

File With _____

SECTION 131 FORM

Appeal NO: ABP 314488

TO: SEO

Defer Re O/H ☐Having considered the contents of the submission dated/ received 20/12/26
fromMichael O'Connor 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 28/12/26E.O.: [Signature]Date: 23/12/26

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 _____

VI _____

Please treat correspondence received on _____ as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP _____

3. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

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

Amendments/Comments

4. Attach to file

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

EO:

Plans Date Stamped ☐Date Stamped Filled in ☐

AA:

Date:

Date:

Validation Checklist

Lodgement Number : **LDG-076922-24**
Case Number: **ABP-314485-22**
Customer: **Michael O'Connor**
Lodgement Date: **20/12/2024 11:23:00**
Validation Officer: **James Sweeney**
PA Name: **Fingal County Council**
PA Reg Ref: **F20A/0668**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**



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Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

BP40 ✓ FD 24/12

Run at: 23/12/2024 10:20

Run by: James Sweeney

Lodgement Cover Sheet - LDG-076922-24

Details

Lodgement Date	20/12/2024
Customer	Michael O'Connor ✓
Lodgement Channel	In Person
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Categorisation

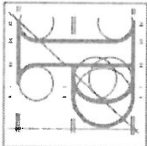
Lodgement Type	Observation / Submission
Section	Processing

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Paid	50.00
Refund Amount	

Observation

314655



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Lodgement ID	LDG-076922-24
Map ID	
Created By	Shirley Connolly
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

PA Name	Fingal County Council
Case Type (3rd Level Category)	

Observation/Objection Allowed?	
Payment	PMT-060008-24
Related Payment Details Record	PD-059865-24

B746

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

Date: 18/12/24

To: An Bord Pleanála

Re: Appeal of Relevant Action Draft Decision

Case Number: 314485

Contact Details:

Michael O' Connor

Coolquay Nurseries

The Ward

Co Dublin

D11 AC92

Contact No: 01/8351289

Moblie: 087 2848005



Re: A proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, which related to the night-time use of the runway system at Dublin Airport, Co. Dublin.

This application should have been refused outright by the planning authorities. The health of our family, customers and community should be prioritised. We have been tormented since the opening of the North Runway in August 2022. We have lived here for over 40 years, raised our son and run a business from our home so there is no escape for us from the high levels of continuous noise we are exposed to (see webtrak maps attached identifying our home and business).

Our quality of life is extremely diminished due to the level of noise as aircraft fly directly over our property. We suffer extreme stress, anxiety, annoyance and sleep loss. The two extra hours at night would be detrimental to our health.

We love to walk and cycle in the area but now we feel that this is dangerous as we are possibly being exposed to extra microscopic particles which can be extremely damaging to our health and even life threatening.

We received a letter from the DAA to take part in their scoping exercise for eligible homes. The grant being a sum of Euro20,000 is totally inadequate. We replaced our windows before the opening of the North Runway and the cost was way more than the grant being offered. It is totally unacceptable to have to take our home apart to soundproof it and pay for the cost ourselves, due to the change in the flight paths.

To: An Bord Pleanála

Re: Appeal of Relevant Action Draft Decision

Case Number: 314485

Contact Details:

Name	Michael O'Connor
Address	Coolquay Nurseries The Maud Co Dublin D11AC92
Contact Number	01/8351289 / 087 2848005
Email Address	N/A
Date	18/12/2024

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 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. These impacts underscore the urgent need for stringent controls to protect affected communities.

Given these findings, it is essential that any current or future expansion of airport activity during night-time hours be strictly limited by a movement cap of 13,000 annual night-time flights, as proposed. However, the severity of the projected health and environmental impacts suggests that a complete ban on night-time flights may ultimately be necessary to ensure the well-being of affected communities. Night-time operations present unacceptable risks to health and quality of life, and the evidence strongly supports minimising or eliminating such activity to meet public health and sustainability goals.

Without such measures, the application should have been refused outright by the planning authorities, as the adverse impacts clearly outweigh any potential benefits. Therefore, the application must now be rejected to protect the integrity of the planning process, uphold public health standards, and ensure that the needs of the local community are prioritised over operational convenience.

The following expanded summary highlights the inadequacies of the DAA application, the breaches of planning conditions, and the need for a comprehensive approach to managing night-time flights, which includes the retention of the movement cap as an immediate measure and consideration of a full ban on night-time operations to safeguard public health and community welfare.

1.0 Inadequacy of DAA Application and Necessity of Movement Limit

- **Failure to Address Noise Impacts:**
 - 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 L_{night} fail to capture acute impacts such as awakenings, which have immediate and long-term health consequences.
- **Health Implications of Nighttime Noise:**
 - Chronic sleep disruption contributes to cardiovascular disease, mental health disorders, and reduced cognitive performance.
 - The WHO highlights that even one additional awakening per night represents a significant adverse health impact, ignored in the DAA's proposals.
- **Projected Impacts:**
 - The inspector has defined that more than 1 additional awakening per night as a result of aircraft noise is a significant adverse impact.
 - 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.”
- **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_{ASMax} is welcomed, however, without a detailed set of maps indicating who qualifies for this the decision is incomplete.
 - Furthermore, the 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.
 - It is fundamentally wrong that anybody who is so significantly affected by the negative impacts of noise from the proposed development should have to carry the cost of any mitigation works needed.
 - The scheme should be redesigned to cover the full cost of insulation.
- **Necessity of the Movement Limit:**
 - 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.

- **Conclusion on Permission:**
 - The permission should be denied due to the DAA's insufficient noise mitigation measures and failure to address core public health risks.

2.0 Unauthorised Flight Paths and Breach of Planning Conditions

- **Deviation from Approved Flight Paths:**
 - 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.
- **Failure to Seek Updated Permissions:**
 - 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.
- **Community Impacts:**
 - Affected communities have experienced 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.
 - Trust in the DAA has been severely eroded due to a lack of transparency and accountability.
- **Legal and Procedural Concerns:**
 - 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.
- **Conclusion on Permission:**
 - Permission should be unequivocally denied until unauthorised flight paths cease and comprehensive reassessments are completed.

3.0 Right of Appeal in the Aircraft Noise Act 2019

- **Legal Framework:**
 - Section 10 of the Aircraft Noise Act permits appeals of Regulatory Decisions (RDs) by relevant persons who participated in the consultation process.
 - SMTW (St. Margaret's The Ward Residents Group) qualifies as a relevant person under this framework.
- **Inappropriate Refusal of Appeal:**
 - SMTW's appeal against noise-related RDs was inappropriately denied by An Bord Pleanála, despite clear legislative provisions supporting it.
 - Denial of appeal prevents critical scrutiny of noise mitigation measures and exacerbates community disenfranchisement.
- **Importance of Appeals:**
 - Appeals are vital for maintaining transparency, ensuring accountability, and balancing airport operations with community welfare.
- **Conclusion:**
 - Denying appeals undermines public trust and violates the Aircraft Noise Act's intent to provide affected parties a voice.

4.0 Noise Quota System in the Fingal Development Plan

- **Policy Objectives:**
 - Objective DA016 supports a Noise Quota System (NQS) to reduce aircraft noise impacts, particularly during nighttime operations.
 - The policy prioritizes community health, sustainability, and the use of quieter aircraft.
- **Challenges in Implementation:**
 - Without a cap on nighttime flights, cumulative noise impacts will persist despite efforts to incentivize quieter aircraft.
 - Current plans increase noise exposure above 2019 levels, violating noise abatement objectives.
- **Recommendations:**
 - Enforce a movement limit alongside the NQS to ensure it effectively reduces noise disturbances.
 - Align the system with best practices observed at major European airports.

5.0 Night Flight Restrictions in Europe and Implications for Dublin

- **European Comparisons:**
 - 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.
- **Health and Environmental Alignment:**
 - 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.
- **Conclusion:**
 - The proposed number of flights is disproportionate and poses unacceptable health and environmental risks.
 - Without the movement limit the Noise Abatement Objective (NAO) set by ANCA for Dublin Airport cannot be fully achieved.

6.0 Inadequacy of Insulation in Mitigating Aircraft Noise-Induced Awakenings

- **Technical Limitations of Insulation:**
 - Insulation does not address critical noise issues, such as low-frequency noise penetration and sharp peaks triggering awakenings.
 - Dormer-style housing near the airport is particularly susceptible to noise, rendering insulation largely ineffective.
- **Existing Schemes Are Insufficient:**
 - 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.
- **Alternative Mitigation Measures:**
 - Voluntary purchase schemes for residents in high-noise zones should be expanded to address the most severe impacts effectively.
- **Conclusion:**
 - Insulation alone cannot mitigate nighttime noise impacts; operational restrictions must remain central to mitigation strategies.

7.0 Health and Environmental Impacts

- **Noise-Induced Health Risks:**
 - 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.
- **Economic Costs:**
 - 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.
- **Population Exposed:**
 - The DAA analysis has not used the correct population datasets in determining the impacts. This underestimates the impact on the communities around the airport.
- **Public Health Submissions:**
 - 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.

8.0 Other Environmental Impacts

- **Use of Outdated Surveys:**
 - The Appropriate Assessment (AA) relied on outdated ecological surveys that do not accurately reflect current environmental conditions.
 - Failure to update surveys undermines the validity of the assessment and risks overlooking critical impacts on local habitats and species.
- **No AA on Full North Runway Development:**
 - The AA did not assess the full scope of the North Runway development, focusing only on limited aspects of the proposal.
 - Significant components of the development were excluded, leaving major potential impacts unexamined.
- **No Cumulative or In-Combination Assessment:**
 - The AA failed to consider cumulative impacts arising from the interaction of the North Runway with other existing and planned projects in the vicinity.
 - The absence of an in-combination assessment violates key legal requirements and risks underestimating the overall environmental impact of the development.
- **Non-Compliance with Legal and Regulatory Standards:**
 - The failure to provide an accurate, comprehensive, and up-to-date AA breaches obligations under the EU Habitats Directive.
 - The planning process has been compromised by this omission, exposing the development to potential legal challenges.
- **Potential Environmental Risks:**
 - The lack of thorough assessment could lead to significant unmitigated impacts on protected habitats and species, including cumulative degradation of local ecosystems.

9.0 Recommendations and Final Position

- **Cease Unauthorised Flight Paths:**
 - Immediately halt unauthorised deviations and revert to the flight paths approved under the original EIS.
 - Conduct a new EIA to assess the impacts of any proposed deviations.
- **Retain Movement Limit:**
 - Maintain the cap of 13,000 nighttime flights to prevent further degradation of community health and well-being.
 - Implement the Noise Quota System to incentivize quieter aircraft and ensure proportional operations.
- **Refuse Permission:**
 - Granting permission under these circumstances undermines planning integrity and public trust.
 - Upholding planning law and ensuring transparent, evidence-based assessments are essential for future airport operations.

Please see attached letter received by hand 03/07/24 from the daa seeking to undertake scoping works at our home. The letter is dated 18th June 2024. I feel that this was pre-empting the decision of An Bord Pleanala.

Furthermore, our home and business was not in the Eligibility Contours before March 2024

daa opt
Trí, An Bóthche
Eileanair Aerfort Bhaile Átha Cliath
Aerfort Bhaile Átha Cliath
Sord, Contae Bhaile Átha Cliath
K67 X4X5

I. 353-1-944 1111
www.daa.ie

daa plc
Three, The Green
Dublin Airport Central
Dublin Airport
Swords, Co Dublin
K67 X4X5



Our Ref: 80467891

18th June 2024

Property Owner,
Coolquay Common,
The Ward,
Co. Dublin,
D11AC92

Dear Property Owner

Re: Proposed Residential Sound Insulation Grant Scheme

As you may be aware, daa lodged a "Relevant Action" planning application in 2020 seeking to amend and replace two planning conditions associated with North Runway. As part of this application an insulation grant scheme has been proposed. If approved, the Scheme will provide financial assistance to eligible property owners in the form of a €20,000 grant which can be put towards the cost of noise insulation measures in the bedrooms of eligible properties. Your property has been potentially identified as an eligible property under this proposed Scheme, this will be confirmed once An Bord Pleanála (ABP) decision is received.

Whilst Fingal County Council has issued a notification to grant planning permission for daa's application, it is still considered to be a live application and is currently under appeal with An Bord Pleanála. Whilst we have no indication of what the outcome will be from this appeals process, we do have to carefully consider how we would deliver the Residential Sound Insulation Grant Scheme (RSIGS) as efficiently and effectively for all eligible homeowners if it is approved in its current format.

We are therefore seeking to undertake scoping works over the coming months, to assess the potential uptake of the Scheme and the magnitude of works that would have to be carried out. In order to do this, we are inviting a select number of eligible homeowners to participate in this initial scoping exercise. This would consist of a non-invasive survey being conducted and a bespoke Statement of Need being issued, which will outline the measures required to improve the sound performance of your home. The survey work will be undertaken free of charge by daa appointed acousticians and contractors and would take approximately two hours to complete.

Any participation in this exercise is completely voluntary. If you choose not to participate in this exercise, it will not preclude you from involvement in the Scheme in the future if approved.

To re-iterate, the decision from An Bord Pleanála relating to the Relevant Action application, of which the RSIGS is a part of, has not been approved at the time of writing. If the application is refused in the future, then daa will need to consider the impact of same on the proposed RSIGS.

If you do wish to participate, please complete the form overleaf and return it to our office, by post or e-mail. Your engagement would be appreciated and would result in accelerating the delivery of your property if the scheme was to be approved.

Following receipt of the completed form, daa appointed specialist consultants, will make direct contact with you to organise a convenient date on which to undertake the survey.

In the interim, please feel free to contact me, via email, if you have any questions on the above.

Yours sincerely



Les Ffrench

Senior Project Manager

Infrastructure - Noise Insulation

Email: les.ffmpeg@daa.ie

Our Ref: 80467891

I/We the freehold owners of the above property do hereby confirm that I/We wish to be included in the proposed Noise Survey.

Name:

Property Address:

Signature:

Date:

Contact Details:

Telephone Number:

E-mail Address:

Please see attached noise monitor readings from the daa monitor at Kilcoskan School, which my home and business is the property adjoining this. These highlight the noise levels we experience during the day and we feel this is not acceptable to continue through the night.

With the decibels we experience, difficulty taking phone call and speaking with customers as we must continually halt conversation as planes go by.

19:22



WebTrak :...
ak.emsbk.com



 DublinAirport



11 Sep 2024
12:28:32



74

Kilcscan

R130

80

L7205

Cluthe Ln

200 m
500 ft

Leaflet



1x



26 Aug 2024
13:51:49



L5023



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83

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Collquay Lodge

North p

Cor

11 Sep 2024

09:47:08



R122

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Corrstown Golf Course

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North Rd

Ward Cross

65

Sa
a





2 Sep 2024

17:06:42



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Collquay Lodge

North Rd

Corrstown G