



An
Bord
Pleanála

Record of Meeting ABP-309584-21 4th meeting

Case Reference / Description	ABP-309584-21 BusConnects Dublin Core Bus Corridor Projects.		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	4th		
Date	29/06/21	Start Time	11:02 a.m.
Location	N/A	End Time	12:13 p.m.

Representing An Bord Pleanála

Staff Members

Ciara Kellett, Assistant Director of Planning (Chair)

Kevin Moore, Senior Planning Inspector

Marcella Doyle, Senior Executive Officer

Niamh Thornton, Executive Officer

Representing the Prospective Applicant

Hugh Creegan

John Flemming

Anthony Sheehy

Grainne Mackin

Aidan Gallagher

Eddie Feely

The meeting commenced at 11 a.m.

The Board referred to its previous meeting with the prospective applicant of the 10th June, 2021 and the record of this meeting. The Board asked if the prospective applicant had any comments it wished to make on the record of the meeting. The prospective applicant replied that it had no comments.

Discussion:

It was noted that the purpose of the meeting was to set out procedural matters in relation to the making of the applications to the Board and also to discuss the logistics of submitting the applications.

The prospective applicant stated that they are awaiting on government approval of the business case before the applications can be made to the Board which it is expected to be in September. The prospective applicant expects that lodgement of the applications may take place following this.

The Board clarified the final steps in the pre-application consultation process. Once the prospective applicant requests closure of the process, the Senior Planning Inspector will prepare a report which will be forwarded to the Board. The Board will acknowledge this report and a letter will issue to the prospective applicant. Once the letter issues it is open to the the prospective applicant to make the applications to An Bord Pleanála .

The Board clarified the procedural matters in relation to the making of applications and are summarised as follows:

- The twelve applications for planning will be submitted pursuant to section 51 of the Roads Act 1993 as amended. The parallel Compulsory Purchase Order applications will be submitted pursuant to the provisions of the Housing Act 1966 as amended.
- The Application documents in relation to planning approval under the Roads Act must be lodged with the Board before public notices are published.

- The main application documents will consist of the EIAR, NIS and Maps/Drawings.
- The scale for drawings must be not less than 1:1,000 in built up areas and 1:2,000 in other areas.
- The Board will require 2 hard copies and 2 soft copies of all application documents and will request additional hard copies if required.
- All documents in relation to the case, including application documents and public submissions will be put on the Board's website. GDPR will be taken into consideration and personal identifiable information will be redacted from public submissions.
- The prospective applicant is required to have a stand-alone website which must be a replica of the physical file and the documentation on the stand-alone website and Board's website must be the same.
- The documents in relation to the CPO applications are not required to be posted on the website.
- Prescribed bodies must be invited to make submissions by the prospective applicant as per the Roads Act 1993.
- Public Notices must be published in at least one local newspaper circulating in the area. The prospective applicant must allow at least 5 working days after receipt of application documents by the Board before the beginning of the public consultation period. The public consultation period should allow at least 7 weeks for submissions. The public notices will direct the public to the stand-alone website.
- A soft copy of the public notice must be sent to the Board once notices are published.
- The last day for submissions on the planning application and CPO application should be the same.
- The application fee for each application is €60,000. The fee for making submissions is €50.

- It was clarified that there is no fee for landowners to make submissions on the CPO application, or for the public, where there is an extinguishment of a public right of way. The public, including landowners, will be required to pay the €50 fee to make submissions on the planning applications.
- There is a provision for recovery of costs under section 219 of the Planning and Development Act 2000, as amended in relation to the Board's costs and there is also provision for the Board to request the applicant to pay the cost to any third party. However, it was advised that any payment of costs to third parties is completely at the discretion of the Board. .

The prospective applicant asked what their requirements were in relation to providing documents in the Irish language. The Board clarified that there is no requirement under the provisions of the planning legislation to publish the documentation through the Irish language as the proposed developments are not located within a Gaeltacht Area. Any submission can be made through the Irish language and will be dealt with accordingly by the Board.

A Similar discussion took place in relation to the requirement to provide copies of application documentation in various formats in order to provide inclusive access.. Again the Board clarified that there was no provision in the legislation for this requirement and advised that any request relating to this matter would be dealt on an individual basis.

In terms of the scale of the documentation to be submitted, the prospective applicant gave an overview of this and indicated that the EIAR may contain approximately 4,000 pages. It was also stated that there would be a large number of drawings (approximately 100 no.) submitted with the CPO applications. A Natura impact statement will also be submitted with the applications.

A discussion took place regarding the Preliminary Design Report and whether it should be submitted as part of the application documentation. The prospective applicant clarified that this report has not been made available to the public to date. The Board stated that the decision on what documentation/reports to submit is at the discretion of the prospective applicant. The Board suggested that the prospective

applicant examine the information provided in the EIAR in relation to alternative routes and stated that this section of the EIAR and the route selection process needs to be very clearly set out. In order to avoid a request for further information on the matter, the Preliminary Design Report may be included in the application documentation at the prospective applicant's discretion. This may be done as an appendix to the EIAR or as a separate report as supplementary documentation. Furthermore, it was advised that any such documents should be clearly labelled on the website.

Regarding the CPO application process, the Board stated that a Guide will issue to the prospective setting out a summary of the legislative requirements for the making of the applications to the Board. The Board clarified that it is not necessary to publish the schedule of landowners in the public notices.

Regarding any potential oral hearings, the Board noted that it is entirely at the discretion of the Board whether or not to hold an oral hearing. The Board will not be in a position to determine whether oral hearings will be necessary until the nature of the public submissions are examined. The Board confirmed that, where an oral hearing is required, the prospective applicant should focus its presentation on addressing the submissions and that all application documents etc. would be taken as read.

The Board suggested that the prospective applicant submit one application initially in order to assess the scale and size of the application. The prospective applicant agreed to this and suggested that they may submit 1 a week initially. It was noted that a small number of applications would have to be submitted together as public notices would be best published at the same time.

Conclusion:

The record of the instant meeting will issue in the meantime and the prospective applicant can submit any comments it may have. The onus is on the prospective applicant to either request a further meeting or formal closure of the instant pre-application consultation process.

The meeting concluded at 12:13 p.m.

 6/7/24

Ciara Kellett

Assistant Director of Planning