



AN ARD-CHÚIRT
THE HIGH COURT

PLANNING AND ENVIRONMENT

H.JR.2024.0000297

Wednesday the 5th day of November 2025

BEFORE MS JUSTICE EMILY FARRELL

BETWEEN

ÁINE KELLY

APPLICANT

-AND-

AN COIMISIÚN PLEANÁLA

(Amended by Order of Court dated the 15 September 2025)

RESPONDENT

-AND-

NATIONAL TRANSPORT AUTHORITY

FIRST NAMED NOTICE PARTY

-AND-

By Order of the Court dated the 9th day of September 2024

MINISTER FOR TRANSPORT

IRELAND

ATTORNEY GENERAL

SECOND and THIRD and FOURTH

NAMED NOTICE PARTIES

Upon Motion of Counsel for the Applicant coming before the Court for hearing on 17th and 18th and 19th December 2024 pursuant to the Notice of Motion filed on the 31st July 2024 seeking the following reliefs

“1. An Order of Certiorari removing for the purpose of being quashed the Approval by An Bord Pleanála on 8th January 2024 (under Ref. ABP-313182-22), under section 51 of the Roads Act



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1993 of the proposed Road Development consisting of the construction of the Clongriffin to City Centre Bus Corridor Scheme.

2. Such Declaration(s) of the legal rights and/or legal position of the applicant and/or respondents and/or persons similarly situated as the Court considers appropriate.

3. An Order providing for the costs of the application and an Order pursuant to Section 50B of the Planning and Development Act 2000, as amended and Section 3 of the Environmental (Miscellaneous Provisions) Act 2011, as amended with respect of the costs of this application.

4. Further or other Order.

5. Costs.”

In the presence of Counsel for the Applicant and Counsel for the Respondent and Counsel for the Notice Parties

Whereupon and on reading the said Notice of Motion filed on the 31st July 2024 and the Amended Statement of Grounds filed on the 31st July 2024 and the Affidavits of Áine Kelly (3) filed on the 28th February 2024 and 30th August 2024 and 12th November 2024 and the Affidavits of Aidan Gallagher (2) filed on the 16th April 2024 and 10th October 2024 and the Affidavits of Joe Seymour (2) filed on 10th October 2024 and 20th November 2024 and the Affidavit of Pierce Dillon filed on 15th October 2024 and the written submissions and exhibits filed in respect of said proceedings

And on hearing said respective Counsel

THE COURT WAS PLEASED to reserve its judgment herein

And the written judgment having been delivered electronically on the 23rd September 2025



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And the court noting that the Minister for Transport and Ireland and the Attorney General having been joined to the proceedings as a Notice Party by Order dated the 9th September 2024

And the matter coming to the Court this day in the presence of Counsel for the Applicant and Counsel for the Respondent and Counsel for the Notice Parties

And in Accordance with said written judgment

IT IS ORDERED that the works in relation to erection of the bus stop on the R107 Malahide Road outside Nos. 5 & 6, Artane Cottages Lower at approximate chainage A6575 be omitted from the approval granted by An Coimisiún Pleanála on 8 January 2024 pursuant to section 51 of the Roads Act, 1993 (as amended) under ref. no. ABP-313182-22

AND IT IS NOTED that there would be a separate order dealing with the issue of the costs of the proceedings.

HELEN RYAN

REGISTRAR

Perfected 24/11/2025

Ken Kennedy

Solicitors for the Applicant

Byrne Wallace

Solicitors for the Respondent

McCann Fitzgerald

Solicitors for the First Named Notice Party

Chief State Solicitor's Office

Solicitors for the Second and Third and Fourth Named Notice Parties