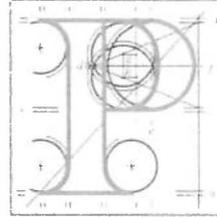


Our Case Number: ACP-323980-25



An
Coimisiún
Pleanála

Robert Frayne
Richardstown
Clane
Co. Kildare

Date: 10 March 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 copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Coimisiún Pleanála when they have been processed by the Commission.

More detailed information in relation to strategic infrastructure development can be viewed on the Commission's website: www.pleanala.ie.

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 (01) 858 8100
Glao Áitiúil LoCall 1800 275 175
Facs Fax (01) 872 2684
Láithreán Gréasáin Website www.pleanala.ie
Ríomhphost Email communications@pleanala.ie

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

Richardstown,
Clane,
Co. Kildare.
24th of February 2026

RE: Objections to Compulsory Purchase Order and Planning Applications
Wayleave No IW/10001814/WL/396
Your Ref: ACP-323980-25, Case Ref: PA92.323980

Dear Sir / Madam

I am writing to object to the proposed application by Irish Water (Uisce Eireann) for a Compulsory Purchase Order as notified by letter to me on the 18th of November 2025. I am also objecting to the planning application by Irish Water (Uisce Eireann) under section 37E of the Planning and Development Act 2000, as amended, for the development of the Water Supply Project Eastern and Midlands Region submitted to An Coimisiún Pleanála on the 19th of December 2025. These applications by Irish Water (Uisce Eireann) affected land owned by me.

Since then, I have transferred part of the land to John Quinn and Sandra Frayne by Deed of Transfer dated the 23rd of February 2026. The said land transferred to them is comprised in Folio KE13579F and is delineated on the map annexed thereto and marked with the number 1. The field is in the area of Graiguesallah and the proposed wayleave goes through the middle of the field with a huge area also delineated in green for the indicative working area. I still retain land affected by the applications.

Background

The land that is the subject matter of the compulsory purchase order is right beside residential property, land, sand arena, lunge arena and stables containing 5 horses, which belong to John Quinn and Sandra Frayne. There were a number of issues raised by John Quinn and Sandra Frayne by email to Mr Sean Spillane of Irish Water dated the 1st of October 2025 in response to his email of the 22nd of September 2025 (on foot of a meeting held at their home with him and another representative of Irish Water namely Matt McEvoy and myself on the 15th September 2025)

1. Location of Wash-out Valve. The indicated location of the wash-out valve is approximate on the drawings and Mr Spillane stated that where possible all reasonable efforts would be made to locate the valve to the eastern side of the stream in the Graiguesallah field as discussed. They submitted to Mr Spillane that the reason why they did not want the wash-out valve at/ in the field where their house is and close to another daughter's site was for the following reasons, it would affect their privacy (due to inspections), it would affect their use of the land (horse riding) and it could create a hazard to same.

2. Construction noise. Mr Spillane stated that he noted their concerns of the impact of construction noise from the works and would work with them to mitigate the impacts.

AN COIMISIÚN PLEANÁLA	
LDG-	_____
ACP-	_____
25 FEB 2026	
Fee: €	_____ Type: _____
Time: 14:35	By: <i>Nard</i>

It was submitted to Mr Spillane that he should note that Sandra works a lot at home and loud construction work could likely affect her ability to work from home. It was of concern how long the works would carry on for, and the noise levels.

3. Impact of construction work on equine stock. Mr Spillane noted their comments that the construction activities would negatively impact their stock and that it would be preferable to have the horses re-located to Livery during construction adjacent to their landholding. During their discussions they made reference to an equine specialist's report that they had commissioned. Mr Spillane asked if they could share this report so that he could adequately address any concerns raised. They sent a copy of said report to Mr Spillane and I now enclose herewith the report of Des Leadon dated 9th September 2025 showing the impact on their horses.

4. Temporary crossing of river / stream . Mr Spillane noted that the proposed route would interfere with the current crossing point on the stream and confirmed that prior to commencement the construction team would meet with all of us and their Land Liaison Officer to agree the location of an alternative temporary crossing point and that temporary access to the parcel of land at the other side of the stream should be maintained together with any existing services currently in place. They confirmed their agreement to this proposal by Mr Spillane.

5. Hedgerow on boundary of R408 road. Mr Spillane noted all our concerns in relation to the retention and preservation of the hedgerow along the boundary with the local road R408. Mr Spillane stated that they were committed to working closely with their Environmental and Ecology teams to minimise the disturbance to the hedgerow and habitat therein. He indicated in his email that the extended area of indicative working area (highlighted in green along R408) was to provide clear sightlines for any construction traffic access and egress onto R408.

John Quinn and Sandra Frayne stated that they were concerned that the hedgerow would be removed. They understood, as Matt McEvoy pointed out, that approximately 3 trees would be removed. They were most concerned that the hedgerow remain as closely as possible the way it is. They understood that this would be a "temporary working area". They understood that the access and egress is circa from the point where the current gate into the field is. They pointed out that the trees that have been planted there go back generations to when my father was there and before and would be impossible to replace if removed.

They pointed out that there are many birds and wildlife including squirrels, pheasant, fox, badger to name but a few, and that the hedgerow was also providing protection and shelter from the rain and wind to the livestock that currently graze there.

6. Hedgerow between my brother Edward Frayne's field and my field (The Corner of the field called Raheen). Finally, it was asked that in respect of the hedgerow between my brother Edward Frayne's field and my Raheen field, little of that as possible be affected. It was pointed out that there are some old trees as well as the others that were planted by Sandra and my family in the last 40 years. It was stated that there is again wildlife that lives in this corner of the field beside the current gate over the Lyreen river that divides the Raheen field from the Graiguesallah field.

Actions of Irish Water : Since this email correspondence Irish Water sent Mr Michael Saddler to meet Sandra and get livery quotes from her. After meeting Mr Saddler and providing the quotes requested, Irish Water have done nothing since then to attend to these matters and no explanation can be given for their failure to do so. No proposals have issued from Irish Water in respect of addressing the issues raised. This is despite a message from Mr Spillane to John Quinn on the 20/11/25 stating that he didn't want to cause anyone a concern about the CPO notice that would be published on 18th December 2025 and that rest assured that he and Mr Matt McEvoy were working for all our best interests and that they would hopefully have a mutually satisfactory agreement in place soon outside the voluntary wayleave agreement.

Accordingly, I wish raise objections to the proposed CPO and planning applications and said objections are set out below.

Objections

1. Failure of Irish Water to confirm a safer relocation for the wash out valve from its current designated location which will cause a hazard to horses being ridden over that location. It will also result in a breach of our right to privacy as protected by the constitution and by statute and/ or common law.
2. Failure of Irish Water to confirm proposals on how to mitigate the construction noise due to its proximity to their home which will result in a breach of their right to work and many other rights guaranteeing their quiet and peaceable enjoyment of the property they live in as protected by the constitution and by statute and/ or common law. The likely length of time this project will take or the hours that the intensive works will be carried out is and remains unknown.
3. Failure of Irish Water to confirm proposals on how to manage the impact of construction work on equine stock which will result in potential damage to their horses as per the Equine Specialists Report dated 9th September 2025 and is in breach of their rights as protected by the constitution and by statute and / or common law. The failure of Irish Water to confirm proposals to compensate them for the rehousing of their horses in livery stables *or any alternative proposals to find a solution* will result in damage and financial loss and enjoyment of their horses in breach of their rights as protected by the constitution and by statute and/or common law.
4. Failure of Irish Water to confirm proposals on how to manage the relocation of the current designated route for the temporary crossing of the stream / river. This would mean that access to the upper field will be denied in breach of both our rights as protected by the constitution and statute.
5. Failure of Irish Water to confirm proposals to retain and preserve the hedgerow, habitat and trees on the boundary of R408 road will result in environmental and ecological damage and is in breach of our rights as protected by the constitution and by statute. The actions of Irish Water will result in the loss of trees and hedgerow that have been in place for generations. The proposed extended area of indicative working area (essentially a huge portion of the land will be used to store equipment/ park vehicles presumably) highlighted in green along R408 is to provide clear sightlines for any construction access and egress onto R408 and it is submitted is

disproportionate and could be achieved without taking away the hedge and trees that form a boundary and shelter to the wildlife and habitat that lives there. It is disproportionate and poses an undue hardship to the landowner and alternative sites should be looked at for indicative working area or the adverse effects on the hedge should be mitigated and ameliorated. The proposed pipeline development will have significant adverse effects on the environment including fauna and flora, soil, water, air, climate and biodiversity. I am unaware of the proposals if any from Irish Waters Environmental and its Ecology teams.

6. Failure of Irish Water to confirm proposals to retain and preserve the corner portion of hedgerow, habitat and trees on the boundary between the land of Edward Frayne and Robert Frayne which will result in environmental and ecological damage and is in breach of my rights as protected by the constitution and by statute and/ or common law. The actions of Irish Water will result in the loss of trees and hedgerow that have been in place for generations. It will also affect the wildlife that lives in this corner of the field beside the current gate over the Lyreen river. The hedgerow provides a carbon sink and a habitat for a range of wildlife. The proposed pipeline development will have significant adverse effects on the environment including fauna and flora, soil, water, air, climate and biodiversity. I am unaware of the proposals if any from Irish Waters Environmental and their Ecology teams.

7. Failure of Irish Water to adequately deal with drainage of the land. I have very serious concerns in relation to the impact of the laying of this large diameter pipe will have in relation to the future drainage of the land. The land currently has no drainage issues but the construction of the pipeline may block existing land drains and in addition, block the natural flow of water beneath the surface of the land. The water table could become elevated as a consequence of this. A negative impact on the drainage of the land could have very serious long-term consequences in relation to the farming of the land.

The information supplied by Irish Water is incomplete and may change. I reserve the right to include other grounds of objection and to elaborate on the above listed grounds of objection when further information is made available to me by the Acquiring Authority and to tender these at the An Coimisiún Pleanála Hearing. I request that an Oral Hearing be held in relation to the applications due to the scale of the development and the magnitude of the impacts on the environment and property. I enclose herewith the appropriate fees in the matter.

Kind regards


Robert Frayne

An Coimisiún Pleanála,
64 Marlborough Street,
Dublin 1,
D01V902.

Date: 9th September 2025.

EXPERT REPORT

Dr D. P. Leadon

MA, MVB, MSc, FRCVS, DipECEIM, European College &
RCVS registered Consultant in Equine Medicine.

Clinical Consultant and Head Clinical Pathology, The Irish Equine Centre
(dleadon@irishequinecentre.ie)

RE: Compulsory Acquisition of Land – Graigesallagh / Raheen, Rathcoffey Co. Kildare W91 T9W3 - Uisce Éireann Water Supply Project - Eastern and Midlands Region (WSP) Wayleave No: IW/10001814/WL/396 Rev: 0

1. Basis of Expertise and Duties and Responsibilities:

My professional qualifications and professional experience which form the basis of this report are as attached in my brief outline CV¹. I am aware of the duties and responsibilities that are required of those providing Expert Reports and the need for impartiality and objectivity.

2. Background to this Expert Report:

I confirm that I received, read and then re-read the files forwarded to me by Sandra Frayne as attached and that I then carried out a site visit to the above premises this morning, in her presence.

3. Site Visit:

Lyreen House is a substantial home and equestrian / equine premises built and developed by the Frayne family. Its principal components are their residence, stabling and associated infrastructure (tack room, storage, etc. etc.), a sand arena and grazing paddocks of varying size for grazing with a hard core drive for access from the entrance. These facilities were built to a

¹ Brief Outline CV - attached

very high standard and are used to graze, house and exercise high value showjumping / equestrian horses and ponies. The horses kept at Lyreen House also include young and very vulnerable pregnant mare(s) through to equally sensitive elderly retired horses. All of these facilities were appropriate to these usages. The premises is registered with the Department of Agriculture (I1102138.). The creation of these facilities² represented significant investment by the Frayne family and were intended for long term usage and enjoyment. The lands at Lyreen House immediately border upon and share boundaries with lands also devoted to equestrian use which are currently in the ownership of other immediate family members including Sandra Fraynes father and sisters. These lands must be regarded as an integral part of the operation of Lyreen House.

4. **Impacts of the Uisce Éireann Water Supply Project - Eastern and Midlands Region (WSP) Wayleave No: IW/10001814/WL/396 Rev: O, development on the Equestrian use of Lyreen House and associated lands:**

The proposed works will have an immediate impact on horses kept in the stabling complex, grazing paddocks and those exercising in the sand arena. They literally extend from one side of the premises to the other and in addition to the substantial extraction and construction described for the pipelines will include the creation of a substantial HGV parking area. The pipelines alone will require a typical working width of 50 m and additional areas are likely to be required for the river crossing(s).

These works will create inherent multiple source construction noise (including construction vehicle noise, vehicle warning noise, vibration, unpredictable movements, and removal of excavations. Typical rural background noise in agricultural areas ranges from 30 to 45 dB(A) depending on wind, vegetation, and machinery activity.

The normal background noise on a quiet stud farm environment is 25 to 35dB ([ps://ia.cpuc.ca.gov/environment/info/aspen/cresseygallo/fmnd/5-12_noise.](https://ia.cpuc.ca.gov/environment/info/aspen/cresseygallo/fmnd/5-12_noise/)), while the heavy equipment used in major infrastructure projects can create noise levels of 80dB.

Horses are Noise Sensitive Receptors (NSR's). Hearing ability is very important to the survival for a horse and its ears can pick up sound at a lower volume and a greater distance than will be detected by a human². A horse's range of hearing is greater than a person's to higher

² Saslow, C. A. (2002). Understanding the perceptual world of horses. *Applied Animal Behaviour Science*, 78(2-4), 209-224.

³ Scopa, C., Palagi, E., Sighieri, C., & Baragli, P. (2018). Physiological outcomes of calming behaviours support the resilience hypothesis in horses. *Scientific Reports*, 8, 17501.

⁴ Riva, M. G., Dai, F., Huhtinen, M., Minero, M., Barbieri, S., & Dalla Costa, E. (2022). The impact of noise anxiety on behaviour and welfare of horses from UK and US owners' perspective. *Animals*, 12(10), 1319.

frequencies (over 33 kHz in the horse compared with under 20 kHz in humans). Horses can exhibit unpredictable anxiety behaviours during any noise producing events, including sweating, trembling and intense escape attempts, which may cause severe accidents for the horse and the rider/handler. More than 84% of horses showed immediate avoidance and/or attempts to flee after perceived threat³. The results of a recent study⁴ have confirmed that noise anxiety is a growing behavioural problem that leads to important welfare concerns for all horses, and that very severe injuries can occur because of noise events that result in related, unpredictable and very severe anxiety. This study has also shown that the effects of noise-related anxiety can persist for hours or even days after the noise event. Unpredictable noise causes the greatest fear reactions. These noises can have long-lasting effects and have been reported to adversely affect food intake, growth and production rates^{5, 6, 7}. Severe noise anxiety is reported to cause serious welfare consequences, impacting both the physiology (e.g. gastrointestinal signs/colic, sweating) and behaviour (e.g. frantic running, collisions with and breaking fences) of the horse⁴. Very anxious horses showed signs of noise reactivity frequently and their reactions did not improve with time (i.e. they do not habituate to these stimuli).

Light flashes and unknown odours have also been reported to be potent inducers of fear reactions^{8,9}. It is noteworthy that compared to visual and olfactory stimuli, unexpected unknown noises seem to elicit rapid flight reactions more frequently^{10, 11}. There is a high rate of incidence of injury (26%) among horses rated as either anxious or very anxious in the face of noise and/or light-related flashes, and simply moving horses to adjacent paddocks was found to be ineffective in 37% of cases⁸. Noise has also been shown to elicit restlessness, vocalisation and colic/gastro-intestinal disturbances⁹.

Injury to those persons who work with horses is a significant occupational hazard and can extend to thousands of accidents with associated fatalities^{12,13}. Dealing with an anxious or fearful horse exacerbates this risk.

5. Conclusions:

It is for all the above reasons, especially those pertaining to animal welfare and the health and safety of attendant personnel that in my professional opinion, this development will necessitate the evacuation of the resident horses and ponies and cessation of the equestrian usage of Lyreen House and associated lands, prior to the commencement of these works and for their entire duration. The evacuation and livery costs elsewhere must be at the expense of the developer.

An alternative approach might be the provision of mitigation measures to include the creation of earth banks and acoustic and sight barriers along the entirety of the development (also at the expense of the developer) and the cessation of activity at critical times, to be

agreed with the Frayne family. Any future maintenance must also be agreed prior to commencement, with the Frayne family.



Dr Desmond Leadon MA, MVB, MSc, FRCVS, DipECEIM,
European College and RCVS registered Consultant in Equine Medicine
Clinical Consultant,
The Irish Equine Centre.
Tel +353872454238.

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- ⁵ Broucek, J. (2014). Behavioural and production responses of dairy cows to noise. *Slovak Journal of Animal Science*, 47(2), 111–123.
- ⁶ Tracey, J. P., & Fleming, P. J. S. (2007). Behavioural responses of feral goats (*Capra hircus*) to helicopters. *Applied Animal Behaviour Science*, 108(1–2), 114–128.
- ⁷ Head, H. H., Kull, R. C., Campos, M. S., Bachman, K. C., Wilcox, C. J., Cline, L. L., & Hayen, M. J. (1993). Milk yield, milk composition, and behaviour of Holstein cows in response to jet aircraft noise before milking. *Journal of Dairy Science*, 76(5), 1558–1567.
- ⁸ Gronqvist, G., Rogers, C., & Gee, E. (2016). The management of horses during fireworks in New Zealand. *Animals*, 6(20), 1–12.
- ⁹ Dai, F., Rausk, J., Aspegren, J., Huhtinen, M., Cannas, S., & Minero, M. (2020). Use of detomidine oromucosal gel for alleviation of acute anxiety and fear in horses: A pilot study. *Frontiers in Veterinary Science*, 7, 573309.
- ¹⁰ Christensen, J. W., Keeling, L. J., & Nielsen, B. L. (2005). Responses of horses to novel visual, olfactory and auditory stimuli. *Applied Animal Behaviour Science*, 93(1–2), 53–65.
- ¹¹ Algers, B. (1984). A note on behavioural responses of farm animals to ultrasound. *Applied Animal Behaviour Science*, 13(4), 369–373.
- ¹² Holler, A. C. (1984). Occupational risks of horse handling. *American Industrial Hygiene Association Journal*, 45(1), 34–38.
- ¹³ Gimsing, S. (2001). Horse-related occupational injuries 1992–1999. *Ugeskr Laeger*, 163(43), 5982–5985.

Abridged Curriculum Vitae Dr Desmond Leadon MA, MVB, MSc, FRCVS, DipECEIM, European College & RCVS registered Consultant / Specialist in Equine Medicine. Consultant Clinician, Irish Equine Centre, Johnstown, Naas, Co. Kildare, Ireland (dleadon@irishequinecentre.ie)

Qualifications

- Fellow of the Royal College of Veterinary Surgeons with more than 40 years of clinical veterinary experience. Diplomate of the European College of Equine Internal Medicine.
- Registered Consultant in Equine Medicine from both the RCVS and the European College of Equine Internal Medicine.

Positions Held

- Head of Equine Clinical Pathology at the Irish Equine Centre for 30 years. Current position there is that of Clinical Consultant.
- President British Equine Veterinary Association (1993-1994).
- President World Equine Veterinary Association (2001-2006)
- Founding Diplomate and former Vice-President of the European College of Equine Internal Medicine (2002 to 2008).
- International Director of the American Association of Equine Practitioners (2009 to 2012)
- Past Presidents Advisory Committee of the World Equine Veterinary Association (2006 to date).
-

Presentations and Publications

- More than 200 presentations to national and international meetings and 80 contributions to the scientific literature.

Expert Advice

- Member of the International Movement of Horses Committee of the International Federation of Horseracing Authorities.
- Pre-movement inspector for the International Racing Bureau, the Hong Kong Jockey Club and the Saudi Cup.
- Commissioned to travel with horses to the 2020 Tokyo Olympics.
- Expert Advisor to the FVO of the EU on the transport of Horses.
- Member of the EFTBA delegation to EU Commissioner Phil Hogan and his officials at the EU Commission on the movement of horses
- Pre-Auditor (with Professor W Bayly) for South Africa's bid for the resumption of direct horse exports to the EU (2019).
- Expert Veterinary Advisor to the Lloyds Livestock Committee.
- Member of International Horse Sport Council Task Force on the Transport of Horses post Brexit and on the 2021 EU Animal Health Laws (2020 to present).

Awards

- Presented with the « Outstanding Contribution to the Thoroughbred Industry Award » by the Irish Thoroughbred Breeders Association (2014)
-

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The Property
Registration Authority
An tÚdarás
Clárúcháin Maoine



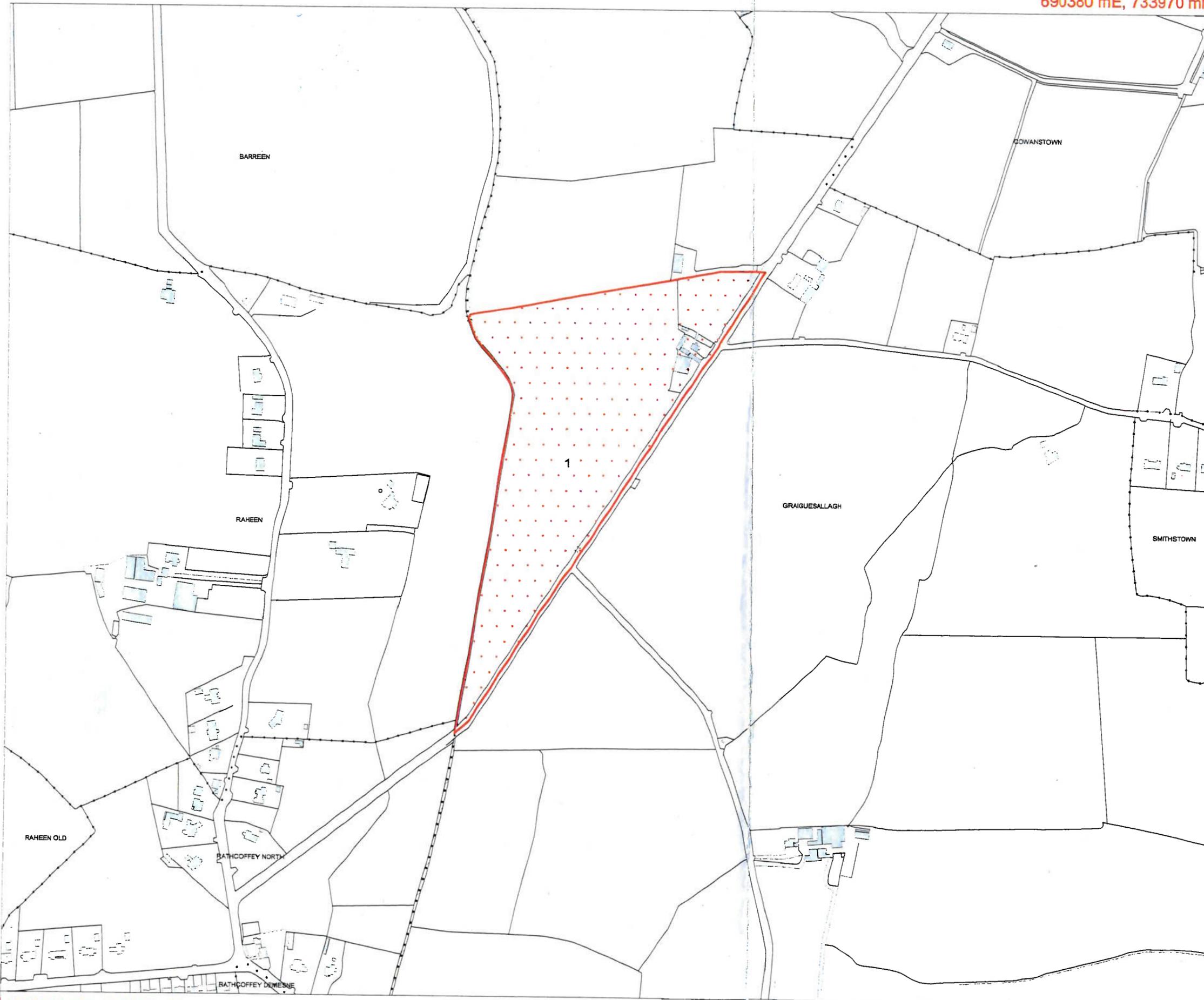
Folio: KE13579F

This map should be read in conjunction with the folio.

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(centre-line of parcel(s) edged)

Freehold

Leasehold

SubLeasehold

Burdens (may not all be represented on map)

Right of Way / Wayleave

Turbary

Pipeline

Well

Pump

Septic Tank

Soak Pit

A full list of burdens and their symbology can be found at:

www.landdirect.ie



The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a registry map is conclusive as to the boundaries or extent. (see Section 85 of the Registration of Title Act, 1964). As inserted by Section 62 of the Registration of Deed and Title Act 2006.

