



An  
Bord  
Pleanála

**Board Direction**  
**BD-005160-20**  
**ABP-304833-19**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 13/02/2020.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

1. On the basis of the information provided with the planning application and the appeal, including the Natura Impact Statement, the Board cannot be satisfied that the proposed development individually, or in combination with other plans or projects, would not be likely to have a significant effect on the Slaney River Valley Special Area of Conservation (Site Code: 000781) the Wexford Harbour and Slobs SPA (Site Code 004076), in view of the sites' conservation objectives and, therefore, is precluded from granting planning permission.
2. The documentation submitted with the planning application and appeal has not demonstrated that sufficient storage capacity is proposed for the effluent likely to arise from the housing of farm animals and the availability of sufficient land for spreading the amount of effluent calculated to arise from the proposed development, in a manner which complies with the EU (Good Agricultural Practice for the Protection of Waters) Regulations 2017, as amended. In the absence of such information and having regard to article 5 of the European Communities Environmental Objectives (Surface Waters)

Regulations, 2009, as amended, which requires that a public authority, in the performance of its functions, shall not undertake those functions in a manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water, it is considered that the proposed development would constitute an unacceptable threat of environmental pollution and would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

**Date:** 14/02/2020

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Terry Prendergast

**Note:** The Board noted and agreed with the comments of the Inspector regarding the requirement for an Environmental Impact Assessment Report.

Please issue Direction with Order