

Submission No. 2.

Noeleen Keavey

Subject: FW: SUBMISSION ATTACHED P1062-01
Attachments: Article 6.3 P1062-01.pdf

From: peter sweetman [REDACTED]
Sent: 05 October 2017 16:11
To: Wexford Receptionist <REC_WEX@epa.ie>
Subject: SUBMISSION ATTACHED P1062-01

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Peter Sweetman
113 Lower Rathmines Road
Dublin 6
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PETER SWEETMAN & ASSOCIATES

Environmental Protection Agency
Johnstown Castle
Wexford

2017-10-04

RE:

P1062-01	Mr Eamon Burke	Farrihy, Broadford, County Limerick.
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Dear Sir/Madam

Article 6.3 of the Habitats Directive states;

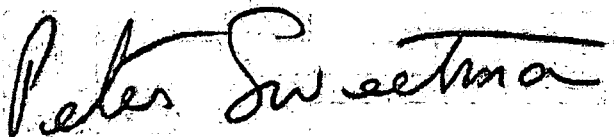
Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's 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

And on behalf of Wild Ireland
Please respond by email to ~~xxxxxxxxxxxxxxxxxxxx~~
Rossport South Ballina County Mayo

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