

# Annual Report and Accounts 2014

23<sup>rd</sup> September, 2015

An Bord Pleanála's Annual Report and Accounts 2014 were published today following submission to the Minister for the Environment, Community and Local Government and subsequent laying before the Houses of the Oireachtas (as required under the Planning and Development Acts 2000 - 2014).

## Performance against Statutory Objectives

The Annual Report provides detailed statistics in relation to An Bord Pleanála's performance, in terms of meeting the statutory objective periods set out in the Planning Acts for the making of decisions. An Bord Pleanála reports that 83% of normal planning appeals were disposed of within 18 weeks in 2014 marking an improvement in performance. The current compliance rate for the eight months of 2015 to end August is 80%.

The average number of weeks to dispose of normal planning appeals was down from 19 weeks to 16 weeks by the end of 2014.

<b>PLANNING CASEWORK</b>					
	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>End Aug 2015</b>
<b>Planning Cases Disposed within Statutory Objective Period</b>					
Normal Planning Appeals (18 weeks)	83%	36%	72%	83%	80%
All Planning Casework	81%	41%	62%	75%	76%
<b>Planning Cases Received</b>					
Normal Planning Appeals	1,778	1,431	1,396	1,456	1,113
All Planning Casework	2,110	2,227	1,814	1,810	1,323

Taking all case types dealt with by An Bord Pleanála into account, including strategic infrastructure, over 75% of cases were disposed within the relevant statutory objective periods in 2014 (76% at the end of August 2015).

Planning cases, where the statutory objective period has not been achieved, are generally complex in nature, may be subject to oral hearings and often require further information to be submitted with subsequent re-circulation of material for comment.

Applications for strategic infrastructure developments are made directly to An Bord Pleanála from private companies and statutory undertakers and from local authorities. These applications relate to large scale proposed developments including energy, transport, environmental, health, electricity, gas, railway and road infrastructure.

Since provisions were set out in the Planning and Development Act in 2007 for the making of direct applications for public and private strategic infrastructure to An Bord Pleanála, a total of 224 applications have been received, 209 of which have been concluded.

<b>Strategic Infrastructure Development Applications (2007 to August 2015)</b>		
	Received	Concluded
Private Entities and Statutory Undertakers	80	70
Local Authorities	144	139
Total	224	209

In 2014, 20 strategic infrastructure development applications were concluded, 16 of which were from local authorities including 7 road projects. Private cases included two energy infrastructure projects, the reinstatement of the northbound stop in Dawson Street for the LUAS and a car park development at Dublin airport.

## **Finance Overview**

An Bord Pleanála's Accounts show an accumulated deficit of €1,381,685 at the end of 2014. On-going exposure to cost liabilities arising from legal cases taken under statutory provisions allowing its planning decisions to be the subject of judicial review applications is the main reason for this deficit.

New legal costs rules recently implemented in national legislation to ensure compliance with the Aarhus Convention and the European Union Public Participation Directive have contributed to this increase in legal cost exposure. The effect is that, in

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relevant cases where An Bord Pleanála successfully defends the legality of its planning decisions, it will generally not get a costs award in its favour and will, therefore, not be in a position to seek to recover its legal costs. Conversely, where an applicant is successful in challenging the legality of such decisions, costs are awarded in their favour against An Bord Pleanála.

Additional funding to take into account the new costs rules has been agreed with the Department of the Environment, Community and Local Government.