

Submission No. 2.

Noeleen Keavey

Subject: FW: SUBMISSIONS ATTACHED
Attachments: P1059-01.pdf

From: peter sweetman [REDACTED]
Sent: 10 October 2017 10:52
To: Wexford Receptionist <REC_WEX@epa.ie>
Subject: SUBMISSIONS ATTACHED

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PETER SWEETMAN & ASSOCIATES

Environmental Protection Agency
Johnstown Castle
Wexford
2017-10-10

RE:

P1059-01	Mr Seamus Murphy	Naghill, Smithboro, County Monaghan.
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Dear Sir/Madam

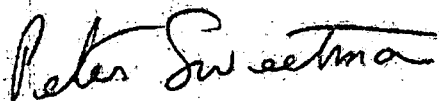
Adequate information has not been provided to enable the EPA to complete an environmental impact assessment of this likely significant indirect effect on the environment in relation to the proposal to spread the manure generated by the proposed development on lands that are remote from the site.

No information has been provided on the potential for significant effects on European sites arising from such spreading, and in the absence of an appropriate assessment that deals with this matter, being an indirect effect of the proposed development.

The Judgement of CJEU **Peter Sweetman and Others v An Bord Pleanála. Case C-258/11** states at;

40 Authorisation for a plan or project, as referred to in Article 6(3) of the Habitats Directive, may therefore be given only on condition that the competent authorities – once all aspects of the plan or project have been identified which can, by themselves or in combination with other plans or projects, affect the conservation objectives of the site concerned, and in the light of the best scientific knowledge in the field – are certain that the plan or project will not have lasting adverse effects on the integrity of that site. That is so where no reasonable scientific doubt remains as to the absence of such effects (see, to this effect, Case C-404/09 Commission v Spain, paragraph 99, and Solvay and Others, paragraph 67).

Yours faithfully



Peter Sweetman
And on behalf of
Wild Ireland