

An
Coimisiún
Pleanála

Direction
CD-021250-25
ABP-322447-25

The submissions on file and the inspector's report were considered at a Commission Meeting held on 12/11/2025.

The Commission determined that the prospective applicant should be notified of its Opinion in respect of flexibility under section 37CD of the Planning and Development Act, 2000, as amended, in accordance with the following Draft Opinion.

(1) Request for meeting	
Request under section 37CC of the Act:	Request for Design Flexibility in relation to the Water Supply Project Eastern and Midlands Region
Request reference Number:	ABP-322447-25
Name of the requestor/ prospective applicant:	Uisce Eireann
Location, townland or postal address of the land or structure to which the application relates (as may be appropriate):	Various locations between Parteen Basin, Co. Tipperary and Peamount, Co. Dublin.
Nature and extent of the proposed development:	Water abstraction project, for use as part of public supply
Date of receipt of the request:	2 nd May 2025
Opinion Reference Number:	ABP-322447-25

Date of Opinion:

(2) Was the following Information included where relevant, with the Flexibility Meeting Request under section 37CC of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.

Information	Enclosed with Request		
(a) A site location map sufficient to identify the maritime area/land on which the proposed development would be situated.	Yes: [x]	No: []	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes: [x]	No: []	
(c) A draft layout plan of the proposed development.	Yes: [x]	No: []	
(d) A description of the details, or groups of details, of the proposed development that, owing to the circumstances set out in (e) below, are unlikely to be confirmed at the time of the proposed application.	Yes: [x]	No: []	
(e) A description of the circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided, before the prospective applicant has confirmed the details referred to in (d) above.	Yes: [x]	No: []	
(f) An undertaking to provide with the proposed application, either - i. two or more options, in respect of each detail or group of details referred to in (d) above containing information on the basis of which the proposed application may be made and decided,	Yes: [x]	No: []	

<p>ii. parameters within which each detail referred to in paragraph (d) above will fall and on the basis of which the proposed application may be made and decided, or</p> <p>iii. a combination of (i) and (ii).</p>			
(g) Such other information, drawings or representations as the prospective applicant may wish to provide or make available.	Yes: [x]	No: []	N/A: []
(h) The appropriate fee.	Yes: [x]	No: []	

(3) Opinion of the Board under section 37CD of the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended.

Information	Details/ Circumstances
a) The details, or groups of details, of the proposed development that may be confirmed after the proposed application has been made and decided.	Horizontal and vertical flexibility regarding the installation of an underground pipeline and associated elements.
b) The circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided before the prospective applicant has confirmed the details referred to in paragraph (a) above.	Notwithstanding extensive ground investigations undertaken, it is inevitable that certain obstacles or constraints will arise during construction that may affect the preferred route of the pipeline

For each detail, or groups of details, referred to in paragraph 3(a) above, the following opinion of the Commission applies.

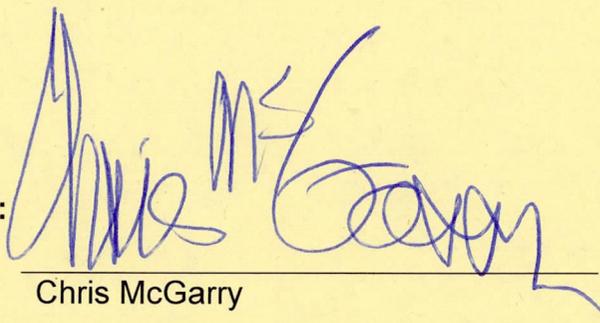
Regarding the horizontal alignment flexibility request, the Commission considers the prospective applicant has not demonstrated circumstances that justify a request for such design flexibility. Accordingly, the Commission is not satisfied that there are circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided before these details are confirmed.

Regarding the vertical alignment flexibility request, the Commission considers the prospective applicant's request comprises normal construction practice that is intrinsic to the installation of the proposed development.

The proposed application must be consistent with the opinion provided in accordance with section 37CD of the Act.

Planning

Commissioner:



Chris McGarry

Date: 12/11/2025