



An
Bord
Pleanála

Board Direction
BD-018470-24
ABP-317759-23

At a meeting held on 13/12/2024, the Board considered:

- (a) the objections made to the Compulsory Purchase Order,
- (b) the report of the Inspector who held the oral hearing and
- (c) the documents and submissions on file generally.

The Board decided to confirm the Order without modification as indicated hereunder.

DECISION

CONFIRM the above Compulsory Purchase Order without modifications, based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having considered the objections made to the Compulsory Purchase Order, the written submissions and observations made to the oral hearing held on the 6th day of November 2024, the report of the Inspector who conducted the oral hearing into the objections, the purpose of the Compulsory Purchase Order to facilitate the Golf Links Road Upgrade, and also having regard to:

- (a) the constitutional and Convention protection afforded to property rights,
- (b) the need to provide a suitable road arrangement and replace a substandard road junction that will accommodate existing and future pedestrian, cycle and

vehicular traffic accessing the Ballysimon employment hub area from the residential districts of Castletroy, Monalee, Newport, and Annacotty,

- (c) the community need for connectivity improvements, the overall benefits of improvements of pedestrian and cyclist safety and the provision of new flood risk defence infrastructure as a proportionate way of giving effect to the common good, to be achieved from the Golf Links Road Upgrade,
- (d) the design response, which has been appropriately tailored to the identified need,
- (e) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Golf Links Road Upgrade, and
- (f) the provisions of the Limerick Development Plan 2022-2028 including the mapped objective for a cycleway/walkway on Golf Links Road (Map 6, Volume 2a),

it is considered that the compulsory acquisition of lands for the purposes of the Golf Links Road Upgrade by Limerick City and County Council, as set out in the Compulsory Purchase Order and on the deposited maps, is necessary for the purpose stated, which is a legitimate objective being pursued in the public interest, and that the Compulsory Purchase Order and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

In reaching this conclusion, the Board agrees with and adopts the analysis contained in the report of the person who conducted the oral hearing into the objections.

Board Member:


Tom Rabbette

Date: 13/12/2024