European site is greater than 15 km from the project area, but is inputted manually for the following reasons:
Bricklieve Mountains and Keishcorran SAC 001656	No	Yes	No
Lough Arrow SAC 001673	No	Yes	No
Lough Arrow SPA 004050	No	Yes	No
Lough Gara SPA 004048	No	Yes	No
Unshin River SAC 001898	No	Yes	No

*Incorrectly Assessed and answered as the area is with an SAC and SPA*

Q3. As District Inspector, have you reviewed all referral responses and submissions received in relation to this? Yes

Q4. Is there sufficient information within the application and available from elsewhere to form a sound judgement regarding the likelihood of the project having a significant effect on a European site? Yes

## AA Screening Conclusions for individual Natura sites

Natura Site 1:  
Bricklieve Mountains and Keishcorran SAC 001656

### AA Screening Conclusion :Screen Out

I have reviewed the details of this European site, including its qualifying interests (listed below) & conservation objectives, and supporting habitats & species (as relevant), as per [www.npws.ie/protected-sites/sac/001656](http://www.npws.ie/protected-sites/sac/001656)

#### Qualifying Interests:

- Calcareous and calcshist screes of the montane to alpine levels (Thlaspietea rotundifolii) (Upland)
- Lowland hay meadows (Alopecurus pratensis)
- Sanguisorba officinalis) (Grassland)
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco Brometalia)(\*important orchid sites) (Grassland)
- Turloughs ()

- Euphydryas aurinia (Butterfly)
- Austropotamobius pallipes (Aquatic)

Having examined, analysed and evaluated, in the light of the best scientific knowledge in the field, the following aspects of the project:

- the project design (including associated operations and ancillary works) and location;
- the European Site, its qualifying interests and conservation objectives; and
- the possibility of potential sources and pathways,

I conclude that it can be excluded, based on objective scientific information, that the project itself (i.e. individually) will not have a significant effect on this European Site, due to the following findings:

- The position of the project area downstream from the Natura site, and the subsequent lack of any hydrological connection.

Furthermore, as set out in the in-combination assessment attached to this AA Screening, as there is no likelihood of the project itself (i.e. individually) having a significant effect on this European Site, there is no potential for it to contribute to any cumulative adverse effects on the site, when considered in-combination with other plans and projects.

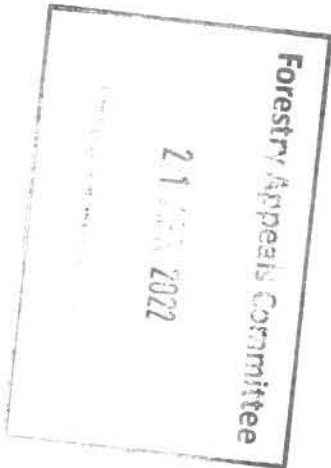
Therefore, the recommended AA Screening determination is as follows:

AA Screening has been carried out in accordance with S.I.477 of 2011 (as amended) and S.I.191 of 2017 (as amended). The project is not directly connected with or necessary to the management of any European Site. Furthermore, DAFM has determined that there is no likelihood of the project having any significant effect, either individually or in combination with other plans and projects, on this European site.

Accordingly, an Appropriate Assessment of the project in relation to this European site is not required, and the project is screened out in relation to this European site.

This determination represents AA Screening Conclusion: Screen Out.

For the purpose of compliance with the provisions of Section 42(16) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), on the basis of the foregoing determination DAFM has also determined that the project will not adversely affect the integrity of the European site listed above.



**Natura Site 2:  
Lough Arrow SAC 001673**

**AA Screening Conclusion :Screen Out**

I have reviewed the details of this European site, including its qualifying interests (listed below) & conservation objectives, and supporting habitats & species (as relevant), as per [www.npws.ie/protected-sites/sac/001673](http://www.npws.ie/protected-sites/sac/001673)

**Qualifying Interests:**

- Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. (Aquatic)

Having examined, analysed and evaluated, in the light of the best scientific knowledge in the field, the following aspects of the project:

- the project design (including associated operations and ancillary works) and location;
- the European Site, its qualifying interests and conservation objectives; and

- the possibility of potential sources and pathways,

I conclude that it can be excluded, based on objective scientific information, that the project itself (i.e. individually) will not have a significant effect on this European Site, due to the following findings:

- Other factors, Natura site originally screened in, as per original AA Screening Report & Conclusion filed under CONTACTS. This Natura site is now functionally screened out in order to progress the file in iFORIS for Approval with Conditions or Refusal, as set out in the internal e-mail 22 April 2020.

Furthermore, as set out in the in-combination assessment attached to this AA Screening, as there is no likelihood of the project itself (i.e. individually) having a significant effect on this European Site, there is no potential for it to contribute to any cumulative adverse effects on the site, when considered in-combination with other plans and projects.

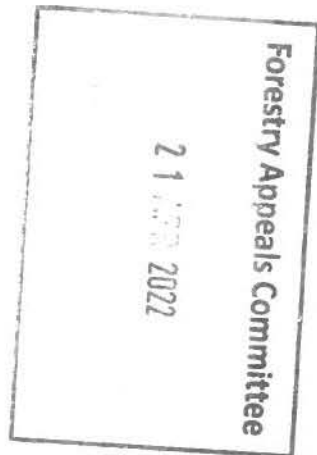
Therefore, the recommended AA Screening determination is as follows:

AA Screening has been carried out in accordance with S.I.477 of 2011 (as amended) and S.I.191 of 2017 (as amended). The project is not directly connected with or necessary to the management of any European Site. Furthermore, DAFM has determined that there is no likelihood of the project having any significant effect, either individually or in combination with other plans and projects, on this European site.

Accordingly, an Appropriate Assessment of the project in relation to this European site is not required, and the project is screened out in relation to this European site.

This determination represents AA Screening Conclusion: Screen Out.

For the purpose of compliance with the provisions of Section 42(16) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), on the basis of the foregoing determination DAFM has also determined that the project will not adversely affect the integrity of the European site listed above.



**Natura Site 3:  
Lough Arrow SPA 004050**

**AA Screening Conclusion :Screen Out**

I have reviewed the details of this European site, including its qualifying interests (listed below) & conservation objectives, and supporting habitats & species (as relevant), as per [www.npws.ie/protected-sites/spa/004050](http://www.npws.ie/protected-sites/spa/004050)

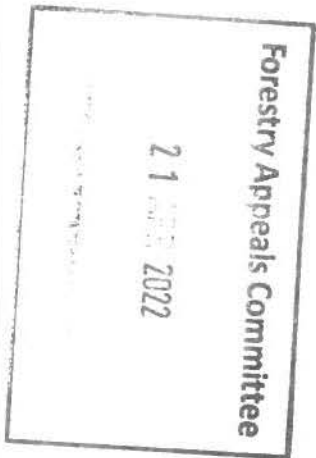
**Qualifying Interests:**

- Little Grebe (*Tachybaptus ruficollis*) - Wintering
- Tufted Duck (*Aythya fuligula*) - Wintering
- Wetlands and Waterbirds

Having examined, analysed and evaluated, in the light of the best scientific knowledge in the field, the following aspects of the project:

- the project design (including associated operations and ancillary works) and location;
- the European Site, its qualifying interests and conservation objectives; and
- the possibility of potential sources and pathways,

I conclude that it can be excluded, based on objective scientific information, that the project itself (i.e. individually) will not have a



significant effect on this European Site, due to the following findings:

- Other factors, Natura site originally screened in, as per original AA Screening Report & Conclusion filed under CONTACTS. This Natura site is now functionally screened out in order to progress the file in iFORIS for Approval with Conditions or Refusal, as set out in the internal e-mail 22 April 2020.

Furthermore, as set out in the in-combination assessment attached to this AA Screening, as there is no likelihood of the project itself (i.e. individually) having a significant effect on this European Site, there is no potential for it to contribute to any cumulative adverse effects on the site, when considered in-combination with other plans and projects.

Therefore, the recommended AA Screening determination is as follows:

AA Screening has been carried out in accordance with S.I.477 of 2011 (as amended) and S.I.191 of 2017 (as amended). The project is not directly connected with or necessary to the management of any European Site. Furthermore, DAFM has determined that there is no likelihood of the project having any significant effect, either individually or in combination with other plans and projects, on this European site.

Accordingly, an Appropriate Assessment of the project in relation to this European site is not required, and the project is screened out in relation to this European site.

This determination represents AA Screening Conclusion: Screen Out.

For the purpose of compliance with the provisions of Section 42(16) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), on the basis of the foregoing determination DAFM has also determined that the project will not adversely affect the integrity of the European site listed above.

Natura Site 4:  
Lough Gara SPA 004048

**AA Screening Conclusion :Screen Out**

I have reviewed the details of this European site, including its qualifying interests (listed below) & conservation objectives, and supporting habitats & species (as relevant), as per [www.npws.ie/protected-sites/spa/004048](http://www.npws.ie/protected-sites/spa/004048)

Qualifying Interests:

- Whooper Swan (*Cygnus cygnus*) - Annex I - Wintering
- Greenland White-fronted Goose (*Anser albifrons flavirostris*) - Annex I - Wintering

Having examined, analysed and evaluated, in the light of the best scientific knowledge in the field, the following aspects of the project:

- the project design (including associated operations and ancillary works) and location;
- the European Site, its qualifying interests and conservation objectives; and
- the possibility of potential sources and pathways,

I conclude that it can be excluded, based on objective scientific information, that the project itself (i.e. individually) will not have a significant effect on this European Site, due to the following findings:

- Other factors, Distance

Furthermore, as set out in the in-combination assessment attached to this AA Screening, as there is no likelihood of the project itself (i.e. individually) having a significant effect on this European Site, there is no potential for it to contribute to any cumulative adverse effects on the site, when considered in-combination with other plans and projects.

Therefore, the recommended AA Screening determination is as follows:

AA Screening has been carried out in accordance with S.I.477 of 2011 (as amended) and S.I.191 of 2017 (as amended). The project is not directly connected with or necessary to the management of any European Site. Furthermore, DAFM has determined that there is no likelihood of the project having any significant effect, either individually or in combination with other plans and projects, on this European site.

Accordingly, an Appropriate Assessment of the project in relation to this European site is not required, and the project is screened out in relation to this European site.

This determination represents AA Screening Conclusion: Screen Out.

For the purpose of compliance with the provisions of Section 42(16) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), on the basis of the foregoing determination DAFM has also determined that the project will not adversely affect the integrity of the European site listed above.

Natura Site 5:  
Unshin River SAC 001898

#### AA Screening Conclusion :Screen Out

I have reviewed the details of this European site, including its qualifying interests (listed below) & conservation objectives, and supporting habitats & species (as relevant), as per [www.npws.ie/protected-sites/sac/001898](http://www.npws.ie/protected-sites/sac/001898)

#### Qualifying Interests:

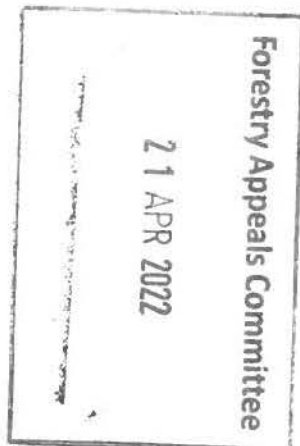
- Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation (Aquatic)
- Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion)
- *Alnion incanae*
- *Salicion albae* (Woodland)
- *Salmo salar* (Aquatic)
- *Lutra lutra* (Otter)

Having examined, analysed and evaluated, in the light of the best scientific knowledge in the field, the following aspects of the project:

- the project design (including associated operations and ancillary works) and location;
- the European Site, its qualifying interests and conservation objectives; and
- the possibility of potential sources and pathways,

I conclude that it can be excluded, based on objective scientific information, that the project itself (i.e. individually) will not have a significant effect on this European Site, due to the following findings:

- Other factors, i Natura site originally screened in, as per original AA Screening Report & Conclusion filed under CONTACTS. This Natura site is now functionally screened out in order to progress the file in iFORIS for Approval with Conditions or Refusal, as set out in the internal e-mail 22 April 2020.



Furthermore, as set out in the in-combination assessment attached to this AA Screening, as there is no likelihood of the project itself (i.e. individually) having a significant effect on this European Site, there is no potential for it to contribute to any cumulative adverse effects on the site, when considered in-combination with other plans and projects.

Therefore, the recommended AA Screening determination is as follows:

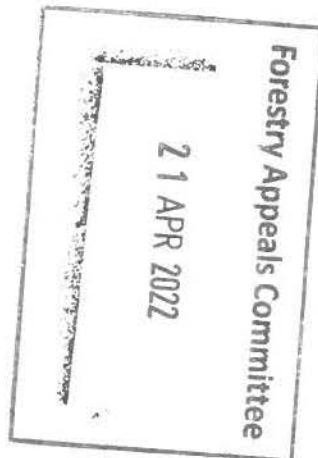
AA Screening has been carried out in accordance with S.I.477 of 2011 (as amended) and S.I.191 of 2017 (as amended). The project is not directly connected with or necessary to the management of any European Site. Furthermore, DAFM has determined that there is no likelihood of the project having any significant effect, either individually or in combination with other plans and projects, on this European site.

Accordingly, an Appropriate Assessment of the project in relation to this European site is not required, and the project is screened out in relation to this European site.

This determination represents AA Screening Conclusion: Screen Out.

For the purpose of compliance with the provisions of Section 42(16) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), on the basis of the foregoing determination DAFM has also determined that the project will not adversely affect the integrity of the European site listed above.

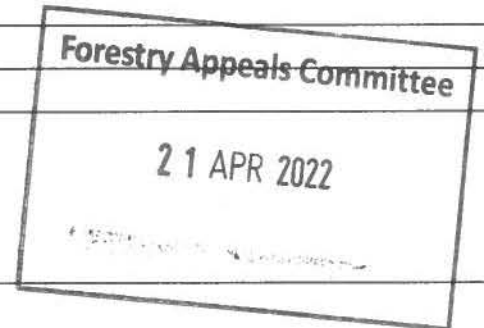
**Overall Conclusion: Screen Out: No likelihood of a significant effect on any European site, and Appropriate Assessment not required**



# Pre-Approval Submission Report

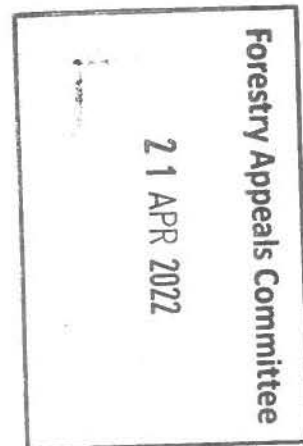
Appeal CN 86604 Highlighted areas for incorrect answers

Application Details - CN86604	
Scheme Type	Afforestation
OS Map Number	SO40
Approval and Grant	
Ownership Details	
Ownership	Owner
Occupation	Non Farmer
Total Farm Size	More Than 3ha
Incentive Effect (SME) Declaration checked	Yes
Economic Activity	Support activities to agriculture and post-harvest crop activities
Type of Business	SME
Constraints of Ownership	None
Present Use	Agriculture
Site Details	
County	Sligo
DED	KILMACTRANNY
Townland	BALLYNARY
Nearest Village	Kilmactranny
Applicant and Registered Forester has certified that the claimed area does not include areas of biodiversity enhancement (ABE) in excess of 15%. In plantations where ABE is greater than 15% the claimed area calculated includes the required reduction and ABE areas in excess of 15% have been excluded from the claim	Yes
Site Notice in the format prescribed has been erected at the entrance to the site.	Yes
Soil Type	Mineral, Peat
Exposure	Exposed, Moderately Exposed
Elevation(m)	63.0 to 66.0
Site Area (ha)	8.0
Land Status	Enclosed
Site Access	Yes - Adequate Access
Aspect	West, Neutral



Site Details	
Vegetation Type	Grass Rush, Sedge Rush
Silvicultural Conditions	
Conditions	Forester
Is the site suitable for either (i) 15% Broadleaves or (ii) 10% Broadleaves and 5% Scots Pine/Native Evergreens?	No
Suitable for 15% Broadleaf Afforestation?	Yes
If so, does the Broadleaf Plot meet the minimum width criteria (where applicable)?	Yes
Will at least 10% of the total conifer area be a conifer species other than Sitka Spruce/Lodgepole Pine and/or at least 10% of the total area be comprised of suitable broadleaves (rule does not apply where plantations consist of GPCs 5, 6,7 and 8 only)	Yes
Is the site prone to flooding?	No
The site is free of shell marl or highly calcareous soils?	Yes

Site is prone to flooding as outlined with photographic evidence within appeals letter and as noted within Natural Impact Statement of Wet Grasslands.



### Plot and Specie Details

Plot Number	GPC	Claimed Area (ha)	Digitised Area (ha)	Net Area
1	GPC 10 - NWE	2.0	1.31	1.31
2	GPC 10 - NWE	2.0	-	-
3	GPC 10 - NWE	2.0	1.44	1.44
4	GPC 10 - NWE	2.0	6.14	6.14
Total		8.0	8.89	8.89

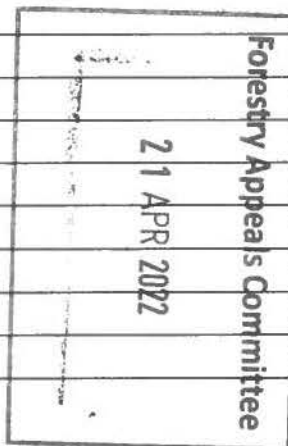
Have you attended a Native Woodland Establishment Course?

Yes

Plot Number	Land Use	Mixture Type	Species Type	% Area	Species Area (ha)
1	BHF	Integrated Mix	Common alder	60	0.79
1	BHF	Integrated Mix	Birch	10	0.13
1	BHF	Integrated Mix	Pedunculate oak	10	0.13
1	BHF	Integrated Mix	Additional Broadleaves	20	0.26
3	BHF	Integrated Mix	Common alder	60	0.86
3	BHF	Integrated Mix	Birch	10	0.14
3	BHF	Integrated Mix	Pedunculate oak	10	0.14
3	BHF	Integrated Mix	Additional Broadleaves	20	0.29
4	BHF	Integrated Mix	Common alder	60	3.68
4	BHF	Integrated Mix	Birch	10	0.61
4	BHF	Integrated Mix	Pedunculate oak	10	0.61
4	BHF	Integrated Mix	Additional Broadleaves	20	1.23

### Operational Proposal Details

Ground Prep	Ripping, scrap mounding
Standard Stocking & Spacing	Yes
Planting Methods	Slit
Fertiliser	Zero
Drainage	No
Firebreaks/Res	No
Road Access	Provided
Weed Controls	Herbicide Control yr2
Opt-in to Woodland Environmental Fund	No



Appeal CN86604

Area greater than 5 Hectares on a sensitive lake

**Fencing Details**

Stock-Sheep	890.0
Upgrade Existing Fence(s)	No
All fencing is certified to the IS436 standard	No

**Environmental Considerations**

	Environmental Considerations	Forester	Report Required
1.0	Does the proposed afforestation project involve an area of 50 hectares or more? If yes the application must be accompanied by an Environmental Impact Statement	No	No
1.1	Is the area designated potentially acid sensitive by the Department?	No	No
1.2	Is the area greater than 5 hectares and sensitive for Fisheries?	No	No
1.3	Is the area greater than 40 hectares and non-sensitive for Fisheries?	No	No
1.4	Is the area greater than 10 hectares and within a catchment area of Local Authority designated water scheme?	No	No
2.1	Is the area within an NHA, pNHA, SAC, SPA, or National Park? Specify Site Code(s).	No Area is within designated SPA and SAC as outlined in apped letter	No
2.2	If the area is within a NHA, is a completed Notifiable Action Form/Action Requiring consent Form (consent from National Parks and Wildlife Service) included?	No	No
2.3	If the area is within a Hen harrier SPA, will operations occur between the 1st of April and the 15th August inclusive?	No	No
2.4	Is the area within a NPWS referral zone for NHA, pNHA, SAC or SPA?	Yes	No
2.5	Is the area within 3km upstream of an NHA, pNHA, SAC, SPA, or National Park? Specify Site Code(s).	Yes	No
2.6	Is the area within a Freshwater Pearl Mussel 6km zone? If YES, the Forestry and Freshwater Pearl Mussel Requirements Forms A and B should be included in the application	No	No

### Environmental Considerations

2.7	Is the area within a Freshwater Pearl Mussel catchment?	No	No
2.8	Does the area contain a current REPS plan habitat?	No	No
3.1	<b>Does the area contain an archaeological site or features within intensive public usage?</b>	<b>No</b>	<b>No</b>
3.2	Does the area contain or adjoin a listed archaeological site or monument?	Yes	No
4.1	<b>Is the area within a prime scenic area in the County Development Plan?</b>	<b>No</b>	<b>No</b>
4.2	Are there any other High Amenity Landscape Considerations?	No	No
5.1	Is the area greater than 25 hectares?	No	No
6.0	Other Environmental considerations		

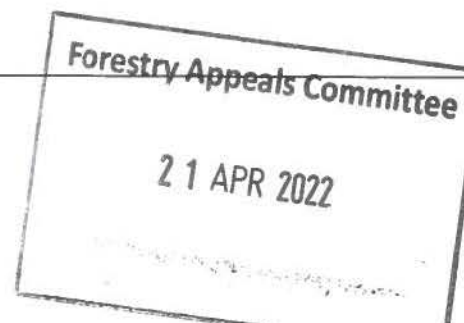
### Acid Sensitive Test Results

	OS Map No.	Date	Result of CaCO <sub>3</sub> , as per Q1.1
February			0.0
March			0.0
April			0.0
May			0.0
Drainage Survey Results		Not Required	Not Submitted
Soil Analysis Report		Not Required	Not Submitted

Did you notify the Forest Service District Inspector in advance of the exact location time and date of samples to be taken for CaCO<sub>3</sub>? No

### Additional Information

EIS (Environmental Impact Statement) Submitted ? No



# Drinking Water Quality in Private Group Schemes and Small Private Supplies 2020

## Key Findings for 2020

- ▶ The quality of drinking water in private supplies was not as good as it should be: one in 20 private water supplies were contaminated with *E. coli*.
- ▶ 93% of Private Group Schemes complied with the Trihalomethanes standard. However, 13 supplies are cited on EU infringement proceedings against Ireland for failing to take the measures necessary to ensure compliance.
- ▶ Over a quarter of Small Private Supplies were not monitored by Local Authorities.

## Introduction

**Private Group Schemes (PGS)** are set up by community groups. They get water from a local source and manage the treatment and distribution of the water to the scheme members. There are around **380 private group schemes** serving almost 200,000 people.

The National Federation of Group Water Schemes (NFGWS) represents and works with the community-owned rural water services sector in Ireland. The NFGWS helps local authorities and individual group water schemes identify and address water quality issues and risks. An example of a risk is farm animals accessing the water source and contaminating it. The source can be protected by installing fencing - a measure known as a 'smart buffer' (pictured). The NFGWS also assists schemes to access funding from the Department of Housing, Local Government and Heritage.



**FIGURE 1:** Smart Buffer – Stranooden, Co. Monaghan  
(Photo courtesy of the NFGWS)

Many rural commercial or public activities (e.g. national schools, holiday accommodation and premises providing food and drink) get their water from a well. These are known as **Small Private Supplies (SPS)**. There are over **1,700 SPSs** registered with local authorities but there may be many more that have not registered. Thousands of people use these supplies each day as they provide water to employees, customers and service users. The **water supplier** (PGS or SPS owner/manager) is legally responsible for making sure the water they provide complies with the water quality standards set in the Drinking Water Regulations and is safe to drink.

**Local authorities** have responsibility for ensuring that private drinking water supplies are monitored for compliance with drinking water standards. The results of monitoring undertaken in 2020 can be found on the EPA website and here: [SAFER-Data: Welcome to SAFER](#).

## Findings for 2020

### Compliance in Private Group Schemes

The presence of *E. coli* bacteria in drinking water indicates that the supply has been contaminated and the water has not been fully disinfected. Drinking water contaminated with *E. coli* can cause serious gastrointestinal illness, so it is critical to have properly functioning disinfection systems.

Compliance with *E. coli* standards was 95% for PGS (20 supplies with failures, serving 2,900 people – see Figure 2).



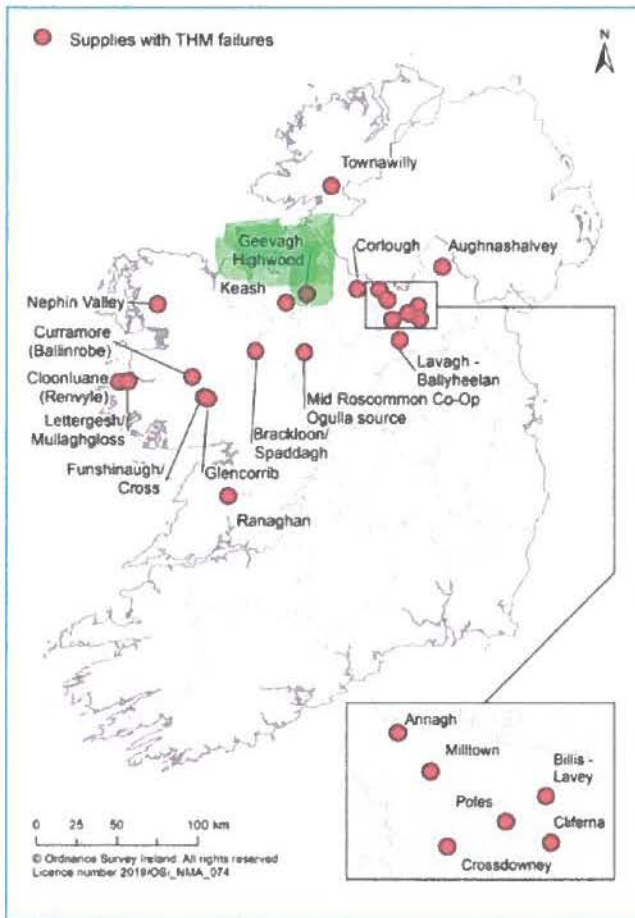
**FIGURE 2:** Private Group Schemes with *E. coli* failures

**Trihalomethanes (THMs)** are formed when natural organic matter in the water source, such as rotting vegetation, reacts with chlorine used in the disinfection treatment process. THM levels should be kept as low as possible and in compliance with the drinking water quality standards, while ensuring that the water is fully disinfected.

In May 2020, the European Commission issued a Reasoned Opinion (further to infringement proceedings Ref. 7554/2015/ENVI) that it considered that Ireland had failed to take the measures necessary to ensure THM compliance in 44 drinking water supplies, which included 13 PGSs.

Compliance with THM standards in 2020 was 93% for PGS (22 supplies with failures, serving 23,000 people – see Figure 3). The supplies with failures are mostly concentrated in the north-west of the country.

Forestry Appeals Committee  
21 FEB 2022  
Page 1 of 2



**FIGURE 3:** Private Group Schemes with THM failures

### Compliance in Small Private Supplies

96% of SPSs monitored were compliant with *E. coli* standards and 99% of SPSs monitored were compliant with THM standards.

In 2020, Covid restrictions meant that many premises were closed, and this prevented samples being taken. Over a quarter (480) of SPSs were not monitored, which means that there is no information as to whether the water from these supplies was safe to drink. However, the EPA acknowledges the efforts made to carry out sampling once restrictions eased and premises re-opened.

### Department of Housing, Local Government and Heritage

The Department of Housing, Local Government and Heritage is responsible for water policy and for providing supports to the rural water sector. It makes funding available to group water schemes and household well owners for improvements to their supplies. Local authorities distribute the funding through the Multi-Annual Rural Water Programme 2019-2021 (MARWP). See example in Figure 4 below.

The Department works with the National Federation of Group Water Schemes to address a priority list of supplies to protect public health. Progress is being made with the supplies on this list and these will remain a priority for the Department until they are resolved.

The Department has also set up a working group to review the governance of how private water supplies and private wastewater treatment systems are monitored, maintained and financed. The outcome of this review is expected in 2022.



**FIGURE 4:** Upgraded treatment system at Coole Group Water Scheme, County Galway

The treatment system at Coole Group Water Scheme, County Galway, was upgraded in 2020. The project was 90% funded under the MARWP, with the remaining costs contributed by the scheme's membership. The new system comprises sand filtration, an ultra-violet (UV) reactor and duty-standby chlorine dosing pumps. Permanent fencing around the facility has also been installed as a key source protection and security measure. *(Information and photo courtesy of the NFGWS)*

### What needs to be done

#### Water suppliers must:

- ◆ Carry out infrastructural upgrades where required, to comply with drinking water quality standards;
- ◆ Protect the water source, and manage and maintain any treatment system;
- ◆ Make sure the supply is on the Local Authority's register for monitoring;
- ◆ Rectify problems where monitoring results indicate an issue with water quality.

#### Local authorities must:

- ◆ Make sure that all private drinking water supplies are monitored;
- ◆ Investigate supplies that fail to meet drinking water quality standards and take enforcement action if necessary;
- ◆ Keep a register of all private drinking water supplies in their area.

#### Department of Housing, Local Government & Heritage must:

- ◆ Ensure works are supported for all group schemes on the priority list to protect public health;
- ◆ Finalise the review and progress the governance and funding model for the delivery of rural water services.