



Aircraft Noise Competent Authority

2nd Floor

County Hall

Swords

Co. Dublin

22 February, 2021

Register Reference: F20A/0668



An tÚdarás Innlíoli um
Thorann Aerárthaí

Aircraft Noise
Competent Authority

RECEIVED

22/2/21
JH.

Dear Sir/Madam,

With reference to the above, **Additional Information** was requested from the Agent/Applicant in relation to this application on 19-Feb-2021. Details of this Additional Information are attached for your information.

This request for Additional Information is also available to view by clicking on the following link: <http://planning.fingalcoco.ie/swiftlg/apas/run/wphappcriteria.display> and viewing 'Documents'. It will be necessary to input the Register Reference into the on-line search facility in order to view the application.

You will be notified when a response to the request for Additional Information is received by the Planning Authority.

Yours faithfully,


for Senior Executive Officer



Gavin Lawlor
Tom Phillips & Associates
80 Harcourt Street
Dublin 2
D02 F449.

PLANNING & DEVELOPMENT ACTS 2000, AS AMENDED

Decision Order No. PF/0369/21	Decision Date 19 February, 2021
Register Ref. F20A/0668	Registered 18 December, 2020

Area Swords
Applicant daa plc
App. Type Permission

Development

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, at Dublin Airport, Co. Dublin, in the townlands of Collinstown, Toberbunny, Commons, Cloghran, Corballis, Coultry, Portmellick, Harristown, Shanganhill, Sandyhill, Huntstown, Pickardstown, Dunbro, Millhead, Kingstown, Barberstown, Forrest Great, Forrest Little and Rock on a site of c. 580 ha.

The proposed relevant action relates to the night-time use of the runway system at Dublin Airport. It involves the amendment of the operating restriction set out in condition no. 3(d) and the replacement of the operating restriction in condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19), as well as proposing new noise mitigation measures. Conditions no. 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. The proposed relevant action, if permitted, would be to remove the numerical cap on the number of flights permitted between the hours of 11pm and 7am daily that is due to come into effect in accordance with the North Runway Planning Permission and to replace it with an annual night-time noise quota between the hours of 11.30pm and 6am and also to allow flights to take off from and/or land on the North Runway (Runway 10L 28R) for an additional 2 hours i.e. 2300 hrs to 2400hrs and 0600 hrs to 0700 hrs. Overall, this would allow for an increase in the number of flights taking off and/or landing at Dublin Airport between 2300 hrs and 0700 hrs over and above the number stipulated in condition no. 5 of the North Runway Planning Permission, in accordance with the annual night time noise quota.

The relevant action pursuant to Section 34C (1) (a) is: To amend condition no. 3(d) of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023,

ABP Ref. No. ABP-305289-19). Condition 3(d) and the exceptions at the end of Condition 3 state the following: '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.' Permission is being sought to amend the above condition so that it reads: 'Runway 10L-28R shall not be used for take-off or landing between 0000 hours and 0559 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 or where Runway 10L-28R length is required for a specific aircraft type.' The net effect of the proposed change, if permitted, would change the normal operating hours of the North Runway from the 0700hrs to 2300 hrs to 0600 hrs to 0000 hrs. The relevant action also is: To replace condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19) which provides as follows: 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 An Bord Pleanála on the 5th day of March, 2007. 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'. With the following: A noise quota system is proposed for night time noise at the airport. The airport shall be subject to an annual noise quota of 7990 between the hours of 2330hrs and 0600hrs. In addition to the proposed night time noise quota, the relevant action also proposes the following noise mitigation measures: - A noise insulation grant scheme for eligible dwellings within specific night noise contours; - A detailed Noise Monitoring Framework to monitor the noise performance with results to be reported annually to the Aircraft Noise

Competent Authority (ANCA), in compliance with the Aircraft Noise (Dublin Airport) Regulation Act 2019. The proposed relevant action does not seek any amendment of conditions of the North Runway Planning Permission governing the general operation of the runway system (i.e., conditions which are not specific to nighttime use, namely conditions no. 3 (a), 3(b), 3(c) and 4 of the North Runway Planning Permission) or any amendment of permitted annual passenger capacity of the Terminals at Dublin Airport. Condition no. 3 of the Terminal 2 Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.220670) and condition no. 2 of the Terminal 1 Extension Planning Permission (Fingal County Council Reg. Ref. No. F06A/1843; ABP Ref. No. PL06F.223469) provide that the combined capacity of Terminal 1 and Terminal 2 together shall not exceed 32 million passengers per annum. The planning application will be subject to an assessment by the Aircraft Noise Competent Authority in accordance with the Aircraft Noise (Dublin Airport) Regulations Act 2019 and Regulation (EU) No 598/2014. The planning application is accompanied by information provided for the purposes of such assessment. An Environmental Impact Assessment Report will be submitted with the planning application. The planning application and Environmental Impact Assessment Report may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the Planning Authority during its public opening hours of 9.30 - 16.30 (Monday - Friday) at Fingal County Council, Fingal County Hall, Main Street, Swords, Fingal, Co. Dublin.

Location Dublin Airport, Co. Dublin.

Dear Sir/Madam,

With reference to your planning application received on 18 December, 2020 in connection with the above, I wish to inform you that before the application can be considered under the above mentioned Acts, six copies of the following additional information must be submitted:

1. To enable the planning authority to undertake an investigation and an analysis to reach as complete as assessment as possible of the direct and Indirect effects on the environmental factors the applicant is requested to address the following in a revised Environmental Impact Assessment Report (EIAR):
 - a) While some information on the EIAR Project Team is provided at Section 1.10 of the EIAR, not all names or qualifications are provided and statements of experience demonstrating competency should be provided. Article 94(e) of the Regulations requires that an EIAR includes a list of names of all the experts contributing to the various sections of the report, together with details of their competency including, as appropriate, qualifications, statements of experience and any additional information that demonstrates the required competency.
 - b) Given that both permitted and proposed scenarios involve constraints, e.g. either by time / number of flights in the permitted, or by time / noise quota in the proposed. It should be clarified, as appropriate, the basis of the use of 'constrained' and 'unconstrained' in the EIAR and if these are simply 'as permitted' and 'as proposed' scenarios.
 - c) In order to gain a fuller understanding of the characteristics and likely significant impacts of the proposed changes over time, and in keeping with the requirements of Annex IV(5) of the EIA Directive and standard assessment practice, the assessments presented in the EIAR should also provide for a longer-term scenario (i.e. 10 or 15 years post opening year scenario (2022)).
 - d) While not expressly stated in each and every chapter it is noted that by assessing the 'permitted' scenario in 2018, 2022 and 2025 that the Do-nothing scenario has been included. Likewise, it is noted chapters of the EIAR that the assessment includes for the 'worse-case' scenario (e.g. Chapters 7, 10, 13, 14). In the interests of clarity, the do nothing and 'worse-scenario' should be identified clearly and applied consistently throughout the assessment.
 - e) The submitted planning documentation and supporting Environmental Impact Assessment Report (EIAR) does not sufficiently acknowledge the North Runway's capacity, as permitted, to deliver a gain in connectivity. As a result, it is considered that further consideration is required of the 'baseline scenario' (i.e. as referred to in the EIAR the future permitted baseline (2022 constrained)). The assessment should give further consideration to alternatives that operate within permitted take-off and landing hours and demonstrate how they are interact with permissions and conditions at Dublin Airport regarding the 32mppa limit, over a longer timeframe (i.e. 10 or 15 years post 2022).
 - f) While details of consultations are outlined out in Chapter 5 of the EIAR, there is

little information on the timings of the various consultations and no information has been provided in relation to the issues raised in the consultations and how these have informed the assessments in the EIAR. Information should be provided on timings of consultations, issues arising and how these have informed / been assessed in the EIAR.

g) Section 6.4 Local Planning does not address land use zoning in the wider area around the airport, areas which may be potentially impacted by the proposed Relevant Action. Likewise, potential impact on wider land use zoning is not considered under Chapter 19 Material Assets. Existing land use and land use zonings around the airport should be described under local planning policy and described and assessed for potential impacts under Chapter 19 Material Assets.

h) The assessment at Section 7.7 of Chapter 7 Population and Human Health should initially present the findings of the unmitigated scenario to allow for a full assessment of potential worse-case scenario. The effect of mitigation measures on the impacted environment should be presented separately, followed by a clear and definitive discussion on any residual impacts, associated locations, characteristics, effects etc. Any revised assessment presented in Chapter 7 should have regard to any further review or update required of other chapters of the EIAR, e.g. ground noise assessment.

i) The assessment presented in Chapter 14 Ground Noise and Vibration should be revised to include:

- A longer-term assessment scenario (i.e. 10 or 15 years post 2022) to allow for a full understanding of the medium and long-term characteristics and significance of impacts. To allow for consideration of impact on potentially worse affected locations, the impact assessment should also include properties closest to the airport.
 - Chapter 9 Traffic and Transport identifies changes to traffic levels and, therefore, traffic should be included in the revised ground noise assessment.
 - Ground Noise Modelling Figures referenced as being included in Appendix 14, section 14C.4.1, in Technical Appendices Volume 1 have not been included. These should be updated as required and submitted.
 - A cumulative assessment of the interaction between ground and air noise, calculating quantitatively the numbers of persons "highly annoyed" or "Highly Sleep Disturbed" by both Ground and Air Noise. The assessment should explain the relative contribution to noise annoyance and sleep disturbance by ground and air noise. The combined noise impacts should be also shown by means of maps.
- j) Directive 2014/52/EU requires the consideration of the likely significant effects of the project on climate and also the vulnerability of the project to climate change.

Further information is required to demonstrate sufficiency of information with regard to this environmental factor. Further consideration should be given to impacts regarding two key aspects to be addressed, 1) climate change mitigation and 2) climate change adaptation.

k) Chapter 20 Cultural Heritage does not detail the cultural heritage baseline, the designated and non-designated heritage assets or archaeological investigations on the basis that the proposed amendments will not result in any effects upon cultural heritage assets when compared with the permitted/constrained scenario. A table of the designated archaeological and architectural heritage sites protected by statutory legislation should be included within the EIAR.

l) Chapter 21 includes references to 'in-combination effects' throughout (e.g. Section 21.5 In-combination Effects). In-combination is not an EIA term, and the assessment presented in Section 21.5 does not adequately address, consider or assess impacts as set out in the EIA Directive, legislation, and EIA guidance. The assessment in the EIAR should address, consider and assess, where required, impacts which may arise from 'interactions' between environmental factors, e.g. noise and health, noise and population, noise and biodiversity, noise and materials assets (land use), etc. In addition, the assessment of potential cumulative impacts should be reviewed and updated to consider specifically planned or permitted projects, or land use zonings (community, residential, etc.) within the zone of influence of the Relevant Action. Table 21-1 should be reviewed and expanded as necessary, to address all potential cumulative impacts and the assessment updated accordingly.

m) A summary table of features and/or measures envisaged to avoid, prevent or reduce and, if possible, off set likely significant effects of the proposed development, and a timescale for the implementation of proposed mitigation measures.

n) It is considered that the EIAR Non-Technical Summary (NTS) is overly simplified and fails to adequately set out the receiving environment, the assessment of potential impacts, proposed mitigation measures and residual impacts, as required of the EIA Directive and Guidance including EC EIA Guidance - EIAR, 2017. The NTS for the EIAR should be reviewed and updated to provide appropriate and sufficient detail to describe the receiving baseline environment, to detail the assessment of potential impacts, to outline the nature and effect of proposed mitigation measures and to define residual impacts in a non-technical manner.

2. Further information is required in relation to AA screening report, as follows:
 - a) Section 2.1.5 of the AA Screening report, potential direct effects on any SACs are explicitly ruled out. The EIAR, in several places (such as at Sections 12.3.1, 12.5, 15.4 and 16.3), states that the Cuckoo Stream flows west to east through the application site. At Section 19.3.2.4 it is noted that the Forrest Little, Wad and Kealy's Streams also flow through the application site. The Cuckoo Stream eventually joins the Mayne River, and the other streams eventually join the Sluice River. Both of these rivers flow into Baldoyle Bay SAC / SPA and not Malahide Estuary. The screening report should be updated to correctly identify all surface water pathways.
 - b) The AA Screening report should be revised to take account of statements within Chapter 8 of the EIAR regarding potential impacts on European sites caused by emergency fuel dumping from the Relevant Action application, should this take place.
 - c) The review of in-combination effects should be reviewed, and updated if necessary, to take account of the responses submitted to this request for further information in relation to both the Screening for Appropriate Assessment and Environmental Impact Assessment Report.
3. In the interest of ensuring accuracy of the particulars submitted with the planning application for the public file, the applicant is requested to address the following:
 - a) Correct the planning register references where typographical errors have been made in respect to the submitted Environmental Impact Assessment Report, as prepared by AECOM and Planning Report, as prepared by Tom Phillips and Associates. For clarity, an incorrect reference to An Bord Pleanála planning file number is repeated. The reference is to amended permission (FCC Reg. Ref. No.: F19A/0023) ABP Ref. No. ABP-305298-19, which is incorrectly listed as ABP-305289-19. Furthermore, an incorrect Register Reference in respect to the Terminal 2 permission FCC Reg. Ref. No. F06A/1248, which is incorrectly listed as F04A/1755.
 - b) Amend the number of incorrect cross-references to other sections of a chapter and/or other chapters. Incorrect references noted as 'section 0' are prominent in Chapters 7, 13 and 14.

NOTE 1:

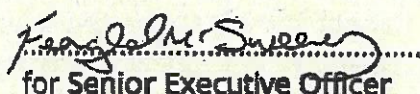
As ANCA has identified that a Noise Problem and will now proceed to apply the Balanced Approach of the International Civil Aviation Organisation in accordance

with the provision of the Aircraft Noise Regulation (EU 598/2014), the Act of 2019 and Section 34C of the Act of 2000 there will be a requirement to consult and coordinate such further information with both the Planning Authority and the Aircraft Noise Competent Authority. Furthermore, the applicant shall have regard to, and, provide such information as is necessary to demonstrate any implications that would arise from the taking the relevant action as proposed, or in response to any further information or plans sought by ANCA in relation to appropriate assessment or environmental impact assessment.

Any submission made resulting from the above will be examined and MAY be deemed to be SIGNIFICANT ADDITIONAL INFORMATION. In this event, the applicant will be subsequently notified and requested to re-advertise the changes and will also be advised as to the required format for such advertisements, in accordance with Article 35 of the Planning and Development Regulations, 2001.

Please mark your reply "ADDITIONAL INFORMATION" and quote the Planning Reg. Ref. No. given above.

Yours faithfully


for Senior Executive Officer

19 February, 2021.

N.B. In accordance with Article 33(3) of the Planning and Development Regulations 2006, where the above requirement is not complied with, the Planning Application shall be declared to be withdrawn after a period of 6 months.

NOTE: Please note that applicant is required to remove Site Notice on receipt of Notification from Planning Authority of decision.

NOTE: Please note all observations/submissions have been taken into consideration when making this decision.