

draft 5

SECTION 131 FORM

File With _____ S. 37

Appeal NO: ABP 214485-262
TO: SEO

Defer Re O/H ☐

Having considered the contents of the submission dated/ ~~received~~ 28/11/24
from _____

Shelagh Morris - 2 | recommend that section 131 of the Planning and Development Act, 2000
Office ~~be~~/not be invoked at this stage for the following reason(s): see in reason

E.O.: [Signature] Date: 29/11/24
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 2/3/4weeks – BP _____

IO: _____ Date: _____

A: _____ Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 324485-a

_____ as follows:

Please treat correspondence received on 28/11

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

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐

3. Keep Copy of Board's letter ☐

2. Acknowledge with BP 23

3. Keep copy of Board's Letter ☐

Amendments/Comments

Reply to Draft Decision
Stamp cover page with date stamp ✓

*To be scanned ✓

4. Attach to file

(a) R/S ☐

(b) GIS Processing ☐

(c) Processing ☐

(d) Screening ☐

(e) Inspectorate ☐

RETURN TO EO ☐

Plans Date Stamped ☐

Date Stamped Filled in ☐

AA: Fadiwa Khadija

EO: _____

Date: 29/11/24

Date: 28/11/24

Millhead

St Margarets

Co Dublin

K67 A364

AN BORD PLEANÁLA	
28 NOV 2024	
LTR DATED	28 NOV 2024
LDG-	Sheelagh Morris
ABP-	314485-22

The Board

An Bord Pleanála

64 Straid Maoibhríde

Baile Atha Cliath 1

D01 V902

27th Nov. 2024.

Dear Board Members

Please find attached our submission, to the Draft Decision in relation to F20A/0668 ABP
Ref: ABP-314485-22

Please confirm receipt of this submission to me, as received, by email at
sheelaghmorris@gmail.com.

This has taken many hours to retrieve and compile, to appeal to you, to give the
balanced decision that recognizes residents and community groups around Dublin
Airport.

As this is a very critical issue for us all here, I respectfully ask you to view the details
attached and the events over the last 30 years and costs incurred, to reach this impass,
we find ourselves in. The Government and Ministers have abandoned us and we only
have the creditability of the Planning system, as it is now, with ABP, to bring fairness
and justice, to the increased population now impacted with the removal of Condition
3(d) and Condition 5 of PL07F.217429. It appears that DAA control Fingal County
Council and ANCA. Taking this opportunity to wish you all well, and Nollaig Shona.

Yours sincerely,

Sheelagh Morris

Sheelagh Morris

27/11/24.

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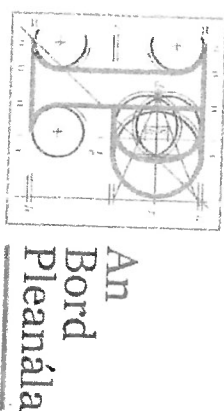
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Our Case Number: ABP-314485-22
Planning Authority Reference Number: F20A/0668



Sheelagh Morris and others
Millhead
Saint Margaret's
Co. Dublin
K67 A364

Date: 16 September 2024

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 relates to the night-time use of the runway system at Dublin Airport.
Dublin Airport, Co. Dublin

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above-mentioned appeal.

The Board has made a draft decision under Section 37R of the Planning and Development Act, 2000 (as amended).

In accordance with Section 37R (4) (c) (i) (ii) of the Planning and Development Act, 2000 (as amended), you are invited to make any submissions or observations that you may have in relation to the draft decision and the related report on or before **23rd December 2024**.

Enclosed is a copy of the draft decision.

Please be advised that the draft decision and the related report may be viewed/downloaded on the An Bord Pleanála website at <https://www.pleanala.ie/en-ie/case/314485>

The Board cannot consider comments that are outside the scope of the matter in question. Your submission may be sent to the offices of the Board at An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 or by email to appeals@pleanala.ie.

Please quote the above appeal reference number in any further correspondence

Yours faithfully,


James Sweeney
Executive Officer

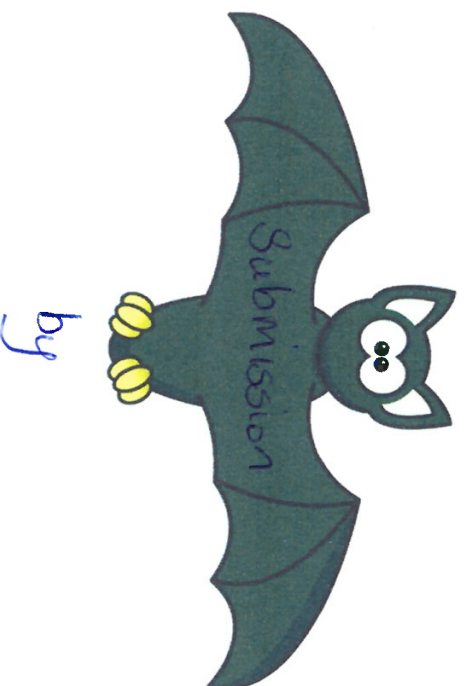
Tell Tel
Glaao Aitúil LoCall
Facs Fax
Láithreán Gréasáin Website
Ríomhphost Email

(01) 858 8100
1800 275 175
(01) 872 2684
www.pleanala.ie
bord@pleanala.ie

64 Sráid Maolbhríde 64 Marlborough Street
Baile Átha Cliath 1 Dublin 1
D01 V902 D01 V902

Draft Decision in accordance with Section 37(4) of the Planning & Development Act 2000

Issued 16th September 2024



Sheelagh Morris & Others

Millhead

St Margarets

Millhead

Kilreesk Lane

The Ward

Dunbro

Draft Decision ABP-314485-22 F20A/0668

Date : November 22nd 2024.



Introduction

The south runway 10R-28L opened for operation in 1989. No planning permission was required – no consideration was taken for the environment and the community living in the flight path, particularly Newtown and St Margarets and Portmarnock.

Fingal County Council was established in Jan 1994 created by Local Government Dublin Act 1993 abolishing Dublin County Council and dividing the region into 4 local authorities, Fingal County Council being the one for Dublin Airport and surrounds. FCC were now the responsible custodians of the airport and the circle it covered.



Fingal County Council granted planning permission in 2004 for North Runway and this was appealed to An Bord Pleanála in 2006. – *F04A/1755*.

An oral hearing took place in 2006 with appellants including St Margarets Concerned Residents Group, Uproar and others. This took place over 14 days.

Following extensive medical and aircraft noise reports from experts commissioned by the appellants, the Inspectors recommended refusal of the application, based on the human impact on communities significantly and adversely affected.

This was further reviewed by the Board of ABP and following request for AI – Additional Information, this was granted with 31 conditions.

In August 2007, DAA were granted permission with 31 conditions to construct Runway 10L-28R within a period of 10 years. PL07F.217429

The permission was granted **only** on the basis of

- **Reduction of Aircraft movements to 65 in total between 11pm and 7am with the exception of safety and maintenance. This included both runways 10R-28L and North runway. – (10L-28R)**

NO aircraft movements on 10L-28R from 11pm to 7am permitting the flightpath residents the right to a nights sleep and for health reasons.

Page 3 of PL06F.217429 - An Bord Pleanála states:

it is considered that the proposed development is necessary to meet the foreseeable need for aviation at Dublin Airport and to provide for a SAFE EXPANSION of AIR TRAFFIC at the airport. It is further considered that, subject to mitigation measures proposed and the CONDITIONS SET OUT BELOW, the proposed development WOULD BE ACCEPTABLE in terms of TRAFFIC, SAFETY and convenience, WOULD NOT PRESENT AN UNACCEPTABLE RISK of water or AIR POLLUTION, would NOT BE PREJUDICIAL to PUBLIC HEALTH DUE TO NOISE IMPACTS or OTHERWISE and would be in ACCORDANCE WITH THE PROPER PLANNING AND SUSTAINABLE DEVELOPMENT OF THE AREA.

What we see here, is the Board of **ABP** stating the conditions set out, are there to limit the risk to public health and air pollution and give DAA and those airlines operating from Dublin Airport a CAP , a very clear limit in relation to people's health and well-being from 11pm – 0700 am – every day .

In August 2008, DAA were refused a request to ABP to remove Condition 3(d) and Condition 5 of PL07F. 217429 -F04A/1755 in a SID (Strategic Infrastructure) . **It was clear at this stage that DAA did not accept the conditions of the planning process.**

Between the period of 2007 (financial Crisis) and 2016 the project was shelved. **This was a 10 year planning permission.**

DAA applied to FCC to extend by a further 5 years to allow construction of it. This became the subject of a JR (Judicial Review) in the High Court along with a breach of condition 12(h) in 2017 . Despite the evidence of the breach – leading to waste material removed (Asbestos) without a signed waste permit from FCC, the Judge permitted the breach , along with extending the planning period by 5 years with no consultation or EIS to review, since the grant in 2007.

The extension of 5 years expired on 27th August 2022 on planning permission PL06F-217429. Therefore the permission has EXPIRED

F20A/0668 is not part of the North Runway and should never have been permitted – IT came on foot of the DAA changing the flightpaths and seeking retention of use of South Runway , for night time, as if PL07F. 217429 never existed.

The Applicant has failed to execute conditions 7, 8 and 9 per ABP's instructions

DAA did not engage in a meaningful manner with the community in formulating the very best Home insulation for those receptors adversely affected, or consider the impact on those with homes living in the flight path, where insulation would not be affective. The use of the CLG (condition 28) was purely used as an information forum and interaction was not permitted in the case of the Voluntary insulation and Voluntary Buy out schemes set up by DAA and FCC, with no input from those impacted in the community. The schemes were presented in a dictatorial manner in November 2016 with no input from St Margarets.

Condition 7, 8 +9 were formulated between Fingal County Council and DAA in November 2016 well before the north runway opened for operation , where a whole new population of receptors were now affected by excessive aircraft noise and aircraft PM (particle Materials so minute , that cannot be seen by the naked eye, and inhaled into the lung) .

DAA HAVE BREACHED THE CONDITIONS AS FOLLOWS:

Condition 8.

The runway hereby permitted shall not be brought into use until noise insulation approved under conditions 6 and 7 above has been INSTALLED in all cases where a voluntary offer has been accepted within the time limit of the scheme.

The home insulation scheme agreed between DAA and FCC in November 2016, is not installed as of yet in all homes, and has been unsuccessful for those directly in the flight path. The recommended night time decibel level of 40db by the WHO is not achievable for those in the direct flightpath. Many new residences, are now affected by aircraft noise, that never were, before North runway opened in August 2022. The home of Peggy Hoey is not eligible for ANY noise insulation and is woken with aircraft on the North runway when arriving as they fly over her home at low altitude. She is just outside the contour line.

To come up with a suggestion in F20A/0668 with a price tag of €20,000 for additional insulation in newly affected homes, to insulate bedrooms proves DAA in association with ANCA, are failing to address human health and the importance of night time rest and sleep. NO additional proposals on the Insulation scheme agreed by FCC and DAA in November 2016 (before ANCA was set up) – Condition 7

The contour of 63db LAeq 16 hours did not reflect the SEL levels or the Lmax (where aircraft are at their loudest taking off) This was highlighted at the Oral hearing for F04A/1755 in 2006. We now see the 40Lnight used for night time and 45Lden used for day time and evening. This metric that does not actually measure what the human ear hears, that impacts on the mental health and well-being

To make up refreshed and ready for the day , depends on night time sleep and if this is compounded day and night after day and night, with long terms consequences on human health and children.

On page 9 of 29 – ABP 314485-22

*It is considered that subject to the reasons and considerations above, and compliance with the conditions set out below, the decision to grant permission in respect to the proposed **development would not seriously injure the amenities of property in the vicinity by reasons of excessive noise disturbance at night** and would in accordance with the proper planning and sustainable development of the area.*

The amenities of property have already been injured since the opening of runway north. DAA have failed to observe and following Condition 5 – with limit of 65 ATMs on ABP's PL06F.217429

The evidence of this now visible with properties not selling on the open market, despite the increase and demand for residential properties

This was flagged by Fingal County Council staff very early, in May 2016. The document states the WHO expected to be published, produces lots of evidence to show that there can be adverse health impacts - raising significant new issues in terms of existing safe noise levels.

(Screen shot – ref; PL07F217429 – Fingal County Council Correspondence dated 18/5/2016) – *Page 8 A*.

Note this file was viewed on a visit to the Fingal office where our residents received a file that was taken back promptly as it should not have been in the public domain. This was removed and not there for viewing after that.

Condition 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 ABP on the 14th Sept 2023 and 4th 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, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

The language in Condition 1 permits DAA and FCC without the input of the community again to proceed, as was the case with the VDIS and VDPS (Voluntary Insulation and Voluntary Dwelling Purchases Scheme – Condition 7 and 9 PL06F-217429)

Condition 9

Prior to commencement of development, a scheme for the voluntary purchases of dwellings shall be submitted in writing to the planning authority. *The scheme shall include all dwellings predicted to fall within the contour of 69db LAeq 16hours within 12months of the planned opening of the runway for use. Prior to the commencement of operation of the runway, an offer of purchases in accordance with the agreed scheme shall have been made to all dwellings coming within the scope of the scheme and such offer shall remain open for a period of 12 months from the commencement of use of the runway.*

The scheme was agreed between FCC and DAA, despite the request of those directly impacted to have an input in 2016 and again in 2017. This was produced at a meeting with the CLG in November 2016, just before the pre-commencement works started on North Runway. The Scheme does not take into account the true value of a home, the amenities, family and community roots, the importance of identity and belonging. Also the stress of moving house, particularly when The red book value plus 30% offered by DAA does not match the market value with the runway now devaluing homes under the flightpath.

One of the most stressful parts of life is moving house. This is not recognised by DAA.

Marjorie O'Shea
From:
To:
Subject:
Attachments:
Tracking:

Peter: I had a very useful meeting with George Sharpson yesterday, which I will brief you whenever suits.

I attach note I have prepared with George Sharpson yesterday, which I will brief you

Marjorie O'Shea
18 May 2016 09:22
Peter Byrne
MOS note: new runway
MOS note: 17 May docx
Peter Byrne

Delivery
Delivered: 18/05/2016 09:22

George has met with Simon Shilton, Noise Consultant. Simon Shilton advises the EPA. He does not do any work for the DAA. George's view is that Simon Shilton should be to provide expertise to us in dealing with the compliance submissions [specifically re predicted 60, 63 and 69 dB LAeq 16 hours contours referred to in the conditions of the predicted contours].

Inner and Outer Noise zones: We also discussed the Inner and Outer Noise zones produces lots of evidence to show that there can be adverse health impacts at m considered heretofore. This report is prepared but has not been published to dat raise significant new issues in terms of existing safe noise levels.

Regards

Marjorie O'Shea | Senior Executive Planner | Fingal County Council | Planning & Strategic
County Hall | Main Street | Swords | Co. Dublin
+353 (0)1 890 5693 | E-mail: marjorie.oshea@fingalcoco.ie

~~14~~ - PLOT 217429

FCC correspondence
12/5/2016

Condition 2 - APB-314485-22

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 ABP PL06F.217429 – F04A/1755) and as extended under F04A/1755/E1 and further amended under ABP ref : ABP 305298 -19 (19A/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.

We see here F04A/1755 is now (3) three different planning permissions, cherry picking the very 2 conditions from the original – and leaving all others in place, in particular the insulation and the home buy out schemes. Following the decision on F04A/1755 – PL06F.217429 in August 2007 – St Margarets Concerned Residents requested a meeting with the Board of ABP as the conditions in relation to the insulation and home buy out were vague and open to interpretation. This was refused, and this has proved to be biased, leaving those in the direct flight path in a very vulnerable position with two very stark choices and destroying their lives in the process.

The attached letter was received, dated 23rd October following the Draft grant of permission F20A/0668. This clearly states there is no obligation to participate but the alternative is to suffer the aircraft noise and the noise pollution (PM) It is interesting to note, the first letter received in 2006 stated K67 A364 was inside the relevant contour lines now K67 A364 is outside the contours - This just shows how contour lines can be changed at a whim, to fit in with planning applications and support NQC methodology to overcome the reality and people problems. The aircraft noise experienced since the North runway opened has increased, and flight path

residents are highly disturbed. With the increase in daily flights, one would like to look forward to a nights sleep. This is not permitted.

I recently had my grandchild of 6 years old staying and he was awake at 7am – informing me those noisy planes woke me. He was on a sleep over and lives in Ardcaith – Co Meath. It is only when children come to stay, their senses and candid conversation, demonstrate the impact on young developing minds and bodies.

For those residents trapped with young families, and going to school in St Margarets and Kilcoskin, the level of duty and care is unacceptable.

The following letter was sent to those homes included in the VDPS of 2006. This is most distressing to those directly under the flight path.

7:363-1-244 7117
www.dane.co

view, Millicent,

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...the seller's duty ac-
...Frauds.

Dr. J. C. G. G. G.

Two homes have now been purchased on Kilreesk Lane, with the price paid published on the My Home.ie Our neighbours were forced to make the decision to move, due to the aircraft noise.

Our understanding was the purchases of our homes would be private and confidential - here we see the price paid for these properties.

K67vx98 - €864,500 – 18th July 2024

K67nw61 - €728,000 – 1st Feb 2024

Daa make it very difficult and are very difficult to engage with, in relation to taking our homes from us, making the process very stressful. Reviewing the pricing of properties, to replace our homes, with the property index increased by 14% - the properties in St Margarets are unsaleable with DAA the only buyers . Knowing this, offers are low and do not cover replacement and the stress of moving that comes with that. There is no consideration for those trapped in the flightpath – whether red circled for buy out or not.

A home which has been insulated by DAA is for sale for the last 6 months with no offer on the Residential commercial market with not one single offer (Shalon Lane St Margarets)

Another property located in The Ward remains on the market also This one is outside the DAA's noise contours.

Many in our community do not have an offer for insulation or for buy out. The communities are treated disgracefully considering the parallel media coverage by Ryan Air, calling us looney residents.

Condition 3 – ABP-31 4485-22

Revoke Part (d) of condition no 3 of ABP permission

PL06F.217429(F04A/1755) Runway 10L-28R (which is the North Runway) shall not be used for take off or landing between 2300 hours and 0700 hours.

And replace with:

(d) Runway 10L-28R shall not be used for take-off or landing between 0000 and 0059 hours (inclusive 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.

(e) Runway 10L-28R shall be used for departure only between hours of 0600 to 0800 am

Reason: in the interest of clarity and to ensure the operation of the runways in accordance with the mitigation measures set out in the EIA report Supplement (Sept 2023) in the interest of the protection of the amenities of the surrounding areas.

So we see here - ONLY take -offs from North runway from 06.00 to 08.00 am where aircraft are much louder taking off and our group will receive the full rigours of the impact.

The insulation is not sufficient and already is failing to provide 40db Lamax inside the homes particularly during the night and at 7am in the morning.

The following is a record from North Runway at 7am – 8.30am

Note the number of flights and the frequency of them.

Also the Lamax levels associated with them

Friday 15th November 2024									
A		B	C	D	E	F	G	H	I
1		Friday 15th November 2024		recorded take-offs from Millhead - Main Bedroom - K67 A364		Time		Decibel	
2		Time		ATMs		Time		ATM	
3		7.01-7.11		1		7.35am		61db	
4		7.14am		1		7.36am		1	
5		7.15am		1		7.39am		1	
6		7.16am		1		7.41am		1	
7		7.17am		1		7.45am		1	
8		7.19am		1		7.46am		1	
9		7.20am		1		7.48am		1	
10		7.22am		1		7.49am		1	
11		7.23am		1		7.50am		1	
12		7.25am		1		7.52am		1	
13		7.26am		1		7.55am		1	
14		7.27am		1		7.56am		1	
15		7.31am		1		7.58am		1	
16		7.32am		1		7.59am		1	
17		7.34am		1		7.57db			
18		21 take offs before 7.35am		14 take offs from 7.35 - 7.59am				9 take offs from 8am to 8.14am	
19		Totals:		21				14	
20		Friday 15th November - recorded at K67 A364 Millhead St Margerets - location main bedroom - awoken from sleep.							
21		This is a snapshot of a winters morning with the W24 slots and number of take offs from North Runway							
22		A complaint was made to DAA complaint line as I was woken up at 7.01am							
23		Fresh air is necessary for me due to medical condition and small window open.							
24		Note readings from iPhone decibel app - the WHO limit is 40db for nighttime - the decibel readings are SEL - Lmax recordings.							

Taken from Main bedroom Friday inside .

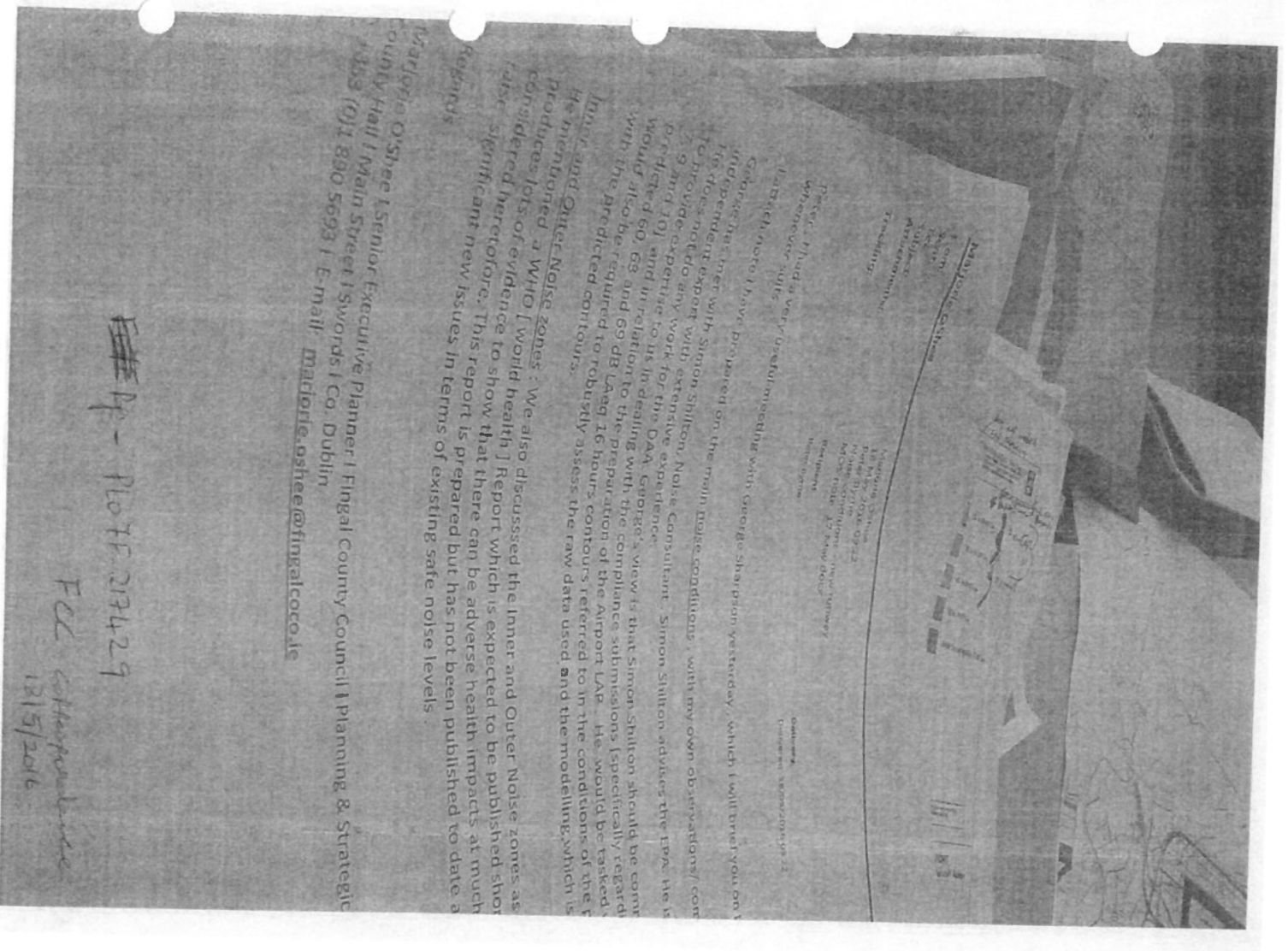
The following is a record from North Runway at 7am – 8.30am

Note the number of flights and the frequency of them.

Also the Lamax levels associated with them

North Runway take off record 15th Nov 2022 - Last Modified 11:40p														
Friday 15th November 2024														
1	Time	ATMs	Decibel	recorded take-offs from Millhead	Time	ATMs	Decibel	Time	ATM	Decibel				
2	7:01-7:11	8		7:35am	1	61db		8:01am	1					
3	7:14am	1		7:36am	1	50db		8:01am	1					
4	7:14am	1		7:39am	1	50db		8:04am	1					
5	7:15am	1		7:41am	1	50db		8:04am	1					
6	7:16am	1		7:45am	1			8:09am	1					
7	7:17am	1		7:46am	1			8:09am	1					
8	7:19am	1		7:48am	1			8:10am	1					
9	7:20am	1		7:48am	1			8:11am	1					
10	7:22am	1		7:50am	1			8:14am	1					
11	7:23am	1		7:52am	1									
12	7:25am	1		7:52am	1									
13	7:26am	1		7:53am	1									
14	7:27am	1		7:56am	1									
15	7:31am	1	61db	7:58am	1									
16	7:32am	1	59db	7:58am	1									
17	7:34am	1	57db	7:59am	1									
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97	7:35am	1												
98	7:35am	1												
99	7:35am	1												
100	7:35am	1												

Taken from Main bedroom Friday inside .



The previous document was a screen shot of a document from a file that was from a file, removed very quickly due to mistake, on a visit by members of St Margarets Concerned Residents Group to the Fingal County Council Office. This file was removed without the opportunity to request a copy. You can see from the wording, there was evidence to show that there can be adverse health impacts, reported in the WHO report not published at that time. This was in 2016 - The airlines and manufacturers have done nothing or very miniscule adjustments in the level of noise for aircraft particularly take-off for category A, B C D

The consequences and impact on human health has been diluted in the glare of commercial profits and the importance of connectivity and the growth of the economy. Truthfully, Shannon and Cork could have taken the additional air traffic. We are told by Ryanair, that the airlines only want Dublin. When DAA fail to enforce the conditions in the operation of their airport, DAA are complicit in the risk and health impacts on the communities affected by increased flights and ATMs.

To state we are outside the contours now – then have a look at the following Contours Explanation which was presented to St Margarets Concerned Residents Group prior to the Oral hearing in 2006.

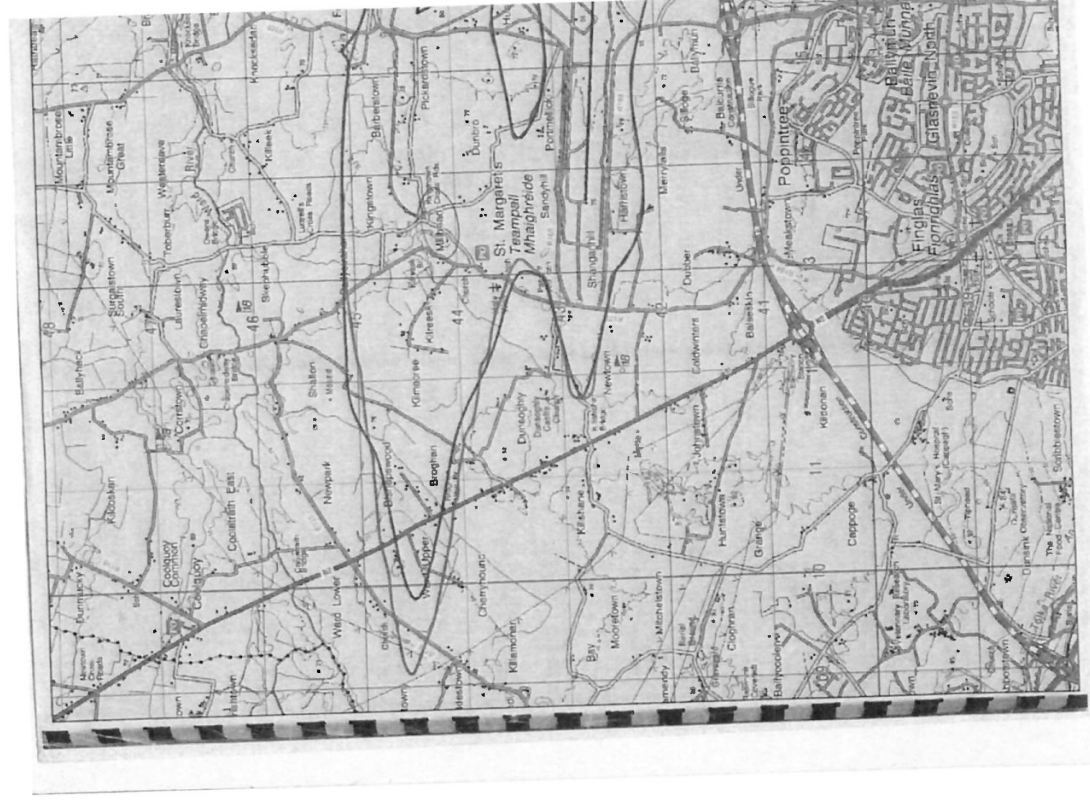
Noise Contours Explanation

The noise contours generated for Dublin Airport represent an average summer day. This is achieved by taking all the flights over the 92 day period of 16th June to 19th September and dividing the total by 92 - thus an average that encompasses all the aircraft types that go in and out of the airport in that summer period. This makes sure none of the noisier aircraft types are missed out. The summer period is used as this is when commercial airports are at their busiest with holiday travel etc. [This 92 day period is used by Heathrow, Gatwick and Stansted amongst others to generate the noise contours that they publish every year.]

The contours do not equate to any one day's flying at Dublin - they are an average. One would never measure precisely the same day after day, hence why an average is used to make things fair. The way noise is calculated, the results will tend towards the noisier events, so it is a very fair way of doing the calculations - it does not "water down" the results.

The contours are generated by using a computer program that looks at every aircraft type, how often it flies, whether it is a departure or arrival and if a departure, where the plane is going so the program can assess how heavy the aircraft will be, thus how it will take off. The noise level and flight profile information used is all standard information that is within the computer model. This model is published by the United States Government's Federal Aviation Authority and it is used worldwide - it is known to be an accurate method and is widely accepted.

The noise level and flight profile information used is all standard information that is within the COMPUTER model. So what do these lines look like?



So we spoke of the property market - one the homes on the market currently is in Shalon Lane and has received the VIHS per condition 7 of PL07F.217429 - therefore DAA recognised the impact of noise on this property - yet it is outside the computer contours. There is a real disconnect here.

This is a map from Mouchel Parkman from the planning application

Northern Parallel runway

Dispersed v's undispersed Contour 63db
Q3-2

Condition 4 seeks to remove the 65 ATM cap, and replace with the Noise Quota Scheme with an annual limit of 16,260 from 11 pm to 7am.

And replace with

The airport shall be subject to a Noise Quota Scheme - annual limit of 16,260 between the hours 2300 and 0700 with noise limits on the aircraft permitted to operate at night.

Period: April 1st to 31st March each year.

As the busy summer period falls in between, May to October, where most of the NQS will be used, what happens then when the figure of 16,260 is reached. Will the figures and statistics be adjusted to make it fit. Will we have another planning application or a stay put on the breach as, has happened on Condition 5. and the passenger cap.

The NQS should at least be divided into quarterly strands and monitored for compliance to ensure DAA and the airlines do not again breach the conditions as they always do.

4,065 from April – June Inclusive

4,065 from July – Sept inclusive

4,065 October – December

4,065 Jan – March Inclusive.

That way if there is a breach in the quarterly, the permitted NQS will be reduced accordingly for the following quarter.

This condition defines the night time as between 11pm and 7am which is correct. But we see the previous condition add the additional 2 hours , removing from night time as follows:

(e) Runway 10L-28R shall be used for departure only between the hours of 0600 to 0800.

So there is a contradiction here as EASA recognise the night time as 11pm – 7 am as many airports have curfews and night time restrictions.

We see the noise level band in EPNdBN another methodology , which is assigned to an aircraft model and make by the aircraft manufacturers with EASA certificates – However this does not fit with the actual noise the human ear receives on take offs and landing and flyovers in the vicinity of the flightpaths.

Recording the take offs on 15th November , it did not matter what the EPNdB were, as we were awoken from restful sleep at 7.01 with aircraft taking off on North Runway.

WHAT IS THE ACTUAL SEL – LAMAX to each of these figures ?

North Runway take off record 15th Nov 2. Saved to this PC

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Formulas

Conditional Formatting

Comments

North Runway take off record 15th Nov 2. Saved to this PC

Friday 15th November 2024

Time	ATMs	Decibel	recorded take-offs from Millhead - Main Bedroom - K67 A364	Time	ATMs	Decibel
7:01-7:11	8		7:35am	1	61db	
7:14am	1		7:36am	1	50db	8:01am
7:15am	1		7:39am	1	50db	8:03am
7:16am	1		7:41am	1	50db	8:04am
7:17am	1		7:45am	1	50db	8:05am
7:19am	1		7:46am	1	50db	8:07am
7:20am	1		7:49am	1	50db	8:08am
7:22am	1		7:50am	1	50db	8:10am
7:23am	1		7:52am	1	50db	8:11am
7:25am	1		7:53am	1	50db	8:14am
7:26am	1		7:55am	1	50db	
7:27am	1		7:56am	1	50db	
7:31am	1		7:58am	1	50db	
7:32am	1		7:59am	1	50db	
7:34am	1		7:59am	1	50db	
7:35am	1		7:59am	1	50db	
Totals:	21		14 take-offs before 7:35am	14		
			9 take-offs from 7:35am to 8:14am	9		

21 This is a snapshot of a winter morning with the W24 slots and number of take offs from North Runway

22 A complaint was made to DPA complaint line as: was woken up at 7:01am

23 Fresh air is necessary for me due to medical condition and small window open

24 Note readings from phone decibel app - the WHO limit is 40db for nighttime the decibel readings are 51. Lumar records

Sheet1

Accessibility Investigate

Noise Classification Level	Quota Count (QC)
Greater than 101.9	16.0
99-101.9EPNdB	8.00
96-98.9 EPNdB	4.0
93-95.9	2.00
90-92.9	1.00
87-89.9EPNdB	0.5
84-86 EPNdB	0.25
81-83.9	0.125
Less than 81 EPNdB	0

What does the following mean in Lamax terms

North Runway take off record 15th Nov 2024 - Saved to this PC

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Formulas

Conditional Formatting Tables Spills

Comments

Search

Friday 15th November 2024

Time	ATM	Decibel	Time	ATM	Decibel	Time	ATM	Decibel
7:01:27.11	8	1	7:35am	1	61db	8:01am	1	1
7:14am	1	1	7:36am	1	50db	8:03am	1	1
7:15am	1	1	7:39am	1	60db	8:04am	1	1
7:16am	1	1	7:41am	1	50db	8:05am	1	1
7:17am	1	1	7:43am	1	1	8:07am	1	1
7:19am	1	1	7:45am	1	1	8:09am	1	1
7:20am	1	1	7:48am	1	1	8:10am	1	1
7:22am	1	1	7:49am	1	1	8:11am	1	1
7:23am	1	1	7:50am	1	1	8:14am	1	1
7:25am	1	1	7:52am	1	1			
7:26am	1	1	7:53am	1	1			
7:27am	1	1	7:54am	1	1			
7:28am	1	1	7:55am	1	1			
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7:30am	1	1	7:58am	1	1			
7:31am	1	1	7:59am	1	1			
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Less than 81 EPNdB

Greater than 101.9

99-101.9EPNdB

96-98.9 EPNdB

93-95.9

90-92.9

87-89.9EPNDB

84-86 EPNdB

81-83.9

We have not received an actual response to this. For us impacted in the flight paths – it is the Lamax and SEL that we look at in relation to the level of noise

THIS NEEDS TO BE CLARIFIED AND DOCUMENTED and connected with the impact on sleep and human health.

Part 3 Noise Quota Count scheme reporting requirements

Along with submitting the reports to ANCA – the Tracking system should be live , on line for residents in the flightpath to track the daily ,weekly and monthly flights and their respective NQC , the airline details to ensure this is adhered to by Ryan Air, Aer Lingus and all other airlines and the operator DAA.

The details of dispensations should also be made available in live time and reported for residents to see, as it is easy to adopt or change procedure as we , as residents note with DAA and Ryan air particularly . In the eyes of Michael O Leary , spokesperson, we are the looney residents and he fails to see we are the human factor and override the profiteering and expansion as with our climate crisis, which our comments follow.

3.2 (a) the first quarterly report - ANCA have until Sept each year – that is 6 months into the NQC year. If DAA and the airlines are way over the quota for the half year ??? what happens then? Reports are always 3 months behind. This is not good enough. There should be a rolling report available weekly. In an age of IT, there is no excuse.

Part 4

Noise Performance Reporting.

The annual reports should also include the L_{max} and SEL as well as 40db L_{night}

45db L_{den}

(b) A full noise assessment should be completed independently on each home in the vicinity of the runway , following the insulation scheme that has not changed from 2016, despite the breach in the 65 ATMs and the passenger cap – on the T2 planning permission.

(f) Summary of complaints records for the preceding Annual period categorised by:

Location of complaints

Reason for complaint.

DAA have dismissed those adversely impacted in the flight paths. The complaint system is a procedure that is not taken seriously.

How do DAA plan to limit the impact on sleep disturbance for residents as the NAO (Noise Abatement Objective) does not include us as there is no noise limit on take-offs particularly and landings on North runway. ANCA and DAA see the solution already there with the letter posted to our homes - Gun to the head

Stay and live in the noise torture

Or sell to us , the only buyer for what we offer.

In the response from Daa on noise complaints it is a computerised document – the same wording .

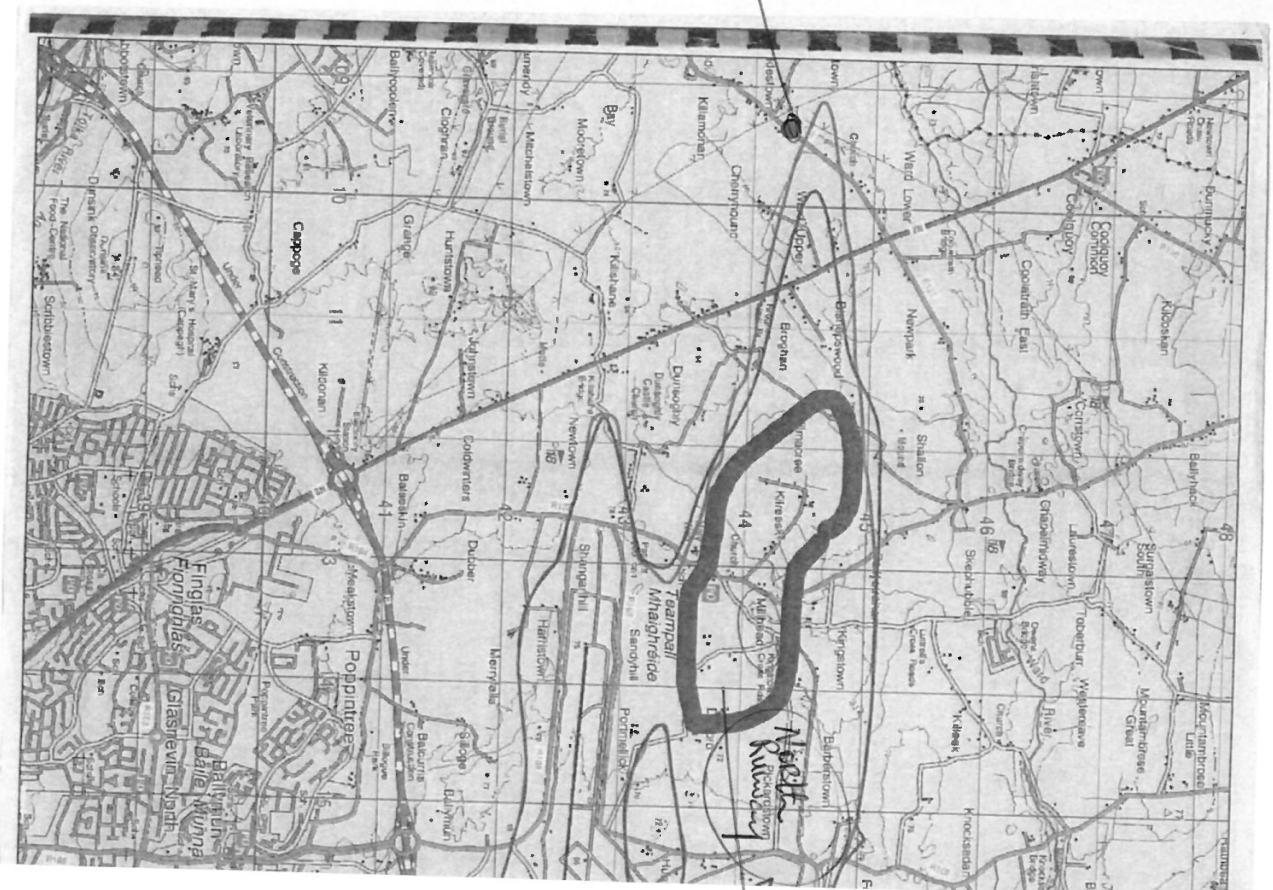
I have now investigated your concerns on our noise and flight track monitoring system and have found that there were aircraft in your vicinity. The aircraft remained within the airspace or the Noise Preferential Route (NPR or environmental corridor) and therefore did not infringe any track procedure in force at Dublin Airport

All aircraft arriving and departing Dublin Airport come under the direction of Airnav Ireland who provide Air traffic control services in Ireland and it is they who are responsible for the routing of aircraft.

I can assure you that we take concerns regarding aircraft noise very seriously and strive to do all we can to minimise any adverse impact from airport operations on both the community and the environment.

So we see the wording STRIVE TO DO ALL WE CAN - we know the work strive is a non-committal word and to forward the responsibility to the IAA (AirNAV) gives the zero level of accountability of DAA.

Apart from one of our group, making this submission , we all live in the *Environmental Corridor* or named properly – *The Longitudinal Corridor* - See copy of Document in Appendices.



Note dot at The Ward is outside the contours. No Home Buy out and no insulation offered despite excessive Aircraft noise over our homes. The Circle represents homes included in Condition 9 – the VDPS agreed by DAA and FCC in 2016 and 2017

Condition 5.

The airport shall be subject to an annual aircraft movement limit of 13,000 between the nighttime hours of 2300 and 06.59 (inclusive local time) with aircraft movements split between the Winter 3,900 and summer 9,100 to allow for extra flights during the 92 day summer period.

Reason: to control the frequency of night flights at the airport so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway.

While this is welcomed:

So how does 13,000 ATMs relate to 16, 260 NQS counts -

Currently there are 130 flights approx. give or take, from 11 to 7am

And we see from 7am this morning we had 35 flights from 7am - 8am .

Summer is from March to October inclusive 244 days = 37.29 flights per night.

Winter 121 days = 32.23 flights per night.

given that DAA and the airlines have breached Condition 5 where 65 ATMs were only permitted, how is this going to work? This will once again be ignored by Daa and Ryan Air and the other airlines.

Putting a condition in place, as we have seen , the DAA have been complicit in bypassing and dismissing the fundamental conditions that were the cornerstone of the grant of F04A/1755 and PL07F.217429 and T2.

We are very pleased to see this condition ,but has it been put in to appease those of us living in the torture of aircraft noise and dismissed with schemes that have failed.

The additional scheme in the form of a grant in the sum of 20,000 euro towards cost of noise insulation to bedrooms in eligible dwellings is breadcrumbs. We live in our homes , our kitchens, living rooms and sleep in our bedrooms or perhaps work from home in our bedrooms – day and night.

This is minute , in the scale of the issue for those just outside the mapped contour lines , not to mention the loss of our outdoor rooms , our gardens. Our quality of life has been destroyed.

The procedure for homeowners needs to be clarified by DAA.

This condition is put in by reason of:

To account for the impact of noise from individual aircraft movements from any change in flight paths , and assessed in terms of maximum noise level at a receptor during the fly by. Also to mitigate the impact of aircraft night-time noise as a result of the use of the airports runways.

There are currently residents outside the contours , who suffer the full impact of landings over the The Ward. Peggy Hoeyes home as one of them. The aircraft noise does not distinguish where it stops because the mapping crew and computers decide on a line drawn.

Those who experience a high level of annoyance – SHOULD be accommodated with full Noise insulation at the very least.

DAA opened their new runway (10L-28R) on 24th August 2022 . **DAA breached Condition 5 – to reduce night flights to 65 with immediate affect, ignoring the planning permission legislation.**

Fingal County Council only issued an enforcement notice in July 2023 – 11 months into the breach with approximately 130 aircraft movements operating at night. This was lodged in the high court, and has been paused and pending with no decision to date.

DAA gradually opened runway 10L-28R to full operation per the conditions in 2024 operating from 7am – 11pm at night and operating 24 hours when maintenance takes place on the south runway (10R-28L) usually every 3 months.

The Applicant DAA submitted F20A/0668 to remove those most relevant cornerstone conditions stating;

Conditions 3(d) and 5 have NOT YET come into effect or operation, AS THE CONSTRUCTION OF THE NORTH RUNWAY ON FOOT OF THE North runway planning permission is ONGOING.

Why is it considered ongoing? - Because the construction and the operation of Runway North were separated - This should not have been permitted.

The north runway became operational on 24th August 2022. Therefore the 65 ATMs came into effect from the first flight that took off on that day.

In the document PL06F.217429 : Grant of Planning.

In deciding not to accept the Inspectors recommendation to refuse permission, the Board considered that sufficient information had been submitted both to the planning authority and the Board and at the oral hearing to enable it to make an assessment of the significant impacts of the proposed development on the environment and its acceptability in terms of proper planning and sustainable development. The Board considered that in overall terms, the inconsistencies or deficiencies in information referred to by the Inspector were not so significant as to warrant a refusal of permission and could be addressed by way of condition. In particular, the Board was satisfied, on THE BASIS of the INFORMATION SUBMITTED and THE CONDITIONS ATTACHED and having regard to the fact that there are no planning restrictions on the current operation of the airport runways that:

- (1) There would be no significant deterioration in noise conditions at night time in the vicinity of the airport due to the proposed Option 7b operating mode for the runways(non-use of the cross runway at night) and the restriction on night time aircraft movements by WAY OF CONDITION.
- (2) In relation to daytime noise, there would be some improvements relative to current or future noise impacts with the existing runway system, to be OFFSET against improvements in other areas/respects and net effects would not be significant in terms of public health and safety, such to warrant a refusal or permission.
- (3) In relation to schools affected (including pre-school facilities) the mitigation measures proposed REINFORCED by CONDITIONS and monitoring would ensure that a suitable noise environment can be maintained within classrooms and school buildings generally.

The above galvanises the reason behind the grant of permission by the board – **WITH THE CONDITIONS PUT IN PLACE.**

In June 2016 DAA issued an EIS Scoping report – the planning was granted in 2007.

This was titled :

NORTH RUNWAY PROPOSAL TO CHANGE PERMITTED OPERATIONS

This was in addition to the north runway grant of permission, BUT EXCLUDED from An Bord Pleanála

This should have been subject to planning and PL06F.217429 should have been reopened and reviewed with ABP with input from communities now seriously impacted by the change in operation of Runway North.

We are asking that PL06F.217429 is reopened to review the North Runway Proposal to Change Permitted Operations. (June 2016) with an oral hearing.

In this document it states that:

daa intends to apply to use the permitted runway system at the airport WITHOUT THE CURRENT RESTRICTIONS on HOURS OF OPERATION for LANDING and TAKE-OFF . This would maintain the operational flexibility demand that currently pertains at the airport.

THIS WAS BEFORE THE NORTH RUNWAY WAS CONSTRUCTED. WE HAVE THE APPLICANT STATING THEIR INTENTION TO BREACH THE PLANNING CONDITIONS BEFORE THE RUNWAY OPENED. THE PROPOSAL WAS NOT SUBMITTED AS AN ADDITION TO F04A/1755 or PL06F.217429 which it should have been. An Bord Pleanála were deliberately mislead.

PL06F.217429 On completion of CONSTRUCTION of the runway hereby permitted, the runways shall be OPERATED in accordance with mode of operation – 7b as detailed in the Environmental Impact Statement Addendum, Section 16 as received by the planning authority on the 9th day of August 2005 and shall provide that –

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.

REASON: In the interest of clarity and to ensure the operation of the runways in accordance with the mitigation measures set out in the EIS in the INTEREST of the PROTECTION of the AMENITIES of the SURROUNDING area.

5. 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 ABP on 5th day of March 2007

REASON: to control the frequency of night time flights at the airport so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway,

DAA state in their North Runway Proposal to Change Permitted Operations – EIS Scoping Report - June 2016

Daa intends to apply to use the permitted runway system at the airport without the current restrictions on hours of operation for landing and take-off. This would maintain the operational flexibility to facilitate demand that currently pertains at the airport.

Page 5 MDE0951Rp0004 reference.

As mentioned in the previous pages I now wish to address the very real impact of Climate Change, crisis and Climate protection for our future generations;

The following is a written transcript from RTE – Clare Byrne programme. This states the real impact of the climate crisis and aircraft are one of the biggest polluters on the planet. Aircraft are exempt for emission reporting and we see DAA act as the EPA in Ireland at Dublin Airport, neglectful and complicit in adding to Irelands carbon footprint. This should be part of sustainable and future planning considerations.

Earth on course for devastating 3.1 degree rise global temperatures.

11 minutes – 25th October – TODAY WITH CLAIRE BYRNE

Presenter : Colm O Mongain. (for Claire Byrne)

John Sweeney, Emeritus Professor at Maynooth University
And Climatologist.

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11 minutes – 25th October – TODAY WITH CLAIRE BYRNE

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New UN report has issued a stark Warning that the earth could warm by 3.1 degrees at the end of this century, unless the governments take greater action. If the right measures are taken the rise could be less. UN secretary General , Antonio ----- quotarius said the emissions gap reports we are playing with fire and there can be no more playing for time and we are out of time. For more on this I am joined by Emeritus Professor at Maynooth climatologist John Sweeney .

Good Morning to you John.

Good Morning Colm

First of all looking at the assessment , in the worst scenario in the UN report , a 3.1 warming , what would it mean in real terms for the planet?

JS: Well this is a report, of course that is issued every year and very similar to last year and it follows up from a global stop take that was undertaken by the United Nations last year, which examine countries commitments and pledges and whether they were delivering on them or not. The conclusion is quite clear that many countries have chosen not to go for a sustainable future but rather go down the road that will lead to that 3.1 degree under current policies . What it means really is that quite serious affects for the global system, the global climate system because it looks at how tipping points might well be ceded. It involves things like wide spread extinction and species loss and continuation and enhancement of extreme storms and cyclones and dramatic sea level rise and crop failures , increased risks of pandemics. These are the choices that countries and governments are making now rather than investing in a more

sustainable future and the United Nations is staying - well because of that , we are very close to running away from the kind of commitment we made in Paris to try and avoid 1.5 degrees of global warming and that's the kind of consequences that we face, so without fairly radical changes in emissions over the next 5 to 10 years, we will fail that test, we will start perhaps, things happening in the climate system that will not be easily recoverable from .

One the the things that comes out of this report that is quite interesting is that all the technical capabilities of avoiding those rather serious futures. Under present technology if we simply show the leadership and will to achieve that and the other thing that comes out of that is of course it the rich countries that are causing the problems primarily so we can't point the finger at the less developed countries or the African countries. All 55 countries in the African Union contribute only 6% of global green house emissions but the top 6 or so contribute something like 70% so there is an element of climate justice here which I think is going to be strongly emphasized at the COP in Azerbaijan next month.

Colm. What the UN report is talking about this 3.1 degree rise by the end of the century, that's just where it will be at the end of the century – I mean the climate temperature or the global temperatures are not going to respect the turning of a new page into a new century . They could continually rise after that.

JS: Indeed they will and we know that – for example some of the consequences such as sea level rise will not just continue into the next century but for 300 or 400 years . Although we may think that 3 degrees is a very small amount, it will make large amount, it will make parts of the earth uninhabitable – it will displace up to a billion people on the planet and it will make food supply, food security very untenable in many parts of the world and you can kind of guess the kind of consequences that will have , for conflict for wars in the future – so it is very imperative that even if we don't make the 1.5 degrees, we try to avoid 1.6 degrees or 1.7 because every point 1 of a degree will count enormously in trying to reduce those risks in the future. But it is quite clear that countries are making choices and the problem the United Nations have identified with the pledges they made now is that many are using rather convoluted language to avoid commitments so they are talking about reductions over business as usual which may in fact be an increase . They are talking about conditional reductions based on politics and economics which may of course mean an increase.

Colm: Sorry to cut across you - When you say they, who are you talking about

JS: I am talking about all countries, countries trying to put a positive spin on their achievements and it is quite noticeable when the leaders of countries stand up at the COP. They very seldom mention the bad news - even here in Ireland, we have heard quite a lot about our emissions going down by 6.8 per cent – but in fact – that does not count all our emissions that are required to do under our domestic legislation.

Colm: what are we missing?

JS: We are looking at 3.8 per cent of a reduction along way short of the 8.3 Per cent we are going to need for 2024 and 2025 - lots of it. There are low hanging fruit in our energy systems. There are low hanging fruit in our agricultural systems, there are low hanging fruit in our transport systems and we have made some progress in all of those, it has to be said but not enough, not fast enough and not enough to meet our legally binding operations both domestically and in Europe as well.

So we are not without credit – in the international world we have made some progress but really we can't put our hands in the air and say we are the good guys and everyone else is bad because the what aboutly arguments - we are a rich country - we should be doing more – should be leaders and not simply going along with the policy in this particular case

Colm: I think everytime we have done an item on this, texts come in and people inevitably say China are a big polluter and US is a big polluter, Ireland is very small – what difference will it make, when you consider the impact it will make on the Irish Economy. As a climatologist, what argument do you make to arguments like that?

JS: Well you used the word cost and I think, that is the first phrase I would change to investment and what we think of as cost – actually investments in sustainable future for our children and our children's children. But yes we are a small county, but we are a very rich country and it is not really ethical not moral for us to point the finger at other countries if we are not delivering the goods ourselves and it is quite clear, we are not delivering on those emission reductions sufficiently at a national level so it is a morally bankrupt argument to start pointing the finger to especially poorer countries to us, and asking them to carry the can for our deficiencies.

Colm: Have you been following the debate around the cap around Dublin Airport and passenger numbers, in Dublin Airport by the way some people you know are looking at the planning aspect of that and other people have made the argument that the cap should not rise, over climate consideration – so big of a contributor is the aviation sector in Ireland?

JS : Well one of the key figures that comes out of this GAP report is that emissions from international aviation last year alone rose by 19.5% - that is a huge jump, of an increase in aviation emissions and it means that far from a rebound from covid, we are now in a very dangerous trajectory in terms of international aviation emissions and those emissions are quite and though they are absolutely still at a relatively small scale, they are very damaging, in the atmosphere itself

Colm: well the aviation providers will always say that aviation accounts for a very small amount of the emissions and they feel it is blown out of proportion.

JS: Well if its increasing by 20% a year its not going to be small for long and it is also carrying very high levels in the atmosphere which are more in the way of a climate affect than some of the emissions that occur at the surface level so Aviation is one of the areas where we can't avoid taking steps to restrict – I don't mean the average person going on their holiday or the average person taking a family visit somewhere but the frequent flyer type of operation where people are flying unnecessarily weekly or monthly I think we have to look seriously at what that means for the future of our children and our children's children.

Colm : can I ask you finally John - coming up next month the COP29 the UN global climate summit in Azerbaijan, it itself a big fossil fuel producer in Natural gas. It seems to be a bit of a trend in COPS in recent years. What should people be looking out for in terms of commitments that this is making a real difference.

JS: Well this is an unfortunate location firstly, it was a location which was supposed to be in eastern Europe but because I Think of Russian Objections has ended up in Azerbaijan . What people should be looking out here is the financial aspects - this will be focusing on loss and damage , focusing on debt which rich countries have to pay to the poorer world for their historic responsibilities in inflicting climate change on the less developed countries and here the figures I think, are going to be mindblowing , because one of the estimates is that the annual climate debt to the poorer countries is from those rich countries that I mentioned the G20 – it is 5 trillion a year, 5 trillion US dollars a year and that's 10 times higher than the rich countries have managed to deliver historically to the poorer countries, in areas of climate reparation.

Colm: Money in short

JS: money is going to be the biggest issue , certainly Colm indeed.

Colm: My thanks to John Sweeney, climatologist and Emeritus Professor at Maynooth University.

Environmental Protection Agency & DAA

Noise Monitoring and Air Quality Monitoring

It is worth noting that the EPA do not monitor the aircraft noise or the Air quality around Dublin Airport or in the immediate flight paths.

DAA supply the information on air quality and aircraft noise to Fingal County Council . The Aircraft noise monitoring is now feeding into the next NAP – Noise Action Policy – now under ANCA. ANCA is financed by DAA . The NAP 2024 -2028 is now due to be reviewed and agreed by FCC and ANCA as submissions have now been received. The last one was set up before the North Runway opened for operation.

On reviewing the North Runway Proposal to Change Permitted Operations in relation to an EIS (Environmental Impact Statement) , the following extract reads:

The Environmental Protection Agency is required by the EPA Act under which it was established (EPA Act 1992) to “ prepare guidelines on information to be contained in environmental impact statements” The Act further provides that those preparing and evaluating Environmental Impact Statements shall have regard to such guidelines.

The EPA Guidelines are intended to provide developers, competent authorities and the public at large with the agreed basis for determining the adequacy of Environmental Impact Statements, within the context of established development consent procedures.

The Guidelines were published in 2002. Advice notes on current practice in the preparation of EIS designed to accompany these Guidelines were published in 2003. There contain greater detail on many of the topics covered by the Guidelines and offer guidance on current practice for the structure and content of EIS.

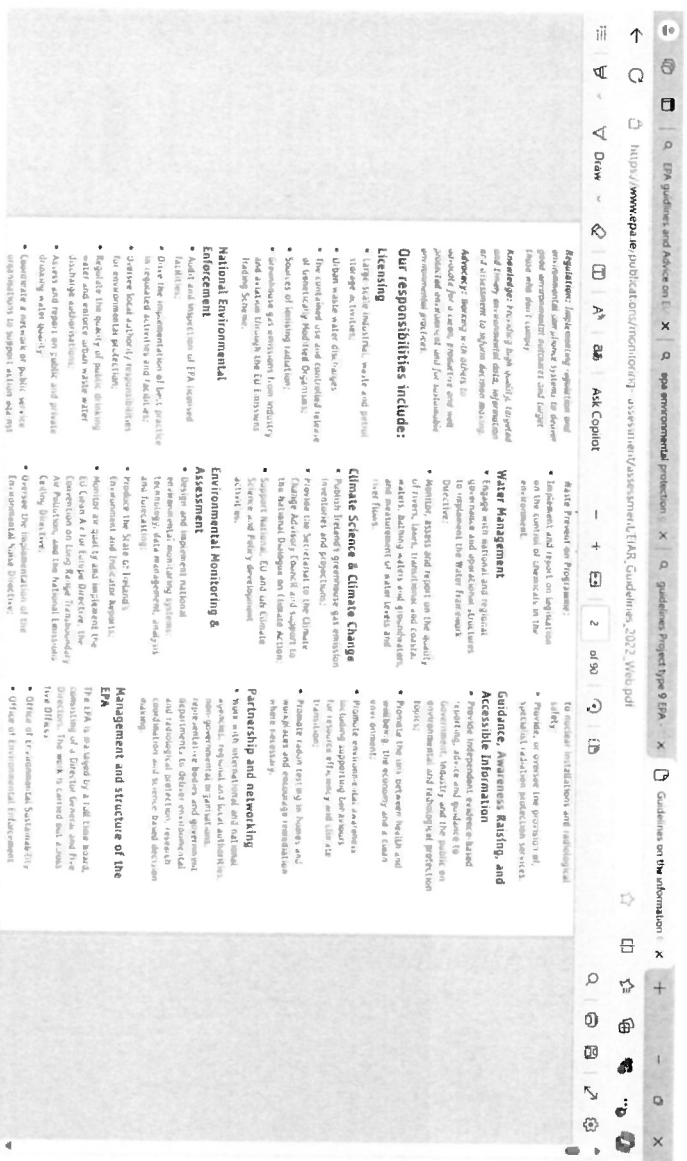
There are 33 generic types, which have similar development or operational characteristics. "Airports and Airfields" are addressed under Project Type 9. It is NOTED that this EIS is for a PROPOSAL to CHANGE PERMITTED OPERATIONS to airport operations and not for a new runway, however it is considered that project type 9 is the most appropriate project type to address the likely impacts and as such it will be used as a guide to on items that should be addressed under project description, environmental effects and possible mitigation measures

The EPA is currently revising the guidelines and advice notes to reflect best practice and case law which has evolved in the decade since they were originally published. Draft Guidelines have been published in September 2015. Although the revised documents do not explicitly address the adoption of the new EIA Directive (2014/52/EU) they do reference it and recommend that consideration be given to changes and additional requirements.

This draft scoping report has also been prepared with reference to these draft EPA Guidelines and draft Advice Notes.

Looking at the EPA website – Aviation is very difficult to find.

This wording gives DAA a free hand to formulate and dilute the significant impacts and climate damage in the operation of the airport and surrounds. DAA are self-regulating in this regard.

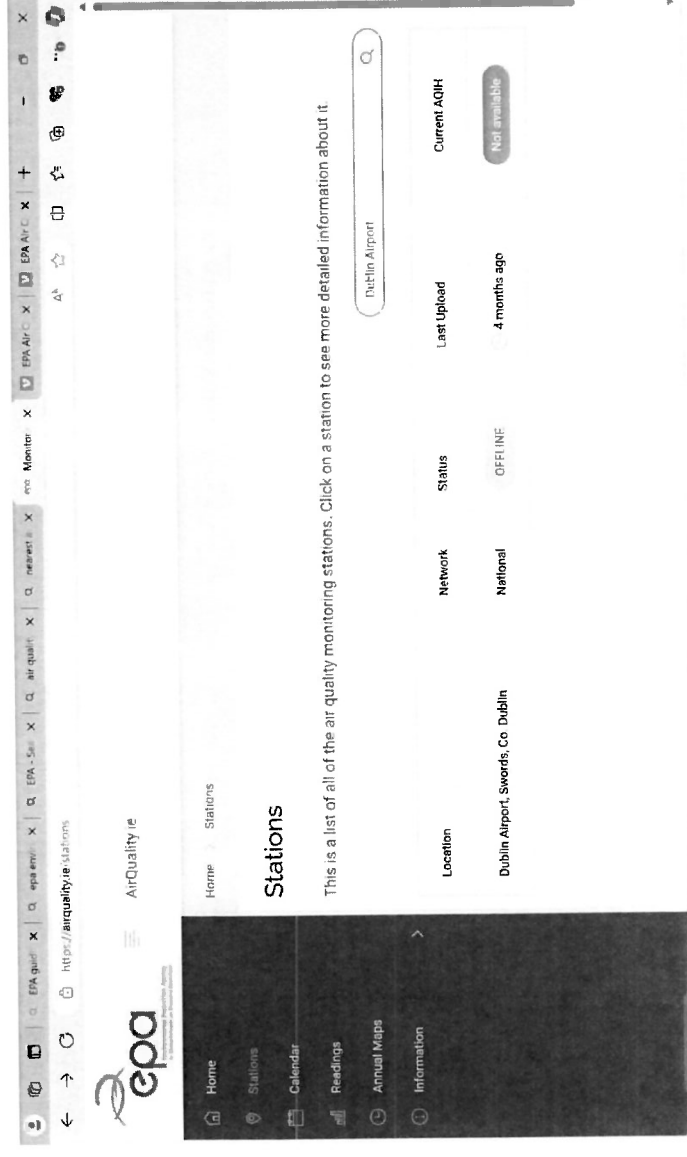


EPA – Our Responsibilities include:

Greenhouse Gas emissions from industry and aviation through the EU emissions Trading Scheme.

The issue of greenhouse gases hardly receive attention in relation to human health with Particular Matter (PM) Pollution which is very fine matter that cannot be seen with the human eye but when inhaled, causes respiratory damage to the lungs.

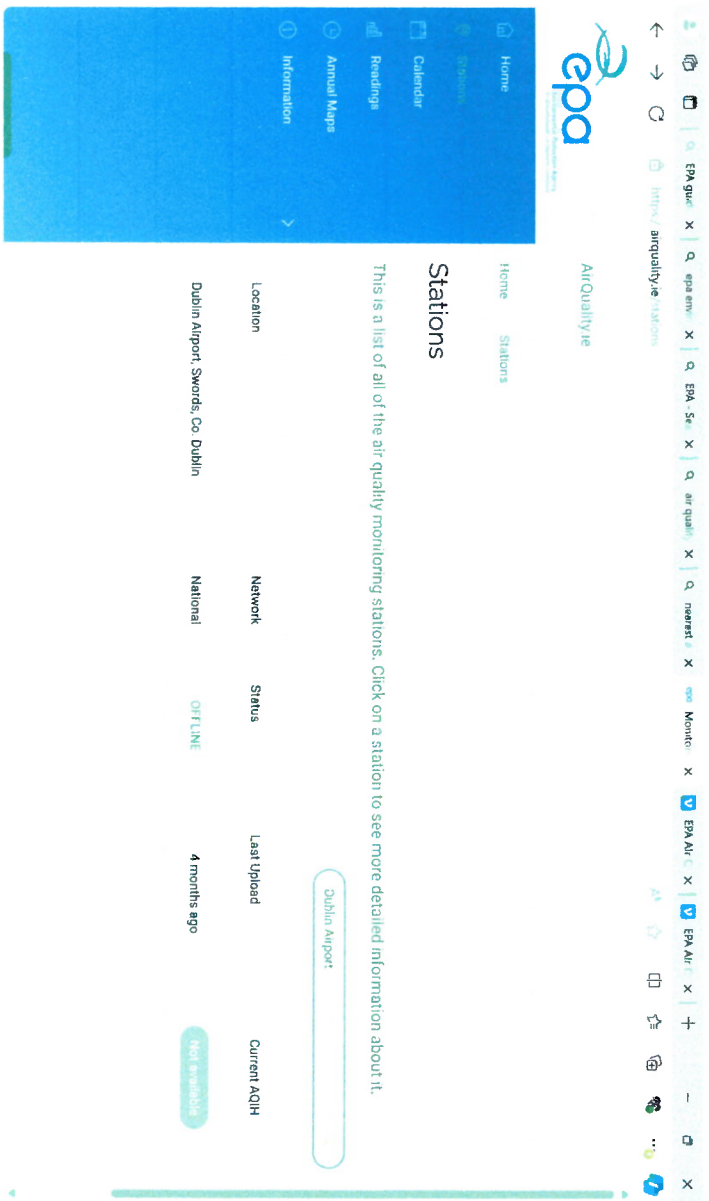
Aviation should not be permitted to dilute and be exempt from their responsibilities in climate emission reductions with the purchases of carbon credits as is the case here with airlines operating at Dublin Airport.



The above is taken from the EPA website on Air Quality Monitors

Note we have no EPA air quality monitors at Dublin Airport. DAA do there own monitoring and also aircraft noise . Daa are the regulators regulating themselves. No oversight on their reporting. The closest EPA Air Quality monitoring station is Swords and to west, Finglas. There are no EPA monitors around Dublin Airport and St Margarets to monitor the NO2 and the PM10 and PM2.5 emissions from Aircraft taking off and landing.

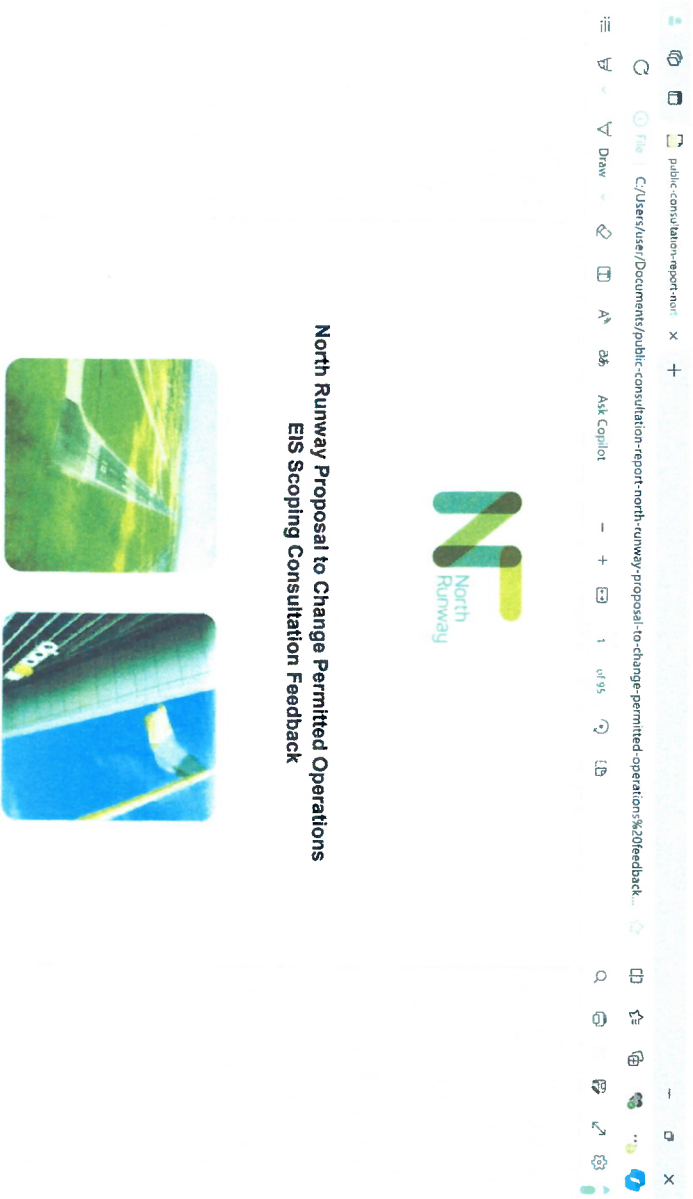
So there does not appear to be specific guidelines for Dublin Airport, which is self- regulating in matters of aircraft noise and emissions, under the ICAO trade agreements.



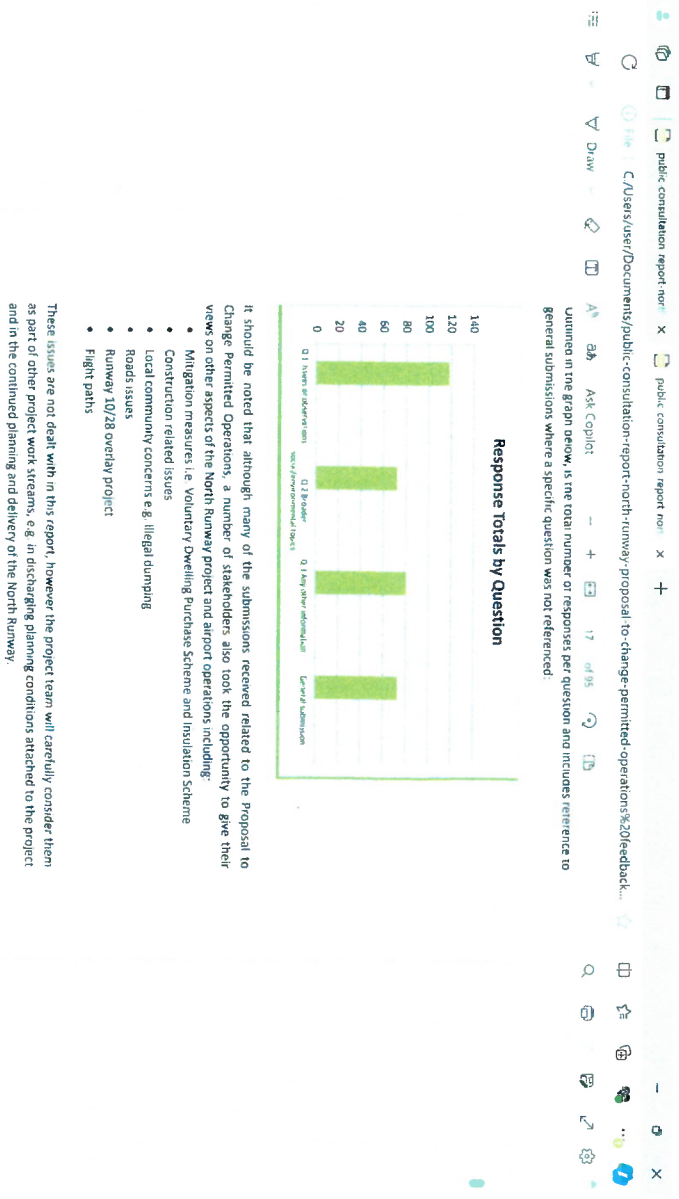
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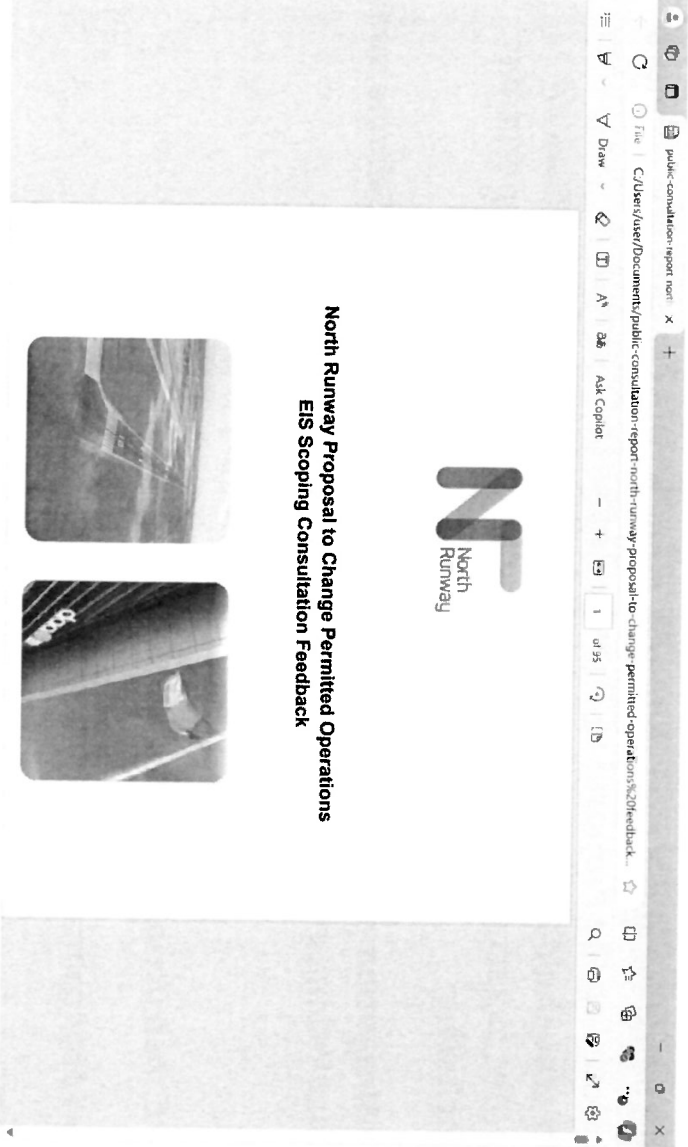
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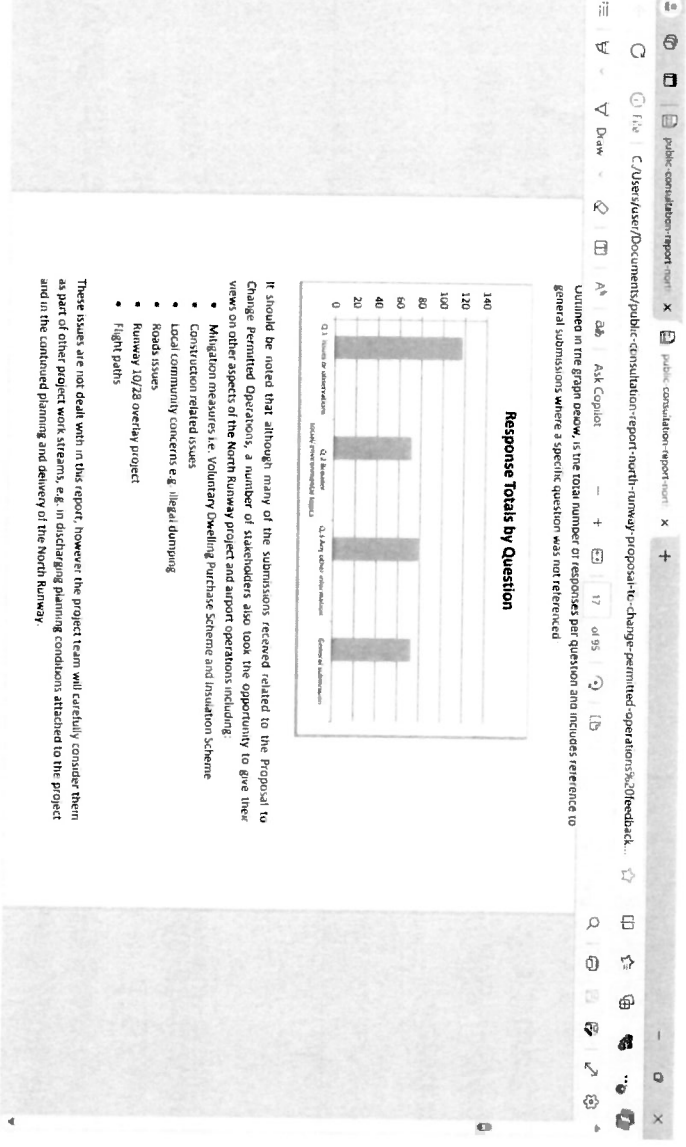


Taken from the following North Runway EIS document.





Taken from the following North Runway EIS document.



It should be noted that although many of the submissions received related to the Proposal to Change Permitted Operations, a number of stakeholders also took the opportunity to give their views on other aspects of the North Runway project and airport operations including:

- *Mitigation measures i.e. Voluntary Dwelling Purchase Scheme and Insulation Scheme*

- *Construction related issues*

- *Local community concerns e.g. illegal dumping*

- *Roads issues*

- *Runway 10/28 overlay project*

- *Flight paths*

These issues are not dealt with in this report, however the project team will carefully consider them as part of other project work streams, e.g. in discharging planning conditions attached to the project and in the continued planning and delivery of the North Runway.

Note the flight paths - when the North Runway opened in August 24th 2022, a whole new number of humans (called receptors by DAA) work up to aircraft noise for the first time due to the change in the flight path.

Since this draft decision , 11th September , Ryan Air Aer Lingus and Airlines for America has joined in legal action against the IAA over its move to cap the number of passengers that can use Dublin Airport per the conditions.

The DAA has to be seen to do everything it can to prevent the 31 million passenger cap being breached, even though it wants the cap lifted or raised. – reported in the media and papers. DAA is a semi-state entity with the Minister for Finance , the primary shareholder. So DAA are government owned

So we have the IAA insisting on the cap, with the airlines , stating the cap is a breach of the Open Skies policy – in the courts – Profits, passengers , business entitlements , and it is to be expected as DAA have permitted the airlines to grow and allocate slots, failing to enforce the planning conditions of North runway and Terminal 2.

RYANAIR & Others take High Court Proceedings

The allocation of slots for Dublin Airport have been granted taking consciousness of the 32 million cap and restricting the increase of slots at Dublin Airport with a reduction required to comply with the cap ..

On 4th November last Ryanair, Aer Lingus and A4A (representing others) were granted a stay on the decision to cap the number of take-off and landing slots during the busy peak period.

The airlines , Ryanair, Aer Lingus, along with an organisation representing a number of US airlines for America (A4A) had sought the IAA's decision on the summer slots to be paused pending the outcome of a Judicial Review they are bringing in relation to it.

The IAA put the limit of 25.2 million passengers at Dublin Airport to ensure that the airport remains within its 32 million passenger a year cap, per condition imposed on the granting of planning permission for the second terminal.

Separate judicial review proceedings taken by Aer Lingus, and Ryanair and DAA over the IAA's Decision to cap winter passenger seats at 14.4 million are already before the court and will be heard in December,

Ryanair claims the ceiling will lose 3,000 slots , a year and make it difficult for them to retain reciprocal slots in airports which flies to and from Dublin .

Daa chief executive said the court had a difficult task in considering complex issues of domestic planning law, EU law and international treaties, which have competing interests.

Today's decision will be welcomed by aviation as it brings clarity and allows all parties to move forward and protect jobs and connectivity which is in everyone's interest. We are now reviewing the detail of the decision to understand the exact implications for next year, Mr Jacobs said .

However, airport operator DAA which supported the IAA cap on seat numbers, told the court last week that the planning restrictions are binding at the airport and if a stay is granted those conditions will be breached.

Taken from RTE update – Court ruling pauses summer seat cap at Dublin Airport – Monday 4th Nov 2024 21.52

This is a total contradiction with one statement supporting the cap and the other agreeing with the Stay.

As this submission and outcome of the Draft decision by ABP is pending and in process,

The court hearing came 3 days before the Airports Coordination , the body which allocates slots at Dublin Airport, made their decision for Summer 2025.

The Minister for Transport, Eamon Ryan at that time, and James Lawless Minister for State welcomed it.

We see contradictions with the Government Ministers , stating they welcomed the decision - Eamon Ryan was leader of the Green Party who advocate climate and environmental protection,

The Irish courts have failed to recognise planning law in relation to Dublin Airport on every single occasion. – 4 cases taken to date .

The conditions are not open to interpretation – and are very clear.

DAA failed in their role to enforce those conditions and it was their duty to inform RYANAIR, AER LINGUS and all other airlines using Dublin Airport that those conditions would be in enforced , on the opening of the second runway (10L-28R) and adjustments would have to be made accordingly.

The North Runway opened on 24th August 2022 , with DAA failing to inform the airlines that reductions were to be put in place , and time allowed to adjust. Instead, DAA were complicit in ignoring and bypassing planning law, bring Ryanair into the front line of the battle field to remove their responsibility .

DAA hide behind RYANAIR as Ryanair have become the voice of DAA. This was evident in 2017 when St Margarets Concerned Residents Group took Fingal County Council to a judicial review case over the failure to include residents in the extension of the planning period from 10 years to 15 years and also for breach of Condition 12(d) .

The case _ record no 2017/201 JR included

FINGAL COUNTY COUNCIL

First Respondent

- AND -

IRELAND

AND

THE ATTORNEY GENERAL

Second and Third Respondents

- AND -

DUBLIN AIRPORT AUTHORITY PLC

First Notice Party

- AND -

RYANAIR DAC

Second Notice Party

(2) BETWEEN:

FRIENDS OF THE IRISH ENVIRONMENT CLG

Applicant

- AND -

FINGAL COUNTY COUNCIL

Respondent

- AND -

DUBLIN AIRPORT AUTHORITY PLC

First Notice Party

- AND -

DUBLIN AIRPORT AUTHORITY PLC

First Notice Party

- AND -

IRELAND

269. Unmentioned in court was, *inter alia*, the decision of the Court of Human Rights in *Taskin and Ors v. Turkey* (App. No. 46117/99). In that case the Court of Human Rights recognised a *per se* right to a healthy environment. Indeed, it seems significant that the Court of Human Rights refers in that case to the right to an environment without any qualification (such as ‘emergent’), especially as consideration of supranational law was unnecessary. (Turkey’s Constitution recognises a right to live in a healthy and balanced environment). Indeed, the Court of Human Rights appeared in *Taskin* to go out of its way to draw attention to the existence of a right to a healthy environment in international legal texts (which perhaps points to that jurisprudential consensus to which counsel for the Case 2 applicant alluded when contending successfully for the recognition of the previously unrecognised, unenumerated personal constitutional right to an environment that is consistent with the human dignity and well-being of citizens at large). Also interesting is the fact that the Court of Human Rights, in *Taskin*, appears to include procedural environmental rights, the right to environment, and the preservation of existing rights through environmental protection within the rubric of the ‘right to a healthy environment’.

270. One pertinent case that did receive mention before the court was *Flamenbaum and Others v. France* (App. Nos. 3675/04 and 23264/04, 13th December, 2012), a case which seems of particular

relevance in the context of the case now presenting, the Court dismissed a claim brought by residents of an area near Deauville Airport claiming that the extension of the runway breached their Art 8 ECHR rights and property rights, that their views had not sufficiently been taken into account due to the 'splitting' of the decision-making process, that the market value of their property would decline, and that they would have to bear additional insulation costs. Dismissing their claim, the European Court of Human Rights noted that the French courts had recognised the project's public interest, and that the French Government had established a legitimate aim, namely the relevant French region's economic well-being. Having regard to the measures taken by the authorities to limit the impact of the noise disturbance on local residents, it found that they had struck a fair balance between the competing interests. Further, the European Court held that there was no flaw in the decision-making process as, following *Hatton v. United Kingdom* (App. No. 36022/97, 8th July, 2003), adequate studies had been carried out; the results of those studies had been made available to the public; and the applicants had access to judicial review. The European Court emphasised that, while the judicial review was split into phases due to the splitting of the decision-making process, this was due to the structure of French law, and the applicants had the occasion to participate in each phase of the decision-making process and to make observations. 271. Nothing in the case-law of the European Court of Human Rights suggests that there is a mandatory requirement of public participation where, as occurs under s.42

271. Nothing in the case-law of the European Court of Human Rights suggests that there is a mandatory requirement of public participation where, as occurs under s.42 of PADA, the mere duration of an existing permission is extended.

J. LEAVE AND CONCLUSION XLI

Case 1 Applicants 272. The court respects the fighting-spirit of Ms Merriman and her fellow applicants and sympathises with her and them as regards the predicament in which they find themselves. The court is satisfied to grant Ms Merriman and her fellow applicants leave to bring their judicial review application. However, it follows from the reasoning of the court in the preceding pages that it must respectfully decline to grant any of the reliefs sought of it at this time by Ms Merriman and her fellow applicants. XLIi

2 Applicant 273. It follows from the reasoning of the court in the preceding pages that it must likewise decline to grant any of the reliefs sought of it at this time by Friends of the Irish Environment

commercial court 2017/2017 High Court

File C:\Users\user\Desktop\Hunda 21 November 2017 High Court.pdf

View are here: [XLIi] -> [Database] -> High Court of Ireland Database -> Merriman & ors -> Legal Courts 2017 -> Friends of the Irish Environment Cg -> Fingal County Council & ors [2017] IEHC 695 URL: <http://www.bailii.org/ie/cases/IEHC/2017/H003.html> Case no: [2017] IEHC 695

[New Search] [Help]

Judgment

Title Merriman & ors -> Fingal County Council & ors, Friends of the Irish Environment Cg -> Fingal County Council & ors

Neutral Citation: [2017] IEHC 695

High Court Record Number: 2017 201 JR 2017 244 JR

Date of Delivery: 21/11/2017

Court: High Court

Judgment by: Barrett J.

Status: Approved

-

THE HIGH COURT

[2017] IEHC 695

2017 No. 201 JR

(1) BETWEEN:
HELENA MERRIMAN, MICHAEL REDMOND, ADRIENNE MCDONNELL, PETER COLGAN, ELIZABETH MCDONNELL, TREVOR REDMOND, PATRICIA DEIGHEN, MARGARET THOMAS, NOEL REILLY, HELEN GILLIGAN, JAMES SCULLY, FERGUS RICE, NOEL DEEGAN, VALERIAN SALAGAN, SIDNEY RYAN, GREG FARRELL, SHEELAG MORRIS, JIMMY O'CONNELL, SILE HANU, DECLAN MCDONNELL, ELIZABETH ROONEY & DESMOND O'CONNOR

- AND -

Applicants

The above taken from Judgement of High Courts 2017.

St Margarets Concerned Residents did not take a JR due to the costs attached to such a legal challenge. Over a period of 30 years , the SMCRG bore the cost, from personal finances, their own pockets, after paying their taxes , in the region of €200,000 on legal and consultant specialists and other costs.

Fingal County Council granted the extension with no submissions from residents - the planning permission was due to expire in August 2017, and would have been a breach of the planning permission. The pre-commencement works only started in December 2016 and DAA applied for the extension of 5 years and this was granted.

Ryanair joined as a notice party, along with DAA and Fingal County Council.

Also Friends of the Irish Environment took a JR.

FCC & DAA used taxpayers money (including us as taxpayers) to select their legal council, PR and Experts and included payment of salaries for their own current staff in the process. *See SO A, B + C.*

We can see from the decision that the extension of the period of time, which would have brought the flight paths, and the impact on those newly affected Humans was denied.

The landscape had changed over the 10 years and residents should have had the right to be informed, of DAA s and the Dept. of Transport vision to totally change the conditions to override and remove the protections put in place

We find ourselves here now with a whole new cohort of families, with lives and homes destroyed by aircraft noise and emissions.

If the conditions were adhered to, this would have been minimised the health and well being of those now trapped in the flight paths.

FINGAL COUNTY COUNCIL

MONDAY, 10TH DECEMBER, 2007

ITEM NO. 11

Question: Councillor C. Daly

“To ask the Manager to issue a conclusive report on the final figures for the amount of money spent by Fingal County Council during the oral hearing into the DAA’s parallel runway in terms of private room hire, the employment of consultants and experts, witness fees, administrative costs and staff resources in terms of the financial cost in terms of hours and associated expenses accrued and opportunity cost of undertaking the work of planners tied up in the hearing, and any other costs or expenses?”

Reply:

Permission for a second runway at Dublin Airport was granted by the Council on 12 April 2006 and was subsequently appealed to An Bord Pleanála. On notification that an Oral Hearing was to take place and due to the complexities of the case it was decided to engage Senior Counsel to act on the Authority’s behalf.

The Oral Hearing in relation to the proposed parallel runway commenced on 26th September and finished on 12th October 2006.

The final administration costs such as room hire, photocopying and other secretarial expenses amounted to €9,497.

Two senior planners, one senior staff officer, three senior legal agents and two clerical officers were involved in the preparation for, and attendance at the oral hearing which lasted twelve days. The work involved is considered to be part of the normal duties of the staff involved.

The cost of consultants and legal expertise for the oral hearing for the second runway at Dublin Airport was €153,193. Provision was made in the Budget for the payment of consultants’ costs.

The preparation and work involved in the oral hearing impacted on the work schedule of personnel involved which meant the delay in the preparation of Local Area Plans and other major studies.

COST OF COUNCIL'S PARTICIPATION AT ORAL HEARING:

(A) Cost to Council of Hire of its private room adjacent to Hearing Room:

€3,531.50

(B) Cost of Expert Witnesses:

Aviation Expert - €15,295 (estimate only)
Noise Expert - €14,075.33
Transportation Expert – not yet received

(C) Man hours/cost of Council Staff:

The oral hearing started on Tuesday 26 September (did not sit on Thursday 28 September) and concluded on Thursday 12 October – a total of 12 working days.

Planning Department:
€6,275 (am waiting for one more person to submit details)

Water Services Department:
€963

Transportation Department:
€2285

Law Department:
€3075

(D) Cost of legal representation:

€127,050 (total bill for pre and post hearing consultations)

Total to date: €172,549.83

50 (8)

Costs incurred by SMCRCG in relation to planning permission granted to daa for new runway 2007.

Period 2004 - 2018

€

Date	Subject	Amount
9.10.2006	Noise	4000
27.10.2006	noise	9310
27.10.06	Legal	8470 4 days attendane at oral hearing with BP - preparation
20.12.2006	hire of hall	440 venue hire. for group meetings.
7.2.2008	hire of hall	260 hire for group meetings
22.5.2010	FCC maps	130 maps required .
17.11.2015	FDP DOCS	90 Documents in relation to Fingal Development Plan
2006- 2015		22700
6.2.2016	Hire of hall	100 group meetings
7.4.2016	docs - FCC	50.5 documents /maps required
12.5.2016	Legal	2460.00
26.8.2016	Noise	3690.00 Noise consultant engaged to complete noise measurement.
6.10.2016	Noise	492.00 attendance at daa noise insulation information day
5.12.2016	Consultant	762.60 MEETING WITH FCC
22.12.2016	Legal	5535.50
2016		13090.60

May-17	Legal	20736
Jun-17	Planner	1232.25 Draft - engaged for High Court.
6.11.2017	legal	3000
26.9.17	Legal	10000
5.12.2017	Legal	12000
Oct-17	maps	300
required for Judge.		

2017 Paid out		47268.25
20.2.2018	Legal	4,000
04/04/2018	Legal	4000
31/05/2018	Legal	3000
31/07/2018	Legal	3000
30/09/2018	Legal	3000
30/11/2018	Legal	3000
2018 payments		20,000
TOTAL legal/noise		103,058.85
STATIONARY		1500
Total outlay paid		104,558.85
Pending		43,321.24
FINAL TOTAL		147,880.09

Costs pending		€
Balance on outstanding legal inv		18321.24
court appeal inv pending		25,000.00
OUTSTANDING /Pending		43321.24

Costs pending	€
Balance on outstanding legal inv	18321.24
court appeal inv pending	25,000.00
OUTSTANDING /Pending	43321.24

50(c)

We see now.

An Bord Pleanála have now issued a Draft Decision granting DAA the removal of Condition 3(d) and Condition 5 with new conditions added – to be interpreted as revised conditions.

THIS IS NOT THE CASE - THE PLANNING PERMISSION CLEARLY STATED THE FOLLOWING:

CONDITION 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 airport.

This is very clear no scheduled flights between 11pm – 7am .

Condition 5.

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 hrs 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.

Reason : to control the frequency of night flights at the airport as to PROTECT RESIDENTIAL AMENITY having REGARD to the information submitted concerning future night time use of the existing parallel runway..

PLANNING REGISTER REFERENCE NO. F20A/U0668

REVISED TABLE 3.2 FORECAST WITHOUT NEW MEASURES NOISE EXPOSURE - NUMBER OF PEOPLE EXPOSED IN 2045

NOISE EFFECT	METRIC	THRESHOLD	NUMBER OF PEOPLE EXPOSED
Minority of People Highly Sleep Disturbed	Low	40 dB	26,101
Minority of People Highly Annoyed	Low	45 dB	58,928
Minority of People Moderately Annoyed	Low	50 dB	11,064
High Impact*	Low	55 dB	214

NOTE: Noise impact estimates are based on a 100-year median forecast for single-building cases under two existing and proposed regional airport noise abatement. The 40 dB threshold makes it very conservative in that it represents a much less extreme level and does not change the location of the planning impact - it also accounts for a significant level of sleep disturbance. The 45 dB threshold is a more realistic level for sleep disturbance. The 50 dB threshold is a more realistic level for annoyance. The 55 dB threshold is a more realistic level for high impact.

*The 55 dB threshold is a more realistic level for high impact.

Source: U.S. Department of Transportation, Federal Aviation Administration, Office of Noise and Environmental Policy, 2004. The 40 dB threshold is a more realistic level for sleep disturbance. The 45 dB threshold is a more realistic level for annoyance. The 50 dB threshold is a more realistic level for annoyance. The 55 dB threshold is a more realistic level for high impact.

The above is from additional information submitted to ABP on

$$| \psi \rangle = \frac{1}{\sqrt{2}} (| \uparrow \downarrow \rangle + | \downarrow \uparrow \rangle)$$

17th September 2021 at



Undispersed Contour 63db
Dispersed Contour 63db

Dispersed Contour 63db

Northern Parallel Runway

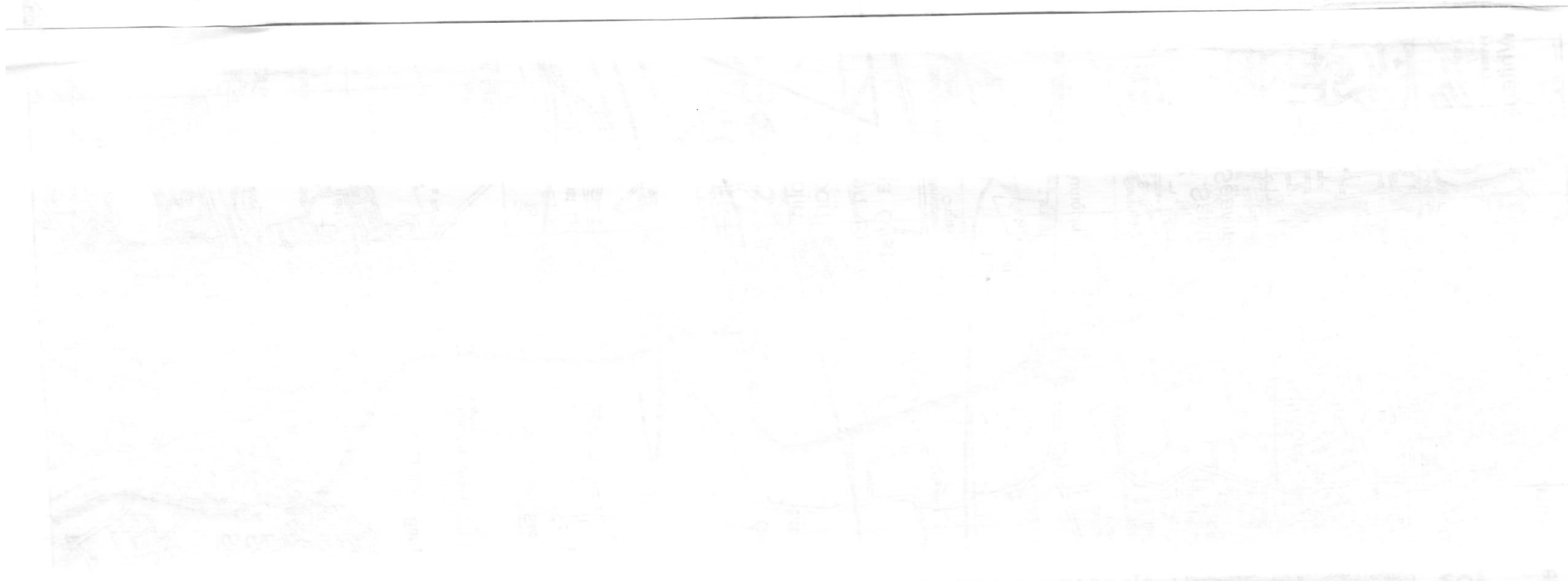
Dispersed v's Undispersed Contour 63db

Drawn by:	AR		Scale	Drawing Number
Checked by:	MOS	NTS	ABP-RFI 03-2	

MOG

NTS

ABP-RFI 03-2



Recording in Bedroom 66db with top window open in ensuite bathroom – 18th September at 7.51am, 2024 - A330-302 aircraft - fresh air was required.

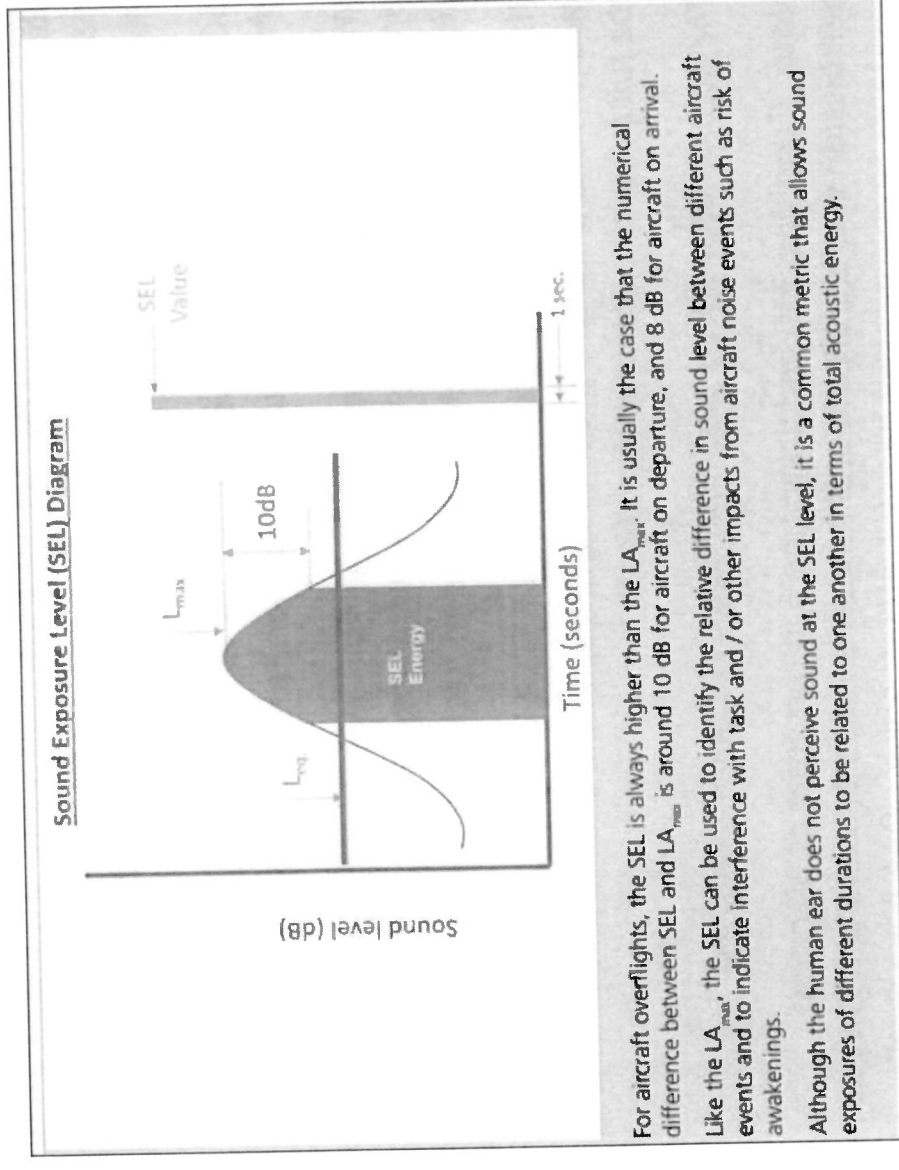
SO with INSULATION – this breaches the WHO guidelines with 10db over the recommended levels to attain indoor health and wellbeing standards.

With an open window, this is 16db over the accepted standards. While passive and electric vents were installed in main rooms, this does not replace an open window to allow natural fresh air to circulate.

The Lden and Lnight are AVERAGE noise levels – it is the Lmax the awakens and disturbs a peaceful night sleep from start to finish – to feel the full benefits to start the day ahead.

The accumulated affects over time, cannot be under estimated.

Note: Condition 3(d) and Condition 5 in the grant of planning permission was significant and fundamental in protecting flight path residents from excessive harmful aircraft noise. DAA have totally and deliberately trampled on those affected by totally and blatantly disrespecting the fatal impact of excessive noise and consistent Aircraft excessive noise.



Above extract from ANCA RD Document.

THIS IS NOT ACCEPTABLE.

DAA made an application to FCC (F20A/0668) not only to breach those conditions, but remove them, and extend the operation hours at Dublin airport with a metric that permits unlimited aircraft movements (Noise Quota Counts) at Dublin Airport.

NIGHT TIME is from 11pm to 0700am - DAA and Ryanair consider nighttime from 12pm – 6am to suit the commercial and profitable interests. Dublin Airport has reached capacity and the hunt for more and more profits is pure greed. How can jobs be lost when

those jobs were never there in the first place. - Dublin airport has reached its peak.

The conditions attached to F04A/1755/PL06F. 217429 specifically stated so .

Runway North – 10L-28R opened for operation on August 24th 2022 with gradual to maximum flights from 7am – 11pm every day and during the night when maintenance takes place on 10R-28L .

From that day, DAA breached the cap of 65 night time movements on 10R-28L - there is an average of 130 flights per night depending on season. FCC were very slow to issue enforcement proceeding and only did so following much pressure for those directly impacted by the breach and suffering the impact of excessive aircraft noise.

This is now in limbo in the legal system with ABP now granting the noise quota system to replace the ATMS, and reducing the night time hours from 8 to 6 – extending the DAY by 2 hours - (F20A/0668) thus increasing the frequency of flights – per draft decision dated 16th September last.

So we have the original planning permission immediately rejected by DAA in August 2008 , (request to ABP to remove Condition 3d and Condition 5 under SID – rejected) with Planning and Development Act 2000 changed to permit the cherry picking of the two significant pillars in a amendment to remove the very conditions that allowed the grant of permission in the first instance. This was submitted in December 2020 and then followed with another application to increase the passenger cap to 40million passengers from 32 million.

We see now the slots for summer 2025 have increased the number of flights permitted to arrive and land at Dublin Airport – despite the fact there are planning conditions in place per the planning legislation and the laws of the land.

All the actions taking place are interlinked from:

The grant of Planning August 2007

DAA appeal to ABP in 2008 to remove 3d and condition 5 under SID.

Grant of additional 5 years to 10 year permission in 2017 with no consultation or submissions permitted.

No noise action plan in place until 2019 and Anca set up in 2019 (in conflict with independent role as Airport Noise Competent Authority for Dublin) Per the END – European Noise Directive EU298/14 - Ireland were five years behind the setting up of legislation to control aircraft noise in a European Country.

So we currently have:

North runway planning permission with 29 conditions recognised.

The two significant conditions removed and forwarded to a new planning application F20A/0668 and a draft decision granted by ABP with invitations for further submissions and observations by December 23rd 2024.

We have a rolling permission that has become the responsibility of

DAA, Dept. of Transport, Department of Finance, FCC (plus ANCA part of FCC) IAA, Air Nav, Air Traffic Control (safety of the use of flightpaths) CAR , EPA, (who do not handle aircraft noise and PM pollution) Chamber of Commerce, Ryanair (main spokesman – Michael O Leary for the airlines) Aer Lingus and all other airlines.

Slot allocators. Etc etc.

Everyone is responsible and no one entity is responsible . it is time for accountability.

The conditions clearly state – only 65 movements on North runway and NO night flights on South runway from 11 pm – 7 am - in the interest of the communities affected.

IAA – S25 Slots Allocation Draft Decision

To ensure that optimal parameters are set, the IAA has instructed Egis to undertake airfield fast time simulations in preparation for the Summer 2025 (S25) season at Dublin airport. This document provides results from two simulated scenarios: • S25 flight schedule coordinated to the proposed S25 limits and • S25 flight schedule coordinated to the existing S24 limits

Calibrated against a single day of S24 operations (31 May 2024).

Busy day simulated for the purpose of model calibration

31 May 2024 • Westerly operations for 100% of the time;

- Arrivals on 28L only;
- Departures 28L 2200-0559 UTC (2300-0659 local);
- Departures 28R 0600-2159 UTC (0700-2259 local);
- 684 flights in total, incl. GA and cargo
- 377 arrivals and 384 departures;
- Helicopter operations were not simulated.

This equates to total of 761 flights - 32 flights per hour. = flight movement every 1.3 minutes.

. This difference is therefore a best current information estimate of the effect of a decision to increase the runway limits on a busy Summer 2025 day.

Summer 2025 (S25) flight schedule

The flight schedule used for modelling of both scenarios:
<ul style="list-style-type: none">• Contains a total of 888 flights (446 arrivals and 442 departures); • Contains 51 new arrivals and 48 new departures;• Does not contain helicopter, military, state or medical flights

Increase of 51 new arrivals and 48 new departures.

The flight schedule used for modelling of both scenarios: • Contains a total of 888 flights (446 arrivals and 442 departures); • Contains 51 new arrivals and 48 new departures; • Does not contain helicopter, military, state or medical flights

There is higher number of movements between 0700-0800 in scenario where S25 schedule is constrained by S24 limits. These departures shorten average taxi time because the allocated parking positions for the rescheduled flights were closer to departure runway, thus shortening the average taxi time.

Should FCC fail to issue enforcements – the breaches on South Runway will continue and North runway will have mostly take-offs from 6am.

The model for S25 permits an increase of 48 departures and 51 new arrivals. This should be reducing as the 31 million cap has been breached.

*An Bord Pleanála PLANNING AND DEVELOPMENT ACTS 2000 TO 2006
Fingal County Planning Register Reference Number: F04A/1755 An Bord
Pleanála Reference Number: PL 06F.21742*

During the legal proceeding in 2017, in the High Court (Commercial Court) where DAA breached condition 12(h) of the planning permission F04A/1755 PL06F.

12. Prior to commencement of development, the developer shall submit to the planning authority for written agreement a comprehensive environmental protection plan to minimise the impacts of the construction processes. The plan shall provide, inter alia, for:

(h) a waste management plan to ensure the minimisation of waste, re-use or recycling of materials.

DAA commenced and removed asbestos waste with no waste management plan signed off by DAA until after the court proceedings commenced. The Judge accepted the serious error, with a freshly produced waste management plan document.

We now see DAA being investigated for Pfas chemicals used on the runways also under investigation. This raises a serious issue in relation to the information submitted to ANCA, to be incorporated into the NAP for 2024-2028.

A Longitudinal report requested by the Minister for Transport, Shane Ross in the Dail and this was withheld from us, the residents in the flightpath, and the CLG until October 2018. The reason given was that it would compromise our legal proceedings ongoing at that time. The said report follows:

The following is the Longitudinal Data received . IT clearly states the impact on us beside and in the direct flightpath.

The Insulation to our homes had muffled the noise somewhat but it has not conformed to the WHO guidelines of 40db inside our homes. This needs to be addressed by FCC and this NAP as a fundamental pillar to health and well-being of flightpath residents.

The permission in this draft for airlines to operate from 6am to 8am and up to 12pm at night will have dire consequences for those stuck in the flightpaths .

Ryanair heaviest schedule is from 5.30 to 8am in the morning as is Aer Lingus – so the volume of ATMS between those hours will be increased and this prohibits a good nights sleep with only 6 hours on North runway . This is totally unacceptable.

DAA have issued a letter to those of us in the buyout to contact them extending the VHPS to 2026 now. Is this considered a resolution. This letter has been described as “a gun to our heads” an insult, a total disrespect from DAA that has been allowed to filter in the spokesperson for Ryanair, calling us looney objectors and others.

Mr Michael O Leary does not live in the flightpaths nor does Kenny Jacobs from DAA - there is not solution BUT to adhere to the planning conditions – PL06F.217429

Condition 5

The airport shall be subject to an annual aircraft movement limit of 13000 between the nighttime hours of 2300 and 06.59 (inclusive local time) with aircraft split between winter 3,900 and Summer 9,100 to allow for extra flights during the 92 day summer busy period.

This is an annual . How will this be divided between the two runways as 6-8am and 11-12pm are now proposed with this draft decision

This equates of 98.91 flights over summer per night.

- (a) How many will be permitted from 6am – 8am and 11-12pm
- (b) Can you provide the split for north and South runway.

DUBLIN AIRPORT

A11219-N01-DR

29 August 2018

'LONGITUDINAL ANALYSIS' – L_{max} AND SEL NOISE LEVELS

1.0 INTRODUCTION

Bickerdike Allen Partners LLP (BAP) have been retained by daa to predict the levels of airborne aircraft noise from individual movements close to the airport. That is from departing aircraft shortly after take-off and from arriving aircraft shortly before landing. This information has been provided in accordance with a request from the St. Margaret's Concerned Residents community group.

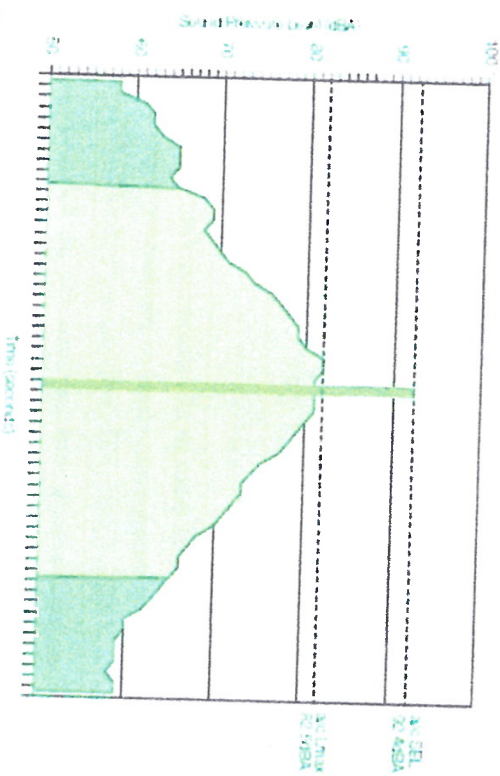
BAP have predicted the noise for six key aircraft types that either currently operate, have operated, or are forecast to operate in the future at Dublin Airport. The noise levels have been predicted for both arrivals and departures at eight points ranging from 0.5 to 4 km, in 0.5 km steps, from the west end of the permitted North Runway along the extended runway centreline. The points are shown in the attached drawing A11219-N01-01. This note reports these predicted noise levels and details the methodology used in their calculation.

2.0 METHODOLOGY

Noise levels have been calculated using the Federal Aviation Administration (FAA) Integrated Noise Model (INM) version 7.0d. The same software was used for the noise mapping of Dublin Airport undertaken for the Environmental Protection Agency (EPA) in 2017.

Noise levels have been calculated in terms of both L_{max} and Sound Exposure Level (SEL). L_{max} is the maximum instantaneous sound pressure level of an aircraft movement. SEL is a measure of the total noise from an aircraft movement. The SEL noise level for an aircraft movement is the sum of all the noise energy for the event expressed as an average noise level for 1 second. This is shown in the figure below. By adding the SELs of all of the operations at the airport over either 16 hours or 8 hours for the daytime and night time periods respectively and then averaging you get the $L_{eq,T}$ average noise contours.

Figure 3.1: Aircraft line history, showing maximum level L_{max} and associated Sound Exposure Level (SEL)¹



Source: OAA 2011

The predictions assume the permitted North Runway is in operation. Arrivals have been modelled as using Runway 10L and departures have been modelled as using Runway 28R, both of these overfly the area to the north-west of the airport. Arrivals and departures have been modelled using straight routes, that is along the extended centreline of the North Runway.

Noise levels have been calculated for six key aircraft types:

- The Boeing 737-800 and the Airbus A320, which are the current most common aircraft types at Dublin Airport and in 2016 they performed around 37% and 23% of the total movements respectively;
- The Boeing 737 MAX8, which is forecast to be the most common type in the future, but doesn't yet operate in significant numbers;
- The Airbus A330-300, which is the current most common wide-body aircraft and in 2016 performed around 2% of the total movements;
- The Airbus A380, which is the largest aircraft forecast to operate at Dublin, but doesn't currently operate at Dublin;
- The Boeing 737-200, which is an older aircraft type that used to operate in large numbers, but no longer operates at Dublin. Noise levels have been provided for the Boeing 737-200 to illustrate how aircraft technology improves over time and that each generation of aircraft is quieter than the previous.

The INM noise modelling software includes a database of aircraft types and associated noise performance data. It is possible to refine this default data by a validation procedure to better predict aircraft noise around an airport based on actual noise monitoring data where this is available. At Dublin, the permanent noise monitoring and flight track keeping system provides this opportunity.

BAP have validated the default INM noise predictions for the most common aircraft at Dublin by comparing predicted noise levels with the noise levels measured at the airport's noise monitoring terminals (NMTs). Based on the validation exercise modifications have been made to the default INM noise predictions for the Boeing 737-800, the Airbus A320 and the Airbus A330-300. An aircraft type for the Boeing 737 MAX8 is not included in the INM, therefore the noise levels have been predicted for the Boeing 737-800 with an allowance made for the lower noise levels of the MAX8. This allowance has been based on the assumptions used by ECRD in their work for the Airports Commission in the UK¹.

Departures by the single aisle aircraft have been modelled as using intersection take-offs, whereas departures by the wide-body aircraft have been modelled as using the full runway length, as is expected to be case once the runway is operational.

¹ Baseline and Local Assessment Methodology Addendum, December 2014:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389579/noise_methodology_addendum.pdf

3.0 RESULTS

The L_{Amax} and SEL noise levels rounded to the nearest decibel are given in Tables 2 and 3 below.

Operation	Aircraft Type	Noise Level, dB L_{Amax}							
		0.5 km	1.0 km	1.5 km	2.0 km	2.5 km	3.0 km	3.5 km	4.0 km
Departure	Airbus A320	86	83	78	78	77	77	76	76
	Airbus A330-300	91	90	89	88	87	83	82	81
	Airbus A380	89	88	87	86	85	84	83	83
	Boeing 737 Max8	87	84	81	79	78	77	77	76
	Boeing 737-800	90	87	83	81	80	80	79	79
Arrival	Boeing 737-200	96	94	93	92	90	87	86	85
	Airbus A320	94	90	87	85	83	81	80	79
	Airbus A330-300	97	93	90	87	86	84	83	82
	Airbus A380	95	91	89	87	85	83	82	81
	Boeing 737 Max8	94	90	87	85	83	81	80	79
	Boeing 737-800	94	90	87	85	83	81	80	79
	Boeing 737-200	94	90	88	86	84	82	81	80

Table 2: L_{Amax} Noise Levels at Assessment Locations

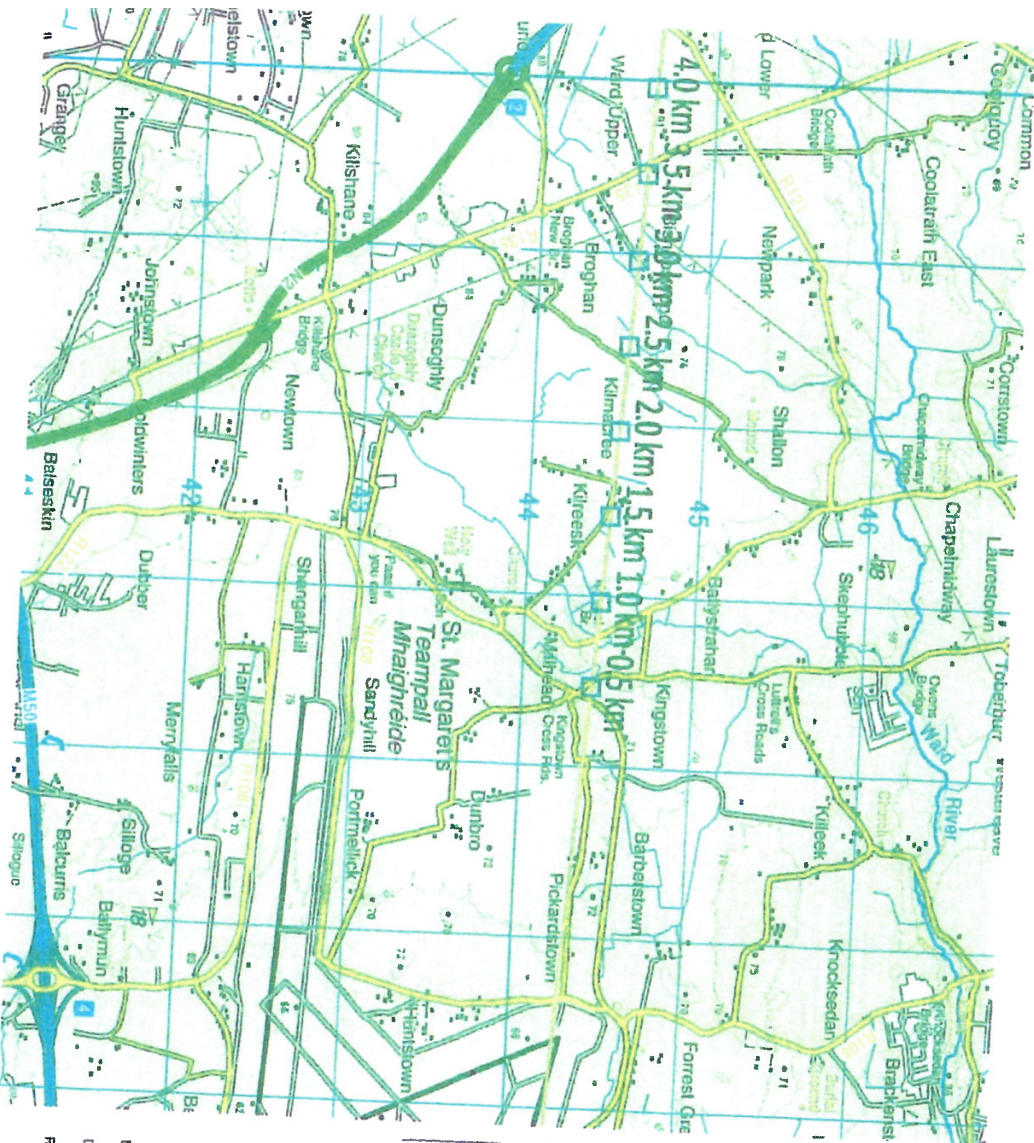
Operation	Aircraft Type	Noise Level, dB(A) SEL							
		0.5 km	1.0 km	1.5 km	2.0 km	2.5 km	3.0 km	3.5 km	4.0 km
Departure	Airbus A320	94	92	89	88	87	87	86	86
	Airbus A330-300	99	98	97	96	95	92	91	90
	Airbus A380	97	96	95	94	93	92	92	91
	Boeing 737 Max8	95	93	89	88	87	86	85	85
	Boeing 737-800	97	95	92	90	89	88	88	87
Arrival	Boeing 737-200	104	103	101	100	97	95	94	93
	Airbus A320	99	96	94	92	90	89	89	88
	Airbus A330-300	101	99	97	95	94	93	92	91
	Airbus A380	100	98	96	94	93	92	91	91
	Boeing 737 Max8	96	94	92	91	90	89	88	87
	Boeing 737-800	97	95	93	91	90	89	88	88
	Boeing 737-200	97	95	94	93	91	90	90	89

Table 3: SEL Noise Levels at Assessment Locations

4.0 SUMMARY

The noise levels for arrivals and departures by six key aircraft types have been predicted for operations on the permitted North Runway.

Duncan Rogers	David Charles	Peter Henson
for Bickerdike Allen Partners LLP	Associate	Partner



This drawing contains Ordnance Survey Ireland data
© Copyright and database right 2017.

LEGEND:

- Assessment Points
- Extended Runway Centerline

REVISIONS

Bickerdike
Allien
Partners

Dublin Airport
North Runway Project

Location of Assessment Points

DRAWN: DR CHECKED: DC
DATE: 20/04/2018 SCALE: 1:3000000
FIGURE NO:

A11219-N01-01

(c) How will be policed. Will this be reflected in the slot reduction for S25 and thereafter?

(d) This is for all ATMs - how will this impact on cargo and will this be challenged with passenger v cargo operations?

Condition 4:

The NQS of 16,260 per annum between 11pm and 7am

How does this equate to the 13,000 ATMS

How will this be enforced as Ryanair fail to recognise any conditions and refuse to per the IAA document on the Slot Allocation for S25 and W24 with no alternatives proposed to limit the number of scheduled ATMS. It is very clear the airlines do not see the conditions as a problem and expect to hold historic slots and increase them. The airlines have refused or obtained in the vote of the Coordination Committee. The airlines feel entitled to override the planning laws of Fingal, interpreting the Open Skies policy as an out.

The IAA have clearly stated in their report:

4.181

The airlines do not address the question of enforcement of any such post-HBD seat reduction, or how an approach can be reconciled with Article 6 of the Slot Regulation. The Slot Regulation provides that slots be allocated through the SALs on foot of the coordination parameters must take account of all relevant constraints which for S25 includes 32mppa Conditions

IAA state that is it the role of DAA to enforce the constraints. To date DAA have failed to do so

This needs to be fully addressed.

There is a disconnect in the NQC system and the proposed 13,000 with the split between summer and winter ?

In this draft decision ABP-314485-22 proposal, the volume of air traffic from 6am – 8am and 11pm – 12pm is not constrained and will seriously affect the health of those in the flightpaths.

The Insulation scheme needs to be fully installed in homes under the flightpath – despite the contour lines. Lines don't hear noise and are not irritated over the 16 hours or woken by aircraft take-off or landing or low altitude fly overs.

The Purchases scheme of homes in place needs to be removed, with an open market approach and compensation element for those trapped in their homes, not currently included as per example of 2 homes not selling due to the flightpaths

As Ryanair are the national airline now and are the voice and PR machine for DAA and Dublin Airport, and involved in every court case relating to the airport and flightpaths, we suggest Ryanair and Aer Lingus and all airlines using Dublin Airport are taxed substantially on their profits to fund the damage trust upon communities and the environment here in Ireland. Ryanair and Aer Lingus make massive profits at the expense of those impacted with their operation – Aer Lingus and other airlines could also contribute as users, on a pro-rata basis

The mechanism for this should be firm and precise, to permit the insulation of all homes affected in the flightpath, from the most to the least affected and a proper purchase scheme for homes, taking into consideration compensation for the loss of our forever homes, identity in community, and stress associated with being forced out and starting again. The tax should be similar to the Apple tax and

those who are located in the flight corridor , the flight paths must be cared for. This should be proposed to last as long as airlines use Dublin for operation

As Ryanair is the national carrier now, we make the recommendation that Ryanair along with the government (DAA) fully insulate ALL homes (not just bedrooms) with the profits derived from aviation. The community are entitled to be protected against excessive noise disturbance 24 hours a day.

Residents – whether collective or individual should be permitted to take a Judicial Review on the outcome of this decision , protected from prohibitive costs, as previously stated, our costs were €200,000

The Planning and Development Act has changed and we understand The protection again financial costs has been removed in the case of Judicial Reviews.

The Role of Darragh O Brien as representative for the flightpath residents.

It is worth mentioning that the current Minister Darragh O Brien , represented our group and acted as an intermediary in talks and chaired a meeting with DAA, our consultants, with Louise O Reilly and Clare Daly in December 2016. The purpose of our meeting was to engage in meaningful talks , in relation to the two schemes that had been agreed with DAA and FCC, and presented at the CLG in November , without prior knowledge

Through our legal team, we had requested to be directly involved in the Insulation and the Purchases schemes and the operation and adherence to the conditions This was totally denied.

As we are directly impacted with the flightpath, located in the Longitudinal Corridor, this was a very critical and distressing time for

all our members and Minister O'Brien guaranteed us, this would be addressed appropriately.

At that meeting DAA put forward their schemes once again, failing to listen to the concerns of the committee, stating the schemes were the schemes and not subject to change.

Despite the very good input by Louise O'Reilly and Clare Daly, there was no meaningful outcome. Minister O'Brien chaired that meeting.

Following the result of the High Court Case in 2017 in relation to the Judicial Review taken by St Margarets Concerned Residents Group (SMCRG) DAA proceeded with the schemes agreed with FCC.

As both schemes were not fit for purpose, our group rejected each of them.

In 2019, Minister Daragh O'Brien set up a meeting with the Dept of Transport, and the Minister Shane Ross and again we were told that the residents in the Longitudinal Flightpath - Corridor would have their situation addressed adequately, by Minister Daragh O'Brien. Minister O'Brien stated, before there was any change to night time flights, this issue would have to be addressed. Minister O'Brien agreed that both schemes were not fit for purpose.

ANCA was set up in 2019 and Darragh O'Brien abandoned us, and failed to address our dire situation, despite his meetings with DAA and FCC. We then had the Planning and Development Act changed to permit variations, to remove Condition 3 (d) and 5 in PL07F.217429 and the changing in the planning laws. The new law will not permit individuals to take a JR without incurring the full cost and only community groups now can make submissions and appeals. This takes the voice of homeowners away in the issues of planning, that impacts on their environment, as does North Runway

and the changes made, through the Planning and Development statutory bill passed in the Dail.

Darragh O'Brien was instrumental in the changing of the Planning and Development Act and therefore, removed the constitutional right of the homeowners to seek justice and fairness.

We have been abandoned, by this minister whom took advantage of our demise to change the planning laws and now include a whole new population of homes, fathers, mothers, young children, and elderly residents in St Margarets, Skepbubble, Shalon Lane, The Ward, and down to Rotoath, and as far as Ashbourne and beyond.

Also Portmarnock residents feel likewise.

3.0 RESULTS

The L_{Amax} and SEL noise levels rounded to the nearest decibel are given in Tables 2 and 3 below.

Operation	Aircraft Type	Noise Level, dB L_{Amax}							
		0.5 km	1.0 km	1.5 km	2.0 km	2.5 km	3.0 km	3.5 km	4.0 km
Departure	Airbus A320	86	83	78	78	77	77	76	76
	Airbus A330-300	91	90	89	88	87	83	82	81
	Airbus A380	89	88	87	86	85	84	83	83
	Boeing 737 Max8	87	84	81	79	78	77	77	76
	Boeing 737-800	90	87	83	81	80	80	79	79
Arrival	Boeing 737-200	96	94	93	92	90	87	86	85
	Airbus A320	94	90	87	85	83	81	80	79
	Airbus A330-300	97	93	90	87	86	84	83	82
	Airbus A380	95	91	89	87	85	83	82	81
	Boeing 737 Max8	94	90	87	85	83	81	80	79
	Boeing 737-800	94	90	87	85	83	81	80	79
	Boeing 737-200	94	90	88	86	84	82	81	80

Table 2: L_{Amax} Noise Levels at Assessment Locations

Operation	Aircraft Type	Noise Level, dB(A) SEL							
		0.5 km	1.0 km	1.5 km	2.0 km	2.5 km	3.0 km	3.5 km	4.0 km
Departure	Airbus A320	94	92	89	88	87	87	86	86
	Airbus A330-300	99	98	97	96	95	92	91	90
	Airbus A380	97	96	95	94	93	92	92	91
	Boeing 737 Max8	95	93	89	88	87	86	85	85
	Boeing 737-800	97	95	92	90	89	88	88	87
Arrival	Boeing 737-200	104	103	101	100	97	95	94	93
	Airbus A320	99	96	94	92	90	89	89	88
	Airbus A330-300	101	99	97	95	94	93	92	91
	Airbus A380	100	98	96	94	93	92	91	91
	Boeing 737 Max8	96	94	92	91	90	89	88	87
	Boeing 737-800	97	95	93	91	90	89	88	88
	Boeing 737-200	97	95	94	93	91	90	90	89

Table 3: SEL Noise Levels at Assessment Locations

A11215-001-01
29th August 2018

Page 4 of 5

The attached is the Longitudinal Data produced in October 2018 at a meeting with DAA. This was withheld from us – date produced August 2018. This report was delayed by DAA, despite the Minister for Transport – Shane Ross requesting it in 2017 and also the CLG requesting it (Community Liaison Group for St Margarets)

Darragh O'Brien and Dept. of Transport were all aware of the level of noise experienced with take-off and landings. Take-off particularly, as 70% of take-off are now taking off from North Runway over the areas mentioned in St Margarets. We can see the SEL and Lmax levels of noise from aircraft and this provides the evidence that the sound insulation now, in some of our homes, is not fit for purpose.

Impacts on flightpath community to date.

Following the grant of planning for North runway, the project was shelved until 2016. At that time DAA conducted a separate process

North Runway proposal to change permitted Operations.

This should have been part of the original Oral hearing held in 2006 where flight path communities could have their input and fully understand what was to ensue. Two pages covered human health where the key issues were

- Potential changes in concentration exposure to ground-borne emissions (predominantly focusing on NO₂ exposure although PM₁₀ and PM_{2.5})
- Direct, indirect and induced socio-economic health benefits.
- Potential for community disruption and potential health outcome from changes in air-borne noise directly attributed to the proposed project (annoyance, academic performance, sleep disturbance)

Amongst others mentioned (see RPS EIS scoping report June 2016)

This process took place and there was public consultation days in the community. But the community of St Margarets never envisaged what was to unfold to where we find ourselves now and pending .

We took comfort following our self- funded participation in the planning process and Oral hearing with ABP in 2006 and expected the absolute minimum number of ATMs per F06A.217429 as issued August 2007 for all our communities in the circle of the flightpaths. (65 ATMs per night) It must be said UPROAR - the Portmarnock residents and St Margarets Concerned Residents Group - made a significant case in relation to aircraft noise and the health impacts with NO2 and PM10 and PM2.5 . Our Aircraft Acoustic specialist challenged DAA on their methodology to measure aircraft noise as the LAeq16 hour does not reflect the actual SEL - Single event level.

Due to the evidence from Mr Karl Searson, and the evidence from the medical specialist with UPROAR - those conditions imposed, namely condition 3(d) and Condition 5 were put in place, for the protection of the communities, and were to be adhered to and enforced by DAA

- The role of DAA was to inform and ensure the AIRLINES adhered to this. Had this been done , after the grant of permission , the airlines would have to accept , that there were now constraints on Dublin Airport and afforded them time to look at alternative business plans and operation strategy.

But DAA were complicit in bypassing those conditions by refusing to recognise them and now we see DAA depending on the IAA to enforce the 32 million cap .

DAA failed to inform the airlines and make the appropriate operation decisions to reduce the night time ATMs to 65 per night. Under our planning laws here in Ireland , DAA should have been held accountable and DAA had breached the conditions and broken the law.

In 2016 FCC granted an extension of the 10 year period to 15 years (2007 - 2017) for the construction of the runway. We were denied any consultation or input to this process. Then we see the EIS Scoping Report to change the permitted operations . The High court case 2017/201 JR followed.

Had we been able to make a submission on the extension period, and have an oral hearing, the issue of the change in flight paths, the impact on those included in 2006 and all the new homes now affected, would have been challenged and addressed correctly in the planning system. The planning system was bypassed by changing the Planning and Development Act to permit the removal of Condition 5 and Condition 3d by the government and leaving all others unchanged.

The new Planning and Development act now prohibits individuals from taking Judicial reviews as the cost is now on the appellant in full. This has interfered and removed our constitutional rights to a fair hearing and have our environmental issues addressed. The roll of ABP should be the court that defines planning laws and remain so.

Following the Oral hearing, Clare Daly received part of the costs by FCC at the time. IT was over 100,000 euro - we never received the costs of DAA legal and environmental . As a small group of 22 households we financed our costs for the oral hearing and again for the high court in 2017 to challenge the denial of our input into the extension of time for North Runway – F06A.217429 - Condition 2 – the extension of the 10 year planning period.

A new application should have been permitted on foot of the lapsed period of 9 years. DAA used this to mislead, split and change the planning laws with the aid of Minister Darragh O'Brien, with the P & D Act 2000 to add a variation clause, to give the power to any authority, (DAA) or big enterprise, to change any planning decision, now and into the future. F07A.217429 being the first of these.

F07A.217429 has become a mobile document now to pick and choose and has completely undermined all of the 31 conditions.

WE BELIEVE THIS RIGHT WAS DENIED Parallel to the construction of the runway, the actual effects of the proposed operation was dealt with separately. We think this was deliberate, and DAA were complicit with this knowledge that an increased number of the community would be blighted .

In 2019 we see the setting up of ANCA – a requirement of the END and EU598/2014 - This was agreed with the Government (DAA) and the AG that Fingal County Council were the best entity. We heard at the Dail meeting with the then Minister Shane Ross, - the Attorney General has advised it may be unconstitutional to have the IAA leading the role or the EPA. When asked for

the rational for this, we were denied the decision information. This is our political discourse for shutting down discussion, and clarity.

Note: EPA have no role in monitoring emissions at Dublin Airport

Note : In the Interim, IAA have split into with with the setting up of AirNav, another entity .

A halting site, in the way of the construction of North Runway and on the lands of DAA , successfully had their case concluded, following legal action and were compensated with Properties provided for them . One of those properties was purchased by FCC at a cost of 500,000 and then renovated with a cost in the region of another 500,000 euro. Today the flight path residents are trapped with no market in a blighted airport zone.

In 2020 g meetings took place with FCC and ANCA (part of FCC and conflicting with the planning dept) to submit an application to remove Condition 5 and Condition 3(d)

DAA had planned to also submit the removal of the cap for 40MPPA but ANCA advised this should be done later and separately. So we see the two variations, to remove the conditions were one project in early pre-planning discussions with ANCA and Fingal planning office (all the one)

This leads us to the appeal now with ABP.

To fully assess the extent of the impact on the community, one must look at the facts.

Noise Insulation.

Many of the homes affected by Aircraft noise are outside the not fit for purpose schemes.

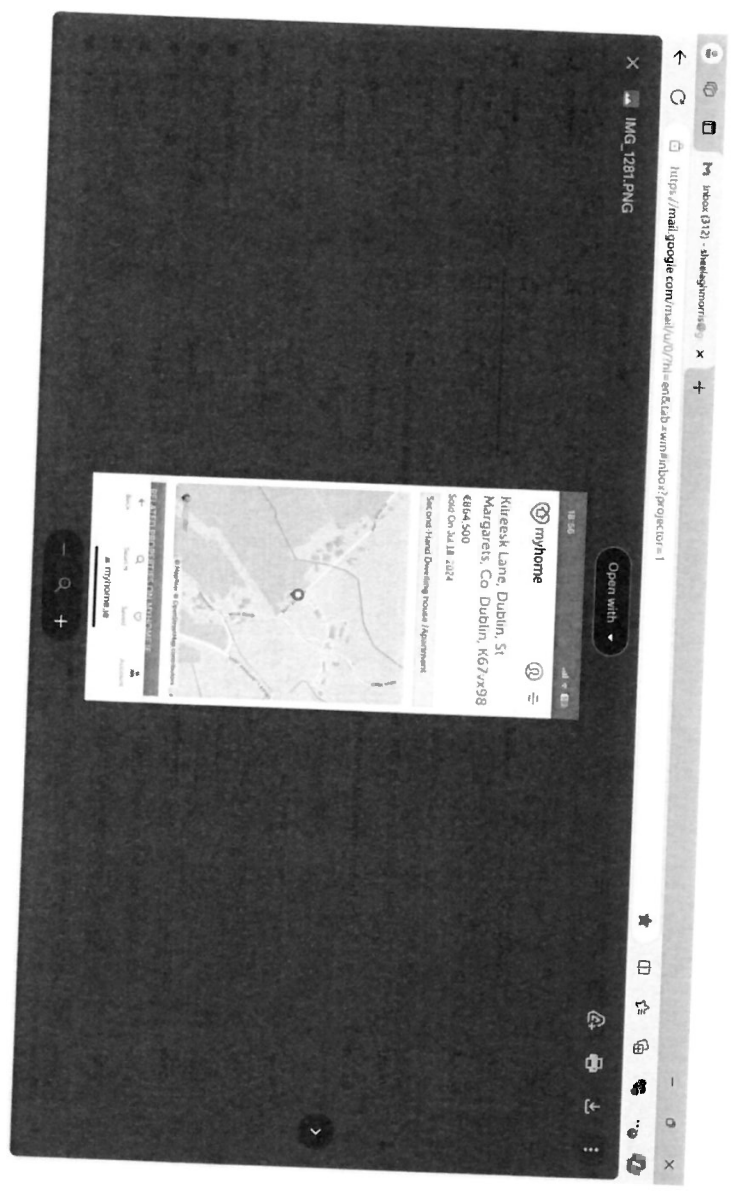
The Property buy out scheme and the Insulation scheme have not changed accordingly despite the removal of condition 5 and 3(d)

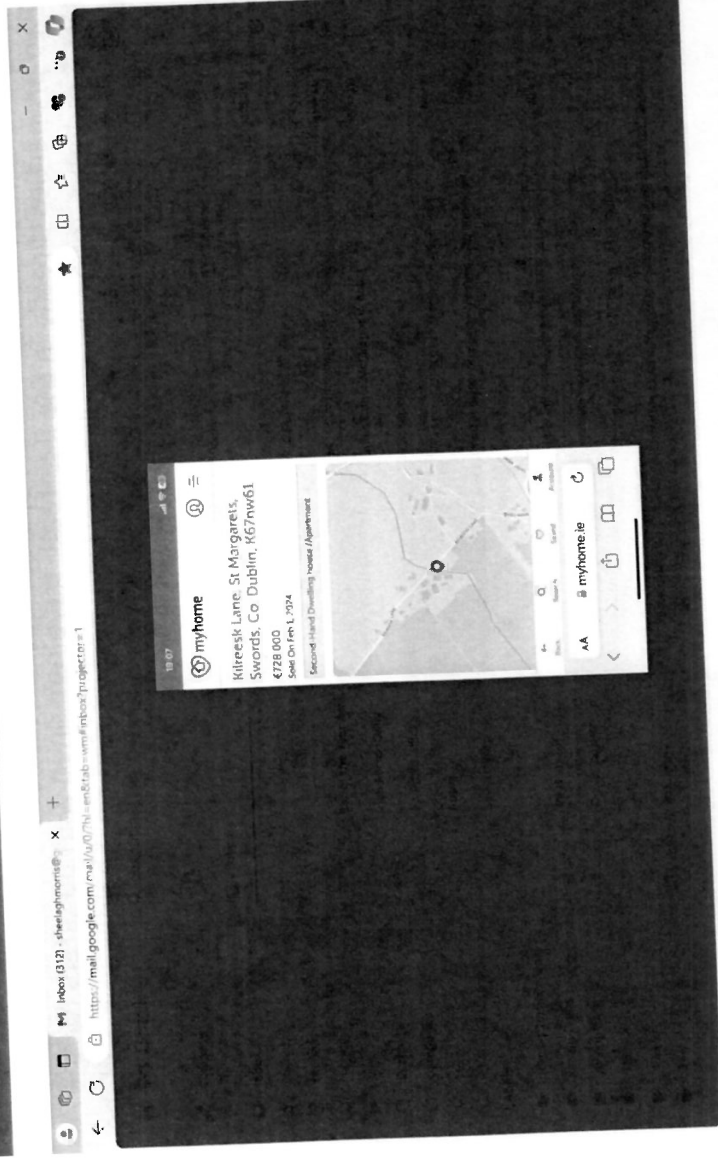
The properties in the flight path are now blighted and the property market has collapsed for those directly in the flight path and under it. The only buyer is Daa and the Government.

SUBMISSION BY SHEELAGH MORRIS & OTHERS – DRAFT DECISION ABP-314485-22
PLANNING REGISTER REFERENCE NO. F20A/0668

Two properties directly in the flightpath have remained with no offers for the last 6 months – one fully insulated by DAA, and located on Shalon Lane and the other excluded from the Insulation scheme located in The Ward.

My Home.ie published the following:





The above are two of the homes of residents that were forced out of their homes and were part of the Voluntary buy out scheme

There is nothing voluntary about it when faced with two choices

Sell to the DAA - the only buyer as no residential property market in St Margarets.

OR STAY – accept the Voluntary insulation that does not meet the WHO Standards of 40db and live with the torture of sleep deprivation and health impacts of aircraft emissions , noise and PM.

There were 38 homes in the so called voluntary buyout scheme. Only 2 homes have taken up the offer at time of writing that we are aware off. The buy out scheme – Condition 9

Prior to commencement of development, a scheme for the voluntary purchases of dwellings shall be submitted to and agreed in writing by the planning authority. The scheme shall include all dwellings predicted to fall within the contour of 69db LAEQ 16HR within 12 months of the planned opening of the runway for use. Prior to the commencement of operation of the runway, an offer of purchases in accordance with the agreed scheme shall have been made to all dwellings coming within the scope of the scheme and such offer shall remain open for a period of 12 months from the commencement of use of the runway.

The 69db LAEQ is a metric chosen with the so called contour lines, that are visible to the naked eye not the lines don't make a sound. It is the aircraft taking off and landing on the runways that effect the hearing, affect the sleep, the health and well-being of the population inflicted now, with the breach of the conditions per F07A.217429.

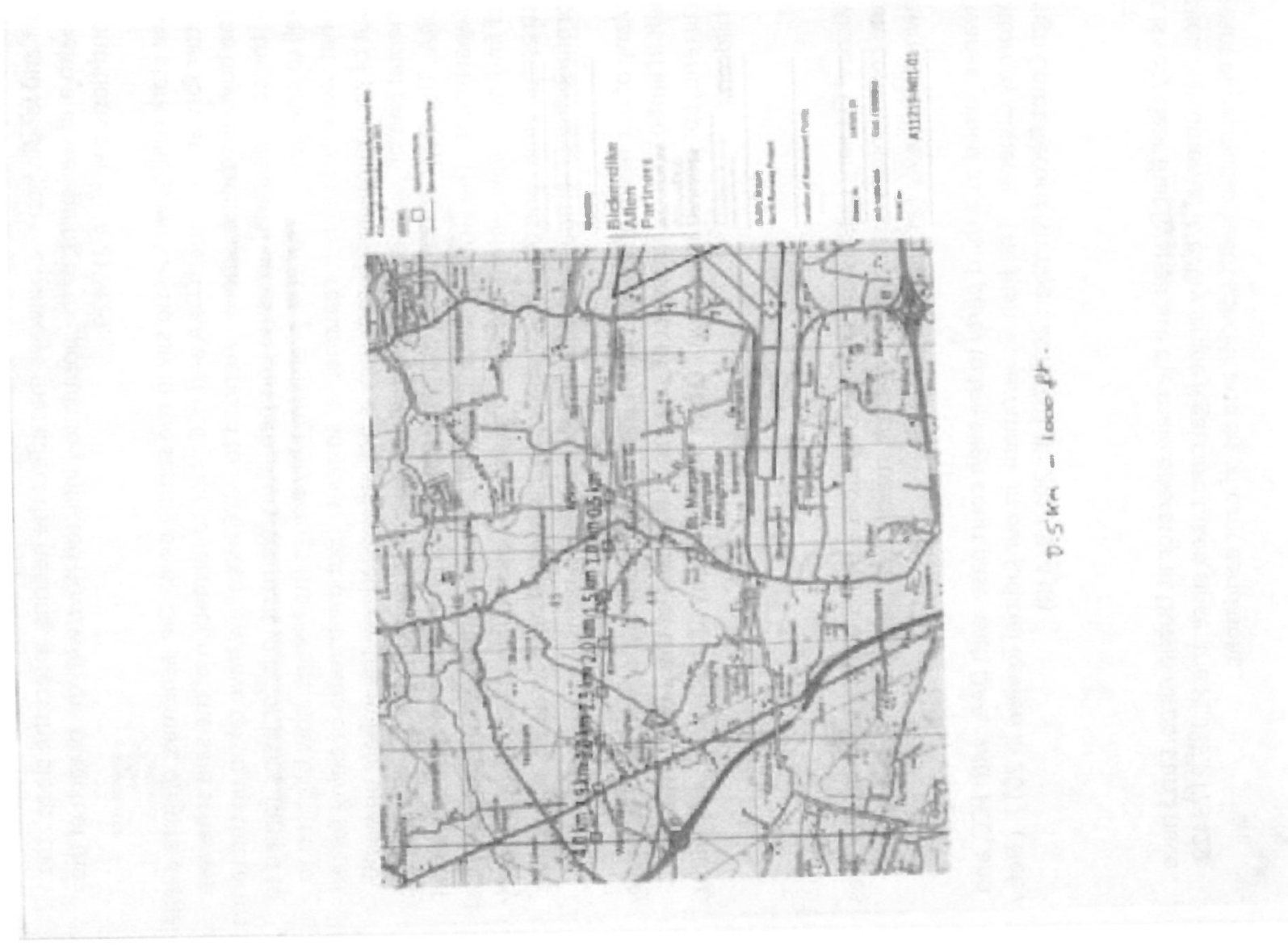
The stark reality, we had no say in the setting up of the schemes, despite a legal letter forwarded to both DAA and FCC prior to formation of the said schemes. The buyout scheme is now extended to 2026 as so few have taken up the terms of the scheme and there is no compensatory element to it, for being forced to sell to one buyer. The 30% premium only brings the homes, now blighted to what some will say is a reasonable amount. But the trauma of being forced out of your home and community is not acknowledged- the impact on health, mental and physical has been wholly undermined and complicity bypassed by DAA, The Dept of Transport, Minister Darragh O'Brien and the Environmental department. The stress of leaving behind, family homes, identity and the task of finding a replacement home and starting all over again is daunting and very stressful, when one does not want to, and is being forced to do so, due to the profiteering of airlines and daa in their expansion plans.

Many of our newly affected community have no buy out option at all so totally left in limbo with no prospect of sale (as in the case of the 2 on the market currently) or denied insulation in their homes. Many of these have very young children.

Michael O'Leary calls us the Looney Objectors – this is our homes and our lives and communities destroyed by aircraft, mainly Ryanair, who is the only Irish owned Airline as Aer Lingus is now IAG.

Ryanair joined as a third party to the High Court case with DAA, with FCC, and Attorney General - The Irish Government in our Judicial Review in 2017 (Ref: / High Court Record Number: 2017 201 JR; 2017 344 JR)

It is very clear that Ryanair are the main operator at Dublin Airport and have been instrumental in every single legal case taken since the PL07F.2173429 grant of permission with specific and significant conditions.



The map shows the flight path and the altitude of aircraft taking off from north runway. Dunbro, Millhead, Kilreesk are in the longitudinal corridor and when aircraft turn, we have Skepbubble, Shalon Lane, The Ward, Coolquoy (the National School) Ashbourne, Ratoath, and as far as the Naul now affected with the flightpath.

Map accompanied Longitudinal data.

The introduction of Noise quota counts will have no benefit and will actually increase the number of aircraft movement (ATMs) . – Single events - quieter aircraft v more of them increases the quantity of aircraft noise by virtue of increased flights.

ABP have delivered a document of contradiction, in permitting the NQC and then reducing the number of flights at night by 20,000 pa.

As we look at the track history to date, DAA have breached the planning conditions – F04A/1755 – PL06F. 217429 exceeding 65 aircraft movements from the commencement of the operation of North runway. So this will be breached again as slots allocated to airlines in place and no enforcement to date to enforce planning conditons.

Millhead is approximately 1km from the end of North Runway and experience 70% of all take offs with 30% aircraft landings.

Summary and Conclusion.

The safeguarding of people's health and well-being and environment must be the pinnacle of this NAP - the conditions must be adhered to. NO scheduled flights on North runway from 11pm – 7am and only 65 aircraft movements on South Runway for the benefit of the people directly affected.

The noise Contour maps need to be realigned to the actual noise. They are simply lines drawn on the map from a computer, with no human ear and incorrectly justified to suit the expanding operations at Dublin Airport. The solution is divert air traffic to Shannon and Cork with proper consultation in inclusion of the residents impacted, not as we were treated here in Dublin.

The home of Peggy Hoey is out of the noise contour totally and yet she experiences the torture of lack of sleep and tranquil environs as a result of the aircraft landing on North Runway. She has been excluded totally and is just one of many. She lives at the Ward, in the direct flight path.

The contour lines must be assessed again and properly drawn on the map to include all those impacted for Insulation or voluntary buy out. A full assessment of her home and those excluded must be completed in the interests of human health.

The long term health impacts have been dismissed and DAA are complicit in this regard, along with FCC. The homes and lives of all flightpath residents, new and existing have been destroyed, for the sake of Economic greed.

The truth cannot be sugar coated or removed. IT IS ALWAYS THERE despite interpretations and false pretence. The Conditions must be followed per F04A/1755 and PL06F. 217429

CONDITION 3(d)

Runway10L-28R shall not be used for take-off or landing between 2300hours 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 airport.

This is very clear no scheduled flights between 11pm – 7am .

Condition 5.

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 hrs 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.

This is very clear - no flights from 11pm to 7am .

The conditions are the conditions.

Submitted by:

Sheelagh Morris (Author) Millhead, ST Margarets K67A364.

Nathan Marley - Millhead St Margarets

Helena Merriman Kilreesk Lane St Margarets

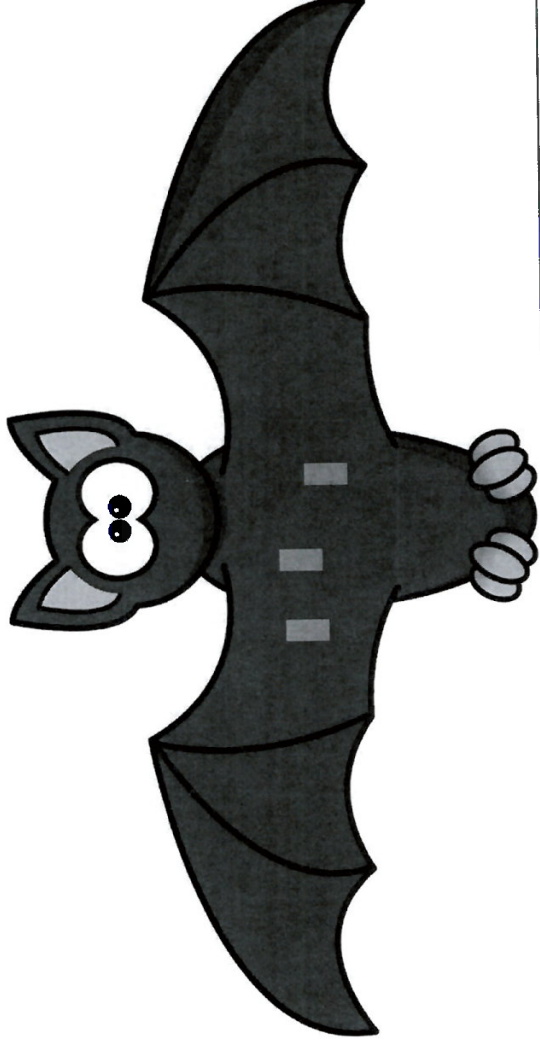
Sean Fox , Dunbro St Margarets

Peggy Hoey –Lissadell , , The Ward Co Dublin D11F384

Dated: 24th November 2024

We all live here - we all matter – we all have a voice and 2 ears.

You cant draw lines on the map, and expect the noise to go away.



Appendices

Longitudinal Data – attached. – 50(A)(3)(C)(d)(e)

Extracts taken from correspondence from Daa

Extracts taken from EPA online website

Extracts taken North Runway Proposal to Change Permitted Operations – EIS Scoping Report June 2016

Latest letter regarding extension to voluntary Buy out scheme to 2016.

- Department of Transport. – correspondence 6th June 2007.
- 2008 – inside the contours. } DAA Correspondence
- 2016 – outside the contours.
- 2017 – outside the contours } moving contour lines.

Office of the Minister

Transport House, Kildare Street, Dublin 2, Ireland.

Oifig an A.

Teach Iompair, Sraid Chill Dara, Baile Átha Cliath 2, Éire.



Department of Transport
An Roinn Iompair



Tel: +353 1 670 7444 Locall: 1890 443311 Fax: +353 1 604 1183 Web: www.transport.ie Email: minister@transport.ie

Our Ref: MOTCO7/12987

13 June, 2007

Ms Helena Merriman
St Margaret's Concerned Residents Group
"Millview"
Millhead
St Margaret's
Co Dublin

Dear Ms Merriman

I refer to your letter of the 20th May 2007 to the Taoiseach, which was forwarded to the Minister of Transport for reply.

The Minister has asked me to say that the Government's objective with regard to aviation policy is to facilitate and encourage as wide a range as possible of reliable, regular and competitive commercial air services for Irish tourism, trade and industry. The National Spatial Strategy has acknowledged that the expansion of the level of air services from Dublin Airport to a wider range of destinations is essential in the interests of underpinning Ireland's future international competitiveness and this necessitates an expansion of the airport.

However, specific proposals in relation to the development of Dublin Airport are a matter for the Dublin Airport Authority in the first instance. The DAA has statutory responsibility to manage, operate and develop the airport and to provide such facilities and services, as it considers necessary for aircraft and passengers. These proposals are of course subject to the provisions of the Planning Acts and it is understood that oral hearings in respect of the proposed second runway and Terminal Two were recently held by An Bord Pleanála. The reports of both hearings are awaited and in the circumstances it would be inappropriate to comment further on the matter.

Yours sincerely,

John Conroy
Private Secretary

7th February, 2008

Oliver & Sheelagh Morris,
Millhead,
St. Margarets,
Co. Dublin



Dublin Airport Authority plc
Udarás Aerfort Breac Ána Clain cdt

Dear Ollie and Sheelagh,

I am conscious that it has been some time since we have been in touch with you regarding the proposed new runway here at Dublin Airport. As you know there were 31 conditions associated with the permission granted by An Bord Pleanála at the end of August last year.

Our Technical Department have been examining the conditions in fine detail since then. This process is ongoing and has taken longer than originally anticipated because of the complex nature of a number of those conditions. We expect this process to be concluded in approx 8-10 weeks time and we will be in contact with you again with a further update.

In the meantime, for your information, the attached notices have just been published on the Government eTenders Public Procurement website seeking consultancy for three areas relating to the proposed runway. They are:

- Detailed Design & Project Management Consultancy Services
- Enabling works Design & Project Management Consultancy Services and,
- Runway Cost Consultancy Services

Over/...

- 2 -

We do not expect any physical activity to take place on the runway site itself until the end of this year when archaeological investigations of the area are due to commence.

As your residential property falls within the voluntary house buy out scheme I appreciate that this is a very sensitive and emotive issue for you and I will be in touch as soon as I have some further information in that regard.

In the meantime do not hesitate to contact either Maura Cassidy or myself.

Yours sincerely,

A handwritten signature in cursive script, reading "Siobhán Moore".

Siobhán Moore,
External Communications Manager

27th July 2016.

■■■■■
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Dear ■■■■■

Re: Voluntary Dwelling Purchase Scheme – ■■■■■

As you may be aware, daa received planning permission from An Bord Pleanála in August 2007 for the construction of a new North Runway 10L/28R at Dublin Airport.

As part of the planning process, daa submitted details of a number of noise mitigation measures. These mitigation measures relate to residential dwellings which will be most affected by the future operation of the new runway at the airport and were conditioned by An Bord Pleanála as part of the planning grant. Condition 9 of the planning permission provides for a voluntary purchase scheme for dwellings located within a defined noise contour (69dB LAeq 16 hour contour - the "69dB contour").

Although your dwelling is outside the 69dB contour, it was within the 69dB contour when planning was originally sought. I am writing to advise that as we had indicated in previous correspondence that your dwelling would be included in a voluntary purchase scheme, daa will invite you to participate in the Scheme.

daa has developed a proposed Scheme and is now seeking feedback on it and how it will operate. Once finalised, the Scheme will be open to you until three years after the North Runway becomes operational, i.e. until three years after the first commercial flight lands on or departs from the North Runway. We currently expect that the runway will be operational in 2020.

The Scheme is completely optional and owners will be under no obligation to participate in it. In any case, we will also offer a Residential Noise Insulation Scheme to owners.

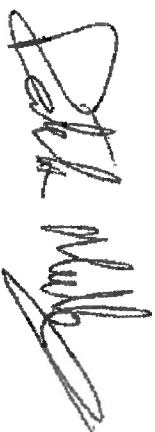
Under the proposed Scheme we will pay 20% more than the market value for your dwelling, and the market value will be calculated as if the North Runway was not being built.

I appreciate this is a very important issue for you and accordingly I or a member of the daa team would like to meet you to discuss the proposed Scheme and to address any questions that you might have in relation to it. To arrange a meeting please contact my colleague Maura Cassidy on [REDACTED] or by email [REDACTED]

If you are unable to attend a meeting I would encourage you to submit your feedback on the proposed Scheme by Friday 2nd September, as daa will be finalising the Scheme after that date. This can be done by contacting Maura Cassidy by email or by letter (Maura Cassidy, [REDACTED])

If you do not have any comment on the proposed Scheme, we will be in contact with you again following finalisation of the Scheme.

Yours sincerely,



Pat Molloy
Project Director
North Runway

Please note that daa does not make any commitment to purchase any dwelling whether the subject of the Scheme or not. Any offer that may be made in any future correspondence in relation to this matter is subject to contract, good and marketable title, planning investigation, condition surveys and all other relevant approvals. No contract shall come into existence or be deemed to come into existence until it is duly signed by daa's and the seller's duly authorised representatives. This letter either alone or taken with any other document shall not constitute a memorandum in writing for the purposes of the Statute of Frauds.

ur Ref. B7-3/3557761.

4th May 2017.



Private and Confidential

St. Margaret's,
Co. Dublin.

Dear Ms. Morris,

Voluntary Dwelling Purchase Scheme

St. Margaret's, Co. Dublin.

For our letter of 15th December 2016 in which we advised you of Fingal County Council's approval of the Voluntary Dwelling Purchase Scheme. We also committed to revert to you when the Scheme was ready to launch, and I am pleased to inform you that we are now accepting applications from eligible dwelling owners.

Although your dwelling is located outside the predicted 2022 69dB LAeq, 16-hour contour, you are invited to take part in the scheme, as per earlier correspondence, and an offer to purchase your dwelling will be made should you decide to participate. The process itself is straightforward and a step-by-step guide is provided in the attached chart. Also attached for your reference is a copy of the approved Scheme; this is the same document which was enclosed with our letter of 15th December last, and the content remains unaltered since then.

I would like to remind you that the Scheme is completely voluntary and there is no obligation whatsoever on you to participate. The Scheme shall remain open for three years after the commercial commencement of use of North Runway (i.e. three years after the date of the first commercial flight landing on or departing from North Runway). Should you already have reached a decision to participate in the Scheme, you may complete the Participation Request Form attached.

Whether or not you decide to participate in the Voluntary Dwelling Purchase Scheme, your dwelling continues to be eligible for the Voluntary Residential Noise Insulation Scheme. It is important, however, that you remember the closing date for participation in the latter scheme is 1st December 2017, so if you haven't already advised your intentions in this regard, please do so before then.

I am very conscious that this is an important decision for you and your family. Both I and the team are available to meet with you to clarify any issues and address any questions you may have. In this regard, if you feel such a meeting would be beneficial, please telephone Maura Cassidy on 01-8144130, or email maura.cassidy@daa.ie, or write to Maura Cassidy, Community Liaison Manager, Level 5, Terminal 1, Dublin Airport, Co. Dublin.

Yours sincerely,

Miriam Ryan

Miriam Ryan,
Stakeholder Lead, North Runway.

Please note that daa does not make any commitment to purchase any dwelling whether the subject of the Scheme or not. Any offer that may be made in any future correspondence in relation to this matter is subject to contract, good and marketable title, planning investigation, condition surveys and all other relevant approvals. No contract shall come into existence or be deemed to come into existence until it is duly signed by daa's and the seller's duly authorised representatives. This letter either alone or taken with any other document shall not constitute a memorandum in writing for the purposes of the Statute of Frauds.

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