

“That a planning application to An Bord Pleanála made under the Strategic Infrastructure Act can be made no more than twice for the same nature of project on the same site.”

Projects that are really big; projects like an incinerator, a landfill, an airport, a port, a refinery, a power station, a super-large wind farm don't follow normal planning permission procedures. They follow the procedures outlined in the Strategic Infrastructure Act of 2006. Such projects have massive potential to impact on both humans and the environment. So companies proposing these projects can spend up to two years in pre-planning consultation with An Bord Pleanála and a further year and more preparing the necessary planning documentation.

When the planning application is advertised, the public – those most at risk of impact – have 6 weeks within which to make a submission. So they put aside their lives, spend every waking minute interpreting the technical data that it took specialised consultants and year and more to prepare and submit their expressions of fear to the Board with the requisite fee.

When the Board is ready, it calls an oral hearing. Again, the public – those who are most at risk of impact – put their lives on hold. Frantic recruiting of grannies and childminders, hasty booking of time off work, postponing business appointments, rescheduling plans. Panic-stricken seeking of experts who may back their concerns and fears with technical data. Research and preparation each night into the early hours of each morning.

An oral hearing can take anything from a few days to a few weeks. The company proposing the project does not have to be present. Their evidence is generally delivered by their consultants and managed by their legal representatives. The concerned public who were lucky enough to find childminders and get time off work attend all day every day. Those who were less lucky pop in and out during lunch hour and any time during the working day that they can. All go home in the evening, catch up on normal daily life and when that normal daily life is over, prepare for the following day's hearing. All the time knowing that their place, their life depends on their performance.

After the oral hearing is over and generally after several months of a wait, the Board delivers a verdict. If a project is refused permission to proceed, the concerned public is much relieved but their work is not done. They must now start fund-raising to pay for experts they may have employed to support them in the oral hearing. In some communities, this fund-raising can go on for years, so the legacy of a project stays with a community long after it has been refused.

But a company proposing a strategic infrastructure project invests heavily in a site and has tremendous hopes for the profits that project may bring. It will not let this investment go to waste. So some years later, the company tweaks the planning application and begins the process again.

The impact on the community is phenomenal. A community can rarely garner the same level of public support the second time round. People are tired and still in the process of recovering their lives years after the first application. But they rally, draining themselves of their energy and resources in the process.

Some communities in our county are enduring this merry go round for the third time. They are fighting a third variation of the same project, on the same site, already refused twice by the Board. Can you even imagine the impact on those communities? The planning process was designed to be democratic. To repeatedly apply for permission for a development in this way is neither constructive nor democratic. It is simply bullying.

For the sake of democracy, fairness and communities, I ask this Council's support to request of the Minister that the planning acts be amended so that a planning application to the board under the Strategic Infrastructure Act can be made no more than twice for the same nature of project on the same site.