

Eolas a sheoladh chuig baill den Oireachtas ón mBord Pleanála / Provision of information to members of the Oireachtas by An Bord Pleanála

Ráithe 1 2022: 1 Eanáir 2022 go 31 Márta 2022 / Quarter 1 2022: 1 January 2022 to 31 March 2022

Uimhir na ceiste Query Number	Dáta faighte Date Received	Dáta admhála Acknowledged	Teachta Dála / Seanadóir Deputy / Senator	An t-ábhar a bhí i gceist Query Subject	Ceist Query	Freagra substainteach eisithe Substantive Reply Issued	Freagra substainteach Substantive Reply	Teanga Language	Ráithe Quarter	Bliain Year
OIR/22/001	04/01/2022	06/01/2022	Steven Matthews TD	Admin	<p>To request the number of times between January 2017 and August 2020 that the board of An Bord Pleanála overruled the recommendation of case inspectors with regards to decisions on planning applications and appeals and SHD and SID cases. Please provide in tabular form by county,</p> <p>To request a brief description of each case, for example the type of development as described in the application and,</p> <p>To request the names of the board members who made each decision, and the number of board members present to make each decision.</p>	10/01/2022	<p>The attached document includes information pertaining to your request with filters at the top of each column which will allow you to sort the information into various categories such as planning authority, case type etc. The information attached relates to all case types giving 934 records in total. Please note that all of 2020 has been included.</p> <p>It should be noted that the Board member who decided the case is listed for each case, the other Board members which attended the meetings for these cases are not listed as this information is not readily available.</p> <p>As there are over 900 cases listed, gathering this information would be extremely demanding on our resources and therefore we are not in a position to provide this information at this time.</p> <p><a href="https://www.pleanala.ie/admin/getmedia/863b44ac-2aac-40a6-9391-ed63c5b8e02f/OIR_22_001-All-Cases-where-the-insp-recomm-not-generally-accepted.xlsx">https://www.pleanala.ie/admin/getmedia/863b44ac-2aac-40a6-9391-ed63c5b8e02f/OIR_22_001-All-Cases-where-the-insp-recomm-not-generally-accepted.xlsx</a></p>	EN	1	2022

OIR/22/002	17/01/2022	19/01/2022	Pearse Doherty TD	Appeal Case (Live)	<p>To request a status update for case reference 310451 and when a decision is expected to be made,</p> <p>The reason for the delay in reaching a decision in this case.</p>	03/02/2022	<p>Please note that the Board deemed it necessary to request further comments from all parties of the case under section 137 of the Planning and Development Act, 2000, (as amended).</p> <p>These letters were sent on 31 January 2022 and all parties have until 21 February 2022 to respond.</p> <p>As this information needs to be received and assessed, we are unable to provide an exact date as to when the case will be decided, however, the Board intends to make a decision on the case in the shortest timeframe possible.</p>	EN	1	2022
OIR/22/003	20/01/2022	21/01/2022	Cathal Crowe TD	Decided Case; Legal Cases	<p>To request:</p> <p>The number of times that an Bord Pleanála overruled the recommendation of its own inspectors in each of the years 2017 to 2020,</p> <p>The number of those decisions to overrule that were subsequently the subject of a legal challenge.</p> <p>In tabular form</p>	08/02/2022	<p>Please note that the number of times an Bord Pleanála overruled the recommendation of its own inspectors in each of the years 2017 to 2020 is 934 and the number of those decisions to overrule that were subsequently the subject of a legal challenge is 31. Please see the following breakdown by year.</p> <p>The number of times that an Bord Pleanála overruled the recommendation of its own inspectors in each of the years 2017 to 2020:</p> <ul style="list-style-type: none"> <li>• 2017 – 203</li> <li>• 2018 – 240</li> <li>• 2019 – 270</li> <li>• 2020 – 221</li> </ul>	EN	1	2022

							<ul style="list-style-type: none"> <li>• Total – 934</li> </ul> <p>The number of those decisions to overrule that were subsequently the subject of a legal challenge:</p> <ul style="list-style-type: none"> <li>• 2017 – 3</li> <li>• 2018 – 7</li> <li>• 2019 – 10</li> <li>• 2020 – 11</li> <li>• Total – 31</li> </ul>			
OIR/22/004	01/02/2022	03/02/2022	Senator Victor Boyhan	Housing	What documents are available to the public for inspection for case TC06D.311553 - 884 no. apartments, creche and associated site works at Old Dundrum Shopping Centre and Other Properties, Main Street, Dundrum, Dublin 14?	10/02/2022	<p>Please note that all the documentation relating to the pre-application is available to view through our public access service once the Opinion has issued. This will include the applicant's documents as submitted on 4th October 2021 together with the Planning Authority Opinion and the Board's documents.</p> <p>For more information on how to access these documents, please visit our website at <a href="https://www.pleanala.ie/en-ie/viewing-a-decided-case-file-public-access">https://www.pleanala.ie/en-ie/viewing-a-decided-case-file-public-access</a></p> <p>Cases are generally updated on the website the following month after the case has been decided where certain documents are available to view. These include the Inspector's Report, Opinion, Direction, and Meeting Records.</p>	EN	1	2022

OIR/22/005	07/02/2022	09/02/2022	Minister Simon Harris	Appeal Case (Live)	To request advice as to when a decision will issue in respect of Case reference: 312283: Ashford, Co. Wicklow and whether it is still on course to be decided by April 29th next.	10/02/2022	<p>It is a statutory objective of the Board to ensure that every application for substitute consent received is determined within eighteen weeks beginning on the date of receipt of the report submitted by the planning authority, in accordance with section 177P(1)(b) of the Planning and Development Act, 2000 (as amended). The report submitted by the planning authority was received by the Board on 17 January 2022.</p> <p>The Board intends to determine the above application before 23 May 2022. Where it appears to the Board that it would not be possible or appropriate to determine a particular application within this period, a notice must be sent to the parties in accordance with section 126(3)(a) of the Planning and Development Act, 2000, as amended.</p>	EN	1	2022
OIR/22/006	09/02/2022	10/02/2022	Deputy Pauline Tully	Admin	<p>To request clarification on the following:</p> <p>Is there a maximum timeframe within which to receive a planning appeal decision from An Bord Pleanála? Does an Bord Pleanála have to issue a date by which a decision will issue?</p> <p>Can an Bord Pleanála inform a planning applicant that a decision will issue soon without giving the date</p>	21/02/2022	<p>Section 126 (2) states that it shall be the objective of the Board to ensure that every appeal or referral is determined within –</p> <p>a) A period of 18 weeks beginning on the date of receipt by the Board of the appeal or referral, or</p> <p>b) Such other period as the Minister may prescribe in accordance with subsection (4), either generally or in respect of a particular class or classes of appeals or referrals.</p>	EN	1	2022

					<p>that the decision will be issued?</p> <p>Can an Bord Pleanála ignore a previous date on which they stated a decision will be issued and further inform a planning applicant that their decision will issue soon with no date indicated?</p>	<p>Section 126 3(a) states that where it appears to the Board that it would not be possible or appropriate, because of the particular circumstances of an appeal or referral or because of the number of appeals and referrals which have been submitted to the Board to determine the appeal or referral within the period referred to in paragraph (a) or (b) of subsection (2), as the case may be, the Board shall, by notice in writing served on the parties to the appeal or referral before the expiration of that period, inform those parties of the reasons why it would not be possible or appropriate to determine the appeal or referral within that period and shall specify the date before which the Board intends that the appeal or referral shall be determined, and shall also serve such notice on each person who has made submissions or observations to the Board in relation to the appeal or referral.</p> <p>Furthermore, Section 126 (3)(b) states that where a notice has been served under paragraph (a), the Board shall take all such steps as are open to it to ensure that the appeal or referral is determined before the date specified in the notice.</p> <p>Where the Board is not in a position to determine the case by the date outlined, it issues a letter to participants to this effect. However, no new decide by date is indicated. Such cases are given priority status and the</p>			
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							Board proceeds to determine the case as soon as practicable.  The Board currently has a backlog of cases due to restrictions imposed associated with the 'Covid 19' pandemic and has also seen an increase in intake of appeals and other cases. The Board has introduced procedures to deal with the backlog as efficiently and as quickly as possible.			
OIR/22/007	14/02/2022	15/02/2022	James Browne TD	Staffing Levels / HR	To request a breakdown of Departmental civil servants and State agency employees under his remit, respectively working in County Wexford and their respective Departmental section in tabular form.	15/02/2022	Please note that An Bord Pleanála is the national independent statutory body to determine appeals on planning and other cases as well as direct applications for strategic infrastructure and other developments.  Its office is located at 64 Marlborough Street, Dublin 1, D01 V902 and all staff are employed via this office.  An Bord Pleanála does not have any other office outside of this address, nor does it have an office in Wexford.	EN	1	2022
OIR/22/008	23/02/2022	04/03/2022	Minister Simon Harris	Appeal Case (Live)	To ascertain as to the likely timeline for conclusion of An Bord Pleanála's deliberations and decision in respect of case ABP-311747-21 - Two-storey administration centre, single storey adult day centre, gym, respite centre incorporating 4 accommodation units and a waste water pumping station, new	04/03/2022	Please be advised that the appeal is at Inspectorate level. It is the intention of the Inspector to discharge the file within the next 4 weeks.  As soon as the report and recommendation on the case has been received the appeal file is sent to the Board for formal consideration. Most cases are decided within a short period of their being formally	EN	1	2022

					access road from the R761, main Kilcoole Road, opposite the intersection with Lott Lane, car parks and associated site works at lands associated with the , Holy Faith Convent, Kilcoole, Co. Wicklow.		considered for the first time at Board level.			
OIR/22/009	07/03/2022	09/03/2022	Michael Lowry TD	Appeal Case (Live)	To request an envisaged timeframe for when Seamus Ryan Sand and Gravel Ltd could expect the earliest possible date of a decision could be issued in relation to the extension of the existing sand and gravel quarry and for continued use of the site entrance, access laneway, weighbridge, maintenance shed, settlement lagoons, site office, toilet, plant and machinery at Ballybeg and Aghnameadle, Toomevara , Co. Tipperary. Case reference: ABP-312864-22	14/03/2022	The Board's objective date for decision is the 30th June 2022. Consideration of this case is proceeding and will be completed as soon as possible.  Once a decision has been made a copy of the Board's decision will issue to all parties. You will be notified of the Board's decision as soon as it is made.	EN	1	2022
OIR/22/10	14/03/2022	16/03/2022	Minister Simon Harris	SID/LAP Case (Live)	To request a timeline on the assessment of the application, whether an oral hearing is to be conducted and the likely timeline for a decision on the application case number ABP-312479-22 - Blessington Greenway consisting of approximately 33	16/03/2022	The target date to decide this case is the 7 July 2022. Whilst these types of cases are not subject to the usual statutory target of being decided within an 18-week timeframe, the Board endeavours to decide the case as soon as practicable.  An oral hearing has been requested on this case,	EN	1	2022

					kilometres of walking and cycling paths that travel around Poulaphouca Reservoir/Blessington Lake at various townlands in the Counties of Wicklow and Kildare.		however, a decision has yet to be made on the matter.  The case is currently with the inspector to complete their report. When this has been completed it will then go to the Board for decision.			
OIR/22/11	16/03/2022	22/03/2022	Verona Murphy TD	Appeal Case (Live)	To make enquiry as to when a decision on the appeal will be made for ABP-310595-21 - Permission for the lateral extension and continuation of working of an existing quarry in a southerly direction together with ancillary operations including blasting, crushing and screening at Drumgold, Enniscorthy. Co. Wexford.	25/03/2022	Please be advised that it is anticipated that the Inspector's report will be received by the second week in May.  Generally, as soon as the report and recommendation on the case has been received the appeal file is sent to the Board for formal consideration. Most cases are decided within a short period of their being formally considered for the first time at Board level.  You will be notified of the Board's decision as soon as it is made.  The delay involved is regretted.	EN	1	2022
OIR/22/12	25/03/2022	25/03/2022	Patrick O'Donovan T.D	SID/LAP Case (Live)	To request whether the case ABP-306146-19 will be decided on the 25th of March 2022 or if it might be deferred.	30/03/2022	Please note that the case will not be decided today, 25 March 2022. The inspector's report has been completed and has been received by the Board for decision.  Most cases are decided within a short period of their being formally considered for the first time at Board level. It is hoped that the case will be decided within the next three weeks.	EN	1	2022