

Dorota Richards

Subject: FW: New Third Party objection entered for Reg no: P1012-01. (Reference Number: P1012-01-170805123829)

Attachments: objection P1012-01.pdf; Successful Objection Payment for Licence Number P1012-01. (Reference Number: P1012-01-170805123829) - Payment submitted on 05/08/2017 13:06

Importance: High

From: Peter Sweetman [mailto:_____]

Sent: 05 August 2017 12:39

To: Licensing Staff <licensing@epa.ie>

Subject: New Third Party objection entered for Reg no: P1012-01. (Reference Number: P1012-01-170805123829)

Importance: High

Objection submitted on: 05/08/2017 12:38

Title: Mr

First Name: Peter

SurName: Sweetman

Organisation Name: Peter Sweetman

Address Line 1: ROSSPORT SOUTH

Address Line 2: BALLINA

Address Line 3:

County: Mayo

Post Code: 0000

Email: _____

Objector Type: Third Party

Oral Hearing: No

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PETER SWEETMAN & ASSOCIATES
ROSSPORT SOUTH
BALLINA
COUNTY MAYO
sweetmanplanning@gmail.com

Environmental Protection Agency
Johnstown Castle
Wexford

2017-08-08

OBJECTION RE:

<u>P1012-01</u>	Mr Andrew Keating	Aghareagh, Newbliss, County Monaghan.
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The Environmental Impact Statement states;

5.11.4.1 Organic Waste

Poultry manure generated at this facility is sent for land spreading. All manures generated will be managed in accordance with the regulations set out in S.I 610 of 2010 and all relevant information will be maintained on site for inspection at all reasonable times.

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 Inspector quotes from my submission:

DAU states that for Appropriate Assessment Screening under the Birds and Natural Habitats Regulations 2011, a map of the spread lands is required to ensure that there is no significant negative effect on any Natura 2000 site from the proposal. The DAU also states that the spread lands should be subject to AA screening with particular reference to potential effects on water quality.

The decision of the Agency is fundamentally flawed as the spreadlands have not been subjected to Appropriate Assessment as required under Article 6 of the Habitats Directive.

The Inspectors report states:

Monaghan County Council did not require an Environmental Impact Statement (EIS) in support of any planning application for this site and have stated that an EIA was not required, as confirmed in their correspondence to Traynor Environmental (Environmental consultant for the applicant) dated 09 February 2015.

3.4 Environmental Impact Assessment Directive

Having specific regard to EIA, this Inspector's report as a whole is intended to identify, describe and assess for the Agency the likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency,

The decision of the Agency is fundamentally flawed as no Environmental Impact Assessment has been carried out for the whole development as required by the judgement of the CJEU in Case 50/09.

Yours faithfully

A handwritten signature in black ink that reads "Peter Sweetman". The signature is written in a cursive style. A red diagonal watermark is overlaid across the signature, reading "For inspection purposes only. Consent of copyright owner required for any other use."

Peter Sweetman

Please respond by email only to sweetmanplanning@gmail.com