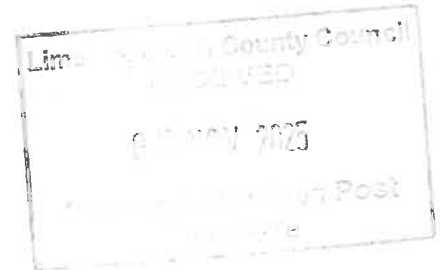


**Our Case Number:** ABP-322343-25



**An  
Coimisiún  
Pleanála**

Limerick City & County Council  
Active Travel Section  
Transportation and Mobility Directorate  
Merchants Quay  
Limerick  
Co. Limerick  
V94 EH90



**Date:** 03 NOV 2025

**Re:** Castletroy Link Road - CPO 2025  
between the L1116 Golf Links Road, Ballysimon and the L5173 Groody Road, Kilbane, Limerick.

Dear Sir / Madam,

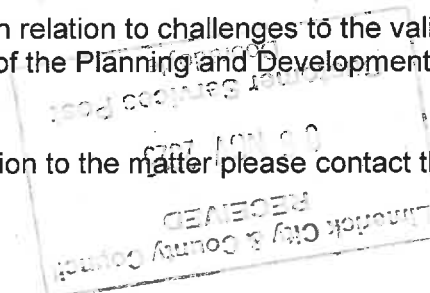
An order has been made by An Coimisiún Pleanála determining the above mentioned case. A copy of the order is enclosed.

Please be advised that under section 217(5) of the Planning and Development Act, 2000, as amended, a notice of the making of a confirmation order should be published or served as the case may be in accordance with section 78(1) of the Housing Act, 1966 within 12 weeks of the making of the order.

In accordance with section 146(5) of the Planning and Development Act, 2000, as amended, the Commission will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. In addition, the Commission will also make available the Inspector's Report and the Direction on the decision on its website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

Overleaf contains information in relation to challenges to the validity of a decision of An Coimisiún Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

If you have any queries in relation to the matter please contact the undersigned officer of the Commission at [laps@pleanala.ie](mailto:laps@pleanala.ie)



Tel  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

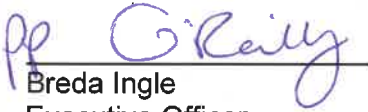
(01) 858 8100  
1800 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[communications@pleanala.ie](mailto:communications@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902

Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,



Breda Ingle  
Executive Officer  
Direct Line: 01-8737291

CH20A

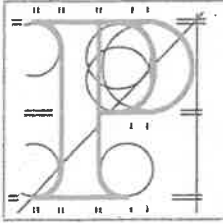
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An  
Coimisiún  
Pleanála

**Commission Order  
ABP-322343-25**

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**Local Government (No. 2) Act, 1960**

**Housing Act, 1966**

**Planning and Development Acts, 2000, as amended**

**Planning Authority: Limerick City and County Council**

**Application** received by An Coimisiún Pleanála on the 17<sup>th</sup> day of April, 2025 from Limerick City and County Council pursuant to section 76 of, and the Third Schedule to, the Housing Act, 1966 as extended by section 10 of the Local Government (No. 2) Act, 1960 (as substituted by section 86 of the Housing Act, 1966) and the Planning and Development 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**.

### **Decision**

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

## Reasons and Considerations

Having considered the objections made to the Compulsory Purchase Order, 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 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 the 'Groody Valley Wedge',
- (iii) 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,
- (iv) 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,
- (v) the community need, and public interest served and overall benefits, including benefits to be achieved from use of the acquired lands,
- (vi) the proportionate design response to the identified need;
- (vii) the suitability of the lands, and the necessity of their acquisition to facilitate the provision of the Castletroy Link Road,
- (viii) the submissions made to the Commission, and,

(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 Compulsory Purchase Order and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

In reaching this conclusion, the Commission agrees with and adopts the analysis contained in the report of the person who conducted the assessment of the objections.



Liam McGree  
Planning Commissioner of An Coimisiún  
Pleanála duly authorised to authenticate  
the seal of the Commission.



Dated this 31<sup>st</sup> day of October 2025



### Judicial Review Notice

Judicial review of An Coimisiún Pleanála decisions under the provisions of the Planning and Development Act 2000 (as amended)

A person wishing to challenge the validity of a Commission decision may do so by way of judicial review only. Sections 50, 50A and 50B of the Planning and Development Act 2000, as amended, contain provisions in relation to challenges to the validity of a decision of the Commission.

The validity of a decision taken by the Commission may only be questioned by making an application for judicial review under Order 84 of The Rules of the Superior Courts (S.I. No. 15 of 1986). Sub-section 50(6) of the Planning and Development Act 2000 requires that any application for leave to apply for judicial review must be made within 8 weeks of the decision of the Commission, save for decisions made pursuant to a function transferred to the Commission under Part XIV of the Planning and Development Act 2000, where any application for to apply for judicial review must, as set out in sub-section 50(7), be made within 8 weeks beginning on the date on which notice of the decision of the Commission was first sent (or as may be the requirement under the relevant enactment, functions under which are transferred to the Commission, was first published). These time periods are subject to any extension which may be allowed by the High Court in accordance with sub-section 50(8).

Section 50A(3) states that leave for judicial review shall not be granted unless the Court is satisfied that (a) there are substantial grounds for contending that the decision is invalid or ought to be quashed and (b) that the applicant has a sufficient interest in the matter which is the subject of the application or in cases involving environmental impact assessment is a body complying with specified criteria.

Section 50B contains provisions in relation to the costs of certain judicial review proceedings in the High Court; pursuant to Section 50B(1), Section 50B applies to the following proceedings:

- (a) proceedings in the High Court by way of judicial review, or of seeking leave to apply for judicial review, of –
  - (i) any decision or purported decision made or purportedly made,
  - (ii) any action taken or purportedly taken,
  - (iii) any failure to take any action, pursuant to a statutory provision that gives effect to
    - I. a provision of the EIA Directive 85/337/EEC as amended to which Article 10a (as inserted by Directive 2003/35/EC) of that Directive applies,
    - II. the SEA Directive 2001/42/EC; or
    - III. a provision of the IPPC Directive 2008/1/EC to which Article 16 of that Directive applies, or
    - IV. Article 6(3) or 6(4) of the Habitats Directive; or
- (b) an appeal (including an appeal by way of case stated) to the Supreme Court from a decision of the High Court in a proceeding referred to in paragraph (a) or (b);
- (c) proceedings in the High Court or the Supreme Court for interim or interlocutory relief in relation to a proceeding referred to in paragraph (a) or (b).

The general provision contained in section 50B(2) is that in proceedings to which the section applies each party shall bear its own costs. The Court however may award costs against any party in specific circumstances. There is also provision for the Court to award costs of proceedings or a portion of such costs to an applicant, to the extent that the applicant succeeds in obtaining relief, against a respondent or notice party, or both, to the extent that the action or omission of the respondent or notice party contributed to the relief being obtained.

General information on judicial review procedures is contained on [www.citizensinformation.ie](http://www.citizensinformation.ie).

Disclaimer: The above is intended for information purposes. It does not purport to be a legally binding interpretation of the relevant provisions and it would be advisable for persons contemplating legal action to seek legal advice.



### Fógra faoi Athbhreithniú Breithiúnach

Athbhreithniú breithiúnach ar chinntí An Coimisiún Pleanála faoi fhorálacha na nAchtanna um Pleanáil agus Forbairt (arna leasú)

Ní fhéadfaidh duine ar mian leis nó léi agóid a dhéanamh in aghaidh bhailíocht chinneadh de chuid an Coimisiún é sin a dhéanamh ach trí athbhreithniú breithiúnach. Tá forálacha in Alt 50, 50A agus 50B den Acht um Pleanáil agus Forbairt 2000, arna leasú, maidir le dúshláin i leith bhailíocht chinneadh an Coimisiún.

Ní féidir bailíocht cinnidh arna ghlacadh ag an gCoimisiún a cheistiú ach amháin trí iarratas a dhéanamh ar athbhreithniú breithiúnach faoi Ordú 84 de Rialacha na nUaschúirteanna (S.I. Uimh 15 de 1986). Ceanglaíonn fo-alt 50(6) den Acht um Pleanáil agus Forbairt 2000 go gcaithfear aon iarratas ar chead chun iarratas a dhéanamh ar athbhreithniú breithiúnach a dhéanamh laistigh de 8 seachtaine ó dháta chinneadh an Coimisiún, seachas cinní a dhéantar de bhun feidhme aistrithe chuig an gCoimisiún faoi Chuid XIV den Acht um Pleanáil agus Forbairt 2000, i gcás nach mór aon iarratas ar chead chun iarratas a dhéanamh ar athbhreithniú breithiúnach, mar atá leagtha amach i bhfo-alt 50(7), a dhéanamh laistigh de 8 seachtaine ag tosú ar an dáta ar ar tugadh fógra faoi chinneadh an Coimisiún ar dtús (nó mar a cheanglófar faoin achtú ábhartha, ar aistríodh feidhmeanna faoi chuig an gCoimisiún, a foilsíodh den chéad uair). Tá no tréimhsí ama seo faoi réir aon síneadh a fhéadfaidh an Ard-Chúirt a cheadú de réir fho-alt 50(8).

Sonraítear in alt 50A(3) nach ndeonófar cead d'athbhreithniú breithiúnach mura bhfuil an Chúirt sásta (a) go bhfuil forais shubstaintiúla ann chun a áitiú go bhfuil an chinneadh neamhbhailí nó gur choir é a chur ar neamhní agus (b) go bhfuil leas leordhóthanach ag an iarratasóir san ábhar is ábhar don iarratas nó i gcásanna a bhaineann le measúnú tionchair timpeallachta ar comhlacht é a chomhlíonann critéir shonraithe.

Tá forálacha in alt 50B maidir le costais imeachtaí athbhreithnithe bhreithiúnaigh áirithe san Ard-Chúirt; de bhun Alt 50B(1), tá feidhm ag alt 50B maidir leis na himeachtaí seo a leanas:

- (a) imeachtaí san Ard-Chúirt mar athbhreithniú breithiúnach, nó trí chead a lorg chun iarratas a dhéanamh ar athbhreithniú breithiúnach, ar
  - (i) aon chinneadh nó chinneadh airbheartaithe a rinneadh nó a airbheartaítear a rinneadh,
  - (ii) aon ghníomh a rinneadh nó a airbheartaítear a rinneadh,
  - (iii) aon mhainneachtain aon ghníomh a dhéanamh, de bhun forála reachtúla a thugann éifeacht
    - I. d'fhoráil de Threoir EIA 85/337/CEE arna leasú lena mbaineann Airteagal 10a (arna cur isteach le Treoir 2003/35/CE) den Treoir sin,
    - II. do Threoir SEA 2001/42/CE, nó
    - III. d'fhoráil de Threoir IPPC 2008/1/CE a bhfuil feidhm ag Airteagal 16 den Treoir sin maidir léi, nó
    - IV. d'Airteagal 6(3) nó 6(4) den Treoir maidir le Gnáthóga; nó
- (b) achomharc (lena n-áirítear achomharc de chás ráite) chun na Cúirte Uachtaraí i gcoinne breithe ón Ard-Chúirt in imeacht dá dtagraítear i mír (a);
- (c) imeachtaí san Ard-Chúirt nó sa Chúirt Uachtarach le haghaidh faoisimh eatramhach nó idirbhreitheach i ndáil le himeacht dá dtagraítear i mír (a) nó (b).

Is i an fhoráil ghinearálta atá in alt 50B(2) ná go n-íocfaidh gach páirtí in imeachtaí lena mbaineann an t-alt a chostais féin. Féadfaidh an Chúirt, áfach, costais a dhámhachtain in aghaidh aon pháirtí in imthosca sonraithe. Tá foráil ann freisin go ndéanfaidh an Chúirt chostas imeachtaí nó cuid de chostais den sort sin a dhámhachtain d'iarratasóir, a mhéid a eiríonn leis an iarratas faoiseamh a fháil, i gcoinne freagróra nó páirtí fógra, nó an dá cheann, a mhéid a chuir an chaingean nó an t-easnamh ar thaobh an fhreagróra nó an pháirtí fógra go páirteach leis an bhfaoiseamh atá á fháil.

Tá eolas ginearálta ar nósanna imeachta athbhreithnithe bhreithiúnaigh ar fail anseo a leanas, [www.citizensinformation.ie](http://www.citizensinformation.ie).

Séanadh: Mar eolas atá an méid thuas ceaptha. Ní airbheartaíonn sé a bheith ina léirmhíniú ceangailteach ó thaobh dlí ar na forálacha ábhartha agus bheadh sé inmholta do dhaoine atá ag smaoineamh ar chaingean dlí comhairle dlí a lorg.