

Sub. No 5
P0951-01

PETER SWEETMAN & ASSOCIATES
ROSSPORT SOUTH
BALLINA
COUNTY MAYO

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Environmental Protection Agency
Johnstown Castle
Wexford

2014-05-13

Submission RE;

P0408-02	Mr Donal Brady	Carrickboy Farms, Ballyglassin, Edgeworthstown, Co. Longford.
P0422-03	Silver Hill Foods	Hillcrest, Emyvale, County Monaghan.
P0837-02	F. OHarte Poultry Limited	Creevagh, Clones, County Monaghan.
P0857-02	JPH Enterprises Limited	Quiglough, Ballinode, County Monaghan.
P0862-02	Mr James McGuirk	Tetoppa, Dunraymond, County Monaghan.
P0923-01	Mr Paraig Kiely	Carrowhauny, Ballyhaunis, Co. Mayo.
P0929-01	Mr Pat Kenny	Coolanoran, Newcastle West, Co. Limerick.
P0930-01	Mr Francis McCluskey	Drumully, Smithboro, Co. Monaghan.
P0937-01	Mr Damien Treanor	Killnagullan, Emyvale, County Monaghan.
P0951-01	Mr Dermot Crinion	Dowth, Slane, County Meath.

P0956-01	Mr John McCabe	Brandrum, Monaghan, County Monaghan.
P0965-01	Tankerstown Pig & Farm Enterprises Limited	Tankerstown, Bansha, Tipperary, County Tipperary.
P0971-01	Martin and Mhairi Dempsey	Barnagurry, Kiltimagh, County Mayo.
P0972-01	J.M.K. Pigs Limited	Lacklom & Ballintra, Inniskeen, County Monaghan.
P0975-01	Clondrisse Pig Farm Limited	Joristown Upper, Killucan, County Westmeath.
P0976-02	Senark Farm Limited	Aghnaglough, Stranooden, County Monaghan.
P0979-01	Thomas & Trevor Galvin	Ballyharrahan, Ring, Co Waterford.
P0981-01	DINO Trading Limited	Levalley, Ballinrobe, Co Mayo.
P0982-01	Mr Don French	Clonree, Durrus, County Cork.
P0984-01	Clondrisse Pig Farm Limited	Bracklyn, Delvin, County Westmeath.
P0985-01	TC Farms Limited	TC Farms Limited, Mountanglesby, Clogheen, County Tipperary.
P0990-01	Fay Pig Farms Limited	Pollabane, Cavan, County Cavan.
P0992-01	Mr David Abbott	Drumcrow, Killeshandra, Co Cavan.
P0995-01	Mr Mark McElvaney	Ballagh, Threemilehouse, County Monaghan.
P0998-01	Mr Gerard McGuinness	Ballagh, Threemilehouse, County Monaghan.
P0999-01	Mr Patrick McGuirk	Drumskelt, Newbliss, Co Monaghan.
P1001-01	Mr Patrick McDonnell	Ellinure, Newbliss, County Monaghan.

P1003-01	Mr Edwin Irwin	Killygavna, Tydavnet, County Monaghan.
P1012-01	Mr Andrew Keating	Andrew Keating Poultry Farm, Aghareagh, Newbliss, County Monaghan.
P1017-01	Mr Liam McCague	Tullyard, Monaghan, County Monaghan.
P1023-01	Mr Declan Connolly	Dundrumman, Scotstown, County Monaghan.
P1024-01	Doon Farm Enterprises Limited	Doon, Araglin, Kilworth, County Cork.

Dear Sir/Madam

Article 6 3.of the Habitats Directive states;

Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.

The CJEU Case C-127/02 has found;

with each licence entailing a new assessment both of the possibility of carrying on that activity and of the site where it may be carried on, falls within the concept of 'plan' or 'project' within the meaning of Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

Therefore the spreading of organic fertiliser arising from the activity must to be considered under the Habitats Directive.

Yours faithfully

Peter Sweetman

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