

Louth County Council

**To: Placemaking & Physical Development - Infrastructure, Noel Treanor,
Senior Executive Engineer**

From: Planning, Patricia Hughes, Senior Executive Planner

Date: 06/12/2024

RE: Construction of a pedestrian link between two residential developments, namely Moneymore and Castle Manor, Compulsory Purchase Order.

Introduction

Louth County Council proposes to compulsorily acquire the necessary lands to provide for a 30-metre pedestrian link between Moneymore and Castle Manor residential areas. Road numbers LT-16612 and LT-77022.

These lands form part of the proposed pedestrian link only which will on completion have a total length of c. 80 metres.

Other land required to construct the pedestrian link are the control of Louth County Council and the Boyne Rugby Football Club and do not form part of this compulsory purchase order.

Site Location and Description

The lands in question comprise of section of the existing residential cul-de-sac road that provides access to a numbers 56 to 69 Castle Manor and a small grass margin.

In total the land extends to 0.105 hectares.

Consent

Section 4(i) (b) of the Planning and Development Act 2000 (as amended) provides that provides that development by the council of a county in its functional area, exclusive of any borough or urban district in that district is exempted development where the project is being carried out on behalf of, or jointly or in partnership with, a local authority.

The Act goes on to state that certain local authority 'own development' must be processed in a certain manner as stipulated in the regulations, commonly referred to as a Part 8 application. Part 8, Article 80 specifies particular projects and Article 80(1)(k) provides a general cost threshold of €126,000.

As the subject proposal is to be carried out by the local authority and is less than this cost threshold, this development does not need to be taken through a Part 8 process.

The requirements of the Habitat's Directive and Minister's Guidelines on 'Appropriate Assessment of plans and Projects in Ireland' February 2010 are duly noted.

Considerations in respect of land acquisitions by way of CPO are limited to those pertaining to the CPO process and not the planning process and pertain to the 'common good'.

This is assessed under the key questions below.

1 - Is there a community need that is to be met by the acquisition of the site in question?

The community need for the construction of a pedestrian link can be demonstrated best through the objectives of the scheme, which include:

- To provide for a safe and unobstructed passage for pedestrians, from Moneymore and surrounding areas to access the Ballymakenny Road and the social and community facilities there which include two national primary schools, a secondary school and creche facilities.

- To reduce walking time from Moneymore to the Ballymakenny Road from 30 minutes to 10 minutes.
- To realise Action Objective 8.7 Action Item (8.7) of Drogheda Report Implementation Plan prepared by the Department of Justice in the Drogheda Implementation Plan to allow access to the local schools by the desired route.
- To promote a model shift from vehicles to walking, a sustainable mode of transport.

The scheme is an appropriate and suitable means of meeting all of the above stated objectives of the project, and the CPO is thus justified in the interests of the common good.

2. Is the land suitable to meet that community need?

It is proposed to permanently acquire 0.105 hectare of land. Lands to be acquired comprise of a relatively small portion of a cul-de-sac and grass margin within the Castle Manor residential development.

Works to provide the pedestrian access route include provision of a paved surface over a local stream, street lighting and landscaping and associated site development works.

These will provide for improved, direct, safe and illuminated pedestrian facilities.

The extent of the land that is proposed to be acquired under the Compulsory Purchase Order is very modest and has been determined by the specifications of the pedestrian link and all the lands to be acquired are necessary to facilitate the provision and delivery of the scheme.

The Planning Authority is satisfied that the lands are suitable for meeting community needs and are required for the construction of the project.

3. Have any alternative methods of meeting the community's needs been considered?

Alternative routes along existing public roads have been considered which equates to a walking time of some 30 minutes from Moneymore and surrounding areas to the Ballymakenny Road and local social and community facilities.

The route identified provides direct connectivity, reducing walking time to 10 minutes. It will greatly improve facilities and accessibility for pedestrians.

The scheme has mitigated, to the maximum possible extent, to avoid any significant effects on the landowner. The impact and effect on the landowner are considered to be proportionate to the public need for the scheme and the level of acquisition.

Given that the proposed route is by far the shortest and most convenient, the modest nature and limited extent of this project, there are no alternatives that would ensure a balance in terms of potential impacts and the delivery of a permeable pedestrian route. The provision of the pedestrian footpath proposed, lighting, landscaping and associated development is the most reasonable means of delivering a quality scheme, achieving the scheme's objectives and meeting the identified community need, in the interests of the common good.

4. Would the works to be carried out accord with, or at least not be in material contravention of the provisions of the statutory development plan?

The operative development plan is the the Louth County Development Plan 2021-2027 as varied (the Plan). The strategic objectives of the Plan, support the proposed development.

The proposed works are located with land zoned Existing Residential in the Louth County Development Plan 2021-2027, as varied. The subject proposal relates to provision of a footpath which will enhance the amenity and character of the existing residential communities. The principle of the proposed development is thus consistent with the zoning objective for the area.

The Plan also recognises that provision of and improvements to the existing pedestrian infrastructure in residential areas and towns are required in order to provide strong links and connections to local services and community facilities, schools and creches. Policy objectives pertaining to Movement also support a modal shift away from the private car to more sustainable forms of transport, including walking and assistance in achieving CO₂ emissions reductions.

The completion of this infrastructure will enhance connectivity and safety in this locality and gives effect to and facilitates the implementation of strategic objectives of the Plan, and policies objectives pertaining *inter alia* to Housing and Movement as set out in Appendix A attached.

The proposed development, to which the CPO relates, is justified in the interests of the common good and is in compliance with the policies and objectives of the Louth County Development Plan 2021-2027, as varied.

Conclusion

The Planning Authority is satisfied that:

- The there is a community need for the scheme.
- The particular lands that constitute part of pedestrian link are suitable to meet the needs of the scheme.
- The scale, layout and location and the land included in the CPO of the proposed scheme are proportionate and justified.
- The proposed scheme is compatible with the relevant development plan provisions, and
- The proposed acquisition is in the interest of the 'common good'.



Patricia Hughes

Senior Executive Planner

Date: 06/12/2024

Appendix A:

	Relevant Land Use Zoning Objective; Strategic Objective and Policy Objectives as set out in the Louth County Development Plan 2021-2027 (as varied)
Land Use Zoning Objective A1 Existing Residential	To protect and enhance the amenity and character of existing residential communities.
Chapter 1 – Introduction	
Strategic Objective SO 15	Ensure the proper integration of transportation and land use planning through the increased use of sustainable transport modes and the minimisation of travel demand to achieve a sustainable, integrated and low carbon transport system with excellent connectivity both within and beyond the County.
SO 9	Protect and enhance the unique character and identity of Louth’s towns and villages and improve quality of life and well-being through the application of Healthy Placemaking, underpinned by good urban design with the creation of attractive public spaces that are age friendly vibrant, distinctive, safe and accessible and which promote and facilitate positive social interaction.
Chapter 3 HOUSING	
HOU 10	To continue to support the creation of sustainable communities throughout the County for people across all the life stages by facilitating the creation of attractive neighbourhoods where there are strong links and connections to local services, community facilities and employment areas and where walking, cycling, and public transport is prioritised.

HOU 22	To require residential developments to prioritise and facilitate walking, cycling, and public transport and to include provision for links and connections to existing facilities and public transport nodes in the wider neighbourhood.
Chapter 7 – Movement	
MOV 1	To work with national transport agencies in supporting the delivery of a high quality, climate resilient and sustainable transport network in the County.
MOV 2	To support the implementation of the 'National Climate Action Plan' 2019, and any subsequent plans, and in particular the measures included that will assist in achieving the target of CO ₂ emissions reduction by 2030 in the transport sector as set out in Section 10.2 of the ' <i>Climate Action Plan</i> '. 13
MOV 7	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.
MOV 9	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.
MOV 26	To improve pedestrian and cycle connectivity to schools, third level colleges, major employment areas, bus and rail stations, and other public transport hubs.

MOV 28	To promote walking and cycling as a safe, convenient, healthy, efficient, and environmentally friendly mode of transport for all age groups.
Chapter 13	Development Management Guidelines
13.8	Housing in Urban Areas