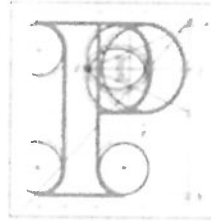


Our Case Number: ACP-323980-25



**An
Coimisiún
Pleanála**

Environmental Trust Ireland
c/o Michelle Hayes
3 Glentworth Street
Limerick

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
Ríomhphost

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: Wednesday 22 July 2026 10:25
To: Eimear Reilly
Subject: FW: Re Uisce Eirean Shannon Pipeline - Ref 323980
Attachments: ETI Correspondence with ACP.pdf; Eimear Reilly ACP correspondence with Agent for Uisce Eireann.pdf; Statutory Plannnig Form.pdf; Response from Environmental Trust Ireland 21 July 2026.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: PA Only

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>
Sent: Tuesday 21 July 2026 23:47
To: LAPS <laps@pleanala.ie>; SIDS <sids@pleanala.ie>
Subject: Re Uisce Eirean Shannon Pipeline - Ref 323980

You don't often get email from environmentaltrustireland@gmail.com. [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.

Dear An Coimisiun Pleanala,

Please find attached:

1. Response from Environmental Trust Ireland
2. Statutory Planning Form
3. ETI correspondence ith An Coimisiun Pleanala
4. Communications between Eimear Reilly, ACP and Tom Phillips, Agent for Uisce Eireann

Kind regards,

ENVIRONMENTAL TRUST IRELAND
3 Glentworth Street,
Limerick.

ENVIRONMENTAL TRUST IRELAND

**Environment | Conservation | Biodiversity |
Ecology | Climate Change | Heritage | Advocacy**



RESPONSE to UISCE EIREANN's RESPONSES of 6th May 2026 and 2nd June 2026 to SUBMISSIONS from ENVIRONMENTAL TRUST IRELAND dated 1st March 2021 and 25th February 2026 PURSUANT to invitation from An Coimisiún Pleanála dated 24th June 2026

Dated this 21st day of July 2026

Planning Application - Reference number: PA92.323980

Direct Planning Application to An Coimisiún Pleanála in respect of a Strategic Infrastructure Development - Section 37E of the Planning and Development Act 2000 (as amended),

Applicant – Uisce Eireann

Proposed Development: Water Abstraction from the River Shannon – water supply, Eastern and Midlands Region

Location: - Counties of Limerick, Clare, Tipperary, Offaly, Kildare, and Dublin.

TO:

**AN COIMISIÚN PLEANALA,
64 MARLBOROUGH STREET,
DUBLIN 1.
D01 V902**

1. Integrity of the entire planning system - Systemic practices of An Coimisiún Pleanála found to be unlawful

In the seminal case of **Environmental Trust Ireland V An Coimisiún Pleanála, Aughinish Alumina Ltd.** in which the Judgment of Mr. Justice Holland was delivered 16th June 2026, the High Court held that statutory records had been “*retroactively, anachronistically and erroneously altered*” by An Coimisiún Pleanála and that the result was that the content, “*as it existed thereafter, was materially false.*” It also found destruction of statutory records had occurred contrary to law. This is in addition to the major environmental findings made in the Aughinish Alumina case which resulted in the grant of planning permission to Aughinish Alumina being quashed by the High Court.

The High Court referred to an Affidavit sworn on behalf of An Coimisiún Pleanála which made no comment on what had been occurring in relation to statutory records at An Coimisiún Pleanála (the Commission) and “*contained no recognition that it described a real problem for the integrity of the Commission’s statutory records.*” The Court stated: “*It could just as accurately but more informatively have read “the earlier records are automatically falsified” both in substance and in, my view, in breach of s.111(7) PDA 2000.*”

The High Court stated: “*It is a matter of some alarm that the Commission’s deponent so deposed without, as far as his affidavit made apparent, appreciating or acknowledging the alarming significance of the averment. I do not know for how long the software “feature” was active or how many records it falsified.*”

The Court held as follows: “*I find therefore that the Board, by reason of the automated, retrospective and material falsification of its signed (and thereby authenticated) meeting records, as to identification of the presenting board member and the inspector, breached its s.111(7) duty to “keep a written record of all its decisions”.*”

Importantly, in the context of the present planning application by Uisce Eireann, the Court stated:

“That said, counsel for the Commission tells me, no doubt accurately, that the Commission only became aware of the problem as a result of this case and assures me that it in fact appreciates the gravity of the situation and is intent on rectifying it as part of the impending replacement of the software in question”.

These major issues within An Coimisiún Pleanála would not have come to light but for the case taken by Environmental Trust Ireland against the Aughinish Alumina expansion. It begs the question of how many other cases are there. Certainly, An Coimisiún Pleanála did not voluntarily disclose this information. The High Court stated in relation to Environmental Trust Ireland that it *“has done the Commission and the public interest a considerable service.”*

An editorial in the Irish Mail on Sunday dated 28th June 2026 states that *“Trust in planning must be restored after alarming IT blunder”*.

24 COMMENT

The IRISH Mail
SUN SUNDAY

Trust in planning must be restored after alarming IT blunder

High Court Judge David Holland has issued a scathing judgement against the newly constituted An Coimisiún Pleanála that calls into sharp question how much they knew about an IT glitch in a C3m system that is responsible for keeping accurate records of crucial planning decisions.

The judgement is in a case against the controversial Aughinish Alumina plant, taken by Limerick-based Environmental Trust Ireland (ETI).

The Commission's 'Plean-IT' platform has an apparent bug that falsifies key information such as who was in the room when some decisions to deny, or alternatively, award planning permission were heard.

Judge Holland made it clear in his judicial review that while the falsification was not deliberate on behalf of the State body, he believes it is of huge importance and the scale of its impact is as yet undetermined. He praised the environmental group for taking the case, saying that by paving the way for the revelation of ACP's IT problems, it 'had done the Commission and the public interest a considerable service'.

ACP does not agree with that appraisal. When confronted with the judgement, the Commission decided to try to persuade the judge to retract the falsification charge.

When that failed, and they were asked about the issue by this newspaper, they minimised the issue, and suggested they are considering appealing the matter to the Supreme Court.

Judge Holland's determination that ACP executives failed to appreciate the gravity of the software flaw and its relevance for record-keeping is very alarming. The planning process is a complex arena of huge national significance and one that touches on every highway and byway in the country. Maintaining public confidence in the integrity of the process is imperative and the absolute bedrock the public expects is that systems designed to record exactly how pivotal decisions are arrived at are robust, transparent and stand up to basic scrutiny.

It is incumbent on those in charge of the process to ensure they are doing everything in their power to eliminate mistakes, particularly ones which a High Court judge has good reason to believe are 'systemic'.

NO TALKING TO TOTALITARIAN JOE

FORMER RTE presenter Joe Duffy chose the opportunity of Veronica Guerin's 30th Anniversary event in Dublin's Convention Centre to float a suggestion that gardai be empowered to seize phones off any member of the public and use the data contained within to investigate that person's activities. This is an idea so preposterous that the first reaction of many in the large audience was of stunned disbelief, before it turned cautiously to laughter.

A considered man, Mr Duffy was building on comments by recently retired Supreme Court Justice Peter Charleton that use of phone metadata by law enforcement had been hampered significantly by EU law, to the advantage of criminal elements.

He also made the suggestion in front of the Taoiseach, Justice and Defence Ministers, Attorney General and the Garda Commissioner.

The issue is one of huge relevance, and is worth examining from a legislative perspective. Ensuring that society is better protected from those in the criminal underworld who seek to undermine the basic tenets of decency and behavioural morality, of course, a laudable aim.

But Mr Duffy's proposal is so draconian, it betters the worst surveillance excesses of the most totalitarian regimes. As such, we would have thought it prudent for those representing the Government or gardai to make it clear that nothing of the sort would be considered in what is still a free republic.

There has been no evidence of any corrective measures taken by An Coimisiún Pleanála to identify these deficits and it just seems to be continuing, as usual, without engaging with or dealing with what has happened or how the integrity of its systems have been found to be so wanting. There was an extensive two page article in the same newspaper by award winning journalist and Investigations Editor, Michael O'Farrell.



On the 1st July 2026, there was an article in Irish Legal News entitled **“High Court quashes Aughinish Alumina expansion in landmark environmental ruling”** which stated:

“Environmental Trust Ireland (ETI) has secured a significant High Court victory after Mr Justice Holland quashed planning permission granted to Aughinish Alumina for the expansion of its Bauxite Residue Disposal Area (BRDA) and associated quarry operations at Aughinish Island, County Limerick.

“The judgment, delivered on 19 June 2026, overturns permission for a major development that would have increased the height of the red mud waste disposal area from 32 metres to 44 metres, and enlarged the quarry blasting area.

!The court found serious deficiencies in the planning process, including failures relating to seepage and flood risk assessment. The judgment also contains strong criticism of record-keeping practices within An Coimisiún Pleanála, finding that statutory records had been retrospectively altered by software in a manner described by the court as resulting in records that were “materially false”. The court further found a breach of statutory obligations regarding the keeping of planning records.

“In a strongly worded judgment, the court stated that ETI had performed “a considerable service” to both An Coimisiún Pleanála and the public interest by uncovering the record-keeping issues that emerged during the litigation proceedings.”

It is against this background that Environmental Trust Ireland makes this submission where confidence in the integrity of the planning process at An Coimisiun Pleanala has been eroded. There has been a complete lack of transparency and accountability and the need for a full investigation into what occurred is very evident.

It is a concern that these practices or similar or other unlawful practices are or may be continuing. See for example, the position in relation to site notices, where although the illegality has been brought to the attention of An Coimisiun Pleanala, The Commission has continued this unlawful practice of accepting a planning application where the site notices are not in accordance with the law, and in particular the Planning and Development Regulations.

2. SITE NOTICES

Uisce Eireann’s supplementary final response relates to additional submissions by:

☐ South Dublin County Council

□ Environmental Trust Ireland

Site Notices:

**2.1. Failure to erect Site Notices in Clare and Limerick
– Breach of Article 17 and Article 19, Article 20 and Article 22 of
Planning and Development Regulations, 2001 (S.I.600/2001)**

Uisce Eireann has not addressed the statutory requirement to erect sites notices in all six counties affected by this proposed development. No site notices were erected in Limerick and Clare although this is a mandatory requirement under Article 17 and Article 19 of the Planning and Development Regulations, 2001 (S.I.600/2021). These Regulations remain in force and have not been repealed.

Regulation 19(1) provides:

“ A site notice erected or fixed on any land or structure in accordance with article 17(1)(b) shall be ...

(c) subject to sub-article (2) securely erected or fixed in a conspicuous position on or near the main entrance to the land or structural concerned from a public road, or where there is more than one entrance from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time”

Uisce Eireann's Response:

“ In summary, the reason for this is that none of the major permanent infrastructure works as part of the Proposed project are located within County Limerick or Clare. Site notices were erected at the major permanent infrastructure sites voluntarily by the Applicant and this approach was presented to ACP during the Pre-Application Consultation process. As such it is considered that the public notification of the proposed development has been carried out in accordance with the requirements of the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations 2001(as amend).”

Uisce Eireann's attempt to downplay its failure to erect site notices in Limerick and Clare, two of the counties affected is not accepted. This position is misconceived and fails to properly recognise the nature and extent of the proposed development.

The planning application relates to a planning application which traverse six counties, namely: Limerick, Clare, Tipperary, Offaly, Kildare and Dublin and must be considered as a single, integrated development proposal. The mandatory statutory requirements relate to public notification apply to the proposed development as a whole and cannot be artificially limited by reference only to the location of certain elements described as “major permanent infrastructure sites”

The absence of permanent above-ground infrastructure within a particular county does not automatically mean that the proposed development has no planning significance or impact within that county. Where the development boundary, route corridor, construction activities, temporary works, access arrangements, environmental impacts, traffic movements, land requirements, or other consequential effects extend into County Limerick and Clare, residents, landowners and other affected parties in those counties have a legitimate interest in being notified of the application.

The purpose of site notices is to ensure effective and transparent public participation. It is not sufficient for an applicant to decide unilaterally that certain areas should be excluded from notification requirements based on its own interpretation of what constitutes “major permanent Infrastructure”. Such an approach risks depriving affected persons of their statutory opportunity to make observations or submissions.

Furthermore, the proposed development should be assessed as a whole rather than fragmented into separate geographical components. The environmental, construction, operational and cumulative effects of the project may extend beyond the locations where permanent structures are ultimately constructed. A person affected by works associated with the project in County Limerick or County Clare

should not be required to discover the existence of the application through alternative means due to Uisce Eireann's failure to provide appropriate local notification.

3. Aarhus Convention

The failure to erect site notices in Limerick and Clare raises serious concerns regarding compliance with the principles of the Aarhus Convention and the requirement that public participation in environmental decision-making must be fair, transparent and effective rather than merely a procedural formality. A planning process that proceeds without ensuring that the public has been properly notified risks undermining confidence in the decision-making process. The Aarhus principle is not satisfied by that fact that a notice exists on paper; participation must be effective and meaningful. The public must have sufficient information and a genuine opportunity to engage before a decision is made.

Accordingly, it is submitted that the failure to erect site notices in County Limerick and County Clare constitutes a failure to adequately comply with the planning notification requirements and has prejudiced public participation in the planning process. Uisce Eireann are in breach of the statutory mandatory provisions under planning and Development Regulations and the Aarhus Convention. An Coimisiun Pleanala has failed to remedy these defects in the planning application and An Coimisiun Pleanala has failed to ensure compliance with the mandatory requirements of Public participation under Aarhus.

There was no consultation by Uisce Eireann whatsoever with Environmental Trust Ireland which is a stakeholder. Environmental Trust Ireland environmental NGO made a submission as far back as March 2021 in relation to this project but Uisce Eireann did not notify it of any consultations or invite it to participate.

4. An Coimisiun Pleanála and validity of application – Statutory Planning Application Form

The 17 page Statutory Planning Application Form in relation to Strategic Infrastructure Development completed on behalf of Uisce Eireann and signed by Bernard Dwyer (agent) Associate, Tom Philips & Associates dated 19th December 2026.

At page 8 of 17, the Statutory Form specifically refers to Article 19(4) of the Planning and Development Regulations 2001 as amended. It is clear from the statutory form that the developer Uisce Eireann must comply with all aspects of Article 17 and Article 19, Article 20 and Article 22 of the Planning and Development Regulations 2001/S.I. 600/2001.

At page 14 of 17 of Statutory Planning Form;

The statutory form omits Counties Limerick and Clare from the site notices erected on 18th December 2025.

It specifically states at page 14 of 17 of the statutory planning form:

“Site Notices erected 18th December 2025, in the townlands of:

1. Kilmaglisderry, Co. Tipperary
2. Gortybrigane (West of Birdhill Roundabout) Co. Tipperary
3. Gortybrigane(North of Birdhil Roaundabout) Co. Tipperary
4. Incha More, Co Tipperary
5. Greenhills, Co Tipperary
6. Carrigatogher (Ryan)(local road north of R445) Co Tipperary
7. Carrigatogher (Ryan)(Junction of R445 at Five Alley) Co Tipperary

8. Ballylusky, Co Tipperary
9. Knockanacree, Co Tipperary
10. Toora, Co Offaly
11. Boveen, Co Offaly
12. Clonoghil Upper, Co Offaly
13. Clonoghil Upper, Co Offaly
14. Fortel, Co Offaly
15. Coagh Upper(L3003) Co Offaly
16. Coagh Upper (L3003) Co Offaly
17. Derrinboy, Co Offaly
18. Killananny (R421) Co Offaly
19. Killananny (R421) Co offaly

On page 15 of 17 of Statutory Planning Form, it continues to list where the site notices were erected

20. Curragh, Co Offaly
21. Rathclonbracken, Co Offaly
22. Ballynakill Lower, Co Kildare
23. Baltracey, Co Kildare
24. Barberstown Upper, Co kildare
25. Commons Upper, Co Kildare
26. Peamount (R120) Co Dublin
27. Peamount (R120 next to TPR site access road) Co Dublin
28. Miltown, Co Dublin

However, no site notices were erected in Fairyhall or Montpelier in Co Limerick and or any of the various sites in Co Clare.

At page 17 of 17 of Statutory Planning Application Form in respect of Strategic

Infrastructure Development: There is a General Guidance Note which states:

"The range and format of material required to be compiled/submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application."

September 2018.

5. An Coimisiun Pleanala's Communication with Bernard Dwyer of Tom Philips & Associates, Agent of the developer.

On **5th January 2026 @ 5:20 PM** , Bernard Dwyer, of Tom Philips & Associates Agent of Uisce Eireann, emailed Eimear Reilly of An Coimisiun Pleanala stating:

"Eimear,

"As discussed earlier, we've noticed a minor discrepancy on the application form for this this.

"No's 22 and 23 of the site notice locations below are in Co. Kildare as opposed to Co. Offaly (page 15 of the form) { Emphasis added]"

"Can you confirm if we should re-issue a revised form to correct that? Or is this email sufficient to notify of the error.

"Thanks,

"Bernard"

There is no record of the prior discussion on the planning file.

On **Tuesday, 6th January 2026 @12:42:** Eimear Reilly of An Coimisiun Pleanala replied;

"Hi Bernard,

I acknowledge receipt of your email. The Commission require a soft copy of the updated application form – you can send this on by return email.

Separately, and as discussed, by phone a moment ago, please be advised that the fee to lodge the SID application is €100,000. I note that you have overpaid the application fee by €23,000. I will arrange for a refund for this amount to be issued to you. In order to process this, the Commission require either TPA's or UE's bank details on headed paper. You are required to send this on to me by return email also.

Kind regards,

Eimear."

On the **6th January 2026 @ 14:22**, Bernard Dwyer emailed Eimear Reilly, executive Officer, An Coimisiun Pleanala, after site notices were erected in 4 counties on the 18th December 2025 stating:

"Thanks Eimear,

See attached corrected application form. I haven't included appendices as there is no change to them from what was previously submitted. Hopefully that's ok.

I have sought the bank details from UE and will follow on with them

Regards,

Bernard"

The statutory Application Form incorrectly recorded site locations where site notices were erected at no's 22 and 23 (Ballynakill lower, Co Offaly and Baltracey, Co Offaly. When in actual fact the site notice locations should be recorded as erected in Co. Kildare. This is a material error.

An Coimisiun Pleanala's entrenched position, pre- determined, failure to provide records of meetings etc

On the 6th March 2026 Environmental Trust Ireland emailed An Coimisiun Pleanala and brought to its attention among other matters Uisce Eireann's

"STATUTORY BREACH OF MANDATORY REQUIREMENT RE SITE NOTICE" that there was a failure to erect any site notices in LIMERICK and CLARE, which are two of the six counties listed in the application. Kerry is also affected but is not one of the counties listed in the application".

There followed a series of email correspondence between Environmental Trust Ireland and An Coimisiun Pleanala (attached).

By email dated 7th May 2026, from Eimear Reilly of An Coimisiun Pleanala to Environmental Trust Ireland she stated;

"The Commission notes the issues raised by you in relation to the site notices that were erected in relation to the proposed development. Having considered your comments, the Commission hereby advises that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected in relation applications submitted to the Commission under s.37 E of the Planning and Development Act 2000, as amended".

On the 7th May 2026 – Environmental Trust Ireland emailed Ms Eimear O’ Reilly stating;

“The requirement to erect site notices and the positioning and content of same is under Article 17 and Article 19 of the Planning and Development Regulations, 2001 These Regulations remain in force and have not been repealed. The statutory requirements in relation to site notices are mandatory and have not been complied with by the developer in relation to the proposed development. “

“Clearly, the application by Uisce Eireann is clearly invalid and ought to be declared so, as there is a material failure to comply with mandatory statutory obligations imposed under the Planning and Development Regulations 2001, as amended. The public participation process has clearly been negated by the failure to erect site notices in all counties affected and to correctly describe the site notices and location of development in the areas affected.”

“Further, there are additional requirements imposed under the Aarhus Convention and under EU Directive 2003/4/EC which required the proactive dissemination and distribution of environmental information. A site notice in the area is an early stage in ensuring compliance with the obligations imposed on planning decision making bodies under EU law”

On the 21st May 2026 ; Ms Eimear Reilly stated in email correspondence:

“Please be advised that the Commission is satisfied that there are no validity issues regarding the site notices for this application”.

On the **25th May 2026 @9:10AM**: Environmental Trust Ireland (ETI) emailed An Coimisiun Pleanala stating:

“May we please have a copy of ALL An Coimisiun Pleanala’s Directions AND a copy of ALL Board Meeting Records in relation to planning application, reference 323980.”

On the **25th May 2026@12:02PM** – Ms Reilly stated :

“Please be advised that the Planning Commissioners have not yet held any meeting in relation to this case and, as such, there are no meeting records or directions.”

On **27th May 2026** ETI sent a further email to Ms Reilly of An Coimisiún Pleanála stating:

“We note your confirmation “that the Planning Commissioners have not yet held any meetings in relation to this case, as such, there are no meeting records or directions”.

“However, in your email of 7th May 2026 you state the following:

“The Commission notes the issues raised by you in relation to the site notices that were erected in relation to the proposed development. Having considered your comments, the Commission hereby advises that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected in relation to applications submitted to the Commission under S.37E of the Planning and Development Act 2000, as amended”.

“On the 21st May 2026 we received a further email from An Coimisiún Pleanála:

“Please be advised that the Commission is satisfied that there are no validity issues regarding the site notices for the application.

”Having regard to your confirmation that the Planning Commissioners have not yet held any meetings in relation to this planning application.

“Then, who in the Commission had the authority to advise and to make the decision “that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected....”

There followed further correspondence between An Coimisiun Pleanala and Environmental Trust Ireland in particular ETI's email of the 9th June 2026, again setting out the statutory breaches and the case law which An Coimisiun Pleanala has completely ignored.

Tue, Jun 9, 9:11 AM

"Dear Ms Reilly,

"Thank you for your email of 2nd June 2026.

"You have not addressed the issues raised in our email of 27th May 2026.

"In particular, we specifically stated:

"Having regard to your confirmation that the Planning Commissioners have not yet held any meetings in relation to this application.

"Then, who in the Commission had the authority to advise and to make the decision "that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirements for site notices to be erected..."

"A decision has already been made in relation to the failure of Uisce Eireann to erect site notices in County Clare and Limerick.

"In your latest correspondence you have failed to identify the "relevant personnel within the Commission".

"In addition, your latest email of the 2nd June 2026 appears to be self contradictory. With respect, you have stated "that all documentation relating to the Commission's decision in respect of this case will be made available within 3 working days following the making of the decision. This documentation will include records from any meetings held by the Planning Commissioners."

"However, you have failed to provide records of the decision taken by An Coimisiun Pleanala, whereby the Commission does not consider the absence of site notices in Clare and Limerick to be a validity issue.

"Your latest response is self contradictory and the decision taken by An Coimisiun Pleanala that the failure to erect site notices in Clare and Tipperary is not a validity issue is contrary to the legislation and the case law.

"We would also be grateful if you could please address the following:

*"1. **S.I. No 600/2002 of the Planning and Development Regulations 2001***

*"We previously brought **S.I. No 600/2001 of the Planning and Development Regulations, 2001** to your attention. In particular, Article 17 and Article 19 are mandatory requirements on site notices. These regulations continue in force and have not been repealed.*

*"2. **Site Notices Strategic Infrastructure Development Guidelines 2021***

*"In addition, An Coimisiun Pleanala's **Guidelines on Site Notices Strategic-Infrastructure Development Guidelines 2021** - Informing the public when an application is made clearly states:*

***"Before** applying to the Commission, the prospective applicant **must publish a notice** of the proposed application in at least one newspaper.*

"Application's Website:

*"The applicant must provide a website where the application can be inspected. You can find the website address on the newspaper notice **and** on the site notice. The notices will provide information on how the*

public can make an observation to An Coimisiun Pleanála about the application.

"3. Aarhus Convention

"The failure by Uisce Éireann to erect site notices in addition to the above is contrary to the Aarhus convention and deprives the public of an effective opportunity to participate in planning applications affecting the environment.

"The defect prevents members of the public from knowing about the planning application or making a submission which is unfair and the planning application is materially flawed.

"4. Under Public Access to Environmental Information Directive 2003/35/EC and Directive 2003/4/EC Public Participation Directive:

"In addition, the statutory requirements on site notices must be interpreted in a purposive manner to give effect to the requirements of EU Directives on public access to information and on Public Participation.

"5. Case Law –

"(i) Croft v Dublin City Council [2025]

*"The developer failed to properly erect and maintain site notices. The developer breached regulations by failing to maintain a required site notice. This was a **Strategic Infrastructure Development** planning application.*

"Mr Justice Humphreys said:

"That isn't harmless error, it isn't de minimis and it isn't something that should be ignored as a matter of discretion.

"Mr. Justice Humphreys said "that it is not the law that the size of a proposed transaction or a proposed development overwhelms the need for the right to public participation to have been afforded in accordance with law"

"He said that while commerciality is relevant to the court's consideration in many situations, the court, if it is to hold the scales equally at all as between the various interests involved in this area, "must also be vigilant to protect the procedural rights of less powerful stakeholders in the planning process, including giving real and meaningful effect to the right to public participation in environmental decision-making".

"5 (ii) Supreme Court -Monaghan UDC v Alf-a-Bet Promotions Ltd (1980)

"Decision:

"Mandatory statutory protections cannot be ignored. Planning notice must give real notice of the nature and extent of the development. Notice is invalid if it downplays or disguises the real nature of the development.

"5(iii) High Court - Kelly V Cork County Council

*"Where a site has multiple entrances adjoining a public road, site notices must be erected at **all** entrances to ensure proper public consultation.*

"5(iv) High Court - McGrath V An Bord Pleanala

"Where a site has more than one entrance from a public road, a site notice must be placed at all such entrances. Omitting one entrance renders the entire application invalid.

"In the Shannon water abstraction planning application, no site notices were erected in Counties Limerick and Clare, even though planning development in these counties has been applied for, as part of the overall proposed development."

On 2nd June @ 3.49 PM, Eimear Reilly emailed stating:

"Good afternoon

"I acknowledge receipt of your email.

"The Commission acknowledges the legislative requirement to publish site notices in respect of this application but does not consider the absence of site notices in Clare and Limerick to be a validity issue, noting that notices were erected at various other locations along the proposed route.

"The issues raised by you have been discussed with the relevant personnel within the Commission.

"Please be advised, as per section 146 of the Planning and Development Act 2000, as amended, as amended by section 29 of the Strategic Infrastructure Act 2006, as amended, that all documentation relating to the Commission's decision in respect of this case will be made available within 3 working days following the making of the decision. This documentation will include records from any meetings held by the Planning Commissioners.

"Kind regards

"Eimear"

The mandatory requirements on site notices and the requirements imposed on An Coimisiun Pleanala under the Planning and Development Regulations and in particular, Regulations 19 (1) (a), (b), and (c), Regulation 19(2) set out the statutory requirements for site notices, which An Coimisiun Pleanala has thus far, ignored. The mandatory obligations imposed on An Coimisiun Pleanala on receipt of a planning application are set out at Regulation 26. Regulation 26(4) provides:

"Where, on inspection of the land to which the application relates, the planning authority considers that the requirements of articles

17(1)(b), 19 or 20 have not been met, or the information submitted in the planning application is substantially incorrect or substantial information has been omitted, the planning application shall, notwithstanding the fact that an acknowledgement has been sent to an applicant in accordance with sub-article (2), be invalid."

An Coimisiun Pleanála has failed to declare the planning application by Uisce Éireann invalid. We are mindful that in Environmental Trust Ireland v An Coimisiun Pleanála and Aughinish Alumina, there was a finding by the High Court that there was a statutory breach of section 146 of the Planning and Development Act, as amended also. Yet, An Coimisiun Pleanála continues to ignore and to set at naught the very Regulations it is entrusted to enforce. As a party in the afore-mentioned case, Environmental Trust Ireland is extremely concerned by what are clearly irregular practices which are continuing within An Coimisiun Pleanála.

6. UISCE ÉIREANN'S responses:

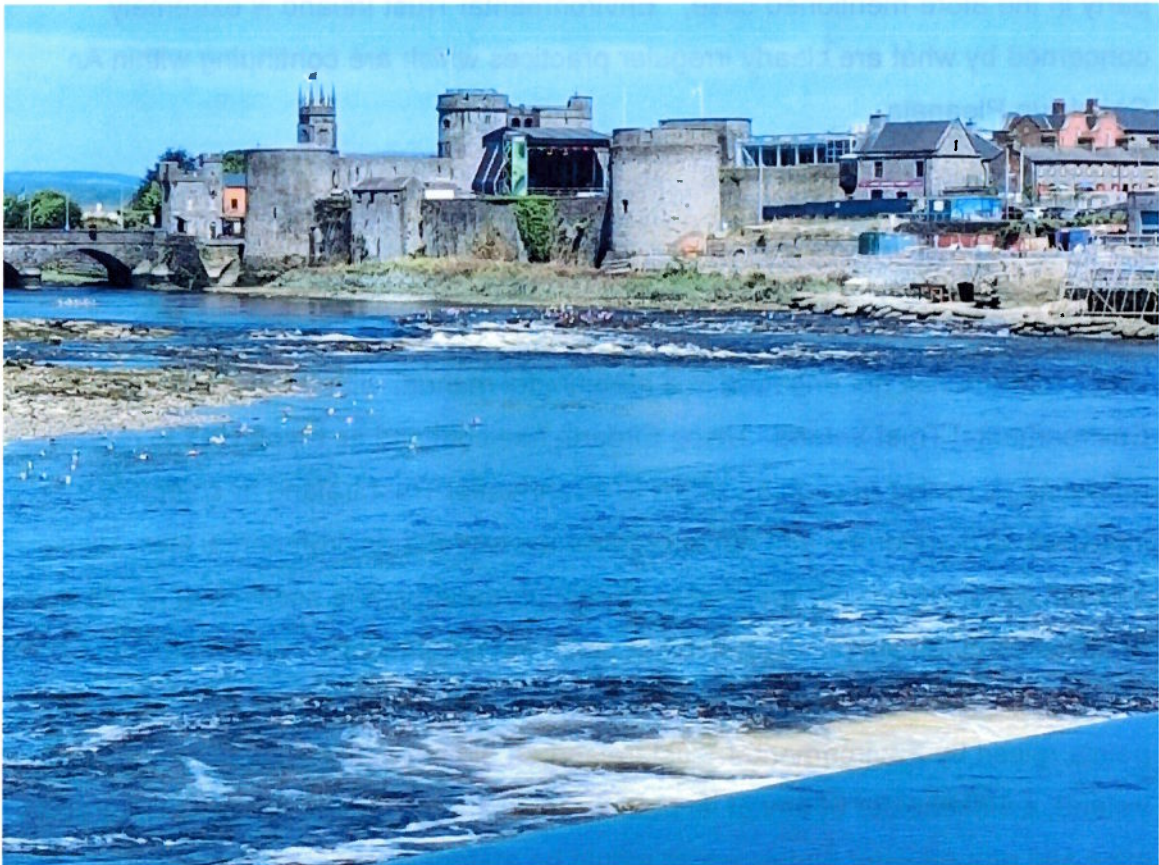
Uisce Éireann has not engaged in a meaningful manner with the Submissions of Environmental Trust Ireland. Uisce Éireann has confined its responses to merely repeating its earlier assertions which Environmental Trust Ireland has already identified as inadequate and not in compliance with EU environmental law. Uisce Éireann has continuously referred to certain paragraphs and sections of its previous reports as though simply repeating the same inadequate information somehow cures the defects which are clearly apparent. Uisce Éireann hasn't even referred to all the points raised by Environmental Trust Ireland. It did not notify Environmental Trust Ireland, a stakeholder of any of its public consultations. It omitted certain European sites and groundwater bodies which would be materially affected by the water abstraction project. No downstream site notices were erected even though Limerick and Clare being downstream are likely to suffer the most serious environmental, ecological, water quality and groundwater effects. Environmental Trust Ireland submits that the failure to erect site notice in all counties affected is fatal to the validity of the planning application. Environmental Trust Ireland imports and adopts

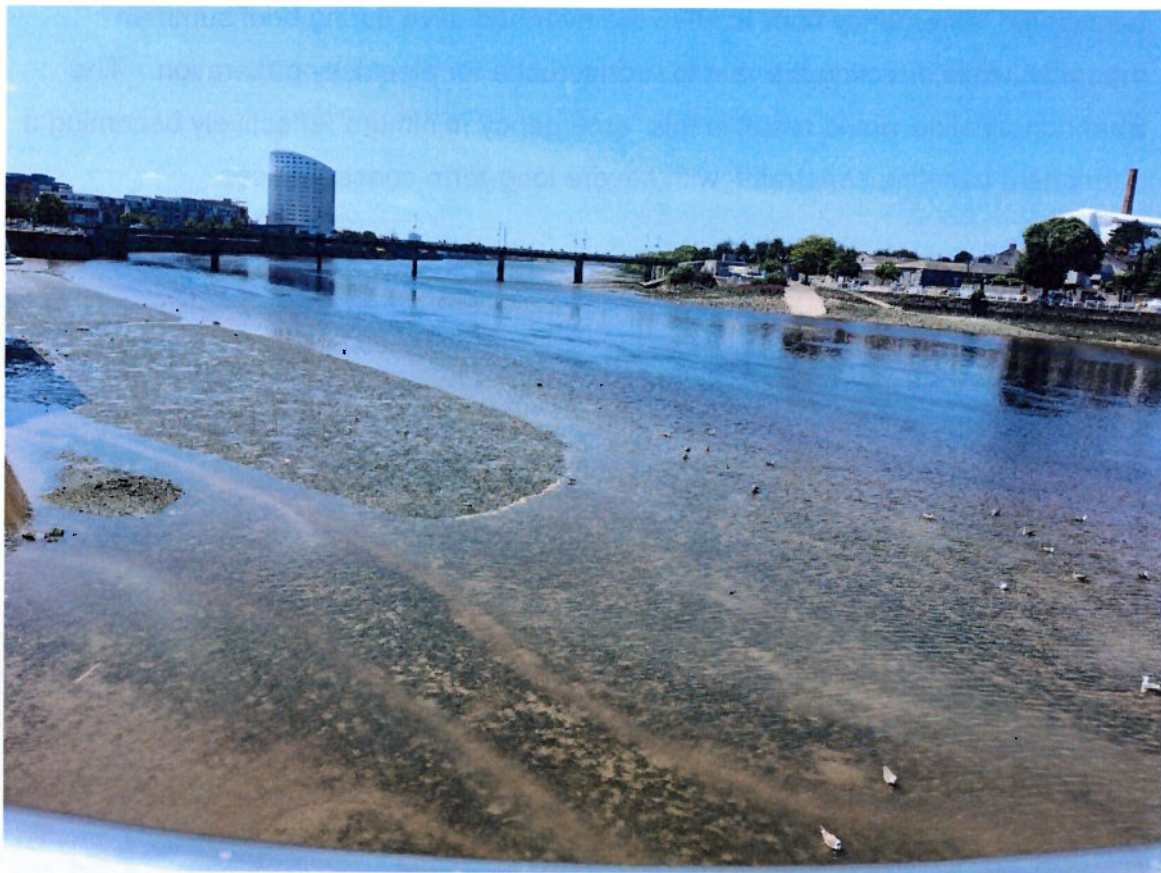
other submissions objecting to this planning application to the extent that they support and reflect the views and values of Environmental Trust Ireland.

6.1 The Effect of Abstraction on Low Water Levels

The ESB has a statutory role to generate electricity at Ardnacrusha. The relevant legislation is the Shannon Electricity Act 1925, Electricity Supply Act 1927 and Electricity Supply (Amendment) Act 1934. The ESB must maintain a compensation flow of roughly **10 cubic metres per second** (m^3/s) down the "Old River Shannon" channel (passing Castleconnell). When the river is naturally low and Ardnacrusha is shut off, *only* this statutory minimum flow reaches Limerick City from upstream.

The following photographs taken during the week commencing the 13th July 2026 illustrate the impact of low water flows in Limerick City.





The developer, Uisce Éireann, intends to permanently abstract up to 300,000,000 litres (300 million litres) of water per day from the River Shannon basin. This volume must not be assessed in isolation from the baseline operations of the ESB Ardnacrusha Hydroelectric Scheme. The ESB routinely diverts up to 34,500,000,000 litres (34.5 billion litres) of water per day through the Ardnacrusha headrace canal, leaving a statutory minimum compensation flow of only 864,000,000 litres (864 million litres) per day down the "Old River Shannon" channel. Uisce Eireann's project will result in a 100% permanent loss of 300 million litres of water per day from the Shannon basin entirely. During low-flow conditions, this constitutes an unsustainable, permanent ecological drain on an already heavily modified water body.

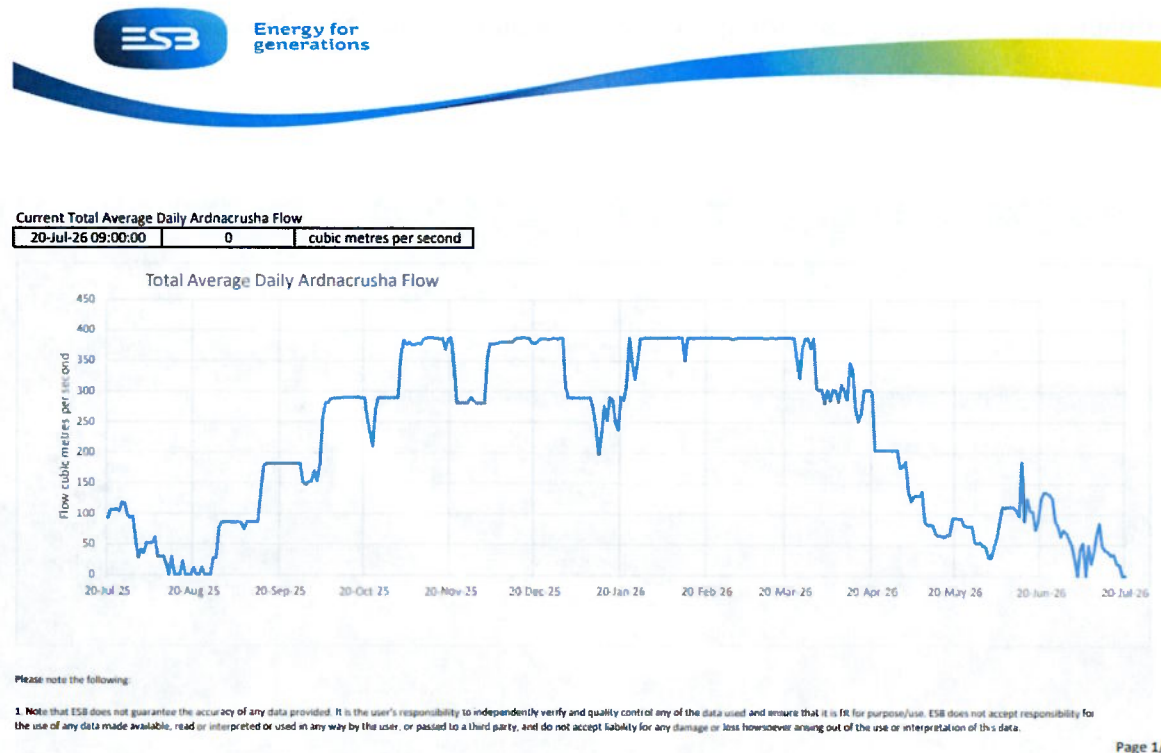
The ESB's statutory mandate to leave a minimum compensation flow of roughly 10% ($\approx 10 \text{ m}^3/\text{s}$) in the Old River Shannon channel was originally designed as

a seasonal, emergency floor to keep the river bed alive during brief summer droughts, while directing the rest to Ardnacrusha for electricity generation. The Shannon pipeline would result in this "emergency minimum" effectively becoming a permanent baseline constraint, with severe long-term consequences.



Uisce Éireann contends that the maximum abstraction of **3.47 cubic metres per second ($3.47 \text{ m}^3/\text{s}$)** is negligible because it represents just 2% of the long-term annual average flow, and that it is simply "changing the use" of water that would otherwise go to Ardnacrusha generation. This contention ignores EU environmental directives and ecological considerations and is based on a fundamentally flawed premise: that a maximum abstraction of **3.47 cubic metres per second ($3.47 \text{ m}^3/\text{s}$)** is ecologically minor because it represents only 2% of the "long-term annual average flow." A river's ecology does not live in a "long-term annual average." It lives in real-time low-flow conditions where there are peaks and troughs. During dry summer weeks, inflows into Lough Derg drop so significantly that the ESB completely shuts

off the Ardnacrusha hydroelectric turbines (reducing its draw to 0 m³/s) to preserve baseline water levels.



When Ardnacrusha is offline, the *only* water running downstream past the Parteen Weir is the mandatory environmental compensation flow of 864 million litres of water per day (10 m³/s). At this exact critical ecological bottleneck, the applicant's pipeline will still actively extract up to 300 million to 330 million litres of water per day (3.47 m³/s). Unlike the ESB infrastructure—which diverts water through Ardnacrusha but returns 100% of it to the main river channel just above Limerick City—the applicant's pipeline results in a 100% permanent loss of 330 million litres daily from the Shannon basin entirely. During a drought, this does not target "surplus power water"; it drains 34.7% of the absolute baseline flow required to keep the Lower River Shannon SAC alive.

Uisce Eireann indicate that water levels will be managed via a fluid, operational "agreement with the ESB." A private operational protocol between two commercial semi-state entities cannot legally substitute or override strict statutory environmental

assessments. In the *University College Cork (UCC) v. Electricity Supply Board (ESB)* [2020] litigation, the Supreme Court ultimately found the ESB liable for negligence regarding the devastating November 2009 River Lee floods. It affirmed that the ESB breached its duty of care by failing to heed weather reports and deliberately releasing damaging amounts of water. In this case however, the operator is Uisce Eireann.



6.2. Flow Regime Alteration

The River Shannon is already regulated for hydropower at Ardnacrusha. Additional abstraction during low-flow periods may:

- Reduce ecological flow thresholds.
- Lower spawning habitat availability.
- Increase water temperature.
- Reduce dissolved oxygen.

- Concentrate nutrients.

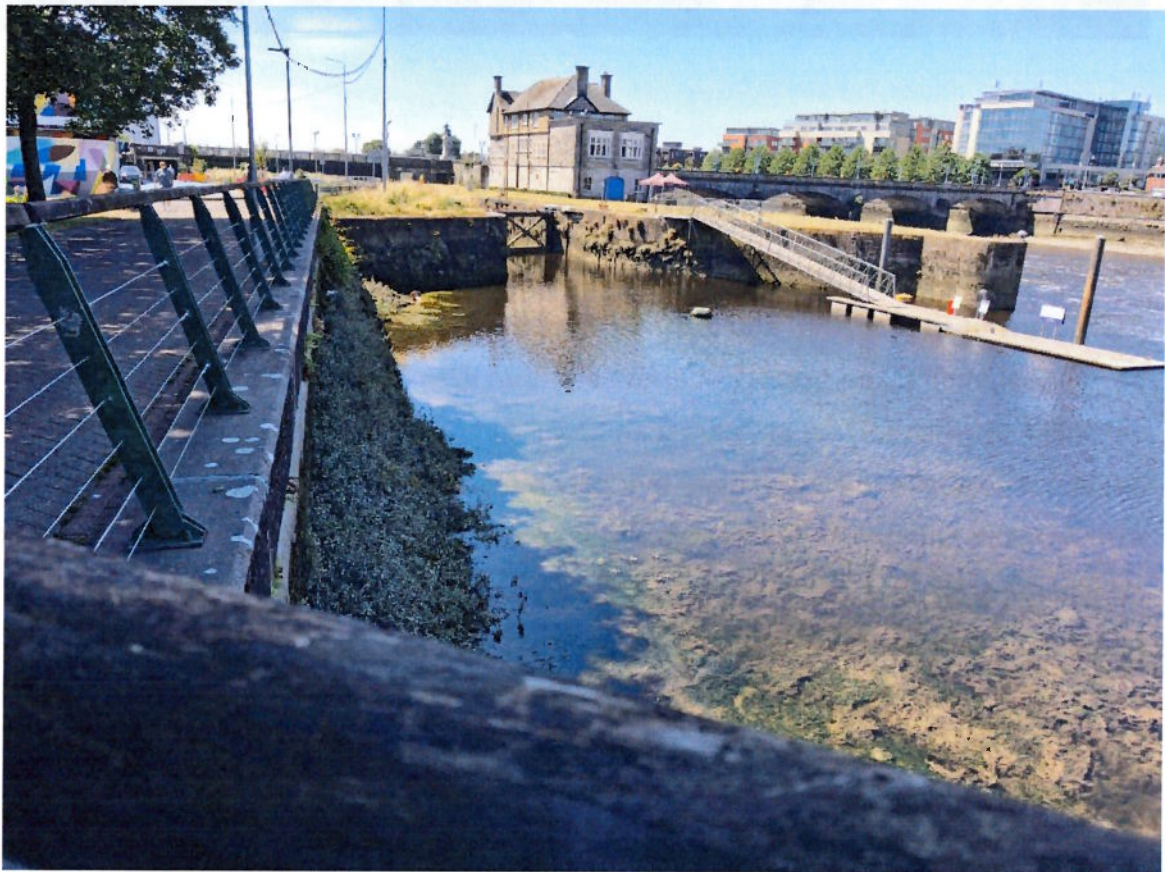
No publicly available modelling demonstrates:

- Climate-adjusted drought resilience.
- 1-in-50-year low flow scenario impacts.
- Cumulative abstraction modelling.

Flow regime alteration affects:

- Migratory fish (salmon, lamprey)
- Freshwater pearl mussel
- Estuarine mudflat productivity
- Floodplain wet grassland habitats

No conclusive evidence has been presented demonstrating absence of adverse effects.





The Lower River Shannon is already heavily modified by the Ardnacrusha scheme, which creates a highly complex hydraulic pathway for fish. Fish migration particularly of salmon, eel and lamprey species would be hampered by a large, permanent abstraction point right above Parteen Weir alters local water velocities, velocities that fish rely on as "attraction flows" to find fish passes. Silver eels and salmon smolts already suffer high mortality rates from being drawn into the Ardnacrusha turbines. A massive new intake pipeline at Parteen Basin introduces an additional, artificial suction hazard, physically pulling vulnerable smolts and eels out of the main river system entirely. The pipeline's physical suction and flow-velocity impacts create undeniable scientific doubt and does not meet the requirements set out under the Habitats Directive. The Water Framework Directive (2000/60/EC) legally mandates that member states prevent the deterioration of water bodies. Because the downstream waterbody below Parteen is already classified as having

"Poor Status," adding a permanent water-loss stressor is fundamentally incompatible with achieving "Good Status" targets.

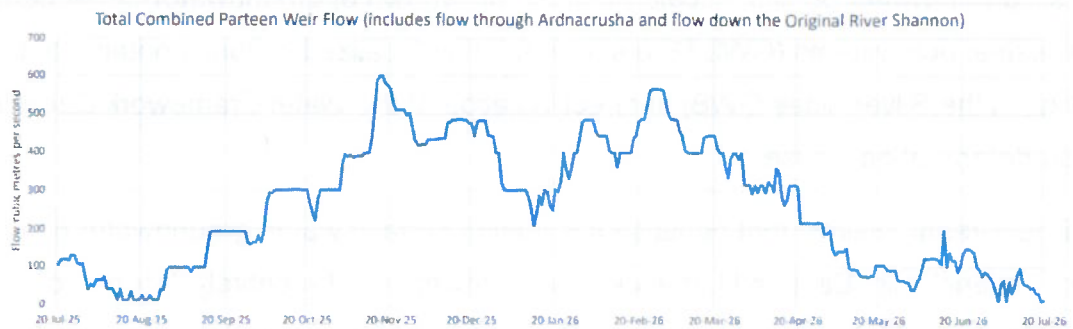
Rivers need natural fluctuations in water volume to clean out sediment. Permanently capping the river near its absolute minimum flow for extended periods causes silt to build up, choking gravel beds where salmon spawn.

The River Shannon is a slow moving river with a gradient of only about 49 metres from Lough Allen to Limerick City. The proposed abstraction would result in a shallow, slow-moving river which heats up rapidly in summer. Lower water volume reduces the river's capacity to dilute agricultural nitrate runoff and municipal wastewater discharge, leading to toxic algal blooms and oxygen drops that kill fish.

For months at a time, large stretches of the Old River Shannon would lack the depth needed for mature salmon and eels to physically swim past shallow rocks, effectively trapping migratory fish populations. Habitat fragmentation is an inevitable consequences and is not permitted under EU law.

Last 30 readings for Total Average Daily Ardnacrusha Flow		
Timestamp	Value	Units
20-Jul-26 09:00:00	0	cubic metres per second
19-Jul-26 09:00:00	0	cubic metres per second
18-Jul-26 09:00:00	18	cubic metres per second
17-Jul-26 09:00:00	19	cubic metres per second
16-Jul-26 09:00:00	34	cubic metres per second
15-Jul-26 09:00:00	33	cubic metres per second
14-Jul-26 09:00:00	39	cubic metres per second
13-Jul-26 09:00:00	41	cubic metres per second
12-Jul-26 09:00:00	48	cubic metres per second
11-Jul-26 09:00:00	85	cubic metres per second
10-Jul-26 09:00:00	66	cubic metres per second
09-Jul-26 09:00:00	39	cubic metres per second
08-Jul-26 09:00:00	19	cubic metres per second
07-Jul-26 09:00:00	49	cubic metres per second
06-Jul-26 09:00:00	0	cubic metres per second
05-Jul-26 09:00:00	53	cubic metres per second
04-Jul-26 09:00:00	43	cubic metres per second
03-Jul-26 09:00:00	0	cubic metres per second
02-Jul-26 09:00:00	27	cubic metres per second
01-Jul-26 09:00:00	49	cubic metres per second
30-Jun-26 09:00:00	60	cubic metres per second
29-Jun-26 09:00:00	70	cubic metres per second
28-Jun-26 09:00:00	74	cubic metres per second
27-Jun-26 09:00:00	64	cubic metres per second
26-Jun-26 09:00:00	80	cubic metres per second
25-Jun-26 09:00:00	89	cubic metres per second
24-Jun-26 09:00:00	126	cubic metres per second
23-Jun-26 09:00:00	132	cubic metres per second
22-Jun-26 09:00:00	135	cubic metres per second
21-Jun-26 09:00:00	135	cubic metres per second

Current Total Combined Parteen Weir Flow (includes flow through Ardnacrusha and flow down the Original River Shannon)
 20-Jul-26 09:00:00 11 cubic metres per second



Please note the following:

1. Note that ESB does not guarantee the accuracy of any data provided. It is the user's responsibility to independently verify and quality control any of the data used and ensure that it is fit for purpose/use. ESB does not accept responsibility for the use of any data made available, read or interpreted or used in any way by the user or passed to a third party, and do not accept liability for any damage or loss howsoever arising out of the use or interpretation of this data.

Page 1/2

Graph on volume of water abstracted from River Shannon by ESB at Parteen and release at Ardnacrusha

6. 3. GROUNDWATER INTEGRITY (ARTICLE 4 WFD)

The permanent abstraction of 330 million litres of water per day will lower the surface water stage (river height) of the Shannon main channel during seasonal droughts. This reduction in surface water pressure will reverse or degrade the natural hydraulic gradient between the river and adjacent aquifers, specifically the Limerick City East Groundwater Body (currently classified as "At Risk").

Instead of the river acting as a natural discharge point, the lowered river levels will increase the draw on these vulnerable groundwater layers. This threatens to dry out Groundwater-Dependent Terrestrial Ecosystems (GWDTEs), cause the collapse of adjacent wetland habitats, and risk mobilizing historic underground chemical contaminants (such as those within the interconnected Silvermines Groundwater Body). Consequently, the project directly breaches the absolute non-deterioration mandate under Article 4 of the EU Water Framework Directive.

The proposed abstraction will lower the surface water stage (hydraulic head) of the River Shannon during low-flow periods. This reduction in river level will alter the hydraulic gradient between the river and the adjacent Limerick City East, Limerick City Northwest, and Askeaton Groundwater Bodies. Instead of the river acting as a natural discharge zone, the lowered river levels will increase the draw on these 'At Risk' groundwater bodies, accelerating the drawdown of groundwater-dependent terrestrial ecosystems (GWDTEs) and mobilizing localized historic contaminants (e.g., in the Silvermines GWB) in direct violation of the Water Framework Directive's non-deterioration clause.

Uisce Eireann claims that because it is taking surface water, groundwater bodies like Limerick City East and Limerick City Northwest can be entirely "scoped out" of the Water Status Impact Assessment Report (WSIAR) due to a lack of hydraulic connectivity. However, the separation of surface water and groundwater into independent silos is scientifically obsolete and legally invalid under Article 4 of the Water Framework Directive (WFD). The River Shannon is a losing or gaining river depending on seasonal water stage heights.

During extended droughts, lowering the River Shannon's surface water height (hydraulic head) by a permanent abstraction of 330 million litres per day will artificially steepen the hydraulic gradient between the riverbed and the adjacent, "At Risk" aquifers (e.g., Limerick City East). This will accelerate the drawdown of groundwaters to feed the lower river baseflow, directly threatening adjacent Groundwater-Dependent Terrestrial Ecosystems (GWDTEs).

Altering the hydraulic head pressure risks altering underground flow paths in the Silvermines Groundwater Body, which is already designated as "Not at Good Status" due to historic heavy metal contamination. Lowering the water table can mobilize these localized heavy metal plumes. By "scoping out" groundwater entirely, the applicant has failed to conduct a legally compliant, comprehensive cumulative WFD compliance assessment.

By arbitrarily limiting its Zone of Influence (Zoi) to Limerick Dock and entirely "scoping out" critical groundwater-surface water interactions and designated European sites (such as Tory Hill SAC, Askeaton Fen Complex SAC, and the River Shannon and River Fergus Estuaries SPA), the applicant has left a profound gap in

the environmental record. Under the binding Precautionary Principle and the recent precedent in *Environmental Trust Ireland v. An Coimisiún Pleanála* and the requirement for an evidentiary basis, this scientific uncertainty mandates a refusal of planning permission.

6.4. Arbitrary "Zone of Influence" & Tidal Confluence Error

Uisce Éireann states that the Zone of Influence (Zol) abruptly ends at the tidal confluence of Limerick Dock. Therefore, they scoped out downstream European sites like Tory Hill SAC, Askeaton Fen Complex SAC, and the River Shannon and River Fergus Estuaries SPA from hydrological assessment.

The Precautionary Principle Violated: Under *Waddenzee (C-127/02)*, a site must be screened in for Appropriate Assessment if there is a *mere possibility* of a significant effect. The applicant's assertion that the diurnal tide completely erases the impact of a permanent upstream loss of 300 million litres of water per day is an unproven scientific hypothesis, not a certainty.

Salinity and Estuarine Dynamics: Estuaries rely entirely on the delicate balance between incoming saltwater tides and outgoing freshwater hydraulic head. Lowering the freshwater output by up to 34.7% during droughts directly alters the salinity gradient, moving brackish water further upstream. This impacts the benthic invertebrate biomass of the mudflats within the River Shannon and River Fergus Estuaries SPA, directly threatening the qualifying waterbird assemblages. Scoping this out without a dedicated, empirical estuarine model is a fatal legal flaw under Article 6(3).

6.5 SURFACE WATER-GROUNDWATER DISCONNECT

In Paragraph 140, Uisce Eireann argues that because it is drawing surface water, there is "no significant hydraulic connectivity" with adjacent groundwater bodies, justifying their choice to "scope out" groundwater from the Water Status Impact Assessment Report (WSIAR). This is scientifically and legally incorrect.

Under Article 4 of the Water Framework Directive (WFD), surface waters and groundwater bodies cannot be treated as separate silos. The River Shannon actively interacts with adjacent aquifers. Permanently reducing the river's hydraulic stage height during prolonged droughts will artificially steepen the hydraulic gradient between the riverbed and adjacent aquifers, such as the Limerick City East and Limerick City Northwest Groundwater Bodies (both currently classified by the EPA as "At Risk").

This will impact on Protected Fens and Grasslands. The altered pressure gradient will accelerate the lateral drawdown of groundwater to sustain the river's baseflow, directly draining moisture from adjacent Groundwater-Dependent Terrestrial Ecosystems (GWDTEs). This threatens the ecological survival of alkaline fens and petrifying springs within the Askeaton Fen Complex SAC and the Tory Hill SAC.

It will result in Contaminant Mobilization. Lowering the local water table risks altering underground flow velocities within the Silvermines Groundwater Body, which is already failing WFD chemical standards due to historic mining activities. Altering these flow paths could mobilize historic heavy metal contamination plumes. By failing to assess these cumulative groundwater pressures, the applicant is in direct non-compliance with the WFD non-deterioration mandate.

Uisce Éireann's explicit admission that it completely "scoped out" multiple legally protected groundwater bodies, estuarine environments, and downstream European sites means that reasonable scientific doubt remains fully intact. Following the clear judicial rules set down in *ETI v. An Coimisiún Pleanála*, An Coimisiún Pleanála has a strict legal obligation to reject this application.

6.6 European Natura 2000 Sites Along the Shannon and Route

- **Lough Derg North-East Shore SAC** – Protected shoreline habitats on Lough Derg (Shannon) that may be hydrologically connected upstream.
- **Sharavogue Bog SAC** – Peatland habitat in the Midlands which may be influenced by regional groundwater and water management changes.

- **River Barrow and River Nore SAC** – Major river system to the east; abstraction and transfers could influence inter-catchment groundwater or water demand pressures.
- **Poulaphouca Reservoir SPA** – Wetland bird site linked to water distribution systems in the Eastern and Midlands region.

6.7 Groundwater Bodies (WFD GWBs) Along the Route

The applicant's WFD assessment noted only **one groundwater body** scoped in their project documentation — *Limerick City Northwest (IE_SH_GW_140)* — associated with local influence of flows into *North Ballycannon* and *Crompaun East* surface water bodies.

However, according to EPA Catchments.ie Cycle-3 catchment reports, the Lower Shannon and Shannon Estuary South catchments host many GWBs and these should be fully documented in an objection.

Lower Shannon / Mulkear Catchment (EPA WFD Data)

The Lower Shannon and Mulkear Catchment, covering the main Shannon reach downstream of Parteen to Limerick City, contains 29 groundwater bodies identified in the Cycle-3 summary. At least three classes are relevant:

- **Karst and Limestone GWBs** – often high permeability and rapid connectivity to surface waters under baseflow conditions.
- **Sand & Gravel Aquifer GWBs** – local recharge and discharge zones that sustain tributary flows and wetlands.
- **Fissured & Poorly Productive Bedrock GWBs** – which still contribute baseflow and affect wetland water levels.

Scientific and Legal Importance of These GWBs & Natura Sites

Hydrological & Ecological Pathways

- **Baseflow Contribution:** Many GWBs discharge into the Shannon or tributaries supporting low-flow conditions essential for aquatic invertebrates, fish migration habitats, and riparian vegetation. Abstraction upstream could alter groundwater gradients, reducing discharge to rivers and potentially diminishing habitat quality.
- **Groundwater Dependent Terrestrial Ecosystems (GWDTE):** Some SAC qualifying habitats (e.g., fen complexes) depend on stable groundwater levels. GWBs provide this support; abstraction impacts could cause drawdown that dries out sensitive habitats.

Groundwater Connectivity & GWDTEs

EPA documentation highlights that groundwater interacts with rivers and wetlands and supports river flows during low rainfall periods — this is **hydrological connectivity** and is scientifically documented.

The abstraction at Parteen sits within the **Shannon River Basin District**, intersecting multiple groundwater bodies.

6.6 EXCLUSION OF SACs/SPAs & THE ARBITRARY "ZONE OF INFLUENCE"

Uisce Eireann asserts that because the diurnal tide influences water levels at Limerick Dock, the project's Zone of Influence abruptly terminates there. On this unproven basis, they completely excluded Tory Hill SAC, Askeaton Fen Complex SAC, and the River Shannon and River Fergus Estuaries SPA from hydrological and ecological impact assessments.

This ignores the disruption of the Estuarine Salinity Gradient. Estuaries depend entirely on the fragile hydraulic balance between incoming marine saltwater and outgoing freshwater. Permanently cutting freshwater inflows by up to 34.7% during severe droughts will compress the freshwater plume and shift the brackish salinity gradient further upstream.

It ignores the impact on Special Protection Areas (SPAs). This artificial shift in salinity directly alters the sediment transport and benthic invertebrate biomass of the

mudflats within the River Shannon and River Fergus Estuaries SPA. These mudflats provide the primary feeding habitats for protected waterbird assemblages (including Whooper swan, Wigeon, Teal, and Curlew). To entirely scope this out without an empirical, peer-reviewed estuarine model is a fatal legal flaw under Article 6(3) of the Habitats Directive.

Under *Waddenzee* (C-127/02), an alternative site or downstream water body must be fully screened in for Appropriate Assessment if there is a *mere possibility* of a significant effect. The applicant's categorical denial of downstream impacts past Limerick Dock fails to meet the threshold of absolute "scientific certainty" required by EU law.

Uisce Eireann failed to consider the Wetlands Qualifying Interests of the River Shannon and River Fergus Estuaries SPA and the impacts upon it and the species which rely on it.

6.7 "Climate Emergency"

The Environmental Impact Assessment Report (EIAR) fails to account for **climate change-induced prolonged drought**.

If the cut-off trigger activates during an extended summer drought, the pipeline becomes non-functional. Therefore, the project fails its primary objective as a "Strategic Water Security" asset. If it cannot supply Dublin during a severe drought, the massive environmental destruction required to build it across 172km cannot be legally justified under the principle of proportionality.

6.8 The proposed abstraction is incompatible with the EU Nature Restoration Law. The EU Nature Restoration Law (Regulation 2024/1991) is a landmark piece of legislation that took effect on August 18, 2024. It sets legally binding targets to restore 20% of the EU's land and sea areas by 2030 and all degraded ecosystems by 2050.

6.9 Benthic Communities in the Shannon SAC

The estuary's extensive mudflats and sandflats (covering over 8,800 hectares) support dense, diverse invertebrate communities.

Role in Carbon Capture ("Blue Carbon")

While coastal habitats (like saltmarshes and seagrasses) primarily capture and store carbon in their plant tissues and soils, benthic fauna directly support the "Blue Carbon" cycle in a few important ways:

1. **Sediment Mixing (Bioturbation):** Benthic worms and crustaceans move through the mud, physically turning over sediment. This process helps bury dead plant matter and organic carbon deep into the seabed where oxygen is low, preventing it from decomposing and returning to the atmosphere.
2. **Organic Carbon Processing:** Benthic fauna consume large amounts of terrestrially-derived organic matter and convert it into biomass and carbonate shells (calcium carbonate). Over time, these shells become cemented into the sedimentary geological record.

The Environmental Impact Assessment for the Water Supply Project relies heavily on long-term flow averages to claim minimal ecological disruption. However, during critical summer low-flows, abstracting up to 50% of the river's volume will decimate intertidal benthic communities through desiccation and salinity changes. Benthic fauna are the primary drivers of carbon burial in the Lower River Shannon SAC via bioturbation. Destroying these communities halts the transition of organic matter into stable subterranean blue carbon stores, triggering a net release of greenhouse gases. The project therefore fails to account for its long-term damage to Ireland's legally protected carbon sinks under the Climate Action Act.

Benthic ecosystems—collectively known as **"Blue Carbon" sinks**—are highly disproportionate powerhouses for carbon capture. While coastal and benthic habitats cover less than 2% of the ocean's total surface area, they are responsible for burying roughly **50% of all marine sediment carbon**.

On a pound-for-pound basis, benthic environments sequester carbon **up to 10 to 40 times faster** than mature terrestrial tropical rainforests.

Estuaries like the Lower Shannon act as a massive net sink where carbon is pulled out of circulation. Because these systems operate at such a highly concentrated scale per square meter, **even localized damage from altered river flows can trigger a massive, disproportionate release of greenhouse gases.** [1, 2]

The **Lower River Shannon Special Area of Conservation (SAC)** is Ireland's largest and most vital estuarine blue carbon sink. Spanning a massive water body of **31,500 hectares**, its expansive intertidal mudflats and saltmarshes act as a highly concentrated carbon-trapping engine.

Irish marine and estuarine data highlights how the proposed water abstraction directly threatens the specific carbon-capturing mechanisms of the Lower Shannon.

6.10 Non-Compliance with Mandatory National Carbon Budgets

The degradation of the Lower Shannon's blue carbon storage capacity directly breaches Ireland's statutory climate frameworks.

- **Section 15 of the Climate Action and Low Carbon Development (Amendment) Act 2021:** This legislation imposes a strict, statutory duty on all public bodies—including An Bord Pleanála—to perform their functions in a manner consistent with national greenhouse gas emissions ceilings and **legally binding 5-year carbon budgets**. Recent Court jurisprudence, such as *Coolglass Wind Farm Ltd v An Bord Pleanála* [2025] IEHC 1, reinforces that the planning board must explicitly consider its decisions with the state's legally binding climate objectives.
- **Application to this Project:** Granting permission for a project that risks turning Ireland's largest coastal carbon sink into an active source of greenhouse gas emissions would represent a direct failure by An Bord Pleanála to uphold its statutory obligations under the 2021 Climate Act.

6.11 Failure to assess impacts on Ecosystem Services.

The EIAR fails to properly quantify the degradation of 'Ecosystem Services' downstream. Capping the Old River Shannon at a permanent minimum flow directly damages the aesthetic, recreational, and economic value of the river corridor through Castleconnell and Limerick City. Low-flow conditions trigger toxic algal blooms and odours that will directly force the cancellation of major cultural and water-dependent festivals like Riverfest, destroying local hospitality economies and violating the sustainable development principles of the Planning and Development Act.

6.12 Case law

- **Case C-127/02 (*Waddenzee*):** The CJEU established that a project may only be authorized if the competent authority is certain that it will not have lasting adverse effects on the integrity of the site. The Court ruled that authorization must be refused if "**reasonable scientific doubt remains as to the absence of such effects.**"
- **Case C-258/11 (*Sweetman v An Bord Pleanála*):** Originating from an Irish Supreme Court reference regarding Lough Corrib, the CJEU held that a project will adversely affect the integrity of a site if it leads to the "**lasting and irreparable loss of the whole or part of a natural habitat type**". The Court confirmed that the Habitats Directive aims to prevent any reduction in the total area of protected habitats.
- **Application to this Project:** The localized desiccation of intertidal mudflats and the death of their carbon-burying benthic fauna constitutes a distinct, irreparable loss of an Annex I habitat *in part*. Under *Sweetman*, any partial destruction of an SAC's qualifying interest habitats means the project fails the integrity test.

If the applicant proposes to handle low-flow risks by setting up a monitoring system or altering abstraction flows retroactively during droughts, this constitutes a mitigation measure that cannot be used to bypass or dilute a full ecological assessment.

- **Case C-323/17 (*People Over Wind & Peter Sweetman v Coillte*):** The CJEU ruled that **mitigation measures cannot be considered during the screening stage** to conclude that a project will not have a significant effect. All potential negative effects must be fully evaluated without assuming the success of future interventions.
- **Application to this Project:** Any claim by Uisce Éireann that low-flow damage will be avoided through future "adaptive management" or conditional operational rules must be rejected as an invalid screening mechanism under *People Over Wind*.
- **The "Sweetman" Ruling (Case C-258/11):** An Irish case referred to the CJEU, which determined that if a project leads to the permanent, non-trivial loss or fragmentation of a natural habitat type within an SAC, it constitutes an adverse effect on the site's integrity, rendering approval unlawful.
- **Commission v Ireland (Case C-444/21):** The CJEU ruled against Ireland for failing to establish site-specific conservation measures for designated SACs. This judgment places intense pressure on Irish authorities to block any infrastructural over-abstraction that threatens protected species like Atlantic salmon or lamprey.

4. Recent Jurisprudence in Irish High Courts

Contemporary Irish judicial reviews, such as *Holland J.*'s rulings on infrastructural appropriate assessments, confirm that Irish courts maintain a robust level of review over scientific evidence. The High Court will thoroughly examine the record to ensure there are **no evidentiary gaps** in the material the planning board uses to make its determination.

The legal vulnerabilities of the Shannon Pipeline project is also evident based on ***Connelly v An Bord Pleanála [2018] IESC 31***.

6.13 Failure to Prioritize Unsustainable Infrastructure Alternatives

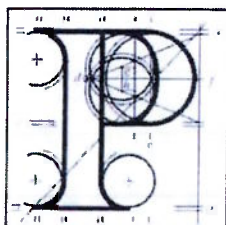
- Pumping water across a 170km steel pipeline to service a network plagued by high leakage rates represents an environmentally destructive and economically inefficient approach to water management. An Coimisiún Pleanála must mandate that Uisce Éireann exhaustively resolve local network management issues—specifically aggressive water leak remediation—before altering the delicate hydrological balance of the Mid-West region.

6.14 Multiple breaches of Development plans for a number of affected counties.

Environmental Trust Ireland against requests An Coimisiun Pleanala to reject this planning application by UISCE EIREANN.

Dated this 21st day of July 2026.

ENVIRONMENTAL TRUST IRELAND,
Michelle Hayes, Solicitor,
President, Environmental Trust Ireland.
3 Glentworth Street,
Limerick.



An
Bord
Pleanála

Application Form for Permission / Approval in respect of a Strategic Infrastructure Development

1.

Please specify the statutory provision under which your application is being made:	37E of the Planning and Development Act 2000 (as amended)
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2. **Applicant:**

Name of Applicant:	Uisce Éireann
Address:	Colvill House, 24-26 Talbot Street, Dublin 1, D01NP86
Telephone No:	01 202 7770
Email Address (if any):	watersupply@water.ie

3. **Where Applicant is a company (registered under the Companies Acts):**

Name(s) of company director(s):	Niall Gleeson Jerry Grant Patricia King Eileen Maher Gerry Britchfield Cathy Mannion Michael Walsh Michael Nolan Douglas Millican
Registered Address (of company)	Colvill House, 24-26 Talbot Street, Dublin 1, D01NP86

Company Registration No.	530363
Telephone No.	01 202 7770
Email Address (if any)	watersupply@water.ie

4. Person / Agent acting on behalf of the Applicant (if any):

Name:	Bernard Dwyer, Associate, Tom Phillips + Associates
Address:	80 Harcourt Street, Dublin 2, D01F449, and Mathew House, Father Mathew Street, Cork, T12 TN56
Telephone No.	+353 21 206 6596 (+353 1 4786055)
Mobile No. (if any)	
Email address (if any)	info@tpa.ie

Should all correspondence be sent to the above address? (Please tick appropriate box)

(Please note that if the answer is "No", all correspondence will be sent to the Applicant's address)

Yes: ☒ No: ☐

Contact Name and Contact Details (Phone number) for arranging entry on site if required / appropriate:

01 202 7770

5. Person responsible for preparation of Drawings and Plans:

Name:	Simon White
Firm / Company:	Jacobs Engineering Ireland Ltd.
Address:	Termini Building, 2nd Floor, 3 Arkle Road, Sandyford, Co. Dublin, D18 C9C5
Telephone No:	+44 (0)7816 560 747
Mobile No:	
Email Address (if any):	simon.white2@jacobs.com
Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form.	
Please see enclosed Drawings Schedule (Appendix 1).	

6. Site:

Site Address / Location of the Proposed Development (as may best identify the land or structure in question)	<u>Full Project Extent</u> Extensive linear project area. Please see enclosed list of townlands (Appendix 2) <u>Principal Infrastructure Sites</u> Raw Water Intake and Pumping Station Site – Garrynateeneel and Kilmaglassderry, Co. Tipperary. Water Treatment Plant Site – Incha Beg, Knockadromin and Greenhills, Birdhill, Co. Tipperary. Break Pressure Tank Site – Knockanacree Cloughjordan, Co. Tipperary. Booster Pumping Station Site – Coagh Upper, Birr, Co. Offaly. Flow Control Valve Site – Commons Upper, Celbridge, Co. Kildare. Termination Point Reservoir Site - Loughtown Upper and Peamount, Co. Dublin	
Ordnance Survey Map Ref No. (and the Grid Reference where available)	Please refer to various Site Location Plans in the accompanying drawing pack. Raw Water Intake and Pumping Station Site: 4447-C, 4447-D (570050, 670203) Water Treatment Plant Site: 4447-B, 4447-D, 4448-A, 4448-C (572155, 670652) Break Pressure Tank Site: 4046,4105-A (597237, 689920) Booster Pumping Station Site: 3761 (615336, 707104) Flow Control Valve Site: 3324-C (696398, 729833) Termination Point Reservoir Site: 3325-A (701050, 730980)	
Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided. <u>Application site boundary is submitted in digital format USB.</u>		
Area of site to which the application relates in hectares	1,233 ha	

Site zoning in current Development Plan for the area:	<i>Clare County Development Plan 2023-2029: Open Space and Agriculture (38 kV Uprate Works)</i> <i>Offaly County Development Plan 2021-2027: 'Enterprise and Employment' (Power Connection)</i> <i>South Dublin County Development Plan 2022-2028: Objective EE (Termination Point Reservoir); and Objective RU and Objective OS (Pipeline)</i>
Existing use of the site & proposed use of the site:	Existing Use: Largely agricultural lands along the route of the proposal with pockets of peatland, non-commercial forestry, road and waterway crossings etc. Proposed Use: Various water treatment and pumping infrastructure sites. Largely below ground, water pipeline and associated infrastructure.
Name of the Planning Authority(s) in whose functional area the site is situated:	Clare County Council Limerick City and County Council Tipperary County Council Offaly County Council Kildare County Council South Dublin County Council

7. Legal Interest of Applicant in respect of the site the subject of the application:

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner X	Occupier
	Other X	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
A small portion of subject lands at the proposed site of the Termination Point Reservoir is under Uisce Éireann ownership. For the remainder of the proposed project area, the acquisition of land, rights of way, wayleaves and temporary working areas will be necessary. Uisce Éireann Land Acquisition Team will enter into voluntary wayleave agreements with various landowners. The remainder of lands are the subject of a CPO Order and are described further in the CPO application accompanying the SID application. It is the intention of Uisce Éireann to continue engaging with affected landowners while both the SID application and CPO order are being assessed by An Coimisiún Pleanála with a view to further increasing the extent of land take by voluntary agreement in advance of the commencement of the project.		
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
Where a voluntary agreement has not been reached with the landowners affected, lands are subject to a Compulsory Purchase Order application submitted in tandem with the SID application under Part 7 of the Water Services Acts (as amended).		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
N/A		

8. Site History:

Details regarding site history (if known):

Has the site in question ever, to your knowledge, been flooded?

Yes: ☒ No: ☐

If yes, please give details e.g. year, extent:

Lough Derg: Fluvial Flooding, 1994/1995, 1999/2000

River Kilmastulla, Fluvial Flooding, 2005

Ardclough Commons Upper, Fluvial Flooding, 2000

Full details are provided in the EIAR at Appendix 9.4 'Flood Risk Assessment'.

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes: ☒ No: ☐

If yes, please give details:

The Project boundary passes through 8 no. bogs formerly subject to peat extraction:

- Ballydermot Bog
- Clonad Bog
- Cloncreen Bog
- Esker Bog
- Giltown Bog
- Mount Lucas Bog
- Timahoe North Bog
- Timahoe South Bog

(See Appendix 5.3 of accompanying EIAR for further details)

Are you aware of any valid planning applications previously made in respect of this land / structure?		
Yes: ☒ No: ☐		
If yes, please state planning register reference number(s) of same if known and details of applications		
Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant of Refusal by Planning Authority / An Bord Pleanála
Please see enclosed list of planning applications along the route of the proposed project (Appendix 3)		
If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended. The Site Notice at the Break Pressure Tank infrastructure site is on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended.		
Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?		
Yes: ☐ No: ☒		
If yes please specify		
An Bord Pleanála Reference No.: __n/a_____		

9. Description of the Proposed Development:

Brief description of nature and extent of development	Please see enclosed Development Description (Appendix 4)
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10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:

Class of Development:	Gross Floor Area in m ²
N/A	N/A

11. Where the application relates to a building or buildings:

Gross floor space of any existing buildings(s) in m ²	1,120 sq. m - disused buildings at proposed entrance to WTP + disused house on WTP site + farm outbuilding at Kilpatrick, Co. Kildare + existing building at TPR
Gross floor space of proposed works in m ²	61,025
Gross floor space of work to be retained in m ² (if appropriate)	N/A
Gross floor space of any demolition in m ² (if appropriate)	368 sq. m - (disused buildings at proposed entrance to WTP + disused house on WTP site + farm outbuilding at Kilpatrick, Co. Kildare)

12. In the case of residential development please provide breakdown of residential mix: N/A

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses							
Apartments							

Number of car-parking spaces to be provided		Existing:	Proposed:		Total:		

13. Social Housing:

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		✓
If the answer to the above question is "yes" and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act. If the answer to the above question is "yes" but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted). If the answer to the above question is "no" by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted. N/A		

14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)
n/a
Proposed use (or use it is proposed to retain)
n/a
Nature and extent of any such proposed use (or use it is proposed to retain).
n/a

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			✓
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			✓
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			✓
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.	✓		
Does the application relate to work within or close to a European Site or a Natural Heritage Area?	✓		
Does the development require the preparation of a Natura Impact Statement?	✓		
Does the proposed development require the preparation of an Environmental Impact Assessment Report?	✓		
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?			✓
Do the Major Accident Regulations apply to the proposed development?			✓
Does the application relate to a development in a Strategic Development Zone?			✓
Does the proposed development involve the demolition of any habitable house?	✓		

16. Services:

Proposed Source of Water Supply:
Existing connection: [at TPR] New Connection: [at other locations]
Public Mains: [] Group Water Scheme: [] Private Well:[]
Other (please specify): New connections to public water supply at infrastructure sites where there will be a permanent / occasional staffing presence, i.e. at the Raw Water Intake & Pumping Station, Water Treatment Plant, Break Pressure Tank and Booster Pumping Station sites. Existing connection to be utilised at Termination Point Reservoir. _____
Name of Group Water Scheme (where applicable): _____ n/a _____
Proposed Wastewater Management / Treatment:
Existing: [at TPR] New:[at other locations]
Public Sewer: [] Conventional septic tank system: []
Other on site treatment system: [✓] Please Specify: At infrastructure sites, i.e. at the Raw Water Intake & Pumping Station, Water Treatment Plant, Break Pressure Tank and Booster Pumping Station, where there will be a permanent / occasional staffing presence, foul water to be tankered to a licensed Wastewater Treatment Plant. Termination Point Reservoir: Existing foul sewer connection. Please refer to submitted Site Drainage Layout Plans for each Infrastructure Site _____
Proposed Surface Water Disposal:
Public Sewer / Drain:[] Soakpit:[]
Watercourse: [] Other: [✓] Please specify: Raw Water Intake & Pumping Station: Rainwater from roofs harvested to intake basin, rainfall runoff via drainage system.

Water Treatment Plant: Harvested runoff drained to commissioning lagoons, general site runoff to attenuation pond

Break Pressure Tank: Drained to infiltration basin/infiltration sumps

Booster Pumping Station: Drained to attenuation basin

Flow Control Valve: Drain to attenuation basin

Termination Point Reservoir: Drained to attenuation basin

Please refer to submitted Site Drainage Layout Plans for each Infrastructure Site

17. Notices:

Details of public newspaper notice – paper(s) and date of publication

Copy of page(s) of relevant newspaper enclosed Yes: ☒ No: ☐

- The Limerick Post – Thursday 18 December 2025 (dated 20/12 but available in print from 18/12)
- The Clare Echo – Thursday 18 December 2025
- The Tipperary Star - Wednesday 17 December 2025
- Offaly Independent – Saturday 13 December 2025
- Leinster Express – Tuesday 16 December 2025
- Kildare Nationalist – Tuesday 16 December 2025
- Dublin Gazette - Thursday 18 December 2025
- The Irish Times - Thursday 18 December 2025

Please see Appendix 5 for copies of Newspaper Notices.

Details of site notice, if any, - location and date of erection

Copy of site notice enclosed Yes: ☒ No: ☐

Please see Appendix 6 for a copy of Site Notice (yellow notice included at BPT site due to valid application made within previous 6 months)

Please refer to Appendix 7 for the Site Notice locations. (Drawings No. 32105801-850-00100 - 32105801-850-00107)

Site Notices erected 18th December 2025, in the townlands of:

1. Kilmaglisderry, Co. Tipperary
2. Gortybrigane (West of Birdhill Roundabout), Co. Tipperary
3. Gortybrigane (North of Birdhill Roundabout), Co. Tipperary
4. Incha More, Co. Tipperary
5. Greenhills, Co. Tipperary
6. Carrigatogher (Ryan) (Local road north of R445), Co. Tipperary
7. Carrigatogher (Ryan) (Junction of R445 at Five Alley), Co. Tipperary
8. Ballylusky, Co. Tipperary
9. Knockanacree, Co. Tipperary
10. Toora, Co. Offaly
11. Boveen, Co. Offaly
12. Clonoghil Upper, Co. Offaly
13. Clonoghil Upper, Co. Offaly
14. Fortel, Co. Offaly
15. Coagh Upper (L3003), Co. Offaly
16. Coagh Upper (L3003), Co. Offaly
17. Derrinboy, Co. Offaly
18. Killananny (R421), Co. Offaly
19. Killananny (R421), Co. Offaly

20. Curragh, Co. Offaly
21. Rathclonbrackan, Co. Offaly
22. Ballynakill Lower, Co. Kildare
23. Baltracey, Co. Kildare
24. Barberstown Upper, Co. Kildare
25. Commons Upper, Co. Kildare
26. Peamount (R120), Co. Dublin
27. Peamount (R120 next to TPR site access road), Co. Dublin
28. Milltown, Co. Dublin

Details of other forms of public notification, if appropriate e.g. website

www.watersupplyproject.ie

18. Pre-application Consultation:

Date(s) of statutory pre-application consultations with An Bord Pleanála

Pre-Application Consultations took place with An Bord Pleanála/ An Coimisiún Pleanála under case reference PC0124.

21/11/2024
18/02/2025
08/04/2025
20/05/2025
17/06/2025
25/06/2025
02/07/2025

Meetings held under previous iterations of Project:

24/04/2014
30/07/2014
11/11/2014
24/05/2016
02/11/2016
23/01/2018
21/11/2018
16/10/2019
16/02/2021

Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form.

Enclosed:

Yes: ☒ No: ☐

See enclosed Non-Statutory Consultation Submissions Report and Appendix 3 of Planning Report 'Pre-Application Consultations with ACP'.

Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification.

Enclosed:

Yes: ☒ No: ☐ (See appendices 8 & 9 of this application form)

19. Confirmation Notice:

Copy of Confirmation Notice

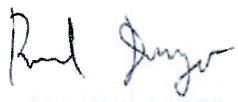
Attach a copy of the confirmation notice in relation to the EIA Portal where an EIAR accompanies the application.

A copy of the confirmation notice is appended to this application form as Appendix 10.

20. Application Fee:

Fee Payable	€100,000 (Fee paid by EFT) See enclosed remittance advice at Appendix 11
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I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Board in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Board.

Signed: (Applicant or Agent as appropriate)	 Bernard Dwyer (Agent), Associate, Tom Phillips + Associates
Date:	19 th December 2025

General Guidance Note:

The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

Appendices

- Appendix 1 – Drawing Schedule
- Appendix 2 – List of Townlands
- Appendix 3 – Planning History
- Appendix 4 – Development Description
- Appendix 5 – Copy of Newspaper Notices
- Appendix 6 – Copy of Site Notice
- Appendix 7 – Site Notice Location Drawings
- Appendix 8 – List of Prescribed Bodies
- Appendix 9 – Letters Sent to Prescribed Bodies
- Appendix 10 – EIA Confirmation
- Appendix 11 – Application Fee Remittance Copy



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Ref: 323980 SID Application - Submission 25 February 2026 - Environmental Trust Ireland

Environmental Trust Ireland <environmentaltrustireland@gmail.com> Fri, Mar 6, 2026 at 5:05 PM
To: SIDS <sids@pleanala.ie>, legalaffairs@pleanala.ie, publicaccess <publicaccess@pleanala.ie>

Dear An Coimisiun Pleanala,

We wish to draw your attention to the fact that Environmental Trust Ireland made two submissions on Uisce Eireann planning application on water abstraction from the River Shannon, which relates to 6 separate counties. These are LIMERICK, CLARE, TIPPERARY, OFFALY, KILDARE and DUBLIN.

Our first submission was in 2021.

Our most recent submission was on the 25 February 2026 - 13 pages (please see attached).

Our submission of 25 February 2026 drew express attention at point 3 under the heading "**STATUTORY BREACH OF MANDATORY REQUIREMENT RE SITE NOTICE**" that there was a failure to erect any site notices in **LIMERICK** and **CLARE**, which are two of the six counties listed in the application. Kerry is also affected but it is not one of the counties listed in the application.

We note that our second submission is not on the public website. We would be grateful if you would please upload it now.

Kind regards,

ENVIRONMENTAL TRUST IRELAND,
3 Glentworth Street,
Limerick



ENVIRONMENTAL TRUST IRELAND submission 25 Feb 2026.pdf
533K

ENVIRONMENTAL TRUST IRELAND

**Environment | Conservation | Biodiversity |
Ecology | Climate Change | Heritage | Advocacy**



Re: Planning Application - Reference number: PA92.323980

Direct Planning Application to An Coimisiún Pleanála in respect of a Strategic
**Infrastructure Development - Section 37E of the Planning and
Development Act 2000 (as amended),**

Applicant – Uisce Eireann

**Proposed Development: Water Abstraction from the River Shannon – water
supply, Eastern and Midlands Region**

Location: - Counties of Limerick, Clare, Tipperary, Offaly, Kildare, and Dublin.

TO:

**AN COIMISIÚN PLEANALA,
64 MARLBOROUGH STREET,
DUBLIN 1.
D01 V902**

A. DEVELOPMENT DESCRIPTION : Summary

The proposed development will primarily consist of:

- a proposed Raw Water Intake & Pumping Station at Garrynatineel, Ballina, Co. Tipperary;
- a proposed Water Treatment Plant at Incha Beg, Birdhill, Co. Tipperary;
- a proposed Break Pressure Tank at Knockanacree, Cloughjordan, Co. Tipperary;
- a proposed Booster Pumping Station at Coagh Upper, Birr, Co. Offaly;
- a proposed Flow Control Valve at Commons Upper, Celbridge, Co. Kildare;
- a proposed Termination Point Reservoir at Loughtown Upper, Peamount, County Dublin;
- c. 172km of pipeline connecting the water infrastructure sites;
- uprating and associated works to the existing Ardnacrusha – Birdhill 38kV line and Ardnacrusha – Birdhill – Nenagh 38kV line,
- works at the existing Birdhill 38 kV electricity substation,
- power connections to infrastructure and all ancillary works above and below ground.

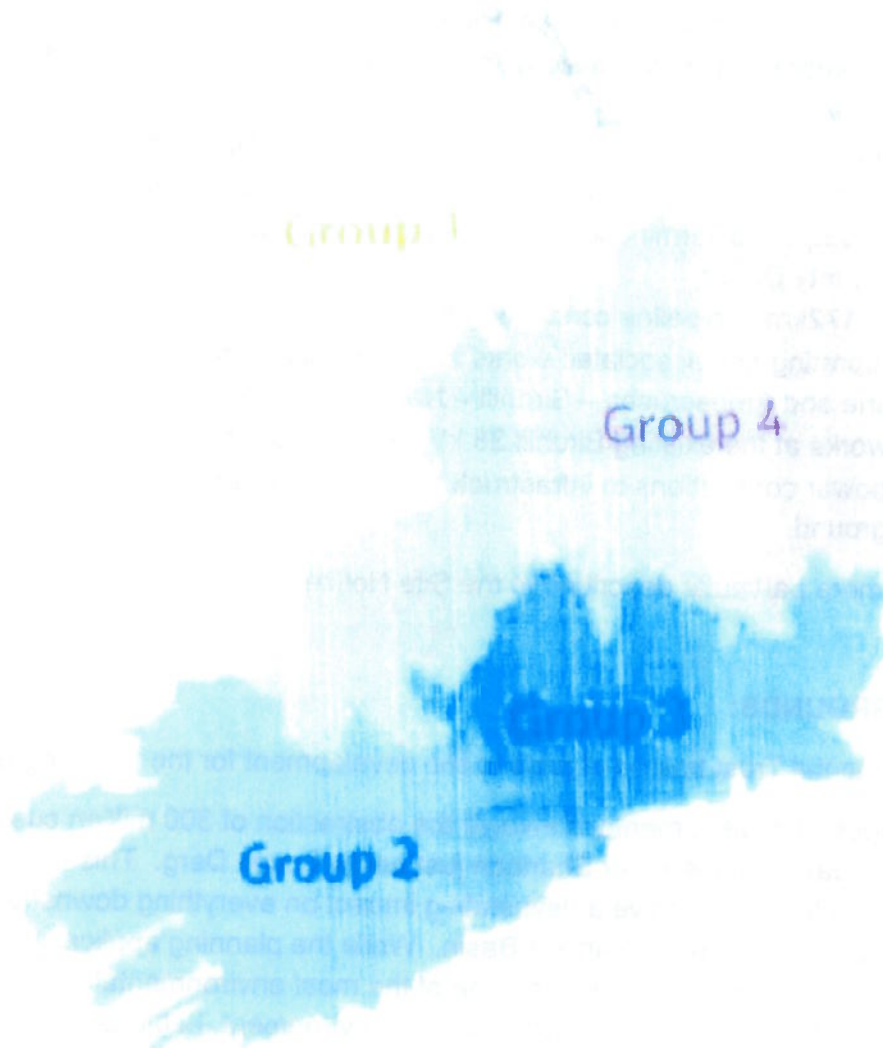
And as more particular described in the Site Notice

B. GROUNDS:

Environmental Trust Ireland objects to the development for the following reasons:

The proposed development will involve the abstraction of 300 million cubic litres of water per day from the River Shannon just below Lough Derg. This is completely unsustainable and will have a devastating impact on everything downstream of the abstraction point from the Parteen Basin. While the planning application is portrayed as critical infrastructure, it is in fact, one of the most environmentally destructive planning applications. It will result in loss of environment, habitats, ecosystems, species, tourism, aquaculture and water dependant festivals in Limerick such as Riverfest. It shows a callous disregard for Limerick, Clare, Kerry, Tipperary and other adversely affected counties

In the previous submission by Environmental Trust Ireland against the intended water abstraction from the River Shannon, attention was expressly drawn to the administrative changes to move Limerick, Clare and North Tipperary from the Mid West into the artificially structured Eastern and Midlands Region. Arising from that, Uisce Water has reduced the quantity of water to be abstracted from 330 million to 300 million cubic metres of water per day. However, nonetheless, the quantity remains unsustainable.



2. DOUBLE ABSTRACTION

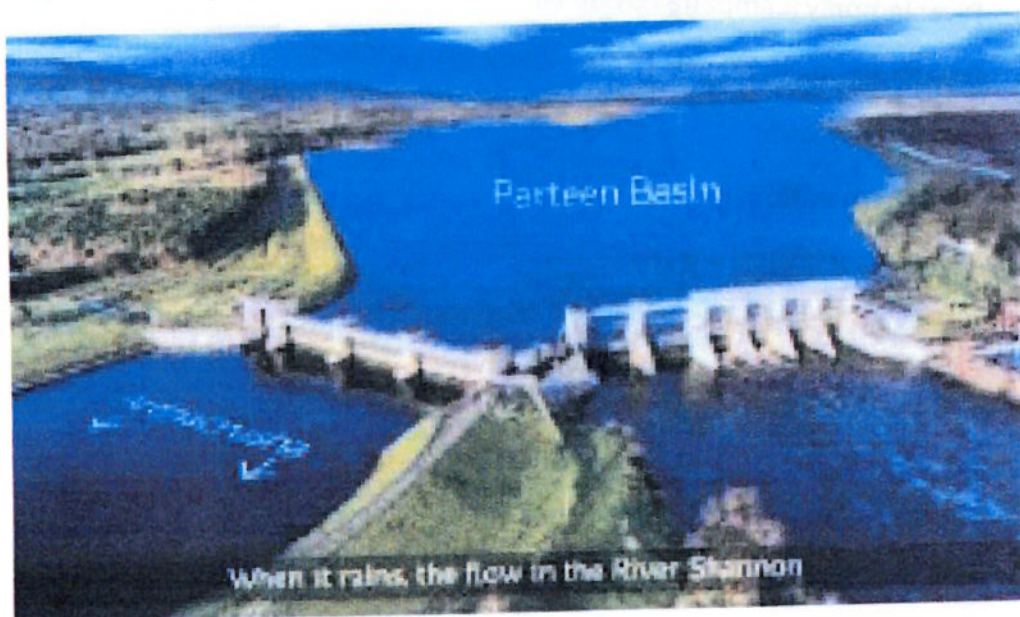
The proposed development cannot be seen in isolation from the existing ESB generating station at Ardnacrusha where up to 90% of the water from the River Shannon is abstracted per day, typically about 285 to 290 million cubic litres leaving

about 10% of water in the river. This has had terrible environmental impacts result in the population of Atlantic salmon now being critically endangered.

Uisce Eireann proposes to abstract even more than the ESB with one crucial difference – the ESB returns the water to the River Shannon after it is pushed through the turbines - Uisce Eireann will not.



The Shannon splits at Parteen, with most water diverted to Ardnacrusha.



3. STATUTORY BREACH OF MANDATORY REQUIREMENT RE SITE NOTICE

No site notices were displayed in Limerick, Clare, or Kerry

As a result, the application is invalid *ab initio*.

Public participation in a very significant environmental matter was set at nought, in breach of the Aarhus Convention.

4. FAILURE TO CONDUCT ADEQUATE AA and EIA ASSESSMENTS

4.1 Natura 2000 Sites Potentially Affected

Sites Directly Downstream of Parteen Abstraction Point

Lower River Shannon SAC

Designation: Special Area of Conservation (SAC)

Counties: Clare, Cork, Kerry, Limerick, Tipperary

Qualifying Interests Include:

- Estuaries (1130)
- Mudflats and sandflats (1140)
- Alluvial forests (91E0)
- Atlantic salmon (*Salmo salar*)
- Sea lamprey (*Petromyzon marinus*)
- River lamprey (*Lampetra fluviatilis*)
- Freshwater pearl mussel (*Margaritifera margaritifera*)
- Otter (*Lutra lutra*)

Relevance to Objection:

- Direct hydrological continuity with abstraction location.
- Flow reductions alter:
 - Sediment transport
 - Salinity gradients
 - Spawning habitat availability
 - Migratory fish passage

- Any alteration to flow regime requires Stage 2 Appropriate Assessment.
-

River Shannon and River Fergus Estuaries SPA

Designation: Special Protection Area (SPA)

Qualifying Interests:

- Whooper swan
- Wigeon
- Teal
- Pintail
- Shoveler
- Black-tailed godwit
- Curlew
- Dunlin
- Wetland and waterbird assemblages

Relevance:

- Freshwater discharge controls estuarine salinity gradients.
- Mudflat productivity depends on freshwater inflow.
- Reduced river discharge affects benthic invertebrate biomass and feeding habitat.

UISCE EIREANN FAILED TO CONSIDER this European site which is clearly adversely impacted

River Shannon Callows SAC

Designation: SAC

Habitats:

- Floodplain meadows
- Wet grasslands
- Seasonal inundation zones

Relevance:

- Ecological integrity depends on natural flood pulse.
 - Flow regime modification disrupts:
 - Flood frequency
 - Groundwater recharge
 - Nutrient cycling
-

5. Additional Sites Requiring Screening Due to Hydrological Linkage

The following must also be screened due to groundwater or tributary connectivity:

- **Askeaton Fen Complex SAC**
- **Tory Hill SAC**

These contain groundwater-dependent terrestrial ecosystems (GWDEs), which are protected under both the Habitats Directive and WFD groundwater provisions.

UISCE EIREANN FAILED TO CONSIDER these European sites

6. WFD Groundwater Bodies (GWBs)

Under Article 4 of the Water Framework Directive:

- No groundwater body may deteriorate in status.
- Quantitative and chemical status must remain at least "Good".
- Abstractions must not compromise associated surface waters or dependent ecosystems.

The abstraction at Parteen sits within the **Shannon River Basin District**, intersecting multiple groundwater bodies.

7.1 Groundwater Bodies in Lower Shannon & Mulkear Catchment**Limerick City Northwest Groundwater Body**

Status: At Risk

Pressures: Nutrients, urban impacts

Hydrological Link:

- Discharges to Ballycannon and Crompaun subcatchments.
 - Contributes to Lower Shannon baseflow.
-

Limerick City East Groundwater Body

Status: At Risk

Pressures: Nutrients

Relevance:

- Supports Groody/Whitehall systems.
 - Indirect downstream connectivity to Lower Shannon SAC.
-

Pallas Grean Groundwater Body

Status: At Risk

Pressures: Agricultural nutrient loading

Relevance:

- Feeds tributaries upstream of estuary.
 - Important in cumulative WFD compliance assessment.
-

Silvermines Groundwater Body

Status: Not at Good Status

Pressures: Historic metal contamination

Relevance:

- Chemical pressures already present.
 - Any hydrological change may mobilise contaminants.
-

8. Shannon Estuary South Catchment

This hydrometric area contains approximately **46 groundwater bodies**, including:

- **Askeaton Groundwater Body**
- **Ballingarry Groundwater Body**

These discharge into estuarine systems that form part of designated SAC and SPA sites.

9. Hydrological Connectivity

Groundwater–surface water interaction mechanisms include:

- Baseflow contribution during low-flow periods.
- Floodplain recharge.
- Wetland hydraulic support.
- Spring-fed tributary maintenance.

Abstraction can:

- Lower hydraulic head gradients.
 - Reduce groundwater discharge.
 - Modify seasonal hydrographs.
 - Reduce ecological resilience during drought periods.
-

10. Ecological Consequences

Reduced flow regime can cause:

- Spawning habitat loss (salmonids, lamprey).
 - Reduced dilution capacity for nutrients.
 - Altered salinity regime in estuary.
 - Drying of wet grasslands and fens.
 - Invasive species advantage under altered flow.
-

11. Habitats Directive (Article 6)

Where a project may have significant effects:

- Appropriate Assessment is mandatory.
 - Consent can only be granted if there is certainty of **no adverse effect on site integrity**.
 - Scientific doubt must result in refusal (CJEU jurisprudence: Waddenzee principle).
-

12. Water Framework Directive (Article 4)

- Prohibits deterioration in status.
- Requires maintenance of ecological flow.
- Requires assessment of cumulative impacts.

Failure to assess all GWBs constitutes non-compliance.

• Limerick City East Groundwater Body

Concerns have been raised that abstraction may:

- Reduce groundwater recharge
- Affect wetlands and floodplains
- Increase vulnerability during drought conditions
- Exacerbate cumulative pressures from agriculture and urban runoff



Image Overview of the Proposed Project

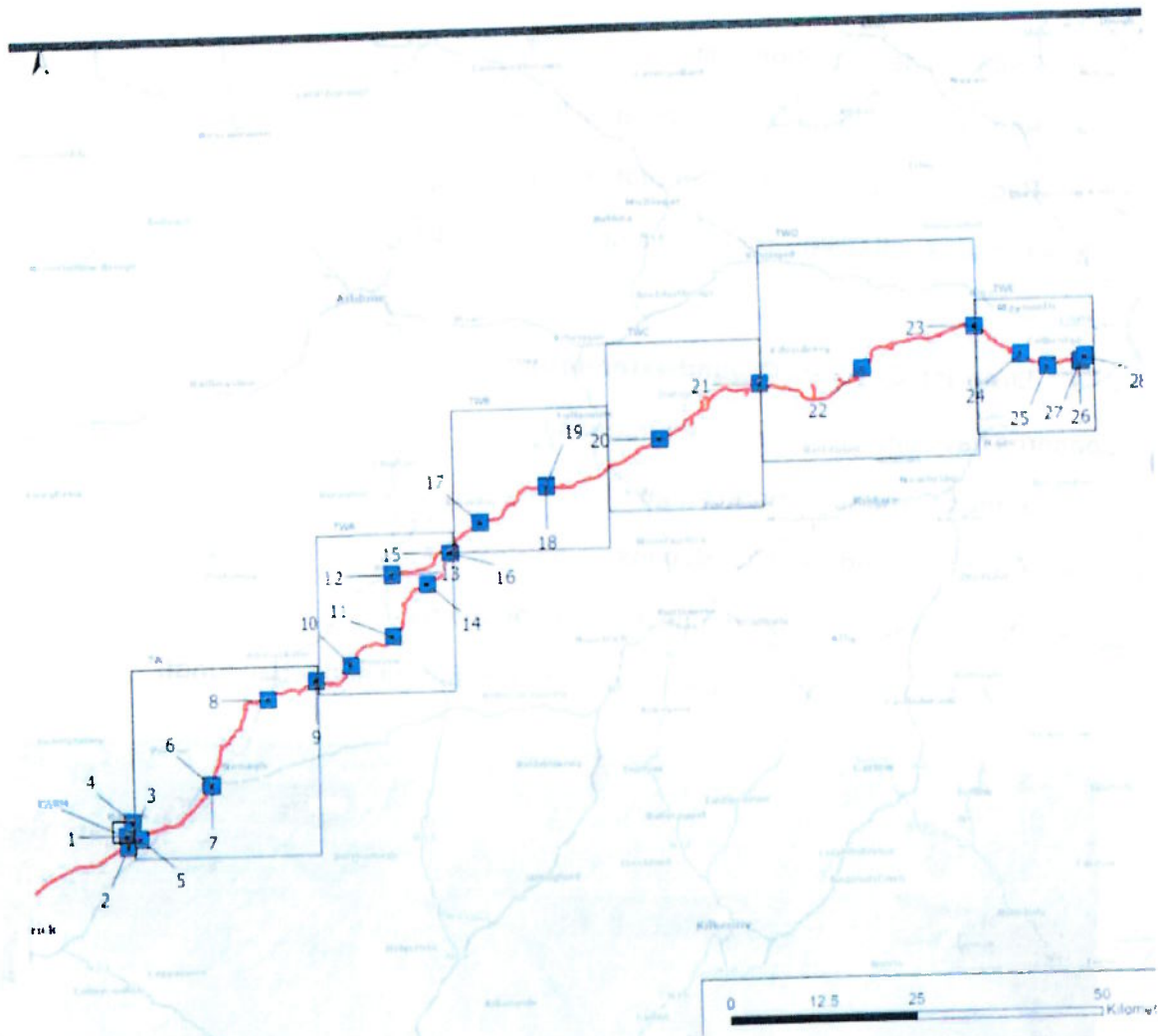


Figure Site notice locations (from Jacobs Tobin)

MANDATORY STATUTORY REQUIREMENT not complied with – Application is invalid *ab initio*

Site Notices erected 18th December 2025, in the townlands of:

1. Kilmaglasderry, Co. Tipperary
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5. Greenhills, Co. Tipperary
6. Carrigatogher (Ryan) (Local road north of R445), Co. Tipperary

7. Carrigatogher (Ryan) (Junction of R445 at Five Alley), Co. Tipperary
8. Ballylusky, Co. Tipperary
9. Knockanacree, Co. Tipperary
10. Toora, Co. Offaly
11. Boveen, Co. Offaly
12. Clonoghil Upper, Co. Offaly
13. Clonoghil Upper, Co. Offaly
14. Fortel, Co. Offaly
15. Coagh Upper (L3003), Co. Offaly
16. Coagh Upper (L3003), Co. Offaly
17. Derrinboy, Co. Offaly
18. Killananny (R421), Co. Offaly
19. Killananny (R421), Co. Offaly
20. Curragh, Co. Offaly
21. Rathclonbrackan, Co. Offaly
22. Ballynakill Lower, Co. Kildare
23. Baltracey, Co. Kildare
24. Barberstown Upper, Co. Kildare
25. Commons Upper, Co. Kildare
26. Peamount (R120), Co. Dublin
27. Peamount (R120 next to TPR site access road), Co. Dublin
28. Milltown, Co. Dublin

Environmental Trust Ireland reserves the right to make further submissions in this matter.

For and on behalf of Environmental Trust Ireland – 25 February 2026

Environmental Trust Ireland,
C/O Michelle Hayes, Solicitor,
President, Environmental Trust Ireland,

3 Glentworth Street,
Limerick.



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Ref: 323980 SID Application - Submission 25 February 2026 - Environmental Trust Ireland

LAPS <laps@pleanala.ie>
To: "environmentaltrustireland@gmail.com" <environmentaltrustireland@gmail.com>

Mon, Mar 9, 2026 at 12:24 PM

Good afternoon

I acknowledge receipt of your email.

The submissions received in respect of this case are currently being processed. Once processed, each submission will be uploaded to the Commission's website. Accordingly, your submission will be uploaded in due course.

Regards

Eimear Reilly

Executive Officer

SIDS/LAPS

From: SIDS <sids@pleanala.ie>**Sent:** Monday, March 9, 2026 8:40 AM**To:** LAPS <laps@pleanala.ie>**Subject:** FW: RE: 323980 SID Application - Submission 25 February 2026 - Environmental Trust Ireland**From:** Environmental Trust Ireland <environmentaltrustireland@gmail.com>**Sent:** Friday 6 March 2026 17:06**To:** SIDS <sids@pleanala.ie>; Legal Affairs <legalaffairs@pleanala.ie>; publicaccess <publicaccess@pleanala.ie>**Subject:** RE: 323980 SID Application - Submission 25 February 2026 - Environmental Trust Ireland

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.

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Mon, Mar 16, 2026 at 4:37 PM

Environmental Trust Ireland <environmentaltrustireland@gmail.com>

To: laps@pleanala.ie, publicaccess <publicaccess@pleanala.ie>, SIDS <sids@pleanala.ie>

Dear An Coimisiun Pleanala,

We refer to our email of the 6th March 2026 to which we are still awaiting your response.

We are conscious that An Coimisiun Pleanala is on notice of the failure of the developer to erect site notices in counties Limerick and Clare, making the application procedurally flawed.

Your attention is specifically drawn to pages 14-15 (Site Notices) of the Application for planning permission (attached) where no site notices were erected in counties Limerick and Clare making the entire planning application invalid.

We are unable to understand the delay by An Coimisiun Pleanala in declaring the planning application invalid.

We await hearing from you as a matter of urgency.

Yours faithfully,

Environmental Trust Ireland,
3, Glentworth Street,
Limerick.

----- Forwarded message -----

From: **Environmental Trust Ireland** <environmentaltrustireland@gmail.com>

Date: Fri, Mar 6, 2026 at 5:05 PM

Subject: REf: 323980 SID Application - Submission 25 February 2026 - Environmental Trust Ireland

To: SIDS <sids@pleanala.ie>, <legalaffairs@pleanala.ie>, publicaccess <publicaccess@pleanala.ie>

Dear An Coimisiun Pleanala,

We wish to draw your attention to the fact that Environmental Trust Ireland made two submissions on Uisce Eireann planning application on water abstraction from the River Shannon, which relates to 6 separate counties. These are LIMERICK, CLARE, TIPPERARY, OFFALY, KILDARE and DUBLIN.

Our first submission was in 2021.

Our most recent submission was on the 25 February 2026 - 13 pages (please see attached).

Our submission of 25 February 2026 drew express attention at point 3 under the heading "**STATUTORY BREACH OF MANDATORY REQUIREMENT RE SITE NOTICE**" that there was a failure to erect any site notices in **LIMERICK** and **CLARE**, which are two of the six counties listed in the application. Kerry is also affected but it is not one of the counties listed in the application.

We note that our second submission is not on the public website. We would be grateful if you would please upload it now.

Kind regards,

ENVIRONMENTAL TRUST IRELAND,
3 Glentworth Street,
Limerick

2 attachments



ENVIRONMENTAL TRUST IRELAND submission 25 Feb 2026.pdf
533K



323980 No Site Notices in Limerick and Clare Water Abstraction Pipeline.pdf
1123K

ENVIRONMENTAL TRUST IRELAND

**Environment | Conservation | Biodiversity |
Ecology | Climate Change | Heritage | Advocacy**



Re: Planning Application - Reference number: PA92.323980

Direct Planning Application to An Coimisiún Pleanála in respect of a Strategic
**Infrastructure Development - Section 37E of the Planning and
Development Act 2000 (as amended),**

Applicant – Uisce Eireann

**Proposed Development: Water Abstraction from the River Shannon – water
supply, Eastern and Midlands Region**

Location: - Counties of Limerick, Clare, Tipperary, Offaly, Kildare, and Dublin.

TO:

**AN COIMISIÚN PLEANALA,
64 MARLBOROUGH STREET,
DUBLIN 1.
D01 V902**

A. DEVELOPMENT DESCRIPTION : Summary

The proposed development will primarily consist of:

- a proposed Raw Water Intake & Pumping Station at Garrynatineel, Ballina, Co. Tipperary;
- a proposed Water Treatment Plant at Incha Beg, Birdhill, Co. Tipperary;
- a proposed Break Pressure Tank at Knockanacree, Cloughjordan, Co. Tipperary;
- a proposed Booster Pumping Station at Coagh Upper, Birr, Co. Offaly;
- a proposed Flow Control Valve at Commons Upper, Celbridge, Co. Kildare;
- a proposed Termination Point Reservoir at Loughtown Upper, Peamount, County Dublin;
- c. 172km of pipeline connecting the water infrastructure sites;
- upgrading and associated works to the existing Ardnacrusha – Birdhill 38kV line and Ardnacrusha – Birdhill – Nenagh 38kV line,
- works at the existing Birdhill 38 kV electricity substation,
- power connections to infrastructure and all ancillary works above and below ground.

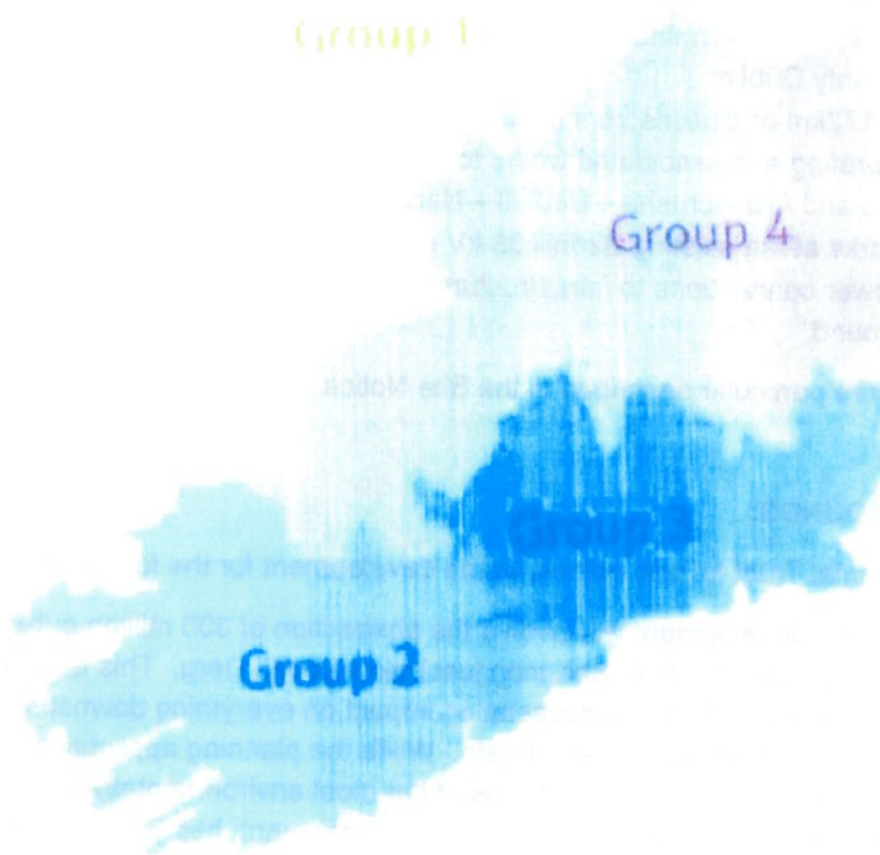
And as more particular described in the Site Notice

B. GROUNDS:

Environmental Trust Ireland objects to the development for the following reasons:

The proposed development will involve the abstraction of 300 million cubic litres of water per day from the River Shannon just below Lough Derg. This is completely unsustainable and will have a devastating impact on everything downstream of the abstraction point from the Parteen Basin. While the planning application is portrayed as critical infrastructure, it is in fact, one of the most environmentally destructive planning applications. It will result in loss of environment, habitats, ecosystems, species, tourism, aquaculture and water dependant festivals in Limerick such as Riverfest. It shows a callous disregard for Limerick, Clare, Kerry, Tipperary and other adversely affected counties

In the previous submission by Environmental Trust Ireland against the intended water abstraction from the River Shannon, attention was expressly drawn to the administrative changes to move Limerick, Clare and North Tipperary from the Mid West into the artificially structured Eastern and Midlands Region. Arising from that, Uisce Water has reduced the quantity of water to be abstracted from 330 million to 300 million cubic metres of water per day. However, nonetheless, the quantity remains unsustainable.



2. DOUBLE ABSTRACTION

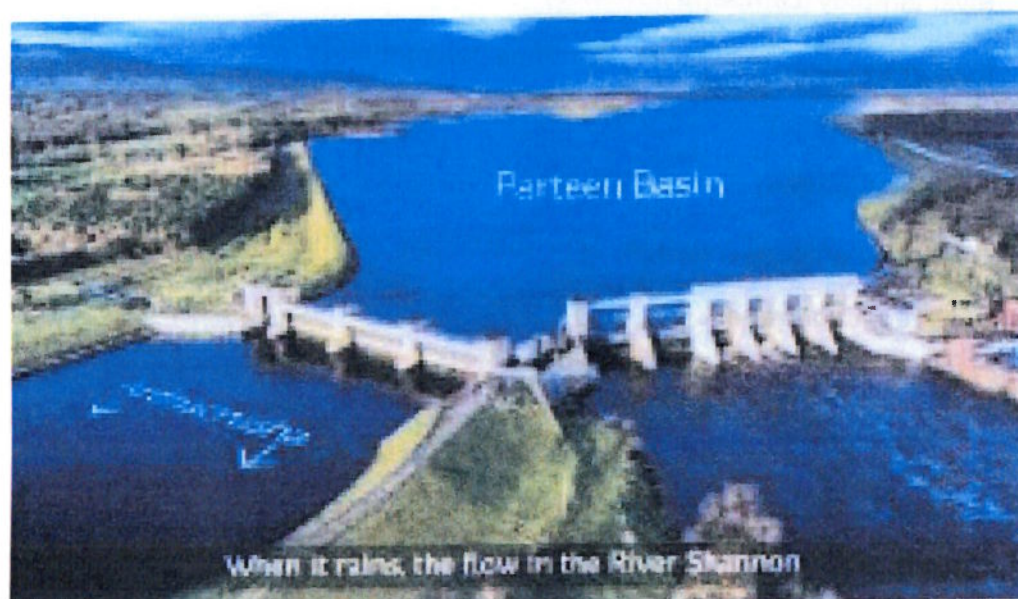
The proposed development cannot be seen in isolation from the existing ESB generating station at Ardnacrusha where up to 90% of the water from the River Shannon is abstracted per day, typically about 285 to 290 million cubic litres leaving

about 10% of water in the river. This has had terrible environmental impacts result in the population of Atlantic salmon now being critically endangered.

Uisce Eireann proposes to abstract even more than the ESB with one crucial difference – the ESB returns the water to the River Shannon after it is pushed through the turbines - Uisce Eireann will not.



The Shannon splits at Parteen, with most water diverted to Ardnacrusha.



3. STATUTORY BREACH OF MANDATORY REQUIREMENT RE SITE NOTICE

No site notices were displayed in Limerick, Clare, or Kerry

As a result, the application is invalid *ab initio*.

Public participation in a very significant environmental matter was set at nought, in breach of the Aarhus Convention.

4. FAILURE TO CONDUCT ADEQUATE AA and EIA ASSESSMENTS

4.1 Natura 2000 Sites Potentially Affected

Sites Directly Downstream of Parteen Abstraction Point

Lower River Shannon SAC

Designation: Special Area of Conservation (SAC)

Counties: Clare, Cork, Kerry, Limerick, Tipperary

Qualifying Interests Include:

- Estuaries (1130)
- Mudflats and sandflats (1140)
- Alluvial forests (91E0)
- Atlantic salmon (*Salmo salar*)
- Sea lamprey (*Petromyzon marinus*)
- River lamprey (*Lampetra fluviatilis*)
- Freshwater pearl mussel (*Margaritifera margaritifera*)
- Otter (*Lutra lutra*)

Relevance to Objection:

- Direct hydrological continuity with abstraction location.
- Flow reductions alter:
 - Sediment transport
 - Salinity gradients
 - Spawning habitat availability
 - Migratory fish passage

- Any alteration to flow regime requires Stage 2 Appropriate Assessment.
-

River Shannon and River Fergus Estuaries SPA

Designation: Special Protection Area (SPA)

Qualifying Interests:

- Whooper swan
- Wigeon
- Teal
- Pintail
- Shoveler
- Black-tailed godwit
- Curlew
- Dunlin
- Wetland and waterbird assemblages

Relevance:

- Freshwater discharge controls estuarine salinity gradients.
- Mudflat productivity depends on freshwater inflow.
- Reduced river discharge affects benthic invertebrate biomass and feeding habitat.

UISCE EIREANN FAILED TO CONSIDER this European site which is clearly adversely impacted

River Shannon Callows SAC

Designation: SAC

Habitats:

- Floodplain meadows
- Wet grasslands
- Seasonal inundation zones

Relevance:

- Ecological integrity depends on natural flood pulse.
 - Flow regime modification disrupts:
 - Flood frequency
 - Groundwater recharge
 - Nutrient cycling
-

5. Additional Sites Requiring Screening Due to Hydrological Linkage

The following must also be screened due to groundwater or tributary connectivity:

- **Askeaton Fen Complex SAC**
- **Tory Hill SAC**

These contain groundwater-dependent terrestrial ecosystems (GWDTEs), which are protected under both the Habitats Directive and WFD groundwater provisions.

UISCE EIREANN FAILED TO CONSIDER these European sites

6. WFD Groundwater Bodies (GWBs)

Under Article 4 of the Water Framework Directive:

- No groundwater body may deteriorate in status.
- Quantitative and chemical status must remain at least “Good”.
- Abstractions must not compromise associated surface waters or dependent ecosystems.

The abstraction at Parteen sits within the **Shannon River Basin District**, intersecting multiple groundwater bodies.

7.1 Groundwater Bodies in Lower Shannon & Mulkear Catchment**Limerick City Northwest Groundwater Body**

Status: At Risk

Pressures: Nutrients, urban impacts

Hydrological Link:

- Discharges to Ballycannan and Crompaun subcatchments.
 - Contributes to Lower Shannon baseflow.
-

Limerick City East Groundwater Body

Status: At Risk

Pressures: Nutrients

Relevance:

- Supports Groody/Whitehall systems.
 - Indirect downstream connectivity to Lower Shannon SAC.
-

Pallas Grean Groundwater Body

Status: At Risk

Pressures: Agricultural nutrient loading

Relevance:

- Feeds tributaries upstream of estuary.
 - Important in cumulative WFD compliance assessment.
-

Silvermines Groundwater Body

Status: Not at Good Status

Pressures: Historic metal contamination

Relevance:

- Chemical pressures already present.
 - Any hydrological change may mobilise contaminants.
-

8. Shannon Estuary South Catchment

This hydrometric area contains approximately **46 groundwater bodies**, including:

- **Askeaton Groundwater Body**
- **Ballingarry Groundwater Body**

These discharge into estuarine systems that form part of designated SAC and SPA sites.

9. Hydrological Connectivity

Groundwater–surface water interaction mechanisms include:

- Baseflow contribution during low-flow periods.
- Floodplain recharge.
- Wetland hydraulic support.
- Spring-fed tributary maintenance.

Abstraction can:

- Lower hydraulic head gradients.
 - Reduce groundwater discharge.
 - Modify seasonal hydrographs.
 - Reduce ecological resilience during drought periods.
-

10. Ecological Consequences

Reduced flow regime can cause:

- Spawning habitat loss (salmonids, lamprey).
 - Reduced dilution capacity for nutrients.
 - Altered salinity regime in estuary.
 - Drying of wet grasslands and fens.
 - Invasive species advantage under altered flow.
-

11. Habitats Directive (Article 6)

Where a project may have significant effects:

- Appropriate Assessment is mandatory.
 - Consent can only be granted if there is certainty of **no adverse effect on site integrity**.
 - Scientific doubt must result in refusal (CJEU jurisprudence: Waddenzee principle).
-

12. Water Framework Directive (Article 4)

- Prohibits deterioration in status.
- Requires maintenance of ecological flow.
- Requires assessment of cumulative impacts.

Failure to assess all GWBs constitutes non-compliance.

- **Limerick City East Groundwater Body**

Concerns have been raised that abstraction may:

- Reduce groundwater recharge
- Affect wetlands and floodplains
- Increase vulnerability during drought conditions
- Exacerbate cumulative pressures from agriculture and urban runoff



Image Overview of the Proposed Project

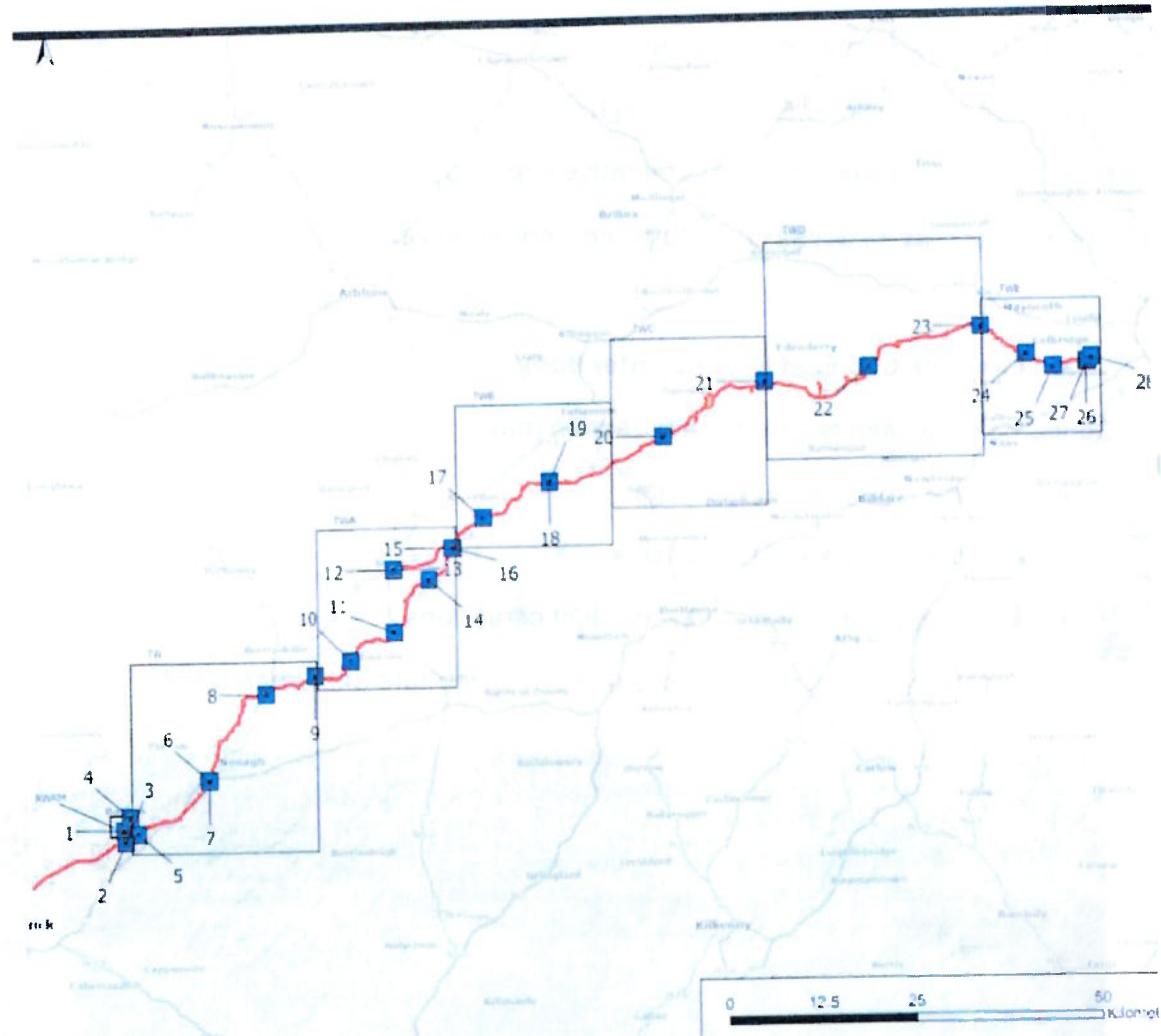


Figure Site notice locations (from Jacobs Tobin)

MANDATORY STATUTORY REQUIREMENT not complied with – Application is invalid *ab initio*

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27. Peamount (R120 next to TPR site access road), Co. Dublin
28. Milltown, Co. Dublin

Environmental Trust Ireland reserves the right to make further submissions in this matter.

For and on behalf of Environmental Trust Ireland – 25 February 2026

Environmental Trust Ireland,
C/O Michelle Hayes, Solicitor,
President, Environmental Trust Ireland,

3 Glentworth Street,
Limerick.

Eimear Reilly

From: Bernard Dwyer <bernard@tpa.ie>
Sent: Tuesday 6 January 2026 14:22
To: Eimear Reilly
Subject: Re: WSP - ACP 323980
Attachments: WSP SID Application Form.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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.

Thanks Eimear,

See attached corrected application form. I haven't included appendices as there is no change to them from what was previously submitted. Hopefully that's ok.

I have sought the bank details from UE and will follow on with them.

Regards,
Bernard

From: Eimear Reilly <e.reilly@pleanala.ie>
Sent: Tuesday, January 6, 2026 12:42
To: Bernard Dwyer <bernard@tpa.ie>
Subject: RE: WSP - ACP 323980

Hi Bernard

I acknowledge receipt of your email. The Commission require a soft copy of the updated application form – you can send this on by return email.

Separately, and as discussed, by phone a moment ago, please be advised that the fee to lodge the SID application is €100,000. I note that you have overpaid the application fee by €23,000. I will arrange for a refund for this amount to be issued to you. In order to process this, the Commission require either TPA's or UE's bank details on headed paper. You are required to send this on to me by return email also.

Kind regards
Eimear

From: Bernard Dwyer <bernard@tpa.ie>
Sent: Monday, January 5, 2026 5:20 PM
To: Eimear Reilly <e.reilly@pleanala.ie>
Subject: WSP - ACP 323980

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.

Hi Eimear,

As discussed earlier, we've noticed a minor discrepancy on the application form for this.

No's 22 and 23 of the site notice locations below are in Co. Kildare as opposed to Co. Offaly (Page 15 of the form)

Can you confirm if we should re-issue a revised form to correct that? Or is this email sufficient to notify of the error.

Thanks,
Bernard

20. Curragh, Co. Offaly 21. Rathclunbrackun, Co. Offaly 22. Ballynakill Lower, Co. Offaly 23. Baltracree, Co. Offaly 24. Barberstown Upper, Co. Kildare 25. Commons Upper, Co. Kildare 26. Pearmount (R120), Co. Dublin 27. Pearmount (R120 next to TPR site access road), Co. Dublin 28. Miltown, Co. Dublin
Details of other forms of public notification, if appropriate e.g. website
www.watersupplyproject.ie

Bernard Dwyer

Associate

Tom Phillips + Associates

Town Planning Consultants

Contact

**Cork**

Mathew House
Father Mathew Street
Cork
T12 TN56
T +353 21 206 6596
M +353 87 242 8184

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80 Harcourt Street
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w www.tpa.ie
e info@tpa.ie



BS EN ISO

Tom Phillips and Associates Limited: Dublin and Cork:

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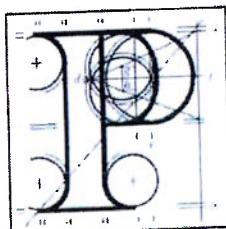
Eimear Reilly
Executive Officer
Strategic Infrastructure Development
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Tel: 01-873-7184
Facs: 01-8722684

Má fhaigheann tú an ríomhphost seo lasmuigh de na gnáthuaireanta oibre, ní bheidh mé ag súil le freagra ná gníomh lasmuigh de d'uaireanta oibre féin.

If you receive this email outside of normal working hours, I do not expect a response or action outside of your own working hours

Smaoinigh ar an timpeallacht sula ndéanann tú an ríomhphost seo a phriontáil.

Please consider the environment before printing this mail.



An
Bord
Pleanála

Application Form for Permission / Approval in respect of a Strategic Infrastructure Development

1.	Please specify the statutory provision under which your application is being made:	37E of the Planning and Development Act 2000 (as amended)
----	--	---

2. Applicant:

Name of Applicant:	Uisce Éireann
Address:	Colvill House, 24-26 Talbot Street, Dublin 1, D01NP86
Telephone No:	01 202 7770
Email Address (if any):	watersupply@water.ie

3. Where Applicant is a company (registered under the Companies Acts):

Name(s) of company director(s):	Niall Gleeson Jerry Grant Patricia King Eileen Maher Gerry Britchfield Cathy Mannion Michael Walsh Michael Nolan Douglas Millican
Registered Address (of company)	Colvill House, 24-26 Talbot Street, Dublin 1, D01NP86

Company Registration No.	530363
Telephone No.	01 202 7770
Email Address (if any)	watersupply@water.ie

4. Person / Agent acting on behalf of the Applicant (if any):

Name:	Bernard Dwyer, Associate, Tom Phillips + Associates
Address:	80 Harcourt Street, Dublin 2, D01F449, and Mathew House, Father Mathew Street, Cork, T12 TN56
Telephone No.	+353 21 206 6596 (+353 1 4786055)
Mobile No. (if any)	
Email address (if any)	info@tpa.ie

Should all correspondence be sent to the above address? (Please tick appropriate box)

(Please note that if the answer is "No", all correspondence will be sent to the Applicant's address)

Yes: [✓] No: []

Contact Name and Contact Details (Phone number) for arranging entry on site if required / appropriate:

01 202 7770

5. Person responsible for preparation of Drawings and Plans:

Name:	Simon White
Firm / Company:	Jacobs Engineering Ireland Ltd.
Address:	Termini Building, 2nd Floor, 3 Arkle Road, Sandyford, Co. Dublin, D18 C9C5
Telephone No:	+44 (0)7816 560 747
Mobile No:	
Email Address (if any):	simon.white2@jacobs.com
Details all plans / drawings submitted – title of drawings / plans, scale and no. of copies submitted. This can be submitted as a separate schedule with the application form. Please see enclosed Drawings Schedule (Appendix 1).	

6. Site:

Site Address / Location of the Proposed Development (as may best identify the land or structure in question)	<u>Full Project Extent</u> Extensive linear project area. Please see enclosed list of townlands (Appendix 2) <u>Principal Infrastructure Sites</u> Raw Water Intake and Pumping Station Site – Garrynateel and Kilmaglassderry, Co. Tipperary. Water Treatment Plant Site – Incha Beg, Knockadromin and Greenhills, Birdhill, Co. Tipperary. Break Pressure Tank Site – Knockanacree Cloughjordan, Co. Tipperary. Booster Pumping Station Site – Coagh Upper, Birr, Co. Offaly. Flow Control Valve Site – Commons Upper, Celbridge, Co. Kildare. Termination Point Reservoir Site - Loughtown Upper and Peamount, Co. Dublin	
Ordnance Survey Map Ref No. (and the Grid Reference where available)	Please refer to various Site Location Plans in the accompanying drawing pack. Raw Water Intake and Pumping Station Site: 4447-C, 4447-D (570050, 670203) Water Treatment Plant Site: 4447-B, 4447-D, 4448-A, 4448-C (572155, 670652) Break Pressure Tank Site: 4046,4105-A (597237, 689920) Booster Pumping Station Site: 3761 (615336, 707104) Flow Control Valve Site: 3324-C (696398, 729833) Termination Point Reservoir Site: 3325-A (701050, 730980)	
Where available, please provide the application site boundary, as shown in the submitted plans / drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.		
<u>Application site boundary is submitted in digital format USB.</u>		
Area of site to which the application relates in hectares	1,233 ha	

Site zoning in current Development Plan for the area:	<i>Clare County Development Plan 2023-2029: Open Space and Agriculture (38 kV Uprate Works)</i> <i>Offaly County Development Plan 2021-2027: 'Enterprise and Employment' (Power Connection)</i> <i>South Dublin County Development Plan 2022-2028: Objective EE (Termination Point Reservoir); and Objective RU and Objective OS (Pipeline)</i>
Existing use of the site & proposed use of the site:	Existing Use: Largely agricultural lands along the route of the proposal with pockets of peatland, non-commercial forestry, road and waterway crossings etc. Proposed Use: Various water treatment and pumping infrastructure sites. Largely below ground, water pipeline and associated infrastructure.
Name of the Planning Authority(s) in whose functional area the site is situated:	Clare County Council Limerick City and County Council Tipperary County Council Offaly County Council Kildare County Council South Dublin County Council

7. **Legal Interest of Applicant in respect of the site the subject of the application:**

Please tick appropriate box to show applicant's legal interest in the land or structure:	Owner X	Occupier
	Other X	
Where legal interest is "Other", please expand further on your interest in the land or structure.		
A small portion of subject lands at the proposed site of the Termination Point Reservoir is under Uisce Éireann ownership. For the remainder of the proposed project area, the acquisition of land, rights of way, wayleaves and temporary working areas will be necessary. Uisce Éireann Land Acquisition Team will enter into voluntary wayleave agreements with various landowners. The remainder of lands are the subject of a CPO Order and are described further in the CPO application accompanying the SID application. It is the intention of Uisce Éireann to continue engaging with affected landowners while both the SID application and CPO order are being assessed by An Coimisiún Pleanála with a view to further increasing the extent of land take by voluntary agreement in advance of the commencement of the project.		
If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation.		
Where a voluntary agreement has not been reached with the landowners affected, lands are subject to a Compulsory Purchase Order application submitted in tandem with the SID application under Part 7 of the Water Services Acts (as amended).		
Does the applicant own or have a beneficial interest in adjoining, abutting or adjacent lands? If so, identify the lands and state the interest.		
N/A		

8. Site History:

Details regarding site history (if known):

Has the site in question ever, to your knowledge, been flooded?

Yes: ☒ No: ☐

If yes, please give details e.g. year, extent:

Lough Derg: Fluvial Flooding, 1994/1995, 1999/2000

River Kilmastulla, Fluvial Flooding, 2005

Ardclough Commons Upper, Fluvial Flooding, 2000

Full details are provided in the EIAR at Appendix 9.4 'Flood Risk Assessment'.

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes: ☒ No: ☐

If yes, please give details:

The Project boundary passes through 8 no. bogs formerly subject to peat extraction:

- Ballydermot Bog
- Clonad Bog
- Cloncreen Bog
- Esker Bog
- Giltown Bog
- Mount Lucas Bog
- Timahoe North Bog
- Timahoe South Bog

(See Appendix 5.3 of accompanying EIAR for further details)

Are you aware of any valid planning applications previously made in respect of this land / structure?		
Yes: ☒ No: ☐		
If yes, please state planning register reference number(s) of same if known and details of applications		
Reg. Ref. No:	Nature of Proposed Development	Nature of Final Decision of Application Grant or Refusal by Planning Authority / An Bord Pleanála
Please see enclosed list of planning applications along the route of the proposed project (Appendix 3)		
If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then any required site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended. The Site Notice at the Break Pressure Tank infrastructure site is on a yellow background in accordance with Article 19(4) of the Planning and Development regulations 2001 as amended.		
Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?		
Yes: ☐ No: ☒		
If yes please specify		
An Bord Pleanála Reference No.: <u>n/a</u>		

9. Description of the Proposed Development:

Brief description of nature and extent of development	Please see enclosed Development Description (Appendix 4)
---	--

10. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and a breakdown of the gross floor area of each class of development:

Class of Development:	Gross Floor Area in m ²
N/A	N/A

11. Where the application relates to a building or buildings:

Gross floor space of any existing buildings(s) in m ²	1,120 sq. m - disused buildings at proposed entrance to WTP + disused house on WTP site + farm outbuilding at Kilpatrick, Co. Kildare + existing building at TPR
Gross floor space of proposed works in m ²	61,025
Gross floor space of work to be retained in m ² (if appropriate)	N/A
Gross floor space of any demolition in m ² (if appropriate)	368 sq. m - (disused buildings at proposed entrance to WTP + disused house on WTP site + farm outbuilding at Kilpatrick, Co. Kildare)

12. In the case of residential development please provide breakdown of residential mix: N/A

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4 + Bed	Total
Houses							
Apartments							

Number of car-parking spaces to be provided		Existing:	Proposed:		Total:		

13. Social Housing:

Please tick appropriate box:	Yes	No
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?</i>		✓
If the answer to the above question is "yes" and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act. If the answer to the above question is "yes" but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted). If the answer to the above question is "no" by virtue of section 96 (13) of the Planning and Development Act 2000, details indicating the basis on which section 96 (13) is considered to apply to the development should be submitted. N/A		

14. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)
n/a
Proposed use (or use it is proposed to retain)
n/a
Nature and extent of any such proposed use (or use it is proposed to retain).
n/a

15. Development Details:

Please tick appropriate box:	If answer is yes please give details	YES	NO
Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part?			✓
Does the proposed development consist of work to a protected structure and / or its curtilage or proposed protected structure and / or its curtilage?			✓
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?			✓
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994.		✓	
Does the application relate to work within or close to a European Site or a Natural Heritage Area?		✓	
Does the development require the preparation of a Natura Impact Statement?		✓	
Does the proposed development require the preparation of an Environmental Impact Assessment Report?		✓	
Do you consider that the proposed development is likely to have significant effects on the environment in a transboundary state?			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring an integrated pollution prevention and control license			✓
Does the application relate to a development which comprises or is for the purpose of an activity requiring a waste license?			✓
Do the Major Accident Regulations apply to the proposed development?			✓
Does the application relate to a development in a Strategic Development Zone?			✓
Does the proposed development involve the demolition of any habitable house?		✓	

16. Services:

Proposed Source of Water Supply:

Existing connection: [at TPR] New Connection: [at other locations]

Public Mains: [] Group Water Scheme: [] Private Well:[]

Other (please specify):

New connections to public water supply at infrastructure sites where there will be a permanent / occasional staffing presence, i.e. at the Raw Water Intake & Pumping Station, Water Treatment Plant, Break Pressure Tank and Booster Pumping Station sites.

Existing connection to be utilised at Termination Point Reservoir.

Name of Group Water Scheme (where applicable):

n/a

Proposed Wastewater Management / Treatment:

Existing: [at TPR] New:[at other locations]

Public Sewer: [] Conventional septic tank system: []

Other on site treatment system: [✓] Please Specify:

At infrastructure sites, i.e. at the Raw Water Intake & Pumping Station, Water Treatment Plant, Break Pressure Tank and Booster Pumping Station, where there will be a permanent / occasional staffing presence, foul water to be tankered to a licensed Wastewater Treatment Plant.
Termination Point Reservoir: Existing foul sewer connection.

Please refer to submitted Site Drainage Layout Plans for each Infrastructure Site

Proposed Surface Water Disposal:

Public Sewer / Drain:[] Soakpit:[]

Watercourse: [] Other: [✓] Please specify:

Raw Water Intake & Pumping Station: Rainwater from roofs harvested to intake basin, rainfall runoff via drainage system.

Water Treatment Plant: Harvested runoff drained to commissioning lagoons, general site runoff to attenuation pond
Break Pressure Tank: Drained to infiltration basin/infiltration sumps
Booster Pumping Station: Drained to attenuation basin
Flow Control Valve: Drain to attenuation basin
Termination Point Reservoir: Drained to attenuation basin

Please refer to submitted Site Drainage Layout Plans for each Infrastructure Site

17. Notices:

Details of public newspaper notice – paper(s) and date of publication
Copy of page(s) of relevant newspaper enclosed Yes: ☒ No: ☐ ○ The Limerick Post – Thursday 18 December 2025 (dated 20/12 but available in print from 18/12) ○ The Clare Echo – Thursday 18 December 2025 ○ The Tipperary Star - Wednesday 17 December 2025 ○ Offaly Independent – Saturday 13 December 2025 ○ Leinster Express – Tuesday 16 December 2025 ○ Kildare Nationalist – Tuesday 16 December 2025 ○ Dublin Gazette - Thursday 18 December 2025 ○ The Irish Times - Thursday 18 December 2025 Please see Appendix 5 for copies of Newspaper Notices.
Details of site notice, if any, - location and date of erection
Copy of site notice enclosed Yes: ☒ No: ☐ Please see Appendix 6 for a copy of Site Notice (yellow notice included at BPT site due to valid application made within previous 6 months) Please refer to Appendix 7 for the Site Notice locations. (Drawings No. 32105801-850-00100 - 32105801-850-00107) Site Notices erected 18th December 2025, in the townlands of: 1. Kilmaglisderry, Co. Tipperary 2. Gortybrigane (West of Birdhill Roundabout), Co. Tipperary 3. Gortybrigane (North of Birdhill Roundabout), Co. Tipperary 4. Incha More, Co. Tipperary 5. Greenhills, Co. Tipperary 6. Carrigatogher (Ryan) (Local road north of R445), Co. Tipperary 7. Carrigatogher (Ryan) (Junction of R445 at Five Alley), Co. Tipperary 8. Ballylusky, Co. Tipperary 9. Knockanacree, Co. Tipperary 10. Toora, Co. Offaly 11. Boveen, Co. Offaly 12. Clonoghil Upper, Co. Offaly 13. Clonoghil Upper, Co. Offaly 14. Fortel, Co. Offaly 15. Coagh Upper (L3003), Co. Offaly 16. Coagh Upper (L3003), Co. Offaly 17. Derrinboy, Co. Offaly 18. Killananny (R421), Co. Offaly 19. Killananny (R421), Co. Offaly

20. Curragh, Co. Offaly 21. Rathclonbrackan, Co. Offaly 22. Ballynakill Lower, Co. Kildare 23. Baltracey, Co. Kildare 24. Barberstown Upper, Co. Kildare 25. Commons Upper, Co. Kildare 26. Peamount (R120), Co. Dublin 27. Peamount (R120 next to TPR site access road), Co. Dublin 28. Milltown, Co. Dublin
Details of other forms of public notification, if appropriate e.g. website
www.watersupplyproject.ie

18. Pre-application Consultation:

Date(s) of statutory pre-application consultations with An Bord Pleanála Pre-Application Consultations took place with An Bord Pleanála/ An Coimisiún Pleanála under case reference PC0124. 21/11/2024 18/02/2025 08/04/2025 20/05/2025 17/06/2025 25/06/2025 02/07/2025 <u>Meetings held under previous iterations of Project:</u> 24/04/2014 30/07/2014 11/11/2014 24/05/2016 02/11/2016 23/01/2018 21/11/2018 16/10/2019 16/02/2021 Schedule of any other pre application consultations –name of person / body and date of consultation to be provided as appropriate and also details of any general public consultations i.e. methods, dates, venues etc. This can be submitted as a separate schedule with the application form. Enclosed: Yes: ☒ No: ☐
--

See enclosed Non-Statutory Consultation Submissions Report and Appendix 3 of Planning Report 'Pre-Application Consultations with ACP'.

Schedule of prescribed bodies to whom notification of the making of the application has been sent and a sample copy of such notification.

Enclosed:

Yes: ☒ No: ☐ (See appendices 8 & 9 of this application form)

19. Confirmation Notice:

Copy of Confirmation Notice

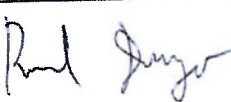
Attach a copy of the confirmation notice in relation to the EIA Portal where an EIAR accompanies the application.

A copy of the confirmation notice is appended to this application form as Appendix 10.

20. Application Fee:

Fee Payable	€100,000 (Fee paid by EFT) See enclosed remittance advice at Appendix 11
-------------	--

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and that the application documents being deposited at the planning authority offices, and any other location specified by the Board in pre application consultations, including a website (if any) will be identical to the application documents being deposited with the Board.

Signed: (Applicant or Agent as appropriate)	 Bernard Dwyer (Agent), Associate, Tom Phillips + Associates
Date:	19 th December 2025

General Guidance Note:

The range and format of material required to be compiled / submitted with any application in respect of a proposed strategic infrastructure development shall generally accord with the requirements for a planning application as set out in the Planning and Development Regulations, 2001 to 2018 and those Regulations should therefore be consulted prior to submission of any application.

September 2018

Appendices

- Appendix 1 – Drawing Schedule
- Appendix 2 – List of Townlands
- Appendix 3 – Planning History
- Appendix 4 – Development Description
- Appendix 5 – Copy of Newspaper Notices
- Appendix 6 – Copy of Site Notice
- Appendix 7 – Site Notice Location Drawings
- Appendix 8 – List of Prescribed Bodies
- Appendix 9 – Letters Sent to Prescribed Bodies
- Appendix 10 – EIA Confirmation
- Appendix 11 – Application Fee Remittance Copy



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Thu, May 7, 2026 at 3:19 PM

Eimear Reilly <e.reilly@pleanala.ie>
To: "environmentaltrustireland@gmail.com" <environmentaltrustireland@gmail.com>

Good afternoon

The Commission acknowledges receipt of your email and apologises for the delay in responding to your queries.

The Commission notes the issues raised by you in relation to the site notices that were erected in relation to the proposed development. Having considered your comments, the Commission hereby advises that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected in relation applications submitted to the Commission under s.37E of the Planning and Development Act 2000, as amended.

In response to your query in relation to the submission that you made in respect of this case, the Commission asks that you note the following:

1. On 25th February 2026, Environmental Trust Ireland submitted a document dated 1st March 2021 entitled 'National Water Services Plan' through the Commission's online submission portal (Submission reference: SID-OBS-004675) – copy attached for your reference. This submission is currently on the Commission's website.
2. In your emails to the Commission dated 6th and 16th March 2026, you attached a document which differs from that which was submitted on 25th February 2025 – copy attached for your reference.
3. The Commission considers it likely that Environmental Trust Ireland may have inadvertently uploaded the wrong document to the Commission's online portal, and that the document you had intended to submit is the document which you attached to your previous emails below.
4. The Commission has decided to add the submission received by email to the file and website for this case and will circulate it to the applicant for their comment in due course.

If you have any further queries in relation to these matters, please do not hesitate to contact me.

Kind regards

Eimear Reilly

From: LAPS <laps@pleanala.ie>

Sent: Friday 20 March 2026 17:19

To: Eimear Reilly <e.reilly@pleanala.ie>

Subject: FW: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Sent: Monday 16 March 2026 16:37

To: LAPS <laps@pleanala.ie>; publicaccess <publicaccess@pleanala.ie>; SIDS <sids@pleanala.ie>

Subject: RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

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.

[Quoted text hidden]

Eimear Reilly
Executive Officer
Strategic Infrastructure Development
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Teil: 01-873-7184

Má fhaigheann tú an ríomhphost seo lasmuigh de na gnáthuaireanta oibre, ní bheidh mé ag súil le freagra ná gníomh lasmuigh de d'uaireanta oibre féin.

If you receive this email outside of normal working hours, I do not expect a response or action outside of your own working hours

Smaoinigh ar an timpeallacht sula ndéanann tú an ríomhphost seo a phriontáil.

Please consider the environment before printing this mail.

2 attachments

 Observation SID-OBS-004675_ENVIRONMENTAL_TRUST_IRELAND
ENVIRONMENTAL_TRUST_IRELAND.pdf
4949K

 Email Submission - ENVIRONMENTAL TRUST IRELAND.pdf
533K



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Thu, May 7, 2026 at 4:44 PM

Environmental Trust Ireland <environmentaltrustireland@gmail.com>

To: Eimear Reilly <e.reilly@pleanala.ie>

Dear Ms. Reilly,

Thank you for your email.

The requirement to erect site notices and the positioning and content of same is under Article 17 and Article 19 of the Planning and Development Regulations, 2001 (S.I. 600/2021). These Regulations remain in force and have not been repealed. The statutory requirements in relation to site notices are mandatory and have not been complied with by the developer in relation to the proposed development.

Regulation 19(1) provides:

"A site notice erected or fixed on any land or structure in accordance with article 17(1)(b) shall be:

"(c) subject to sub-article (2), securely erected or fixed in a conspicuous position on or near the main entrance to the land or structure concerned from a public road, or where there is more than one entrance from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time "

Clearly, the application by Uisce Eireann is clearly invalid and ought to be declared so, as there is material failure to comply with mandatory statutory obligations imposed under the Planning and Development Regulations 2001, as amended. The public participation process has clearly been negated by the failure to erect site notices in all counties affected and to correctly describe the site notices and location of development in the areas affected.

Further, there are additional requirements imposed under the Aarhus Convention and under EU Directive 2003/4/EC which required the proactive dissemination and distribution of environmental information. A site notice in the area is an early stage in ensuring compliance with the obligations imposed on planning decision making bodies under EU law.

Kind regards,

ENVIRONMENTAL TRUST IRELAND,
3 Glentworth Street,
Limerick

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Thu, May 7, 2026 at 4:50 PM

Environmental Trust Ireland <environmentaltrustireland@gmail.com>

To: Eimear Reilly <e.reilly@pleanala.ie>

Dear Ms. Reilly,

Thank you for your email.

The requirement to erect site notices and the positioning and content of same is under Article 17 and Article 19 of the Planning and Development Regulations, 2001 (S.I. 600/2021). These Regulations remain in force and have not been repealed. The statutory requirements in relation to site notices are mandatory and have not been complied with by the developer in relation to the proposed development.

Regulation 19(1) provides:

"A site notice erected or fixed on any land or structure in accordance with article 17(1)(b) shall be:

"(c) subject to sub-article (2), securely erected or fixed in a conspicuous position on or near the main entrance to the land or structure concerned from a public road, or where there is more than one entrance from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time "

Clearly, the application by Uisce Eireann is clearly invalid and ought to be declared so, as there is material failure to comply with mandatory statutory obligations imposed under the Planning and Development Regulations 2001, as amended. The public participation process has clearly been negated by the failure to erect site notices in all counties affected and to correctly describe the site notices and location of development in the areas affected.

[Quoted text hidden]

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Environmental Trust Ireland <environmentaltrustireland@gmail.com>
To: Communications <communications@pleanala.ie>

Mon, May 11, 2026 at 8:00 AM

Dear Sir/Madam,

Forwarding copy of email sent to Ms Eimear Reilly on the 7th May 2026. We would be grateful to hear from you as soon as possible in relation to matters arising from the above planning application.

Regards,

Environmental Trust Ireland.

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Environmental Trust Ireland <environmentaltrustireland@gmail.com> Tue, May 12, 2026 at 9:04 AM
To: Communications <communications@pleanala.ie>, Eimear Reilly <e.reilly@pleanala.ie>, SIDS <sids@pleanala.ie>

Dear Ms Reilly,

We refer to previous correspondence in relation to the above matter.

We note that our second submission in relation to the above planning application is still NOT uploaded to the online submissions although you previously advised by email dated 7th May 2026, that this would be done.

When does An Coimisiún Pleanála intend to upload the second submission prepared by Environmental Trust Ireland to the public online submissions database?

We also look forward to a comprehensive reply to our email of the 7th May 2026 in relation to the Failure of the developer Uisce Éireann to erect site notices in accordance with Article 17 and Article 19 of the Planning and Development Regulations S.I 600/2001 which remains in force.

We await hearing from you.

Your faithfully,

Environmental Trust Ireland
3, Glentworth Street
Limerick

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Eimear Reilly <e.reilly@pleanala.ie>

To: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Thu, May 21, 2026 at 5:16 PM

Good afternoon

The Commission acknowledges receipt of your emails.

Please be advised that the Commission is satisfied that there are no validity issues regarding the site notices for this application.

Please also be advised that your submission has been uploaded to the Commission's website and circulated to Uisce Éireann for response.

Kind regards

Eimear Reilly

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>**Sent:** Tuesday 12 May 2026 09:04**To:** Communications <communications@pleanala.ie>; Eimear Reilly <e.reilly@pleanala.ie>; SIDS <sids@pleanala.ie>**Subject:** Fwd: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

You don't often get email from environmentaltrustireland@gmail.com. [Learn why this is important](#)

[Quoted text hidden]

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Sun, Mar 22, 2026 at 12:53 PM

Environmental Trust Ireland <environmentaltrustireland@gmail.com>

To: Michelle Hayes Solicitor <mhayessolicitor@gmail.com>

----- Forwarded message -----

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Date: Mon, 16 Mar 2026, 16:37

Subject: RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

To: <laps@pleanala.ie>, publicaccess <publicaccess@pleanala.ie>, SIDS <sids@pleanala.ie>

Dear An Coimisiun Pleanala,

We refer to our email of the 6th March 2026 to which we are still awaiting your response.

We are conscious that An Coimisiun Pleanala is on notice of the failure of the developer to erect site notices in counties Limerick and Clare, making the application procedurally flawed.

Your attention is specifically drawn to pages 14-15 (Site Notices) of the Application for planning permission (attached) where no site notices were erected in counties Limerick and Clare making the entire planning application invalid.

We are unable to understand the delay by An Coimisiun Pleanala in declaring the planning application invalid.

We await hearing from you as a matter of urgency.

Yours faithfully,

Environmental Trust Ireland,
3, Glentworth Street,
Limerick.

----- Forwarded message -----

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Date: Fri, Mar 6, 2026 at 5:05 PM

Subject: REf: 323980 SID Application - Submission 25 February 2026 - Environmental Trust Ireland

To: SIDS <sids@pleanala.ie>, <legalaffairs@pleanala.ie>, publicaccess <publicaccess@pleanala.ie>

Dear An Coimisiun Pleanala,

We wish to draw your attention to the fact that Environmental Trust Ireland made two submissions on Uisce Eireann planning application on water abstraction from the River Shannon, which relates to 6 separate counties. These are LIMERICK, CLARE, TIPPERARY, OFFALY, KILDARE and DUBLIN.

Our first submission was in 2021.

Our most recent submission was on the 25 February 2026 - 13 pages (please see attached).

Our submission of 25 February 2026 drew express attention at point 3 under the heading "STATUTORY BREACH OF MANDATORY REQUIREMENT RE SITE NOTICE" that there was a failure to erect any site notices in LIMERICK and CLARE, which are two of the six counties listed in the application. Kerry is also affected but it is not one of the counties listed in the application.

We note that our second submission is not on the public website. We would be grateful if you would please upload it now.

Kind regards,

ENVIRONMENTAL TRUST IRELAND,
3 Glentworth Street,
Limerick

2 attachments

 **ENVIRONMENTAL TRUST IRELAND submission 25 Feb 2026.pdf**
533K

 **323980 No Site Notices in Limerick and Clare Water Abstraction Pipeline.pdf**
1123K



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Mon, May 25, 2026 at 9:10 AM

To: Eimear Reilly <e.reilly@pleanala.ie>, Communications <communications@pleanala.ie>, SIDS <sids@pleanala.ie>

Dear Ms. Reilly/An Coimisiun Pleanala,

May we please have a copy of ALL An Coimisiun Pleanala's Directions AND a copy of ALL Board Meeting Records in relation to planning application, reference 323980.

Can you please state when the Environmental Trust Ireland submissions were provided to planning authorities and to the Applicant, Uisce Eireann.

May we please have a copy of the Environmental Trust Ireland submissions as sent to these bodies by An Coimisiun Pleanala as we note that Uisce Eireann in its response dated 6th May 2026 has not referenced most of the Environmental Trust Ireland submission of the 25th February 2026.

Your faithfully,

Environmental Trust Ireland
3, Glentworth Street
Limerick

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Mon, May 25, 2026 at 12:02 PM

Eimear Reilly <e.reilly@pleanala.ie>

To: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Good morning

Please be advised that the Planning Commissioners have not yet held any meetings in relation to this case and, as such, there are no meeting records or directions.

Your initial submission, which was made through the Commission's online portal, was circulated to the applicant and to the local authorities on 9th April 2026 – copy attached for your reference, as requested. This submission was responded to by the applicant in its response document dated 6th May 2026.

Your second submission, which was received by email, was circulated to the applicant on 19th May 2026, and will be circulated to the local authorities in the coming days – copy attached for your reference, as requested. Once a response has been received from the applicant in relation to this submission, it will be uploaded to the Commission's website.

Kind regards

Eimear

From: SIDS <sids@pleanala.ie>

Sent: Monday 25 May 2026 09:35

To: LAPS <laps@pleanala.ie>

Subject: FW: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

From: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Sent: Monday 25 May 2026 09:10

To: Eimear Reilly <e.reilly@pleanala.ie>; Communications <communications@pleanala.ie>; SIDS <sids@pleanala.ie>

Subject: Re: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

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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.

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2 attachments

-  **Observation SID-OBS-004675_ENVIRONMENTAL_TRUST_IRELAND ENVIRONMENTAL_TRUST_IRELAND (1).pdf**
4949K
-  **ENVIRONMENTAL TRUST IRELAND submission 25 Feb 2026.pdf**
533K



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: Ref: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Wed, May 27, 2026 at 9:03 AM

To: Eimear Reilly <e.reilly@pleanala.ie>, Communications <communications@pleanala.ie>, SIDS <sids@pleanala.ie>, publicaccess <publicaccess@pleanala.ie>

Dear Ms Reilly,

Thank you for your email of 25th May 2026.

We note your confirmation "that the Planning Commissioners have not yet held any meetings in relation to this case, as such, there are no meeting records or directions".

However, in your email of 7th May 2026 you state the following:

*"The Commission notes the issues raised by you in relation to the site notices that were erected in relation to the proposed development. **Having considered your comments, the Commission hereby advises that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected in relation to applications submitted to the Commission under s.37E of the Planning and Development Act 2000, as amended.**"*

On the 21st May 2026 we received a further email:

"Please be advised that the Commission is satisfied that there are no validity issues regarding the site notices for this application".

Having regard to your confirmation that the Planning Commissioners have not yet held any meetings in relation to this planning application.

Then, who in the Commission had the authority to advise and to make the decision *"that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected....."*

We look forward to hearing from in relation to the above.

Kind regards,

Environmental Trust Ireland
3, Glentworth Street,
Limerick.

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Eimear Reilly <e.reilly@pleanala.ie>

Tue, Jun 2, 2026 at 3:48 PM

To: Environmental Trust Ireland <environmentaltrustireland@gmail.com>

Good afternoon

I acknowledge receipt of your email.

The Commission acknowledges the legislative requirement to publish site notices in respect of this application but does not consider the absence of site notices in Clare and Limerick to be a validity issue, noting that notices were erected at various other locations along the proposed route.

The issues raised by you have been discussed with the relevant personnel within the Commission.

Please be advised, as per section 146 of the Planning and Development Act 2000, as amended, as amended by section 29 of the Strategic Infrastructure Act 2006, as amended, that all documentation relating to the Commission's decision in respect of this case will be made available within 3 working days following the making of the decision. This documentation will include records from any meetings held by the Planning Commissioners.

Kind regards

Eimear

[Quoted text hidden]

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REf: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Environmental Trust Ireland <environmentaltrustireland@gmail.com>
 To: Eimear Reilly <e.reilly@pleanala.ie>, Communications <communications@pleanala.ie>, SIDS <sids@pleanala.ie>, Marine <marine@pleanala.ie>
 Tue, Jun 9, 2026 at 9:11 AM

Dear Ms Reilly,

Thank you for your email of 2nd June 2026.

You have not addressed the issues raised in our email of 27th May 2026.

In particular, we specifically stated:

" Having regard to your confirmation that the Planning Commissioners have not yet held any meetings in relation to this application.

Then, who in the Commission had the authority to advise and to make the decision "that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirements for site notices to be erected..."

A decision has already been made in relation to the failure of Uisce Eireann to erect site notices in County Clare and Limerick.

In your latest correspondence you have failed to identify the "relevant personnel within the Commission".

In addition, your latest email of the 2nd June 2026 appears to be self contradictory. With respect, you have stated *"that all documentation relating to the Commission's decision in respect of this case will be made available within 3 working days following the making of the decision. This documentation will include records from any meetings held by the Planning Commissioners."*

However, you have failed to provide records of the decision taken by An Coimisiun Pleanala, whereby the Commission does not consider the absence of site notices in Clare and Limerick to be a validity issue.

Your latest response is self contradictory and the decision taken by An Coimisiun Pleanala that the failure to erect site notices in Clare and Tipperary is not a validity issue is contrary to the legislation and the case law.

We would also be grateful if you could please address the following:

1. S.I. No 600/2002 of the Planning and Development Regulations 2001

We previously brought S.I. No 600/2001 of the Planning and Development Regulations, 2001 to your attention. In particular, Article 17 and Article 19 are mandatory requirements on site notices. These regulations continue in force and have not been repealed.

2. Site Notices Strategic Infrastructure Development Guidelines 2021

In addition, An Coimisiun Pleanala's Guidelines on **Site Notices Strategic- Infrastructure Development Guidelines 2021** - *Informing the public when an application is made* clearly states:

"Before applying to the Commission, the prospective applicant must publish a notice of the proposed application in at least one newspaper.

Application's Website:

The applicant must provide a website where the application can be inspected. You can find the website address on the newspaper notice and on the site notice. The notices will provide information on how the public can make an observation to An Coimisiun Pleanala about the application."

3. Aarhus Convention

The failure by Uisce Eireann to erect site notices in addition to the above is contrary to the Aarhus convention and deprives the public of an effective opportunity to participate in planning applications affecting the environment.

The defect prevents members of the public from knowing about the planning application or making a submission which is unfair and the planning application is materially flawed.

4. Under Public Access to Environmental Information Directive 2003/35/EC and Directive 2003/4/EC Public Participation Directive :

In addition, the statutory requirements on site notices must be interpreted in a purposive manner to give effect to the requirements of EU Directives on public access to information and on Public Participation.

5. Case Law -

(i) Croft v Dublin City Council [2025]

The developer failed to properly erect and maintain site notices. The developer breached regulations by failing to maintain a required site notice. This was a Strategic Infrastructure Development planning application.

Mr Justice Humphreys said:

"That isn't harmless error, it isn't de minimis and it isn't something that should be ignored as a matter of discretion."

Mr. Justice Humphreys said *"that it is not the law that the size of a proposed transaction or a proposed development overwhelms the need for the right to public participation to have been afforded in accordance with law"*

He said that while commerciality is relevant to the court's consideration in many situations, the court, if it is to hold the scales equally at all as between the various interests involved in this area, *"must also be vigilant to protect the procedural rights of less powerful stakeholders in the planning process, including giving real and meaningful effect to the right to public participation in environmental decision-making"*.

5 (ii) Supreme Court -Monaghan UDC v Alf-a-Bet Promotions Ltd (1980)

Decision:

Mandatory statutory protections cannot be ignored. Planning notice must give real notice of the nature and extent of the development. Notice is invalid if it downplays or disguises the real nature of the development.

5(iii) High Court - Kelly V Cork County Council

Where a site has multiple entrances adjoining a public road, site notices must be erected at **all** entrances to ensure proper public consultation.

5(iv) High Court - McGrath V An Bord Pleanala

Where a site has more than one entrance from a public road, a site notice must be placed at **all** such entrances. Omitting one entrance renders the entire application invalid.

In the Shannon water abstraction planning application, no site notices were erected in Counties Limerick and Clare, even though planning development in these counties has been applied for, as part of the overall proposed development.

Kind regards,

Michelle Hayes, Solicitor

President, Environmental Trust

[Quoted text hidden]



Environmental Trust Ireland <environmentaltrustireland@gmail.com>

RE: REF: 323980 SID Application Failure to Erect Site Notices and 13 page Submission 25 February 2026 - Environmental Trust Ireland

Wed, Jul 15, 2026 at 11:30 AM

Lauren Griffin <lauren.griffin@pleanala.ie>
To: "environmentaltrustireland@gmail.com" <environmentaltrustireland@gmail.com>

Dear Madam,

I refer to your email dated the 9th of June, 2026.

A planning application was lodged on the 19th of December 2025 by Irish Water in accordance with section 37E of the Planning and

Development Act 2000, as amended, for the development of the Water Supply Project Eastern and Midlands. The Commission acknowledged receipt of this application on the 7th of January, 2026.

Correspondence dated the 7th of May, 2026 was issued to you by email by Eimear Reilly, Executive Officer which stated 'Having considered your comments, the Commission hereby advises that the absence of site notices in Clare and Limerick does not raise any validity issue with this application as there is no statutory requirement for site notices to be erected in relation to applications submitted to the Commission under section 37E of the Planning and Development Act 2000, as amended.' A further email was issued to you on the 2nd of June clarifying the position in relation to site notices in Clare and Limerick.

An Coimisiún Pleanála is the competent authority which will adjudicate on the above application, a report/recommendation will be undertaken and provided by an Inspector dealing with this matter. The report and recommendation will then go the Commission for a determination. If there is an opportunity for further submissions on this application, you will be notified.

As previously stated by email dated the 2nd of June, 2026, all documentation relating to the Commission's decision in respect of this case will be made available within 3 working days following the making of the decision. All documentation to date is available on www.pleanala.ie.

I hope this clarifies the position for you.

Regards,

Lauren

[Quoted text hidden]

Lauren Griffin
Executive Officer
Strategic Infrastructure Development
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

Eimear Reilly

From: Bernard Dwyer <bernard@tpa.ie>
Sent: Tuesday 6 January 2026 14:22
To: Eimear Reilly
Subject: Re: WSP - ACP 323980
Attachments: WSP SID Application Form.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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.

Thanks Eimear,

See attached corrected application form. I haven't included appendices as there is no change to them from what was previously submitted. Hopefully that's ok.

I have sought the bank details from UE and will follow on with them.

Regards,
Bernard

From: Eimear Reilly <e.reilly@pleanala.ie>
Sent: Tuesday, January 6, 2026 12:42
To: Bernard Dwyer <bernard@tpa.ie>
Subject: RE: WSP - ACP 323980

Hi Bernard

I acknowledge receipt of your email. The Commission require a soft copy of the updated application form – you can send this on by return email.

Separately, and as discussed, by phone a moment ago, please be advised that the fee to lodge the SID application is €100,000. I note that you have overpaid the application fee by €23,000. I will arrange for a refund for this amount to be issued to you. In order to process this, the Commission require either TPA's or UE's bank details on headed paper. You are required to send this on to me by return email also.

Kind regards
Eimear

From: Bernard Dwyer <bernard@tpa.ie>
Sent: Monday, January 5, 2026 5:20 PM
To: Eimear Reilly <e.reilly@pleanala.ie>
Subject: WSP - ACP 323980

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.

Hi Eimear,

As discussed earlier, we've noticed a minor discrepancy on the application form for this.

No's 22 and 23 of the site notice locations below are in Co. Kildare as opposed to Co. Offaly (Page 15 of the form)

Can you confirm if we should re-issue a revised form to correct that? Or is this email sufficient to notify of the error.

Thanks,
Bernard

20. Curragh, Co. Offaly 21. Rathclonbrackan, Co. Offaly 22. Ballynakill Lower, Co. Offaly 23. Baltracey, Co. Offaly 24. Barberstown Upper, Co. Kildare 25. Commons Upper, Co. Kildare 26. Peamount (R120), Co. Dublin 27. Peamount (R120 next to TPR site access road), Co. Dublin 28. Miltown, Co. Dublin
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Details of other forms of public notification, if appropriate e.g. website
--

www.watersupplyproject.ie
--

Bernard Dwyer

Associate

Tom Phillips + Associates

Town Planning Consultants

| **Contact** | |



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Tom Phillips and Associates Limited: Dublin and Cork:

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Eimear Reilly
Executive Officer
Strategic Infrastructure Development
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1
D01 V902
Tel: 01-873-7184
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Má fhaigheann tú an ríomhphost seo lasmuigh de na gnáthuaireanta oibre, ní bheidh mé ag súil le freagra ná gníomh lasmuigh de d'uaireanta oibre féin.

If you receive this email outside of normal working hours, I do not expect a response or action outside of your own working hours

Smaoinigh ar an timpeallacht sula ndéanann tú an ríomhphost seo a phriontáil.

Please consider the environment before printing this mail.