



An
Coimisiún
Pleanála

Inspector's Report

ABP-322343-25

Development	Castletroy Link Road
Location	between the L1116 Golf Links Road, Ballysimon and the L5173 Groody Road, Kilbane, Limerick.
Planning Authorities	Limerick City and County Council
Applicant	Limerick City and County Council
Type of Application	Applications 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 Act, 2000, as amended.
Objectors	Liam Hickey Pat G. Hoare Pat Hoare Building Contractors Ltd.
Date of Site Inspection	18 th July 2025
Inspector	Tomás Bradley

Contents

1.0	Introduction	1
1.1	Pre-Application Consultation	1
1.2	Further Information	2
1.3	Oral Hearing	2
2.0	Site Location and Description	3
3.0	Proposed Scheme	5
3.1	Development Need.....	5
3.2	Documents supporting the Proposed scheme.....	6
4.0	Planning History	7
5.0	Policy Context.....	8
5.1	National	8
5.2	Regional	12
5.3	Limerick City and County	14
6.0	Legal Context.....	17
7.0	Objections.....	18
7.1	Initial Objections	18
7.2	.Objections to Applicant's Response	19
8.0	Assessment	21
8.1	Introduction	21
8.2	General Assessment	22
8.3	Consideration of Submissions	27
8.4	Conclusion	34
9.0	Recommendation	36
10.0	Reasons and Considerations	37

Tables

Table 1: Policies and Objective of the Regional Spatial Economic Strategy	13
Table 2a: Zoning Objectives of the LCCDP	14
Table 2b: Policies and Objective of the LCCDP	15
Table 3: Policies and Objective of the LCCDP	16
Table 4: Site Specific Natural/Built Heritage Policies and Objective of the LCCDP ..	16

1.0 Introduction

Limerick City and County Council (LCCC or ‘the applicant’) have made an application 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 Act, 2000, as amended, for confirmation of a Compulsory Purchase Order authorising compulsory acquisition of lands and entitled Limerick City and County Council (Castletroy Link Road) Compulsory Purchase Order 2025.

The proposed scheme has an overall approximate length of approximately 680 m and will run between Golf Links Road (L1116) and Groody Road (L5173) in the townlands of Ballysimon and Kilbane, Limerick.

A corresponding planning application for the proposed scheme is being progressed in parallel under ABP-321993-25.

1.1 Pre-Application Consultation

LCCC originally lodged a pre-application consultation request under section 51A of the Roads Act 1993, as amended. One meeting was held. The prospective applicant withdrew the pre-application consultation request on the recommendation of the Commission’s representative, who indicated that the process should only be utilised where it has been conclusively determined that an EIAR is required to be produced. A determination in relation to whether the project is strategic infrastructure development or not is not required under the Roads Act.

The Commission should note that the applicant made formal requests for Environmental Impact Assessment (EIA) and Appropriate Assessment (AA) screening directions under Section 50 of the Roads Act, 1993 (as amended) and Article 250 (1) of the Planning and Development Regulations 2001 (as amended).

In respect of EIA, the Commission under ABP-312427-22 directed that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an EIA Report (EIAR) is not required.

In respect of AA, the Commission under ABP-312428-22 directed that it cannot be ruled out that the proposed development would not be likely to have significant

effects on Natura 2000 sites and that the preparation and submission of a Natura Impact Statement (NIS) is required.

1.2 Further Information

In July 2025, the applicant provided a response to objections. The objectors were given an opportunity make a submission on this in August 2025. On the basis of all the information received from the applicant and objectors, it is considered there is no issue arising that lacks clarity or detail or are so complex as to require Further Information be requested from the applicant or indeed the objectors and the applications can be satisfactorily assessed based on the information provided.

1.3 Oral Hearing

There were no requests for an oral hearing to be held in respect of the proposed scheme in submissions made by objectors. I am satisfied that no oral hearing is required. Written evidence has allowed for a proper and full assessment of the case without recourse to an oral hearing. It is considered that there is no issue arising that lacks clarity or detail or are so complex to require a hearing. The holdings of an oral hearing is, of course, entirely at the discretion of the Commission.

2.0 Site Location and Description

The proposed scheme consists of construction of a link road between Golf Links Road (L1116) and Groody Road (L5173) in the townlands of Ballysimon and Kilbane, Limerick and has an overall length of approximately 680 m. The Golf Links Road (L1116) links the Dublin Road (R455) to the Old Ballysimon Road. The Groody Road links the Dublin Road (R455) to the Ballysimon Road (R527).

The proposed scheme primarily leads to the R527 Regional Road (which leads into the N24 National Road) which is the main inter-urban between Limerick and Waterford. There is also a junction (Junction 29) for the M7 Limerick Dublin Motorway on the R527/N24. As a result, the existing roads network accommodates foot, cycle, bus and general traffic for Limerick City Centre and also University of Limerick (UL).

Overall, the site is located within an urbanised environment and in proximity to the residential suburbs of Ballysimon, Monaleen and Castletroy. There is a mix of other uses in proximity including commercial (Northern Trust (off Groody Road), City East Retail Park (off Old Ballysimon Road), Garryglass Industrial Estate)) and community (Castletroy Golf Club (off Golf Links Road), Limerick Educate Together, Bon Secours Hospital (under construction) (off Groody Road)).

The site for the proposed is predominantly agricultural lands enclosed by trees and hedgerows. The River Groody (EPA Code: 25G05) runs to the west of the proposed scheme. A lesser order and shorter stream, Peafield (EPA Code: 25P36) runs to the south and joins the Groody River. This river is liable to flooding and has been modelled under the Catchment Flood Risk Assessment Management (CFRAM) Programme. The River Groody flows north and meets the River Shannon (EPA Code: 25S01) which is part of the Lower River Shannon Special Area of Conservation (SAC) (Site Code: 002165).

At the Groody Road side, the proposed scheme ends at an existing roundabout at the junction with Caisleán Na hAbhann. On the Gold Links Road side, the proposed scheme ends at the T-junction with School House Road. The Groody Road carries the 310 Bus Service from Sarsfield Street (Limerick City) to the National Technology

Park (Castletroy). The Golf Links Road carries the 304A Bus Service from Raheen to UL.

There are several residential receptors adjacent to the proposed development including Caisleán Na hAbhann, Fox Hollows, Ashfort, Glantán estates and other residential dwellings along Golf Links Road and School House Road

There are a number of built heritage features on this site including a ritual site - holy well (SMR Record: L1005-034001) which is identified on 1938 edition Ordnance Survey 25-inch map as Mary Madalene's Well. This is also recorded as a Protected Structure (RPS) (RPS 1633) on the Limerick City and County Development Plan 2022-2028.

3.0 Proposed Scheme

The proposed development consists of:

- A new distributor road of approximately 680m in length with a cross-section consisting of 9.7m wide carriageway including a 3.5m wide bus lane, footpaths, segregated cycle-track, planted verges with 1 in 2 road embankment side slopes
- Upgrading of both the Schoolhouse Road/Golf Links Road junction and the Kilbane roundabout to a signalised protected junction arrangement
- Tree and vegetation removal with tree re-planting and associated landscaping works
- Provision of new surface water drainage and associated works required including an attenuation pond to the western side of the scheme with 2m high paladin fencing, access tracks and access gate to agricultural lands
- Proposed realignment of the existing open drainage channels including 3no. box culvert crossings
- Provision of bus stop infrastructure with toucan crossing facility for pedestrians & cyclists
- Fencing, LED public lighting, safety barriers, road signage, traffic signal poles and all associated site development work

These details of the proposed scheme are set out in the relevant Public Notices, which accompanied the planning application.

Once commenced, it is expected that the construction phase will take approximately 18 months.

3.1 Development Need

The proposed scheme will provide a strategically important link road required for connectivity in the Castletroy area as well as releasing landlocked zoned lands for development in this rapidly growing suburban district.

The proposed new distributor road will include Active travel and Bus stop infrastructure providing facilities for pedestrians, cyclists and public transport to serve the planned growth for Limerick East in a sustainable manner.

3.2 Documents supporting the Proposed scheme

The following documents were submitted to the Commission in the first instance in support of the proposed scheme:

- Cover Letter
- Compulsory Purchase Order & Schedule
- Deposit Maps
- Public Notice Advertisement
- Notice served on Owners/Lessees/Occupiers and Certificate of posting on Site.
- Director General's Order
- Senior Planner's Certificate
- Director of Service's Certificate
- Consultant's Certificate

The applicant responded to submissions (as set out in Section 7.0 of this report) in July 2025 and submitted the following information:

- Flood Risk Assessment
- Responses to Submissions

4.0 Planning History

A review of the relevant local authority planning portal and the Commission's case files was carried out the in August 2025 to collate any relevant, recent (within 10 years) planning history for the site. There are no notable planning applications on the site itself.

A detailed planning history is provided in Section 6 of the Planning Report submitted by the applicant. This is noted.

There are a significant number of planning applications in proximity to the proposed scheme which include large residential, domestic residential such as alterations to existing houses, commercial and community development. This is to be expected in such urban locations. These are all noted and considered in the context of the assessment below – in particular the cumulative and in-combination assessments.

5.0 Policy Context

The Commission should note the following European, national and regional level policies and guidance which will be relied on in the assessment below.

5.1 National

5.1.1 Climate Action Plan 2024 (and Climate Action Plan 2025) (DECC, 2025)

The CAP25, builds on CAP24 and sets out a roadmap to halve emissions by 2030 and reach net zero by 2050. CAP25 continues to seek the implementation of carbon budgets and sectoral emissions ceilings that were introduced under the *Climate Action and Low Carbon Development (Amendment) Act, 2021*. Sector emission ceilings were approved by Government in July 2022 for the electricity, transport, built environment – residential, built environment – commercial, industry, agricultural and other (F-gases, waste & petroleum refining) sectors. Finalisation of the emissions ceiling for the Land Use, Land Use Change and Forestry (LULUCF) sector has been deferred from July 2022.

Citizen engagement and a strengthened social contract between the Government and the Irish people will be required around climate action. Some sectors and communities will be impacted more than others. A just transition is embedded in CAP25 to equip people with the skills to benefit from change and to acknowledge that costs need to be shared. Large investment will be necessary through public and private sectors to meet CAP24 targets and objectives.

The electricity sector will help to decarbonise the transport, heating and industry sectors and will face a huge challenge to meet requirements under its own sectoral emissions ceiling. CAP25 reframes the previous pathway outlined in CAP24, CAP23 and CAP21 under the Avoid-Shift-Improve Framework to achieve a net zero decarbonisation pathway for transport. This is a hierarchical framework which prioritises actions to reduce or avoid the need to travel; shift to more environmentally friendly modes; and improve the energy efficiency of vehicle technology. A National Demand Management Strategy was commenced in 2023 with the aim of reducing travel demand and improving sustainable mobility alternatives.

5.1.2 Cycle Design Manual (NTA, 2023)

The Cycle Design Manual 2023 replaced the previous 2011 National Cycle Manual and draws on the experience of cycle infrastructure development over the past decade and international best practice to help deliver safe cycle facilities for people of all ages and abilities. The Manual is intended as a live document that will be updated to reflect emerging best practice.

Chapter 2 of the Manual sets out the five main requirements of safety, coherence, directness, comfort, and attractiveness) that designs should fulfil to cater for existing cyclists and to attract new cyclists to the network.

Chapter 3 of the Manual addresses wider cycle network planning. Designing for cycling is covered in Chapter 4,

The Manual makes a single reference to BusConnects under protected junctions, where it is noted that a small number of such junctions have been implemented in Ireland and many more are currently being planned under active travel schemes around the country and on BusConnects corridors in Dublin and regional cities. The Manual anticipates that the continued rollout of protected junctions will improve junction consistency and coherence on the cycle network.

5.1.3 National Sustainable Mobility Policy (DoT, 2022)

The purpose of this document is to set out a strategic framework to 2030 for active travel and public transport to support Ireland's overall requirement to achieve a 51% reduction in carbon emissions by the end of this decade.

A key objective of the document is to expand the bus capacity and services through the BusConnects Programmes in the five cities of Cork, Dublin, Galway, Limerick and Waterford; improved town bus services; and the Connecting Ireland programme in rural areas.

5.1.4 National Sustainable Mobility Policy Action Plan 2022-2025 (DoT, 2022)

This action plan sets out specific goals and associated core actions to deliver the National Sustainable Mobility Policy.

5.1.5 National Development Plan 2021-2030 (as updated in July 2025) (DPE, 2021)

The NDP Review contains a range of investments and measures which will be implemented over the coming years to facilitate the transition to sustainable mobility. These measures include significant expansions to public transport options, including capacity enhancements on current assets and the creation of new public transport links.

5.1.6 National Investment Framework for Transport in Ireland (DoT, 2021)

One of the key challenges identified within this document relates to transport and the ability to maintain existing transport infrastructure whilst ensuring resilience of the most strategically important parts of the network. Population projections are expected to increase into the future and a consistent issue identified within the five cities of Ireland is congestion. Given space constraints, urban congestion will primarily have to be addressed by encouraging modal shift to sustainable modes.

Within the cities, frequent and reliable public transport of sufficient capacity and high-quality active travel infrastructure can incentivise people to travel using sustainable modes rather than by car.

The revised NDP 2021- 2030 sets out details of a new National Active Travel Programme with funding of €360 million annually for the period from 2021 to 2025. A new National Cycling Strategy is to be developed by the end of 2022 and will map existing cycling infrastructure in both urban and rural areas to inform future planning and project delivery decisions in relation to active travel.

5.1.7 Design Manual for Urban Roads and Streets (DHLGH, 2019)

This Manual provides guidance on how to provide a balanced design for urban streets. To encourage more sustainable travel patterns and safer streets, the Manual states that designers must place the pedestrian at the top of the user hierarchy, followed by cyclists and public transport, with the private car at the bottom of the hierarchy. The following key design principles are set out to guide a more place-based/ integrated approach to road and street design.

- To support the creation of integrated street networks which primate higher levels of permeability and legibility for all users, and in particular more sustainable forms of transport.
- The promotion of multi-functional, place based streets that balance the needs of all users within a self-regulating environment.
- Quality of the pedestrian environment.
- Greater communication and cooperation between design professionals through the promotion of a plan-led multidisciplinary approach to design.

The manual recommends that bus services should be directed along arterial and link streets and that selective bus detection technology should be considered that prioritises buses. It is noted that under used or unnecessary lanes can serve only to increase the width of carriageways (encouraging greater speeds) and can consume space that could otherwise be dedicated to placemaking /traffic calming measures.

5.1.8 National Planning Framework Project Ireland 2040 (as revised in April 2025) (DHPLG, 2018)

The National Planning Framework (NPF) establishes the fundamental national objective of achieving transition to a competitive, low carbon, climate resilient and environmentally sustainable economy by 2050,

Managing the challenges of future growth is critical to regional development. A more balanced and sustainable pattern of development, with a greater focus on addressing employment creation, local infrastructure needs and addressing the legacy of rapid growth, must be prioritised. This means that housing development should be primarily based on employment growth, accessibility by sustainable transport modes and quality of life, rather than unsustainable commuting patterns.

National Strategic Outcome 4 (NSO 4) of the NPF recognises that Limerick and other cities and major urban areas are too heavily dependent on road and private, mainly car based, transport with the result that our roads are becoming more and more congested. The NDP makes provision for investment in public transport and sustainable mobility solutions to progressively put in place a more sustainable alternative. Furthermore NSO 4 provides support to develop a comprehensive network of safe cycling routes in metropolitan areas to address travel needs.

5.1.9 Permeability in Existing Urban Areas Best Practice Guide 2015 (NTA, 2015)

Among the priorities of the NTA are to encourage the use of more sustainable modes of transport and to ensure that transport considerations are fully addressed as part of land use planning. This guidance demonstrates how best to facilitate demand for walking and cycling in existing built-up areas.

5.1.10 Smarter Travel – A Sustainable Transport Future: A New Transport Policy for Ireland 2009 – 2020 (DoT, 2009)

This is a government document that was prepared in the context of unsustainable transport and travel trends in Ireland. The overall vision set out in this policy document is to achieve a sustainable transport system in Ireland by 2020.

To achieve this the government set out 5 key goals

to reduce overall travel demand,
to maximise the efficiency of the transport network,
to reduce reliance on fossil fuels,
to reduce transport emissions and
to improve accessibility to transport.

To achieve these goals and to ensure that we have sustainable travel and transport by 2020, the Government sets targets, which include the following:

- 500,000 more people will take alternative means to commute to work to the extent that the total share of car commuting will drop from 65% to 45%
- Alternatives such as walking, cycling and public transport will be supported and provided to the extent that these will rise to 55% of total commuter journeys to work.

5.2 Regional

5.2.1 Regional Spatial Economic Strategy for the Southern Region (RSES)

The Regional Spatial Economic Strategy for the Southern Region (RSES) sets out the strategic plan and investment framework for the region which includes Limerick Chapter 6 (Section 2) of the RSES sets out the role of transport networks to improve the sustainable movement of people and goods. Objectives address the NPF's

National Strategic Outcomes of Enhanced Regional Accessibility, Sustainable Mobility and High-Quality International Connectivity The Section also sets out priorities for the Limerick-Shannon Metropolitan Area Transport Strategy.

The following Regional Policy Objective (RPO) are noted.

Table 1: Policies and Objective of the Regional Spatial Economic Strategy	
Policy/Objective	Detail
RPO 151	Integration of Land Use and Transport
RPO 152	Local Planning Objectives
RPO 157	Local Transport Plans (LTP)
RPO 159	Role of Transport in Enabling Access for All
RPO 160	Smart and Sustainable Mobility
RPO 162	Multi-Modal Travel Integration
Section 6.3.6.4	Priorities for the Limerick-Shannon Metropolitan Area Transport Strategy
RPO 168	Investment in Regional and Local Roads
RPO 169	Strategic Road Network Improvement Priorities
RPO 171	Bus
RPO 174	Walking and Cycling

5.2.2 Limerick Shannon Metropolitan Area Transport Strategy (LSMATS) 2040

This Strategy sets out the framework for the delivery of the transport system required to further the development of the Limerick Shannon Metropolitan Area as a hub of cultural and social development and regeneration; as the economic core for the Mid-West; as an environmentally sustainable and unified metropolitan unit; as a place where people of all ages can travel conveniently and safely; and a place that attracts people, jobs and activity from all over Ireland and beyond.

The LSMATS was prepared by the NTA in collaboration with LCCC, Clare County Council, and Transport Infrastructure Ireland. The cooperation of Irish Rail was also a key input.

The strategy identifies a link road between Childers Road and Golf Link Road:

A requirement for a link road from the Childers Road to Golf Links Road via Bloodmill Road and Groody Road has been identified in order to serve new development areas in this location and in order to provide for an additional public transport route from the City Centre towards Monaleen and onwards towards Annacotty. This public transport route would require a new bus-only link from Garryowen onto Childers Road. Parts of this link will be delivered in the short term, subject to further planning and appraisal, with the remaining sections (including the bus-only link) to be progressed in later phases of the strategy.

5.3 Limerick City and County

The Limerick City and County Development Plan 2022-2028 was adopted by the Elected Members of Limerick City and County Council at a Special Meeting on 17th June 2022 and came into effect on 29th July 2022.

5.3.1 Zoning Objectives

The proposed scheme is located in area for which lands have been zoned 'New Residential', 'Education and Community Infrastructure' and the 'Groody Valley Wedge'

Table 2a: Zoning Objectives of the LCCDP	
Policy/Objective	Detail
New Residential	Objective: To provide for new residential development in tandem with the provision of social and physical infrastructure. Purpose: This zone is intended primarily for new high quality housing development, including the provision of high-quality, professionally managed and purpose built third level student accommodation. The quality and mix of residential areas and the servicing of lands will be a priority to support balanced communities. New housing and infill developments should include a mix of housing types, sizes and tenures, to cater for all members of society. Design should be complimentary to the surroundings and should not adversely impact on the amenity of adjoining residents. These areas require high levels of accessibility, including pedestrian, cyclists and public transport (where feasible). This zone may include a range of other uses particularly those that have the potential to facilitate the development of new residential communities such as open space, schools, childcare facilities, doctor's surgeries and playing fields etc.
Education and Community Infrastructure	Objective: To protect and provide for educational, training and adult learning, community, healthcare, childcare, civic, religious and social infrastructure. Purpose: To protect existing and allow for expansion of a wide range of educational facilities, services and related development. To facilitate sustainable development of community infrastructure and create an inclusive high quality of life. This land use will provide for community facilities, healthcare services, childcare, religious, social and civic infrastructure, ancillary purpose-built accommodation such as residential care or institutions to support the main use only, and other facilities.
Groody Valley Wedge	Objective: To preserve and protect the Groody Valley from development. Purpose: To maintain the area's importance in preventing the encroachment of the built up area of Limerick City and to retain its important role as a wildlife corridor and a flood management zone.

It is noted that it is the plans zoning principle to ensure new residential development is provided in tandem with services, investment in infrastructure including transport and the provision of employment, together with supporting amenities and services;

A wider site in which the scheme is proposed is identified as Site 71 in the Residential Settlement Capacity Audit – Site 71.

Notwithstanding the zoning objectives, both an Indicative Link Road and Cycleway/Walkway is identified on maps between Groody Road and Golf Links Road along the general route of the proposed scheme.

5.3.2 Specific Policy Objectives in respect of Castletroy Link Road

Chapter 7 of the LCCDP relates to sustainable mobility and transport, and aims, during the lifetime of the Plan, to strengthen the links between land use and transportation planning and will seek to promote sustainable transport, through the management of the road network in Limerick, by providing attractive, inclusive and connected walking and cycling networks, improving permeability within settlements, supporting car-share facilities and the use of electric vehicles and securing investment in public transport highlights that the sustainable and efficient movement of people and goods is crucial for the success and vitality of the city, along with the need to move away from private car and fossil-fuel-based mobility to reduce the negative impacts of transport and climate change.

There are numerous policies in Chapter 7 of the LCCDP which support the principle of the proposed scheme including.:

Table 2b: Policies and Objective of the LCCDP	
Policy/Objective	Detail
Objective TR O43 Upgrade works/New Road Schemes	It is an objective of the Council to provide for and carry out sustainable improvements to sections of the national, regional and local road network, to address deficiencies in respect of safety, alignment, structural condition or capacity where resources permit. The following schemes shall be included: • School House Road to Kilbane Roundabout, Groody Link Road;
Objective TR O44 Link Roads	It is an objective of the Council to: a) Support and complete delivery of new and improved link roads and junctions accommodating public transport, cycle and pedestrian connections, including new road links as outlined in LSMATS. The layout and design of such works shall have cognisance of the context and interface with surrounding land uses in compliance with the Design Manual for Urban Roads and Streets (DoECLG 2019) 2020 DMURS Interim Advice Note – Covid -19 Pandemic Response and TII Publication DNGeo-03084 The Treatment of Transition Zones to Towns and Villages on National Roads; b) Ensure proposals make provision for the accommodation of bus services along the most significant link routes, which shall include identification of bus stopping and turning areas, as well as carriageway capacity and through routes. It should be noted that the alignment of the new roads in the Plan is indicative only. These roads shall definitely be

	aligned as part of the detailed design and development process. Similarly, the location of junctions is indicative and the exact position for construction purposes will be dependent on detailed design;
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Related policies include

Table 3: Policies and Objective of the LCCDP	
Policy/Objective	Detail
Policy TR P3	Integration of Land Use and Transport Policies
Policy TR P4	Promotion of Sustainable Patterns of Transport Use
Policy TR P5	Sustainable Mobility and Regional Accessibility
Policy TR P7	Sustainable Travel and Transport
Objective TR O1	Climate Proofed Transport Infrastructure
Objective TR O2	Design Manual for Urban Roads and Streets
Objective TR O4	Universal Design
Objective TR O5	Limerick – Shannon Metropolitan Area Transport Strategy
Objective TR O6	Delivering Modal Split
Objective TR O7	Behavioural Change Measures
Objective TR O8	Walking and Cycling Infrastructure
Objective TR O9	Limerick Cycle Network
Objective TR O11	Enhanced Public Transport
Policy TR P11	Road Safety and Carrying Capacity of the non-national Road Network
Objective TR O37	Land Uses and Access Standards
Objective TR O38	Improvements to Regional and Local Roads
Objective TR O42	Roads and Streets
Objective TR O46	Limerick City Centre Traffic Management Plan
Objective TR O51	Roadside Signage
Objective TR O52	Directional Signage
Objective TR O53	Noise and Transportation

5.3.3 Specific Policies in respect of Natural Heritage

Chapter 6: Environment, Heritage, Landscape and Green Infrastructure and of the LCCDP considers a range of policy objectives to protect and conserve natural and built heritage features. These policies are noted.

The following site specific objectives are noted:

Table 4: Site Specific Natural/Built Heritage Policies and Objective of the LCCDP	
Objective	Site
Landscape Character Area	Shannon ICZM
Protected Structures	Mary Madalene's Well (RPS 1633)

5.3.4 Limerick Biodiversity Action Plan 2025-2030

The Limerick Biodiversity Action Plan 2025-2030 recognises that in addition to legally designated sites there are numerous habitats across the city that have conservation value for biodiversity, including public parks and open spaces, rivers, canals, and embankments. A key aim of the plan is to focus the efforts and resources of LCCC, public sector bodies, nature conservation groups and others to

protect and enhance biodiversity and halt biodiversity loss in Limerick and to further incorporate the free ecosystem services that biodiversity provides.

6.0 Legal Context

This application is a CPO under Section 76 of and the Third Schedule to the Housing Act 1966, as extended by Section of the Local Government (No. 2) Act 1960 (as substituted by Section 86 of the Housing Act, 1966) and amended and extended by the Planning and Development Acts 2000 - 2022 (as amended) including Section 213 of the Planning and Development Act 2000 (as amended), Section 10 of the Local Government (Ireland) Act 1898, as amended by Section 11 of the Local Government (No.2) Acts 1960, the Local Government Acts 1925 -2019 including Section 11 and 184 of the Local Government Act, 2001, the Local Government (No. 2) Act 1960 (as amended), Roads Acts 1993 - 2015 and all other acts thereby enabling.

7.0 Objections

7.1 Initial Objections

7.1.1 Liam Hickey

- Mr Hickey wishes to make quite clear his objection to the CPO.

7.1.2 Pat G. Hoare

A submission was made by John Dore, Agricultural Economist and Valuer on behalf Pat G. Hoare who has a residential property (Folio No. LK34641F):

- The Objector considers that the land take and scheme is too close to his residence and should be relocated further South from his property
- The Objector objects to the large South facing embankment that is proposed to be located adjacent to his property. It will have a substantial shading affect and thereby devalue his property.
- The Objector is concerned about noise, vibration and visual mitigation.
- The Objector is concerned about potential damage to his residence during the works from vibrations and dust and requires an independent detailed engineering pre works survey conducted on his residence and property.

The Commission should note that the Applicant's Response received in July 2025 was circulated to objectors for comment. No submission was received in this period

7.1.3 Pat Hoare Building Contractors Ltd

A submission was made by John Dore, Agricultural Economist and Valuer on behalf Pat Hoare Building Contractors Ltd who has lands affected by the proposed scheme (CPO Plot Reference No. P02):

- The Objectors consider that the land take is excessive as detailed in their planning consultant's submission in relation to the planning application.
- The Objectors are key stakeholders and Limerick City and County Council has not engaged with them adequately. They request to fully understand the route selection process and in particular the consideration of the alternative route options and their elimination.
- Details of access provisions to the retain land have not been provided.

- The Objectors request details of the proposed building line setback from the proposed scheme.
- The submission continues to seek to ensure that the proposed new road has regard to planned future development in the area and that such development can occur in an integrated and coordinated manner.
- The historic transfer of land in the vicinity of the proposal is integral to consideration of matters relating to the development of the road. The Agreement, as entered into by both parties, demonstrates how the provision of a road could be facilitated and delivered in an integrated and holistic manner by both the landowner and the local authority.
- A Masterplan has been prepared by Pat Hoare Building Contractors Limited for zoned residential land adjoining the proposed road in an attempt to facilitate and ensure integrated and coordinated development. It is entirely reasonable that our client would seek both services and access to land, which is otherwise severed by the proposed Link Road.

7.2 .Objections to Applicant's Response

The Commission should note that the Applicant's Response received in July 2025 was circulated to objectors for comment.

7.2.1 Liam Hickey

- Going back to the CPO Adare to Annacotty Plan of 2000 Mr Hickey's original Land Certificate Folio No 18959 was never returned. He is requesting the return of this document to his possession.
- The distribution of the proceeds of this CPO at the time have never satisfactorily explained and until such time as he receives a satisfactory explanation he is voicing his objection to this development proceeding.

7.2.2 Pat G. Hoare

A submission was made by John Dore, Agricultural Economist and Valuer on behalf Pat G. Hoare:

- The response is not acceptable; more detail is required. Both the residence and the back garden will lose sun light particularly in the winter months and in morning and evening time. The exact shadow calculations are required taking

into account the elevation of the noise barrier with traffic and proposed landscaping.

- The Lower Shannon SAC is a very extensive SAC. The incremental impact of moving the road say 20m to the South is considered extremely negligible.

7.2.3 Pat Hoare Building Contractors Ltd

A submission was made to ABP-321993-25 by HRA Planning on behalf of Pat Hoare Building Contractors Limited which is noted;

- The land for the Castletroy link road includes land that was previously acquired from the objector. Some of this land is now surplus to requirements because of alteration to the design. The scheme should not be approved until this land that is now surplus to requirements is returned to the objector.
- The proposers did not engage adequately with the objectors, who are key stakeholders, in the route selection process.
- This access provision is totally unacceptable. The land to the West has been acknowledged as a land fill site and as such requires appropriate independent access for large vehicles.
- The County Council sets the minimum building line set back. The minimum building line set back for this link road is requested

8.0 Assessment

8.1 Introduction

The purpose of the CPO is to facilitate the undertaking of the development described in Section 3.0 of this report. The need is specifically described in Section 3.1. LCCC issued fourteen notices along the proposed scheme to:

- Landowners
- Lessee Occupiers.

The Commission should note that the CPO extends to the following types

- Lands being Permanently Acquired
- Lands being Temporarily Acquired

It is understood that there are no public or private Rights of Way to be acquired, extinguished, restricted or otherwise interfered with

This assessment considers the issues raised in the written objection submitted to the Commission, the points made therein, and the four general principles to be applied in assessing CPOs of this nature, which are whether:

- there is a community need to be met by the acquisition of the property.
- the particular property is suitable to meet the community need.
- the works carried out accord with the relevant Development Plan.
- any alternative methods of meeting the community need.

For the Commission to confirm the subject CPO, it must be satisfied that, as set out in the judgement of Geoghegan J. in *Clinton v An Bord Pleanála* (No. 2) (2007) 4 IR 701, WCCC has demonstrated that the CPO is clearly justified by the “common good”.

Furthermore, as set out by Garrett Simons in ‘Planning and Development Law, Second Edition (2007)’, the Commission should consider whether the acquisition will have an excessive or disproportionate effect on the interests of the affected persons.

The four criteria outlined above are addressed in turn below, together with the issue of proportionality and other issues arising from the submissions.

8.2 General Assessment

8.2.1 Community Need

The community need is specifically identified as an objective in the LCCDP under Objective TR O43 Upgrade Works/New Road Schemes. This objective explicitly cites School House Road to Kilbane Roundabout. The Commission should note that the proposed scheme is referred to 'Groody Link Road' in the plan, but under this planning application it is referred to as 'Castletroy Link Road'. They are one of the same

The Commission should also note Map 6: Limerick City and Suburbs (in Limerick), including Mungret and Annacotty - Transport Map of the LCCDP which identifies both an Indicative Link Road and Cycleway/Walkway between the junction of Golf Link Road and School House Road to Kilbane Roundabout. The indicative objective generally aligns with the route of the proposed scheme now before the Commission.

The Commission should also note that the LSMATS has also identified the Castletroy Link Road as part of a wider Childers Road - Golf Links Road scheme. This is intended to serve new development areas in this location and in order to provide for an additional public transport route from the City Centre towards Monaleen and onwards towards Annacotty. The proposed scheme is aligned with Measure RS3 Principles for the Provision of New Roads of the LSMATS and is generally consistent with the principles of LSMATS and will provide an opportunity for improved sustainable transport connectivity between Limerick City. It is also noted that the proposed scheme, due to the provision of bus infrastructure, may be used to enhance bus services in the implementation phase of BusConnects Limerick.

In the general area between Ballysimon Road (R527) and Golf Links Road, there is currently limited permeability for road users. The NTA, in its Best Practice Guide (NTA, 2015) encourages the transformation of such neighbourhoods into permeable ones, where people can walk or cycle through areas safely and conveniently. As an example, were residents of Caisleán na hAbhann, hypothetically and in the future, to attend a school on lands zoned Education and Community Infrastructure at the junction of school House Road and Golf Links Road they would currently have to travel 2.4 km using public roads (from the estate entrance) despite only being

approximately 0.5 km as the crow flies. The proposed road result in a travel distance of approximately 0.7 km. Notwithstanding the wider objectives of the scheme, there is an obvious desire to connect these junctions and provide permeability. The proposed scheme would support this.

The proposed scheme is located within a wider area for which lands have been zoned for several uses including 'New Residential', 'Education and Community Infrastructure', and 'Groody Valley Wedge'. These lands will accommodate population growth in future. A road scheme is not specifically identified in the zoning matrices as being 'generally permitted', 'open to consideration' and/or 'generally not permitted' and therefore, the Commission should consider whether the proposed scheme meets the zoning objectives and purposes.

It is the objective for such lands to provide for new residential development in tandem with the provision of social and physical infrastructure. I am satisfied that the proposed scheme will provide the social and physical infrastructure to enable a strategically important link road required for connectivity in the Castletroy area as well as releasing zoned lands.

In respect of the community need more generally it should be noted that, according to the NPF, the population of the Limerick has a target to increase by 2040, and this growth will have associated travel demands, placing added pressure on the transport system. There is significant congestion already throughout the Limerick from private car dependence and intervention is therefore now required. While a minor intervention, it will optimise road space and prioritise the movement of people over the movement of vehicles. At present, the reliability and effectiveness of existing bus and cycle infrastructure on traffic routes in Limerick is compromised by a lack of bus lanes and segregated cycle tracks.

Having regard to the above, the link road is of critical importance to the transport network in Limerick to facilitate the actual movement of people. The proposed scheme, while of limited scope, allows for increased people moving capacity and the best chance to avoid gridlock in future years as the population grows and the demand for travel increases. The proposed scheme also has the potential to reduce Ireland's greenhouse gas emissions as different components of the LSMATS come into effect. The proposed scheme will therefore make a contribution to carbon

reduction, the easing of congestion and the creation of more sustainable travel patterns for the growing population. The improvements to cycle infrastructure will vastly improve the current offer to cyclists and by doing so will increase the modal share.

The attention of the Commission is drawn to the relevant development plan zonings and planning history provided as part of the planning application particulars which list significant areas of land zoned for residential uses as well as extant and future residential planning applications along the route. These lands will accommodate significant population growth in this area. The proposed scheme, therefore, will deliver the physical infrastructure necessary to sustain the projected population growth along and within the area of the route. It will also provide a more accessible public transport facility.

In overall conclusion there is an obvious justification and clear community need for the proposed scheme which has been clearly demonstrated from a population growth perspective and in the interests of land use and transport planning integration. It is also clear from the abundance of policy documents and plans at both an EU, national and local level that community need is supported throughout all levels of government policy.

8.2.2 Extent and Suitability of Lands

The lands that are the subject of this CPO are currently used for agriculture. The specific objectives for the lands are set out in Section 5.0 of this report. I am satisfied that the proposed scheme is compatible with the zoning objectives of the development plan.

The deposit map booklet identifies all lands that are being acquired on both a permanent and temporary basis. The proposed scheme, in particular impacts lands owned by Liam Hickey, Pat G Hoare and Pat Hoare Building Contractors Ltd who own the majority of lands in question between Groody Road and Golf Links Roads. Having considered the proposed scheme and overall community need, I am satisfied that the extent of acquisition is proportional and suitable to meet the community need described in the previous section of this report.

I am satisfied that the lands to be acquired are suitable for such use and the minimum area of land required is being acquired to facilitate the proposed scheme

with no excessive acquisitions along the route. I have satisfied myself in Section 8.3 of this report in respect of the individual landowners that the extents of the land to be acquired is proportional and suitable. It is clear from the information provided and the extents of the scheme that the rights of the landowner will be impacted but the degree of impact is clearly proportionate to the overall benefits of the proposed scheme to the wider community and the environment.

8.2.3 Accordance with the Development Plan

The Castletroy Link Road is identified as being a key transport infrastructure project under Objective TR O43 of the LCCDP. The proposed scheme meets the wider vision and objectives of the plan's strategy for sustainable mobility and transport and will strengthen the links between land use and transportation planning and will promote sustainable transport, through the management of the road network in Limerick, by providing attractive, inclusive and connected walking and cycling networks, improving permeability within settlements and securing investment in public transport

It is clear that the proposed scheme will ensure the sustainable and efficient movement of people and goods which is crucial for the success and vitality of the city, along with the need to move away from private car and fossil-fuel-based mobility to reduce the negative impacts of transport and climate change.

The Link Road and Cycleway/Walkway is clearly identified on maps between Groody Road and Golf Links Road along the general route of the proposed scheme and it is the plans' objective under Objective TR O44 to support and complete delivery of new and improved link roads accommodating public transport, cycle and pedestrian connections, including new road links as outlined in LSMATS.

The Commission should be satisfied it has *had regard* to the LCCDP and the relevant requirements of the zoning objective and relevant vision for Groody Valley Wedge lands and have assessed the compliance of the proposed development with the elements specified therein. It is recommended that the Commission concludes that the proposed development is not fully consistent with every element of the zoning vision (and therefore zoning objective) of the development plan, but that this does not provide a reason for the Commission to annul the CPO for the proposed scheme. The zoning objectives are intrinsically linked to the local objective for the

proposed scheme in this instance, and the plans objectives needs to be read holistically, rather than selectively. The plan clearly provides for the proposed scheme in the context of these zoned lands.

Given the abundance of policy documents and plans at both an EU, national and local level that support sustainable and active travel schemes, I am satisfied that the proposed scheme is justified and in accordance with the overriding policy position set out within all relevant development plans and enjoys widespread policy support in all national and regional policy documents as set out within the policy section of this report above.

8.2.4 Consideration of Alternatives

It is noted that the applicant has considered five different route alignments under an optioneering process. I accept the applicant's position in terms of the constraints placed on the optioneering process and that it reasonable that all alignments would have had the same end points and the existing physical features like the Groody River, junctions and residential developments like Fox Hollow further limit a wider range of alternatives.

A multi-criteria analysis was used as part of the consideration of alternatives in line with the NTA Project Approval Guidance. The criteria include economy, integration, accessibility, social inclusion, physical activity, safety and environment. The strategic, route and design alternatives are considered extensive, detailed and robust assessment of all reasonable options for the proposed scheme and the documentation submitted has adequately addressed reasonable alternatives. The Commission should note that a significant criteria is the availability and the extent of third-party lands to be acquired.

The applicant elaborated on its consideration of route options in its submission of July 2025. In the first instance, the design approach sought to minimise the impact of the proposed development on habitats of conservation value. The final alignment was selected to avoid wetland habitats such as marsh, wet grassland and calcareous springs (Annex I habitat) and the minimisation of its footprint in areas of swamp habitat. An ecological assessment has been prepared together with a hydrology and land and soils report in addition to the NIS to substantiate this.

Having regard to the information provided by the LCCC in relation to the alternatives considered I am satisfied that a significant number of options have been considered in detail and that the process undertaken by the applicant has been a robust assessment of alternative options having regard to environmental considerations and the stated project objectives, which are considered to be reasonable. I agree that the route chosen is the one which best meets these objectives. I also accept that the consideration of options within the selected route corridor and the strategy for key infrastructure provisions was a rigorous process, which had regard to environmental considerations and to the project objectives. I therefore generally concur with the reasons for choosing the preferred alternative and as mentioned above the preferred option was proportionate to the overall community benefit to be delivered by the scheme.

It is acknowledged that the proposed scheme will negatively impact landowners, however, on balance the proposed scheme will provide a significantly improved connectivity for road users and an enhanced public transport service that I am satisfied justifies the interference with landowner's rights in relation to property is in the interest of the common good.

8.3 Consideration of Submissions

8.3.1 Liam Hickey

Mr Hickey is owner or reputed owner of lands (Folio Number: LK18959) to the east of the proposed scheme. It is a large parcel of land that runs from the junction of Golf Links Road and School House Road to the underbridge of Golf Links Road and Ballysimon Road. It is bound to the west by Groody River. The proposed scheme will result in lands being acquired from Mr Hickey on a permanent and temporary basis.

Mr Hickey objects to the proposed acquisition and does not make any specific comments in respect of and the four general principles to be applied in assessing CPOs of this nature and therefore I would generally direct the Commission to the general assessment above in Section 8.2 of this report.

More specifically, I would note that the lands to be acquired, which are currently in agricultural use, would not be unduly interfered with. The land being acquired is entirely to the north of the plot of land. Were Mr Hickey intending to develop the

lands in line with its zoning objectives, I am satisfied the scheme before the Commission will only complement it and provide an adjacent readily accessible transport corridor. Were Mr Hickey intending on continue farming practices, I am satisfied that the overall landholding would not be unduly interfered with the and the extent of land to be acquired permanently largely confined to the northern periphery. Farming practices could continue, admittedly, on a smaller landholding.

I am conscious of the cumulative impact compulsory purchase is having on Mr Hickey's land and note a separate CPO proposed on his property to the west of the Ballysimon Road which incorporates improvements to the Golf Links Road and junction with Old Ballysimon Road. The Commission under ABP-317759-23 confirmed this CPO without modifications in December 2024. This acquisition related to an improvement to an existing roadway in the form of road widening. Again, given its peripheral nature on the landholding and would not act in cumulation with the Castletroy Link Road acquisition to undermine Mr Hickey's overall landholding from either a development or agricultural perspective. The extents of the Castletroy Link Road acquisition are entirely proportional to the scheme.

Ultimately, in the event that the CPO is confirmed by the Commission, and LCCC exercise its powers of acquisition pursuant to such a confirmed CPO, Notices to Treat will be served on all those included in the confirmed CPO, and it will then be for persons to make a claim for compensation and establish that they have a compensable interest in the land in question.

It is important for the Commission to note, as mentioned above, concerns relating to planning matters such as noise, and traffic impacts etc are dealt with within the environmental assessment and have been examined within the planning application report (ABP-321993-25) for this scheme and as such this report should be read in conjunction with the aforementioned planning application report for the proposed scheme. During the construction phase there will be routine construction related pollution and nuisance generated including noise, light, air, dust and traffic related impacts with the potential to cause nuisance and impact on the amenities of properties along the corridor. These impacts will be temporary and short-term and would be controlled as part of the standard and best practice construction measures as well as specific mitigation measures set out in the environmental assessment.

It is accepted that when roads and streets are being developed, there will be some temporary disruption / alterations to access to lands in certain locations along the Proposed Scheme. Local arrangements will be made on a case-by-case basis to maintain continued access to affected by the works, at all times, where practicable.

I am satisfied that sufficient detail has been provided to the Commission in order to consider and assess the merits of the compulsory purchase. This is demonstrated in the general and landscape drawings. It meets the requirements of relevant legislation of what is required to be illustrated in the plans and particulars.

It is noted that it is the intention of LCCC to continue to engage with affected parties both in advance of, and during, the subsequent construction stage of the Proposed Scheme.

I note Mr Hickey's concern relating to the CPO Adare to Annacotty Plan. This is a separate matter and cannot be addressed under this CPO application.

Overall, I am satisfied that there is a community need for sustainable transport infrastructure to be met by the permanent and temporary acquisition at this property.

The temporary land take is reasonably required for the duration of the construction period of the undertaking to allow working space for the construction works and boundary works/and or accommodation works. Temporary land take will be returned and reinstated after construction. LCCC will engage with the landowner to ensure disruption is kept to a minimum.

The extent is reasonable and proportionate to meet the community need and generally accords with the development plan for the area. It is demonstrably the preferable option.

8.3.2 Pat G. Hoare

Mr Pat G. Hoare is owner or reputed owner of lands (Folio Number: LK34641F) at No. 5 Foxhollows to the north of the proposed scheme. It is a residential dwelling, and its rear garden will adjoining the proposed scheme. A submission was made by John Dore, Agricultural Economist and Valuer on behalf Pat G. Hoare.

The objector's primary concern is the impact to their property, its residential amenity and the enjoyment of their rear garden due to the proximity of the land take and requests it be moved further south. While the proximity of the proposed scheme to

the residential dwelling is acknowledged. The Commission should similarly acknowledge that the design of the road scheme is not atypical of suburban type road schemes generally and that the level of separation between the existing dwelling and proposed scheme is of sufficient distance and in keeping with reasonable expectations in suburban locations. The Commission does not need to look far from the proposed scheme for examples of this type of design approach including Ashfort, in which properties back onto Golf Links Road and School house Road

The area to the rear of Foxhollows will benefit from a proposed acoustic barrier and natural screening in addition to the existing screening at the properties. It is not proposed to provide a solid boundary wall at the boundary with Foxhollows and on the basis of the noise barrier and proposed and existing hedgerows I do not see an immediate requirement for same.

In addition, the Commission should be conscious of the implication of moving the scheme further south which would likely result in the scheme not aligning with the existing junction at School House Road and in a worse scenario require acquisition from a residential property immediate south-west of it. In my view the extents of this alternative would be much more impactful.

The objector is also of the view that the embankment that is proposed to be located adjacent to his property will have a substantial shading affect and thereby devalue his property. I do not agree with this position and is unclear based on the objector's submission how with would be manifestly impacted. The dwelling itself is a sufficient distance from the boundary, the embankment slopes down to the north, the road while elevated and includes a Noise barrier is not a tall blocking structure and the property is already bounded by a trees and hedgerow which likely gives shade the property in any case.

It is noted that objectors are concerned that the proposed scheme will devalue their properties. The objector has not provided any material evidence to substantiate such claims.

In respect of the noise, the applicant has assessed this topic, and it is acknowledged that noise mitigation is required in the form of an acoustic barrier. This would result in acceptable level of noise at the Mr Pat G. Hoare's property. The acoustic barrier is

located at the closest reasonable location to the noise source rather than the property boundary where it would have a lesser ability to mitigate the actual noise impact. It is noted that, overall, the proposed scheme would have a neutral impact on air quality. There would be no significant impact from dust on Mr Pat G Hoare's property. No additional pre construction survey work is required in this respect and a Dust Management Plan would suitably mitigate any impact that arises.

I note the objectors concern about potential damage to his residence during the works from vibrations and requires an independent detailed engineering pre works survey conducted on his residence and property. Road traffic, generally, generates a negligible level of vibration that would not be perceptible to adjoining properties. During construction, standard and best practice measures, would ensure vibration from various machinery and plant is kept to a minimum – this would be temporary in any case. I see no justification for a pre-works survey to be conducted on this residence and property.

I note the objector raises Appropriate Assessment issues and the Lower River Shannon Special Area of Conservation which is addressed in the planning application (ABP-321993-25).

8.3.3 Pat Hoare Building Contractors Ltd

A submission was made by John Dore, Agricultural Economist and Valuer on behalf Pat Hoare Building Contractors Ltd who has lands affected by the proposed scheme (CPO Plot Reference No. P02):

The observer does not object to the provision of the distributor road. Rather, requests that the road scheme is amended to ensure that the Council fulfils its 2004 Agreement in providing a vehicular, pedestrian and cycling access spur to the land, along with the provision of foul, surface water and water infrastructure capable of servicing it.

The particulars of the 2004 agreement are not provided to the Commission, and it is unclear what the status of said agreement is. Notwithstanding any agreement, the applicant is now exercising its powers of compulsory purchase in order to acquire these lands. Were the agreement still in effective, there would no requirement for compulsory purchase. On this basis, there is no requirement for the Commission to have regard to it and any conveyancing issues raised by the observer are matters

between the objector and the applicant and should be addressed outside of the planning process.

In terms of access to the development lands, I am satisfied that access can be achieved in future, and the development of the proposed scheme would benefit the landowner. While it may give rise to uncertainty for the landowner at this time, in the absence of a planning application for the future residential scheme on these lands it is reasonably beyond the scope of this scheme to provide defined access and water infrastructure. It is noted that LCCC could facilitate an access, subject to an agreement, should the need arise in the future as part of any future planning application by Pat Hoare Building Contractors Ltd. Details with respect to water infrastructure is between the objector and Uisce Éireann. In both cases, access and water infrastructure, I am satisfied that the proposed scheme does not prohibit its integration in future.

I appreciate the concern of the observer in respect of design, most notably the embankments and level of the proposed scheme. The land at this location is undulating between the scheme extents and in order to provide an attractive and usable street for vulnerable road users the gradient is recommended to be less than 5%. The advice is consistent with DMURS (and indeed Part M of the Building Regulations). The Commission will note in particular Section 4.4.6 Alignment and Curvature in which it sets out the most appropriate maximum and minimum gradients. DMURS advises that access routes with a gradient of 1:20 or less are preferred. Therefore, a maximum gradient of 5% is desirable on streets where pedestrians are active. In considering this matter, the Commission should consider a wheelchair user travelling on this road or a parent pushing a stroller to appreciate how challenging higher gradients may be. While in certain circumstances a steeper gradient could be designed, I see no reason, given the current environment and greenfield nature of the site, not to provide such an accessible design that will benefit all users.

The proposed scheme has been through an iterative design process to take into consideration a number of design factors and environmental constraints including flood risk. The design of the proposed scheme as presented in this planning application is the most appropriate design and I am satisfied that the proposed scheme would not prohibit a wider scheme on Pat Hoare Building Contractors Ltd.

lands and any former agreements in terms of provision of accesses and setbacks and can be agreed separately.

While the observer has advanced an indicative masterplan, it is considered that in the absence of a planning permission for same or for any residential scheme on these particular lands, I see no reason why it cannot be amended now with the benefit of a detailed design for the proposed road scheme. Again, I see no requirement to fulfil the request of the observer to amend the design of the proposed scheme by means of suitable condition and revised design.

I agree with the applicant's position in respect of building lines and setback distances – this would be established through further engagement for a planning application of any residential scheme in future. I note LCCC, under the current development plan require a minimum setback distance from roads according to classification, as per the following Table DM 8 of the LCCDP. Exceptions may be made where the applicant demonstrates the application meets acceptable noise levels.

The Objectors consider that the land take is excessive as detailed in their planning consultant's submission in relation to the planning application. Again, I have considered the extent of the land take for the proposed scheme, and I am satisfied its extents are entirely suitable and proportionate to the community need. It is based on a comprehensive scheme submitted which has certain design and safety requirements. There is no permanent acquirement, and indeed temporary, proposed on Pat Hoare Building Contractors Ltd. lands which I would consider unreasonable or disproportionate. LCCC's approach has been restrained overall. In truth I would be of the view that it could have been much more extensive were they intent on implementing the most optimum cross sections and providing bus lanes in both directions for the entire length of the proposed scheme - which is often the case in new build schemes. What is proposed is entirely reasonable and sensibly facilitates bus carriageways in a manner which preserves as much land for residential use as is practical. All lands identified are necessary for the purpose stated, which is a legitimate objective being pursued in the public interest.

I have addressed alternatives in Section 8.2.4, however, in respect of these lands specifically, I have considered alternative means of achieving community need 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.

8.4 Conclusion

I am satisfied that the process and procedures undertaken by LCCC has been fair and reasonable. I would be of the view that the compulsory acquisition is necessary and in my opinion the objective may not be achieved by means which are less interfering of an individual's rights, and the project proposed, and the associated acquisition of lands is suitable to meet the community need.

In considering whether the CPO will have an excessive or disproportionate effect of the objectors I acknowledge the objector's concerns in respect to the impact that the road scheme will have upon their lands during construction and at the operational stage.

In undertaking an exercise to weigh these concerns against the advancement of the common good that would be served by the scheme, I note there will undoubtedly be inconvenience with the implementation of the Castletroy Link Road scheme and, I acknowledge the objector's concerns in respect to the significant impact on his established residential amenity and development lands

I consider that the matters raised within the objections could be addressed in the compensation package. Matters relating to compensation are not within the remit of the Commission. This is not to discount the legitimate concerns and potential negative impacts on the property owners.

On balance, I am of the view that the effects of the proposed CPO on the objectors' rights are proportional to the objective given the connectivity improvements, improvements of pedestrian and cyclist safety and is a proportionate way of giving effect to the common good.

I am satisfied that the process and procedures undertaken by Limerick City and County Council seeking confirmation of the CPO have been fair and reasonable, that Limerick City and County Council seeking confirmation of the CPO has demonstrated the need for the lands and that all the lands being acquired are both necessary and suitable to facilitate the provision of the Castletroy Link Road.

Having regard to the constitutional and Convention protection afforded to property rights, I consider that the permanent and temporary acquisition of land as set out in the compulsory purchase order and on the deposited maps as indicated, pursues and is rationally connected to, a legitimate objective in the public interest, namely the development of the Castletroy Link Road and the provision of a sustainable public transport bus service and active travel facility.

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.

The effects of the CPO on the property rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed permanent and temporary acquisition of land as set out in the compulsory purchase order and on the deposited maps and other rights as indicated would be consistent with the policies and objectives of the Limerick Development Plan 2022-2028 and gives effect to mapped objective contained in Map 6 (Volume 2a Limerick Development Plan 2022-2028).

Accordingly, I am satisfied that the confirmation of the CPO is clearly justified by the exigencies of the common good.

9.0 Recommendation

It is recommended that the Commission confirm the Compulsory Purchase Order on the basis of the reasons and considerations below.

10.0 Reasons and Considerations

Having considered the objections made to the compulsory purchase order, the report of the Inspector who considered the objections, the purpose of the compulsory purchase order to facilitate the delivery of the Castletroy Link Road; sustainable public transport and active travel infrastructure, and also having regard to:

- (i) the constitutional and Convention protection afforded to property rights,
- (ii) the need to provide a suitable road arrangement that will accommodate existing and future pedestrian, cycle and vehicular traffic accessing and permeating the Castletroy area
- (iii) the community need for improvements, the overall benefits to a range of road users and of improvements of pedestrian and cyclist safety as a proportionate way of giving effect to the common good, to be achieved from the Castletroy Link Road,
- (iv) The community need, and public interest served and overall benefits, including benefits to be achieved from use of the acquired lands, and
- (v) The proportionate design response to the identified need,
- (vi) the suitability of the lands and the necessity of their acquisition to facilitate the provision of the Castletroy Link Road.
- (vii) 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) and zoning objectives for 'New Residential', 'Education and Community Infrastructure' and most particularly 'Groody Valley Wedge'.
- (viii) The submissions made at to the Commission.

(ix) The report and recommendation of the Inspector.

it is considered that the acquisition of these lands on a permanent and temporary basis 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 CPO 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 Commission agrees with and adopts the analysis contained in the report of the person who conducted the assessment of the objections.

Professional Declaration

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.

Tomás Bradley,

Senior Planning Inspector

30th September 2025