

An  
Coimisiún  
Pleanála

**Direction**  
**CD-020142-25**  
**ABP-314485-22**

The submissions on this file and the Inspector's report were considered at meetings held on 24/06/2025, 30/06/2025 and 01/07/2025.

The Commission decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

**Planning**

**Commissioner:**

Stephen Bohan

**Date:** 07/07/2025

**DRAFT WORDING FOR ORDER**

**Reasons and Considerations**

**Part 1: Regulatory Decision**

In accordance with the relevant subsections of Section 37R of the Planning and Development Act 2000 (as amended) ("the PDA"), which provides details of the supplementary provisions relating to decisions on applications referred to in section 34C(1) of the PDA which were not refused by virtue of section 34C(5) of the PDA,



and in considering section 9 of the Aircraft Noise (Dublin Airport) Regulation Act 2019 and having regard to the submissions and observations received in response to the Draft Decision as well as considering all information previously on file, the Commission in its determination of the relevant appeal in so far as the appeal relates to the relevant Regulatory Decision to adopt the conditions below.

The Commission acknowledges that operating restrictions must not be more restrictive than is required to achieve the Noise Abatement Objective (NAO), however its decision to require an Air Traffic Movement (ATM) cap in addition to the Noise Quota Scheme (NQS) was based on an assessment of whether the NQS alone would sufficiently protect the surrounding communities and environment from increased effects of aircraft noise emissions in accordance with the Noise Abatement Objective (NAO). The Commission concluded that relying solely on the NQS could permit an increase in the number of nighttime flights, without adequately considering the cumulative impact of increased flight volume on surrounding communities and environment. The NQS would not in itself directly limit the total number of movements, which can still lead to significant disturbance due to the volume of flights.

The Commission was satisfied that the NQS combined with an ATM would not disincentivise airlines to any significant degree to use less noisy aircraft as long standing treaty obligations and other controls and considerations (such as differential i.e., lower airport charges per aircraft tend to have a more immediate impact on airlines thinking on how noise considerations may influence their fleet choices (along with many other considerations including fuel and maintenance costs etc.) mean aircraft are progressively becoming less noisy and there is a medium to long term trend for this to happen organically rather than be driven by operating restrictions at individual airports.

In coming to its decision, the Commission agreed with and adopted the recommendation of the Initial Inspector's Report, and the amendments and additions of the Supplementary Inspector's Report. The Commission's analysis was informed by the Inspector's assessment of the Environmental Impact Assessment Report

(EIAR), expert noise advice, and public submissions, found that the Regulatory Decision (RD) and the Relevant Action (RA) did not demonstrate that all necessary measures had been considered to prevent significant negative effects from increased nighttime operations. The Commission agreed with the Inspectors revised calculations and concluded that an annual cap of 35,672 nighttime aircraft movements would be appropriate. This cap, based on 98 ATMs as forecast for Busy Day ATM's (23:00 to 07:00) and assessed in the EIAR, used in tandem with the NQS, is not arbitrary but is based on figures provided by the applicant and is less restrictive than the proposed Noise Quota Scheme(NQS) based restriction when considering the QC/ATM target of 0.51, thus allowing for airport growth while providing an essential safeguard against excessive nighttime activity. The cap also accommodates historic slots and future flexibility, ensuring that the regulatory framework remains balanced and proportionate.

The Commission was not satisfied that the NQS alone would achieve the NAO. Furthermore, the Commission was not satisfied that this fully addressed the concerns raised during the consultation and assessment process. Therefore, the inclusion of an ATM cap was considered a necessary and proportionate additional operating restriction to ensure that the overall noise environment would not deteriorate and that the increase in nighttime flights would not result in significant adverse effects on the surrounding population and environment. This decision reflects the Commission's application of the Balanced Approach, as required under EU Regulation 598/2014 and the Aircraft Noise (Dublin Airport) Regulation Act 2019, ensuring that both the number and the noise level of nighttime flights are effectively managed.

## **Conditions**

### **1. First Condition:**

The existing operating restriction, Condition 5, of the North Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading as:



*'On completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007'*

shall be revoked and replaced with an annual noise quota scheme operating restriction as follows:

**The Airport shall be subject to a Noise Quota Scheme (NQS) with an annual limit of 16,260 between 23:00 and 07:00 (local time) with noise-related limits on the aircraft permitted to operate at night. The NQS shall be applied as detailed below.**

#### **Part 1 - Definitions**

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

**Term:** Annual Quota Period

**Meaning:** The twelve-month period from 1 April to 31 March inclusive each year.

**Term:** EASA Noise Certification Database

**Meaning:** The database of noise certification levels approved and as varied from time to time by the European Union Aviation Safety Agency (EASA) and published on its website. (<https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels>).

The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organization (ICAO) Annex 16 Volume 1.

**Term:** Night time



**Meaning:** The hours at night between 23:00 (local time) to 07:00 (local time).

**Term:** Noise Classification Level (NCL)

**Meaning:** The noise level band in EPNdB assigned to an aircraft for take-off or landing, as the case may be, for the aircraft in question for the purposes of identifying the Quota Count of the aircraft. The Noise Classification Level for an aircraft taking off from and landing at the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:

*NCL(Take-Off) = EPNL(Flyover)*

*NCL(Landing) = EPNL(Approach) -9 dB.*

**Term:** Quota Count.

**Meaning:** The amount of the quota assigned to one take-off or to one landing by an aircraft based on the Noise Classification Level for the aircraft having regard for engine type and take-off weight:

Noise Classification Level	Quota Count (QC)
Greater than 101.9 EPNdB	16.0
99-101.9 EPNdB	8.0
96-98.9 EPNdB	4.0
93-95.9 EPNdB	2.0
90-92.9 EPNdB	1.0
87-89.9 EPNdB	0.5
84-86.9 EPNdB	0.25
81-83.9 EPNdB	0.125
Less than 81 EPNdB	0

## Part 2 – Noise Quota Scheme

2.1 Subject the dispensations described in Paragraph 2.2:



- (a) A take-off or landing at the Airport shall be determined to fall within the night time based on runway time.
- (b) No aircraft with a Quota Count of 4.0 or more shall be permitted to take off at the Airport during the night time.
- (c) No aircraft with a Quota Count of 2.0 or more shall be permitted to land at the Airport during the night time.
- (d) Each aircraft landing at or taking off from the Airport during the night time will be assigned a Quota Count based on its Noise Classification Level.
- (e) The Noise Quota at the Airport shall be limited to 16,260 for the Annual Quota Period.

2.2 The restrictions set out in Paragraph 2.1 shall not apply in any of the following dispensations:

- (a) Where a take-off or landing of any aircraft at the Airport is made in an emergency, where there is an immediate danger to life or health, whether human or animal.
- (b) Where a take-off or landing of any aircraft at the Airport occurs as a result of a delay to that aircraft which is likely to lead to serious congestion at the Airport and/or serious hardship or suffering to passengers or animals.
- (c) Where a take-off or landing of any aircraft at the Airport occurs as a result of widespread and prolonged disruption of air traffic.
- (d) Flights for military, medical or humanitarian purposes granted exemption by the Irish Government

### **Part 3 – Noise Quota Scheme Reporting Requirements**

3.1 The Applicant shall submit quarterly reports to the planning authority and ANCA on its implementation of the Noise Quota Scheme. The reports shall include:



- (a) the number of aircraft operating during the Noise Quota Period and their type, including technical details including their engines and take-off weights, where applicable;
- (b) the Quota Count assigned to aircraft operating in the Noise Quota Period;
- (c) the total Noise Quota used during the quarter and in the Annual Period to date;
- (d) the total Noise Quota used by Quota Count in the quarter and in the Annual Period to date; and
- (e) Details of any dispensations pursuant to Paragraph 2.2 which have been relied upon during the quarter and in the Annual Period to date.

3.2 The quarterly reports shall be issued so that:

- (a) The first quarterly report considering activity over the period 1 April to 30 June each year is published by no later than the 30 September each year.
- (b) The second quarterly report considering activity over the period 1 July to 30 September each year is published by no later than the 31 December each year.
- (c) The third quarterly report considering activity over the period 1 October to 31 December each year is published by no later than the 31 March the following year.
- (d) The fourth quarterly report considering activity over the period 1 January to 31 March each year is published by no later than the 30 June each year.

#### **Part 4 – Noise Performance Reporting**

4.1 The Applicant shall issue annual reports to the planning authority and ANCA on its noise performance. The report for the previous Annual Period (1 January to 31 December) shall be issued by no later than 31 March each year,



for the first full Annual Period to which this regulatory decision applied and comprise of:

- (a) Noise exposure statistics and contours as required to facilitate performance review of the Noise Abatement Objective including as a minimum:
  - Annual 55dB  $L_{night}$
  - Annual 65dB  $L_{den}$
  - the number of people 'highly sleep disturbed' and 'highly annoyed' in accordance with the approach recommended by the World Health Organisation's Environmental Noise Guidelines 2018 as endorsed by the European Commission through Directive 2020/367, taking into account noise exposure from 45 dB  $L_{den}$  and 40 dB  $L_{night}$ .
  - Annual  $L_{night}$  contours from 40 dB in 5 dB increments
  - Annual  $L_{den}$  contours from 45 dB in 5 dB increments
  - Summer 60 dB  $L_{Aeq, 16hr}$ , 63 dB  $L_{Aeq, 16hr}$  and 69 dB  $L_{Aeq, 16hr}$  (measured averaged across 92-day summer period from 16th June to 15th September)
- (b) Confirmation of the number of residential properties that (i) have benefitted from and (ii) are eligible for but yet to benefit from the Applicant's noise insulation schemes.
- (c) Key Statistics with respect to aircraft operations in the preceding Annual and Summer Periods including but not limited to:
  - aircraft movements including average hourly movements
  - use of the Noise Quota Scheme
  - movements by aircraft type
  - passenger numbers
  - aircraft destinations
  - flight routings



- runway use
- (d) Summaries from noise monitoring terminals for the Airport in such format as ANCA shall stipulate.
- (e) Details of all noise modelling undertaken in support of the Noise Performance Reporting describing compliance with the methodology set out in Commission Directive (EU)2015/996 (ECAC Doc.29 4th Edition). All noise modelling shall be validated using local noise and track keeping performance data from the Airport's systems.
- (f) Summary of complaints records for the preceding Annual Period categorised by the:
  - location of complaints; and
  - reason for complaint
- (g) Details of any anticipated changes or developments that may affect noise at the Airport in the current year, through for example airspace change or fleet modernisation.

**Reason:** To limit the impact of the aircraft noise at Dublin Airport on sleep disturbance in the interest of residential amenity and to ensure the effective implementation of the Noise Abatement Objective for the Dublin Airport by means of a noise-related limit on aircraft operations.

## **2. Second Condition:**

The existing operating restriction imposed by Condition 3(d) and the exceptions at the end of Condition 3 of the North Parallel Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading:

*'3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 0700 hours. except in cases of safety, maintenance considerations, exceptional*



*air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports.'*

shall be amended as follows:

**Runway 10L/28R shall not be used for take-off or landing between 00:00 and 06:00 (local time) except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports or where Runway 10L/28R length is required for a specific aircraft type.**

**Reason:** To permit the operation of the runways in a manner which reduces the impacts of aircraft nighttime noise, whilst providing certainty to communities as to how they will be affected by night time operations from the North Runway, while also providing continuity with the day-time operating pattern set down by Conditions 3(a)-(c) of the North Runway Planning Permission.

### **3. Third Condition:**

The airport shall be subject to an annual aircraft movement limit of 35,672 between the nighttime hours of 2300 and 0700 (local time).

**Reason:** to protect residential amenity by controlling the night time air traffic movements at the airport having regard to the information submitted concerning future nighttime use of the existing parallel runway

### **4. Fourth Condition**

A voluntary residential sound insulation grant scheme (RSIGS) for residential dwellings shall be provided. Initial eligibility to the scheme shall apply to all residential dwellings situated within the 'Eligibility Contour Sep 2023 as shown in the



'Overview Map' in Pack 1 of submission dated the 4<sup>th</sup> day of March, 2024 submitted by the applicant (attached to this decision).

Eligibility to the scheme shall be reviewed every 2 years commencing in 2027 with residential dwellings situated in the 55 dB  $L_{night}$  contour being eligible under the scheme as detailed in Parts 1 to 5 below.

Further eligibility to the scheme shall include for all residential dwellings that satisfy the following criteria:

- Residential dwellings situated in the 50 dB  $L_{night}$  contour in the first full year when the Relevant Action comes into operation, together with a change of at least +9 dB when compared with the current permitted operation in the same equivalent year. For the avoidance of doubt, this represents a one-off review after the first full calendar year when the RA is in operation or may be aligned with other two-yearly noise insulation reviews and reports.
- Residential dwellings subject to aircraft noise of 80 dB  $L_{Amax}$  based on the noise footprint of the airport's westerly and easterly single modes of approach and departure (not averaging the modes of operation of the airport over the 92 days of summer) between 2300 hrs and 0700hrs. The 80  $L_{Amax}$  boundary contour shall be calculated using the Airport Noise Contour Model for the previous year. The boundary should be based on the calculated Noise Above metric of 80dBA  $L_{Amax}$  (N80) = 1 contour line.

## **Part 1 Definitions**

1.1 The following definitions shall apply with reference to the scheme described in Part 2.



**Term:** Approved Contractor

**Meaning:** A contractor procured and managed by the Applicant and considered competent and appropriately qualified and have suitable levels of insurance coverage to install the sound insulation measures described in Part 4 in line with acceptable standards and in compliance with the Building Regulations.

**Term:** Bedroom

**Meaning:** A room other than in an attic or loft within an Eligible Dwelling which is used as sleeping accommodation.

**Term:** Competent Surveyor

**Meaning:** An appropriately qualified surveyor to inspect and determine relevant information in relation to the existing construction and elements of an Eligible Dwelling for the purposes of undertaking an Elemental Analysis as defined in Part 5.1, Step 5 below.

**Term:** Eligibility Contour Area

**Meaning:** The 55 dB  $L_{\text{night}}$  contour area as varied from time to time pursuant to the review process set out in Part 3.2 below.

**Term:** Eligible Dwelling

**Meaning:** A habitable dwelling built in compliance with the provisions of the building regulations and the Planning and Development Act within the Term Eligibility Contour Area and which otherwise qualifies under the conditions set out under Part 3.1 below.

**Term:** Index Linked

**Meaning:** Index-linked by reference to changes in the Consumer Price Index (CPI) (maintained by the Central Statistics Office) in the period between the Application and the date of the Statement of Need.

**Term:** Initial Eligibility Contour Area

**Meaning:** The area shown on the 'Eligibility Contour Sep 2023' as shown in the



'Overview Map' in Pack 1 submission dated 4<sup>th</sup> March 2024 submitted by the applicant.

**Term:** Relevant External Noise Level

**Meaning:** The noise exposure level at the relevant Eligible Dwelling.

**Term:** Statement of Need

**Meaning:** The recommended measures identified from those available under the scheme as outlined in Part 4.

**Term** Target Performance

**Meaning:** An improvement of at least 5 dB, where feasible, and acceptable to the homeowner, in the sound insulation of each bedroom of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

## **Part 2 – Purpose of the Scheme**

2.1 The purpose of the scheme is to provide financial assistance by the Applicant to property owners in the form of a grant in the sum of an amount (Index Linked) to be agreed with the planning authority and ANCA towards the costs of noise insulation measures to Bedrooms in Eligible Dwellings (the Grant). A review period for this amount shall also be agreed with the planning authority and ANCA.

2.2 Bedrooms and properties may qualify only once for the financial assistance provided under this scheme.

2.3 Where a dwelling is eligible under this scheme but is also eligible for insulation under the Residential Noise Insulation Scheme (RNIS) and the Home Sound Insulation Programme (HSIP) best endeavours shall be made by the Applicant to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

## **Part 3 – Eligibility**



3.1 Dwellings shall be determined to be Eligible Dwellings under this scheme if they are located within (i) the Eligibility Contour Area as shown on the map 'Eligibility Contour Sep 2023' as shown in the 'Overview Map' in Pack 1 submission dated 4<sup>th</sup> March 2024 submitted by the applicant, or (ii) the Eligibility Contour Area (following any review carried out pursuant to Part 3.2 below) and:

- (a) Were constructed pursuant to a planning permission granted following a planning application lodged on or prior to 9<sup>th</sup> December 2019, being the date of adoption of Variation no. 1 to the Fingal Development Plan 2017-2023 incorporating policies relating to development within Aircraft Noise Zones and as included in the current County Development Plan 2023-2029
- (b) Have not benefitted from noise insulation previously under this scheme; and
- (c) Have not benefitted from noise insulation under either the RNIS or HSIP schemes previously.

3.2 By 31 March 2027 and every two years thereafter, the Applicant shall update and publish a revised Eligibility Contour Area map identifying all authorised habitable dwellings within the 55 dB L<sub>night</sub> contour in the calendar year immediately preceding the review. The applicant shall also publish and update as necessary an eligibility contour area map in relation to the further eligibility criteria as set out in Part 6 below.

#### **Part 4 - Measures available under the Scheme**

4.1 The owner of an Eligible Dwelling in accordance with Part 3 and following the procedure described in Part 5 shall be entitled to the Grant to be applied towards a selection of insulation measures to be applied to Bedrooms within an Eligible Dwelling as specified in Paragraphs 4.2 to 4.10 below.

4.2 The insulation measures referred to in Paragraph 4.1 must be installed by an Approved Contractor and comprise of the following unless the equivalent measure already exists within the Eligible Dwelling

- (a) Primary Acoustic Glazing
- (b) Secondary Acoustic Glazing
- (c) Glazing Roof Light
- (d) Passive Ventilator
- (e) Mechanical Ventilator
- (f) Loft Insulation
- (g) Ceiling Overboarding

4.3 The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarised in Part 5 below.

4.4 Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4 millimetres laminated glass with minimum 100 millimetres gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

Thickness of Glazing of the Inner Window	Window Minimum Horizontal Distance
Less than 4 mm and not less than 3 mm thick	200mm
Less than 6 mm and not less than 4 mm thick	150mm

4.5 Where secondary glazing is being installed reasonable endeavours will be made to repair the draft seals, catches and hinges to provide an air-tight seal on the existing primary glazing unit.



4.6 Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum  $R_w$  of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.

4.7 Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the bedrooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable-speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).

4.8 Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of  $80 \text{ kg/m}^3$ . Where insulation is already present but found to be unsatisfactory additional layers of insulation will be added to increase the total thickness to 200mm.

4.9 Any ceiling overboarding shall comprise of a continuous layer of mass to provide at least  $12 \text{ kg/m}^3$  added above joists in attic, for example 22mm plywood (or similar approved).

4.10 In the event that loft Insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of  $12 \text{ kg/m}^3$ , that is, 15mm SoundBloc (or similar approved).

## **Part 5 – Procedure**

5.1. The Applicant in operating this Scheme shall follow, the relevant parts of the procedure set out in this Part 5 as required in the discharge of the Applicant's obligations under Condition 7 of the North Runway Consent, the discharge of which obligations is achieved through the RNIS.

**Step 1 – Determine Eligibility** - Eligible Dwellings shall be identified as per Part 3 of this Schedule.

**Step 2 – Notification of Eligibility** - The Owner of an Eligible Dwelling shall be notified of their eligibility under the scheme within six months of their eligibility being determined under Step 1.

**Step 3 – Determine Relevant External Noise Level** - The Relevant External Noise Level at the Eligible Dwelling shall be determined.

**Step 4 – Undertake Building Survey** – The Applicant shall use reasonable endeavours to arrange for the Eligible Dwelling to be inspected by the Competent Surveyor (and secure the necessary agreement to this from the owner of the Eligible Dwelling) within six months of eligibility being determined to record relevant information. The building survey shall be carried out by a Competent Surveyor appointed on behalf of the Applicant. The survey shall record the location and number of Bedrooms, and for each Bedroom record the following relevant information:

- External wall constructions - where possible the construction type of the external walls will be recorded for example wall composition including inner leaf, cavity, and external leaf dimensions including all associated building materials;
- Window type – e.g. frame material, single glazing, double glazing, including key dimensions;
- Roof construction – including where possible roof construction type;
- Details of chimneys and fireplaces;
- Ventilation paths – e.g. existing wall and floor vent types, quantities and dimensions;
- Details of any existing sound insulation measures which have been installed previously;



- Dimensions of all Bedrooms including window, roof and wall dimensions;
- Drawings and/or floor plans – if these are available from the owner;
- Photographic records of the building.

**Step 5 – Elemental Analysis** - An elemental analysis shall be undertaken to provide a technical assessment of the noise insulation required for the Eligible Dwelling. The following process shall be followed:

- (a) The existing sound insulation properties of each Bedroom shall be established;
- (b) The anticipated future internal noise levels within each Bedroom having regard for the Relevant External Noise Level, presented in octave bands scaled from measurements taken around the Airport, and the existing noise insulation performance obtained from Step (a);
- (c) A comparison shall be made between the anticipated internal noise level to the BS8233:2014 Targets for internal ambient noise;
- (d) An assessment will be undertaken to determine the required improvement in the noise insulation performance, having regard for the Target Performance;
- (e) Through an elemental analysis, the most effective combination of measures set out in Part 4 having regard for the Target Performance and the financial assistance grant shall be identified.

**Step 6 – Statement of Need** - A Statement of Need shall be prepared for each Eligible Dwelling. The Statement of Need will be a bespoke document for each Eligible Dwelling. The Statement of Need shall:

- (a) Describe the existing sound insulation performance for each Bedroom having regard for the Building Survey as described in Step 4;



- (b) Identify the potential improvement in the existing sound insulation performance for each Bedroom as can be afforded within the Grant and whether the Target Performance can be met;
- (c) Set out the recommended set of measures for the Eligible Dwelling in the form of a schedule of works and the associated measures on a bedroom-by-bedroom basis;
- (d) Provide an opinion on the future internal noise level following the implementation of the noise insulation works and the ability of the works to meet Target Performance.

The Statement of Need shall be issued to the owner of the Eligible Dwelling.

**Step 7 – Acceptance** - Subject to the owner of the Eligible Dwelling agreeing to the scope of works as defined under the Statement of Need, the engagement of the Approved Contractor and access to the dwelling by the Approved Contractor for the purposes of undertaking the works, the Airport will use reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within six months of the owner's agreement to the same.

**Step 8 – Works** – The scope of works as defined by the Statement of Need shall be undertaken by the Approved Contractor or a suitably qualified contractor procured by the homeowner. The Applicant shall procure the Approved Contractor to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations and that the Approved Contractor provides the owner with all appropriate certification and warranties relative to the works completed to the Eligible Dwelling. The Approved Contractor shall photograph the Eligible Dwelling before and after the works for record purposes.

5.2 In the event that a property owner declines to accept the scope of works as defined under the Statement of Need (Step 6) the Applicant shall make a grant available towards the costs of sound insulation measures through the

Approved Contractor equal to the cost of the measures identified through the Statement of Need. This grant may be used by the owner to request alternative measures providing they as a minimum meet the Target Performance. Where the alternative measures are calculated to cost more than the cost of the measures identified through the Statement of Need, any difference shall be at the expense of the owner.

5.3 In the event that a property owner wishes to appoint their own competent contractor, the Applicant will provide a specification for the works. The property owner must provide a written quotation from their competent contractor for approval of both the identity of the contractor and the quotation by the Applicant. Following approval, the property owner shall be responsible for managing the works and making payments to their contractor and the provisions of and schedule as agreed by the planning authority shall be deemed to be amended accordingly. Upon completion of the works, the Applicant will carry out an inspection and issue payment to the property owner. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. The Applicant must act reasonably in the approvals process, but if the Applicant does not approve of the contractor or the quotation, payment will not be made by the Applicant.

## **Part 6 — Further Eligibility**

- The applicant shall issue a report to the planning authority and ANCA in relation to the residential dwellings situated in the 50dB  $L_{night}$  contour for the first full year following the RA coming into operation together with a change of at least +9dB when compared with the current permitted operation in the same equivalent year. For avoidance of doubt this represents a review report after the first calendar year when the RA is in operation or may be aligned with other two yearly noise insulation reviews and reports.



- The applicant shall issue annual reports to the Planning Authority and ANCA in relation to residential dwellings subject to aircraft noise of 80dB  $L_{Amax}$  based on the noise footprint of the airport's westerly and easterly single modes of approach and departure between 23:00 and 07:00hrs. The 80dB  $L_{Amax}$  boundary contour is to be calculated using the Airport noise contour model for the previous year as per the Fourth Condition above. The boundary should be based on the calculated Noise Above metric of 80dBA  $L_{Amax}$  (N80) = 1 contour line.

**Reason:** To account for the impact of noise from individual aircraft movements and to account for any changes in flight paths. This condition is to be assessed in terms of the maximum noise level at a receptor during the fly-by. This condition also seems to mitigate the impact of aircraft nighttime noise as a result of the use of the Airport's runways.

**Note:** With reference to the above RD see maps contained at the end of this Commission Direction detailing 'Eligibility Contour Sep 2023' in connection with above as per 'Overview Map' in Pack 1 submission dated 4th March 2024 submitted by the applicant.

## **Part 2: Relevant Action**

### **Decision**

**GRANT permission under section 37 of the PDA for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Reasons and Considerations**

The Commission acknowledges that operating restrictions must not be more restrictive than is required to achieve the Noise Abatement Objective (NAO), however its decision to require to require an ATM cap in addition to the Noise Quota Scheme (NQS) was based on an assessment of whether the NQS alone would sufficiently protect the surrounding communities and environment from increased effects of aircraft noise emissions in accordance with the Noise Abatement Objective (NAO). The Commission concluded that relying solely on the NQS could permit an increase in the number of nighttime flights, without adequately considering the cumulative impact of increased flight volume on surrounding communities and environment. The NQS would not in itself directly limit the total number of movements, which can still lead to significant disturbance due to the volume of flights.

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In coming to its decision, the Commission agreed with and adopted the recommendation of the Initial Inspector's Report, and the amendments and additions of the Supplementary Inspector's Report. The Commission's analysis was informed by the Inspector's assessment of the Environmental Impact Assessment Report (EIAR), expert noise advice, and public submissions, found that the Regulatory



Decision (RD) and the Relevant Action (RA) did not demonstrate that all necessary measures had been considered to prevent significant negative effects from increased nighttime operations. The Commission agreed with the Inspectors revised calculations and concluded that an annual cap of 35,672 nighttime aircraft movements would be appropriate. This cap, based on 98 ATMs as forecast for Busy Day ATM's (23:00 to 07:00) and assessed in the EIAR, used in tandem with the NQS, is not arbitrary but is based on figures provided by the applicant and is less restrictive than the proposed Noise Quota Scheme (NQS) based restriction when considering the QC/ATM target of 0.51, thus allowing for airport growth while providing an essential safeguard against excessive nighttime activity. The cap also accommodates historic slots and future flexibility, ensuring that the regulatory framework remains balanced and proportionate.

The Commission was not satisfied that the NQS alone would achieve the NAO. Furthermore, the Commission was not satisfied that this fully addressed the concerns raised during the consultation and assessment process. Therefore, the inclusion of an ATM cap was considered a necessary and proportionate additional operating restriction to ensure that the overall noise environment would not deteriorate and that the increase in nighttime flights would not result in significant adverse effects on the surrounding population and environment. This decision reflects the Commission's application of the Balanced Approach, as required under EU Regulation 598/2014 and the Aircraft Noise (Dublin Airport) Regulation Act 2019, ensuring that both the number and the noise level of nighttime flights are effectively managed.

### **Appropriate Assessment**

The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000, as amended. Having examined the Appropriate Assessment Screening Reports (initial and addendum report) and all other documentation submitted by the applicant in relation to the Relevant Action, as

amended by and incorporating the Regulatory Decision, as well as the documentation associated with the Regulatory Decision and NAO by ANCA and having carried out Screening for Appropriate Assessment of the project, and an updated screening assessment following the Draft Decision, and in light of best scientific knowledge, and in the absence of mitigation measures, it has been concluded that the project individually or in combination with other plans or projects would not be likely to give rise to significant effects on European Sites:

- Malahide Estuary SAC (site code 000205)
- Baldoyle Bay SAC (site code 000199)
- Rogerstown Estuary SAC (site code: 000208)
- North Dublin Bay SAC (site code: 000206)
- South Dublin Bay SAC (Site code: 000210)
- Ireland's Eye SAC (Site code: 002193)
- Rockabill to Dalkey Island SAC (Site code:003000)
- Howth Head SAC (Site code: 000202)
- Lambay Island SAC (Site Code 000204)
- Rye Water Valley/Carton SAC (Site Code 001398)
- Malahide Estuary SPA (site code 004025)
- Baldoyle Bay SPA (site code 004016)
- North-West Irish Sea Candidate SPA (site code 004236)
- South Dublin Bay and River Tolka Estuary SPA (site Code: 004024)
- Rogerstown Estuary SPA (site code 004015)
- North Bull Island SPA (Site code: 004006)
- Ireland's Eye SPA (site code: 004117)
- Howth Head Coast SPA (Site code: 004113)
- Lambay Island SPA (Site Code: 004069)
- Skerries Islands SPA (Site code: 004122)



- Rockabill SPA (Site Code: 004014)
- Dalkey Islands SPA (Site code: 004172)

or any other European site, in view of the site's Conservation Objectives, and Appropriate Assessment (and submission of a NIS) is not therefore required. This determination is based on the following:

- a) The distance of the proposed development from the European Sites and the demonstrated lack of any meaningful ecological connections.
- b) The potential for disturbance impacts from noise which, in the majority of instances  $L_{Amax}$  remains the same or changes only slightly under the proposed RA at all European sites considered.
- c) The altitudes and noise levels of aircraft when above identified European sites are outside of the ranges commonly considered, within the scientific literature, to be causes of disturbance.
- d) The interest features of the European sites have already become habituated to noise and overflying more generally, and any increase as a result of Relevant Action is unlikely to have further significant effects.
- e) That although increases in nighttime flights are proposed to occur, this will lead to no significant effect to the conservation objectives of the European sites within the Zone of Influence.
- f) That increased numbers of flights are low enough that changes in air quality will also be small and will not affect the habitats within the SACs (and SPAs) such that there is deterioration.

## **Environmental Impact Assessment**

Having regard to the examination of environmental information in particular to that contained within the revised and supplementary EIAR and the submissions received from the planning authorities, prescribed bodies and third parties in the course of the application and appeal, it is considered that the main significant direct and indirect

effects of the proposed development on the environment were identified and outlined in detail in the initial inspector's report, with further scrutiny of certain issues carried out under the supplementary related inspector's report.

It is concluded that in the absence of additional operational restrictions and mitigation measures it is considered that the proposal would give rise to significant direct or indirect impacts on the population and human health, and the minor direct and indirect impacts on climate change as detailed below:

- Population and Human Health will be mainly impacted by the number of people Highly Annoyed (HA), which will initially decrease in 2025 and then increase in 2035 when compared to the permitted scenario. The number of people Highly Sleep Disturbed (HSD) will increase in both assessment years (i.e. 2025 and 2035). These figures are based on the average impact of the increased aircraft movements and do not reflect the full extent of the increased movement of aircraft during the additional two nighttime hours in the Relevant Action. The inclusion of additional mitigation measures and operating restrictions in the form of an aircraft movement limit can ensure additional awakenings are minimised and the impact on sleep disturbance is mitigated.
- Total Annual Green House Gas (GHG) emissions of the Relevant Action is projected to increase in 2025 when compared to the permitted scenario and then decrease in 2035. No specific mitigation measures have been included for the predicted emissions. The decrease in 2035 is based on a change in forecasted aircraft scheduling which indicates there will be an increase in short-haul night flights modelled in 2035 which will decrease long-haul day flights, leading to lower Continuous Climb Departures (CCD) emissions in the proposed scenario for 2035 when compared to the permitted scenario. The scheduling has not been presented in the documentation. This aside, international aviation policy towards net zero will ensure the use of climate friendly fuels and having regard to minor differences of aircraft movement



increases between the permitted and proposed scenario, the long-term impact on the climate is considered of minor significance.

- The significance of effect of the impacts of the Relevant Action on aircraft noise and vibration has been presented in the EIAR as an average over the entire nighttime period. Aircraft noise is not experienced as an average and the noise impacts of sleep from ATMs are intermittent and not continuous. The additional awakening results generally follow the same pattern as the HA and HSD, but the scale of the additional awakening results has a much greater significance due to the reality of the effect of one additional awakening. This result is greater due to the number of aircraft movements which is allowable under the NQS system. This impact can be mitigated through the inclusion of an aircraft movement restriction during the additional nighttime hours and the use of an insulation scheme to protect the existing community impacted by the flight paths of aircraft.

## **Proper Planning and Sustainable Development**

The Commission performed its functions in relation to the making of its decision, in accordance with Section 15(1) of the Climate Action and Low Carbon Development Act 2015, as amended by Section 17 of the Climate Action and Low Carbon Development (Amendment) Act 2021, the Commission performed its functions in relation to the making of its decision, in a manner consistent 2024 Climate Action Plan and with the most recently approved 2025 Climate Action Plan, national long term climate action strategy, national adaptation framework and approved sectoral adaptation plans, the furtherance of the national climate objective, and the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State;

And in coming to its decision, the Commission had regard to the following:

European, national, regional and local planning, energy, climate and other policy of relevance, including in particular the following:

### International Treaty

- The International Convention on International Civil Aviation, which sets binding standards for noise levels for new aircraft.

### European legislation, including of particular relevance:

- Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise ("The END Directive");
- Commission Directive (EU) 2015/996 of 19 May 2015 establishing common noise assessment methods according to Directive 2002/49/EC of the European Parliament;
- Regulation (EU) No 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach;
- Directive 2014/52/EU amending Directive 2011/92/EU (Environmental Impact Assessment Directive);
- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directive);
- Directive 2000/60/EC (Water Framework Directive).

### National Legislation:

- The Planning and Development Act 2000 (as amended);
- The Aircraft Noise (Dublin Airport) Regulation Act 2019;



- S.I. No. 549/2018 - European Communities (Environmental Noise) Regulations 2018.

National policy and guidance including:

- Climate Action Plan 2024 and 2025,
- Project Ireland 2040- the National Planning Framework First Revision, adopted on 8 April 2025,
- A National Aviation Policy for Ireland, 2015,
- Long-term Strategy on Greenhouse Gas Emissions Reduction (2024)

Regional and Local Level policy; including:

- Eastern and Midlands Regional Authority – Regional Spatial and Economic Strategy (EMRA-RSES) (2019)
- Fingal County Council Climate Action Plan 2024-2029
- The policies and objectives of the Fingal County Development Plan 2023-2029, particularly DAO16 and the introduction of a Noise Quota System,
- Dublin Airport Local Area Plan, 2020 (extended to 2030<sup>1</sup>),
- Dublin Airport Noise Action Plan, 2024-2028.

And the following matters:

- the nature, scale, and location of the proposed development,
- the planning history of the site and the surrounding area,
- the pattern of existing and permitted development in the area,

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<sup>1</sup> On 10<sup>th</sup> March 2025 councillors unanimously agreed to extend the Dublin Airport Local Area Plan to 2030

- the distance to dwellings and other sensitive receptors from the proposed development,
- the Environmental Impact Assessment Report (Including Revised and Supplementary Reports) submitted,
- the Screening for Appropriate Assessment (including Addendum Report),
- the submissions and observations received,

and it is therefore considered that, subject to compliance with the conditions of the Relevant Action as outlined below, which incorporates the proposed final Regulatory Decision, the proposal would not seriously injure the amenities of property in the vicinity by reasons of excessive noise disturbance at night and be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by An Coimisiún Pleanála on the 14th day of September 2023 and the 4th day of March 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority and ANCA the developer shall agree such details in writing prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interests of clarity and of proper planning and sustainable development of the area.



2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permissions, under An Bord Pleanála reference PL06F.217429 (Planning Authority register reference number F04A/1755) and as extended under Planning Authority register reference number F04A/1755/E1 and further amended under An Bord Pleanála reference PL06F.305298 (Planning Authority register reference number F19A/0023) (the amending permission), and any agreements entered into thereunder.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. The existing operating restriction, Condition 5, of the North Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading as:  
*'On completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007'*

shall be revoked and replaced with an annual noise quota scheme operating restriction as follows:

**The Airport shall be subject to a Noise Quota Scheme (NQS) with an annual limit of 16,260 between 23:00 and 07:00 (local time) with noise-related limits on the aircraft permitted to operate at night. The NQS shall be applied as detailed below.**

## **Part 1 - Definitions**

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

**Term:** Annual Quota Period

**Meaning:** The twelve-month period from 1 April to 31 March inclusive each year.

**Term:** EASA Noise Certification Database

**Meaning:** The database of noise certification levels approved and as varied from time to time by the European Union Aviation Safety Agency (EASA) and published on its website. (<https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels>).

The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organization (ICAO) Annex 16 Volume 1.

**Term:** Night time

**Meaning:** The hours at night between 23:00 (local time) to 07:00 (local time).

**Term:** Noise Classification Level (NCL)

**Meaning:** The noise level band in EPNdB assigned to an aircraft for take-off or landing, as the case may be, for the aircraft in question for the purposes of identifying the Quota Count of the aircraft. The Noise Classification Level for an aircraft taking off from and landing at the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:

$NCL(Take-Off) = EPNL(Flyover)$

$NCL(Landing) = EPNL(Approach) - 9 \text{ dB}$ .

**Term:** Quota Count.

**Meaning:** The amount of the quota assigned to one take-off or to one landing



by an aircraft based on the Noise Classification Level for the aircraft having regard for engine type and take-off weight:

Noise Classification Level	Quota Count (QC)
Greater than 101.9 EPNdB	16.0
99-101.9 EPNdB	8.0
96-98.9 EPNdB	4.0
93-95.9 EPNdB	2.0
90-92.9 EPNdB	1.0
87-89.9 EPNdB	0.5
84-86.9 EPNdB	0.25
81-83.9 EPNdB	0.125
Less than 81 EPNdB	0

## **Part 2 – Noise Quota Scheme**

2.1 Subject the dispensations described in Paragraph 2.2:

- (a) A take-off or landing at the Airport shall be determined to fall within the night time based on runway time.
- (b) No aircraft with a Quota Count of 4.0 or more shall be permitted to take off at the Airport during the night time.
- (c) No aircraft with a Quota Count of 2.0 or more shall per permitted to land at the Airport during the night time.
- (d) Each aircraft landing at or taking off from the Airport during the night time will be assigned a Quota Count based on its Noise Classification Level.
- (e) The Noise Quota at the Airport shall be limited to 16,260 for the Annual Quota Period.

2.2 The restrictions set out in Paragraph 2.1 shall not apply in any of the following dispensations:

- (a) Where a take-off or landing of any aircraft at the Airport is made in an emergency, where there is an immediate danger to life or health, whether human or animal.
- (b) Where a take-off or landing of any aircraft at the Airport occurs as a result of a delay to that aircraft which is likely to lead to serious congestion at the Airport and/or serious hardship or suffering to passengers or animals.
- (c) Where a take-off or landing of any aircraft at the Airport occurs as a result of widespread and prolonged disruption of air traffic.
- (d) Flights for military, medical or humanitarian purposes granted exemption by the Irish Government

### **Part 3 – Noise Quota Scheme Reporting Requirements**

3.1 The Applicant shall submit quarterly reports to the planning authority and ANCA on its implementation of the Noise Quota Scheme. The reports shall include:

- (a) the number of aircraft operating during the Noise Quota Period and their type, including technical details including their engines and take-off weights, where applicable;
- (b) the Quota Count assigned to aircraft operating in the Noise Quota Period;
- (c) the total Noise Quota used during the quarter and in the Annual Period to date;
- (d) the total Noise Quota used by Quota Count in the quarter and in the Annual Period to date; and
- (e) Details of any dispensations pursuant to Paragraph 2.2 which have been relied upon during the quarter and in the Annual Period to date.

3.2 The quarterly reports shall be issued so that:



- (a) The first quarterly report considering activity over the period 1 April to 30 June each year is published by no later than the 30 September each year.
- (b) The second quarterly report considering activity over the period 1 July to 30 September each year is published by no later than the 31 December each year.
- (c) The third quarterly report considering activity over the period 1 October to 31 December each year is published by no later than the 31 March the following year.
- (d) The fourth quarterly report considering activity over the period 1 January to 31 March each year is published by no later than the 30 June each year.

#### **Part 4 – Noise Performance Reporting**

4.1 The Applicant shall issue annual reports to the planning authority and ANCA on its noise performance. The report for the previous Annual Period (1 January to 31 December) shall be issued by no later than 31 March each year, for the first full Annual Period to which this Relevant Action applied and comprise of:

- (a) Noise exposure statistics and contours as required to facilitate performance review of the Noise Abatement Objective including as a minimum:
  - Annual 55dB  $L_{night}$
  - Annual 65dB  $L_{den}$
  - the number of people 'highly sleep disturbed' and 'highly annoyed' in accordance with the approach recommended by the World Health Organisation's Environmental Noise Guidelines 2018 as endorsed by the European Commission through Directive 2020/367, taking into account noise exposure from 45 dB  $L_{den}$  and 40 dB  $L_{night}$ .
  - Annual  $L_{night}$  contours from 40 dB in 5 dB increments

- Annual  $L_{den}$  contours from 45 dB in 5 dB increments
  - Summer 60 dB  $L_{Aeq, 16hr}$ , 63 dB  $L_{Aeq, 16hr}$  and 69 dB  $L_{Aeq, 16hr}$  (measured averaged across 92-day summer period from 16th June to 15th September)
- (b) Confirmation of the number of residential properties that (i) have benefitted from and (ii) are eligible for but yet to benefit from the Applicant's noise insulation schemes.
- (c) Key Statistics with respect to aircraft operations in the preceding Annual and Summer Periods including but not limited to:
- aircraft movements including average hourly movements
  - use of the Noise Quota Scheme
  - movements by aircraft type
  - passenger numbers
  - aircraft destinations
  - flight routings
  - runway use
- (d) Summaries from noise monitoring terminals for the Airport in such format as ANCA shall stipulate.
- (e) Details of all noise modelling undertaken in support of the Noise Performance Reporting describing compliance with the methodology set out in Directive 2015/996 (ECAC Doc.29 4th Edition). All noise modelling shall be validated using local noise and track keeping performance data from the Airport's systems.
- (f) Summary of complaints records for the preceding Annual Period categorised by the:
- location of complaints; and



- reason for complaint

- (g) Details of any anticipated changes or developments that may affect noise at the Airport in the current year, through for example airspace change or fleet modernisation.

**Reason:** To limit the impact of the aircraft noise at Dublin Airport on sleep disturbance in the interest of residential amenity and to ensure the effective implementation of the Noise Abatement Objective for the Dublin Airport by means of a noise-related limit on aircraft operations.

4. The existing operating restriction imposed by Condition 3(d) and the exceptions at the end of Condition 3 of the North Parallel Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading:

*'3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 0700 hours. except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports.'*

shall be amended as follows:

**Runway 10L/28R shall not be used for take-off or landing between 00:00 and 06:00 (local time) except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports or where Runway 10L/28R length is required for a specific aircraft type.**

**Reason:** To permit the operation of the runways in a manner which reduces the impacts of aircraft nighttime noise, whilst providing certainty to communities as to how they will be affected by night time operations from the

North Runway, while also providing continuity with the day-time operating pattern set down by Conditions 3(a)-(c) of the North Runway Planning Permission.

5. The airport shall be subject to an annual aircraft movement limit of 35,672 between the nighttime hours of 2300 and 0700 (local time).

**Reason:** to protect residential amenity by controlling the night time air traffic movements at the airport having regard to the information submitted concerning future nighttime use of the existing parallel runway.

6. A voluntary residential sound insulation grant scheme (RSIGS) for residential dwellings shall be provided. Initial eligibility to the scheme shall apply to all residential dwellings situated within the 'Eligibility Contour Sep 2023 as shown in the 'Overview Map' in Pack 1 of submission dated the 4<sup>th</sup> day of March, 2024 submitted by the applicant attached to this decision.

Eligibility to the scheme shall be reviewed every 2 years commencing in 2027 with residential dwellings situated in the 55 dB L<sub>night</sub> contour being eligible under the scheme as detailed in Parts 1 to 5 below.

Further eligibility to the scheme shall include for all residential dwellings that satisfy the following criteria:

- Residential dwellings situated in the 50 dB L<sub>night</sub> contour in the first full year when the Relevant Action comes into operation, together with a change of at least +9 dB when compared with the current permitted operation in the same equivalent year. For the avoidance of doubt, this represents a one-off review after the first full calendar year when the RA is in operation or may be aligned with other two-yearly noise insulation reviews and reports.



- Residential dwellings subject to aircraft noise of 80 dB  $L_{Amax}$  based on the noise footprint of the airport's westerly and easterly single modes of approach and departure (not averaging the modes of operation of the airport over the 92 days of summer) between 2300 hrs and 0700hrs. The 80  $L_{Amax}$  boundary contour shall be calculated using the Airport Noise Contour Model for the previous year. The boundary should be based on the calculated Noise Above metric of 80dBA  $L_{Amax}$  (N80) = 1 contour line.

## **Part 1 Definitions**

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

**Term:** Approved Contractor

**Meaning:** A contractor procured and managed by the Applicant and considered competent and appropriately qualified and have suitable levels of insurance coverage to install the sound insulation measures described in Part 4 in line with acceptable standards and in compliance with the Building Regulations.

**Term:** Bedroom

**Meaning:** A room other than in an attic or loft within an Eligible Dwelling which is used as sleeping accommodation.

**Term:** Competent Surveyor

**Meaning:** An appropriately qualified surveyor to inspect and determine relevant information in relation to the existing construction and elements of an Eligible Dwelling for the purposes of undertaking an Elemental Analysis as defined in Part 5.1, Step 5 below.

**Term:** Eligibility Contour Area

**Meaning:** The 55 dB  $L_{night}$  contour area as varied from time to time pursuant to the review process set out in Part 3.2 below.

**Term:** Eligible Dwelling

**Meaning:** A habitable dwelling built in compliance with the provisions of the building regulations and the Planning and Development Act within the Term Eligibility Contour Area and which otherwise qualifies under the conditions set out under Part 3.1 below.

**Term:** Index Linked

**Meaning:** Index-linked by reference to changes in the Consumer Price Index (CPI) (maintained by the Central Statistics Office) in the period between the Application and the date of the Statement of Need.

**Term:** Initial Eligibility Contour Area

**Meaning:** The area shown on the 'Eligibility Contour Sep 2023' as shown in the 'Overview Map' in Pack 1 submission dated 4<sup>th</sup> March 2024 submitted by the applicant.

**Term:** Relevant External Noise Level

**Meaning:** The noise exposure level at the relevant Eligible Dwelling.

**Term:** Statement of Need

**Meaning:** The recommended measures identified from those available under the scheme as outlined in Part 4.

**Term:** Target Performance

**Meaning:** An improvement of at least 5 dB, where feasible, and acceptable to the homeowner, in the sound insulation of each bedroom of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

## **Part 2 – Purpose of the Scheme**

2.1 The purpose of the scheme is to provide financial assistance by the Applicant to property owners in the form of a grant in the sum of an amount (Index Linked) to be agreed with the planning authority and ANCA towards the costs of noise insulation measures to Bedrooms in Eligible Dwellings (the



Grant). A review period for this amount shall also be agreed with the planning authority and ANCA.

2.2 Bedrooms and properties may qualify only once for the financial assistance provided under this scheme.

2.3 Where a dwelling is eligible under this scheme but is also eligible for insulation under the Residential Noise Insulation Scheme (RNIS) and the Home Sound Insulation Programme (HSIP) best endeavours shall be made by the Applicant to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

### **Part 3 – Eligibility**

3.1 Dwellings shall be determined to be Eligible Dwellings under this scheme if they are located within (i) the Eligibility Contour Area as shown on the map 'Eligibility Contour Sep 2023' as shown in the 'Overview Map' in Pack 1 submission dated 4<sup>th</sup> March 2024 submitted by the applicant or (ii) the Eligibility Contour Area (following any review carried out pursuant to Part 3.2 below) and:

- (a) Were constructed pursuant to a planning permission granted following a planning application lodged on or prior to 9<sup>th</sup> December 2019, being the date of adoption of Variation no. 1 to the Fingal Development Plan 2017-2023 incorporating policies relating to development within Aircraft Noise Zones and as included in the current County Development Plan 2023-2029
- (b) Have not benefitted from noise insulation previously under this scheme; and
- (c) Have not benefitted from noise insulation under either the RNIS or HSIP schemes previously.

3.2 By 31 March 2027 and every two years thereafter, the Applicant shall update and publish a revised Eligibility Contour Area map identifying all authorised habitable dwellings within the 55 dB  $L_{night}$  contour in the calendar year immediately preceding the review. The applicant shall also publish and update as necessary an eligibility contour area map in relation to the further eligibility criteria as set out in Part 6 below.

#### **Part 4 - Measures available under the Scheme**

4.1 The owner of an Eligible Dwelling in accordance with Part 3 and following the procedure described in Part 5 shall be entitled to the Grant to be applied towards a selection of insulation measures to be applied to Bedrooms within an Eligible Dwelling as specified in Paragraphs 4.2 to 4.10 below.

4.2 The insulation measures referred to in Paragraph 4.1 must be installed by an Approved Contractor and comprise of the following unless the equivalent measure already exists within the Eligible Dwelling

- (a) Primary Acoustic Glazing
- (b) Secondary Acoustic Glazing
- (c) Glazing Roof Light
- (d) Passive Ventilator
- (e) Mechanical Ventilator
- (f) Loft Insulation
- (g) Ceiling Overboarding

4.3 The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarized in Part 5 below.



4.4 Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4 millimetres laminated glass with minimum 100 millimetres gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

<b>Thickness of Glazing of the Inner Window</b>	<b>Window Minimum Horizontal Distance</b>
Less than 4 mm and not less than 3 mm thick	200mm
Less than 6 mm and not less than 4 mm thick	150mm

4.5 Where secondary glazing is being installed reasonable endeavours will be made to repair the draft seals, catches and hinges to provide an air-tight seal on the existing primary glazing unit.

4.6 Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum  $R_w$  of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.

4.7 Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the bedrooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable-speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).

4.8 Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of 80 kg/m<sup>3</sup>. Where insulation is already present but found to be unsatisfactory additional layers of insulation will be added to increase the total thickness to 200mm.

4.9 Any ceiling overboarding shall comprise of a continuous layer of mass to provide at least 12kg/m<sup>3</sup> added above joists in attic, for example 22mm plywood (or similar approved).

4.10 In the event that loft Insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12kg/m<sup>3</sup>, that is, 15mm SoundBloc (or similar approved).

## **Part 5 – Procedure**

5.1. The Applicant in operating this Scheme shall follow, the relevant parts of the procedure set out in this Part 5 as required in the discharge of the Applicant's obligations under Condition 7 of the North Runway Consent, the discharge of which obligations is achieved through the RNIS.

**Step 1 – Determine Eligibility** - Eligible Dwellings shall be identified as per Part 3 of this Schedule.

**Step 2 – Notification of Eligibility** - The Owner of an Eligible Dwelling shall be notified of their eligibility under the scheme within six months of their eligibility being determined under Step 1.

**Step 3 – Determine Relevant External Noise Level** - The Relevant External Noise Level at the Eligible Dwelling shall be determined.

**Step 4 – Undertake Building Survey** – The Applicant shall use reasonable endeavours to arrange for the Eligible Dwelling to be inspected by the Competent Surveyor (and secure the necessary agreement to this from the owner of the Eligible Dwelling) within six months of eligibility being determined to record relevant information. The building survey shall be carried out by a Competent Surveyor appointed on behalf of the Applicant. The survey shall record the location and number of Bedrooms, and for each Bedroom record the following relevant information:



- External wall constructions - where possible the construction type of the external walls will be recorded for example wall composition including inner leaf, cavity, and external leaf dimensions including all associated building materials;
- Window type – e.g. frame material, single glazing, double glazing, including key dimensions;
- Roof construction – including where possible roof construction type;
- Details of chimneys and fireplaces;
- Ventilation paths – e.g. existing wall and floor vent types, quantities and dimensions;
- Details of any existing sound insulation measures which have been installed previously;
- Dimensions of all Bedrooms including window, roof and wall dimensions;
- Drawings and/or floor plans – if these are available from the owner;
- Photographic records of the building.

**Step 5 – Elemental Analysis** - An elemental analysis shall be undertaken to provide a technical assessment of the noise insulation required for the Eligible Dwelling. The following process shall be followed:

- (a) The existing sound insulation properties of each Bedroom shall be established;
- (b) The anticipated future internal noise levels within each Bedroom having regard for the Relevant External Noise Level, presented in octave bands scaled from measurements taken around the Airport, and the existing noise insulation performance obtained from Step (a);

- (c) A comparison shall be made between the anticipated internal noise level to the BS8233:2014 Targets for internal ambient noise;
- (d) An assessment will be undertaken to determine the required improvement in the noise insulation performance, having regard for the Target Performance;
- (e) Through an elemental analysis, the most effective combination of measures set out in Part 4 having regard for the Target Performance and the financial assistance grant shall be identified.

**Step 6 – Statement of Need** - A Statement of Need shall be prepared for each Eligible Dwelling. The Statement of Need will be a bespoke document for each Eligible Dwelling. The Statement of Need shall:

- (a) Describe the existing sound insulation performance for each Bedroom having regard for the Building Survey as described in Step 4;
- (b) Identify the potential improvement in the existing sound insulation performance for each Bedroom as can be afforded within the Grant and whether the Target Performance can be met;
- (c) Set out the recommended set of measures for the Eligible Dwelling in the form of a schedule of works and the associated measures on a bedroom-by-bedroom basis;
- (d) Provide an opinion on the future internal noise level following the implementation of the noise insulation works and the ability of the works to the meet Target Performance.

The Statement of Need shall be issued to the owner of the Eligible Dwelling.

**Step 7 – Acceptance** - Subject to the owner of the Eligible Dwelling agreeing to the scope of works as defined under the Statement of Need, the engagement of the Approved Contractor and access to the dwelling by the Approved Contractor for the purposes of undertaking the works, the Airport will use



reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within six months of the owner's agreement to the same.

**Step 8 – Works** – The scope of works as defined by the Statement of Need shall be undertaken by the Approved Contractor or a suitably qualified contractor procured by the homeowner. The Applicant shall procure the Approved Contractor to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations and that the Approved Contractor provides the owner with all appropriate certification and warranties relative to the works completed to the Eligible Dwelling. The Approved Contractor shall photograph the Eligible Dwelling before and after the works for record purposes.

5.2 In the event that a property owner declines to accept the scope of works as defined under the Statement of Need (Step 6) the Applicant shall make a grant available towards the costs of sound insulation measures through the Approved Contractor equal to the cost of the measures identified through the Statement of Need. This grant may be used by the owner to request alternative measures providing they as a minimum meet the Target Performance. Where the alternative measures are calculated to cost more than the cost of the measures identified through the Statement of Need, any difference shall be at the expense of the owner.

5.3 In the event that a property owner wishes to appoint their own competent contractor, the Applicant will provide a specification for the works. The property owner must provide a written quotation from their competent contractor for approval of both the identity of the contractor and the quotation by the Applicant. Following approval, the property owner shall be responsible for managing the works and making payments to their contractor and the provisions of and schedule as agreed by the planning authority shall be deemed to be amended accordingly. Upon completion of the works, the Applicant will carry out an inspection and issue payment to the property owner.

Where works are not carried out in accordance with the approved specification,

payment will not be made by the Applicant. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. The Applicant must act reasonably in the approvals process, but if the Applicant does not approve of the contractor or the quotation, payment will not be made by the Applicant.

## **Part 6 — Further Eligibility**

- The applicant shall issue a report to the planning authority and ANCA in relation to the residential dwellings situated in the 50dB  $L_{night}$  contour for the first full year following the RA coming into operation together with a change of at least +9dB when compared with the current permitted operation in the same equivalent year. For avoidance of doubt this represents a review report after the first calendar year when the RA is in operation or may be aligned with other two yearly noise insulation reviews and reports.
- The applicant shall issue annual reports to the Planning Authority and ANCA in relation to residential dwellings subject to aircraft noise of 80dB  $L_{max}$  based on the noise footprint of the airport's westerly and easterly single modes of approach and departure between 23:00 and 07:00hrs. The 80dB  $L_{max}$  boundary contour is to be calculated using the Airport noise contour model for the previous year as per Condition 6 above. The boundary should be based on the calculated Noise Above metric of 80dBA  $L_{Amax}$  (N80) = 1 contour line.

**Reason:** To account for the impact of noise from individual aircraft movements from any change in flight paths, and assessed in terms of the maximum noise level at a receptor during the fly-by. Also, to mitigate the impact of aircraft nighttime noise as a result of the use of the Airport's runways.



**[Notes:**

1. Related maps overleaf ***Residential Sound Insulation Grant Scheme (RSIGS)\_Initial\_Eligibility-Sep\_23 – Overview Maps (1:60,000 Scale - Open Street Map Base) and Map 1-28 (1:7,500 Scale - Open Street Map Base)***
2. In respect to Condition 3 of the Relevant Action and the First Condition of the Regulatory Decision, the Commission replaced 06:59 with 07:00 because nighttime hours are defined as 23:00 (local time) to 07:00 (local time) in the Environmental Noise Directive, the original 2007 permission and in the noise quota scheme.
3. In respect to Condition 5 of the Relevant Action and the Third Condition of the Regulatory Decision, the Commission replaced 06:59 with 07:00 because nighttime hours are defined as 23:00 (local time) to 07:00 (local time) in the Environmental Noise Directive, the original 2007 permission and in the noise quota scheme.
4. In respect to Condition 6 of the Relevant Action and the Fourth Condition of the Regulatory Decision, the Commission replaced 06:59 with 07:00 because nighttime hours are defined as 23:00 (local time) to 07:00 (local time) in the Environmental Noise Directive, the original 2007 permission and in the noise quota scheme.
5. In respect to Condition 4 of the Relevant Action and the Second Condition of the Regulatory Decision, the Commission replaced 05:59 with 06:00 for clarity and to reflect the 2 hour period applied for.

6. In respect to Condition 6, Part 2 – Purpose of the Scheme, of the Relevant Action and the Fourth Condition, Part 2 – Purpose of the Scheme, of the Regulatory Decision, the Commission noted that the applicant had not provided a basis for the €30,000 grant figure. The Commission followed a similar approach to Condition 6 of the Board Order for the Northern Runway (Ref. PL 06F.217429) and were satisfied that an amount (Index Linked) shall be agreed with the planning authority and ANCA.
7. In respect to Condition 6, Part 6 – Further Eligibility, of the Relevant Action and the Fourth Condition, Part 6 – Further Eligibility of the Regulatory Decision, the Commission considered that Part 6 is necessary to provide a record of those eligible under the further eligibility criteria.





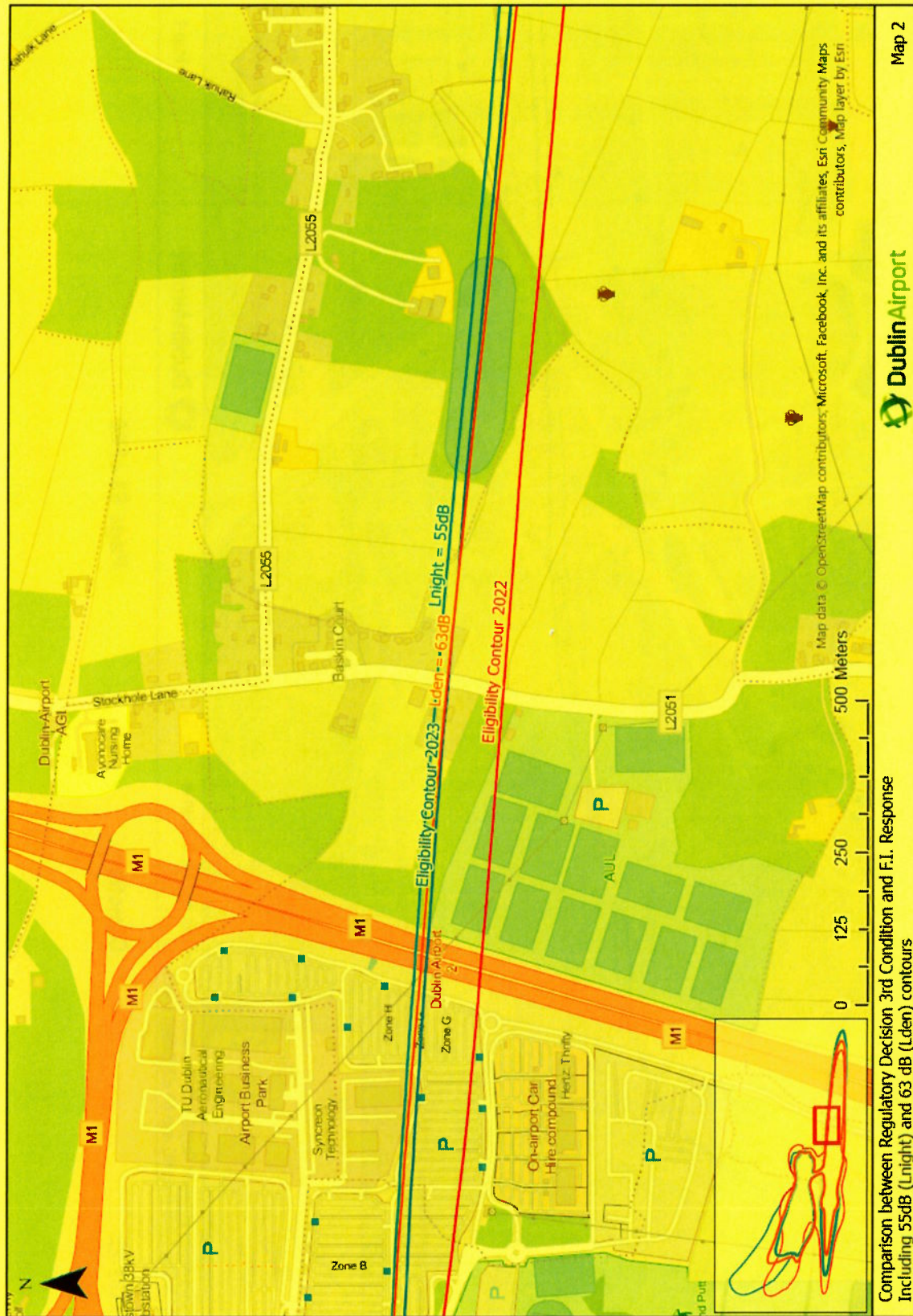
















Comparison between Regulatory Decision 3rd Condition and F.I. Response Including 55dB (Lnight) and 63 dB (Lden) contours



