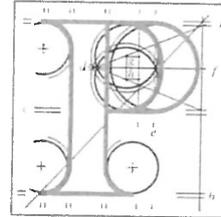


Our Case Number: ACP-323980-25



**An
Coimisiún
Pleanála**

Seamus Cullen
Baltracey
Donadea
Co. Kildare
W91 VR74

Date: 09 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 recent 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 with regard to the matter.

Please be advised that landowners affected by the compulsory purchase order associated with this application are not required to pay the €50 submission fee associated with this case. Accordingly, as you an affected landowner, a refund for the €50 that you have paid (SID-OBS-004646) will be refunded to the debit/credit card used to make the payment.

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

PA04

Teil	Tel	(01) 858 8100
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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Baltreacy Farm,
Baltracey,
Donadea,
Co. Kildare,
W91 VR74.

61–64 Marlborough Street,
Dublin 1,
D01 V902.

25 February 2026

Applicant: Uisce Éireann

Ref No: PA92.323980¹ and CH92.323982²

Project: Wayleave No. IW/10001814/WL/388

Location: R407, Baltracey, Donadea, Co. Kildare

A Chairde,

As the landowner of lands comprised in Folio KE1450, which are subject to a Compulsory Purchase Order and wayleave in favour of Uisce Éireann, and lands comprised in Folio KE1447, which are subject to a wayleave in favour of Uisce Éireann, I wish to make the following submission in respect of the above-referenced proposed development.

Associated applications were submitted by Uisce Éireann in December 2025 seeking consent for a Permanent Wayleave, including the provision of a new entrance and lay-by located adjacent to, and to the north of, the existing entrance serving my family home and farmyard.

The proposed development is situated along the R407, an 80 km/h speed limit road, and is positioned approximately 10–20 metres north of my existing entrance on the eastern side of the roadway. The concerns raised relate to a serious and avoidable road safety risk arising from the specific siting of the proposed development, rather than to the principle of the infrastructure project itself.

¹ <https://www.pleanala.ie/en-ie/case/323980>

² <https://www.pleanala.ie/en-ie/case/323982>

1. Executive Planning Summary

This submission does not oppose the proposed infrastructure in principle. Rather, it raises a specific and material planning concern relating to the siting and design of the proposed Permanent Wayleave and associated lay-by in immediate proximity to an existing entrance serving a dwelling and actively operated farm.

The principal issue identified is that the proposed lay-by is located within approximately 10–20 metres of an established entrance on an 80 km/h regional road and therefore lies within the required stopping sight distance associated with that entrance.

Having regard to national road design guidance, this arrangement has the potential to:

- Introduce physical and operational obstructions within the required visibility splay;
- Increase traffic conflict between turning, stationary, and through vehicles;
- Materially impair the safe operation of an existing entrance; and
- Give rise to a traffic hazard on a high-speed regional route.

The matters raised are technical in nature and relate primarily to road safety design, access management, and proper planning considerations. It is considered that these issues may be capable of resolution through alternative siting or design modification and therefore warrant further technical assessment and consultation.

The operational use of the entrance described in this submission is independently supported by a professional agronomy note prepared by Gaynor Miller Ltd., submitted in support (Appendix 2) Kevin Miller for Gaynor Miller Ltd. Is acting on my behalf regarding the CPO of the land for the pipe storage compound and the pipeline .

2. Nature of Planning Issue

The primary planning issue arising in this case relates to the interaction between the proposed Permanent Wayleave and an existing entrance onto the R407, and whether the siting of the proposed lay-by maintains the visibility, safety, and access standards required for an 80 km/h regional road environment.

The proposed development is objected to on the following grounds:

- It would give rise to a significant road safety hazard.
- It would interfere with the required sightlines necessary for the safe operation of an existing domestic and farmyard entrance;
- It would materially affect the safe use of an established entrance serving a dwelling and farmyard; and
- It would be inconsistent with established road safety guidance and applicable road design standards.



Figure 1 View of the site of the proposed Permanent Wayleave from my farmyard entrance: (a) existing view and (b) conceptual illustration showing a truck parked in the proposed lay-by.

3. Road Safety and Access Assessment

The following assessment considers the interaction between the proposed Permanent Wayleave, associated lay-by, and the existing entrance onto the R407 having regard to stopping sight distance requirements, traffic conditions, access arrangements, and established road safety guidance applicable to an 80 km/h regional road.

It is considered that a number of road safety matters have not been adequately addressed in the design and siting of the proposed Permanent Wayleave and associated lay-by.

3.1 Stopping Sight Distance and Visibility Splays

The proposed lay-by and entrance are located approximately 10–20 metres north of the existing entrance serving the dwelling and farmyard associated with Folios KE1447 and KE1450.

In accordance with the National Roads Authority Design Manual for Roads and Bridges (NRA DMRB) and national guidance, the required Stopping Sight Distance (SSD) for a road with an 80 km/h speed limit is approximately:

- Minimum SSD: 120 metres
- Desirable SSD: 160 metres

Stopping sight distance represents the minimum visibility required to allow a driver to perceive a hazard, react, and safely stop.

Road design guidance requires that visibility splays associated with an entrance remain clear of obstruction for the full required sight distance.

The proposed lay-by, located within 10–20 metres of the existing entrance, would lie within this visibility envelope. The presence of parked vehicles, roadside activity, or associated infrastructure within this area has the potential to:

- Obstruct visibility for vehicles exiting the property;
- Introduce visual and physical obstructions within the required sightline; and
- Reduce available forward visibility of approaching traffic.

The proposal, therefore, represents a material encroachment into the required visibility splay associated with the existing entrance.

3.2 Traffic Interaction and Conflict Potential

The proposed development would introduce additional vehicular movements and roadside activity in close proximity to an established residential and agricultural entrance. These include:

- Vehicles entering and exiting the proposed lay-by;
- Parked or stationary vehicles located within the visibility splay;
- Vehicles accessing the proposed temporary compound, including slow-moving vehicles; and
- Increased interaction between turning, stationary, and through traffic along the R407.

The existing entrance serves agricultural activities, including the regular movement of slow-moving machinery and vehicles towing trailers, which require extended manoeuvring time and adequate visibility in both directions.

The proximity of the proposed access arrangements to the existing entrance would increase the potential for conflict between vehicles exiting the property and northbound traffic, particularly where overtaking manoeuvres occur. Vehicles travelling northbound frequently attempt overtaking manoeuvres when slow agricultural vehicles are exiting the entrance, creating an increased risk of collision.

3.3 Existing Road Environment and Traffic Conditions

The R407 functions as a busy regional route, particularly during peak commuting periods, when the volumes of traffic flow become continuous for extended periods. At peak periods, traffic flows are effectively continuous, and it can take several minutes to safely cross the road on foot, illustrating the limited opportunities available for safe entry and exit movements at this location.

These conditions reflect the high traffic volumes and operating speeds experienced along this section of the R407.

The location is further characterised by a road environment that includes:

- A broken white centre line, where overtaking movements regularly occur;
- A history of serious traffic collisions locally, including fatal incidents; and
- Proximity to a bend approximately 250 metres to the north, which may reduce forward visibility for approaching vehicles.

In the context of these existing conditions, the introduction of a lay-by and additional access activity in close proximity to an established entrance would increase complexity and potential risk for local entrance and egress movements within the road environment.

Figure 2 to Figure 4 illustrate these points.



Figure 2: Existing visibility of the bend in the R407.

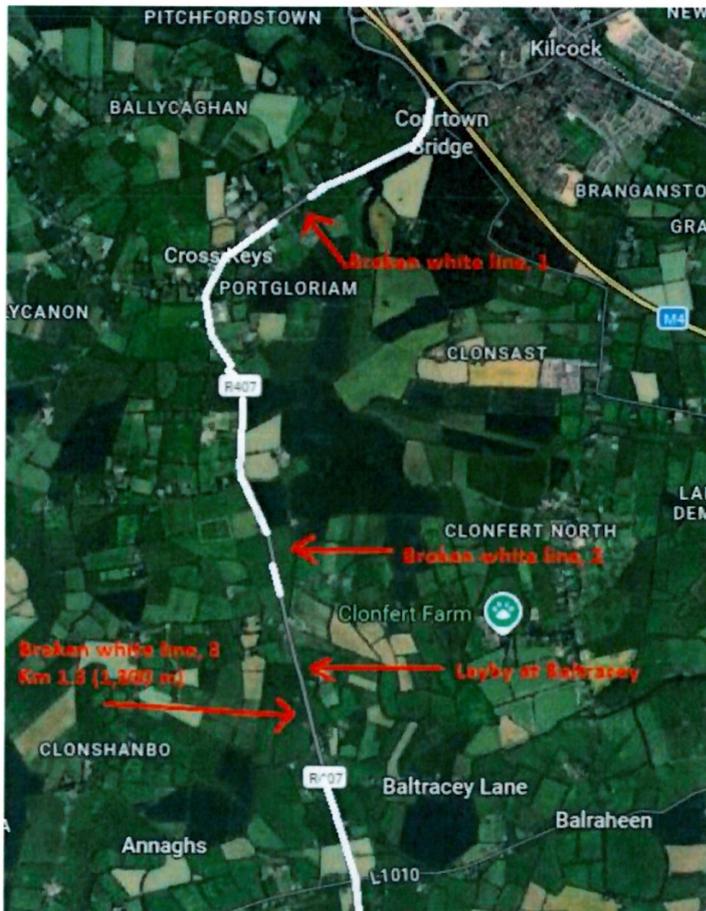


Figure 3: Road Markings along the R407 between Kilcock and Baltracree Cross.

Figure 3 illustrates the road centreline markings along the R407 between Kilcock and Baltracree Cross. The route is predominantly marked with a continuous white centre line. Sections where the marking changes to a broken white line are identified below:

- No. 1: Approximately 100-metre section of broken white line at Portgloriam (The Mount).
- No. 2: Approximately 150-metre section of broken white line at Ballyloughan.
- No. 3: Approximately 1.3-kilometre section of broken white line extending from Ballyloughan to Baltracree Lane.

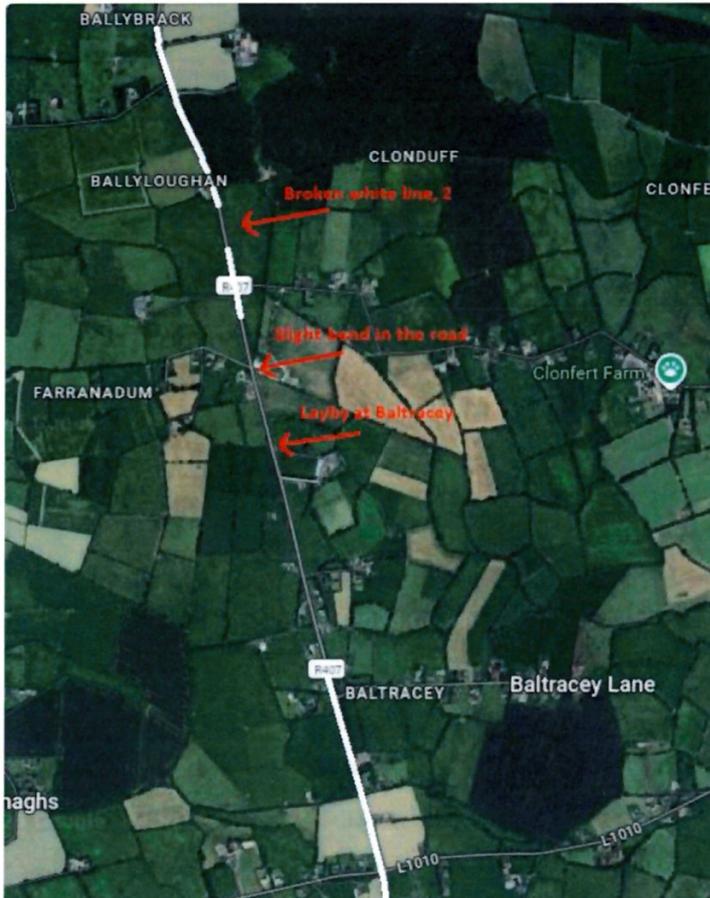


Figure 4: Road markings in the vicinity of the proposed Permanent Wayleave

3.4 Lay-by Operation and Informal Parking Risk

Experience of similar roadside lay-bys and entrances on rural roads indicates that such areas are frequently used for informal or unauthorised parking when not in active operational use.

The proposed Permanent Wayleave may therefore give rise to intermittent parking activity, which has the potential to result in:

- Obstruction of visibility and sightlines; and
- Increased road safety risk associated with stationary vehicles adjacent to an active entrance.

I have previously experienced road users parking within or partially obstructing the existing entrance at this location. This reflects existing patterns of informal roadside use at this location. The provision of an additional lay-by near the entrance is likely to increase the occurrence of such activity. Any such parking occurring within the vicinity of the entrance

would fall within the required visibility splay and has the potential to obstruct stopping sight distance.

3.5 Agricultural Access Requirements

The entrance serves an actively operated farm and is used daily by agricultural vehicles and livestock movements. A significant portion of the farm lies on the opposite side of the road, and livestock are regularly moved across the R407, typically twice weekly.

This operation requires:

- Clear visibility in both directions;
- The ability to safely stop traffic; and
- Sufficient time and space to complete manoeuvres involving livestock and slow-moving machinery.

Any obstruction to sightlines would significantly increase the danger associated with this activity.

3.6 Multiple Entrances and Movement Interaction

There are multiple farm entrances within approximately 100 metres of the proposed lay-by (see Figure 5).

The introduction of two additional access points (one temporary for five years and one permanent) in such close proximity would result in:

- Conflicting vehicle movements;
- Increased turning activity; and
- Reduced predictability for road users.

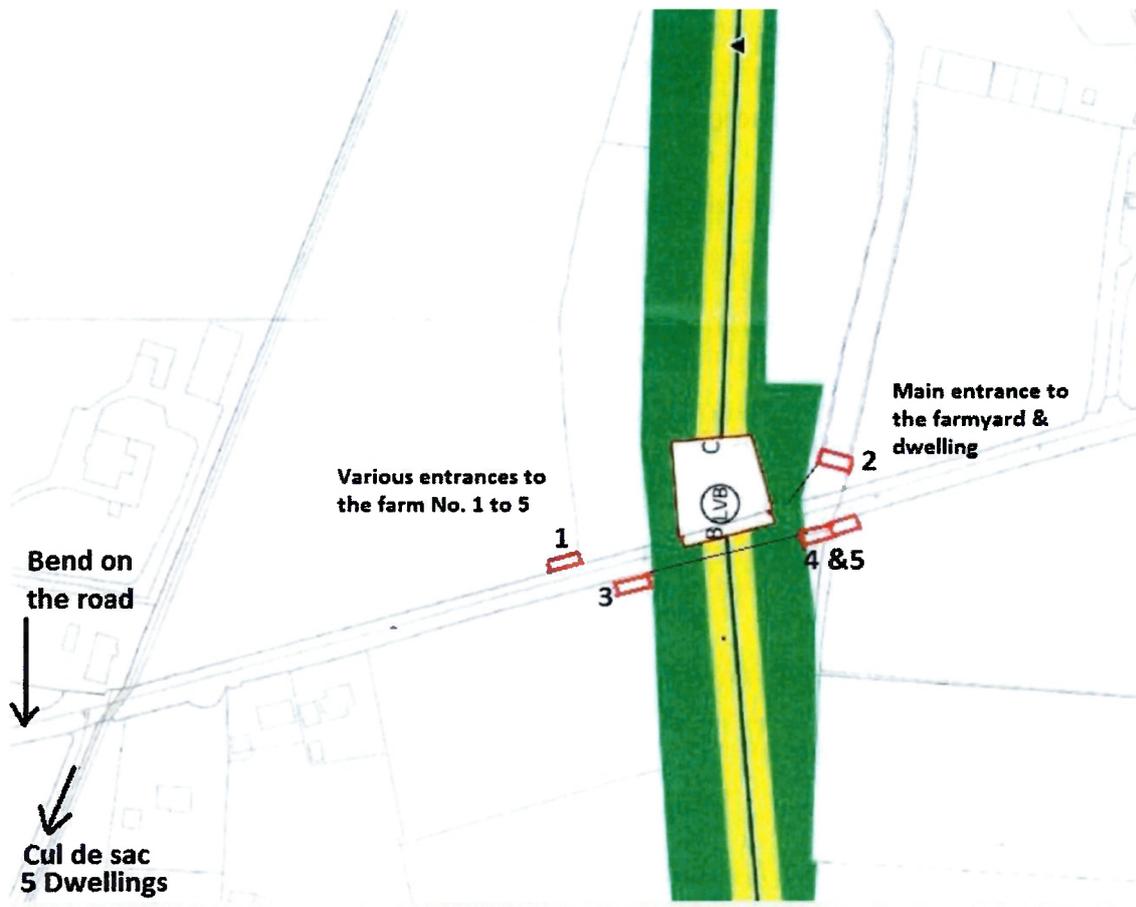


Figure 5: Multiple entrances into the farm adjacent to the proposed Permanent Compound (pipeline in a west–east direction).

3.7 Operational Safety Considerations

The proposal does not adequately consider the safety of Uisce Éireann personnel, who may be required to:

- Stop on a high-speed road;
- Exit vehicles; and
- Open gates adjacent to live traffic.

This presents an additional safety risk.

3.8 Lack of Consultation

While there has been engagement in relation to the pipeline and temporary works, no prior consultation took place with me regarding the siting of this Permanent Wayleave adjacent

to my entrance. The Uisce Éireann standard working drawing was only seen for the first time when reviewing the planning application.

A copy of the contemporaneous notes from the meeting with Uisce Éireann officials on 16 December 2025 is enclosed.

3.9 Photographic Evidence of Sightline Impact

Attached as Figure 6 is an aerial image of the subject location showing:

- The position of my existing farmyard/dwelling entrance;
- The proposed location of the Permanent Wayleave/lay-by;
- The direction of sightlines required when exiting the entrance, particularly to the north (towards Kilcock); and
- The approximate extent of the required visibility splay.

The image demonstrates that the proposed lay-by is located within approximately 10–20 metres of the entrance, which is well within the required stopping sight distance of 120–160 metres for an 80 km/h road.

It also illustrates how parked vehicles within the lay-by, Uisce Éireann vehicles attending the site, and boundary treatments such as fencing or hedging have the potential to obstruct visibility within the critical sightline required to safely exit the entrance.

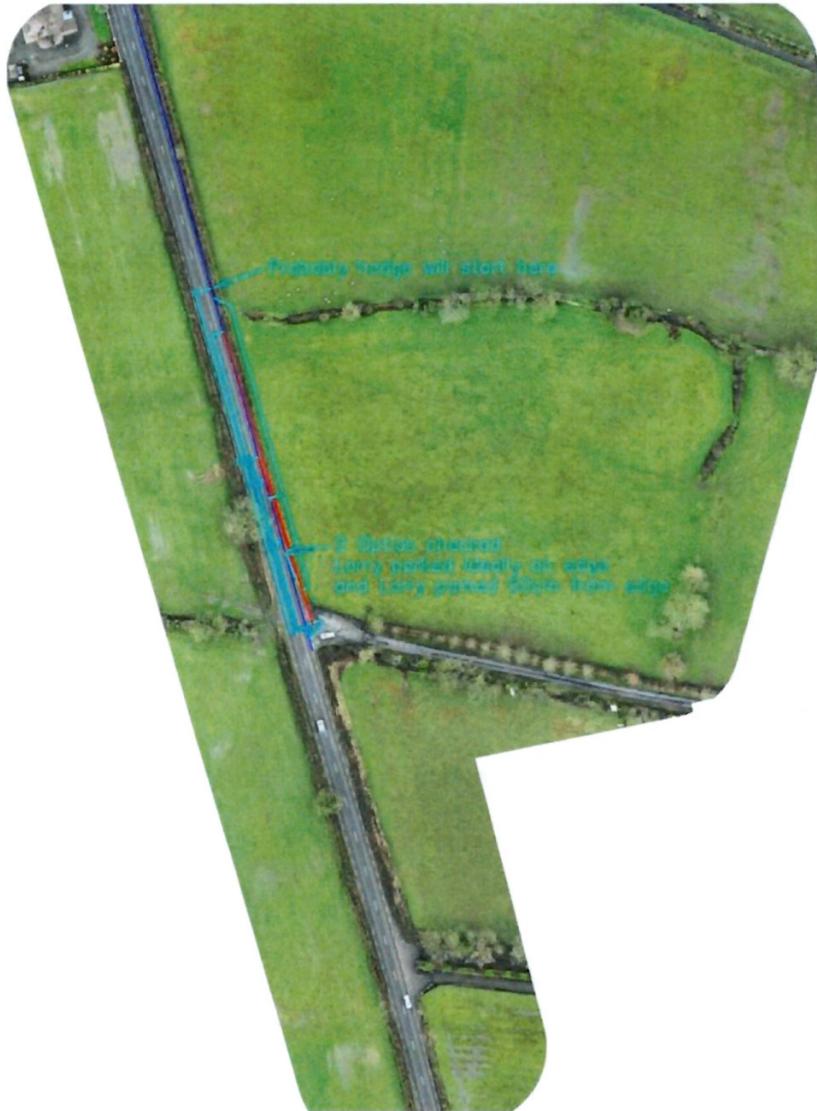


Figure 6: "2.9 Photographic Evidence of Sightline Impact"

3.10 Supporting Professional Agronomy Note

A professional note prepared by Gaynor Miller Ltd., Chartered Surveyors, Auctioneers and Agronomists, dated 24 February 2025, is submitted in support of this submission. The note was prepared by Gaynor Miller on foot of a request from the undersigned landowner and is

provided as independent professional commentary on the agricultural and operational impacts arising from the proposed acquisitions.

The Gaynor Miller note confirms that:

- the existing entrance serves as the primary agricultural access to the farmyard and to lands located on the opposite side of the R407;
- access movements occur multiple times daily for herding and machinery operations; and
- the proposed lay-by acquisition is positioned directly adjacent to this established entrance.

These observations independently corroborate the operational realities described in Sections 3.2 and 3.5 of this submission, namely that the entrance functions as an actively used agricultural access requiring frequent movements of slow-moving vehicles and livestock across a high-speed regional road.

The professional note therefore supports the conclusion that the introduction of an additional access and lay-by at this location would materially increase interaction between agricultural traffic and through traffic, thereby reinforcing the road safety concerns identified in this submission.

The Gaynor Miller document is provided as supporting professional evidence and should be read alongside this submission.

4. Future Requirement for Livestock Underpass

In addition to the immediate road safety concerns outlined above, I wish to highlight the long-term operational requirements of my farm, which have already been professionally considered and developed.

In 2023, I commissioned the preparation of detailed drawings for a proposed livestock underpass at this location, with the intention of applying for planning permission. A copy of this drawing is attached to this submission.

The purpose of the underpass is to provide a safe and sustainable solution for the movement of livestock and farm machinery between lands located on both sides of the R407, thereby eliminating the need to bring animals and slow-moving agricultural vehicles onto a high-speed public road.

At present, livestock are moved across the R407 on a regular basis, typically twice weekly. The provision of an underpass would improve safety by:

- Removing the need for livestock to cross a busy 80 km/h road;
- Eliminating interactions between agricultural vehicles and fast-moving traffic;
- Reducing the need to stop or manage traffic on the public road; and
- Improving overall road safety for all users.

However, the current proposal by Uisce Éireann, in particular the location of the Permanent Wayleave, lay-by, and associated infrastructure, has the potential to:

- Sterilise or severely constrain the location where such an underpass could be constructed;
- Introduce physical and engineering constraints that would complicate or prevent future development; and
- Conflict with the alignment and access requirements identified in the previously prepared design.

It is essential that any development at this location does not compromise the ability to deliver this future safety improvement.

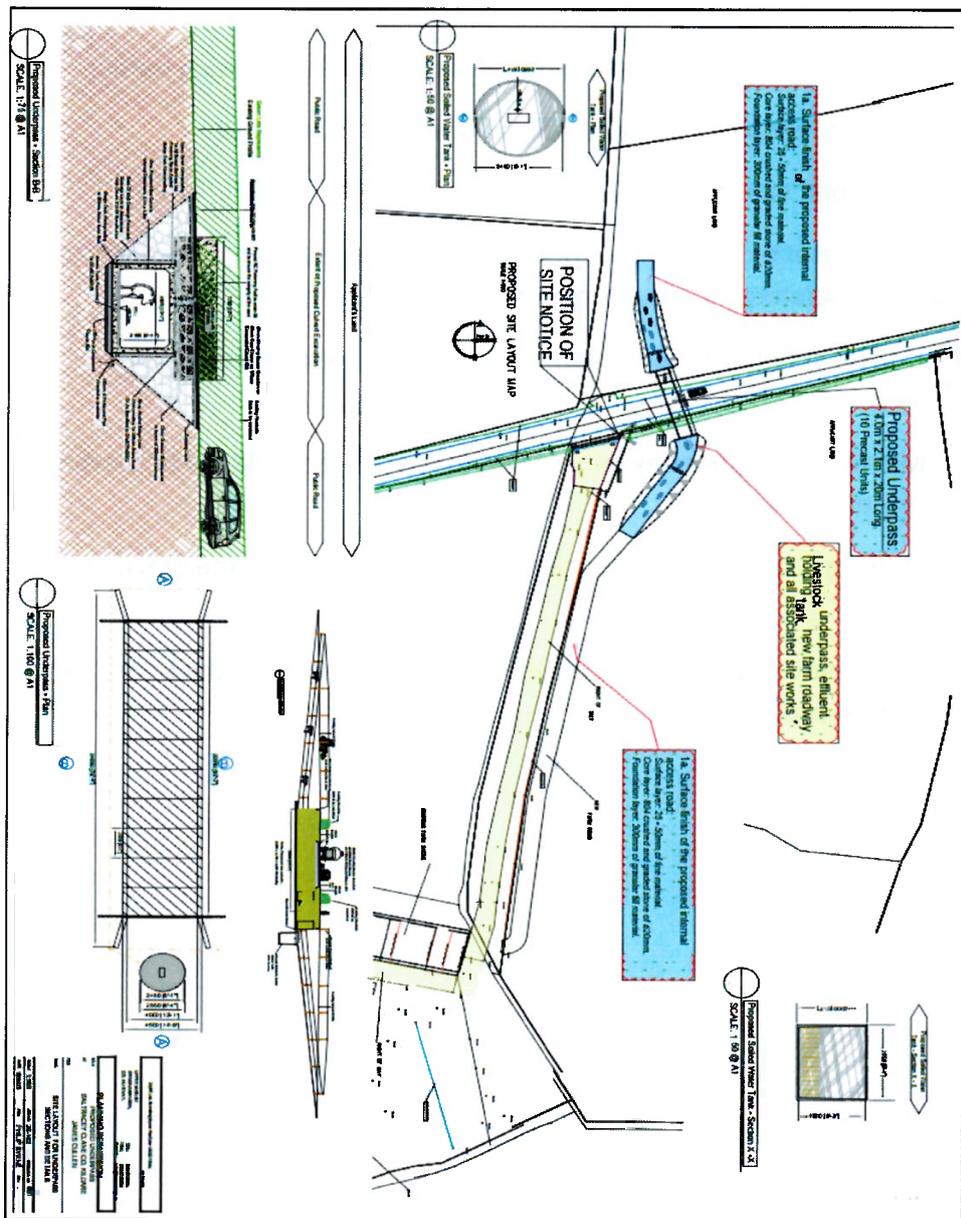


Figure 7: Proposed underpass drawing (2023).

5. Availability of Alternative Locations

The availability of alternative locations is relevant to the planning assessment as it demonstrates that safer siting options exist for the proposed infrastructure.

It is a fundamental principle of proper planning and sustainable development that, where a proposal gives rise to safety concerns, consideration should be given to whether a more suitable and less impactful alternative location exists.

In this instance, there are clearly available and viable alternative locations for the proposed lay-by and wayleave access that would avoid the significant road safety issues identified at my entrance on the R407.

5.1 Unsuitability of the Proposed Location

The proposed location is on an 80 km/h regional road with:

- High traffic volumes, particularly at peak times;
- A known history of collisions in the vicinity;
- A broken white line section where overtaking regularly occurs;
- Proximity to a bend, reducing forward visibility;
- Multiple existing entrances within a short distance; and
- Significant agricultural activity, including livestock crossings.

The introduction of a lay-by, stopped vehicles, and additional access points at this location gives rise to clear and unacceptable safety risks. Given these constraints, this location represents one of the least suitable positions along the route for such infrastructure.

5.2 Alternative Location – Approximately 2 km to the East

An alternative location exists (Figure 8) approximately 2 kilometres to the east of the subject site on a local road network with:

- A lower speed limit;
- Significantly reduced traffic volumes;
- Improved opportunities to achieve and maintain adequate sightlines;
- Reduced levels of overtaking and driver conflict; and
- Less interaction with agricultural operations and residential access points.

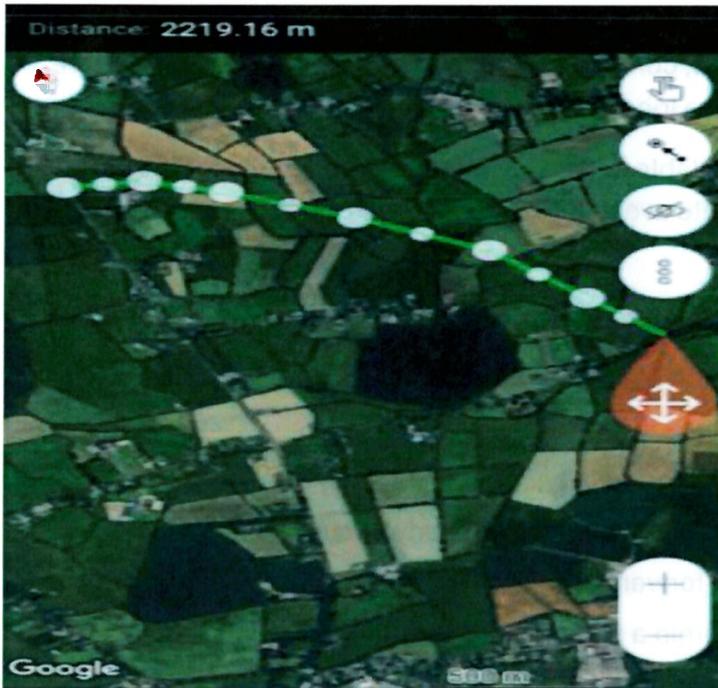


Figure 8: Alternative Location – Approximately 2 km to the East.

5.3 Alternative Location – Approximately 1.35 km to the West

A further alternative exists (Figure 9) approximately 1.35 kilometres to the west of the subject site. This location similarly benefits from:

- A lower posted speed limit;
- Lower traffic volumes;
- A less hazardous road environment;
- Greater flexibility in design to ensure compliance with sightline requirements; and
- Reduced potential for conflict with existing entrances and farm operations.



Figure 9: Alternative Location – Approximately 1.35 km to the West

5.4 Planning and Safety Benefits of Alternative Locations

Locating the proposed lay-by and wayleave access on lower-speed, lower-volume roads would:

- Significantly reduce risk to road users;
- Allow safer entry and exit movements;
- Improve visibility and compliance with sightline standards;
- Reduce conflict with existing agricultural and residential accesses; and
- Avoid the creation of a new hazard on a high-speed regional road.

Importantly, the availability of these alternative locations demonstrates that the siting of the proposed development at my entrance is not necessary and that less impactful options exist.

5.5 Conclusion on Alternatives

Given the clear availability of more suitable locations both to the east (circa 2 km, Figure 8) and west (circa 1.35 km, Figure 9), it is evident that the proposed siting on the R407, in immediate proximity to my entrance, is neither justified nor appropriate.

The identified impacts arise from siting choice rather than operational necessity.

6. Planning Policy and Legal Considerations

Under the Roads Act 1993 and the Planning and Development Act 2000, the Board must consider the proper planning and sustainable development of the area, including the safety and convenience of road users.

Development plans, including those prepared by KCC, require that:

- Development shall not endanger public safety by reason of traffic hazard;
- Adequate sightlines must be provided and maintained;
- Development which interferes with the safe operation of the road network shall not be permitted; and
- Existing accesses must not be rendered substandard or unsafe.

The proposed development is contrary to these principles.

7. Planning Balance

The road safety impacts identified arise from the specific siting proposed rather than from any inherent requirement of the infrastructure, as demonstrated by the availability of alternative locations outlined above.

The proposed development forms part of strategic public infrastructure, and its overall objective is acknowledged. The submission does not dispute the broader need for water services infrastructure or the principle of providing operational access to such infrastructure.

However, the planning assessment must also consider whether the specific siting and design proposed represent proper planning and sustainable development having regard to road safety, existing land uses, and the protection of established accesses.

In this instance, the identified impacts arise from the siting of the proposed Permanent Wayleave and lay-by in a constrained road safety environment.

The evidence set out in this submission indicates that the proposal would:

- Introduce potential obstructions within a required visibility splay;
- Increase traffic conflict in an already constrained road environment; and
- Materially affect the safe operation of an existing residential and agricultural access.

Having regard to the availability of alternative locations and the potential for revised siting to avoid these impacts, it is considered that the current proposal does not appropriately balance infrastructure provision with road safety and access protection. Accordingly, it is submitted that the proposal, in its present form, would not represent proper planning and sustainable development unless the identified road safety concerns are addressed through redesign or relocation.

8. Reasoned Grounds for Refusal

Having regard to the above, it is submitted that permission should be refused for reasons such as:

1. “The proposed development, by reason of the siting of a lay-by/entrance within approximately 10–20 metres of an existing vehicular access on an 80 km/h road, would materially interfere with required sightlines and stopping sight distance (circa 120–160 metres). The development would therefore give rise to a traffic hazard and endanger public safety. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.”
2. “The proposed development would result in the creation of a substandard and unsafe access arrangement and would materially impair the safe use of an existing entrance, contrary to development plan policies requiring adequate sightlines and the protection of existing accesses.”

9. Conclusion

The proposed Permanent Wayleave and associated lay-by located approximately 10–20 metres from an existing entrance on an 80 km/h section of the R407 would fall within the stopping sight distance required for the safe operation of that entrance. The introduction of roadside activity and potential parked vehicles within this visibility envelope would materially impair sightlines, increase traffic conflict, and give rise to a road safety hazard.

The evidence presented demonstrates that alternative locations are available that would avoid these impacts while allowing the development to proceed.

In addition, the proposed layout has the potential to constrain the future provision of a livestock underpass intended to improve long-term road safety by removing agricultural movements from the public road.

Having regard to road safety standards, development plan policy, and the requirement to ensure proper planning and sustainable development, it is respectfully submitted that the proposal, in its current form, should not be permitted unless revised to address the issues outlined in this submission.

The concerns identified arise from the specific siting of the proposed lay-by and access arrangement rather than from the principle or operational necessity of the infrastructure itself. In circumstances where feasible alternative locations exist and where a revised design could avoid interference with established sightlines and access safety, it is considered that the identified impacts are avoidable and therefore carry significant weight in the planning balance.

Accordingly, permission should be refused unless the development is relocated or redesigned to address the identified road safety risks.

For these reasons, the proposed development, as currently sited and designed, would not represent proper planning and sustainable development of the area.

Yours faithfully,

Seamus Cullen

Submitted electronically, so bears no wet signature.

Inclusion: €50 statutory fee.

Appendix 1

The contemporaneous notes from the site meeting are included as factual records of discussions and are not intended as verbatim transcripts. Participant names are redacted for GDPR reasons.

Project: Wayleave No. IW/10001814/WL/388

Location: R407, Baltracey

Date: 19 December 2025

Meeting Type: Site meeting between the landowners and Uisce Éireann

1. Attendance

The landowners in attendance were [REDACTED], Mr [REDACTED] (financial negotiator), and [REDACTED]. Uisce Éireann was represented by a company representative (name not recorded), an engineer from the consultant engineers for the project (name not recorded), and Mr [REDACTED].

2. Purpose of Meeting

The meeting took place on site at the R407 to discuss the proposed permanent compound associated with Wayleave No. IW/10001814/WL/388 and its impact on the landowners' property and access.

3. Opening Statements

[REDACTED] confirmed that he was in favour of the overall pipeline project and had granted permission for access and use of the farm for the purposes of the works.

[REDACTED] noted that consultation had taken place over many years in relation to the pipeline route and associated temporary works. However, he stressed that no consultation had taken place in respect of the proposed permanent compound, which he stated had been designed without the landowners' input.

4. Timing of Meeting and Notice

The landowners stated that a meeting in relation to the permanent compound had been requested several weeks previously and that Uisce Éireann only agreed to the meeting after the Compulsory Purchase Order had been issued and a notice erected at the farm gateway. The landowners confirmed that the notice was received on 16 December 2025.

5. Description of the Proposed Compound

The landowners requested clarification on the purpose and layout of the proposed compound, including whether there would be a dedicated entrance from the road. Uisce Éireann representatives confirmed that there would be a road entrance and that the

compound would include a hard-core surface, space for a vehicle to park, valves, and a permanent structure described as similar to a hut or cabinet. They stated that the largest vehicle expected to use the compound would be a car or light vehicle rather than a lorry. When queried regarding grass and weed maintenance, Uisce Éireann indicated that no specific plans were in place and they were unable to provide clear details in relation to fencing.

6. Road Safety Concerns

The landowners raised significant concerns regarding road safety. They stated that the proposed compound would be located immediately to the north of the farmyard entrance, which is used daily for the majority of farm and family activities and also serves the family dwelling. It was stated that approximately 95 percent of farm and family movements use this entrance.

They stated that the proposed location would obscure sightlines when exiting the farmyard. It was noted that the R407 is a heavily trafficked road and that Uisce Éireann personnel themselves expressed concern at the proximity to the traffic while standing near the roadside during the meeting.

The landowners stated that the farm entrance is already used by passing motorists for temporary stopping or parking, and that the addition of a compound entrance in close proximity could increase turning and stopping movements in this area. They stated that any impairment of sightlines or additional vehicle movements in this location would create a risk not only for the landowners and their family, but also for other road users.

7. Sightline and Planning Issues

██████████ took measurements on site and stated that a vehicle parked parallel to the entrance of the compound could project beyond the yellow line when doors were opened and that there would be insufficient space to safely accommodate larger vehicles. He further stated that the compound would not meet required planning sightline standards.

It appeared to the landowners that additional land along the road frontage would be required to meet county council sightline regulations, but this was not agreed by Uisce Éireann representatives, who stated that additional land would not be required by way of CPO.

The landowners also raised the concern that no detailed information had been provided regarding the size, design, or exact location of the proposed permanent structure within the compound, and questioned how planning approval could be properly assessed in the absence of such detail.

8. Additional Traffic Hazards

The landowners identified further hazards, including a slight bend approximately 300 metres north of the farm entrance which is not clearly visible on maps. It was stated that traffic travelling from the Kilcock direction, where overtaking is not possible for a distance, may overtake following this bend. The landowners also referred to impaired visibility caused by any obstruction near the entrance.

██████████ stated that he had parked a tractor at the proposed compound location to assess potential sightline obstruction and that this demonstrated a significant impairment of visibility and a traffic hazard when exiting the farmyard. He further stated that, in the event of a compound entrance in this location, all traffic exiting the farmyard and any vehicles entering or leaving the compound would be operating with reduced visibility, creating a potential hazard for other road users on the R407.

9. Farm Operations and Animal Movements

It was explained that a substantial portion of the farm lies on the opposite side of the road and that farm animals are regularly driven across the road by family members, requiring traffic to be temporarily stopped.

10. Accident History

The landowners stated that the farm straddled a section of the R407 where overtaking is permitted in between extensive distances of single white line north and south of the overtaking section and that several road traffic accidents had occurred in this area, including two fatal accidents.

11. Query Regarding Necessity of Compound Entrance

The landowners questioned the necessity for a dedicated entrance to the compound, stating that much of the infrastructure could be operated remotely and that unlimited parking facilities had already been offered to Uisce Éireann at the farm entrance and elsewhere on the property.

12. Stakeholders Identified

██████████ stated that there were three principal parties in relation to the proposed compound, namely the landowners, Uisce Éireann, and Kildare County Council, due to road safety considerations.

13. Additional Matters Raised

The landowners also raised concerns regarding the use of the term “wayleave,” noting that it typically refers to a temporary right of access, whereas Uisce Éireann described the acquisition as permanent. They noted that the pipeline crosses several high-traffic roads, including the N62, N80, and R407.

They stated that vehicles already park at the farm entrance on a daily basis, and expressed concern that a compound entrance could attract further unauthorised parking. They also referred to overtaking patterns and speed-related hazards in the vicinity, noting that the speed limit on the section of road is 80 km/h.

14. Outstanding Issues

The principal matters remaining unresolved were the absence of prior consultation regarding the permanent compound, road safety and sightline concerns at the farm entrance, lack of clarity regarding the size and location of the proposed structure, unclear arrangements for maintenance, fencing, and access.

Appendix 2

Chartered Surveyors • Auctioneers & Valuers • Agronomists

24th February 2025

Your Ref: 323982 & 323980
Our Ref: KM

An Bord Pleanála,
64 Marlborough Street,
Dublin 1
D01 V902



Unit 1B, Kilminchy Court
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Portlaoise
Co. Laois, Ireland
T +353 (0)57 867 8080
E info@gaynomiller.ie
www.gaynomiller.ie

RE: Uisce Eireann – Water Supply Project Eastern & Midlands Region

Submission to CPO & Planning

Landowner : James Cullen Snr.
Address: Baltracey, Donadea, Co. Kildare.
CPO Ref: Wayleave 388, Acquisition for Layby, Temporary Acquisition for Construction Compound Graiguepottle.

Dear Sirs,

We act on behalf of the above property owner(s) who have been served with notice of the making of the above compulsory purchase order. Having reviewed the drawings, correspondence and documentation, our client(s) have instructed us to object to the confirmation by you of the order. A separate submission will be made on engineering matters.

1. The landowner acknowledges the requirement for the pipeline even though it is going to cause great disruption and disturbance for his farming business. It is the ancillary acquisitions proposed including the proposed layby acquisition and the temporary acquisition for the construction compound that are unacceptable to him.
2. The acquisition for the proposed layby is directly beside the existing main access to this property. A separate submission will be made on the safety implications of another access at this location. The existing access can be used to accommodate Uisce Eireann long term access requirement at this location. The proposed acquisition area is 0.141 ha
The entrance is used for access to his son James house, agricultural access to and from the farmyard and also to the lands on the opposite side of the road. Access is required multiple times a day just to access the lands on the opposite side of the road for herding and machinery purposes at certain times of the year.

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3. The proposed acquisition for the construction compound consists of 2.236ha a large part of one field on the property. We believe that it is proposed to strip the topsoil and stone the area for the duration required. In the past for infrastructural projects construction compounds were acquired by the contractor after they had been awarded the construction contract. This appeared to work well as the contractors were always successful in acquiring areas and regularly ones that were already in commercial use. The landowners that let the areas were satisfied as they wanted to let the land and were able to complete a commercial deal. The plan to CPO the compounds is resulting in commercial farmers who are already badly affected by the proposed pipeline construction getting an additional hit on ancillary areas making their existing enterprises unsustainable.
4. The construction compound on this property was designed by architects and then the acquisition area was based on this design. Absolutely no regard was had for the farming enterprises as it has created unusable areas within the field layouts. A suitable compound could have been designed and minimised affect on the retained farm lands. The compound is called Graiguepottle on the planning drawings but appears to me to be all in the townland of Baltracey.
5. To acquire these large amounts of lands temporarily for construction compounds a duration needs to be clearly defined. This farmer has a flock of mid-season ewes that have been carefully bred over the years to suit his land and enterprise design. He will not have the lands available to support them all during the construction period because of the scale of the temporary acquisition and pipe working area. This would result in the loss of a breeding programme that took years to develop. The current department of agriculture schemes are mainly area based and the temporary nature of the acquisitions will cause havoc with this.
6. We reserve the right to raise further matters that may arise as further information is received on the acquisition and expand on outlined issues.

Yours Sincerely,

FOR GAYNOR MILLER LTD



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