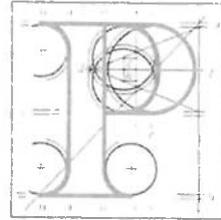


Our Case Number: ACP-323951-25



An
Coimisiún
Pleanála

Thomas (T.J) & Martina O'Neill
Gleann an tSagairt
Priests Valley
Graignamanagh
Kilkenny
R95 CX36

Date: 10 February 2026

Re: Kilkenny County Council Compulsory Purchase Order No. 07 of 2025 Graiguenamanagh-Tinnahinch Flood Relief Scheme
Co. Kilkenny

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 - (ii) all objections made are subsequently withdrawn, or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.

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.

Yours faithfully,

Lauren Griffin
Executive Officer
Direct Line: 01-8737263

CH02

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel
LoCall
Fax
Website
Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
communications@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Teil
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1800 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email communications@pleanala.ie

64 Sráid Maoibhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

6th February 2026

Dear Sir/Madam,

I refer to the recently lodged CPO case ACP-323950-25 and associated file ref ACP-323951-25. The proposed development is for a flood relief scheme for Graiguenamanagh, which involves the construction of a flood storage area on my farmland, extension of the natural flood extent of the River Duiske into my farmlands (where flooding does not occur at present) and CPO of a portion of my land. I would like to make an observation in relation to the planning application and an objection to the CPO application. This submission covers both applications.

I support the development of a flood relief scheme for Graiguenamanagh, which is much needed and welcomed given the history of significant flood events in the town, including the recent flooding (Jan/Feb 2026). I note the extensive assessments accompanying the planning application. While I support a solution to the flooding of the town, I want to ensure that the scheme as presented is the best option and that all options have been robustly considered. To this end, I have a number of queries in relation to the proposal for a flood storage area on my lands, specifically the rationale for choosing this land for flood storage over another site, and also concerns in relation to how it will affect the quality of my land and the operation of my farm.

I would highlight that while the Council has undertaken public consultation in relation to the scheme, information was relayed to me very late in the day, in a cursory manner, and overall the Council did not seem to not take my concerns seriously, specifically in relation to the necessity and proportionality of land take, explanation of worst case scenarios, and assurances in relation to the effectiveness of the proposal. While I support the principle of the scheme overall and appreciate there are a number of property owners affected, this is the only flood storage area proposed and I consider the issues I raise in relation to this CPO/planning application and its impacts are all valid ones which the Council should be asked to address and the Commission should consider further in its assessment. I set out hereunder my concerns.

EIA Directive - Consideration of alternatives

No alternatives for the location of the flood storage area have been presented. While I understand the options for the overall scheme are presented in the EIAR accompanying the planning application, considerations in relation to why my land over other land has been selected have not been set out either in the CPO or in the planning application documentation. It is not clear to me, therefore, that the proposed CPO of my farmland is required and that all other alternatives east/west of me have been fully explored.

Given the impact of the proposal on the operation of my farm and given the proximity of the proposed flood storage area to my family home, I consider that a more detailed examination of alternatives to my farmland is warranted.

I further note the extent on the SAC at this location would be significant and this in itself is of concern in terms of impacts relating to the Habitats Directive. No alternatives to impacting the SAC have been set out in the documentation.

Extent of Land Take and Operation of Farm

The proposed CPO is for 0.5971 ha but the proposed development impacts 3.23749 ha. The impact is not only where the flood storage area is being constructed, but on the adjoining lands which will now be flooded in a storm event. My lands do not at present flood. I attach in appendix 2, photos of the lands in question after the recent flood event (Jan/Feb 2026) – none of my lands are currently flooded.

The CPO lands and adjacent fields are used for grazing and meadowing for our winter fodder. It is vital with current nitrates and derogations that every bit of land we have is used. The reduction in our effective farm land will affect our stocking numbers now and into the future, as we cannot in accordance with regulations have the same number of stock with less land. This will result in a reduction of our dairy herd.

With flooding, it is also important to note that natural nutrients in the soil will also be washed into the river, therefore the land will not be as productive as it should be. I am also concerned that the way my land drains will be affected by the new flood storage construction.

Furthermore, I note the temporary land take area, once handed back, is in effect defunct given accessibility issues and impracticality of grazing/utilising this now narrow area in any functional manner. This will have an adverse impact on the operation of my farm and on my farm income.

Development Potential of Farm

As explained above, there is an impact not only relating to the area of land lost through CPO, but in my ability to operate and grow my farm, specifically in relation to maintaining and in the future growing of dairy herd numbers. We have four sons who are actively interested in farming and we are concerned that the construction of this flood storage area and this CPO will adversely affect their income now and into the future. This must be taken into account.

In addition, I am unclear in relation to what development restrictions will apply as a result of this flood storage area on the wider farm lands, which will need to be kept clear because of the predicted flood extent.

Can Kilkenny County Council confirm where development limitations/concerns would arise from them should I, for example, wish to apply for planning permission to develop additional farm sheds, or a potential rural dwelling for one of my sons? Will they in the future raise any concerns should I wish to develop the lands outside of, but proximate to, the 1% AEP predicted flood extent?

ESB Poles

The plans show the diversion of existing ESB poles to an indicative location in the middle of my adjoining fields. This will have a knock-on impact on my how I use my land, accessibility between fields and, depending on the time of year it is implemented, it will affect my farm income.

Devaluation of Property

The two dwellings on my farm and my farm yard/machinery are between 249m-286m from the proposed flood storage area. Both my farm yard area and private dwellings will be devalued given the proximity to this proposed flood storage area.

The extent of the predicted flood extent will undoubtedly devalue the farmland and result in insurance issues.

Maintenance of Embankment & Visual Amenity

The embankment to the storage area is significant in scale. I am not clear on who is responsible for the maintenance of the bank or if the bank is to be fenced off from my farm. Furthermore, the proposed embankment to support the new storage area is significant, being over 7m high. This will affect the visual amenity of this riverbank area.

Construction methods & Indemnification

I believe from a discussion with KCC, that the proposed storage structure is the first of its kind to be built in Ireland at this scale. I am concerned that although standard construction measures are to be applied, there is room for error to occur/issues to arise during construction, particularly as this is a new type of flood relief structure. Should issues arise, KCC has indicated they will in no way address or seek to help resolve any unforeseen effects caused by the flood relief scheme on my lands, which is concerning. This scheme could potentially affect the wider operation of my entire farm at this location.

I am concerned there are no details in relation to how I, as a property owner, will be indemnified against any claims arising from the works or any issue that arises on the land subject of the CPO.

Impact on SAC

The lack of a robust post construction monitoring regime and adaptive approach to any problems that arise post construction, as discussed above, could have serious potential consequences not only on my farm, but in terms of the SAC and compliance with the Habitats Directive. I query the robustness of the NIS. It is not clear that habitats will be protected. I believe the proposal is contrary to development plan policy in relation to protection of habitats and contrary to the EU Habitats Directive.

Timing of Works

If the CPO and development does proceed on my lands, the date of the proposed works and phasing schedule is important to know in terms of farm operations. Depending on the time of year works are undertaken, it could significantly impact on farm operations and income. Is it proposed to use the access lane that I use for the farm? It is not clear how I am to plan ahead for farming works and what consultation will be undertaken with me about the work programme. It is not clear that the Council will meaningfully liaise with me to agree access, scheduling of works against my farming schedule, etc.

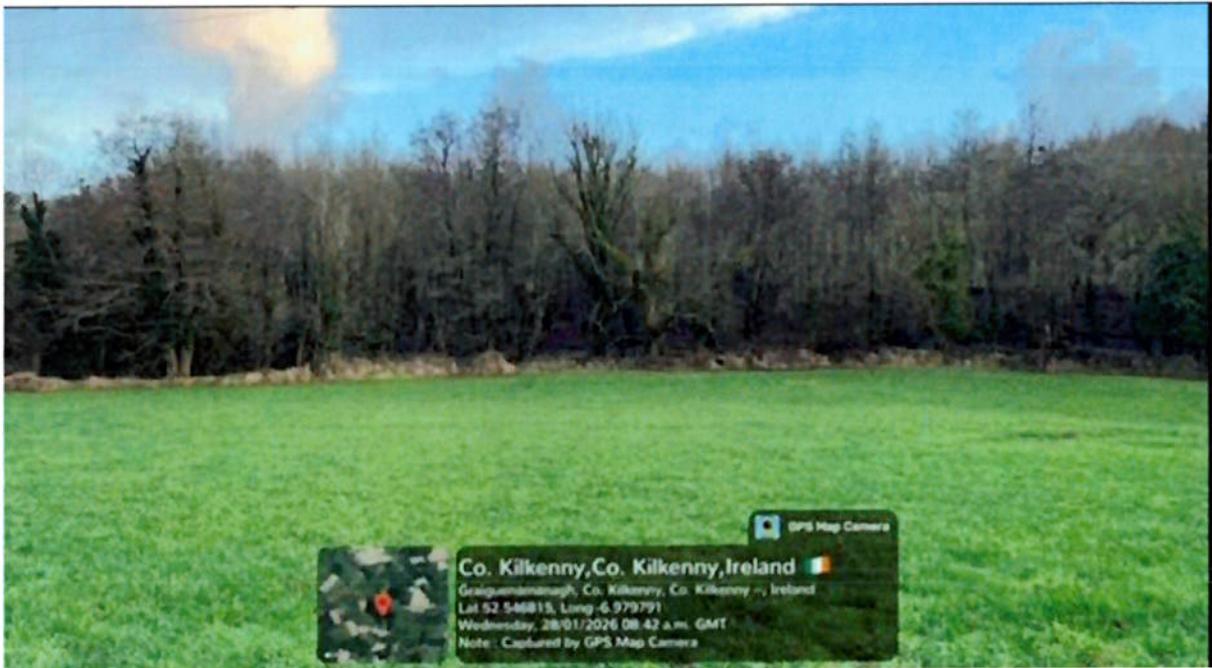
Yours sincerely,

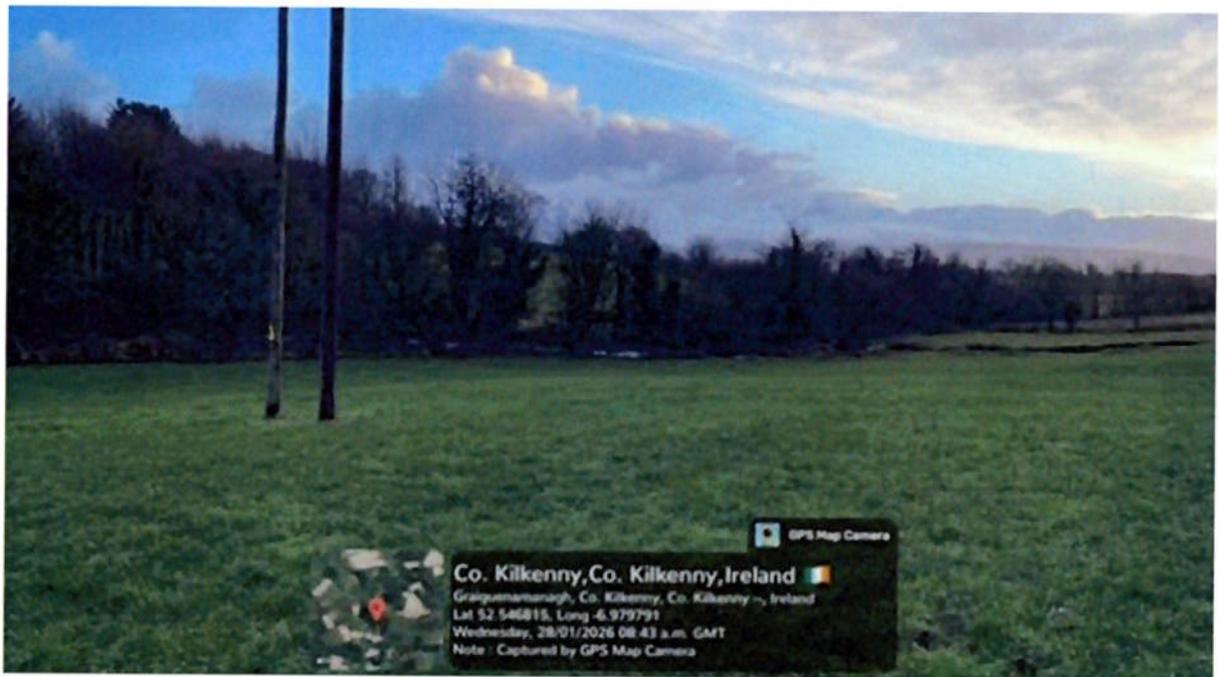
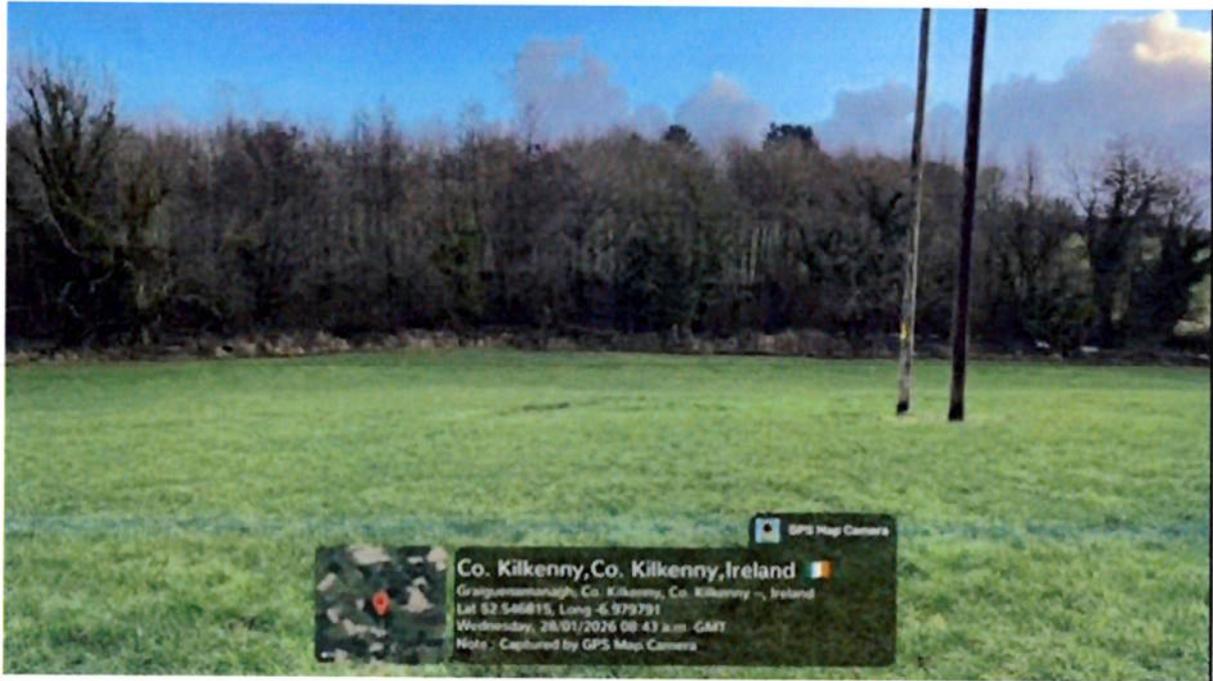
Thomas (T.J.) O'Neill & Martina O'Neill,
"Gleann an tSagairt",
Priests Valley,
Graignamanagh,
Co. Kilkenny.
R95 CX36

Appendix 1 – Farmlands affected



Appendix 2 – Images of lands subject of CPO and adjoining lands which were unaffected by recent flood events (Jan/Feb 2026) [last image – comparison with predicted flood extent as a result of flood relief scheme]









GPS Map Camera

Co. Kilkenny, Co. Kilkenny, Ireland 🇮🇪

Graiguenamanagh, Co. Kilkenny, Co. Kilkenny --, Ireland

Lat 52.546716, Long -6.979877

Wednesday, 28/01/2026 08:43 a.m. GMT

Note: Captured by GPS Map Camera

Lands now proposed to be affected by floods, as per photomontage from planning application

