

**Our Case Number:** ACP-323980-25

**Your Reference:** Michael McKeogh



An  
Coimisiún  
Pleanála

James O'Brien & Co  
30 Castle Street  
Nenagh  
Co. Tipperary

**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,

  
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Eimear Reilly  
Executive Officer  
Direct Line: 01-8737184

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| AN COIMISIÚN PLEANÁLA |               |
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Our Ref: MMcK.VS-MCM75/1

15<sup>th</sup> July 2026

**RE: Your Case No. ACP/323980/25**  
**Our client: Michael McKeogh**  
**Uisce Éireann Planning Application (Water Supply Project, Eastern & Midlands Regions)**

Dear Sir/Madam,

We refer to your correspondence of the 24<sup>th</sup> June with a copy of the response of Uisce Éireann to submissions made on our client's behalf in relation to the above mentioned matter.

We would reiterate the objections as outlined in our correspondence to you of the 10<sup>th</sup> February last. However there are a number of matters which we wish to address further in response to Uisce Éireann's letter of the 5<sup>th</sup> May 2026.

To recap, under the proposed CPO it is proposed that there would be the permanent acquisition of our client's land at Inchabeg, Ballina, Co. Tipperary, registered on Folio TY2819 and TY32282 comprising 18.245 hectares (45 acres). This is the entire out-farm. There will be no lands remaining on this holding after the C.P.O. This will be a permanent acquisition. There is no temporary acquisition proposed of our client's lands for temporary works, nor is there any wayleave to be constructed on our client's lands. What is proposed is a permanent acquisition. These lands form an integral and actively used component of our client's wider dairy and beef enterprise. The proposed acquisition will comprise 20% of our client's entire holding. The land proposed to be acquired is one entire out-farm of our client's entire farm enterprise of 230 acres. The holding proposed to be acquired is farmed by our client in tandem with a 64 acre holding two miles close by. The farm enterprise has been built up over generations and the permanent acquisition of 20% of the enterprise would result in the entire enterprise having to be downscaled and re-structured.

In their submissions of the 5<sup>th</sup> May 2026, Uisce Éireann states *“as a result, the overall assessment on the agricultural holding, taking account of the proposed mitigation was that the effects on the holding would be significant during the construction, however in the operational phase of the proposed project the effect would not be significant”*. This submission quite clearly fails to grasp the impact that the permanent acquisition of 20% of the client’s landholding would have on his enterprise. How can anybody state that in the operational phase of the proposed project, the effect would not be significant.

Furthermore, Uisce Éireann in their submission state *“the proposed project commitments provide that landowners specific requirements (including access arrangements, drainage, fencing, crossing points and bio-security measures) are addressed through liaison and pre-entry arrangements and that temporary lands will be fully de-commissioned and reinstated following completion of the relevant construction activities (including commissioning activities)”*. Again, this shows a complete lack of understanding by Uisce Éireann of the impact of the proposed acquisition of 20% of the land owners holding. This is a permanent acquisition of an entire out-farm, therefore arrangements such as access and reinstatement are not relevant.

Uisce Éireann’s submissions in this respect and in respect of our client are misleading in that they lead the Commission to believe that some or all of the disruption to our client are temporary in nature.

Uisce Éireann also state in their submission *“the framework for managing construction is implemented through the construction environmental management plan .... which sets out minimum requirements for mitigation, monitoring and reinstatement and provides the basis for contractor method statement and package specific CEMPs consistent with the measures submitted with the application”*. Again, this is not relevant to our client where there will be a permanent acquisition of 45 acres of his land.

Our client does not accept that he can be fully or fairly compensated through the established statutory compensation framework for his ancillary and consequential financial losses, having regard to the impact that the acquisition of 45 acres of a total holding of 230 acres will have on our client and his enterprise.

At paragraph 1994 of Uisce Éireann’s response to submissions report of the 6<sup>th</sup> May 2026, they state *“accordingly while it is acknowledged that individual land parcels may be subject to temporary full occupation during the construction phase, the assessment considers that the overall impact at holding level including the distinction between temporary and permanent land take and does not indicate that the proposed project would result in the permanent loss of an entire farming enterprise”*. This is not the

case in our client's situation. There is a permanent land take of 45 acres out of our client's total land holding of 230 acres. This is a permanent loss which will have to result in our client re-structuring his entire farm enterprise which has been built up over generations. It could take decades for our client to restructure his enterprise. It is misleading of Uisce Éireann to make such a submission.

At paragraph 1996 of Uisce Éireann's response to submission's report of 6<sup>th</sup> May 2026, Uisce Éireann state that *"overall it is considered having regard to the limited extent of the permanent land take, the temporary nature of the construction related land occupation and the implementation of the reinstatement and mitigation measures, the proposed project is not anticipated to give rise to likely significant adverse effects on the long term viability of the farm enterprise"*. This is a grossly inaccurate submission, 20% of our client's land holding is being taken. This will have a very significant adverse effect on the long term viability of our client's farm enterprise.

Our client considers that this submission is both insensitive and shows a complete lack of understanding by Uisce Éireann of the impact of the proposed project on his enterprise.

Again, at paragraph 1997 of the report, Uisce Éireann states *"this concludes that while there would be short term significant effects during construction phase, there would be no likely long term residual effects given the mitigation measures proposed"*. Again, this shows a complete insensitivity and lack of understanding by Uisce Éireann of the permanent effect the proposed project will have on our client, both personally and financially.

As we have stated in our original submissions, the proposed development having regards to its scale and in acquiring 45 acres from our client as one individual land owner, will have a disproportionate effect on our client, which cannot be compensated for in monetary value.

We would therefore respectfully urge An Coimisiún Pleanála to refuse the planning application and for Uisce Éireann to reconsider the proposed development.

We look forward to hearing from you.

Yours faithfully,



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**JAMES O'BRIEN & CO. LLP**