

Richard McKenna

Our Case Number: ACP-323980-25



**An
Coimisiún
Pleanála**

Hughes Planning & Development Consultants
85 Merrion Square
Dublin 2
D02 FX60

Date: 04 August 2026

Re: Proposed Water Supply Project for the Eastern and Midlands Region
in the counties of Clare, Limerick, Tipperary, Offaly, Kildare, and Dublin.

Dear Sir / Madam,

An Coimisiún Pleanála has received your submission in relation to the above-mentioned proposed development and will take it into consideration in its determination of the matter.

The Commission will revert to you in due course in respect of this matter.

Please be advised that a copy of all submissions/observations received in relation to the application will be made available for inspection on the Commission's website at the following link:
<https://www.pleanala.ie/en-ie/case/323980>.

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

Yours faithfully,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

PA09

Teil
Glao Áitiúil
Láithreán Gréasáin
Riomphost

Tel
LoCall
Website
Email

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

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

Eimear Reilly

From: LAPS
Sent: Tuesday 21 July 2026 09:07
To: Eimear Reilly
Subject: FW: ACP-323982-25_Uisce Eireann Compulsory Purchase Order 2025
Attachments: Appendix B - Uisce Eireann Compulsory Purchase Order 2025_Notification of Clerical Error + Revised Submission Deadline_ACP_26.06.2026 (2).pdf; Appendix A - Uisce Eireann Compulsory Purchase Order 2025_Invitation to Make Submission_ACP_24.06.2026.pdf; Final Response to ACP Letter_Commons Upper, Co. Kildare_20.07.26.pdf

From: Rory Phillips <rory.phillips@hpdc.ie>
Sent: Monday 20 July 2026 12:27
To: LAPS <laps@pleanala.ie>; Appeals2 <appeals@pleanala.ie>
Cc: Bord <bord@pleanala.ie>
Subject: ACP-323982-25_Uisce Eireann Compulsory Purchase Order 2025

You don't often get email from rory.phillips@hpdc.ie. [Learn why this is important](#)

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

To whom it may concern,

I hope you are well.

We received a letter (attached) from An Coimisiún Pleanála dated 24th June 2026 inviting our client to make a submission to An Coimisiún Pleanála in response to the Uisce Eireann letter dated 5th May 2026 (Appendix A).

We note the revised letter received from An Coimisiún Pleanála dated 26th June 2026 (Appendix B) noting the final date to respond to be **21st July 2026**.

Please find attached the response letter submitted on behalf of our client Richard McKenna.

Should you require any further information please do not hesitate to contact me.

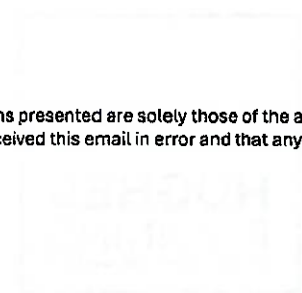
Kind regards,

Rory Phillips
Senior Executive Planner

Hughes Planning & Development Consultants
No. 85 Merrion Square,
Dublin 2
D02 FX60

T 00 353 (0)1 539 0710
E rory.phillips@hpdc.ie
W www.hpdc.ie

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An Coimisiún Pleanála,
64 Marlborough Street,
Rotunda, Dublin 1

Richard McKenna
5 Inglewood Park,
Celbridge, Co. Kildare
W23 X218

20th July 2026

Re: Response to Letter from Uisce Eireann relating to the Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order 2025

1.0 Introduction

Hughes Planning and Development Consultants, 85 Merrion Square, Dublin 2 have been appointed by our client, Richard McKenna of 5 Inglewood Park, Celbridge, Co. Kildare, W23 X218 to prepare this submission in response to the letter received in respect of the Uisce Eireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order 2025 under ACP. Ref. 323982-25.

This submission has been made in response to An Coimisiún Pleanála's letter, dated 24th June 2026 and dated 26th June 2026 (see Appendix A and B), in which the Commission invited our client to respond to the Uisce Eireann response letter dated 5th May 2026. We welcome the opportunity to provide a response to the aforementioned submission and wish to thank An Coimisiún Pleanála for this invitation.

This response has been prepared to reaffirm our clients' concerns about the CPO and the impacts to the development potential of the site as a result while responding to the letter received from Uisce Eireann.

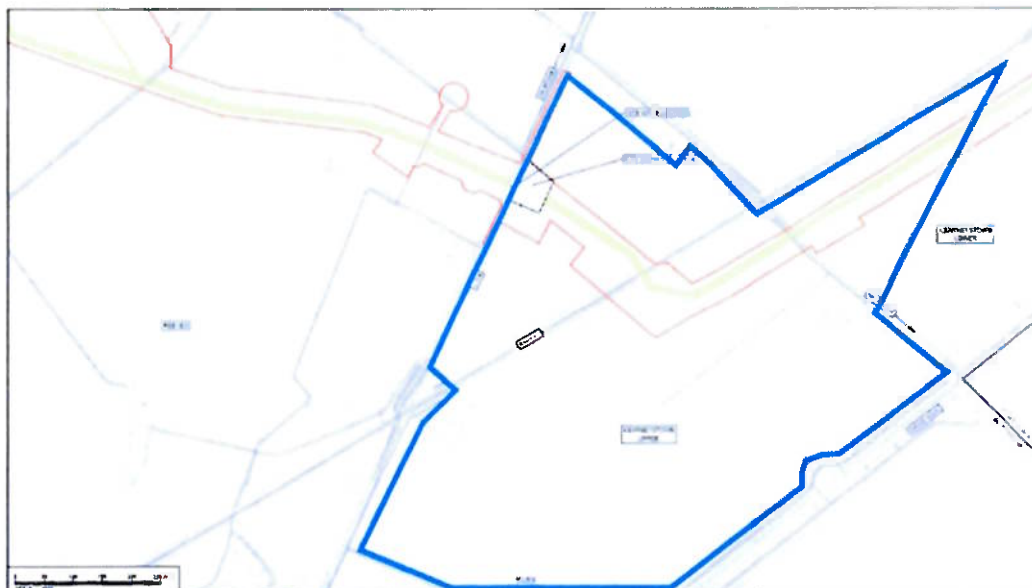


Figure 1.0 Extract of the Uisce Eireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order 2025 Site Location Map with the subject site outlined in blue.



Figure 2.0

In relation to Figure 2.0, we note that the lands being permanently acquired on site are shown with a grey annotation and labelled as 'Plot No. ACQ13.2093'. The lands being temporarily acquired for working areas are shown using a green annotation and are labelled as 'Plot No. ACQ13.2092', 'Plot No. WL412.2094', 'Plot No. WL412.2096', 'Plot No. WL412.2100', 'Plot No. WL412.2102', 'Plot No. WL412.2109', 'Plot No. WL412.2111'.

In addition, the scheme intends to acquire a permanent wayleave within our clients' lands, shown using a yellow annotation labelled and are labelled as 'Plot No. WL412.2095', 'Plot No. WL412.2101', and 'Plot No. WL412.2110'.

2.0 Site Description

The site to which this submission pertains is located to the east of the L2008 and is bisected by the railway line which connects Sallins/Naas and Hazelhatch and Celbridge.

The subject site is located c. 3.86km east of Straffan and c. 3.41km south of Celbridge and extends to approximately 150 acres and is occupied by old farm buildings to the northeast corner of the site. Access to the subject lands is via three vehicular entrances, one located to the west of the lands along the L2008, and two located to the northeast of the lands.



Figure 3.0 Street-view image of a vehicular entrance to the subject lands displaying lands subject to permanent acquisition.



Figure 4.0 Street-view image of two vehicular entrances to the subject lands.



Figure 5.0 Aerial image illustrating the immediate locational context of the subject site (red outline).

3.0 Summary of Grounds of Observation

Our clients have a number of concerns regarding various elements of the proposed development. The following is a summary of the grounds of objection which our clients wish to raise against the proposed development, these items are set out in more detail within the initial observation against the CPO.

- Their continued ability to conacre the subject lands. Conacre is a short-term agricultural land letting which allows a farmer or farmers to sow and harvest crops or graze livestock on another's land without creating a formal tenancy. It is an informal, often times verbal arrangement used for tillage or grazing.
- The permanent land acquisition on the western boundary of the subject lands. In addition to the proposed loss of our clients' lands, the existing site entrance from the L2008 will be lost to the acquisition. This will substantially impact our clients' access to their lands as this is the only existing entrance from the L2008, which was granted under Reg. Ref. 081183 on 15th December 2008.
- The sterilisation of a large portion of our clients' lands, both temporary and permanent. It is considered that once works commence on this project, a large portion of our clients' lands will not be usable in the short to medium term, due to the works taking place as well as the permanent wayleave proposed through our clients' lands.
- The sterilisation of prominent areas of our clients' lands causing any future residential development no longer feasible. It is considered that once works commence on this project, some prominent locations of our clients' lands, will not be usable, due to the works taking place as well as the permanent wayleave proposed through our clients' lands.
- Given the extent of land being acquired for the CPO proposed within our clients' lands, our client is concerned that the proposed works and associated wayleaves will affect the development potential of the existing stone buildings and associated yard fronting onto Lyons Road.
- Given the extent of land being acquired within our clients' lands, it is considered that the lands will be greatly impacted in terms of economic value. Whilst the reasoning for the proposed development is understood, it is contended that our client's landholding will decrease in value significantly should this subject proposal be granted in its current design due to the loss of land and permanent wayleave being created through the lands.
- Given the extent of lands for the proposed Water Supply Project Eastern and Midlands Region, it is considered that significant environmental impacts will occur, particularly during the construction phase of the development. Our client has serious concerns for related to the above likely significant residual environmental effects due to the location of the Flow Control Valve located within the lands under the ownership of our client.

4.0 Direct Response to Uisce Eireann Letter

Upon review of the letter received from Uisce Eireann dated 5th May 2026 in relation to the CPO concerning lands owned by our client, our client still has significant concerns that the proposed scheme could severely impact the accessibility, current usage and future development of the lands in question. It poses a considerable risk to the land's future development capability. Should the planned Water Supply Project Eastern and Midlands Region advance in its current form, as submitted under ACP Ref. PA92.323980, the existing operation and future development potential of the subject lands will likely experience severe financial setbacks.

The client expresses a willingness to liaise with the Uisce Eireann to ensure protection of the subject lands. If permitted in its current form it is deemed fair for appropriate additional compensation to be extended to our client, to which our client is willing to agree with the Property Arbitrator.

It is noted within the letter received from Uisce Eireann dated 5th May 2026 that the construction phase (including testing and commissioning) of the development is anticipated to last five years, however this timeline could be extended further pending any potential unforeseen setbacks. More specifically to our clients' lands, particularly the area being permanently acquired, the indicative programme for construction of the Flow Control Valve (FCV) would be 2 years and 10 months.

In response to the above timelines, one of our clients' key concerns is their continued ability to conacre the subject lands. Conacre is a short-term agricultural land letting which allows a farmer or farmers to sow and harvest crops or graze livestock on another's land without creating a formal tenancy. It is an informal, often times verbal arrangement used for tillage or grazing.

Uisce Eireann note that *'the overall assessment on the agricultural holding, taking account of the proposed mitigation, was that the effects on the holding would be Not Significant during construction and Slight in the operational phase of the Proposed Project'*. We strongly disagree with this assertion and contend that during both the construction and operational phase of the proposed project, the impacts on our client's landholding will be significant and therefore an appropriate level of compensation should be agreed with our client.

It is considered that both in the short and long term, our clients will be significantly affected by the proposed works and wayleaves associated with the proposed pipeline. Our clients' lands will be significantly reduced in terms of suitable arable lands that could be conacred to local farmers, providing income to our clients. It is considered that three fields will be completely inoperable once works have commenced on site and we respectfully request that this be taken into consideration when reassessing the compensation for our clients.

5.0 Conclusion

Upon evaluation of the letter received from Uisce Eireann in relation to the CPO concerning lands owned by our client, our client still has significant concerns that the proposed scheme could severely impact the accessibility, current usage and future development of the lands in question. It poses a considerable risk to the land's future development capability. Uisce Eireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order 2025 has the potential to significantly impact the lands in question, marking it as an unsatisfactory option that needs immediate attention.

Should the planned Water Supply Project Eastern and Midlands Region advance in its current form, as submitted under ACP Ref. PA92.323980, the existing operation and future development potential of the subject lands will likely experience severe financial setbacks.

The client expresses a willingness to liaise with the Uisce Eireann to ensure protection of the subject lands. If permitted in its current form it is deemed fair for appropriate additional compensation to be extended to our client, to which our client is willing to agree with the Property Arbitrator.

We trust that An Coimisiún Pleanála will have regard to the contents of this submission in relation to the wider public consultation process on the Uisce Eireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order 2025.

Yours Sincerely,



Kevin Hughes MIPI MRTPI
for HPDC Ltd.

Appendix A

Letter received from An Coimisiún Pleanála dated 24th June 2026 inviting the applicants to submit a response to the Uisce Eireann response letter dated 5th May 2026.

Appendix B

Letter received from An Coimisiún Pleanála dated 26th June 2026 amending a clerical error relating to the final date to respond to the Uisce Eireann response letter dated 5th May 2026.

Our Case Number: ACP-323982-25

Your Reference: Richard McKenna



Hughes Planning & Development Consultants
85 Merrion Square South
Dublin 2
D02 FX60

Date: 24 June 2026

Re: Uisce Éireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order, 2025
in Counties Tipperary, Offaly, Kildare, and Dublin

Dear Sir / Madam,

I refer to the above-mentioned case.

The Commission is of the opinion that in the particular circumstances of this case it is appropriate to request you to make submissions or observations in relation to the attached response to submission received by Uisce Éireann dated the 5th May 2026. You are also invited to make any further submissions or observations you may have in relation to the Compulsory Purchase Order at this time.

Please be advised that 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. The Commission will inform you of its decision on this matter in due course.

Accordingly, you are requested to make, any submissions or observations that you may have in relation to this enclosure. Any submission in response to this letter should be received by the Commission on or before the 21st day of August 2026.

If you have any queries in relation to the matter 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.

Tell	Tel	(01) 858 8100
Glao Áitiúil	LoCall	1800 275 175
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	communications@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Yours faithfully,



Eimear Reilly
Executive Officer
Direct Line: 01-8737184

JA12

Tel
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

5 May 2026
Your Ref: ACP-323982-25

Ms. Eimear Reilly
Executive Officer
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Uisce Éireann
Bosca OP 900
Webworks
Sráid Eglinton
Corcaigh
T12 YHR3
Éire

Uisce Éireann
PO Box 900
Webworks
Eglinton Street
Cork
T12 YHR3
Ireland

T: +353 21 421 8200
www.water.ie

RE: Uisce Éireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order, 2025
Wayleave Number: IW/10001814/ACQ/013 & IW/10001814/WL/412
Plot Numbers: ACQ13.2093, ACQ13.2092, WL412.2094, WL412.2095, WL412.2096, WL412.2100, WL412.2101, WL412.2102, WL412.2109, WL412.2110, WL412.2111
Landowner Name: Richard McKenna

Dear Ms. Reilly,

We refer to the above application for the Uisce Éireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order, 2025 and to your letter of 9th April 2026.

As invited, we now respond to the objection received by An Coimisiún Pleanála (ACP) from Hughes Planning & Development Consultants dated 25th February 2026 on behalf of Richard McKenna.

By way of general comment on the objections to the confirmation of the Compulsory Purchase Order (CPO) which have been received by ACP, Uisce Éireann disputes that the objection sets out legally valid grounds of objection to the proposed CPO. It is Uisce Éireann's position that the issues raised in the objection relate to matters which can be dealt with by the Property Arbitrator and accordingly are not matters for consideration at an Oral Hearing. However, Uisce Éireann is concerned to take a practical approach and to proactively reassure landowners in their concerns where possible and accordingly, and without prejudice to the validity of the grounds of objection, refers to its Planning / Environmental Impact Assessment Report (EIAR) responses and replies as follows

Brief Description of the Water Supply Project Eastern and Midlands Region as it related to the compulsory purchase of these lands

The Water Supply Project Eastern and Midlands Region ("the Proposed Pipeline"), as it relates to the compulsory purchase of this landowner's lands, will consist of the following

- The permanent acquisition of 0.454 hectares of lands and associated 0.218 hectares wide temporary working area in the townland of Commons Uppers and County of Kildare along with the permanent acquisition of a 845 metre long, 20 metre wide permanent wayleave and associated 30 metre wide temporary working area increased at specific locations to facilitate trenchless techniques, in the townlands of Commons Upper, Kearneystown Upper and Kearneystown Lower and County of Kildare affecting the lands comprised in Folio KE9095 registered to the landowner.

For the assistance of ACP in understanding the objection and this response thereto, we attach drawing "Strip Map –CACQ/013" showing the pipeline route, permanent acquisition, permanent wayleave and temporary working areas as they affect this landowners' lands and the title boundaries (as understood by Uisce Éireann).

Uisce Éireann notes the objector's summary that the Proposed Project affects the subject lands by way of

- (i) temporary land take for temporary working areas,
- (ii) a permanent wayleave through the lands for the Treated Water Pipeline, and
- (iii) permanent acquisition of lands to facilitate a Flow Control Valve (FCV) infrastructure site.

The Flow Control Valve Site: Function and Necessity

With regards to the need for the FCV Uisce Éireann submits that it forms an essential component of the overall treated water supply system as it would be used to control the flows in the pipeline, water level at the Break Pressure Tank (BPT) and the volume of water arriving at the Termination Point Reservoir (TPR) (see Section 7.6 and Section 9.1 in the CPO Engineers Report and Section 4.11 in Chapter 4 (Proposed Project Description) in the EIAR.

It is defined as a small permanent Infrastructure Site and is described, in the Proposed Project documentation, included in the CPO and SID applications, as being located in the townland of Commons Upper, County Kildare, controlling flows in the Treated Water Pipeline between the BPT and the TPR, with access directly off the L1016 Commons Road Upper on a permanent site of approximately 0.5ha (with an additional temporary construction requirement).

Duration of Temporary Works and Programme

The need for the land on a permanent basis and its extent, is defined by the infrastructure that is required as summarised in Table 7.6 in the CPO Engineers Report and shown in the Planning Application drawings (including for example, Flow Control Valve Proposed Site Layout Plan (DRG No. 32105801-850-05003).

The CPO application and SID Planning Application documentation, specifically Chapter 5 (Construction and Commissioning) in the EIAR and the CPO Routing Report describe that the Construction Phase (including testing and commissioning) is anticipated to last five years. These documents also define a typical construction working area and its purpose, and that it is presented as a temporary construction requirement to enable safe construction, including the installation of the pipeline and the subsequent reinstatement of the land.

The CPO Engineers Report (in Section 9.2) and Chapter 5 (Construction and Commissioning) (Section 5.9), of the EIAR, describe the Construction Working Width that is required to construct the pipeline. This is typically 50 m, with localised widening where required. The justification for the 50m corridor is set out in those same sections of those reports and is supported by Image 5.4 in Chapter 5 (Construction and Commissioning). In addition, the same chapter of the EIAR provides details of the

Proposed Project's construction methodology, context (including how construction compounds/working areas are used as part of delivery), the corridor/working requirements and the construction basis for the Proposed Project.

The CPO Engineers Report and Chapter 5 (Construction and Commissioning) also identify, in the sections referred to above, the reasons for increasing the 50m Construction Working Width (e.g., at crossings, access/egress points, construction compounds and pipe storage depots), reflecting that the working area is not arbitrary but is a route-wide requirement that varies only where necessary for constructability and safety.

Indicative durations for activities have been included in the EIAR in Chapter 5 (Construction and Commissioning) including an overarching programme in Image 5.1 and specific information on the laying of the pipeline in Images 5.56, 5.57 and 5.58. Image 5.41 provides the indicative programme for construction of the FCV which would be 2 years 10 months, as set out in Section 5.21.1 of Chapter 5 (Construction and Commissioning) of the EIAR.

The CPO Engineers Report provides programme assumptions for temporary land occupation and confirms that temporary working areas are controlled through programme management and possession arrangements, with the objective of limiting the period of land being out of agricultural use and requiring full decommissioning and reinstatement on completion of the relevant construction activities. In parallel, the EIAR agricultural impact assessment in Chapter 11 (Agriculture) recognises typical construction phase durations at holding level (commonly 18–24 months) and frames impacts such as temporary severance, reduction in land available for farming, and disturbance to soil/drainage as construction phase effects requiring mitigation.

Alleged Uncertainty as to Duration of Temporary Works

Uisce Éireann notes the objector's concern that the duration of temporary works has not been identified with sufficient certainty. Chapter 5 – Construction and Commissioning of the EIAR explains that construction is delivered through a structured programme and phasing approach and that the construction working width and temporary working areas are required only to facilitate construction activities and reinstatement, with the measures to reduce construction impacts set out in the environmental management framework for construction and commissioning.

Response to Alleged Impacts on the Subject Lands

Uisce Éireann notes the objector's contention that the proposed acquisitions and wayleave arrangements will materially affect operational capacity and future potential of the lands, including access and land use impacts.

Uisce Éireann submits that the EIAR addresses these issues through

- (i) the alternatives and design narrative and
- (ii) topic-specific assessment and mitigation frameworks.

Consideration of Alternatives and Site Selection

The need for the FCV is set out above, however, in relation to the identification of this site as the FCV the process for the evaluation of alternative sites for the FCV is described in the CPO Routing Report and Chapter 3 (Consideration of Reasonable Alternatives) in the EIAR. In relation to the FCV specifically (as the permanent infrastructure site on/adjacent to the subject lands), the same reports identify that multiple FCV location options were considered within the defined hydraulic envelope, including identifying six potential road crossings and ten sub-options (both sides of certain roads), as set out in Image 3.14 of Chapter 3 (Consideration of Reasonable Alternatives). A comparative

assessment was undertaken using criteria including hydraulics, engineering/access, environment and power availability. Chapter 3 (Consideration of Reasonable Alternatives) of the EIAR records that Location 48 was rated "green" in all categories and selected as the preferred FCV site on the basis that it had good road access and was close to the optimal hydraulic location.

Insofar as the location of the FCV is linked to the routing of the pipeline the same reports (the CPO Routing Report and Chapter 3 (Consideration of Reasonable Alternatives) in the EIAR) describes in detail the rationale and methodology used to identify and refine the proposed pipeline alignment. The route was developed through a structured five-step route selection process, commencing with the identification of unconstrained "white space" at a regional scale and progressing through increasingly refined corridor options, culminating in the identification of an indicative 50-metre-wide pipeline corridor capable of accommodating construction and long-term operation.

The proposed route was assessed against a comprehensive range of environmental, engineering and physical constraints, including, but not limited to, designated ecological sites, peatlands, watercourses, topography, ground conditions and existing infrastructure. The preferred route was further refined following extensive non-statutory consultation (on previous iterations of the Proposed Project¹) and, critically, prolonged direct engagement with affected landowners following publication of the Final Options Appraisal Report (FOAR). This process has continued between 2018 and 2025 with on-going engagement with landowners and re-routes proposed by landowners throughout this period.

With regards to the impact on the land the Proposed Project has been fully assessed and reported in the EIAR that formed part of the CPO application and SID Planning Application, and as part of this process it sets out the measures to manage and mitigate these risks.

Assessment of impact on Agriculture and Residual Effects

The potential impact on the agricultural holding was assessed in the EIAR and reported in Chapter 11 (Agriculture). The relevant land was identified as Parcel Ref No. KE066 and the impact assessment was recorded in Appendix A11.3 (Table of Impact Assessment – Infrastructure Sites). This Appendix outlines the Level of Overall Impact Pre Mitigation, the Mitigation Relating to Disturbance of Farming Activities and the Level of Residual Impact on the Agricultural Holding for the lands in question, WL/412 – 'Parcel Ref No KE066' – Page 12.

In addressing the consequences of permanent land loss, Uisce Éireann notes that the assessment reported in the EIAR in Chapter 11 (Agriculture) expressly provides that compensation will be provided to landowners and occupiers to address both temporary and permanent impacts on agricultural holdings, including loss of land, reduced access or interference with agricultural infrastructure and operations. Consequently, although the assessment reported in Appendix A11.3 recognised that some of the holding would be permanently lost this would be compensated for. For avoidance of doubt, the additional temporary loss was also considered within the assessment of the temporary effects.

¹ The CPO application distinguished between different stages of the development of the project by adopting the following terminology: 'Previous iterations of the project' refers to the In-Flight Water Supply Project developed prior to the adoption of the National Water Resources Plan including the Eastern and Midlands Plan. The 'Proposed Project' refers to the project that planning permission is being sought for and that has taken account of the conclusions of the National Water Resources Plan including Eastern and Midlands Plan.

As a result, the overall assessment on the agricultural holding, taking account of the proposed mitigation, was that the effects on the holding would be Not Significant during construction and Slight in the operational phase of the Proposed Project.

The Proposed Project commitments provide that landowner specific requirements (including access arrangements, drainage, fencing, crossing points and biosecurity measures) are addressed through liaison and pre-entry arrangements, and that temporary lands will be fully decommissioned and reinstated following completion of the relevant construction activities (including commissioning activities).

Uisce Éireann notes that the objection as to the asserted reduction in enterprise capacity and the financial consequences of permanent land loss are matters that fall within the established statutory compensation framework following confirmation/activation of the CPO.

Uisce Éireann further notes that the compensation code is expressly intended to apply the principle of equivalence, i.e. to place the affected party, so far as money can do so, in the same financial position as if the acquisition had not occurred, and to compensate not only market value (where applicable) but also the relevant ancillary heads of financial loss recognised under the current rules governing compulsory acquisition compensation.

Alleged Impact on Agricultural Use and Letting

Uisce Éireann notes the concern regarding continued ability to let the subject lands (including conacre) and the assertion that temporary and permanent works will reduce land available and cause income loss. Information regarding duration has been provided above.

The EIAR sets out the framework for managing construction is implemented through the Construction Environmental Management Plan (CEMP) (Appendix A5.1 in Chapter 5 (Construction and Commissioning of the EIAR), which sets minimum requirements for mitigation, monitoring and reinstatement and provides the basis for contractor method statements and package-specific CEMPs consistent with the measures submitted with the application).

In particular, the CEMP establishes a controlled process for how temporary construction surfaces and compound areas will be managed and then removed, with the Contractor required to develop section-specific CEMPs and detailed method statements that comply, as a minimum, with the measures submitted with the application. The CEMP may have minimal changes post consent and prior to commencement (including incorporation of any consent conditions), any minor/minimal updates will not reduce the level of environmental protection or mitigation set out in the submitted CEMP and the management plans within it.

In addition, the CEMP in Appendix A5.1 includes a Soil Management Plan and a Construction Waste and By product Management Plan have been prepared to ensure soil handling, temporary surfacing, and subsequent reinstatement are carried out to a high standard, in a structured and auditable manner and that reseeded is undertaken promptly to reduce the duration that soils are left exposed.

Uisce Éireann also notes that the planning documentation provides for pre-entry agreements to document landowner-specific requirements (including drainage, fencing, crossing points and operational needs), and for ongoing engagement through Landowner Liaison Officers through construction, reinstatement and handover.

The Proposed Project Landowner Handbook was provided by Uisce Éireann to all impacted landowners on the Proposed Project outlining this approach in July 2025

Link:- <https://www.water.ie/sites/default/files/2025-08/Landowners-Handbook-June-2025-2-compressed.pdf>

This Landowner Handbook is available to provide landowners with specific information including an overview of the Proposed Project, as well as detailed information on construction and post construction phases.

Uisce Éireann has appointed Landowner Liaison Officers ('LLOs') who will remain in place throughout the construction, reinstatement and handover phases to address queries that landowners and stakeholders may have. The LLOs will serve as a facilitator between the construction contractor and the landowner. Resources and supervision will be such as to ensure best practice, particularly during the reinstatement phase. Any issues identified during or after reinstatement will be addressed in consultation with the landowner.

Where the objector asserts quantifiable loss of letting income arising from temporary occupation or permanent restrictions, Uisce Éireann notes (without prejudice) that these are matters that fall within the established statutory compensation framework, which is expressly intended to apply the equivalence principle and to compensate not only market value (where applicable) but also ancillary financial as set out in the current legislative rules governing CPO compensation.

Alleged Loss of Access

The objector contends that the Proposed Project will result in the loss of an existing entrance to the lands from the L2008 and that that permanent acquisition and/or wayleave provisions will compromise access to the lands, including existing entrance arrangements

Uisce Éireann has acknowledged that the current access point to this land(s) is affected within the design of this infrastructure site. An alternative new access point has been provided to the landowner to accommodate and ensure that an access point from the L2008 is retained during construction and in the operational phase. This is shown in the Planning drawing Flow Control Valve Proposed Site Layout. DWG No. 32105801-850-05003 and is referred to in the CPO Engineering Report (Section 7.6) and Chapter 4 (Proposed Project Description (Section - 4.11.11.3 Third Party Access))

With regards to construction access Uisce Éireann submits that Chapter 5 (Construction and Commissioning) in the EIA, describes how construction access and egress are managed as part of the construction methodology and that construction effects are to be controlled through environmental management arrangements for construction and commissioning.

The Traffic Management Plan in Appendix A7.1 to Chapter 7 (Traffic and Transport) provides commitments on how access will be managed during the construction phase. This includes measures to coordinate delivery and construction traffic, control vehicle movements, and ensure safe ingress and egress for construction vehicles.

The dedicated LLO will engage directly with the affected landowner in advance of works to confirm access locations, timing of access use and any temporary adjustments required during construction, ensuring that day-to-day farming operations are accommodated where practicable. This will include agreement on maintaining existing farm and field access.

Without prejudice, where a landowner asserts that permanent acquisition results in demonstrable impairment of access to retained lands (including changes to an established entrance), Uisce Éireann submits that the consequences of that impairment—whether addressed through accommodation works and/or quantified loss—are matters addressed through the statutory compensation code, applying the equivalence principle and compensating ancillary financial loss where it arises under the governing compensation rules.

Alleged Sterilisation and Fragmentation of Lands

The objector contends that the Proposed Project will sterilise portions of the landholding in the short to medium term, including by reducing usability of land during construction and by leaving irregular field configurations, and that the permanent wayleave will constrain future use. EIAR Chapter 5 (Construction and Commissioning) explains that construction of the pipeline generally involves excavation and pipe installation requiring a 50m Construction Working Width, with localised widening where necessary for specific activities such as trenchless crossings, access / egress and other local constraints. EIAR Chapter 5 (Construction and Commissioning) also includes measures proposed to reduce construction impacts on the environment, and that environmental management of construction and commissioning is addressed through the construction management framework, specifically in the CEMP.

EIAR Chapter 11 (Agriculture) confirms that agricultural effects are assessed across the Construction and Operational Phases and that mitigation and monitoring measures (including embedded mitigation) are presented, with residual effects identified post-mitigation. In addition, where the objection asserts residual productivity losses or other quantifiable effects attributable to the acquisition/works, Uisce Éireann notes that these are matters addressed within the established statutory compensation framework as set out above.

Uisce Éireann further confirms that the reinstatement of agricultural lands is an explicit part of the Proposed Project's construction and commissioning framework. As stated in recent ACP response templates derived from the application suite, the general principle is reinstatement of temporary working areas to the pre-construction condition, including reinstatement of soil profiles, drainage, fencing and vegetation, supported by management plans including a Soil Management Plan.

This reinstatement commitment aligns with the assessment reported in EIAR Chapter 11 (Agriculture), which considers potential agricultural effects due to construction and operation of the Proposed Project and provides mitigation and monitoring measures intended to avoid or reduce significant agricultural effects, with residual effects identified post-mitigation. The conclusions of the assessment are reported above however, in addition, Appendix A11.3 (Table of Impact Assessment – Infrastructure Sites) sets out specific mitigation measures for holding KE066:

- Ensure landowner receives at least the minimum notice prior to construction entering the holding;
- Ensure existing land drainage is re-instated or new drainage pipes are installed;
- Ensure soil stripping, storage, backfilling and reinstatement are managed appropriately;
- Ensure access is maintained during the construction phase;
- Ensure holding stockproof fencing is maintained during the construction phase;
- Ensure hedgerows and tree are Reinstated/replanted.
- Position above-ground infrastructure as close to field boundaries as practicable to reduce interference with farming operations. However, where this is not fully achievable, efforts will be made to ensure sufficient clearance for machinery and, where needed, to mark buffer zones or use low-profile designs to minimise disruption

Where the objector alleges residual productivity loss or financial impact after reinstatement, Uisce Éireann notes (without prejudice) that such quantifiable losses are addressed through the statutory compensation framework in accordance with the equivalence principle and the applicable compensation rules.

Alleged Loss of Development Potential and Road Frontage

The objector contends that the Proposed Project will adversely affect lands with road frontage and thereby impede future development potential, with consequential financial impact and devaluation.

As set out previously in this letter, Uisce Éireann confirms that the CPO Routing Report and EIAR Chapter 3 (Consideration of Reasonable Alternatives) set out the process used to determine the proposed location of the FCV and the determination of the preferred FCV as site 4B, as shown in Image 3.14 of Chapter 3 – Consideration of Reasonable Alternatives. A comparative assessment was undertaken using criteria including hydraulics, engineering/access, environment and power availability. Chapter 3 (Consideration of Reasonable Alternatives) records that Location 4B was rated “green” in all categories and selected as the preferred FCV site on the basis that it had good road access and was close to the optimal hydraulic location.

Any claimed loss of “development potential” or diminution in value on retained lands is, where demonstrable, a matter addressed through the statutory compensation code (including impacts on retained lands), applying the equivalence principle and compensating ancillary financial losses in accordance with the governing compensation rules.

Alleged Devaluation of the Landholding

The objector contends that the Proposed Project will result in a diminution in the value of the lands by the permanent acquisition, permanent wayleave and the presence of operational infrastructure.

EIAR Chapter 5 (Construction and Commissioning) describes the construction methodology, programme, land requirements and mitigation framework for construction and commissioning, and EIAR Chapter 11 (Agriculture) sets out the assessment of agricultural effects and mitigation/monitoring measures, but compensation and valuation matters are addressed through the statutory compensation procedures following activation of the CPO.

The compensation framework is intended to apply the equivalence principle, i.e., to place the affected party, so far as money can do so, in the same financial position as if the acquisition had not occurred, and it is not limited to market value alone but includes compensable ancillary financial losses in accordance with the applicable rules.

In addition, the assessment reported in EIAR Chapter 11 (Agriculture) explicitly references compensation as part of the mitigation strategy for temporary and permanent impacts on agricultural holdings (loss of land, reduced access, interference with agricultural infrastructure), reinforcing that the Proposed Project documentation anticipates compensation as the mechanism for addressing residual impacts where they arise.

Accordingly, and without prejudice, Uisce Éireann notes that these are matters that fall within the established statutory compensation framework, which is expressly intended to apply the equivalence principle and to compensate not only market value (where applicable) but also ancillary financial as set out in the current legislative rules governing CPO compensation.

Summary

Uisce Éireann notes the objector’s request for clarity on timeframes, impacts and mitigation. EIAR Chapter 5 provides that the Construction Phase (including testing and commissioning) is anticipated to last five years, with construction anticipated to commence Q1 2028 (subject to planning approval) and expected to be substantially complete by end-2032. EIAR Chapter 5 also explains that the pipeline generally requires a 50m Construction Working Width and that larger areas are required where necessary for specific activities such as trenchless crossings and access/egress points.

In relation to environmental management, EIAR Chapter 5 describes the CEMP framework, including a Register of Environmental Actions and Commitments and management plans (e.g., Soil Management Plan, Surface Water Management Plan, Dust Management Plan, Noise and Vibration

Management Plan, Traffic Management Plan and Invasive Species Management Plan) which apply to contractors and sub-contractors.

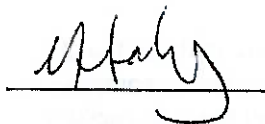
In relation to compensation, Uisce Éireann reiterates that these are matters that fall within the established statutory compensation framework, which is expressly intended to apply the equivalence principle and to compensate not only market value (where applicable) but also compensable ancillary financial loss under the current rules governing CPO compensation. Uisce Éireann submits that the statutory basis and necessity for compulsory acquisition is addressed within the CPO Engineers Report, which confirms Uisce Éireann's functions and powers under the Water Services Act 2007 (including the power to acquire land for the purpose of performing its functions) and the applicability of the Planning and Development Act compulsory acquisition provisions to water services authorities.

Uisce Éireann confirms it will continue engagement through the landowner liaison process to identify holding-specific accommodation measures during construction (where relevant) and to ensure that mitigation and reinstatement commitments are implemented through the CEMP framework, while any demonstrable permanent impacts arising from the acquisition are addressed through the statutory compensation process referenced in the Proposed Project agricultural impact assessment material.

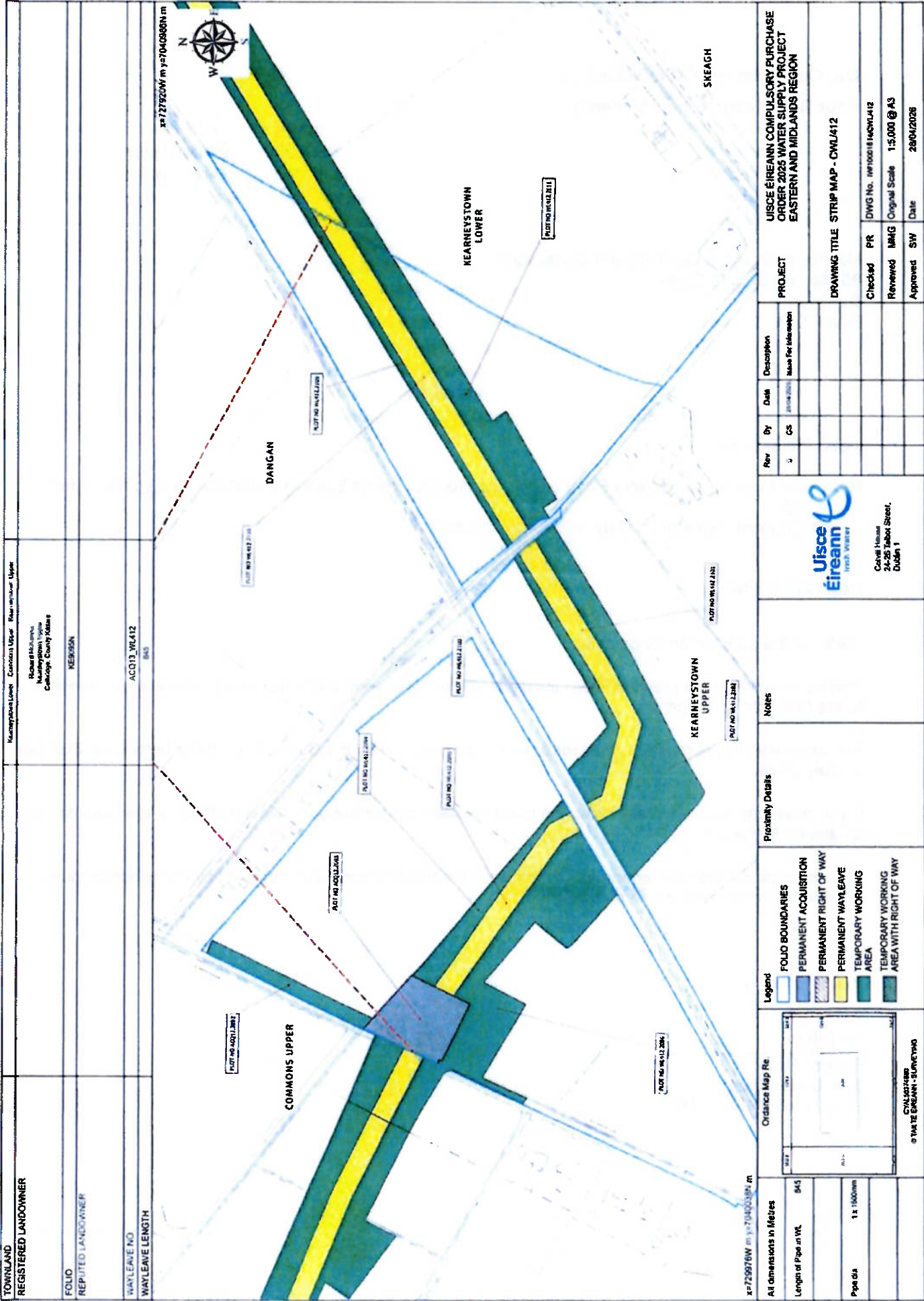
Uisce Éireann has dealt with the landowner's objections fully and has given detailed responses to each objection. Uisce Éireann considers that the landowner's grounds of objections are not outweighed by the need for the scheme and the common good in confirming the CPO to facilitate the implementation of same, and that the acknowledged interference with the landowner's property interests as a result of the compulsory acquisition can be dealt with by the Property Arbitrator, in default of agreement between the parties

Uisce Éireann is at all times willing to address and respond to any further specific queries this Landowner might have on our responses above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mike Healy', is written over a horizontal line.

Mike Healy
Programme Director Strategic Projects
Uisce Éireann



Our Case Number: ACP-323982-25

Your Reference: Richard McKenna



Hughes Planning & Development Consultants
85 Merrion Square South
Dublin 2
D02 FX60

Date: 26 June 2026

Re: Uisce Eireann Compulsory Purchase (Water Supply Project Eastern and Midlands Region) Order,
2025
in Counties Tipperary, Offaly, Kildare, and Dublin

Dear Sir / Madam,

I refer to the above-mentioned case.

Please be advised the previous letter issued to you on 24th June 2026 included a clerical error in relation to the last date for response.

Any submission in response to that letter should be received by the Commission on or before the **21st day of July 2026**.

If you have any queries in relation to the matter 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,

Eimear Reilly
Executive Officer
Direct Line: 01-8737184

CH05

Teil
Glao Áitiúil
Láithreán Gréasáin
Riomhphost

Tel
LoCall
Website
Email

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

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902