

Our Case Number: ACP-323980-25



An
Coimisiún
Pleanála

Development Applications Unit
c/o Julie Sullivan
Government Offices
Newtown Road
Co. Wexford
Y35 AP90

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

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Eimear Reilly

From: LAPS
Sent: Tuesday 21 July 2026 16:30
To: Eimear Reilly
Subject: FW: ACP-323980-25 : Proposed Water Supply Project for the Eastern and Midlands Region in the counties of Clare, Limerick, Tipperary, Offaly, Kildare, and Dublin.
Attachments: Water Supply Project Eastern and Midland Region.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: PA Only

From: Housing Manager DAU <Manager.DAU@npws.gov.ie>
Sent: Tuesday 21 July 2026 16:20
To: SIDS <sids@pleanala.ie>; LAPS <laps@pleanala.ie>
Subject: ACP-323980-25 : Proposed Water Supply Project for the Eastern and Midlands Region in the counties of Clare, Limerick, Tipperary, Offaly, Kildare, and Dublin.

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.

A Chara,

Please find attached heritage related observations in respect of the above.

Please acknowledge receipt.

Kind Regards,
Cormac O'Flaherty
Higher Executive Officer

Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90



Your Ref: **ACP-323980-25**
Our Ref: **SID-NAT-2025-038**
(Please quote in all related correspondence)

21 July 2026

The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Via email to laps@pleanala.ie

Re: Notification under the Planning and Development Act, 2000, as amended.

Proposed Strategic Infrastructure Development (SID): Proposed Water Supply Project for the Eastern and Midlands Region in the counties of Clare, Limerick, Tipperary, Offaly, Kildare, and Dublin.

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

Nature Conservation

The Department has the following observations in relation to the Further Information response received. The submission issues previously raised were as follows (with comments on the response):

Co. Tipperary: Water abstraction and Treatment

- (1) *Verification of maximum extraction rates during severe droughts.*

This is not adequately addressed in the brief response (paragraphs 1610 – 1611). The Department has a potential enforcement role under Regulations 35 and 36 of the European Communities (Birds and Natural Habitats) Regulations, 2011¹ (as amended), and it is reasonable to request a means of verification of abstraction rates during severe droughts, which, on foot of a reasonable complaint concerning water

¹ S.I. No. 477 of 2011.



levels in the Lower River Shannon, can be examined and verified. If this is not technically feasible, then it should be stated why this is the case. If feasible, and the project is to be granted planning permission, then it is recommended that a condition be included which allows for one or more regulatory bodies to commission an experienced independent engineer to inspect the abstraction monitoring systems and report on compliance to the maximum abstraction rate, and that any fees for such an engineer are paid by Uisce Éireann, in the case of reasonable requests by the regulatory body for such an inspection.

In addition, it is recommended that before predicted, and during, severe, extreme or exceptional droughts, water levels in the River Shannon downstream of Parteen Weir are measured and this data made publicly available, in the same manner as the combined flow-rates for Parteen Weir and Ardnacrusha are made available by the ESB.

- (2) *Effects of extended duration of low water during severe drought, and reduced duration of high water (non-flood peak) events, in Lough Derg.*

This is responded to in paragraphs 2721-2727. The Department has no further comment on this issue.

- (3) *Decommissioning of disused petrol station near Kilmastulla River.*

This is responded to in paragraphs 1258-1260. The Department has no further comment on this issue.

- (4) *Effects of any future emergency discharges from the Water Treatment Plant.*

This question does not appear to have been addressed in the response.

- (5) *Effects of barriers to fish connectivity in River Shannon.*

This is responded to in paragraphs 1263-1268. The Department has no further comment on this issue.

- (6) *Construction disturbance effects on wintering birds (incl. from Lough Derg).*

This is responded to in paragraphs 1271-1274. The Department has no further comment on this issue.

- (7) *In-combination and cumulative effects in the hydrological model.*

This is responded to in paragraphs 1606-1607 and 2730-2732. The Department has no further comment on this issue.

In the event that An Coimisiún forms an opinion that there is reasonable scientific doubt concerning the veracity of the model used for predicting water levels in the EIAR, then this Department would have concerns about the conclusions of the Natura Impact Statement.



Co Tipperary, Co Offaly and Co Kildare: water pipeline, water treatment plant, electricity powerlines, booster pumping station and flow control valve

(8) Effects on Otters

The justification for the previous scope for the Otter derogation application is outlined at length in Pars 1186 to 1189; however the proposed updated scope outlined in Par 1195 (in terms of holts and couches to be included in the application), although presented as precautionary (rather than required) is considered by NPWS to be the appropriate and necessary scope based on (a) the level of clarity available regarding works in the vicinity of specific holts, and (b) potential for interaction from direct disturbance; indirect disturbance; removal of screening or buffering vegetation cover; and impacts on inter-holt connectivity on local Otter populations.

However, it appears that the pre-construction survey timing has still not been specified – Par 1128 refers to surveys no more than 10 – 12 months in advance of construction, which, as previously observed by NPWS, is too indefinite; while Par 1195 simply mentions that surveys will be carried out in advance of construction. The necessity for carrying out surveys that are sufficiently comprehensive to be definitive, immediately prior to construction, is reiterated.

(9) Effects on Whooper Swans

Par 1197 (summary of previous NPWS submission) does not refer to the regularly feeding Whooper flock north of the Kilmastulla River and less than 400m from proposed horizontal directional drilling works, which was noted in the NPWS submission. Par 1199 refers to Table 8.75 (EIAR) in which potential disturbance impacts on Whoopers were assessed based on observations on the western shore of the Parteen Basin, over 1km from the proposed works. The potential disturbance to a flock at Kilmastulla 400m away has not been assessed. The projected duration of works (6 to 8 weeks) needs to be considered in the context of the time period during which Whoopers are using the area (ie disturbance from works for potentially two months of the wintering period (November to March)), as well as their regularity of use and obvious preference for the site at Kilmastulla, when evaluating the magnitude of impacts at this location.

(10) Mitigation for habitat loss (local continuity)

The previous submission from NPWS referred to situations where maintaining local continuity would be particularly important (areas of high Otter activity; areas around proposed replacement Badger setts, and the proposed replacement bat roost). While the preservation of local continuity has been addressed in a general sense, and partly addressed in the case of the replacement bat roost (but see Point (11) below, in view of the potential for effects on Otters and Badgers due to cumulative habitat loss, it would be desirable to see some specific consideration of this at local and site-specific scale, for example in the proposals for replacement artificial Badger setts, to ensure that there is a coordinated approach in this regard.



(11) *Effects on Lesser Horseshoe Bats*

Firstly, the position of NPWS (previous submission) in relation to the high significance of the Lesser Horseshoe record from the building to be demolished to facilitate the construction of the WTP remains unchanged. This is based on the strategic significance of the location at wider landscape level as previously outlined, and current indications of range expansion, and the need to maintain roost availability near to (known) range edges to facilitate this, and as a means of buffering and reinforcing the current range.

Secondly, the potential level of use of the building by Lesser Horseshoes outside of the main breeding season is still unknown, apart from three nights in April, when none were recorded. The proposed continuation of survey work in September 2026, while welcome, would need to be extended to include October, which can be a month of high activity and dispersal movements; and survey effort distributed over the month may provide a more reliable indicator of level of use than a single three day block, particularly in view of the changing seasonality of the September to October period.

The recommendation of NPWS for a like-for-like replacement was based on the dimensions of the existing building and on the future potential of such a replacement, rather than on a like-for-like level of current use. Also while this has been considered to be enhanced mitigation and therefore discounted, NPWS considers that in view of the logistical scale and timescale of the entire project, and the previously mentioned importance of facilitating and reinforcing range expansion for Lesser Horseshoes in Ireland, as well as the fact that enhanced mitigation is proposed elsewhere for habitat receptors, this recommendation is not unreasonable and still stands.

The specific concerns raised by NPWS in relation to maintaining connectivity from a replacement roost to foraging habitat to the south of the proposed WTP, as well as concerns in relation to lighting and operational noise, including in winter, have not been referred to.

(12) *Effects on Bat species*

It is noted that the April 2026 bat surveys of the building to be demolished for construction of the WTP recorded a new Soprano Pipistrelle roost of 10 bats. If 10 bats were present in April, the potential for this to have increased by summer 2026, and the possibility that this may be a maternity roost for Soprano Pipistrelles cannot be discounted and needs to be investigated. The building will need to be resurveyed during the breeding season and if evidence of a maternity roost is found, the derogation licence will need to be updated to include the maternity roost. It would be important that any proposed mitigation for Soprano Pipistrelles is appropriate to accommodate peak (summer) numbers and if necessary a maternity colony.



The time period of one month in advance of proposed works for undertaking pre-construction surveys of any trees identified as potential bat roosts in order to allow for the processing of a derogation licence, if necessary, is noted. Par 1130 provides for additional surveys to be undertaken in advance of construction where deemed appropriate. (It is presumed that these will be undertaken closer to the construction date.) however, it should be emphasised that *all* trees with bat roost potential where roosts were not recorded during surveys one month prior to construction will need to be resurveyed within one week of the proposed felling. If additional roosts are recorded at that stage, the derogation licence will need to be updated to include the additional roosts.

(13) Effects on Lisduff Fen SAC

No further comments.

(14) Effects on White-Clawed Crayfish

No further comments.

(15) Effects on River Little Brosna Callows SPA

It is noted that increasing the potential disturbance time period from 18 months to 24 months would mean that availability of supporting habitat for wintering SPA qualifying interest species would be compromised for two winters, rather than potentially only a single winter season. This may need to be addressed in the assessment, as would the cumulative impact of any further disturbance during the commissioning period.

(16) Effects on Marsh Fritillary

The statement in Par 1227 "no areas subject to permanent habitat loss were identified as suitable for the species" needs further explanation, in view of the projected permanent loss of approx 3.4ha of Marsh Fritillary "typical" habitat. In terms of temporary habitat loss (approx 13ha), it is noted that there is potential for temporal fragmentation for up to two years (24 months) ie two breeding seasons; while spatially, it does not appear that a specific plan will be implemented to ensure avoidance of fragmentation; rather areas of suitable habitat will be retained where possible – however it needs to be demonstrated that these are sufficiently spaced to continue to facilitate movement of the species through the landscape.

The concerns expressed previously by NPWS regarding the lack of specific detail on potential larval translocations (if necessary) have not been addressed.

(17) Effects on Hen Harrier

The applicant's response does not address the concerns of NPWS in relation to disturbance to roosting Hen Harriers. While direct loss of suitable roosting habitat around Esker Bog may be low, some roosting habitat will apparently be lost; and the



potential for disturbance to roosting birds from works in areas outside of core roosting habitat, but in proximity to the roost site (which may act as supporting habitat), has not been considered. In addition, there has been no apparent proposal to implement mitigation in terms of specific timing of works (ie limited working hours) at this site; instead the existing timing regime is cited. This regime does not rule out the potential for works to extend into the roosting time period and therefore cause disturbance to roosting Hen Harriers (Par 1235).

(18) Effects on Molluscs

The proposal for updated surveys for Vertigo species in areas of suitable habitat in 2026 is noted. However, further details are required in relation to proposed buffer exclusion zones (if snails are found), and the feasibility of the proposed translocation (if buffer zones are not feasible) needs to be discussed at this stage, including details of the translocation protocol, and identified suitable alternative locations for translocated snails. Based on the current level of detail provided, the potential for negative impacts on Vertigo species cannot be ruled out.

(19) Determining Ecological Significant Effects

While the landscape scale level of habitat loss has been acknowledged, the evaluation of its ecological significance has been partly based on the implementation of proposed enhancement measures. These measures while welcome, since they are not mitigation should not be taken into account in the assessment of the cumulative ecological impact of landscape scale loss of mature habitat, including hedgerows, treelines, woodland, heath and unimproved grassland. While the proposed mitigation has taken account of the need for structural and age class diversity in the replacement planting, this will take years to fully mature, as acknowledged in Par 1246; and the potential medium term impacts on species dependant on well-established habitat (for example, saproxylic invertebrates) should be considered as part of the ecological evaluation. The overall assessment of significance of ecological effects, in view of its reliance on their apparent temporary and localised nature is therefore questioned.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@npws.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90



Is mise, le meas

Julie Sullivan
Assistant Principal
Development Applications Unit
Administration