

Planning and Development Acts 2000 to 2021

Planning Authority: Mayo County Council

Planning Register Reference Number: P20/855

APPEAL by Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (Development Applications Unit) of Government Offices, Newtown Road, County Wexford against the decision made on the 26th day of April, 2021 by Mayo County Council to grant subject to a condition a permission to Stephen Roughton-Smith care of Patrick Carr of Dogort, Achill, County Mayo.

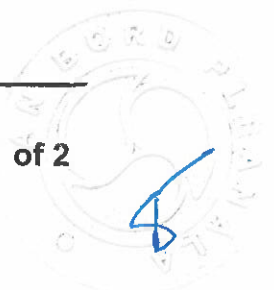
Proposed Development: Construction of a post and wire stock proof fence with two number 3.65 metre wide access gates at lands at Tonatanvally Townland, Achill, County Mayo.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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.

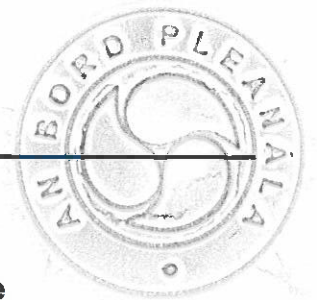
Reasons and Considerations

Having regard to the information provided with the application and the appeal, and in light of the assessment carried out above, the Board is not satisfied that the proposed development individually, or in combination with other plans and projects would not adversely affect the integrity of the Doogort/Machair Special Protection Area (Site Code: 004235) and the Doogort/Machair/Lough Doo Special Area of Conservation (Site Code: 001497). This conclusion is based on concerns that the proposed fencing would be located within a Machair habitat, which is one of the few remaining Machair habitats not affected by fence enclosure and the proposed fencing could damage the said habitat which is a priority habitat under the Habitats Directive and a qualifying interest of the Doogort/Machair/Lough Doo Special Area of Conservation (Site Code: 001497). Furthermore, it is considered that the introduction of additional fencing posts could provide perching posts for avian predators which would pose a significant threat to the Dunlin breeding habitat which is the sole species of conservation interests associated with the Doogort/Machair Special Protection Area (Site Code: 004235). The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Terry Ó Niadh

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



Dated this 11th day of February, 2022