

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 20/12/24
from Ciaran McCreary I recommend that section 131 of the Planning
and Development Act, 2000 ~~be~~/not be invoked at this stage for the following reason(s):

no w 18/12/24

Section 131 not to be invoked at this stage.

☒

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

☐

Signed



EO

Date

21/1/25

Signed

SEO/SAO

Date

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

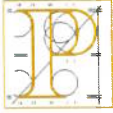
EO

Date

Signed

AA

Date



An
Bord
Pleanála

Planning Appeal Online Observation

Online Reference
NPA-OBS-004122

VFK, Q4/12

Online Observation Details

Contact Name
Ciaran McCreary

Lodgement Date
20/12/2024 13:43:28

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Ciaran McCreary

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Cathy Carleton

EO

Date

Fee Refund Requisition

Please Arrange a Refund of Fee of

€ 50

Lodgement No

LDG-076954-24

Reason for Refund

Overpaid - already a party

Documents Returned to Observer

☐ Yes

☒ No

Request Emailed to Senior Executive Officer for Approval

☒ Yes

☐ No

Signed

Cathy Carleton

EO

Date

24/12/24

Finance Section

Payment Reference

ch_3QY6UGB1CW0EN5FC02DhOwRw

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board
Member

Date

Date

To: An Bord Pleanála

Re: Appeal of Relevant Action Draft Decision

Case Number: 314485

Contact Details:

Name Ciaran McCreary

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Email Address ciaran_mccreary@yahoo.com

Date 20/12/2024

Introduction

The Inspector's Report has appropriately determined that the negative effects of the Relevant Action on nearby communities are too significant to warrant approval. The request for extended operating hours on the north runway and an anticipated rise in nighttime activities would lead to a considerable increase in nighttime awakenings, which are well-documented to have serious health implications, including heightened risks of cardiovascular disease, mental health issues, and cognitive impairments related to sleep.

As the owner of a home audio recording studio, I am particularly concerned about how increased airplane noise during these extended hours would disrupt my ability to produce high-quality recordings. The noise pollution would not only affect my work but also impact the overall sound environment of the community.

In light of these findings, it is crucial that any current or future expansion of airport operations during nighttime hours be prohibited, or at the very least, strictly limited to a cap of 13,000 annual nighttime flights, as suggested. The proposed operations on the north runway from 6 AM to midnight pose unacceptable risks to health and quality of life, causing further severe and unreasonable sleep disruptions for residents and families already affected by the flight paths of the north runway. [1.0](#)

1. 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 consequences¹.
- The inspector has defined that more than 1 additional awakening per night as a result of aircraft noise is a significant adverse impact².

2. Insulation Limitations:

As a home audio recording studio owner, I want to express my concern regarding the following points:

- Insulation measures cannot fully mitigate nighttime noise due to factors such as 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, which makes insulation less effective.
- While the introduction of a new insulation criterion of 80 dB LASMax is a positive step this is not good enough for a recording studio, the lack of detailed maps indicating who qualifies renders the decision incomplete. For nighttime noise, a LASmax level of 45 dB or lower is often recommended for residential areas to avoid sleep disturbances. In the context of recording studios, aiming for lower LASmax levels—such as 30 dB or below—would help minimize external noise interference during recordings.
- The proposed grant value of €20,000 is inadequate to fully insulate qualifying homes. Comparisons to other EU countries are insufficient and fail to recognize that construction costs in Ireland, particularly in Dublin, are among the highest in the EU. The scheme should be redesigned to cover the full cost of insulation.
- Additionally, the Residential Noise Insulation Scheme (RNIS) and Home Sound Insulation Program (HSIP) do not meet modern health protection standards. Insulation is ineffective against nighttime impacts and cannot replace operational restrictions like movement caps.

As a recording studio owner, I am particularly impacted by these noise issues, as they affect the quality of my work and the overall environment in which I operate.

3. 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. 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 unauthorized deviations expose previously unaffected areas to significant noise impacts, creating unassessed risks.
- 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 unauthorized 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. 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. 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. Recommendations

- Immediately halt unauthorized 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.

Regards

 20/12/2024
Ciaran McCreary