

## **Publication of An Bord Pleanála's Annual Report and Accounts for 2023.**

An Bord Pleanála published the 2023 Annual Report and Accounts today.

### **Planning Casework and Performance Highlights**

In 2023, the number of planning applications decided across all planning authorities was 27,562 of which 2,035 (7.4%) were appealed to the Board. The total number of cases received by the Board (both appeals and direct applications) in 2023 was up 7% to 3,272 from 3,059 in 2022. This figure includes over 600 Residential Zoned Land Tax appeals which were received in May 2023.

The total number of cases decided in 2023 was 3,284 a 55% increase on the previous year (2,115). By year end, the total number of cases on hands was 2,564 down from 2,580 in 2022.

### **Large Scale Residential Developments**

An Bord Pleanála received 52 valid Large-scale Residential Development (LRD) appeals under section 127 of the Planning and Development Act 2000, as amended. During the year, 36 LRD appeals were concluded. 32 were formally decided and 4 were informally disposed. All but 2 cases were determined within the 16-week period.

### **Strategic Infrastructure Developments (SID)**

A total of **116** strategic infrastructure applications were received relating to cases from local authorities, private developers, and statutory undertakers. The types of applications included Bus Connects (6 no. in 2023), N2 Slane by-pass, 12 Windfarms and 3 waste disposal facilities as well as 71 Local Authority projects.

In publishing the 2023 Annual Report and Accounts, Peter Mullan, Chairperson of An Bord Pleanála, welcomed the improved performance by the organisation in turning around applications and appeals but acknowledged that further improvement in relation to overall time compliance for making decisions is required. (A separate note on An Bord Pleanála work in 2024 is set out below).

“Clearing the case backlog which had built up over the last couple of years has been challenging and continues. The organisation has experienced a substantial change over of personnel at Board level over the last two years including periods where the Board’s decision making capacity was severely reduced. There has

more recently been a substantial increase in resources including at Senior Management level and Board level with the associated demands on the organisation. These additional resources have now placed the organisation in a position where it can now fully address the legacy backlog of cases that had built up over the last number of years, I, as Chairperson acknowledge that appellants, and applicants are entitled to a timely planning decision, and I apologise for the continued delay with many case types but I know that An Bord Pleanála is a resilient organisation with a committed staff and Board which will see overall compliance rates met substantially in early 2025.”

End.

October 2024

### **Comment from the Chairperson on its 2024 performance from December 2023 to date.**

I acknowledge the publication of the 2023 Annual report.

The 2023 Annual Report gave a full account of the significant work undertaken by the organisation in that year. In May 2023, ABP had a caseload almost 3 times its normal caseload of circa 1,200. Very significant progress was made in reducing the backlog in 2023 with a 33% reduction between May and December of that year. That significant progress has continued in 2024 with a further 25.32% reduction to end of September. The total number of cases received to end of September was 2,122 and the total number disposed of was 2,748 up 23.4% on September 2023 (2,222).

The focus has been on clearing cases which have been with the Board for an extended period of time. These cases included a number of complex and large scale direct applications relating to strategic infrastructure, including 41 decisions relating to wind, energy and waste; 70 Local Authority decisions; and 13 Road and Rail decisions including 10 Bus Connect applications, Dart West and 35 normal planning appeals relating to climate and renewable energy cases (windfarms, solar farms etc.)

The impact of focusing on older case files has meant a low overall compliance rate with associated statutory objective periods, however with older cases being decided the focus from now until year end and into 2025 is to improve compliance rates and get back to a target of 80% compliance in 2025.

### **Large Scale Residential Developments (LRD)**

The Board continues to prioritise large scale residential developments. Since February 2022, 107 cases have been decided on, 105 of which have been within the statutory objective period. Notwithstanding its significant caseload, the Board maintained 100% compliance with the statutory decision timelines for all LRD cases in 2024.

There has been a significant focus and progress in relation to certain case types like housing, regeneration, and land activation: All RZLT appeals will be decided within their statutory objective period, 34 decided by end of September and the remainder over the coming weeks. Over 80 derelict site cases have also been decided. It is anticipated that there will be a return to substantial SOP compliance by the end of the year for schemes comprising 30+ residential units and for smaller household cases. Priority is also given to critical social infrastructure including schools and community facilities.

## **Strategic Housing Developments (SHDs)**

Following the Crofton decision of the Supreme Court, the Board are now actively deciding on SHD applications. Of the 54 SHD cases on hand post Crofton, the Board have now decided 17 cases (30%). It is anticipated that by year end, c. 55% of those cases will be decided.

Also following the Crofton judgment, the Courts have begun remitting quashed or conceded decisions back to the Board for further consideration. These cases will require further consideration by the Board and new inspectors' reports will need to be prepared to take account of the significant changes in planning and development law, county and city development plans and ministerial guidelines that have occurred in the intervening time.

## **Resources**

The Minister appointed 9 permanent Board members during the second half of 2024, bringing the total number of permanent Board members to 14 (1 Board member will take up their role in January 2025) with a further 3 temporary board members remaining in position until December 2024 to assist with the clearing of the backlog.

A number of staff recruitment competitions took place again throughout 2024 with staff numbers increasing from 250 at the end of December 2023 to 286 at end of September 2024 with an expectation of reaching 300 by year end.

Whilst there is still a backlog of cases and a low level of overall compliance with the statutory objective periods (SOP) across many case types, it is acknowledged that appellants, and applicants are entitled to a timely planning decision, and the Board apologises for the continued delay with some case types. However, with the number of Board members and the increase in staffing and the clearing of older cases, it is expected to improve compliance with SOP substantially in 2025.