

An
Bord
Pleanála

Board Order
ABP-306784-20

Local Government (No. 2) Act, 1960

Housing Act, 1966

Planning and Development Acts, 2000 to 2020

Planning Authority: Limerick City and County Council

Application received by An Bord Pleanála on the 2nd day of March, 2020 from Limerick City and County Council pursuant to section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by section 10 of the Local Government (No.2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development Acts, 2000 to 2020 for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled **Limerick City and County Council N20 O'Rourke's Cross Road Improvement Scheme Compulsory Purchase Order 2020** – in the townlands of Ballyfookeen and Capanafaraha in the County of Limerick.

DECISION

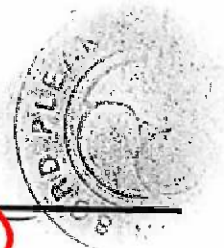
CONFIRM the above Compulsory Purchase Order based on the reasons and considerations set out below.

REASONS AND CONSIDERATIONS

Having considered the objections made to the Compulsory Purchase Order for the N20 O'Rourke's Cross Road Improvement Scheme and having regard to the following:

- (a) the purpose of the compulsory acquisition for the N20 O'Rourke's Cross Road Improvement Scheme which has been subject to the provisions of Part XI of the Planning and Development Act, 2000, as amended, and approved under Part 8 of the Planning and Development Regulations, 2001, as amended, and which provides for the replacement of the existing junction between the N20 and the R518 by means of a proposed 4-arm roundabout and the associated realignment of the N20,
- (b) the present substandard and hazardous configuration of the existing junction between the N20 and the R518, the delays that arise in accessing the N20 from the R518, and the virtual absence of pedestrian and cyclist facilities,
- (c) the community need, public interest served and overall benefits, especially in terms of traffic management and road safety, to be achieved from the proposed road improvement works,
- (d) the design of the proposed road improvement works constituting a design response that is proportionate to the identified need,
- (e) the policies and objectives of the Limerick County Development Plan 2010 – 2016 (as extended),
- (f) the written submissions made to the Board and the submissions and observations made at the oral hearing held on the 2nd day of February 2021, and
- (g) the report and recommendation of the Inspector,

It is considered that the compulsory acquisition of the lands and the extinguishment of public and private rights of way, for which the lands are to be acquired as set out in the Compulsory Purchase Order by the local authority are necessary for the purpose stated in the Order and that the objections raised to it cannot be sustained having regard to this necessity.



Dave Walsh

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 25th day of April 2021

DECISION QUASHED

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