

SECTION 131 FORM

File With \_\_\_\_\_

S. 37

Appeal NO: ABP 314485

TO: SEO

Defer Re O/H ☐

Having considered the contents of the submission dated/ received 22/12/24  
from

Bernadette May Egan recommend that section 131 of the Planning and Development Act, 2000  
be/not be invoked at this stage for the following reason(s): no new issues

E.O.: [Signature]

Date: 2/1/25

To EO: \_\_\_\_\_

Section 131 not to be invoked at this stage. ☐

Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached  
submission

to: \_\_\_\_\_

Allow 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**Appeal No: ABP 314485Please treat correspondence received on 22/12/24 as follows:

. Update database with new agent for Applicant/Appellant \_\_\_\_\_

. Acknowledge with BP 23. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

Amendments/Comments

Resp Recd

## 4. Attach to file

(a) R/S ☐(b) GIS Processing ☒(c) Processing ☒(d) Screening ☐(e) Inspectorate ☐RETURN TO EO ☐

	Plans Date Stamped <input type="checkbox"/>
	Date Stamp Filed in <input type="checkbox"/>
EO: <u>[Signature]</u>	AA: <u>F. What per</u>
Date: <u>21/1/25</u>	Date: <u>21/1/25</u>

*James*

**Daragh Cassells**

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**From:** Bernie Egan <bernie.egan@hotmail.com>  
**Sent:** Sunday 22 December 2024 21:19  
**To:** Appeals2  
**Subject:** Re: Appeal of Relevant Action Draft Decision Case Number: ABP- 314485-22  
**Attachments:** An Bord P Case No 314485.doc

**Caution:** This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Hi,

Please find attached .

Kind regards,  
Bernie

086 8300422

To: An Bord Pleanála

Re: Appeal of Relevant Action Draft Decision

Case Number: ABP- 314485-22

Ref No: F20A/0668

Name: Bernadette Mary Egan  
Address: 45 Johnswood Drive  
Ashbourne  
Co Meath  
A84 Y744  
Contact Number: 086 8300422  
Email Address: [bernie.egan@hotmail.com](mailto:bernie.egan@hotmail.com)  
Date: 22<sup>nd</sup> December 2024

Please note change the change of address as I was forced to leave my previous home at Newtown, The Ward, Co Dublin due to the excessive noise of low flying aircraft from the North runway of Dublin Airport using flight paths which breach the conditions of the planning permission granted.

I would ask that permission be refused in this case.

I would like to add my support for The North Runway Technical Group and SMTW Forum points which they are submitting to An Bord Pleasála. They have put their points very clearly and factually.

As someone who literally couldn't live in the dream garden and home that I and my husband had put the best 30 years of our work, savings, lives, heart and souls into, creating our ideal home for us and family, we found it wasted with our lives shattered and our futures hopeless from 24<sup>th</sup> August 2022. This is the day the North runway at Dublin Airport began operating. I will find this heartbreaking to write but I would like to express just a fraction of how being overflown when we were never meant to be impacts the very people who support the daa with our 40+ years of paying taxes. We have all our lives obeyed the law and abided by all rules, including moral ones. The non compliance of daa to obey condition one of planning permission for the North runway to fly straight out for 5 nautical miles or to 3,000 feet before vectoring is inflicting a massive hurt and damage. Ascending aircraft are usually full of baggage, cargo, people and fuel and are very noisy when going up and as for going up and turning at the same time, the noisy is unbearable. Two more transatlantic aircraft have been aquired by Aer Lingus in the last few days and these are emormous and are always very low flying and noisy due to sheer size. We have many of these transatlantics flying over us and thousands more people, particularly at lunchtime and especially at weekends. Complaints are made and responded to by the organisation causing the problem, self regulation is no regulation, and we have a number of shocking examples over the years of what a mistake this lack of independence and transparency is. The responses are all standard templates and blame the IAA and AirNav. These are not responsible for choosing the flight paths, only daa is. The flight path applied for had environmental impacts, noise mitigating measures and communications carried out BUT they don't fly there! I am proud to say that I worked for a semi-state body, VHI, for 40 years and we went out of our way to invite complaints as a way to see what people saw as the real issues. We did not use stock, well reharsed and professionally prepared answers that didn't answer the questions asked. My complaint was noisy aircraft flying over homes that were not communicated with, where no monitoring was done, no environmental impacts, and NOT in compliance with condition one of planning permission and why were they not flying where they has requested and were granted permission for and carried out all of the above. They never adressed this. The

company I worked for was very diligent about obeying the law at all times and never sought to pitch customers who were in need (claiming for illness) against the healthy ones who were paying the same amount into the fund. I cannot believe that two semi state companies can be so different. Daa blames the people it is injuring on depriving other people and it's not true, what way is that to behave?

There are thousands of acres of green fields and solar panels where the straight out flight path is conditioned and daa communicated with people on this path, there are about 950 homes and this is what was approved so will not be a surprise to these people. There are approx 30,000 thousand people overflowed who were never meant to be.

If daa continues with future plans to shorten the take off gap between flights from 90 seconds to 60 seconds and add about 14 extra flights per hour the community will be further despoiled by noise and air pollution. You cannot open windows or stay outside with the existing infliction.

I lived in a most beautiful garden and home in Newtown Commons, The Ward, Co Dublin. I can supply photos. The estate agent who sold our home is in business for more than 30 years and he described our garden as one of the nicest they have ever sold, that might give you some idea of the love and work we put into a totally overgrown acre. We loved every inch of our garden. I am now 66 and retired having worked fulltime since April 1977 in VHI and planning for lots of time in my garden, an acre which we restored and landscaped all ourselves with some irreplaceable trees, enjoying it with my husband, children and their families. Two of them moved to Ashbourne to be near us, one who is on disability, the other with young children, both needing support from us so we didn't want to move too far away from them. Our son and two year old grandson lived with us. But we were driven out by up to 300 noisy aircraft, including transatlantic, most days for up to 16 and often 18 hours a day. That's seven days a week (in westerly winds over 70% of the year). Human beings cannot survive this at night too. The South runway is used from 5am but because they have altered the flight path for that one we are often woken at 5am. If the new hours are granted then we will only have from 12am to 5am for sleep. Last Friday, for example, there were 47 departures between 5am and 7am, there possibly was much the same number of arrivals. The maximum number of departures AND arrivals permitted between 11pm and 7am is 65. daa will use every excuse in the book to say it's a busy time etc. but make no mistake about it they will sell as many seats and fly as many planes as they can every minute they can. They breach conditions and this performance as well as other breaches gives us a clear indication of the regard and respect it has for laws not to mention people. Despite what daa says we find them to be bad neighbours. Past and present performance is a good indicator of future performance.

For almost two years we left the house as much as possible, driving aimlessly for hours most days. My husband had a massive heart attack at 61 (he's 64 now) and has been the most distressed by the breaching of condition one of pp. He went and looked at what was applied for a number of times since 2007. He worked in the Ordnance Survey until he was retired on disability at age 32 and is always aware of the need to check planning applications thoroughly. As he spent most of his time pottering in the garden, with our numerous pets and his only passion, growing, propagating and showing fuchsias he was reassured that, whilst the planes would be marginally closer, they would not be so near as to cause extra noise. We would absolutely moved years ago if we thought condition one of PP would be breached. We had to leave hundreds of his prized plants, huge poly tunnel and two glasshouses behind. In May 2023 we had to prepare our wonderful home and garden for sale as we were on the verge of a nervous breakdown with the noise, we often had only 25 to 40 seconds between one heading away and the next one arriving, 16 to 18 hours a day. I cannot put into words our distress and immense heartbreak when, time after time, daa chairperson, Ryanair ceo and other pr reps for daa said: this is what was always planned: everyone knew this: planes don't fly out over Ashbourne!!: daa ceo said they will not do anything for people in Meath: daa has, I have been told, 15 PR people and much of what is said and printed lacks full details, making what comes

across as very different to the real facts or is incorrect. It is extremely difficult and for some it seems impossible to get daa to engage despite what they say and people describe the attitude of daa as demeaning, insulation is not as available as it should be and is not great anyway and no use outdoors, which is where we spent most of our time, buyout is way too limited, and the market value of a house on a flight path is of a very low value anyway. More that a few complaints from one person is paraded out as a crank and a joke. We don't live that close to the Airport, the problem is not abiding by condition one. After a number of months the ceo of daa stated on tv that daa had been overflying Rolestown and Kilsallaghan by mistake and he actually said they were sorry. These were then directed over Ashbourne too which is the same "mistake". No one will say why da is flying over here and lying about it.

It really was terribly sad trying to sell our dream and life's work. We had interest in it but some said it's beautiful but under a flight path. Many others just looked up when they heard the aircraft and left, not bothering to view. In a time when houses are selling within two weeks it took months to sell (sold after 10 months) and we had to sell to the only people interested for what we could get. That was sad enough and we had very little choice of houses to buy. We viewed nearly 100 and had to settle for the one we're in now as it was the only option, it was empty and with the same estate agent as sold our home and one we could afford. We wanted to rent so we could pick a nice new home to help recover and rebuild but there were none available for renting. To our horror the daa is sending dozens and up to hundreds of noisy aircraft, including transatlantic, on a daily basis over and close to us so now our nightmare continues for 16 to 18 hours a day.

Our son has to be near(ish) his son's pre-school in Terenure so the two of them didn't move with us but are in an apartment in Blanchardstown. Our grandson is having behavioural difficulties in pre-school (formally stated by his pre-school) and his Dad has him listed by HSE on the waiting list for help (this can take years). I have many sleepless nights about this. I wonder if the distress in our home and moving from his home and Granny and Grandad, Aunties, Uncles and cousins 2 months before his third birthday was a big upheaval in his life. His parents split up just before his first birthday so stability is important to him.

Having not been able to secure over the odds for our home we had to pay way over the odds for this one. In addition, it was rented for the last 16 years so to get it liveable in we had to replace windows (everyone of them broken), redo bathroom, new radiation, kitchen etc, etc. We did and continue to do lots of the work ourselves even though we really are too old for this. Between moving (which we did by hiring vans ourselves) and necessary renovations we have spent €70,000 approx!! To live under noisy planes again.

There is also a long term financial impact that daa don't realise. My contributory pension is down by €100 euro a week for the rest of my husband's life. As a dependant relative I am entitled to an amount for him but because we bought this house for less than we sold our home for it was classed as additional income (heartbreaking for a home we loved and thought we'd be in for life), even though it's been poured into this house now, this house that daa is flying over so noisily that we are distraught. We came up here so many times before buying but the flight paths have been changing so we're back into a nightmare situation. I don't know how we are going to cope with this, 18 hours, seven days a week of noise. We were so desperate to try reduce the noise we couldn't wait till I was 66 (28<sup>th</sup> June last) to avail of the €6,000 grant from Meath County Council for replacement windows and ordered them in April and they were installed about 2 weeks before my birthday. Unfortunately, they make little difference. I feel guilty having spent what I hoped was the inheritance I had worked so hard for for my children. We were always a frugal family and rarely went on holidays and then just weekends in beautiful Ireland. I spent a fortune on weekends to bring my husband away for over a year (every three to four weeks) as I was so worried about the effect the aircraft noise was having on him. It was me who pushed to move to Ashbourne and he's finding

it unbearable, how can daa be made to understand how terrified I feel almost all of the time, watching him deteriorate, become a different person? I'm so frightened about how I'll cope with the guilt if someday tomorrow starts without him. But it's looking like we will have to move again and I don't think I have it in me. This is how people are suffering but if you are not experiencing it yourself you can't feel the constant pain, worry and hopelessness. We are not emotionally available for our families, what energy we have is put into this (under a flight path) house. We have all been robbed of a normal life. No matter what we do we will not recover from daa non compliance and they have no problem using every trick in the book to get away with breaking the way. It's a real David and Goliath situation.

It's difficult to listen to being called whingers and hearing you live near the airport so don't complain. We live in a different county and many places in South Dublin are the same distance away from the airport as Ashbourne e.g. Rathfarnham, Mount Merrion, Dundrum, Dartry, Rathgar, Templeogue, Terenure. I don't think people living there would accept being overflowed because conditions of pp are allowed to be breached. We don't say anything publicly as some of our old neighbours say they'll have to sell too if things keep up as they are or get worse. They are living in hope that the law will be enforced and are awaiting the moral and just outcome. We were suffering too much to do the same. We don't want to put buyers off for others. It seems to be divide and conquer with the daa supposedly answerable to Fingal County Co (there is a person involved with both daa and Fingal Co Co which appears to be a conflict of interest) and most people being overflowed in a different county altogether Meath County Co. Even though the councillors in both Fingal and Meath Co Co were unanimous in condemning daa for their flight paths and noise, after sometime they found they were not being listened to and there was a suggestion that they were told to drop it ( I do not now the truth of this).

It's also difficult to listen to incorrect statements. We are very supportive of the airport and what it does for our country. There are many passengers who are never included in the count, it has become widely known that you can use the US clearance in the airport without having to stay here and this is becoming more common as word spreads. Only recently it's been in the media that people going from Scotland to the US, having no intention of staying in Ireland, are coming to Dublin for US clearance only, if this grows we are not getting any benefit in the country, just the airlines and daa benefit, apparently daa generate €9.50 from a person doing this and I believe they are not in the passenger count. Emotional blackmail and incorrect statements are used shamelessly, sporting events, weather events, Lapland (costing about €7k!), paths that have been specified by IAA (might be called AirNav now), the role of which is to say if a flight path is safe NOT that it's the path to be used, that on the off chance maybe once a day the paths need to be left free for Baldonnel (how few in reality?). There are many instances of statements designed to illicit public anger in support of continuing growth, growth is fine as long as daa don't treat us so badly, put out incorrect statements and pretend that they don't. It's as if daa is trying to encourage the travelling public, who couldn't possibly conceive of the suffering caused to unsuspecting people being overflowed, to turn against us. In September 2024 on the Claire Byrne show a Bord Fáilte spokesperson said that before Covid the % going out and % coming in was pretty much 50/50 but now it's 60% going out and 40% coming in, daa doesn't tell you about more and more people leaving and spending money out of Ireland because they want to make out Ireland will look like a laughing stock. There is every possibility that more flights will mean even more people spending money on air fares to spend their money in the countries to which they fly and not here. Daa and Ryanair make out there'll be hundreds of thousands who can't travel, but they demean and belittle people whose lives and health are being ruined in the pursuit of more profits and bonuses. I can appreciate people want to go away on holidays but why do we have to pay such a massive cost when the flight path was never meant to be here and there are alternative paths suggested by pilots and engineers that daa don't want to consider, why?. Why are daa breaking the law for nearly 2 and a half years and who is responsible for making sure this is not allowed. If they get permission for something and ignore it and do what

they want (under the pretext of safety) then we might as well not have any laws. We have to abide by them so a semi-state must too in order not to undermine the planning process and have ordinary law abiding people wonder why and who is supporting daa in continuing such a blatant breach. In a recent programme Coasts of Ireland it was stated that 50% of imports into Ireland come into Dublin port, bearing in mind there is also Rosslare port the vast majority of imports come by sea and not air as daa try to give the impression. It is quite clear that the vast majority of air travel is for leisure with more business that ever done by using technology including the big increase in AI reducing the need for business travel. Of course holidays ect are important but no one wants to know who is paying enormous costs for a few hours of their flight. The people impacted should not be held up as difficult and cranks who only want to stop others getting on with their holidays.

There are no quite aircraft, they'er decades away. Airlines talk of quieter aircraft but to have that they must be quite in the first place and they're not. Daa say pollution is only 2 to 3% but what they don't tell you is that is just on the ground, no one is giving details of the pollution in the air. During the year in the media it was said that it's increased by approx 11% to 12% over last year. Recently on RTÉ's Rising Tides programme the worrying problem of pollution in the aviation industrty and in particular Dublin Airport stated that the No 1 polluter in Ireland is Dublin Airport. Another reason to refuse planning permission for expansion of any kind.

Another misleading thing is the Community Fund which is constantly trotted out as some sort of compensation going to sports, schools etc. It's €10 million over 25 years (the 10M is mentioned but not the 25 years), that's €400,000 a year which is not much to a profitable business like daa.

Allowing this to continue and maybe worsen will destroy lives so I am pleading with you to simply apply the law in realtion to the conditions of the North runway and not allow horrendous noise where it has no premission to be. If daa had been honest and applied for what they are doing it would have given people a chance to make an informed decision. Please don't allow it to get worse either. Noise monitoring carried out daa averages out the noise over quiet time too so underestimates it where human beings are concerned. This is senseless, people can't train their ears and brain to average the noise to which we are subjected.

I sincerely hope I can stop my incessant worrying and feeling sick as I am living this nightmare along with my poor husband. I never thought I'd see the day when my strong, happy husband would turn into a very depressed, distressed, hopeless and cranky, unwell hermit. Instead of him being the strong one I am the one who tries to mind him, hugging him throughout the day and cuddling him to sleep at night, during the night and morning as I struggle to keep going myself. We often hug each other saying something will change and we'll get through this, in an effort to reassure each other but we are powerless really. I really feel daa is content to wait for people to give up, move from beloved homes they've created with all the memories they contain or, unfortunatly, inevitably die. People think we are just looking for money but I would never have sold my home as money is no good when you don't rate it as important and I would rather have the home and life that daa deprived me of.

I apologise for you having to read about my problems (not caused by me), I am sleep deprived a lot of the time and I've been awake since 6am. While my husband is the worst affected I have the added worry of watching his struggle. Our gp knows how badly we have been effected but we have not resorted to medication as we know what the problem is and medication is not what's needed. The only thing we could manage force ourselves to do was sell as were were falling apart and had no will for anything else. Self neglect set in and things like haircuts, optical and dental as well as keeping up with family and friends and hobbies were all abandoned. I have a front tooth missing for almost a year now and badly need new glasses, I have not seen some family members for nearly two years. We are not very good company as we try to cope with this. I have never expressed most

of these things to anyone and I am trusting the Bord that this will not be publicly available. I feel no one is listening to the collateral damaged who should have their rights respected as well as the integrity of the planning process preserved. It is not right for daa to do whatever it wants and blame the people they are treating so badly as being the ones in the wrong and then ask for forgiveness afterwards (not from us but from the authorities), especially when tens of thousands of lives are unexpectedly impacted. Planning should be refused on the basis that past performance is a real good indicator of future performance.

1. **Noise Modelling Discrepancies:** The noise modelling for Dublin Airport's North Runway operations shows inconsistencies. Westbound departures, expected to generate more noise due to lower climb efficiency, were modelled with less impact compared to eastbound departures, raising doubts about the model's validity.
2. **Deviation from Noise Preferential Route (NPR):** Current flight paths deviate significantly from the original NPR approved in the 2007 Environmental Impact Statement (EIS), violating Condition 1 of the runway's planning permission and increasing noise exposure for 30,000 residents.
3. **Role of the IAA Misinterpreted:** The Inspector conflated the roles of the Irish Aviation Authority's Safety Regulation Division (IAA-SRD) and AirNav (the air traffic control service provider). The IAA-SRD's approval of flight paths does not mean they mandated specific routes.
4. **Vanguardia Report Inaccuracies:** The report incorrectly claims that flight path deviations are minor (15 degrees) and required for safety. In reality, deviations range from 30 to 86 degrees, and alternate compliant designs were ignored.
5. **Breaches in Planning Conditions:** The deviations from NPR and increased noise exposure were not assessed in a comparative Environmental Impact Assessment Report (EIAR), undermining the planning process and trust in regulatory compliance.
6. **Inadequate Consultation and Expertise:** AirNav, the contractor for flight path design, lacked the necessary qualifications to redesign the aerodrome's procedures, leading to poor design decisions focused on maximum operational capacity rather than compliance or safety optimization.
7. **Doubts on Safety Justifications:** Claims that deviations were necessary for safety are contested. Alternate designs, such as modifications to the missed approach paths, could achieve compliance without deviating from the NPR.
8. **Failure to Implement a Balanced Approach:** Noise abatement procedures and land-use planning to mitigate noise impacts were neglected, exacerbating the environmental impact on communities.
9. **Need for Independent Review:** The submission calls for an independent review of the noise modelling and flight path designs, alongside clarification from the IAA-SRD regarding the necessity of the current deviations.
10. **Recommendations for Redesign:** A qualified third-party firm should be engaged to redesign the flight paths, ensuring compliance with both ICAO safety regulations and the original planning permissions, to restore trust and minimize community impact.

## Summary

This submission addresses the Inspector's report on Dublin Airport's North Runway (NR) and

challenges the conclusions drawn regarding flight paths and noise modelling. The deviations from the original Environmental Impact Statement (EIS) have significant consequences, and the noise modelling provided by the applicant and its consultants contains discrepancies. We believe these issues undermine the draft decision and must be resolved before any further action is taken.

### **Flight Path Deviation**

The Inspector acknowledges that current flight paths differ from those submitted in the 2007 EIS, which laid the foundation for planning permission. The approved departure route, known as the Noise Preferential Route (NPR), required aircraft to depart straight ahead for 5 nautical miles before turning. However, current flight paths deviate immediately on take-off, significantly affecting noise exposure in surrounding areas.

The Inspector incorrectly accepts the applicant's argument that these deviations were necessary for safety, citing guidance from the Irish Aviation Authority (IAA). However, this conflates the roles of two IAA divisions: the Safety Regulation Division (IAA-SRD) and the air traffic control service provider, AirNav. It is critical to clarify that the IAA-SRD's role is limited to approving or rejecting submissions for compliance with safety standards. AirNav, as a service provider, is not an authority on regulatory safety standards. This confusion has led to a flawed conclusion that current flight paths are essential for safe operations.

### **Noise Modelling Inconsistencies**

Our analysis shows significant discrepancies in the noise modelling for eastbound and westbound departures. Aircraft departing westward (Runway 28R) make banked turns, reducing their climb efficiency and prolonging their proximity to the ground. This should result in higher noise levels for westbound departures compared to eastbound ones, where aircraft climb straight ahead. However, the models show the opposite—westbound noise zones extend significantly less than those for eastbound flights, which is illogical given the aerodynamics involved.

We raised this issue with Bickerdike Allen Partners (BAP), the consultants responsible for the noise modelling, but they declined to engage and directed us to the daa. The unexplained differences between eastbound and westbound noise contours cast doubt on the reliability of the noise models and, by extension, the conclusions based on them.

### **Vanguardia Report and Safety Justifications**

The Vanguardia report, which the Inspector relies on, incorrectly asserts that the deviations from the NPR are necessary to comply with International Civil Aviation Organization (ICAO) safety requirements for parallel runways. Vanguardia claims these deviations are minor—limited to 15 degrees—when, in fact, the deviations are much larger, up to 86 degrees for westbound departures. The ICAO requirement cited refers to a 30-degree separation between parallel runway departure and missed approach tracks, but this does not mandate turning off the NPR immediately. The applicant could achieve compliance with ICAO standards without such drastic deviations, such as by modifying the missed approach route from the adjacent south runway. This oversight suggests that the deviation was a design choice rather than a regulatory necessity, designed to maximize long-term future operational capacity rather than ensure compliance with planning conditions.

## Confusion Over IAA's Role

A key issue is the conflation of AirNav's role as a service provider with that of the IAA-SRD, the safety regulator. AirNav designed the current flight paths under contract with the daa, but claims it is not responsible for ensuring these paths meet planning or environmental conditions. The IAA-SRD only verifies that procedures meet the minimum safety standards; it does not consult on, design, or recommend flight paths.

This confusion has led the Inspector to accept the applicant's assertion that the current deviations are a safety requirement imposed by the IAA. In reality, the IAA-SRD's role is limited to approving submissions without falling below minimum safety standards. It does not endorse specific flight paths or dictate how to achieve regulatory compliance. Thus, the decision to depart from the NPR remains entirely within the control of the applicant and AirNav, not the IAA-SRD.

## Planning Condition 1 Breached

The deviations from the original NPR represent a clear breach of Condition 1 of the North Runway's planning permission, which required strict adherence to the noise zones central to the 2007 EIS. These deviations have led to significantly higher noise exposure for at least 30,000 residents, compared to the 400-500 estimated to live in the original EIS's westerly noise zones. Despite this, the Inspector has dismissed the impact of these deviations as minor and operational. However, the deviation has resulted in a substantial change to the environmental impact of the North Runway, which should have required a differential Environmental Impact Assessment Report (EIAR). The failure to assess the effects of these altered flight paths as compared to the original permission violates the integrity of the planning process and undermines the basis for the decision.

## Recommendations

Given the misunderstanding of the roles of AirNav and the IAA-SRD and the apparent inaccuracies in the noise modelling, we recommend the following actions:

- **Clarification from the IAA-SRD:** An Bord Pleanála (ABP) should request formal clarification from the IAA-SRD regarding whether the current flight paths were mandated by the safety regulator as the only compliant solution.
- **Independent Noise Modelling Review:** ABP should commission an independent review of the noise models produced by Bickerdike Allen to resolve the discrepancies between eastbound and westbound departures.
- **Redesign of Flight Paths:** A qualified third-party firm should be engaged to redesign the North Runway procedures, ensuring compliance with both ICAO safety regulations and the original planning permission.

## Conclusion

The current flight paths for the North Runway deviate significantly from the approved NPR, resulting in vastly higher noise exposure for surrounding communities. These deviations, inaccurately justified as necessary for safety, have been designed by AirNav for daa without regard to planning conditions or environmental impacts. The noise modelling provided is inconsistent and appears to minimize the true impact of these deviations.

ABP must address these issues before finalizing the draft decision. We strongly urge a transparent review process that includes clarification from the IAA-SRD and independent analysis of the noise models. Only then can a fair and accurate decision be reached, one that respects both the planning process and the rights of affected residents.

**Introduction** The Inspector's Report has rightly concluded that the adverse impact of the Relevant Action on the surrounding communities would be too severe to justify granting permission. The proposal's request for additional hours of operation on the north runway and a projected increase in night-time activity would result in significant additional awakenings, which are well-documented to cause substantial health and well-being consequences, including increased risks of cardiovascular disease, mental health disorders, and sleep-related cognitive impairments. Given these findings, it is essential that any current or future expansion of airport activity during night-time hours be

disallowed but at the very least strictly limited by a movement cap of 13,000 annual night-time flights, as proposed. Proposed operations on the north runway from 6am to midnight presents unacceptable risks to health and quality of life, and in particular will cause further catastrophic and unreasonable sleep disruption for residents and families already suffering due to north runway flightpaths. The following summary points highlights the inadequacies of the DAA application: 1.0 Inadequacy of DAA Application • The Dublin Airport Authority (DAA) application fails to assess or mitigate the adverse effects of nighttime noise adequately. Average metrics like % Highly Sleep Disturbed (HSD) and Lnight fail to capture acute impacts such as awakenings, which have immediate and long-term health consequences<sup>1</sup>. 1

[https://www.europarl.europa.eu/RegData/etudes/STUD/2020/650787/IPOL\\_STU\(2020\)650787\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/650787/IPOL_STU(2020)650787_EN.pdf) 2 • The inspector has defined that more than 1 additional awakening per night as a result of aircraft noise is a significant adverse impact<sup>2</sup>. 2.0 Insulation Limitations: • Insulation measures cannot fully mitigate nighttime noise due to factors like open windows, low-frequency noise, and peak noise events. The WHO average insulation value of 21 dB assumes windows are open 20% of the year, making insulation less effective. • The introduction of a new insulation criteria of 80dB L<sub>AS</sub>Max is welcomed, however, without a detailed set of maps indicating who qualifies for this the decision is incomplete. • The proposed grant value of €20,000 is considered inadequate to fully insulate those homes that qualify. Comparisons to other EU countries are incomplete and do acknowledge the fact that construction costs in Ireland and particularly Dublin are close to the highest in the EU. The scheme should be redesigned to cover the full cost of insulation. •

Residential Noise Insulation Scheme (RNIS) and Home Sound Insulation Program (HSIP) do not meet modern health protection standards. Insulation is unsuitable for nighttime impacts and cannot substitute for operational restrictions like movement caps. 3.0 Necessity of the Movement Limit and Rejection of the Additional North Runway Operating Hours: • The movement cap of 13,000 nighttime flights is critical to reducing noise impacts and protecting public health. Without this cap, noise exposure levels will rise significantly, endangering the well-being of nearby residents. • The proposed additional operating hours from 6am to 7am and from 11pm to midnight on the north runway are completely unacceptable. The flightpaths in operation from north runway are causing huge suffering, distress and sleep disturbance for tens of thousands of people in Fingal and Meath. • Adding a further two hours to the schedule when most people are trying to sleep only makes and unreasonable situation even worse. The flightpath issue must be solved firstly before any other changes can be considered. For context, there were 40 departures between 6am and 7am on Monday 16 December 2024. This is the busiest hour of each day at the airport. It would be disastrous if these 40 departures were switched to the North Runway because they would now be taking a divergent turn and flying low (on full power while turning) over communities who should not be under or near to a flightpath. The volume and frequency would be much greater in the summer period. 4.0 Unauthorised Flight Paths and Breach of Planning Conditions • The DAA has implemented flight paths that deviate significantly from those approved in the Environmental Impact Statement (EIS). These unauthorised deviations expose previously unaffected areas to significant noise impacts, creating unassessed risks. 2 The inspector has concluded “in conjunction with the board’s independent acoustic expert that the information contained in the RD and the RA does not adequately demonstrate consideration of all measures necessary to ensure the increase in flights during the nighttime hours would prevent a significant negative impact on the existing population.”

3 • The deviations breach Condition 1 of the planning permission, which requires adherence to the originally assessed flight paths. No updated Environmental Impact Assessment (EIA) or planning application has been submitted for these changes. • Affected communities have and are experiencing unreasonable noise levels without proper consultation or mitigation measures. Local schools have been impacted. The impact has been devastating for communities with families now feeling like they have no option but to sell their homes. • The unauthorised flight paths undermine the planning system’s integrity, setting a dangerous precedent for future projects. Granting permission under these conditions violates planning laws and obligations under the EIA Directive. • There are multiple possible means of compliance with the pertinent ICAO regulations. IAA has

received and approved only the one chosen by daa as Aerodrome Operator. • Any inference or implication that IAA instructed or caused daa to deviate from the route approved in their planning permission is not correct. 5.0 Night Flight Restrictions in Europe and Implications for Dublin • Major airports like Schiphol, Heathrow, and Frankfurt enforce strict caps or curfews on nighttime flights. Dublin's proposed 31,755 annual nighttime flights far exceed these airports' limits relative to passenger numbers. • European airports prioritize reducing noise exposure to mitigate sleep disruption, cardiovascular risks, and stress. • Adopting the 13,000-flight cap aligns Dublin with international best practices, ensuring proportional and sustainable operations. • Without the movement limit the Noise Abatement Objective (NAO) set by ANCA for Dublin Airport cannot be fully achieved. 6.0 Health and Environmental Impacts • Chronic exposure to nighttime aircraft noise increases the risks of cardiovascular disease, hypertension, and mental health issues. Children's cognitive development is adversely affected, impairing memory, learning, and overall performance. • Health-related costs, including healthcare expenses and reduced productivity, are substantial and long-term. For example, Brussels Airport's health cost analysis suggests similar impacts at Dublin could reach €750m annually. • The DAA analysis has not used the correct population datasets in determining the impacts. This underestimates the impact on the communities around the airport. • Evidence from health agencies emphasizes that noise-induced sleep disturbance is a significant environmental health risk. Ignoring these risks contravenes principles of sustainable development and public health protection. 7.0 Recommendations • Immediately halt unauthorised deviations and revert to the flight paths approved under the original EIS. • At the very least, maintain the cap of 13,000 nighttime flights to prevent further degradation of community health and well-being, however due to the severity of the projected health and environmental impacts that nighttime aircraft noise presents, a complete ban on night-time flights should be strongly considered. • Implement the Noise Quota System to incentivize quieter aircraft and ensure proportional operations. • Reject the proposed additional hours of operation on the north runway for reasons outlined.