

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Donegal County

Planning Register Reference Number: 16/50401

An Bord Pleanála Reference Number: PL 05.246747

APPEAL by An Taisce of Tailor's Hall, Back Lane, Dublin against the decision made on the 19th day of May, 2016 by Donegal County Council to grant subject to conditions a permission to Patrick Heekin care of Martin Gallagher of Bogagh, Carrick, County Donegal in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Erection of new sheep wire fencing on lands that are designated Special Area of Conservation and associated site works at Meenacurrin, Glencolmcille, County Donegal. A Natura Impact Statement has been submitted with the planning application.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the established use of the site for the grazing of sheep, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the scenic character of the area or recreational amenity or natural heritage. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In completing the screening for an Appropriate Assessment, the Board accepted and adopted the screening assessment and conclusion carried out in the Inspector's report in respect of the identification of the European sites which could potentially be affected, and the identification and assessment of the potential likely significant effects of the proposed development, either individually or in combination with other plans or projects, on these European sites in view of the sites' conservation objectives. The Board was satisfied that the proposed development, either individually or in combination with other plans or projects, would not be likely to have a significant effect on the European site Slieve Tooney/Tormore Island/Loughros Beg Bay Special Area of Conservation (Site Code 000190) or any other European site, in view of the sites' conservation objectives.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. .

Reason: In the interest of clarity.

2. The development shall be carried out in accordance with the methods described in the document that was submitted with the application entitled 'Natura Impact Assessment'. In particular, the proposed fence shall be erected manually and shall be erected only out of season, as outlined in the measures included with the application. Only low impact machinery may be used and all appropriate measures shall be carried out to minimise erosion and damage to vegetation during construction. All waste and surplus material shall be removed from the site following construction, and the storage of fuel or refuelling shall not be undertaken on the site.

Reason: To protect the natural heritage of the area and support the conservation objectives of the Special Area of Conservation in which the site lies.

3. A stile shall be provided adjacent the lakeshore and at any other locations that may be agreed in writing with the planning authority, prior to commencement of development.

Reason: In the interest of visual amenity.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.