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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 20/12/24
from

Clr Dan Holligan 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 new issues

E.O.: [Signature]

Date: 31/12/24

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 FORMAppeal No: ABP 314485Please treat correspondence received on 20/12/24 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 Stamped Filled in <input type="checkbox"/>
EO: <u>[Signature]</u>	AA: <u>F. Martinez</u>
Date: <u>31/12/24</u>	Date: <u>21/12/24</u>

Lisa Quinn

From: Dean Mulligan <Dean.Mulligan@cllrs.fingal.ie>
Sent: Friday, December 20, 2024 1:47 PM
To: Appeals2
Subject: Case no 314485
Attachments: Outlook-k4qf5n2k; Outlook-rmb3twaj; relevant action submission Cllr Dean Mulligan.docx

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 all,

Please see attached submission on case number 314485 Draft decision for relevant action at Dublin Airport

All the best,

Cllr Dean Mulligan



KEEP UP TO DATE: SIGN UP TO MY **NEWSLETTER**



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20/12/2024

Observation on Behalf of Cllr. Dean Mulligan

Case REF: 314485

Subject: Objection to Proposed Night-Time Runway Operations at Dublin Airport

Introduction

The proposed changes to night-time operations at Dublin Airport represent a **flagrant abuse of the planning process**. This application not only undermines the health and well-being of affected communities but also disregards due process in planning, environmental sustainability, and the rights of residents. Furthermore, the **blatant disregard for accurate testing, environmental impact assessments, and public consultation** highlights a pattern of prioritising operational convenience over legal obligations and public trust.

The following observation outlines the key areas of concern, emphasising failures in the planning process and the detrimental impacts of the proposed changes.

Key Concerns and Objections

1. Abuse of the Planning Process

- **Unauthorised Flight Paths:**
 - The Dublin Airport Authority (DAA) has implemented **flight paths that deviate from the approved Environmental Impact Statement (EIS)**. This exposes previously unaffected areas to significant noise impacts without prior consultation or proper mitigation.
 - These deviations **breach Condition 1** of the original planning permission and have not been accompanied by an updated Environmental Impact Assessment (EIA) or planning application.
- **Lack of Transparency:**
 - Communities have experienced significant impacts from noise and environmental degradation, yet there has been **no meaningful engagement** with affected residents.
 - The failure to adhere to approved plans erodes public trust in both the DAA and the planning system.

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2. Health and Residential Amenity

Noise Impacts and Sleep Disturbance:

- Chronic noise disruption caused by night-time operations is linked to serious health risks, including:
- Cardiovascular disease
- Hypertension
- Mental health disorders
- Cognitive impairment in children
- Even **one additional awakening per night** due to aircraft noise is deemed a **significant adverse health impact** under WHO guidelines.
- The Noise Quota System (NQS) fails to address the impact of **sharp peak noise events (LA_{max})**, which are a primary trigger for sleep disturbances.

Insufficient Mitigation:

- Proposed insulation measures are inadequate:
- The grant value of €20,000 is insufficient given Ireland's high construction costs.
- Insulation cannot fully address low-frequency noise or sharp peaks, particularly for dormer-style housing.
- The mitigation scheme fails to fully fund the cost of insulation, leaving affected residents to bear the burden of the airport's expansion.

3. Environmental Impact Assessment Failures

Outdated Surveys:

- The Appropriate Assessment (AA) relies on outdated ecological data that does not reflect current environmental conditions, **undermining its validity**.

Lack of Cumulative Impact Assessment:

- The assessment fails to consider cumulative impacts of the North Runway in conjunction with other developments, violating EU Habitats Directive requirements.

Unexamined Environmental Risks:

- The lack of thorough assessments exposes local habitats and species to potential degradation, leaving major impacts unmitigated.

4. Failure to Align with Legal and Regulatory Standards

- The **unauthorised flight paths** and failure to conduct updated EIAs violate:
- Planning laws under the Environmental Impact Assessment Directive
- Obligations under the EU Habitats Directive

- Granting permission under these conditions would set a dangerous precedent, undermining the integrity of the planning system.

5. Inadequate Noise Quota System

- While the NQS incentivises quieter aircraft, it does not cap the **number of night-time movements**, which could reach **31,755 annually**.
- This far exceeds limits at comparable European airports (e.g., Heathrow, Schiphol, and Frankfurt), which enforce strict caps or curfews.
- Without a cap, the **Noise Abatement Objective (NAO)** cannot be achieved, and cumulative noise impacts will persist.

6. Health and Economic Costs

- Health-related costs associated with noise impacts, including healthcare expenses and reduced productivity, could reach **€750 million annually**, as evidenced by similar analyses at Brussels Airport.
- Ignoring these risks contravenes principles of sustainable development and public health protection.

7. Recommendations

To address these critical concerns, the following actions are recommended:

1. Cease Unauthorised Flight Paths:

- Revert to the flight paths approved under the original EIS.
- Conduct a new EIA to assess the impacts of any proposed deviations.

2. Retain the Movement Cap:

- Reinstate the cap of **13,000 night-time flights annually** to ensure proportional and sustainable operations.
- Combine this cap with the NQS to incentivise quieter aircraft.

3. Improve Insulation Measures:

- Fully fund insulation for all eligible homes.
- Expand eligibility criteria to include those impacted by **L_{Amax} > 80 dB**.

4. Reject the Application:

- Refuse permission until all unauthorised deviations cease, and appropriate testing, assessments, and public consultations are completed.

Conclusion

The proposed changes to night-time operations at Dublin Airport demonstrate a disregard for planning integrity, public health, and environmental sustainability. These failings must be addressed to restore trust in the planning system and protect the well-being of affected communities. I strongly urge the rejection of this application to uphold legal and regulatory standards, ensure transparency, and prioritise the needs of residents.

Your Sincerely



Cllr. Dean Mulligan