



Planning and Development Acts 2000 to 2019

Planning Authority: Wexford County Council

Planning Register Reference Number: 20190526

APPEAL by Healy Pigs Limited care of CLW Environmental Planners Limited of The Mews, 23 Farnham Street, Cavan, County Cavan against the decision made on the 7th day of June, 2019 by Wexford County Council to refuse permission for the proposed development.

Proposed Development: Construct one number pig house together with all ancillary structures and all associated site works at existing pig farm at Ballnabarny E.D., Enniscorthy Rural, Enniscorthy, County Wexford, as amended by the revised public notice received by An Bord Pleanála on the 7th day of November, 2019.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

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 significant effects on the Slaney River Valley Special Area of Conservation (Site Code: 000781) and the Wexford Harbour and Slobbs Special Protection Area (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 pose an unacceptable risk of environmental pollution and would, therefore, be contrary to the proper planning and sustainable development of the area.

Terry Prendergast
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.