

South West Arterial Drainage Maintenance & Construction

Teach Theampall Mungairit, Mungairit, Co Luimnigh
Templemungret House, Mungret, Co Limerick, V94 EK07
T +353 61 227 139



OPW

Oifig na
nOibreacha Poiblí
Office of Public Works

An Coimisiún Pleanála
64 Marlborough Street,
Dublin1,
DO1 V902

Dear Sir/Madam

Please find attached an observation on Case Ref. PAX91.323448, Permission for windfarm located in the Townlands of Garrane, Ballynagoul, Greggane and Chareville, County Limerick.

Regards Dennis O'Keeffe
29/08/25

AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
11.2 SEP 2025	
Fee: €	_____ Type: _____
Time: <u>9:15</u>	By: <u>PSM</u>

**OPW**

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To: An Coimisiún Pleanála
64 Marlborough Street,
Dublin 1,
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O.P.W Ref No. 219-2024

Case Ref. PAX91.323448 Permission for windfarm located in the Townlands of Garrane, Ballynagoul, Greggane and Chareville, County Limerick

Dear Sir or Madam,

I refer to Case No. PAX91.323448

OPW Drainage Maintenance comments on this proposal are in relation to the Office of Public Works statutory duty to maintain Drainage Scheme's under the Arterial Drainage Act. Further submissions may be made by the OPW concerning the estate portfolio, heritage and other areas of responsibility.

The Windfarm site encapsulates the following channels - C1 Maigue, C1/34, C1/35, C1/35/1, C1/36, C1/36/1, C1/37 and C1/37/1 of the Maigue Scheme for which maintenance responsibility lies with this office. In order to gain access for the purpose of maintaining said channel and embankment, this office requests that the following be included as a condition of any Grant of Planning Permission at this location.

Conditions for maintenance

A 10 Metre wide strip of land running parallel to the main channels C1, Maigue, C1/34 and a 5 Metre wide strip of land running parallel to the channels C1/35, C1/35/1, C1/36, C1/36/1, C1/37 and C1/37/1, should be provided to facilitate access and maintenance activities by this office in the immediate area. This Area should be accessible to mechanical plant and should not be landscaped, paved or otherwise developed in a manner that would prevent access.

The Site of the proposed development, falls within the area deemed to benefit from drainage by Channel C1, C1/34, C1/35, C1/35/1, C1/36, C1/36/1, C1/37 and C1/37/1 of the Maigue Scheme and as a result is subject to an increased flood risk. The Maigue Scheme was originally constructed to a standard to protect agricultural land from flooding and as such does not confer the level of immunity usually associated with residential, commercial and Industrial developments. Please find attached a copy of a map excerpt, showing "Benefiting Land" shaded in green and C1, C1/34, C1/35, C1/35/1, C1/36, C1/36/1, C1/37 and C1/37/1 Maigue delineated in blue.

OPW therefore considers that the An Coimisiún Pleanála / applicant should satisfy themselves that due consideration is given to flood risk at this site, particularly in the context of climate change, through the development of a Flood Risk Assessment and management plan specific to this site.

Any alterations or modifications of drainage channels would require section 9 consent of the Arterial Drainage Amendment Act, 1995.

Obtaining Section 9 consent information on the process, including copies of the appropriate application form and brochure, are available on our website at

<https://www.gov.ie/en/publication/957aa7-consent-requirements-constructionalteration-of-watercourse-infrastru/>. Note Section 50 requirements for the bridges will apply.

The proposal identifies a number of new bridges and culverts. Any new culverts or bridges (or modifications to any existing culverts or bridges) that are required to cross watercourses as part of the development or that form part of any proposed or existing access roads to serve or access the development; you should be aware that these require consent from the Commissioners of Public Works. This is a requirement of Section 50 of the Arterial Drainage Act of 1945 as amended.

Obtaining Section 50 consent information on the process, including copies of the appropriate application form and brochure, are available on our website at

<https://www.gov.ie/en/publication/957aa7-consent-requirements-constructionalteration-of-watercourse-infrastru/>

Please note that, in the context of seeking consent under Section 50, the current required design standard for bridges or culverts is based on the flood flow with an annual exceedance probability (AEP) of 1% (often referred to as the 100 year flood), increased by 20% to cater for the effects of climate change. Bridges or culverts are required to be able to convey this design flood without significantly altering the hydraulic characteristics of the watercourse – further details on this issue are available in the brochure and can be clarified depending on the circumstances of any particular proposed bridge or culvert.

You should be aware that a grant of Planning Permission by a planning authority for a development which contains bridges or culverts does not confer section 50 consent or Section 9 consent on the applicant, nor does it absolve the applicant from the requirement to obtain such consent from the Commissioners.

Yours Faithfully,
Dennis O’Keeffe
29/08/2025