



An
Coimisiún
Pleanála

Inspector's Report

ABP-321560-24

Development	Money more/Castle Manor Pedestrian Link - Compulsory Purchase Order 2024
Location	Money more/ Castle Manor, Drogheda, County Louth
Planning Authority	Louth County Council
Applicant	Louth County Council
Type of Application	Compulsory Purchase Order under the provisions of the Local Government (No. 2) Act 1960, the Housing Act 1966 as amended, the Roads Act 1993 as amended, and the Planning and Development Act 2000 as amended.
Objectors	<ol style="list-style-type: none">1. Mark Owens2. Denise Dawe3. Siobhán Wall4. Paula Breen

5. Padraig & Catherine Maguire
6. Claire Hickey
7. Fiona & Gerry Matthews
8. Ruth Markey
9. Matson Lodge & Millhaven
Residents Association

Date of Site Inspection

22nd September 2025

Date of Oral Hearing

None held – Not requested.

Inspector

Paul O'Brien

1.0 Introduction

1.1 Overview

- 1.1.1 Under the provisions of Section 216 of the Planning and Development Act 2000, as amended, Louth County Council (LCC) has made an application to An Bord Pleanála (the Board) for the confirmation of a Compulsory Purchase Order (CPO) of lands in Moneymore/ Castle Manor. Since the submission of the application, An Bord Pleanála has been renamed as An Coimisiún Pleanála. The Commission is required to confirm or annul the CPO.
- 1.1.2 The CPO relates to the compulsory purchase of lands in Moneymore/ Castle Manor, Drogheda for the purposes of providing a pedestrian link between established residential areas, and to improve permeability/ accessibility in north Drogheda.
- 1.1.3 The Commission has received nine objections to the CPO including from the Matson Lodge & Millhaven Residents Association and from individual members of the public who live in the immediate area. This report considers the issues raised in the objections submitted to the Commission and more generally the proposal to acquire the relevant lands.

1.2 Purpose of the CPO

- 1.2.1 According to the documentation submitted with the application, the purpose of the CPO is to:
- Allow the construction of a pedestrian link between Moneymore and Castle Manor in Drogheda.
 - All ancillary works associated with the pedestrian link.
 - Lands to be permanently acquired for the construction of the link.
 - Lands to be acquired on a temporary basis in order to allow for the above works during the construction phase of the development.

1.3 Accompanying Documents

- 1.3.1 The application is accompanied by the following documents.
- Cover Letter dated 18th December 2024, outlining contents of the application
 - Report from Senior Engineer and from Senior Executive Planner dated 6th December 2024 outlining the suitability of the lands for the purpose of the CPO and a statement provided that the proposed land acquisition complied with all

relevant planning and transportation policies/ objectives for the subject area and as set out in the Louth County Development Plan 2021 – 2027.

- Copy of the Louth County Council Director of Services Orders which includes environmental screenings, directing of land acquisition, making of Compulsory Purchase Order, sealing of the CPO, publication of the CPO and the submission of the CPO for confirmation.
- Copies of the signed, sealed and dated CPO; this includes a Schedule of Landowners.
- Copies of the signed, sealed and dated Deposited Map which indicates the lands to be acquired, either on a permanent or temporary basis.
- Newspaper Notice, Drogheda Independent dated 18th December 2024. This provides notice of the CPO and the relevant Schedules.
- Design Drawings
- Copy of Appropriate Assessment Report
- Copy of Appropriate Assessment Determination Report
- Copy of EIA Screening Report
- Copy of EIS Screening Determination Report
- Copy of letters sent to each individual directly affected by the CPO and who are named in the schedules.
- Copy of registered post book.
- Copy of photos of notices placed on site.

2.0 Site Location and Description

- 2.1. The subject site contains a section of land approximately 80m in length and which is located between Moneymore and Castle Manor, approximately 1.5km to the north of Drogheda town centre. Moneymore and Castle Manor are residential estates separated by an area of open space. The proposed path will be approximately 69m in length. The difference in lengths is due to the route not progressing in a straight line.

2.2. There are two distinct sections to the site. A lower area which forms part of the open space associated with Moneymore. This is a flat area of land. The second section includes a relatively steep climb through an area of vegetation to access an area of open space that is associated with Castle Manor. It is possible to walk up this slope as an informal, though well used, pathway has developed here. This is not surfaced and the grass has eroded to the soil level forming the pathway. There is no barrier on this pathway. A timber post and fence forms a barrier along the upper north western part of the site which is the Castle Manor boundary. There is a section of palisade fence to the south east forming the boundary with the Boyne Rugby Football Club. The rugby club lands are in use as sporting pitches. There was evidence of a watercourse at the base of where the ground starts to rise up, though this was relatively dry on the day of the site visit. A pallet was in position here to enable the crossing of the watercourse.

2.3. For information purposes: reference is made in this report to Ballymakenny Road. This road is located approximately 342m to the east of the subject site. There are a number of schools along this road including the Presentation Primary School, Ballymakenny College and St. Oliver's National School. The northern end of the Ballymakenny Road serves a large area of new housing a significant number are under construction at present.

2.4. In the interest of clarity, the submitted 'Detailed Design Report' indicates that the proposed land take will be as follows:

- 354sq m required permanently within the Boyne Rugby Football Club lands
- 237sq m required permanently within Castle Manor housing estate.
- 595sq m of public road is temporarily required during the construction phase.

The length of the footpath will be 69m. The width of the footpath will be 2m between Ch.0 to Ch.21 and Ch.30 to Ch.69. From Ch.21 to Ch.30 the width will be increased to 3m in order to provide for a chicane access control gate, which will be located at Ch.26. A new 750mm diameter piped culvert is to be provided over the existing stream at Ch.33. Side slope will generally be 1:5 except for Ch.40 to Ch.80 where the slope varies from 1:1.5/ 1:1. Fencing to be provided in the location of the steep slopes. The footpath to be constructed of concrete and buff colour tactile paving to be provided in the location of the uncontrolled crossings. 4 x 6m high public lighting

columns to be provided and one existing public lighting column in Castle Manor is to be upgrade with LED lighting.

3.0 **Planning History**

- 3.1. There is no recent, relevant application on these lands.
- 3.2. **PA Ref. 10510040** refers to a May 2010 decision to grant permission for the provision of perimeter fencing to the northern & western boundaries, floodlighting to pitches 1 & 2 & training area & all associated site works at Ballymakenny Road, Drogheda for Boyne Rugby Club. These lands are located to the south/ south east of the subject site.

4.0 **Policy and Context**

4.1. **Development Plan**

The current County Development Plan is the Louth County Development Plan 2021 – 2027. This plan includes Map Number 1.1 which is the ‘Drogheda Zoning and Flood Zones’ map.

The subject site is zoned A2 – ‘New Residential Phase 1’ with an objective ‘To provide for new residential neighbourhoods and supporting community facilities.’

Under ‘Guidance’ it is stated:

‘This is the primary location for new residential neighbourhoods. Any development shall have a high quality design and layout with an appropriate mix of housing and associated sustainable transport links including walking, cycling, and public transport to local services and facilities. The density of the development shall be reflective of the location of the lands, with higher densities required on more centrally located areas close to employment or services, or in strategic locations along public transport networks.

In addition to residential development, consideration will also be given to community facilities, retail services and uses that would support the creation of a sustainable neighbourhood; provided such development or uses are appropriate in scale and do not unduly interfere with the predominant residential land use.’

Chapter 7 – ‘Movement’ of the Louth County Development Plan is relevant to the proposed development. Section 7.6 refers to Sustainable Transport and I note the following:

Policy Objective MOV 8: ‘To support a modal shift away from the private car to more sustainable forms of transport, such as public transport, cycling and walking and the attainment of any national targets relating to modal change published during the life of this Plan.’

Policy Objective MOV10: ‘To support investment in sustainable transport infrastructure that will make walking, cycling or public transport more attractive and appealing, and facilitates accessibility for all, regardless of age, physical mobility, or social disadvantage.’

Section 7.6.11 refers specifically to ‘Cycling and Walking’ and the following are particularly relevant:

Policy Objective MOV 26: ‘To support the retrospective provision of walking and cycling infrastructure in existing settlements, where feasible, to achieve growth in sustainable mobility and strengthen and improve the walking and cycling network.’

Policy Objective MOV 27: ‘To support permeability and connectivity throughout the Plan area that will improve connections within existing and between existing and new neighbourhoods. This includes vehicular and/or active travel connections between developed and undeveloped lands. Where such a connection would traverse an area of open space it will only be facilitated where the functionality of the open space will not be undermined. The principle of ‘Filtered Permeability’ will also be considered where appropriate/feasible.’(sic)

Policy Objective MOV 32: ‘To provide, where possible traffic free pedestrian and cyclist routes particularly where such routes would provide a more direct, safer, and more attractive alternative to the car.’

4.2. National Policy/ Guidance

- The Climate Action Plan 2024
- The Climate Action Plan 2025
- The Planning System and Flood Risk Management, 2009.
- Design Manual for Urban Roads and Streets (DMURS) - 2023 Update.

- Permeability Best Practice Guide – National Transport Authority.

4.3. **Drogheda Implementation Plan**

The “Drogheda: Creating a Bridge to a Better Future’ report was published in January 2021, and the Drogheda Implementation Plan sets out how the 74 Recommendations of the report are progressing. This is not a planning report/ report under the Planning and Development Act 2000 as amended but it is relevant to some of the issues referred to in the letters of objection.

Recommendation 8.7 states:

‘Louth County Council to engage as a matter of urgency with residents of Moneymore and Castlemanor (and any other stakeholders as appropriate), with a view to closing off the offending ‘gap’ and taking other measures arising; or else finding a mutually acceptable and reasonable resolution to this issue.’

The implementation Plan states the following in response:

‘Louth County Council have engaged with the residents of both Moneymore and Castle Manor in relation to this issue. It has now been agreed that the “gap” provides an excellent Active Travel Route and plans and specifications have been drawn up to permanently and securely open this route. This project will have provision for CCTV oversight along with natural passive surveillance but more importantly will provide a safe route to school for children in the locality. In December 2024 Louth County Council made a Compulsory Purchase Order on part of the lands concerned which is required to bring the project to completion.’

5.0 **Objections**

- 5.1. A total of nine (9) separate objections were received. As the issues raised in each of the nine objections are similar, I have grouped the points under relevant headings. I note that comment was made that it was requested that submission be allowed to be made anonymously, however this was refused due to data protection.

Original cause of the gap:

- As part of the upgrade to the Boyne Rugby Club facilities, on the adjoining lands, a new boundary fence was to be installed. This did not enclose the entirety of

their lands and as such a gap was left, allowing access from Moneymore to Castlemanor.

- The provision of this development would prevent Boyne Rugby Club from completing their development including the enclosure of their lands.

Castlemanor Estate Planning:

- Insufficient consultation was held with residents in the area about the proposed development.
- The proposed development would negatively impact Maston Lodge, Millhaven and Castle Manor residents.
- This housing development was completed in 2000 and there was no indication that a walkway was to be provided as per the submitted application. Houses were bought on that basis.
- Planning conditions indicated that open space was to 'be made available for the continuous use and enjoyment of the residents of the estate'. Open space was to 'be maintained in perpetuity'. A boundary wall was to be provided around the open space, but this has not been done to date.
- Louth County Council 'Guidelines for the Design and construction of housing estates', which was in operation at the time of design and construction of Castlemanor, sought to close off gaps in hedgerows etc. with plastic chain link fencing until such time as natural planting is fully mature to close off these gaps. No such fencing was ever provided here.
- Section 3.2 of the Louth County Council 'Guidelines for the Design and construction of housing estates', required no entrances to be provided at turning bays similar to the subject site.
- Accept the requirements of DMURS, however this was not in place at the time of development of Castlemanor and it is not possible to provide for such links having regard to how Castlemanor has developed.
- The gap has allowed for increased illegal permeability and a subsequent increase in antisocial behaviour, criminality and drug dealing in this location.

- Refers to UK guidance – ‘Secured by Design’ and which suggests that segregated footpaths, such as that proposed, should be avoided.
- Concern raised about the potential increase in pedestrian footfall as a result of this development. Louth County Council reported to Oireachtas members that the existing footfall was 40 to 50 users of the existing route. The provision of over 5000 units in Ballymakenny could overwhelm the area in terms of pedestrian movement. An FOI request to Louth County Council for them to support their numbers was not responded to.

The Geiran Report and on-going serious criminality at the gap

- Due to a drug gang feud in Drogheda, the Minister for Justice commissioned a report, ‘Drogheda: Building a Bridge to a Better Future’, which was prepared by Vivian Geiran and was published in July 2021.
- Pages 47 and 48 of this report refer to the gap and this section of the report was prepared based on comments which were sought from the residents of Castlemanor. The report calls for this gap to be closed off, and reference is made to a new walkway which would provide for an alternative route between Moneymore and schools on the Ballymakenny Road.
- A letter has been provided by the objectors from the Drogheda Garda Superintendent supporting the closure of the gap.
- The subject gap should be closed upon the opening of the new walkways between the new Louth County Council housing development and Ballymakenny Road.

The two new walkways

- The objectors identify two alternative walkway routes for school children who may wish to access the schools on the Ballymakenny Road from Moneymore. These are considered to be safer routes than that proposed. These routes are also flatter and therefore easier to use by pedestrians.
- It is considered that as Moneymore was built in the 1980s, more school children would come from Laurence’s Park rather than Moneymore. St. Laurence’s Park is located to the north west of Moneymore and west of Castle Manor, approximately 240m to the west of Castle Manor.

- The objectors identify two routes that could be used as an alternative to the proposed link. These both level and would be better than the proposed route in terms of safety and access.
- The alternative routes reach the Ballymakenny Road at a point in close proximity to pedestrian crossings which lead to the school gates on the opposite side of this road. These routes are to be constructed in accordance with the requirements of DMURS.
- The cost of the subject route is expensive due to the need to ensure that the difference in levels can be appropriately addressed. There is a difference of 2.1m in height between the Moneymore side and the Castle Manor end of the route. Developers will be required to build the other routes; the subject one will be publicly paid for.
- If this route is not progressed, the only cost would be the closure of the gap which could be done with high grade palisade fencing and the treatment of the embankment here. Details are provided on the type of palisade fencing that could be used to close the gap.
- An alternative way of closing the gap would be the construction of houses here on these lands. An example of a similar situation is provided, in Brookville, and the objectors request that a similar solution be provided here by Louth County Council.

Meetings with Louth County Council

- Details are provided of consultation and meetings held with the local authority.
- The objectors were informed in January 2024 that the CPO could be withdrawn by Louth County Council, however no further comment was received from the Planning Authority in relation to this.
- Trees and hedgerows were removed by Louth County Council, even though they were advised that there is a bat habitat in the hedgerow, which are protected. Some of the trees/ hedgerows removed were not even on lands within the control of Louth County Council.

- The submitted screening report does not make reference to bats or what will happen if bats are found on the subject site.

Safety

- The proposed pathway and the need to cross roads is not suitable as a route for children attending schools to have to use.
- There is a difficulty with sightlines in the area in particular through vehicles having to reverse out of driveways.
- Concern about the increase in pedestrian traffic in the area and the ability to safely use their driveway for car parking.
- Concern about how those using wheelchairs will negotiate a 1 in 5 slope which is proposed here.

Flood Zone

- Part of the rugby club lands including the CPO lands are located within a flood zone. There is a stream running along the bottom of the rugby club lands that feeds into the River Boyne.
- There is no mention in the screening report about the potential impact from flooding.
- The provision of a concrete footpath is not appropriate here and would give rise to contamination of groundwater. This would be contrary to the Louth County Development Plan.
- No Strategic Flood Risk Assessment has been undertaken as part of this application.
- The provision of a culvert requires consultation with the OPW, in accordance with the Louth County Development Plan.
- There is no indication that the proposed development has had regard to 'The Planning System and Flood Risk Management Guidelines'.
- Insufficient detail is provided on the impact of the development on the watercourse in the area.

- The development is not critical infrastructure, and it should not go ahead as it cannot be certain that there would be no impact on the watercourse and that there would be no implications in terms of flooding arising from the proposed development.

The Legal Burden on Louth County Council

- Reference is made to the Law Reform Commission document on ‘Compulsory Acquisition of Land’.
- In terms of ‘Common Good’, two alternative routes are proposed, and the subject route has not been identified as necessary.
- The ‘Proportional Test’ has not been passed as alternative routes are available and there is no requirement for this route.
- There is not a significant public requirement for the route as proposed.
- Refer to comment from Louth County Council that if fencing is put up, then it would be knocked down. That would be criminality and would be a matter for the Gardai to address.

Request that the CPO be refused. The objections are supported with photographs, reports, sections from the Louth County Development Plan, other planning details, letters including from Louth County Council and Gardai and other documentation that I have referenced above. Details including maps and photographs of the reference alternative pedestrian routes are also included in the letters of objection.

6.0 Response from Louth County Council

- 6.1. No additional comments have been made.

7.0 Assessment

7.1. Overview

- 7.1.1. The Compulsory Purchase Order (CPO) refers to the compulsory acquisition of lands between Moneymore and Castle Manor in Drogheda, County Louth for the purposes of providing a pedestrian link through these lands. This link is approximately 69m in length and will have a width generally of 2m to 2.5m. Lands are permanently

required for the provision of this route, and other lands are required on a temporary basis in order to facilitate the construction of this link.

7.1.2. For the Commission to confirm the subject CPO, it must be satisfied that the following criteria are addressed:

- There is a community need that is to be met by the acquisition of the lands in question.
- The project proposed and associated acquisition of lands is suitable to meet the community need.
- The works to be carried out should accord with, or at least not be in material contravention of, the policy and objectives contained in the statutory Development Plan relating to the area.
- Any alternatives proposed to meet the community need have been considered but are not demonstrably preferable.
- The extent of land-take should have due regard to the issue of proportionality.

The proposed CPO is now assessed in the context of the above tests prior to addressing the specific issues raised in the objections lodged.

7.2. **Community Need**

7.2.1. The community need for the acquisition was set out by Louth County Council in the documentation submitted with the Compulsory Purchase Order (CPO). The proposed route will allow for pedestrians in Moneymore, 'The Twenties' road, and other areas in north Drogheda to access schools and other facilities/ services on Ballymakenny Road. It is estimated that the journey time saving for pedestrians would be 30 minutes. The existing route is informal and does not allow for safe access with there is no provision made for those with mobility issues.

7.2.2. The Objections have identified other routes that could be used instead of this one and which would through their topography provide for a much more level pathway than that proposed. The subject route has a difference of over 2m between the south west and north east sections, therefore the difference in levels has to be provided in the design of this pathway.

7.2.3. The objections have included a long list of issues that they have concern about; I have outlined these in Section 5.0 of this report. Particular concern was raised about anti-social behaviour, crime and general nuisance that has been a feature of the

'gap' over time. The objections have requested that the CPO be refused and have proposed measures that would close of the 'gap'. These measures include the provision of suitable fencing with landscaping of the site or alternatively that housing be provided here on the site with examples given as to the use of method within Drogheda for the closure of problem access routes.

7.2.4. Whilst alternative routes are available or may be available in time, the fact remains that is an active and well used route at present, one that local people have a desire to use. On the day of my site visit I witnessed a number of people using the route, coming from the Moneymore direction into Castle Manor. This was during the mid-afternoon period and those using the route were not pupils going to/ from school. Whatever the issues raised about the route, many negative, the fact is, it is a well-used route at present. The proposed development would improve the existing situation allowing for a greater use but one which is far safer/ easier than at present.

7.2.5. The Planning Authority have outlined how this development demonstrates compliance with policy objectives of the Louth County Development Plan, but also how complies with the recommendations of the 'Drogheda: Creating a Bridge to a Better Future' report. Recommendation 8.7 refers specifically to the 'gap' and the wording indicates that the intention was to close off the gap unless otherwise agreed. The Drogheda Implementation Report indicates that this route provides for a high quality active travel route and rather than close it off, it is now proposed that it be upgraded to provide a permanent link between Moneymore and Castle Manor. Measures to be provided to ensure that this route is appropriately monitored including through the use of CCTV and also through natural passive surveillance.

7.2.6. On balance, it is considered that Louth County Council have adequately demonstrated that the compulsory purchase of the lands here between Moneymore and Castle Manor would meet a community need or is required to meet the wider community need for the wider north Drogheda area. There is an established pedestrian route here, though one of a poor quality and the CPO would allow for the improvement of the route to the necessary standard for its permanent use. A primary consideration is the ability for children to be able to walk from Moneymore and adjoining residential areas to the schools on the Ballymakenny Road. In addition, the route ensures that permeability between Castle Manor and Moneymore

is provided in a functional and safe manner and one which is accessible for all residents of the area.

It is, therefore, concluded that that the community need for the CPO has been established.

7.3. Suitability of Lands to Serve Identified Community Need

- 7.3.1. The subject lands are zoned for residential use, and the provision of the pedestrian link would support existing residential development in the area as well as allowing for residents in the area to access existing schools, community facilities and other services in this part of north Drogheda.
- 7.3.2. The proposed route is considered to be acceptable in terms of its location and would allow for a relatively direct and appropriate link between Moneymore and Castle Manor. The route is currently in use, even though it is not a formal pathway with a proper surface and as I have reported, a packing pallet was in place on the day of the site visit to provide for a bridge/ dry section over the watercourse here. The area of land required for this development is appropriate and which includes the temporary acquisition of lands in order to construct the pathway. The site area is wider than the pathway, this is to provide for suitable sloping to the side of the route in order to meet the difference in levels between Moneymore and Castle Manor.
- 7.3.3. I therefore consider that the lands are suitable to meet an identified community need, that is the provision of a pedestrian pathway between Moneymore and Castle Manor and which will allow for improved permeability in this part of northern Drogheda.

7.4. Compliance with Planning Policy

- 7.4.1. The subject lands are zoned for residential use and although the provision of roads, paths, cycleways etc. are not referenced in the list of appropriate uses, it is appropriate that such infrastructure forms an important element in the provision of residential development. There is no conflict between the provision of this route and the land use zoning in place. Under the section on Guidance for A2 zoned lands it states, 'Any development shall have a high quality design and layout with an appropriate mix of housing and associated sustainable transport links including walking, cycling, and public transport to local services and facilities'; clearly the provision of such links form part of the development of the area.

7.4.2. Comment was made that the proposed development would result in the loss of open space/ amenity lands. The subject lands are not zoned for such uses and the Louth County Development Plan 2021 – 2027 clearly indicates these lands to be zoned A2 – New Residential Phase 1. ‘Open Space’ is afforded its own zoning – H1, and which is not applied here at present. I am satisfied that the proposed development would not have a negative impact on the existing open space here and there would be no loss of residential amenity from this scheme.

7.4.3. I have outlined a number of policy objectives from the Louth County Development Plan under Section 4.1 of my report that I consider relevant for this development, and I have summarised them as follows:

- MOV 8: Supports the modal shift away from the private car to more sustainable forms of transport, such as walking.
- MOV10: Supports the investment in sustainable transport infrastructure that will make walking more attractive, and facilitates accessibility for all, regardless of age, physical mobility, or social disadvantage.’
- MOV 26: Supports the retrospective provision of walking infrastructure in existing settlements to achieve growth in sustainable mobility and strengthen and improve the walking network.
- MOV 27: Support permeability and connectivity throughout the Plan area that will improve connections within existing/ and new neighbourhoods. Where such a connection would traverse an area of open space it will only be facilitated where the functionality of the open space will not be undermined.
- MOV 32: Provide, where possible, traffic free pedestrian and cyclist routes particularly where such routes would provide a more direct, safer, and more attractive alternative to the car.

7.4.4. I am satisfied that the proposed development is in accordance with each of the above policy objectives. Walking is to be encouraged throughout County Louth as an alternative to car use and suitable infrastructure is to be provided where it is feasible to do so, including retrospective provision of walking infrastructure.

7.4.5. Policy Objective MOV 27 is particularly relevant to this development. The proposed development demonstrates compliance through improving permeability and

connectivity in this part of Drogheda. The route crosses over an area of open space but I am satisfied that this will not result in a negative impact on the functionality of this open space. The route is located on the edge of open space within Moneymore and by reason of its current use as a pathway, there is no negative impact on the use of this section of open space. Similarly, the open space proposed to be crossed in Castle Manor does not provide for any formal active amenity use; it currently operates as a grass verge/ edge of development lands and there will be no loss of functionality here.

- 7.4.6. The proposed development is in accordance with the objective of DMURS seeking to encourage more sustainable forms of movement and minimising the use of cars for shorter trips. The development also demonstrates compliance with the NTA's 'Permeability Best Practice Guide', particularly under Section 3 of this guide which provides 'Best Practice Principles for Maintaining and Providing Permeability'.

I am therefore satisfied that the proposed development demonstrates compliance with the policy objectives of the Louth County Development Plan 2021 – 2027 through the provision of improved pedestrian infrastructure within Drogheda and which will allow for more sustainable forms of movement therefore encouraging a reduction in car use.

7.5. Consideration of Alternatives

- 7.5.1. The objectors to this development have indicated that there are alternative routes available and which are considered to be more suitable than the subject development. One of these (PA Ref. 2460366) is located further to the north of the Castle Manor, and for which permission has not been received, and the other reference is not correct, but this site is also likely to be north of the subject area having regard to 'Drawing E' provided in the objection submissions.
- 7.5.2. I note the alternative routes, but these are not as direct as the existing route and require pedestrians to head north west before heading east towards the Ballymakenny Road. The alternative route proposed by the objectors requires the traversing of the streets of a number of separate residential developments and associated open space areas. Whilst the suggested route(s) are alternatives, they would not be the optimum for residents of Moneymore and Castle Manor. An

important fact in this case is that the route is already in place, though is sub optimal in terms of quality and does not demonstrate accessibility for all.

7.5.3. I note the report of Louth County Council, and which indicates that the use of existing roads/ footpaths would result in a walking journey time of approximately 30 minutes from Moneymore to the schools/ facilities on Ballymakenny Road. I consider this timing to be correct and would result in an excessively long journey times compared to the 10 minutes expected with the subject development. The removal of the existing link as promoted by the objectors, without an improved alternative, would likely give rise to increased car use in the area and this is an alternative that would not be acceptable to the wider community.

7.5.4. Having full regard to the alternatives raised by the objectors, the reports of Louth County Council and having undertaken a comprehensive site survey, I am satisfied that there are no demonstrably preferable alternatives to meet the community need for this pedestrian route between Moneymore and Castle Manor, and the wider north Drogheda area.

7.6. Proportionality and Necessity for the Level of Acquisition Proposed

7.6.1. In determining whether to confirm a CPO, the extent of land-take should have due regard to the issue of proportionality, and there should be a necessity for the level of acquisition proposed. This issue has partially been considered under Section 7.3 of my report. The objectors did not raise concern so much about the scale of the development, their issues referred more to the location and nature of this development.

7.6.2. I am satisfied that the land-take required is appropriate for the provision of this pedestrian route. There is a need for an area of land outside of the pathway, this is to provide for safe side slopes and would be typical of a development of this nature and is necessary in terms of pedestrian safety.

7.6.3. From the submitted details I am satisfied that the land-take is proportional and necessary for the development of this pedestrian route. Suitable lands are required for the pathway itself, side slopes, adjustments to gradient differences and to connect into existing footpaths.

7.7. Other Issues

7.7.1. Issues raised by Objectors

The objectors raised a long list of issues that they had concerns about. I have addressed the majority of their issues in this report. I have some comments to make on other issues that they have raised.

- Original cause of the gap: The reason why this gap appeared is not relevant to the considerations I am required to make on this CPO. There is no definitive information provided on the length of time that this route has been in place.
- The Geiran Report and issues at the gap: Louth County Council have decided that the improvement of the walkway would address issues associated with the gap between Castle Manor and Moneymore. Whilst the Geiran report made reference to the closing of the gap, the improvements proposed were considered a more appropriate solution, and as outlined in my report, the upgrading of the route would benefit the wider community.
- Flooding: Part of the site is located within Flood Zone B, with Fluvial AEP Flood Depths of between 0 and 1m according to Drawing No. E07DRO _ DPFCD001 _ F4 _ 15 – Drogheda Fluvial Flood Depths provided by the OPW on www.floodinfo.ie. Flooding here is associated with the stream that the subject route crosses and any flooding is in the open space area associated with Moneymore. A short section of culvert is to be provided where the path crosses the stream, and it is not foreseen that this will have a negative impact on flooding in the area.

7.7.2. Other Issues:

- An Environmental Impact Assessment Screening Report and an Appropriate Assessment Screening Report were conducted by the Planning Authority. These are noted; however, these assessments are not required for land acquisition in itself.
- An assessment of impact for the purposes of the Water Framework Directive is not necessary in and of itself for the purposes of a CPO.

8.0 Conclusions and Recommendations

I am satisfied that:

(a) The process and procedures undertaken by Louth County Council have been fair and reasonable, that Louth County Council has demonstrated the need for the lands

and that all the lands being acquired are both necessary and suitable to facilitate the provision of a pedestrian walkway between Moneymore and Castle Manor, Drogheda.

(b) Having regard to the Constitutional and Convention protection afforded to property rights, I consider that the acquisition of the lands referred to in Part I (i.e. Plot no. 100a.1, 100b.1, 101a.1, 102a.1, 102b.1 and 102a.2) of the presented Schedule as set out in the Compulsory Purchase Order and on the deposited maps pursues, and is rationally connected to, a legitimate objective in the public interest, namely the provision of a pedestrian walkway between Moneymore and Castle Manor, Drogheda.

(c) I am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible; in this respect, I have considered alternative means of achieving the objective referred to in submissions to the Commission, and am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the CPO made by the acquiring authority unreasonable or disproportionate.

(d) The effects of the CPO on the rights of the affected landowner are proportionate to the objective being pursued. I am further satisfied that the proposed acquisition of these lands referred to in Part I (i.e. Plot no. 100a.1, 100b.1, 101a.1, 102a.1, 102b.1 and 102a.2) of the presented Schedule as set out in the Compulsory Purchase Order would be consistent with the policy objectives of the Louth County Development Plan 2021 - 2027 where the Development Plan which seek to provide pedestrian routes and to upgrade existing routes. Accordingly, I am satisfied that that the confirmation of the CPO is clearly justified by the exigencies of the common good.

I recommend that the Commission CONFIRM the Compulsory Purchase Order, without modifications, based on the reasons and considerations set out below.

9.0 Reasons and Considerations

Having considered the written objections made to the Compulsory Purchase Order and having regard to the following:

- (a) The purpose for which the lands are to be acquired as set out in the Compulsory Purchase Order,
- (b) The community need, public interest served and overall benefits to be achieved from the Moneymore/ Castle Manor Pedestrian Link,
- (c) The policies and objectives of the Louth County Development Plan 2021 – 2027, and
- (d) The submissions and observations made to the Commission by the Objectors and Louth County Council,

It is considered that, the acquisition permanently of the lands in question by Louth County Council, as set out in the CPO, Schedule and on the deposited maps, are necessary for the purposes stated and the objections cannot be sustained having regard to the said necessity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Paul O'Brien

Inspectorate

20th January 2026