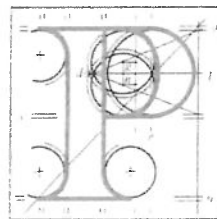


Our Case Number: ACP-324410-26



An
Coimisiún
Pleanála

Patrick O Donoghue
Carnacalla
Kilrush
Co. Clare

Date: 08 September 2026

Re: Proposed West Clare Railway Greenway Section 1: Kilrush to Kilkee Project
Kilrush to Kilkee via Moyasta, Co. Clare

Dear Sir / Madam,

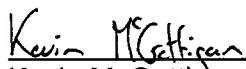
An Coimisiún Pleanála has received your recent submission in relation to the above mentioned proposed road development and will take it into consideration in its determination of the matter.

Please note that the proposed road development shall not be carried out unless the Commission has approved it or approved it with modifications.

If you have any queries in relation to this matter please contact the undersigned officer of the Commission at laps@pleanala.ie

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,


Kevin McGettigan
Executive Officer
Direct Line: 01-8737263

HA02C

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CASE REFERENCE: KA03.324416

Observation in respect of the Compulsory Acquisition of Land by Clare County Council (West Clare Railway Greenway Section 1: Kilrush to Kilkee) Compulsory Purchase Order 2026.

The following observation is made by a landowner effected by the above order. The order arises in the context of a 'voluntary land acquisition' process engaged in by Clare County Council on the one hand and the effected landowners on the other. This 'voluntary land acquisition' is under pinned by a Code of Practice'¹ formulated by landowner representatives and the responsible government agencies concerning the process of acquiring and developing greenways over private land or effecting private lands.

In particular this Code of Practice provides that voluntary land acquisition agreements are to be completed prior to the issuing of any compulsory purchase orders,² thereby ensuring in advance landowner agreement and proper accommodation prior to the forceable taking of private property. The provisions of the Code of Practice have been breached in this instance for some unstated reason which does not include any failure in engagement by effected landowners in general or this landowner in particular.

As a consequence no facilitation or accommodation has been finalised between the responsible parties in advance of the above order. The effected farm enterprise consists of a suckler beef farm on one continuous block of land. This farm operates a rotational grazing system necessitating the regular movement of livestock across the historical railway (now private property). Fodder crops are also harvested on site and all associated land management activities are carried out incorporating the historic railway. This farm is also accessed by a private right of way over a public carpark. The following observations arise in light of the foregoing;

- This project (as currently conceived) will have a disproportionate impact on the referenced lands. CH12250 to CH12850
- This project severely severs an existing integrated working farm enterprise
- This project will result in unnecessary loss of land

¹ Code of Best Practice, National and Regional Greenways, December 2021.

² Ibid 3.3.1

- This project has failed to consider alternative viable routes to avoid disproportionately effecting this landholding.
- This project will have a disproportionate effect of the type of farming enterprise carried out on this landholding
- This project will restrict the landowners access to his severed landholding by denying unhindered access to his main farm crossing between CH12500 and CH12550
- This project will remove farm roadways currently in use
- This project will negatively effect access over a registered private right of way at CH12850
- Traffic within the public area at CH12850 to CH 12900 approx with be substantially increased and constricted on an existing multiple use zone.

In addition to the above submissions concerning the referenced Compulsory Purchase Order, the extended deadline for the submission of observations in respect of Environmental concerns is also noted. This landowner reserves his right to make further observations concerning same up to an including the commissioning of whatever ecological reports may be deemed necessary.

Mise le meas,

Patrick O Donoghue

Carnacalla

Kilrush

Co Clare