

BALLINA FLOOD RELIEF SCHEME

Compulsory Purchase Order No.01 of 2025

Case reference: **ACP-323060-25**

Plot References: **T72-01, T72-02, T72-03**

Submission by: **Padraig & Adrienne Jones** (Whitestream House, Behybaun, Ballina, Co. Mayo)

Mayo County Council Submission Report

Mayo County Council hereby submits the following comments in response to the general and specific points raised in the submission by Padraig & Adrienne Jones to An Coimisiún Pleanála.

General

Mayo County Council accepts that there will be an impact on the enjoyment of this residential property (*Whitestream House, Behybaun, Ballina, Co. Mayo*), including temporary loss of some garden/private amenity space area during construction works.

- The Local authority undertakes to fence and screen off the site working area to minimise negative impacts during the works.
- The Local Authority will ensure the works are programmed to efficiently execute the construction stage, thus minimising the duration of impact to the residents.
- Temporary Works areas are only applicable during construction works and will be integrated back into the overall residential property site post construction.
- The Permanent Wayleave areas are necessary for construction and maintenance and are designed to minimise land area impacted.
- The scheme design is such that maintenance checks will have a low frequency and the probability of necessitated remediation works is very low if not unlikely.

The final design of the flood wall defence will be addressed during the Stage 3 phase (post planning consent), as is normal sequential practice.

Mayo County Council undertakes to liaise with the property owner to agree the finish details, ensuring that all final design details and treatments are sympathetic to the existing character of the property.

In relation to the staggering of the Planning consent application and the CPO application, I can confirm that there was no intent on the part of Mayo County Council to cause any confusion. The staggering of these applications was not done by design but rather it arose from a resourcing matter on the part of the Local Authority. Both the CPO and Planning Consent application public notices are clearly placed, are very informative in their detail and conform to all statutory requirements.

Extent of ground (site) area subject to CPO

- Post construction inspection and maintenance will require access from both sides (banks) of the Tullyegan watercourse. There is no specific requirement to access the river channel either during or post construction and traversing the Tullyegan watercourse would constitute an unnecessary Health & Safety risk to inspection & maintenance personnel.
- The area subject to CPO comprising of plots T73-01 and T73-02 exceeds the area comprising of plots T72. All areas set out in the CPO are deemed as the minimum necessary to facilitate construction and maintenance of the Balina Flood Relief Scheme.
- As part of the hydrological and hydraulics assessment process for (Stage 1) flood modelling, the Tullyegan river sub-catchments have been assessed in detail and the design solution proposed (via the Options Report) and submitted for planning consent takes into account all catchment characteristics including land use and increased rainfall due to Climate change.
- The flood scheme design is based on best practice and the best available information for an ungauged catchment at the point of design. As with all flood relief schemes, provision of freeboard is mandatory to allow for the inherent inaccuracy in some of the information collated. The scheme design must (and has in this case), take into consideration the likely impacts of Climate Change and in this regard, Ballina Flood Relief Scheme has included for year 1 Climate adaptation.
- Response is as per previous response paragraph.
Also, the Local Authority rejects the assertion that the planting of trees/shrubs at Rehins Fort is intended to obstruct the potential to utilise this area as a location for temporary or permanent works areas. To propose Rehins Fort as a suitable location for temporary or permanent works areas is to ignore the non-practicality of having the temporary works area remote from the construction siteworks. It

also overlooks the safety issues that would be generated in traversing the very busy N26 (National Primary) route multiple times per day.

Conclusion

The inclusion of proposed flood relief works on the Tullyegan Watercourse is designed exclusively to protect **four** residential properties, of which **Whitestream House, Behybaun, Ballina, Co. Mayo**, is one of those properties.

As such and in contrast to the proposed flood relief works on other watercourses within Ballina Flood Relief Scheme, there is no specific wider societal benefit accruing from the flood relief works on the Tullyegan component of Ballina Flood Relief Scheme.

Mayo County Council can confirm that landowner liaison was undertaken with Padraig & Adrienne Jones (*Whitestream House, Behybaun, Ballina, Co. Mayo*) prior to the submission of the CPO application by Mayo County Council to An Coimisiún Pleanála (17th July 2025).

- Letter issued by Mayo County Council in July 2024 to all registered/known landowners impacted by the Ballina Flood Relief Scheme, including *Whitestream House, Behybaun, Ballina, Co. Mayo*. (Copy attached to this report).
- Meeting on site between Michael O'Grady of Mayo County Council and Padraig & Adrienne Jones (*Whitestream House, Behybaun, Ballina, Co. Mayo*) on 19th November 2024. (A copy of follow-up letter issued by Mayo County Council dated 27th November 2024 is attached to this report).
- Meeting on site between Michael O'Grady of Mayo County Council and Padraig & Adrienne Jones (*Whitestream House, Behybaun, Ballina, Co. Mayo*) on 1st July 2025. (A copy of follow-up email issued by Mayo County Council on 2nd July 2025 is attached to this report).

As per our letter of 27th November 2024 and our follow-up email of 2nd July 2025 issued to Padraig & Adrienne Jones, Mayo County Council is committed to further liaison during the design phase (Stage 3), in an effort to address the concerns raised by the landowners during Stages 1 & 2 and as outlined in submissions to An Coimisiún Pleanála.



Michael O'Grady

Project Engineer.

Ballina Flood Relief Scheme.

Date: 3rd October 2025



Comhairle Contae Mhaigh Eo
Mayo County Council



A: Áras an Chontae, Caisleán an Bharraigh
Chontae Mhaigh Eo, F23 WF90

T: 094 906 4000 F: 094 902 3937

W: www.mayo.ie

Re: Notice of the development of a Flood Relief Scheme for Ballina Town and Urban Environs

Dear Landowner,

RPS Consulting Engineers Ltd has been engaged by Mayo County Council to undertake a Flood Relief Scheme in Ballina Town and its Urban Environs. As part of this work, we have been asked to identify landowners that will be impacted by the works area for this Scheme.

The main sources of flooding in Ballina are caused by the high fluvial (river) and tidal water levels in the River Moy and the inadequate conveyance capacities of the smaller stream channels including the associated culverts, combined with their limited discharge capacities into the River Moy during high water levels.

The works proposed along the Tullyegan Stream include hard defences consisting of flood walls and embankments. Flood walls on the north bank are to be constructed to the same height as the existing walls which range from 1.5m to 3.0m. The embankment on the north bank has a maximum height of 1.5m. Flood walls on the southern bank of the stream have a maximum height of 1m. Some of the right bank/southern wall will be set back from the riverbank in order to prevent the removal of trees which line the riverbank. Refer Figure 1 attached.

An initial search of the Property Registration Authority of Ireland website has indicated that you are the registered owner of lands which have been identified as impacted by the proposed works along the Tullyegan Stream. Refer to Figure 2 for envisaged impact to your lands.

This letter constitutes our initial engagement with you and we will be in further contact with you to discuss this matter in greater detail.

In the meantime, should you have queries on the matters outlined above, or can provide updated contact details, then please do not hesitate to contact myself, Michael O' Grady at Mayo County Council.

Kind Regards,

Michael O Grady

Michael O'Grady,
Project Engineer.



Comhairle Contae Mhaigh Eo
Mayo County Council



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Chontae Mhaigh Eo, F23 WF90

T: 094 906 4000 **F:** 094 902 3937

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Contact number: 094 9064216
Email: mjogrady@mayococo.ie
Address: Environment, Climate Change & Agriculture,
Mayo Co. Co.
Áras an Chontae,
The Mall,
Castlebar,
Co. Mayo,
F23 WF90



Comhairle Contae Mhaigh Eo
Mayo County Council

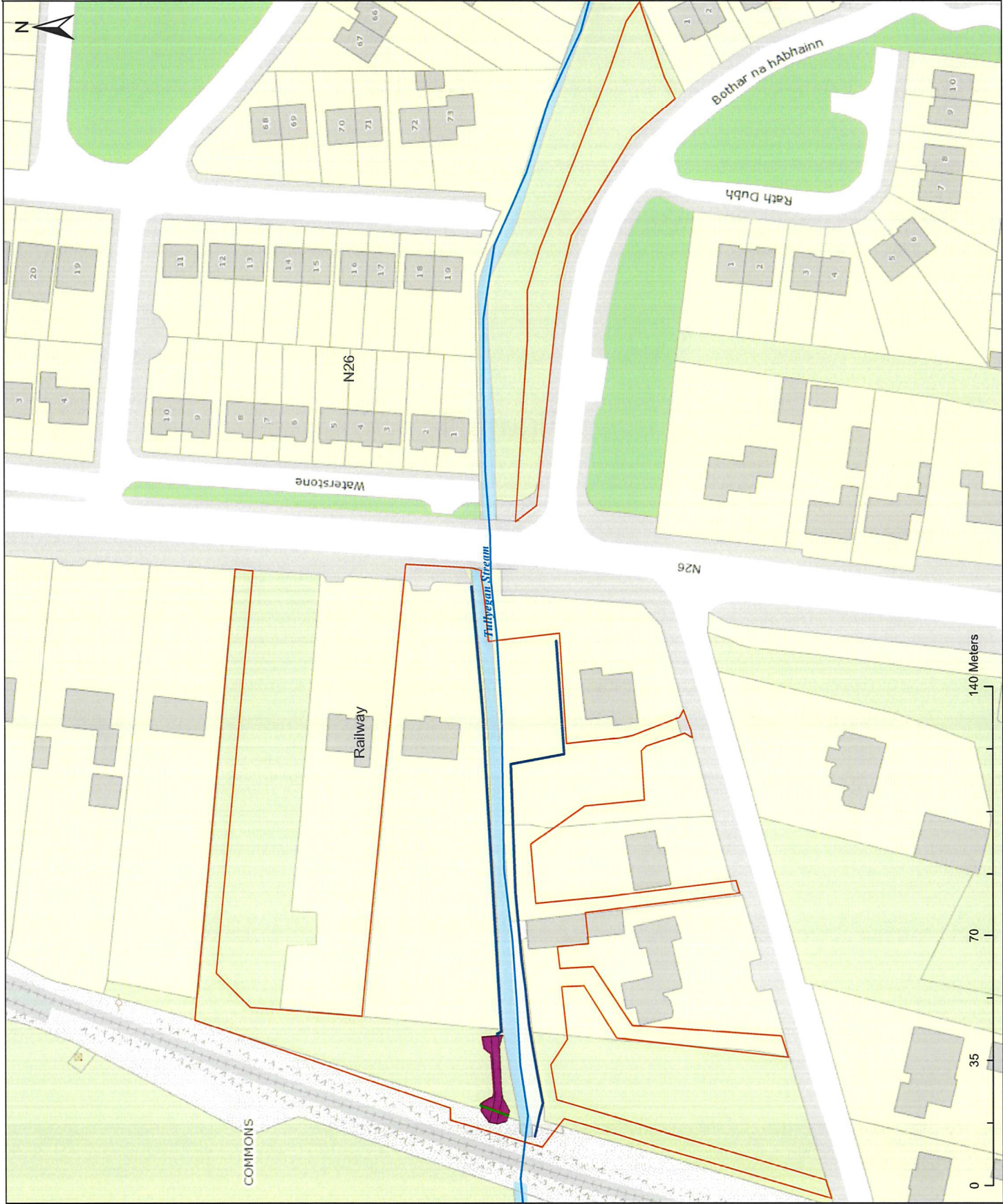


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Figure 1



Legend

Red Line Boundary

Relevant Waterbodies

Proposed Culvert

Proposed Flood Wall

Proposed Embankment

Client

Comhairle Contae Mhaigh Eo
Mayo County Council

Title

Ballina Flood Relief Scheme

Proposed Works to be carried out on the Tullyegan

RPS
West Pier
T. +353 (0) 1 4882900
E. info@rpsgroup.com
Dun Laoghaire, Co. Dublin, Ireland
W. rpsgroup.com/ireland

Issue Details

File Identifier:

MGW0290-RPS-ET-XX-D-EN-0507

Status:

S4

Rev:

P01

Model File Identifier:

Drawn:

NC

Date:

03/05/2024

Checked:

TK

Scale:

1:1,000 @A3

Approved:

PJG

Projection:

ITM

NOTE:

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Comhairle Contae Mhaigh Eo
Mayo County Council



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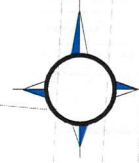
Figure 2

LEGEND

	PERMANENT ACQUISITION
	PERMANENT RIGHT OF WAY
	PERMANENT WAYLEAVE
	PERMANENT WAYLEAVE & PERMANENT RIGHT OF WAY
	TEMPORARY WORKING AREA
	TEMPORARY WORKING AREA & TEMPORARY RIGHT OF WAY
	TEMPORARY WAYLEAVE

N

X 523904.83
Y 817737.02



0 10 20 30 40 50 m

SCALE 1:1000

X 523718.14
Y 817493.34

ACQUISITION TYPE	AREA (ha)	PLOT No.
TEMPORARY WORKING AREA	0.0445	T72-01
TEMPORARY WORKING AREA	0.0477	T72-02
PERMANENT WAYLEAVE	0.0424	T72-03
PERMANENT RIGHT OF WAY	0.0186	T72-04



1 yr 2. IDA Business & Technology Park, Mallow, Co. Wick
T +353 91 496200
W www.rpsgroup.com/ireland
E ireland@rpsgroup.com

Comhairle Contae Mhaigh Eo
Mayo County Council



WAYLEAVE DETAILS Pipe Dia/Details: Flood Embankment

Width of Wayleave (Yellow): n/a
Length of Wayleave (Yellow): n/a
Temporary Working Strip (Green)

BALLINA FLOOD RELIEF SCHEME

LAND OWNER OR REPUTED LAND OWNER

UNREGISTERED
UNREGISTERED
UNREGISTERED

DRAWING No.

MGW0290-RPS-00-XX-DR-D-WL007-03

REV

0

O.S. REF CYAL50319610

SCALE 1:1000@A4

DATE

21/05/2024

DRG. BY

NJ

CHK. BY

JF



27th November 2024

Padraig & Adrienne Jones

Whitestream House.

Behybaun,

Ballina,

Co. Mayo.

Re: Ballina Flood Relief Scheme – Landowner Liaison

Dear **Padraig & Adrienne**,

I refer to the above matter.

Firstly, I would like to thank you for taking the time to meet with me at your property on Tuesday 19th November 2024.

During our discussion, you raised the following concerns with me:

1. Impact of the proposed construction works on the security of your property.
2. Proposed Right-of-Way (RoW) over the existing driveway access to your property.
3. Proposed RoW from the N26 to provide a new maintenance access onto your property.
4. The potential loss of usable rear garden area.
5. The proximity of the proposed temporary access (for the works area in the rear garden) to the west side of the dwelling house
6. Potential negative impacts on residential amenity during construction works.

In addressing the above raised concerns, the first thing I would like to clarify is that the objective of this process is to open a discussion with the impacted landowner(s), with a view to reaching an agreement on the acquisition of wayleaves and temporary working areas, required to facilitate construction of the Ballina Flood Relief Scheme. Subject to confirmation of a Compulsory Purchase Order (CPO) by An Bord Pleanála, at a later date, the value of compensation and the extent of accommodation works will be formally agreed between Mayo County Council and the impacted landowner(s).

In addressing your specific concerns listed (1 – 6) above, I would provide the following feedback/clarification:

1. All temporary works areas and wayleave areas will be securely fenced off (within your overall property) to provide complete separation from construction works. The construction site area will be secured to prevent unauthorised access.
2. The proposed RoW will not now form part of any land agreement for your site. Instead, a temporary works area will be created to allow access and working areas.
3. As per reply to point 2, no RoW will be sought. This area will be re-designated to a Wayleave area for construction and future maintenance/inspection purposes.
4. At this stage of the project, detailed design has not been worked up. However, I am satisfied that there is scope to allow flexibility in the detailed design of the flood defence, which will address your concerns, specifically in relation to the maintenance and future enjoyment of the rear garden area.
5. As your overall site is large, the temporary works access can be easily repositioned away from the dwelling house structure.
6. There will certainly be some impact on the residential amenity that you currently enjoy but, every effort will be made to ensure this is minimised, including but not limited to; restriction of working hours, control of noise levels permitted, machinery type used and overall construction techniques to be employed.

Please Note: A topographical survey of your site will be carried out in the coming months. This will detail the extent of existing infrastructure on site and it will help to inform our later discussions on accommodation works for your property, as well as the design approach to be used. (You will be notified in advance of Surveyors entering your site and entry will only be made with your consent).

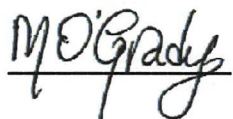
I hope the above provides some clarity on this process.

This flood relief scheme will bring long-term benefits to your property and we will work with you throughout to ensure that the works are completed in an optimal manner.

In the meantime, if I have omitted anything or you have any further questions that require clarification, please feel free to contact me.

Thanks Again.

Yours Sincerely,



Michael O'Grady,
Project Engineer.

Ballina Flood Relief Scheme.

Michael O Grady

From: Michael O Grady
Sent: Wednesday 2 July 2025 12:07
To: Padraig Jones
Subject: RE: Ballina Flood Relief Scheme - Landowner Liaison
Attachments: MGW0290-RPS-00-XX-DR-D-WL007-03.pdf

Hi Adrienne & Padraig,

In follow up to our meeting yesterday (1st July 2025), please see attached drawing, showing the temporary works areas and permanent wayleave areas required to progress the flood defence works in the vicinity of your property.

This is the most up to date map and the one that is proposed to be lodged with the upcoming CPO application to An Bord Pleanala.

It is intended to lodge the CPO application for the entire Flood Scheme in the next couple of weeks. A letter will issue to all known landowners in advance of lodging the CPO application.

The extent of the area required within your property is somewhat reduced from the original proposed area as a result of us omitting your driveway from the temporary works/access areas. So, whilst the planning drawings indicate the original site area (which includes your driveway), we have agreed with yourselves that we will not require your driveway as part of the works area and therefore, we do not have any requirement to include this area in the overall CPO. I hope this clarifies an issue you raised at our meeting yesterday. However, if you need to discuss or clarify this aspect further, feel free to contact me.

In relation to the main issue, that being the alignment of the proposed flood wall within your rear garden area, I will explore options for its potential realignment and construction closer to the watercourse, in the context of the current planning application under consideration by An Bord Pleanala.

Alternatively, in the absence of options to relocate/realign the flood wall under the current planning application, we will engage with you under Stage 3 – Design – to explore options for integration of the flood wall section into your existing rear garden.

Regards,

Michael O'Grady, EE
Flood Risk Management,
Mayo County Council,
[087 2061835](tel:0872061835)
[094 9064216](tel:0949064216)

From: Padraig Jones <padraigjones1967@gmail.com>
Sent: Wednesday 21 May 2025 15:53
To: Michael O Grady <mjogrady@MayoCoCo.ie>
Subject: Re: Ballina Flood Relief Scheme - Landowner Liaison

WARNING – EXTERNAL EMAIL: This email has originated from outside of Mayo County Council's network . DO NOT click links or open attachments unless you recognise the sender AND are sure the content is safe.

Hello Michael

That older drawing you included , does not show where the proposed wall will be after your site visit. You noted at that time, the site elevation difference from roadside to back garden. I know the newer version is pending just hoping that these matters will be all dealt with. That last storm took its toll on our garden so still clearing up.

Your faithfully,

Padraig and Adrienne Jones

On Wed 14 May 2025, 10:22 Michael O Grady, <mjogrady@mayococo.ie> wrote:

Hi **Padraig**,

Yes, we have finally lodged the planning application.

We are still finalising the CPO drawings and each property will be issued with a drawing and letter notification prior to submitting the CPO – hopefully in the next few weeks.

In the meantime, I am attaching the CPO drawing as currently revised following our previous conversation.

Have a look at it and I can meet with you in the next week or so to discuss where we go from here.

Thanks,

Regards,

Michael O'Grady, EE

Flood Risk Management,

Mayo County Council,

[087 2061835](tel:0872061835)

[094 9064216](tel:0949064216)

From: Padraig Jones <padraigjones1967@gmail.com>
Sent: Tuesday 13 May 2025 20:14
To: Michael O Grady <mjogrady@MayoCoCo.ie>
Subject: Re: Ballina Flood Relief Scheme - Landowner Liaison

WARNING – EXTERNAL EMAIL: This email has originated from outside of Mayo County Council's network . DO NOT click links or open attachments unless you recognise the sender AND are sure the content is safe.

Hello Michael,

Now that we are into May and your planning application signage has appeared outside our house, I feel it is a good time to review our situation. I am aware that your colleagues from Murphy Geospatial Ltd were here in Feb to do their site visit and topographical survey.

Can you advise if new revised drawings have been finalised and when we can expect a copy for consideration.

As part of our discussion we were assured that all of our concerns would be addressed and time frames for the complete project .

We would be very grateful if you could address our concerns and especially a copy of your revised site plans to see where and how we will be affected.

Your faithfully

Adrienne and Padraig Jones

On Fri 29 Nov 2024, 11:42 Michael O Grady, <mjogrady@mayococo.ie> wrote:

Hi Padraig,

See attached copy of follow-up letter for your information.

A hardcopy has issued to you in the post.

Thanks,

Regards,

Michael O'Grady, EE

Flood Risk Management,

Mayo County Council,

[087 2061835](tel:0872061835)

[094 9064216](tel:0949064216)

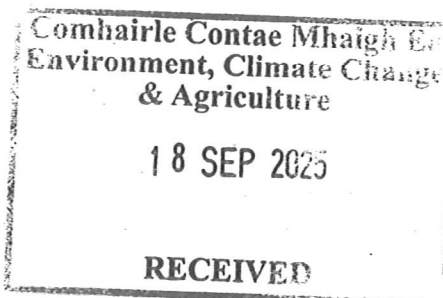
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Our Case Number: ACP-323060-25



An
Coimisiún
Pleanála

Padraig and Adrienne Jones
Whitestream House
Bahybaun
Ballina
County Mayo
F26 KW93



Date: 28 August 2025

Re: Mayo County Council Ballina Flood Relief Scheme Compulsory Purchase Order No 1 of 2025
River Moy, County Mayo

Dear Sir / Madam,

An Coimisiún Pleanála has received your letter of objection in relation to the above mentioned compulsory purchase order.

In respect of same, please note that in circumstances where:

- (i) no objections are received by the Commission within the period provided for making objections, or
- (ii) all objections made are subsequently withdrawn, or
- (iii) all objections made relate exclusively to matters which can be dealt with by a property arbitrator the Commission will inform the local authority as appropriate and, in such circumstances, the local authority can itself confirm the order with or without modification or refuse to confirm the order in accordance with the provisions of section 216 of the Planning and Development Act, 2000, as amended.

The Commission has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Commission will inform you on this matter in due course.

If you have any queries in the meantime please contact the undersigned officer of the Commission at laps@pleanala.ie Please quote the above-mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Teil
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Facs
Láithreán Gréasáin
Ríomhphost

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www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Yours faithfully,

Lauren Off

Lauren Griffin
Executive Officer
Direct Line: 01-8737244

CH02

RECEIVED
18 SEP 2009
Department of Agriculture
& Food
Environment, Climate Change
& Heritage
18 SEP 2009

Tell
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An Coimisiún Pleanála
64 Marlborough street
Dublin 1
D01 V902

25/08/2025

AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
27 AUG 2025	
Fee: €	0.
Time:	9.15 - Neg Post

Ballina Flood Relief Scheme
Case reference: CH16.323060

Address: Whitestream House, Behybaun, Ballina, County Mayo, F26 KW93

Dear sir/madam

As the owners and residents of the above property, We, Padraig and Adrenne Jones, wish to object to the Compulsory Acquisition of our Land as part of the Ballina Flood Relief Scheme. The property comprises an occupied two-storey residence, with mature stepped gardens, trees and outbuildings. The Tullyegan river channel is situated along the northern boundary of the property

The Local Authority is seeking permanent wayleaves (refs. T72-03) and temporary working areas (refs. T72-01 & T72-02) amounting to a total of 1,457sq.m of my residential property. This would have inexplicable impact on the enjoyment of this property by myself and my family, removing gardens, outbuildings, hindering privacy and generally destroying the suburban residential character of the area. The photomontages that has been submitted with the flood risk scheme failed to show the extensive clearance of trees from our property. Rationale for stepping the flood wall 17m south of the river channel into our occupied property, avoiding providing this in an unoccupied property to the north that is subject of the CPO, has not been provided.

Proposals that had been submitted with the flood risk assessment do not clearly set out the intention for the entire area of our property subject of the CPO notice. In short, we are unclear as to how our property would be treated, including landscaping, boundaries and services, and why our property is to be acquired.

From the outset we wish to flag that we are bemused that the Local Authority did not submit the application for the Flood Relief Scheme and the associated CPO simultaneously. The site notices erected for the CPO used the same locations and notice boards that had been used previously for the Flood Relief Scheme planning application, making it difficult for the general public to identify that the CPO had subsequently been lodged.

While we recognise the wider societal benefits in undertaking the associated flood risk scheme, the extent of ground required from our property is grossly excessive, particularly when considering the following:

- more convenient maintenance access to the river channel along the north of my property would be available from the properties to the north that are either vacant or undeveloped. These unoccupied properties, including their extensive rear hardstandings, also provide greater scope to be incorporated into the flood relief measures, with substantively less impacts on property owners;
- when considering the extent of the 4 hectare property containing a vacant house (Eircode F26 NTF6) to the north, which is to be used as a temporary works area and the permanent wayleave (refs. T73-01 and T73-02), the area of my property and residence being sought under the CPO appears grossly excessive and unnecessary and the Local Authority has not provided sufficient justification for seeking to acquire parts of my property, temporarily or permanently;
- the flood relief scheme does not explore the fact that other broader processes on this relatively small river subcatchment, such as rural land reclamation, ground infilling and agricultural drainage, as opposed to climate change, have primarily increased flooding in the area, and it is these measures that should be addressed in order to avoid the necessity to affect urban properties consisting of family homes by CPO;
- the extent of area required is excessive and exorbitant relative to the identified flood design levels, including freeboard, the existing flood prevention measures and the associated works intended as part of the flood relief scheme in this area, including a flood wall measuring 0.86m in depth along the northern boundary of my property – subsurface works are noted but these do not necessitate the permanent loss of property;
- other neighbouring lands with less efficient land uses, such as residual green areas along the river channel in Rehins Fort or agricultural lands west of the railway line, would provide alternative options to resolve the flood risks identified, however the Local Authority has not pursued these options in any reasonable manner. For example within Rehins Fort compensatory native woodland is only proposed, which is most likely intended to obstruct the potential to use this area as a temporary or permanent works area.

We object to the subject CPO as it represents a gross infringement of our property rights and we would appreciate the holding of an oral hearing to express these concerns further.

Sincerely

Padraig and Adrenne Jones

Adrenne Jones

Padraig Jones

