APPEAL OF DECISION TO GRANT PERMISSION

PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

APPELLANTS: McDonnell x 3; Rooney; and Colgan families of Kilreesk Lane, St. Margaret's, North Co.Dublin (listed below): -

- **Property 1:** Betty McDonnell, Erkindale, Kilreesk Lane, St. Margaret's, North County Dublin, K67 TN99
- **Property 2:** Deirdre & Peter Colgan, Kilreesk Lane, St. Margaret's, North County Dublin, K67 KH34
- **Property 3:** Joscelin & Declan McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 XN96
- **Property 4:** Elizabeth & Padraig Rooney, Kilreesk Lane, St. Margaret's, North County Dublin , K67 YK57
- **Property 5:** Adrienne McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 AD79

Postal address for letters: Adrienne McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 AD79

Planning Authority: Fingal County Council

Decision Order No. PF/1692/22	**Decision Date** 8 August, 2022
Planning Authority Register Ref. F20A/0668	**Registered** 21 September, 2021

Area: Swords

Applicant: daa plc

Oral Hearing Request: YES

AN BORD PLEANÁLA
LDG- 056882-22
ABP-
05 SEP 2022 o.k
Fee: € 270 Type: Canal
Time: 10.15 By: hand

APPEAL OF DECISION TO GRANT PERMISSION

PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

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Planning Authority: Fingal County Council

Decision Order No. P/1892/22	**Decision Date** 8 August, 2022
Planning Authority Register Ref. F20A/0668	**Registered** 21 September, 2021

Area: Swords

Applicant: dba plc

Oral Hearing Request YES

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Table of Contents

Initial eligibility Contour Area map.pdf
1268K

Adrienne McDonnell [redacted] Sun, Sep 4, 2022 at 3:56 PM
To: Padraig Rooney [redacted]

print please

---------- Forwarded message ---------
From: **Caroline Kelly** <Caroline.Kelly@fingal.ie>
Date: Tue, Aug 9, 2022 at 3:42 PM
Subject: Decision of the planning authority relating to planning application F20A/0668 containing a regulatory decision of the Aircraft Noise Competent Authority
To:

Date: 8 August, 2022

Dear Sir/ Madam,

On 18 December 2020, daa as airport authority for Dublin Airport submitted a planning application seeking changes to planning conditions attached to the grant of planning permission for the new north runway. This application (planning reference F20A/0668) was referred to the Aircraft Noise Competent Authority (ANCA) for an assessment of the aircraft noise impacts of the application.

Following a process of public consultation between 11 November 2021 and 28 February 2022, ANCA made a regulatory decision on 20 June 2022 containing the noise mitigation measure and operating restrictions to be included in the decision of the planning authority.

On 8th August, 2022, the Planning Authority made a decision to GRANT permission (with conditions). These conditions include the regulatory decision by ANCA. This decision of the planning authority, containing the regulatory decision of ANCA, may be appealed to An Bord Pleanála.

You are receiving this correspondence because you made a submission to ANCA during the above public consultation. For the purposes of an appeal under Section 37 of the Planning and Development Act as read with Section 37R, any person that made a submission or observation to the ANCA public consultation on the draft regulatory decision is entitled to appeal the decision of the planning authority.

Please find attached copy of decision, An Bord Pleanala Appeal Process and copy of Initial eligibility Contour Area for your information.

Yours faithfully

Caroline Kelly

Initial eligibility Contour Area map.pdf
1258K

Adrienne McDonnell <adriennemacaroo@gmail.com> Sun, Sep 4, 2022 at 3:56 PM
To: Padraig Rooney <rooneypadraig@gmail.com>

print please

---------- Forwarded message ---------
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Date: 8 August, 2022

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Please find attached copy of decision, An Bord Pleanála Appeal Process and copy of Initial eligibility Contour Area for your information.

Yours faithfully

Caroline Kelly

Yours faithfully

Caroline Kelly

for **Senior Executive Officer**

Regards,

Caroline Kelly | Administrative Officer | Fingal County Council | Planning & Strategic Infrastructure Department | County Hall | Main Street | Swords | Co. Dublin | K67 X8Y2
Mobile : 087 8576500

Email: caroline.kelly@fingal.ie

4 attachments

Comhairle Contae Fhine Gall Fingal County Council

image001.png
6K

Decision F20A.0668 080822.docx
488K

An Bord Pleanala Checklist.docx
29K

Yours faithfully

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for **Senior Executive Officer**

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Comhairle Contae Fhine Gall
Fingal County Council

An Roinn um Pleanáil agus
Infrastruchtúr Straitéiseach
Planning and Strategic
Infrastructure Department

NOTIFICATION OF DECISION TO GRANT PERMISSION

PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

Decision Order No. PF/1692/22	**Decision Date** 8 August, 2022
Register Ref. F20A/0668	**Registered** 21 September, 2021

Area: Swords

Applicant: daa plc

Swords Office: Áras an Chontae Sord, Fine Gall, Co. Bhaile Átha Cliath / County Hall, Swords, Fingal, Co. Dublin K67 X8YA
Contact Details: Registry (01) 890 5541 / Decisions (01) 890 5670 / Appeals (01) 890 5724
e: planning@fingal.ie www.fingal.ie

Comhairle Contae Fhine Gall
Fingal County Council

An Roinn um Pleanáil agus
Infrastruchtúr Straitéiseach
Planning and Strategic
Infrastructure Department

NOTIFICATION OF DECISION TO GRANT PERMISSION

PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

Decision Order No. PF/1692/22	**Decision Date** 8 August, 2022
Register Ref. F20A/0668	**Registered** 21 September, 2021

Area: Swords

Applicant: dda plc

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.

AI received 13/09/21
AI deemed significant
Revised public notices(SAI) received 21/09/21

Location: Dublin Airport, Co. Dublin.

Floor Area: 0 Sq Metres

Time extension(s) up to and including **18 November, 2021**

Additional Information Requested / **Received** 19-Feb-2021, 15-Sep-2021 / **13-Sep-2021, 21-Sep-2021**

In pursuance of its functions under the above mentioned Act, as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

Subject to the reasons and considerations, and the **(5)** conditions on the attached Pages.

Location: Dublin Airport, Co. Dublin.

Floor Area: 0 Sq Metres

Time extension(s) up to and including 18 November, 2021

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Subject to the reasons and considerations, and the (5) conditions on the attached Pages.

Appropriate Assessment Screening Determination

In accordance with the European Habitats Directive (Article 6(3)) and Section 177U of the Planning and Development Act 2000 (as amended), Fingal County Council has made an Appropriate Assessment (AA) Screening Determination on the 'Relevant Action (RA)' application by daa in accordance with the European Habitats Directive (Article 6(3)) and Section 177U of the Planning and Development Act 2000 (as amended) which is set out in the Report and Recommendation as follows: An Appropriate Assessment Screening Report was submitted for the relevant Action (RA) application. A revised Appropriate Assessment Screening Report was submitted at further information stage following a request for further information by the Planning Authority. Following ANCAs setting of a Noise Abatement Objective and its making of a Regulatory Decision (RD) on 20th June 2022 and in accordance with the Habitats Directive and Birds Directive, the Planning Authority is required to carry out an Appropriate Assessment Screening of the Relevant Action as varied by the Regulatory Decision. Fingal County Council has made an Appropriate Assessment (AA) Screening Determination on the '*Relevant Action* (RA)' application as varied by the Regulatory Decision as varied by the Regulatory Decision. Having examined both the original and updated Appropriate Assessment Screening Reports and all other documentation submitted by the applicant in relation to the Relevant Action, as amended by and incorporating the Regulatory Decision, as well as the documentation associated with the Regulatory Decision and Noise Abatement Objective published by ANCA (the Aircraft Noise Competent Authority), and in light of best scientific knowledge, and in the absence of mitigation measures, Fingal County Council is satisfied that the Relevant Action, as amended by and incorporating the Regulatory Decision, is not likely to have a significant effect on any European sites, either alone or in combination with other plans or projects. Therefore a Stage 2 Appropriate Assessment is not required.

Reasoned conclusion for purposes of EIA of the development consent

In accordance with the EU Directive 2011/92/EU as amended by Directive 2014/52/EU on the assessment of the effects of certain public private projects on the environment (the EIA Directive) as transposed by the Planning and Development Act 2000 (as amended) the Planning Authority as part of carrying out an Environmental Impact Assessment has made a Reasoned Conclusion which is set out in the Report and Recommendation as follows: daa in its application for a proposed Relevant Action (RA) seeks to amend Condition 3(d) and replace Condition 5 of permission Ref. No. ABP PL06F.217429 and to introduce an additional voluntary noise insulation grant scheme and a noise monitoring framework. Following submission of the application, the planning authority referred the application to the Aircraft Noise Competent Authority (ANCA) in accordance with Section 34C(2) of the Planning and Development Act 2000 as amended. ANCA determined that the proposed RA would result in a noise problem at the airport and, having identified a noise problem, was required to apply the 'balanced approach' and, to that end, established a Noise Abatement Objective (NAO). In addition, in accordance with the balanced approach and pursuant to section 34C(14) of the Planning and Development Act 2000 (as amended), a Regulatory Decision was prepared by ANCA and finalised on 20 June 2022. ANCA completed their assessment processes, which included Appropriate Assessment (AA), Strategic Environmental Assessment (SEA) and public consultation, and published the final NAO and RD and associated documents on the 20 June 2022.

Having regard to the examination of environmental information contained above, to the information contained in the EIAR, to the additional / supplementary information (including supplementary EIAR information) provided by the applicant; to the information received through the carrying out of consultations in accordance with the 2000 Act, to the third party submissions received in the course of the application, to the reports received from the prescribed bodies / statutory consultees, to the RD made by ANCA (and the conditions of and reasons for the RD), to the NAO, to the environmental information prepared in respect of the RD and NAO and to the supplementary examination of the planning authority it is considered that the main significant direct and indirect effects on the environment of the RA as amended by and as incorporating the RD are as follows:

Noise and Human Health and well-being effects, which will be managed over time by appropriate abatement and mitigation measures: It is anticipated that the measures the subject of the RA application, incorporating the RD, would facilitate an increase in aircraft activity at night relative to

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In accordance with the European Habitats Directive (Article 6(3) and Section 177U of the Planning and Development Act 2000 (as amended), Fingal County Council has made an Appropriate Assessment (AA) Screening Determination on the 'Relevant Action (RA)' application by dba to accordance with the European Habitats Directive (Article 6(3)) and Section 177U of the Planning and Development Act 2000 (as amended) which is set out in the Report and Recommendation as follows:

An Appropriate Assessment Screening Report was submitted for the relevant Action (RA) application.
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Reasoned conclusion for purposes of EIA of the development consent

In accordance with the EU Directive 2011/92/EU as amended by Directive 2014/52/EU on the assessment of the effects of certain public private projects on the environment (the EIA Directive) as transposed by the Planning and Development Act 2000 (as amended) the Planning Authority, as part of carrying out an Environmental Impact Assessment has made a Reasoned Conclusion which is set out in the Report and Recommendation as follows: dba in its application for a proposed Relevant Action (RA) seeks to amend Condition No1 and replace Condition 5 of permission Ref. No. ABP PL06F.217429 and to introduce an additional voluntary noise insulation grant scheme and a noise monitoring framework. Following submission of the application, the planning authority referred the application to the Aircraft Noise Competent Authority (ANCA) in accordance with Section 34C(2) of the Planning and Development Act 2000 as amended. ANCA determined that the proposed RA would result in a noise problem at the airport and, having identified a noise problem, was required to apply the balanced approach and, to that end, established a Noise Abatement Objective (NAO). In addition, in accordance with the balanced approach and pursuant to section 34C(1A) of the Planning and Development Act 2000 (as amended), a Regulatory Decision was prepared by ANCA and finalised on 20 June 2022. ANCA completed their assessment process, which included Appropriate Assessment (AA), Strategic Environmental Assessment (SEA) and public consultation, and published the final NAO and RD and associated documents on the 20 June 2022.

Having regard to the examination of environmental information contained above, to the information contained in the EIAR, to the additional / supplementary information (including supplementary EIAR information) provided by the applicant, to the information received through the carrying out of consultations in accordance with the 2000 Act, to the third party submissions received in the course of the application, to the reports received from the prescribed bodies / statutory consultees, to the RD made by ANCA (and the conditions of and reasons for the RD), to the NAO, to the environmental information prepared in respect of the RD and NAO and to the supplementary examination of the planning authority it is considered that the main significant direct and indirect effects on the environment of the RA as amended by and as incorporating the RD are as follows:

Noise and Human Health and well-being effects which will be managed over time by appropriate abatement and mitigation measures. It is anticipated that the measures the subject of the RA application, incorporating the RD, would facilitate an increase in aircraft activity at night relative to

the permitted situation. Whilst an increase in aircraft activity is not a measure of noise impacts, it is indicative that the proposals have the potential to lead to adverse effects from noise on human health and well-being.

The RA Application, as amended by and incorporating the RD, would relax the restriction laid down by Condition 3(d) of the existing Permission on night-time flights (except in exceptional circumstances) from the North Runway. Albeit, the relaxation would be limited to the first and last hour of the night-time period (23:00hrs – 00:00hrs and 06:00hrs – 07:00hrs), this would lead to an increase in night-time noise with potential associated first time human health effects, particularly for people living west, north and east of the North Runway.

The RA Application, as amended by and incorporating the RD, would replace the aircraft movement limit in Condition 5 of the existing Permission with an annual noise quota scheme with an annual limit of 16,260 between 23:00 and 06:59 (inclusive, local time) and with noise-related limits on the aircraft permitted to operate at night. This would both place a limit on overall aircraft noise generation at night and also encourage the use of aircraft with lower noise generation characteristics, which could lead to a wider reduction in aircraft noise at the airport and surrounding areas, especially in the medium and longer-term.

The RA Application, as amended by and incorporating the RD, would introduce a voluntary residential sound insulation grant scheme focused on dwellings situated within the 55dB L_{night} contour. While other sound insulation schemes have been included in the parent permission for the North Runway, this is the first time that a sound insulation scheme is proposed specifically for reduction of the effects of night-time noise, and eligibility for inclusion in the scheme would be reviewed every two years commencing from 2027.

Therefore, the RA Application, as amended by and incorporating the RD, together with the NAO has over time, the potential to reduce overall noise generation, including night-time noise generation, at the airport. This has the potential for longer-term reduction of noise, the progressive reduction in residential disamenity and the amelioration of noise-related human health and well-being. This would arise as a result of a number of factors. The First Condition of ANCA's RD sets a night-time noise generation-based restriction on the operation of aircraft for the first time at the airport. The condition would also effect further restrictions on the night-time use of noisier aircraft, which would both restrict their use and would also encourage transition to more modern quieter aircraft fleet. The Third Condition of the RD would provide for a voluntary sound insulation scheme specifically focused on reducing night-time noise effects. In addition the NAO would set specific expected outcomes for the reduction of all noise from aircraft operations (i.e. day, evening and night) with monitoring and assessment to ensure achievement of these outcomes.

The inclusion of specific short, medium and long-term health-based outcomes go beyond EC guidance and yet are considered achievable. Specific outcome reductions in noise generation would result in beneficial effects for human health relative in the medium and longer-term. ANCA will monitor the effectiveness of these measures with regard noise through the requirements of the NAO.

The RA Application, as amended by and incorporating the RD, would also allow Dublin Airport to respond to the key strategic objectives for the future development and growth of the airport as set out in Dublin Airport Local Area Plan (2020), including the fact that the airport is of recognised vital importance to the Irish economy; acts as the principal international gateway for trade, inward investment and tourism; facilitates Ireland's integration with Europe and aids in attracting foreign direct investment.

Mitigation Measures

The features and measures envisaged to avoid, prevent or reduce and, if possible, offset significant adverse effects on the environment are set out in the Regulatory Decision (RD) and Noise Abatement Objective (NAO) relating to Aircraft Noise Management at Dublin Airport and in particular as set out in the First, Second and Third Conditions of the Regulatory Decision (ANCA, 20 June 2022).

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The RA Application, as amended by and incorporating the RD, would replace the aircraft movement limit in Condition 5 of the existing Permission with an annual noise quota scheme with an annual limit of 14,260 between 23:00 and 06:59 (inclusive, local time) and with noise-related limits on the aircraft permitted to operate at night. This would both place a limit on overall aircraft noise generation at night and also encourage the use of aircraft with lower noise generation characteristics, which could lead to a wider reduction in aircraft noise at the airport and surrounding areas, especially in the medium and longer-term.

The RA Application, as amended by and incorporating the RD, would introduce a voluntary residential sound insulation grant scheme focused on dwellings situated within the 55dB L_{night} contour. While other sound insulation schemes have been included in the parent permission for the North Runway, this is the first time that a sound insulation scheme is proposed specifically for reduction of the effects of night-time noise, and eligibility for inclusion in the scheme would be reviewed every two years commencing from 2022.

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The inclusion of specific short, medium and long-term health-based outcomes go beyond EC guidance and yet are considered achievable. Specific outcome reductions in noise generation would result in beneficial effects for human health relative in the medium and longer-term. ANCA will monitor the effectiveness of these measures with regard noise through the requirements of the NAO.

The RA Application, as amended by and incorporating the RD, would also allow Dublin Airport to respond to the key strategic objectives for the future development and growth of the airport as set out in Dublin Airport Local Area Plan (2020), including the fact that the airport is of recognised vital importance to the Irish economy; acts as the principal international gateway for trade, inward investment and tourism; facilitates Ireland's integration with Europe and aids in attracting foreign direct investment.

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The features and measures envisaged to avoid, prevent or reduce and, if possible, offset significant adverse effects on the environment are set out in the Regulatory Decision (RD) and Noise Abatement Objective (NAO) relating to Aircraft Noise Management at Dublin Airport and in particular as set out in the First, Second and Third Conditions of the Regulatory Decision (ANCA, 20 June 2022).

These conditions are required to be included and incorporated into a grant by the Planning Authority of permission on foot of a RA application under section 34C of the 2000 Act.

It is considered that the information submitted to the Planning Authority, in particular the information presented in the EIAR, in the SEA for the RD and NAO and in the findings and conclusions of the RD and the RD Report is sufficient to indicate that the measures, monitoring and reporting proposed for noise management are likely to be successful.

Monitoring
The requirements for monitoring, monitoring measures and reporting are set out in the First, Second and Third Conditions of the Regulatory Decision (ANCA, 20 June 2022).

Conclusion
It is considered that the EIAR submitted with the application and the revised EIAR submitted to the Planning Authority, the other documentation submitted with the application and the supplemental information generated in the course of the application and considered by the Planning Authority are sufficient to enable the likely significant effects arising as a result of the subject of the Relevant Action application as amended by and incorporating the Regulatory Decision, to be identified, described and assessed. It is considered that the subject of the Relevant Action application as amended by and incorporating the Regulatory Decision, would not have unacceptable direct or indirect effects on the environment subject to the implementation to the mitigation measures and conditions.

These conditions are required to be included and incorporated into a grant by the Planning Authority of permission on first of a RA application under section 34C of the 2000 Act

It is considered that the information submitted to the Planning Authority, in particular the information presented in the EIAR, in the SEA for the RD and NAO and in the findings and conclusions of the RD and the RD Report is sufficient to indicate that the measures, monitoring and reporting proposed for noise management are likely to be successful.

Monitoring

The requirements for monitoring, monitoring measures and reporting are set out in the First, Second and Third Conditions of the Regulatory Decision (ANCA, 20 June 2022).

Conclusion

It is considered that the EIAR submitted with the application and the revised EIAR submitted to the Planning Authority, the other documentation submitted with the application and the supplemental information generated in the course of the application and considered by the Planning Authority are sufficient to enable the likely significant effects arising as a result of the subject of the Relevant Action application as amended by and incorporating the Regulatory Decision, to be identified, described and assessed. It is considered that the subject of the Relevant Action application as amended by and incorporating the Regulatory Decision, would not have unacceptable direct or indirect effects on the environment subject to the implementation to the mitigation measures and conditions.

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application on 18 December 2020, additional information received on 13 September 2021 and the Aircraft Noise Competent Authority Regulatory Decision made on 20 June 2022, save as may be required by the other conditions attached hereto.

   REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained

2. The terms and conditions of the grant of permission made by Fingal County Council Reg. Ref. F04A/1755 (An Bord Pleanála under Reg. Ref. PL06F.217429) and as extended under FCC Reg. Ref: F04A/1755/E1 and further amended under FCC Reg. Ref: F19A/0023 / ABP Ref: ABP-305298-19 (the amending permission) shall be complied with in full in the course of the relevant action herein permitted, save for the changes permitted under this application.

   REASON: In the interest of the proper planning and sustainable development of the area.

3. The existing operating restriction, Condition 5, of the North Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading as:

   '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'
   shall be revoked and replaced with an annual noise quota scheme operating restriction as follows:
   The Airport shall be subject to a Noise Quota Scheme (NQS) with an annual limit of 16,260 between 23:00 and 06:59 (inclusive, local time) with noise-related limits on the aircraft permitted to operate at night. The NQS shall be applied as detailed below.

   Part 1 Definitions
   1.1 The following definitions shall apply with reference to the scheme described in Part 2.

Term

Term	Meaning
Annual Quota Period	The twelve-month period from 1 April to 31 March inclusive each year
EASA Noise Certification Database	The database of noise certification levels approved and as varied from time to time by the European Union Aviation Safety Agency (EASA) and published on its website. (https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels).
	The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organization (ICAO) Annex 16 Volume 1.
Night time	The hours at night between 23:00 (local time) to 07:00 (local time)
Noise Classification Level (NCL)	The noise level band in EPNdB assigned to an aircraft for take-off or landing, as the case may be, for the aircraft in question for the purposes of

Conditions and Reasons

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application on 18 December 2020, additional information received on 13 September 2021 and the Aircraft Noise Competent Authority Regulatory Decision made on 20 June 2022, save as may be required by the other conditions attached hereto.

   REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained

2. The terms and conditions of the grant of permission made by Fingal County Council Reg. Ref. F04A/1755 (An Bord Pleanála under Reg. Ref. PL06F.217429) and as extended under PCC Reg. Ref F04A/1755/E1 and further amended under PCC Reg. Ref. F19A/0023 / ABP Ref. ABP-305298-19 (the amending permission) shall be complied with in full in the course of the relevant action herein permitted, save for the changes permitted under this application.

   REASON: In the interest of the proper planning and sustainable development of the area

3. The existing operating restriction, Condition 5, of the North Runway Planning Permission (PCC Reg. Ref. F04A/1755; ABP Ref. PL 06F. 217429) reading as:

   "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 flights 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."

   shall be revoked and replaced with an annual noise quota scheme operating restriction as follows:

   The Airport shall be subject to a Noise Quota Scheme (NQS) with an annual limit of 16,250 between 23:00 and 06:59 (inclusive, local time) with noise-related limits on the aircraft permitted to operate at night. The NQS shall be applied as detailed below.

Part 1 Definitions

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

Term

Term	Meaning
Annual Quota Period	The twelve-month period from 1 April to 31 March inclusive each year –
EASA Noise Certification Database	The database of noise certification levels approved and as varied from time to time by the European Union Aviation Safety Agency (EASA) and published on its website. (https://www.easa.europa.eu/domain/environment/easa-certification-noise-levels)
	The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organization (ICAO) Annex 16 Volume 1.
Night time	The hours at night between 23:00 (local time) to 07:00 (local time)
Noise Classification Level (NCL)	The noise level band in EPNdB assigned to an aircraft for take-off or landing, as the case may be, for the aircraft in question for the purposes of

<table>
<tr><td></td><td>identifying the Quota Count of the aircraft.</td></tr>
<tr><td></td><td>The Noise Classification Level for an aircraft taking off from and landing at the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:</td></tr>
<tr><td></td><td>NCL(Take-Off) = EPNL(Flyover</td></tr>
<tr><td></td><td>NCL(Landing) = EPNL(Approach) −9 dB</td></tr>
<tr><td>Quota Count</td><td>The amount of the quota assigned to one take-off or to one landing by an aircraft based on the Noise Classification Level for the aircraft having regard for engine type and take-off weight:</td></tr>
<tr><td></td><td><table>
<tr><td>Noise Classification Level</td><td>Quota Count (QC)</td></tr>
<tr><td>Greater than 101.9 EPNdB</td><td>16.0</td></tr>
<tr><td>99-101.9 EPNdB</td><td>8.0</td></tr>
<tr><td>96-98.9 EPNdB</td><td>4.0</td></tr>
<tr><td>93-95.9 EPNdB</td><td>2.0</td></tr>
<tr><td>90-92.9 EPNdB</td><td>1.0</td></tr>
<tr><td>87-89.9 EPNdB</td><td>0.5</td></tr>
<tr><td>84-86.9 EPNdB</td><td>0.25</td></tr>
<tr><td>81-83.9 EPNdB</td><td>0.125</td></tr>
<tr><td>Less than 81 EPNdB</td><td>0</td></tr>
</table></td></tr>
</table>

Part 2 – Noise Quota Scheme

2.1 Subject the dispensations described in Paragraph 2.2:

a) A take-off or landing at the Airport shall be determined to fall within the night time based on runway time.
b) No aircraft with a Quota Count of 4.0 or more shall be permitted to take off at the Airport during the night time.
c) No aircraft with a Quota Count of 2.0 or more shall per permitted to land at the Airport during the night time.
d) Each aircraft landing at or taking off from the Airport during the night time will be assigned a Quota Count based on its Noise Classification Level.
e) The Noise Quota at the Airport shall be limited to 16,260 for the Annual Quota Period.

2.2 The restrictions set out in Paragraph 2.1 shall not apply in any of the following dispensations:

a) Where a take-off or landing of any aircraft at the Airport is made in an emergency, where there is an immediate danger to life or health, whether human or animal.
b) Where a take-off or landing of any aircraft at the Airport occurs as a result of a delay to that aircraft which is likely to lead to serious congestion at the Airport and/or serious hardship or suffering to passengers or animals.
c) Where a take-off or landing of any aircraft at the Airport occurs as a result of widespread and prolonged disruption of air traffic.
d) Flights for military, medical or humanitarian purposes granted exemption by the Irish Government

Part 3 – Noise Quota Scheme Reporting Requirements

3.1 The Applicant shall submit quarterly reports to the planning authority and ANCA on its implementation of the Noise Quota Scheme. The reports shall include:

a) The number of aircraft operating during the Noise Quota Period and their type, including technical details including their engines and take-off weights, where applicable;
b) The Quota Count assigned to aircraft operating in the Noise Quota Period;
c) The total Noise Quota used during the quarter and in the Annual Period to date;

	identifying the Quota Count of the aircraft.
	The Noise Classification Level for an aircraft taking off from and landing at the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:
	NCL(Take-Off) = EPNL(Flyover
	NCL(Landing) = EPNL(Approach) −9 dB
Quota Count	The amount of the quota assigned to one take-off or to one landing by an aircraft based on the Noise Classification Level for the aircraft having regard for engine type and take-off weight:

Noise Classification Level	Quota Count (QC)
Greater than 101.9 EPNdB	16.0
99-101.9 EPNdB	8.0
96-98.9 EPNdB	4.0
93-95.9 EPNdB	2.0
90-92.9 EPNdB	1.0
87-89.9 EPNdB	0.5
84-86.9 EPNdB	0.25
81-83.9 EPNdB	0.125
Less than 81 EPNdB	0

Part 2 – Noise Quota Scheme

2.1 Subject the dispensations described in Paragraph 2.2:

a) A take-off or landing at the Airport shall be determined to fall within the night time based on runway time.

b) No aircraft with a Quota Count of 4.0 or more shall be permitted to take off at the Airport during the night time.

c) No aircraft with a Quota Count of 2.0 or more shall per permitted to land at the Airport during the night time.

d) Each aircraft landing at or taking off from the Airport during the night time will be assigned a Quota Count based on its Noise Classification Level.

e) The Noise Quota at the Airport shall be limited to 16,260 for the Annual Quota Period.

2.2 The restrictions set out in Paragraph 2.1 shall not apply in any of the following dispensations:

a) Where a take-off or landing of any aircraft at the Airport is made in an emergency, where there is an immediate danger to life or health, whether human or animal.

b) Where a take-off or landing of any aircraft at the Airport occurs as a result of a delay to that aircraft which is likely to lead to serious congestion at the Airport and/or serious hardship or suffering to passengers or animals.

c) Where a take-off or landing of any aircraft at the Airport occurs as a result of widespread and prolonged disruption of air traffic.

d) Flights for military, medical or humanitarian purposes granted exemption by the Irish Government.

Part 3 – Noise Quota Scheme Reporting Requirements

3.1 The Applicant shall submit quarterly reports to the planning authority and ANCA on its implementation of the Noise Quota Scheme. The reports shall include:

a) The number of aircraft operating during the Noise Quota Period and their type, including technical details including their engines and take-off weights, where applicable;

b) The Quota Count assigned to aircraft operating in the Noise Quota Period;

c) The total Noise Quota used during the quarter and in the Annual Period to date;

d) The total Noise Quota used by Quota Count in the quarter and in the Annual Period to date; and
e) Details of any dispensations pursuant to Paragraph 2.2 which have been relied upon during the quarter and in the Annual Period to date.

3.2 The quarterly reports shall be issued so that:

a) The first quarterly report considering activity over the period 1 April to 30 June each year is published by no later than the 30 September each year
b) The second quarterly report considering activity over the period 1 July to 30 September each year is published by no later than the 31 December each year
c) The third quarterly report considering activity over the period 1 October to 31 December each year is published by no later than the 31 March the following year
d) The fourth quarterly report considering activity over the period 1 January to 31 March each year is published by no later than the 30 June each year

Part 4 – Noise Performance Reporting

4.1 The Applicant shall issue annual reports to the planning authority and ANCA on its noise performance. The report for the previous Annual Period (1 January to 31 December) shall be issued by no later than 31 March each year, for the first full Annual Period to which this regulatory decision applied and comprise of:

a) Noise exposure statistics and contours as required to facilitate performance review of the Noise Abatement Objective including as a minimum:

- Annual 55dB Lnight
- Annual 65dB Lden
- the number of people 'highly sleep disturbed' and 'highly annoyed' in accordance with the approach recommended by the World Health Organisation's Environmental Noise Guidelines 2018 as endorsed by the European Commission through Directive 2020/367, taking into account noise exposure from 45 dB Lden and 40 dB Lnight.
- Annual Lnight contours from 40 dB in 5 dB increments
- Annual Lden contours from 45 dB in 5 dB increments
- Summer 60 dB LAeq. 16hr, 63 dB LAeq. 16hr and 69 dB LAeq. 16hr (measured averaged across 92-day summer period from 16th June to 15th September).

b) Confirmation of the number of residential properties that (i) have benefitted from and (ii) are eligible for but yet to benefit from the Applicant's noise insulation schemes.
c) Key Statistics with respect to aircraft operations in the preceding Annual and Summer Periods including but not limited to:

- aircraft movements including average hourly movements
- use of the Noise Quota Scheme
- movements by aircraft type
- passenger numbers
- aircraft destinations
- flight routings
- runway use

d) Summaries from noise monitoring terminals for the Airport in such format as ANCA shall stipulate
e) Details of all noise modelling undertaken in support of the Noise Performance Reporting describing compliance with the methodology set out in Directive 2015/996 (ECAC Doc.29 4th Edition). All noise modelling shall be validated using local noise and track keeping performance data from the Airport's systems.
f) Summary of complaints records for the preceding Annual Period categorised by the:
g) location of complaints; and
h) reason for complaint
i) Details of any anticipated changes or developments that may affect noise at the Airport in the current year, through for example airspace change or fleet modernisation.

d) The total Noise Quota used by Quota Count in the quarter and in the Annual Period to date; and

e) Details of any dispensations pursuant to Paragraph 2.2 which have been relied upon during the quarter and in the Annual Period to date.

3.2 The quarterly reports shall be issued so that:

a) The first quarterly report considering activity over the period 1 April to 30 June each year is published by no later than the 30 September each year

b) The second quarterly report considering activity over the period 1 July to 30 September each year is published by no later than the 31 December each year

c) The third quarterly report considering activity over the period 1 October to 31 December each year is published by no later than the 31 March the following year

d) The fourth quarterly report considering activity over the period 1 January to 31 March each year is published by no later than the 30 June each year

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Part 4 – Noise Performance Reporting

4.1 The Applicant shall issue annual reports to the planning authority and ANCA on its noise performance. The report for the previous Annual Period (1 January to 31 December) shall be issued by no later than 31 March each year, for the first full Annual Period to which this regulatory decision applied and comprise of:

a) Noise exposure statistics and contours as required to facilitate performance review of the Noise Abatement Objective including as a minimum:

- Annual 55dB Night
- Annual 65dB Lden
- the number of people 'highly sleep disturbed' and 'highly annoyed' in accordance with the approach recommended by the World Health Organisation's Environmental Noise Guidelines 2018 as endorsed by the European Commission through Directive 2020/367, taking into account noise exposure from 45 dB Lden and 40 dB Night.
- Annual Night contours from 40 dB in 5 dB increments
- Annual Lden contours from 45 dB in 5 dB increments
- Summer 60 dB L_{Aeq, 16hr}, 63 dB L_{Aeq, 16hr} and 69 dB L_{Aeq, 16hr} (measured averaged across 92-day summer period from 16th June to 13th September).

b) Confirmation of the number of residential properties that (i) have benefitted from and (ii) are eligible for but yet to benefit from the Applicant's noise insulation schemes.

c) Key Statistics with respect to aircraft operations in the preceding Annual and Summer Periods including but not limited to:

- aircraft movements including average hourly movements
- use of the Noise Quota Scheme
- movements by aircraft type
- passenger numbers
- aircraft destinations
- flight routings
- runway use

d) Summaries from noise monitoring terminals for the Airport in such format as ANCA shall stipulate

e) Details of all noise modelling undertaken in support of the Noise Performance Reporting describing compliance with the methodology set out in Directive 2015/996 (ECAC Doc.29 4th Edition). All noise modelling shall be validated using local noise and track keeping performance data from the Airport's systems.

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

g) location of complaints; and

h) reason for complaint

i) Details of any anticipated changes or developments that may affect noise at the Airport in the current year, through for example airspace change or fleet modernisation.

REASON: To limit the impact of the aircraft noise at Dublin Airport on sleep disturbance in the interest of residential amenity and to ensure the effective implementation of the Noise Abatement Objective for the Dublin Airport by means of a noise-related limit on aircraft operations.

4. The existing operating restriction imposed by Condition 3(d) and the exceptions at the end of Condition 3 of the North Parallel Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading:
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.'
shall be amended as follows:
Runway 10L/28R shall not be used for take-off or landing between 00:00 and 05:59 (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.

REASON: To permit the operation of the runways in a manner which reduces the impacts of aircraft night time noise, whilst providing certainty to communities as to how they will be affected by night time operations from the North Runway, while also providing continuity with the day-time operating pattern set down by Conditions 3(a)-(c) of the North Runway Planning Permission.

5. A voluntary residential sound insulation grant scheme (RSIGS) for residential dwellings shall be provided. Initial eligibility to the scheme shall apply to all residential dwellings situated within the Initial Eligibility Contour Area as shown in Figure 3.1 - regulatory decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022.
Eligibility to the scheme shall be reviewed every 2 years commencing in 2027 with residential dwellings situated in the 55 dB Lnight contour being eligible under the scheme as detailed below.

Part 1 Definitions
1.1 The following definitions shall apply with reference to the scheme described in Part 2.

Term	Meaning
Approved Contractor	A contractor procured and managed by the Applicant and considered competent and appropriately qualified and have suitable levels of insurance coverage to install the sound insulation measures described in Part 4 in line with acceptable standards and in compliance with the Building Regulations.
Bedroom	A room other than in an attic or loft within an Eligible Dwelling which is used as sleeping accommodation.
Competent Surveyor	An appropriately qualified surveyor to inspect and determine relevant information in relation to the existing construction and elements of an Eligible Dwelling for the purposes of undertaking an Elemental Analysis as defined in Part 5.1, Step 5 below.
Eligibility Contour Area	The 55 dB Lnight contour area as varied from

	time to time pursuant to the review process set out in Part 3.2 below.
Eligible Dwelling	A habitable dwelling built in compliance with the provisions of the building regulations and the Planning and Development Act within the Eligibility Contour Area and which otherwise qualifies under the conditions set out under Part 3.1 below.
	Index Linked Index-linked by reference to changes in the Consumer Price Index (CPI) (maintained by the Central Statistics Office) in the period between the Application and the date of the Statement of Need.
Initial Eligibility Contour Area	The area shown on the map Figure 3.1 – regulatory decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022.
Relevant External Noise Level	The noise exposure level at the relevant Eligible Dwelling.
Statement of Need	The recommended measures identified from those available under the scheme as outlined in Part 4
Target Performance	An improvement of at least 5 dB, where feasible, in the sound insulation of each bedroom of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

Part 2 – Purpose of the Scheme

2.1 The purpose of the scheme is to provide financial assistance by the Applicant to property owners in the form of a grant in the sum of €20,000 (Index Linked) towards the costs of noise insulation measures to Bedrooms in Eligible Dwellings (the Grant).

2.2 Bedrooms and properties may qualify only once for the financial assistance provided under this scheme.

2.3 Where a dwelling is eligible under this scheme but is also eligible for insulation under the Residential Noise Insulation Scheme (RNIS) and the Home Sound Insulation Programme (HSIP) best endeavours shall be made by the Applicant to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

Part 3 – Eligibility

3.1 Dwellings shall be determined to be Eligible Dwellings under this scheme if they are located within (i) the Initial Eligibility Contour Area as shown in Figure 3.1 - regulatory decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022 or (ii) the Eligibility Contour Area (following any review carried out pursuant to Part 3.2 below) and:

a) Were constructed pursuant to a planning permission granted following a planning application lodged on or prior to 09th December 2019, being the date of adoption of Variation No. 1 to the Fingal Development Plan 2017 – 2023 incorporating policies relating to development within Aircraft Noise Zones and

b) Have not benefitted from noise insulation previously under this scheme; and

c) Have not benefitted from noise insulation under either the RNIS or HSIP schemes previously.

3.2 By 31 March 2027 and every two years thereafter, the Applicant shall update and publish a revised Eligibility Contour Area map identifying all authorised habitable dwellings within the 55 dB Lnight contour in the calendar year immediately preceding the review.

Part 4 – Measures available under the Scheme

4.1 The owner of an Eligible Dwelling in accordance with Part 3 and following the procedure

	time to time pursuant to the review process set out in Part 3.2 below.
Eligible Dwelling	A habitable dwelling built in compliance with the
	provisions of the building regulations and the Planning and Development Act within the Eligibility Contour Area and which otherwise qualifies under the conditions set out under Part 3.1 below.
	Index Linked Index-linked by reference to changes in the Consumer Price Index (CPI) (maintained by the Central Statistics Office) in the period between the Application and the date of the Statement of Need.
Initial Eligibility Contour Area	The area shown on the map Figure 3.1 – regulatory decision, Third Condition: Residential Sound Insulation Grant Scheme (RSIGS) – Initial Eligibility Contour Area – June 2022.
Relevant External Noise Level	The noise exposure level at the relevant Eligible Dwelling
Statement of Need	The recommended measures identified from those available under the scheme as outlined in Part 4
Target Performance	An improvement of at least 5 dB, where feasible, in the sound insulation of each bedroom of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

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2.1 The purpose of the scheme is to provide financial assistance by the Applicant to property owners in the form of a grant in the sum of €20,000 (Index Linked) towards the costs of noise insulation measures to Bedrooms in Eligible Dwellings (the Grant).

2.2 Bedrooms and properties may qualify only once for the financial assistance provided under this scheme.

2.3 Where a dwelling is eligible under this scheme but is also eligible for insulation under the Residential Noise Insulation Scheme (RNIS) and the Home Sound Insulation Programme (HSIP) best endeavours shall be made by the Applicant to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

Part 3 – Eligibility

3.1 Dwellings shall be determined to be Eligible Dwellings under this scheme if they are located within (i) the Initial Eligibility Contour Area as shown in Figure 3.1 – regulatory decision, Third Condition: Residential Sound Insulation Grant Scheme (RSIGS) – Initial Eligibility Contour Area – June 2022 or (ii) the Eligibility Contour Area following any review carried out pursuant to Part 3.2 below) and:

a) Were constructed pursuant to a planning permission granted following a planning application lodged on or prior to 09th December 2019, being the date of adoption of Variation No. 1 to the Final Development Plan 2017 – 2023 incorporating policies relating to development within Aircraft Noise Zones and

b) Have not benefitted from noise insulation previously under this scheme, and

c) Have not benefitted from noise insulation under either the RNIS or HSIP schemes previously.

3.2 By 31 March 2027 and every two years thereafter, the Applicant shall undertake and publish a revised Eligibility Contour Area map identifying all authorised habitable dwellings within the 55 dB Lnight contour in the calendar year immediately preceding the review.

Part 4 – Measures available under the Scheme

4.1 The owner of an Eligible Dwelling in accordance with Part 3 and following the procedure

described in Part 5 shall be entitled to the Grant to be applied towards a selection of insulation measures to be applied to Bedrooms within an Eligible Dwelling as specified in Paragraphs 4.2 to 4.10 below.

4.2 The insulation measures referred to in Paragraph 4.1 must be installed by an Approved Contractor and comprise of the following unless the equivalent measure already exists within the Eligible Dwelling:

a) Primary Acoustic Glazing
b) Secondary Acoustic Glazing
c) Glazing Roof Light
d) Passive Ventilator
e) Mechanical Ventilator
f) Loft Insulation
g) Ceiling Overboarding

4.3 The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarized in Part 5 below.

4.4 Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4mm laminated glass with minimum 100mm gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

Thickness of Glazing of the Inner Window	Minimum Horizontal Distance
Less than 4 mm and not less than 3 mm thick	200 mm
Less than 6 mm and not less than 4 mm thick	150 mm

4.5 Where secondary glazing is being installed reasonable endeavours will be made to repair the draft seals, catches and hinges to provide an air-tight seal on the existing primary glazing unit.

4.6 Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum Rw of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.

4.7 Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the bedrooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable- speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).

4.8 Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of 80kg/m3. Where insulation is already present but found to be unsatisfactory additional layers of insulation will be added to increase the total thickness to 200mm.

4.9 Any ceiling overboarding shall comprise of a continuous layer of mass to provide at least 12kg/m2 added above joists in attic, for example 22mm plywood (or similar approved).

4.10 In the event that loft Insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12 kg/m2, i.e. 15mm SoundBloc (or similar approved).

Part 5 – Procedure

5.1 The Applicant in operating this Scheme shall follow the procedure set out in this Part 5 as required in the discharge of the Applicant's obligations under Condition 7 of the North Runway Consent, the discharge of which obligations is achieved through the RNIS.

Step 1 – Determine Eligibility - Eligible Dwellings shall be identified as per Part 3 of this Schedule.

Step 2 – Notification of Eligibility - The Owner of an Eligible Dwelling shall be notified of their eligibility under the scheme within six months of their eligibility being determined under Step 1.

Step 3 – Determine Relevant External Noise Level - The Relevant External Noise Level at the Eligible Dwelling shall be determined

Step 4 – Undertake Building Survey – The Applicant shall use reasonable endeavours to arrange for the Eligible Dwelling to be inspected by the Competent Surveyor (and secure the necessary agreement to this from the owner of the Eligible Dwelling) within six months of eligibility being determined to record relevant information. The building survey shall be carried out by a Competent Surveyor appointed on behalf of the Applicant. The survey shall record the location and number of Bedrooms, and for each Bedroom record the following relevant information:

described in Part 3 shall be entitled to the Grant to be applied towards a selection of insulation measures to be applied to Bedrooms within an Eligible Dwelling as specified in Paragraphs 4.2 to 4.10 below.

4.2 The insulation measures referred to in Paragraph 4.1 must be installed by an Approved Contractor and comprise of the following unless the equivalent measure already exists within the Eligible Dwelling:

a) Primary Acoustic Glazing
b) Secondary Acoustic Glazing
c) Glazing Roof Light
d) Passive Ventilator
e) Mechanical Ventilator
f) Loft Insulation
g) Ceiling Overboarding

4.3 The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarised in Part 5 below.

4.4 Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4mm laminated glass with minimum 100mm gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

Thickness of Glazing of the Inner Window	Minimum Horizontal Distance
Less than 4 mm and not less than 3 mm thick	200 mm
Less than 6 mm and not less than 4 mm thick	150 mm

4.5 Where secondary glazing is being installed reasonable endeavours will be made to repair the draft seals, catches and hinges to provide an air-tight seal on the existing primary glazing unit.

4.6 Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum Rw of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.

4.7 Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the bedrooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable- speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).

4.8 Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of 80Kg/m3. Where insulation is already present but found to be unsatisfactory, additional layers of insulation will be added to increase the total thickness to 200mm.

4.9 Any ceiling overboarding shall comprise of a continuous layer of mass to provide at least 12kg/m2 added above joists in attic, for example 22mm plywood (or similar approved).

4.10 In the event that loft insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12 kg/m2, i.e. 15mm SoundBloc (or similar approved).

Part 5 – Procedure

5.1 The Applicant in operating this Scheme shall follow the procedure set out in this Part 5 as required in the discharge of the Applicant's obligations under Condition 7 of the North Runway Consent, the discharge of which obligations is achieved through the RNIS.

Step 1 – Determine Eligibility - Eligible Dwellings shall be identified as per Part 3 of this Schedule.

Step 2 – Notification of Eligibility - The Owner of an Eligible Dwelling shall be notified of their eligibility under the scheme within six months of their eligibility being determined under Step 1.

Step 3 – Determine Relevant External Noise Level - The Relevant External Noise Level at the Eligible Dwelling shall be determined

Step 4 – Undertake Building Survey – The Applicant shall use reasonable endeavours to arrange for the Eligible Dwelling to be inspected by the Competent Surveyor (and secure the necessary agreement to this from the owner of the Eligible Dwelling) within six months of eligibility being determined to record relevant information. The building survey shall be carried out by a Competent Surveyor appointed on behalf of the Applicant. The survey shall record the location and number of Bedrooms, and for each Bedroom record the following relevant information:

• External wall constructions - where possible the construction type of the external walls will be recorded for example wall composition including inner leaf, cavity, and external leaf dimensions including all associated building materials;
• Window type – e.g. frame material, single glazing, double glazing, including key dimensions;
• Roof construction – including where possible roof construction type
• Details of chimneys and fireplaces
• Ventilation paths – e.g. existing wall and floor vent types, quantities and dimensions
• Details of any existing sound insulation measures which have been installed previously
• Dimensions of all Bedrooms including window, roof and wall dimensions
• Drawings and/or floor plans – if these are available from the owner
• Photographic records of the building

Step 5 – Elemental Analysis - An elemental analysis shall be undertaken to provide a technical assessment of the noise insulation required for the Eligible Dwelling. The following process shall be followed:

a) The existing sound insulation properties of each Bedroom shall be established

b) The anticipated future internal noise levels within each Bedroom having regard for the Relevant External Noise Level, presented in octave bands scaled from measurements taken around the Airport, and the existing noise insulation performance obtained from Step a.

c) A comparison shall be made between the anticipated internal noise level to the BS8233:2014 Targets for internal ambient noise;

d) An assessment will be undertaken to determine the required improvement in the noise insulation performance, having regard for the Target Performance.

e) Through an elemental analysis, the most effective combination of measures set out in Part 4 having regard for the Target Performance and the financial assistance grant shall be identified.

Step 6 – Statement of Need - A Statement of Need shall be prepared for each Eligible Dwelling. The Statement of Need will be a bespoke document for each Eligible Dwelling. The Statement of Need shall:

a) Describe the existing sound insulation performance for each Bedroom having regard for the Building Survey as described in Step 4

b) Identify the potential improvement in the existing sound insulation performance for each Bedroom as can be afforded within the Grant and whether the Target Performance can be met

c) Set out the recommended set of measures for the Eligible Dwelling in the form of a schedule of works and the associated measures on a bedroom-by-bedroom basis

d) Provide an opinion on the future internal noise level following the implementation of the noise insulation works and the ability of the works to the meet Target Performance.

The Statement of Need shall be issued to the owner of the Eligible Dwelling.

Step 7 – Acceptance - Subject to the owner of the Eligible Dwelling agreeing to the scope of works as defined under the Statement of Need, the engagement of the Approved Contractor and access to the dwelling by the Approved Contractor for the purposes of undertaking the works, the Airport will use reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within six months of the owner's agreement to the same.

Step 8 – Works – The scope of works as defined by the Statement of Need shall be undertaken by the Approved Contractor or a suitably qualified contractor procured by the home owner. The Applicant shall procure the Approved Contractor to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations and that the Approved Contractor provides the owner with all appropriate certification and warranties relative to the works completed to the Eligible Dwelling. The Approved Contractor shall photograph the Eligible Dwelling before and after the works for record purposes.

5.2 In the event that a property owner declines to accept the scope of works as defined under the Statement of Need (Step 6) the Applicant shall make a grant available towards the costs of sound insulation measures through the Approved Contractor equal to the cost of the measures identified through the Statement of Need. This grant may be used by the owner to request alternative measures providing they as a minimum meet the Target Performance. Where the alternative measures are calculated to cost more than the cost of the measures identified through the Statement of Need, any difference shall be at the expense of the owner.

5.3 In the event that a property owner wishes to appoint their own competent contractor, the Applicant will provide a specification for the works. The property owner must provide a written quotation from

- External wall constructions – where possible the construction type of the external walls will be recorded for example wall composition including inner leaf, cavity, and external leaf dimensions including all associated building materials;
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- Details of chimneys and fireplaces
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- Details of any existing sound insulation measures which have been installed previously
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5.3 In the event that a property owner wishes to appoint their own competent contractor, the Applicant will provide a specification for the works. The property owner must provide a written quotation from

their competent contractor for approval of both the identity of the contractor and the quotation by the Applicant. Following approval, the property owner shall be responsible for managing the works and making payments to their contractor and the provisions of this Schedule B shall be deemed to be amended accordingly. Upon completion of the works, the Applicant will carry out an inspection and issue payment to the property owner. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. The Applicant must act reasonable in the approvals process, but if the Applicant does not approve of the contractor or the quotation, payment will not be made by the Applicant.

REASON: To mitigate the impact of aircraft night time noise as a result of the use of the Airport's runways.

Figure 3.1 of Regulatory decision

Signed on behalf of the Fingal County Council

Caroline Kelly

for **Senior Executive Officer**

8 August, 2022

NOTES:

Figure 3.1 of Regulation section

Signed on behalf of the Fingal County Council

Caroline Kelly

for Senior Executive Officer

8 August 2022

NOTES:

A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000. Copies of each compliance submission should be made in triplicate.

The applicant is required to remove Site Notice on receipt of Notification from Planning Authority of decision.

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

Please also note that consent under the above Planning legislation does not imply consent under the Building Control Regulations. The onus is on all practitioners to ensure full compliance with the Building Control Regulations (In certain circumstances design changes may require planning permission).

It should be further noted that planning permission is required in respect of changes to a Protected Structure or the exterior of a building in an Architectural Conservation Area which materially affects the character of the building/ structure.

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(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of eight weeks beginning on the date of Planning Authority's **decision** on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála by the applicant or ANY OTHER PERSON who made submissions or observations in writing to the Planning Authority in relation to this planning application within four weeks beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received). A person who has an interest in land adjoining land in respect of which permission has been granted may within the appropriate period and on payment of the appropriate fee apply to the Board for Leave to Appeal against that decision.

2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Malborough Street, Dublin 1.

3. An appeal lodged by an applicant or his agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below. In the case of third party appeals, a copy of the acknowledgement of valid submission issued by F.C.C. must be enclosed with the appeal.

4. A party to an appeal making a request to An Bord Pleanála for an oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (f) below).

5. Where an appeal has already been made, another person can become an "observer" and make submissions or observations on the appeal. A copy of the appeal can be seen at the Planning Authority's office.

6. If the Council makes a decision to *grant permission/ retention/ outline/ permission consequent on the grant of outline* and there is no appeal to An Bord Pleanála against this decision, a final grant will be made by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If every appeal made in accordance with the Acts has been withdrawn, the Council will issue the final grant as soon as may be after the withdrawal.

7. Fees payable to An Bord Pleanála from 5th September 2011 are as follows:

Case Type	
Planning Acts	
(a) Appeals against decisions of Planning Authorities	
Appeal	
(i) 1st party appeal relating to commercial development where the application included the retention of development	€4,500 or €9,000 if an EIS or NIS involved
(ii) 1st party appeal relating to commercial development (no retention element in application	€1,500 or €3,000 in EIS or NIS involved
(iii) 1st party appeal non-commercial development where the application included the retention of development.	€660
(iv) 1st party appeal solely against contribution condition(s) – 2000 Act Section 48 or 49	€220
(v) Appeal following grant of leave to appeal (An application for leave to appeal is also €110)	€110
(vi) An appeal other than referred to in (i) to (v) above.	€220
(b) Referral	€220
(c) Reduced fee for appeal or referral (applies to certain specified bodies)	€110
(d) Application for leave to appeal (section 37(6)(a) of 2000 Act	€110
(e) Making submission or observation (specified bodies exempt).	€50
(f) Request for oral hearing under Section 134 of 2000 Act	€50

NOTE: the above fee levels for planning appeals and referrals remain unchanged from those already in force since 2007 (but note the addition of NIS in (i) and (ii) above).

Fees apply to: All third party appeals at 7(a)(iv) above except where the appeal follows a grant of leave to appeal; First party (section 37 appeals) planning appeals not involving commercial or retention development, an EIS or NIS. All other (non section 37) first party appeals.

These bodies at 7(c) above are specified in the Board's order which determined fees. They include planning authorities and certain other public bodies e.g. National Roads Authority, Irish Aviation Authority.

NB. This guide does not purport to be a legal interpretation of the fees payable to the Board. A copy of the Board's order determining fee under the Planning Act is obtainable from the Board. Further information about fees under other legislation may be found in the appropriate legislation and is also available from the Board.

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at **(01) 8588 100.**

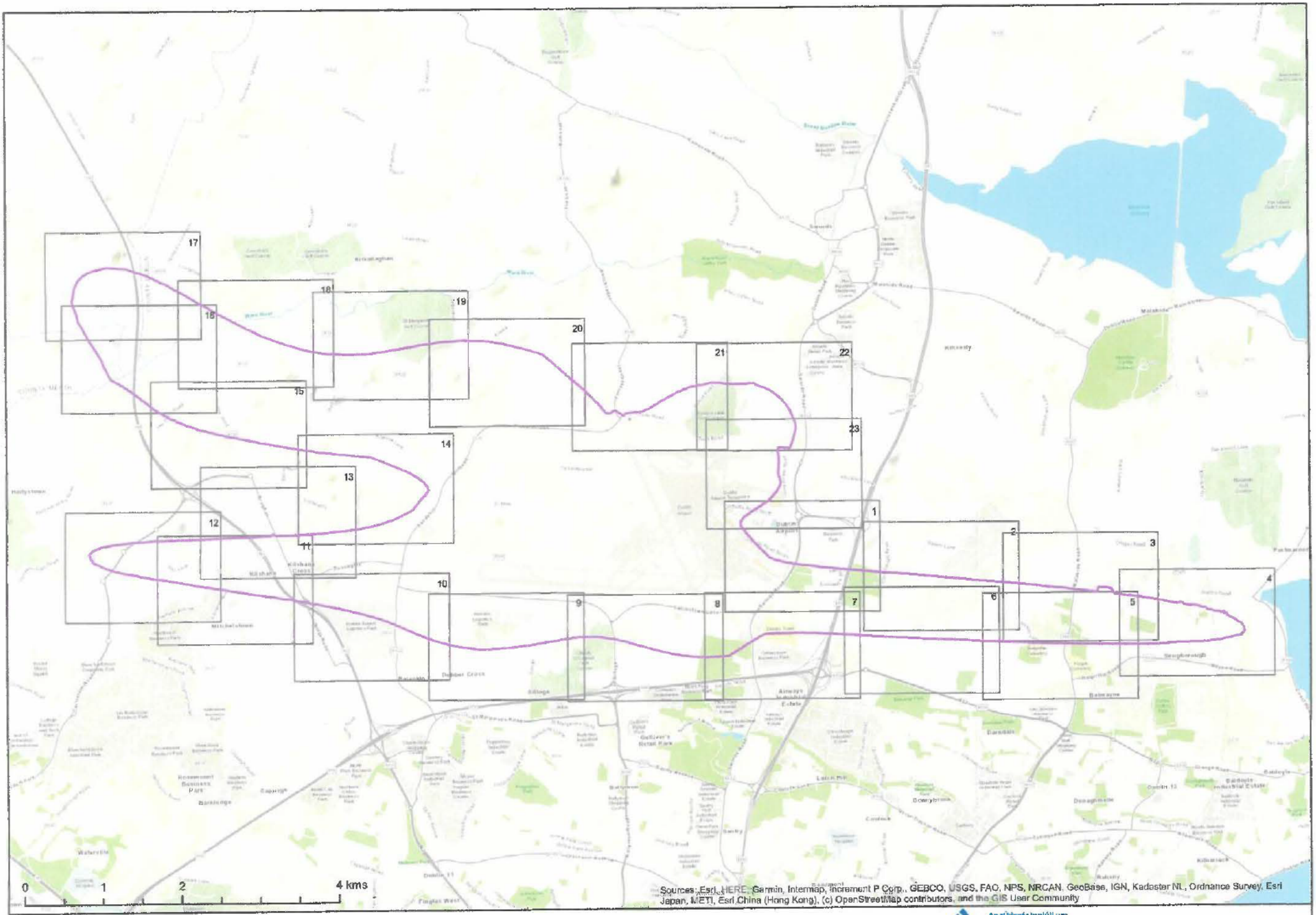

Figure 3.1 – Regulatory Decision, Third Condition.
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022

An tÚdarás Inniúil um Thorann Aerárthaí
Aircraft Noise Competent Authority

Figure 3.1 - Regulatory Decision, Third Condition.
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022

APPEAL OF DECISION TO GRANT PERMISSION

PLANNING & DEVELOPMENT ACT 2000, AS AMENDED

APPELLANTS: McDonnell x 3; Rooney; and Colgan families of Kilreesk Lane, St. Margaret's, North Co.Dublin (listed below): -

- **Property 1:** Betty McDonnell, Erkindale, Kilreesk Lane, St. Margaret's, North County Dublin, K67 TN99
- **Property 2:** Deirdre & Peter Colgan, Kilreesk Lane, St. Margaret's, North County Dublin, K67 KH34
- **Property 3:** Joscelin & Declan McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 XN96
- **Property 4:** Elizabeth & Padraig Rooney, Kilreesk Lane, St. Margaret's, North County Dublin , K67 YK57
- **Property 5:** Adrienne McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 AD79

Postal address for letters: Adrienne McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 AD79

Planning Authority: Fingal County Council

Decision Order No. PF/1692/22	**Decision Date** 8 August, 2022
Planning Authority Register Ref. F20A/0668	**Registered** 21 September, 2021

Area: Swords

Applicant: daa plc

Oral Hearing Request: YES

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Area: Swords

Applicant: daa plc

Oral Hearing Request: YES

Appeal details

Introduction:

The above named and their families (all McDonnell's) reside on Kilreesk Lane, St. Margaret's, North County Dublin. Each family were given full planning permission (UNOPPOSED BY DAA) by Fingal County Council to build homes on the McDonnell family farm over the past 20 – 45 years. Our late father, John Joseph McDonnell resided in Sandyhill, and subsequently Kilreesk, St. Margaret's for almost 70 years. Indeed we have a large number of wider relations living in the St. Margaret's Community to this day.

We are all are part of the original group of objectors to the North Runway Project in 2007, as members of the St. Margaret's Concerned Residents Group (SMCRG). It is a well-known fact, that St. Margaret's, and in-particular, Kilreesk Lane residents, are the most affected individuals from the new North runway at Dublin Airport.

The McDonnell family have strong roots in St. Margaret's, and now, by far, the most affected family (5 households) are severely and materially impacted by the major infrastructural development that is, the New Northern Runway. Our houses are in the 69db range and have already been identified as included in the proposed voluntary buyout scheme (per condition 9 of original planning conditions). We are extremely concerned, as to what will happen to our homes as a result of the recent granting of amendments to conditions 3 (d) and 5, which contravene WHO guidelines for nighttime flights and the acceptable European night time period.

To this end, there are a number of issues relating to Decision Order No. PF/1692/22 which we will address anon.

Appeal details

Introduction:

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To this end, there are a number of issues relating to Decision Order No. PF\1692\22 which we will address anon.

Introduction:

According to Fingal County Council, the new development plan will improve quality of life for people. However, our families **are the most materially affected individuals as a result of the new runway at Dublin Airport,** and have been deemed in the 'voluntary buyout scheme', therefore will lose our homes and way of life due to the development of the new runway.

Our family understands that the building of a new runway at Dublin airport is the right thing to do for Ireland's economy and categorically state, we are not against progress. However, **what we are against, is progressing without paying due consideration and fairness to the people who will be forced out of their homes via a so-called voluntary buyout scheme, which doesn't allow us to replicate what we already have or the injurious affliction which will be caused by our loss**. We strongly object to the daa, Fingal County Council (FCC) and the newly created Aircraft Noise Competent Authority (ANCA), who are effectively strategically evicting our family, through manipulating the regulations and revisiting a legal planning process, to profiteer on what generations of the local farming community of St Margaret's has built up.

While currently the Dublin Airport Authority (daa) state they do not need lands, the daa has already in the past persuaded landowners in the St Margarets area to sell their lands for market value by securing them via CPO. The Authority has subsequently rented the lands back to the original owners for farming. The daa have also sold acquired lands on to developers for higher prices as highlighted by Prime Time in the Donnegan case of the mid-nineties. In this case, the Donnegan brothers decided to move from farming into commercial warehousing and were prevented by daa and the local planning authority, i.e. Fingal County Council, on the grounds that they were in an airport safety zone – this land was later commercialised and is now Horizon Business Park.

Our homes are on the family land, and we are fearful that a similar approach will be taken by FCC in relation to us – especially given that daa are insistent that they are only including homes in the buyout. This would result in residents' portfolios being split from their lands, which are in a prime location on the cusp of Dublin city, 10 mins from the M50 and 5 mins from Dublin Airport. We also note, that IPOS has only recently built a new logistics park at Kilshane Cross (only two fields away from our farm). We are consistently being left in the dark in this regard.

Background:

Transposition of EU Directive 598/14 / Amendment of Conditions 3 (d) & 5

- After an appeal process, An Bord Pleanála put Condition 3 and Condition 5 in place to restrict night-time flights, and protect the local community. At this time, daa accepted the grant of the approval with all 31 Conditions attached to the planning permission for the new Northern Runway.
- In 2008 – The daa re-applied to Fingal County Council to have these two conditions of the Runway planning permission amended in their favour, and An Bord Pleanála refused the removal of the conditions.
- Then in 2019, the then Minister of Transport, Shane Ross, incorporated the removal of these conditions into the transposition of EU Directive 598/14. The SMCRG categorically objected to the Fingal County Council being appointed as the competent authority for measurement of aircraft noise, however it has gone ahead despite this being a complete and utter contradiction to point 13, of EU Directive 598/14, which clearly states, "***The competent authority responsible for adopting noise-related operating restrictions should be independent of any organisation involved in the airport's operation, air transport or air***

navigation service provision, or representing the interests thereof and of the residents living in the vicinity of the airport. <u>This should not be understood as requiring Member States to modify their administrative structures or decision-making procedures</u>.

- With the newly appointed competent authority on aircraft noise; ANCA, we cautiously hoped for openness and transparency as regards data and computation methodologies, which daa have neglected for some time. As part of the new development plan we expected ANCA to provide the longitudinal noise measurements, which has been long requested, and had been withheld by the Minister and daa, citing that we were in legal proceedings – which was and still is in our opinion **<u>absolutely irrelevant in respect to a human health issue.</u>**

In 2016, SMCRG engaged private consultants to value our homes and negotiate on our behalf. A proposed methodology for disturbance of displaced residents was submitted to daa and FCC, however this effort was dismissed. We further requested that market value plus 30% was not a fair way to value displaced families, who were giving up their homes in the national interest, and that the proposed valuation method, i.e. red book value, would not result in our group members receiving adequate replacement value for our homes, livelihoods, amenities and way of life. It is clear to us that using this methodology in the current property market in Dublin, would result in our members being left worse off entering the process, as exiting the process – in particular, given that it is a forced situation and injurious affliction applies. Despite our pleas, and intervention via our legal team (O'Connell-Clarke Solicitors) daa and FCCs signed off on the voluntary buyout, applying market value, plus a 30% uplift.

At the time of the Oral Hearing in 2006, there were various noise contour maps submitted by daa, and these were found to be inaccurate by the St. Margaret's noise consultant, Mr Karl Searson of Searson & Associates. The SMCRG sought clarification on exactly which map is being aligned to these conditions? However, EIS Addendum Map with 7B Option was submitted as an addendum to the planning permission by daa. In our court case, in October 2017, daa's Barrister voiced that the SMCRG were not in the 69dB level, despite this map showing us clearly within the 69dB contour.

Meanwhile, Mr Searson, on behalf of the SMCRG conducted further noise monitoring in SMCRG residents homes to work out the predicted noise levels based both on the existing and the new runway. This method of measurement considered the longitudinal noise measurements, which essentially gives a more robust and accurate prediction as to what the true levels of noise would be, once the new runway is operational. These predicted measurements showed that all residents would be living with 90 – 100 dB over their homes, which deems their homes uninhabitable, and their quality of life and amenities severely diminished **(see Appendix 1 attached: Searson Associates report dated 21st August 2016, with details).**

Observations on the Environmental Impact Assessment Report (EIAR)

We would like to point out the following observations drawn from the EIAR 'Dublin Airport North Runway Relevant Action Application', which we deem important as THE MOST materially affected residents perspective, as follows: -

The World Health Organisation (WHO) is the United Nations agency that connects nations, partners and people to promote health, keep the world safe and serve the vulnerable – so everyone, everywhere can attain the highest level of health".

navigation service provision, or representing the interests thereof and of the residents living in the vicinity of the airport. This should not be understood as requiring Member States to modify their administrative structures or decision-making procedures.

- With the newly appointed competent authority on aircraft noise; ANCA, we cautiously hoped for openness and transparency as regards data and computation methodologies, which daa have neglected for some time. As part of the new development plan we expected ANCA to provide the longitudinal noise measurements, which has been long requested, and had been withheld by the Minister and daa, citing that we were in legal proceedings – which was and still is in our opinion absolutely irrelevant in respect to a human health issue.

In 2016, SMCRG engaged private consultants to value our homes and negotiate on our behalf. A proposed methodology for disturbance of displaced residents was submitted to daa and FCC, however this effort was dismissed. We further requested that market value plus 30% was not a fair way to value displaced families, who were giving up their homes in the national interest, and that the proposed valuation method, i.e. red book value, would not result in our group members receiving adequate replacement value for our homes, livelihoods, amenities and way of life. It is clear to us that using this methodology in the current property market in Dublin, would result in our members being left worse off entering the process, as exiting the process – in particular, given that it is a forced situation and injurious affliction applies. Despite our pleas, and intervention via our legal team (O'Connell-Clarke Solicitors) daa and FCCS signed off on the voluntary buyout, applying market value, plus a 30% uplift.

At the time of the Oral Hearing in 2006, there were various noise contour maps submitted by daa, and these were found to be inaccurate by the St. Margaret's noise consultant, Mr Karl Searson of Searson & Associates. The SMCRG sought clarification on exactly which map is being aligned to these conditions? However, EIS Addendum Map with 78 Option was submitted as an addendum to the planning permission by daa. In our court case, in October 2017, daa's Barrister voiced that the SMCRG were not in the 69dB level, despite this map showing us clearly within the 69dB contour

Meanwhile, Mr Searson, on behalf of the SMCRG conducted further noise monitoring in SMCRG residents homes to work out the predicted noise levels based both on the existing and the new runway. This method of measurement considered the longitudinal noise measurements, which essentially gives a more robust and accurate prediction as to what the true levels of noise would be, once the new runway is operational. These predicted measurements showed that all residents would be living with 90 – 100 dB over their homes, which deems their homes uninhabitable, and their quality of life and amenities severely diminished (see Appendix 1 attached: Searson Associates report dated 21st August 2015, with details).

Observations on the Environmental Impact Assessment Report (EIAR)

We would like to point out the following observations drawn from the EIAR 'Dublin Airport North Runway Relevant Action Application', which we deem important as THE MOST materially affected residents perspective, as follows: -

The World Health Organisation (WHO) is the United Nations agency that connects nations, partners and people to promote health, keep the world safe and serve the vulnerable – so everyone, everywhere can attain the highest level of health".

For average noise exposure, the Guideline Development Group (GDG) strongly recommends reducing noise levels produced by aircraft below 45dB L_{den}, as aircraft noise above this level is associated with adverse health effects.

For night exposure, the GDG strongly recommends reducing noise levels produced by aircraft during night-time below 40 dB L_{night}, as night-time aircraft noise above this level is associated with adverse effects on sleep. To reduce health effects, the GDG strongly recommends that policy-makers implement suitable measures to reduce noise exposure from aircraft in the population exposed to levels above the guideline values for average and night noise exposure. For specific interventions the GDG recommends implementing suitable changes in infrastructure.

According to the EIAR submitted by daa, as part of the planning and development acts 2000, as amended Register reference: F20A/0668. Under the legislation, policy, technical guidelines and assessment criteria relevant to air noise and vibration page. 13A-5, 13A.23 the daa state, 'The WHO Guidelines could not be adopted as thresholds without imposing very significant restrictions on the current permitted operations of most major airports'.

This is extremely concerning to us as residents of Kilreesk lane, given that the WHO Noise Guidelines for night-time are set below 40 dB L_{night}, which the daa have stated that they cannot work within the parameters of.

It is not acceptable for the daa to both acknowledge and openly admit that they cannot adhere to the WHO guidelines. This should not negate their Corporate Social Responsibility and ignore the local communities subjected to the noise. Therefore, we believe An Bord Pleanála has a responsibility to address these amendments to the conditions, which were originally added to the planning permission for the new runway. It is only right as part of a democratic society that citizens who by the way, already went through due diligence and process, via a robust planning process, are afforded fair treatment. We implore An Bord Pleanála as the penultimate decision-makers, to do the right thing for the small percentage (0.01%) of Fingal residents impacted namely our family.

The EIAR submitted by daa, 'Dublin Airport Operating Restrictions – Quantification of Impacts of Future Growth – Updated analysis in response to the ANCA RFI, June 2021 – version 1.3.1 (Final), page 5: Annual Traffic Impact'; provided a number of scenarios which set out the potential Impact of Operating Restrictions, i.e. Scenarios A – F.

Scenario C referenced Option 7b as per the original planning application, this was deemed as the optimum approach. In the 2007 An Bord Pleanála Oral Hearing Assessment Volume 1, it is stated, *"The modelling for the preferred mode of operation - Option 7B - is given in the **further information submission** and in Figures 16.1 and 16.2 of the EIS Addendum. This approach has the aim of limiting the numbers of people affected by operations on the proposed northern parallel runway. The 57dB contour would extend over the southern part of Portmarnock. St. Margaret's and the area to the north around Kilreesk will be within the 69dB contour"*. **Please see attached, Appendix 2; a copy of the Map on the EIAR Volume 3, dated September 2021, Figure 13.4 Project no. 60601864 by AECOM detailing the proposed 2022, and permitted 2022 Lnight Noise Contours.** This map clearly shows the McDonnell; Colgan and Rooney households in the 55dB Lnight Noise Contours. According the WHO noise guidelines, in-bedroom noise levels for an 8 hour period (2300 hrs – 0700 hrs) should be 30dBa. Therefore, we wish to know how are daa going to achieve the recommended WHO Noise Guidelines of 30dBa at night? Also, it must be noted, these contour maps do not take into account the combined simultaneous (i.e. the cumulative effect) of use of the parallel runways and the noise

effect on the houses situated in the flightpath between both runways, i.e. the location of the McDonnell, Rooney and Colgan households.

Daa wish to have the conditions altered in their favour, for their best interest claiming they are not workable. At the same time, they are also claiming THE most recognised health organisation in the world, who have set out acceptable noise level guidelines, that these are also not workable. It is obvious that An Bord Pleanála by including these conditions recognised the effect night-time flights would have on the residents of Kilreesk Lane, St. Margaret's by attaching these conditions to the planning permissions. For natural justice, to alter these conditions in the favour of daa, it would be only fair to afford us the residents the opportunity to amend the two conditions that materially affect us, i.e. Conditions 7 - Voluntary noise Insulation for existing dwellings and Condition 9 - Voluntary buy-out scheme for residents.

Conditions 7 - Voluntary noise Insulation for existing dwellings: The Insulation Scheme is not fit for purpose and should be revised to include proper ventilation adhering to WHO night-time noise guidelines.

Condition 9 - Voluntary buy-out scheme for residents:

***NOTE**: According to Condition 9 of the planning permission for the North Runway, which states; *"Prior to the commencement of development, a scheme for the voluntary purchase 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 69 dB LAeq 16 hours within twelve months of the planned opening of the runway for use. Prior to the commencement of operation of the runway, an offer of purchase 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 McDonnell, Rooney and Colgan residents believe that Conditions 3 (d) and 5 are inextricably linked to Conditions 7 & 9. As per Option 7B Map, and per our Acoustic Engineer's noise monitoring results, we are clearly exposed to over and above 69 dB noise levels. Therefore, we demand that Condition 9 is amended, providing absolute clarity and removing ambiguity, such as 'voluntary buyouts' when in fact, this would lead to a forced/constructed situation and will render our homes uninhabitable from a human health perspective.

It is concerning to read in the EIAR, the Aircraft Noise Information Reporting under The Airport Noise (Dublin Airport) Regulation Act, 2019 – Draft Version 2, May 2020, sub-section 4.8 Noise Mitigation Feasibility Report, the reference to 'Land Use Management detailing 'Noise Insulation Schemes and 'Relocation Schemes', rather than, under, Noise Abatement Measures – and is more concerning that there is no reference to the Buyout Scheme?? The McDonnell, Rooney and Colgan's would like to know, why has the Buyout Scheme not been mentioned, and where has the 'relocation scheme' come from and what does this entail?

We demand that 'the Voluntary Buyout Scheme should be revised in its entirety, with full input from all parties, with final agreement from those most affected, i.e. the residents. In any normal sale of a property, the owner has full participation in the process. To exclude us, the injured party, in this forced buyout situation, is wholly unjust, unacceptable and teetering on unconstitutional. We as residents need to be treated fairly, i.e. with replacement value for our homes and adequate compensation for displacement. The 'red book'/market value, plus 30% uplift proposed by daa/Fingal County Council in the past is simply an unacceptable and derisory sum. We all know, that

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the property market is buoyant at present, and our homes are located only 7 miles from Dublin City Centre, close access to M50, and in a unique rural setting.

In Figure 13.1 and 13.2 of the 'EIAR Volume 3. – Figures', the proposed noise contours are indicated on the map as 65 db L_{den} and 55 db L_{night}' respectively. This represents 62.5% above the acceptable recommended WHO day-time noise levels, and 37.5% noise level above what the WHO Noise Guidelines recommend per night. Now that the time curfew from 0700 hours to 0559 hours, has been changed, this results in the generation of 67.5% increase in noise levels deemed unacceptable by the WHO.

It is important to note, in August 2007, the findings of Searsons & Associates were used in the original decision made by An Bord Pleanála, which resulted in Condition 3 (d) and 5 being added to the planning permission granted. Unlike daa Karl Searson, Acoustic Engineer, compiled his measurements by actual field measurements, at the home of Adrienne McDonnell (which clearly provides factual, as opposed to computer generated readings). Subsequent noise measurements have been taken in the McDonnell x 3 homes; Rooney and Colgan homes, in the month of August 2022 (prior to the opening of the new runway). It must be pointed out, that since the oral hearing in 2007, at no point have the daa, Fingal County Council or indeed ANCA, approached us to take noise readings in our homes. This is remarkable, given that the daa have erected noise monitoring equipment in serval locations surrounding Dublin Airport, yet they have neglected Kilreesk Lane; the most affected area. Had the daa, Fingal County Council or ANCA as the 'Independent Competent Authority on Aircraft Noise', sought permission, we would have been only too happy to oblige making our properties available to take noise level readings, anytime.

We are aware that 1,800 observations/objections were submitted to Fingal County Council on the introduction of the amendments to conditions 3 (d) and 5. However, it appears these concerns have fallen on deaf ears.

According to SUP 018/2022, AIRAC, 'Dublin Airport (EIDW) New Runway 10L/28R Planned Operational Stages, from the Irish Aviation Authority, states that 'Stage 2 planned effective date is the 8th September 2022 and will accommodate arrivals and phase 3 will be from March 2023, where Dublin Airport will include simultaneous departures and arrivals. Yet, it is convenient that the daa have timed phase 2 to commence 3 days after the closing date of this appeal process! The residents in Kilreesk Lane, can only expect a ramping up of noise, starting on the 8th September. How can it be fair and just for residents in Kilreesk Lane to submit an appeal, without knowing the full impact of phase 2 and 3, in terms of human health; both physical and mental. We consider this to be wholly inadequate and does not allow the affected residents to have a full representation of the impact of the noise when runways are fully operational and simultaneous. As such the appeal period should be allowed to take place when the full impact is being endured by affected parties, so we could have real-time measurements.

It should be duly noted that, as former members of the St. Margaret's Concerned Residents Group, the McDonnell, Rooney and Colgan families engaged Searson Associates to conduct a full noise monitoring exercise at the home of Adrienne McDonnell in 2007, 2016, February 2022 **(see Appendix 3, Searson Associates Report dated 5th February 2022)** and In August /Sept Searson & Associates Report 2022 - this shows real-time results of noise monitoring carried out in Property 1; Property 4 and Property 5 of the five family households. *NOTE: Property 2 and Property 3 are 'sandwiched' in between Property 1 and 4 **(see Appendix 4, Searson Associates, report dated 4th September 2022).** In his assessment, Karl Searson points out that the Single Event Level (SEL) metric is another metric of relevance in relation to aircraft fly by. Firstly, measurements taken inside

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Adrienne McDonnell's home indicate the SEL daytime measurements ranged from 78 dB(A) to 91 dB(A) – these figures represent 72.5% and 127.5% above the recommended WHO Noise Guidelines respectively.

Secondly the Single Event Level (SEL) night-time measurements taken inside Adrienne's house, measured 69 dB(A) (01.31 a.m.), and represent 72.5% above the recommended level by WHO, which is a maximum of 40 dB L_{night}.

Ironically, in the EIAR, Appendix 13A.3.23, daa state, *"even as single Airbus A320 or Boeing 737-800 aircraft operating once per night could expose hundreds of people to noise levels in excess of the guideline 40 dB Lnight value at an airport in a relatively rural location. 10 aircraft events during the daytime (07:00 – 19:00) period (or smaller numbers in the evening and night periods) could expose a similar number of people to noise levels in excess of the 45 dB Lden parameter"*.

Condition 3 (d) and Condition 5

Condition 3 (d) was a noise mitigation measure put in place by An Bord Pleanála to protect the residents in the community and afford them a decent quality of sleep at night-time. The National Sleep Foundation guidelines recommend that 'Healthy adults need between 7 – 9 hours sleep per night'. WHO recommends for an adult 18 – 60 years, 7 or more hours per night is required. With the new amendments to the condition, it will significantly impact on our quality of sleep at night. It must be noted, that not only does this deprive residents with quality sleep hours, but it also results in broken sleep, with on-ground aircraft engine noise.

Daa's most recent proposal is to; a) increase the volume of flights by 34%, coupled with b) reducing the curfew period by 2 hours 1 minute (from 2300 hours – 0700 hours to 0000 hours – 0559 hours). Secondly, daa have also proposed modifying the modelling period from 92 to an annual average modelling period. WHY? This certainly is not in keeping with the 'balanced approach' of the EU Directive 598/14, or to specifically protect the neighbouring community, in the interest of health, and sleeping at night.

The daa want conditions lifted, however they have failed us as THE residents MOST impacted by the new runway, and have NEVER once come to our homes to measure noise. They stated their doors were always open, however we never felt that we were in a position to negotiate or to come to an amicable settlement/conclusion. A 'voluntary buyout scheme', dictated by daa is wholly unacceptable to our family. This project is for the 'national interest', and we are a small number of individuals, as stated in the EIAR report, "0.01 % of residents in the Fingal area". This cannot be weighted one way in the favour of the applicant, with the daa disregarding our human health and wellbeing.

On average, an aircraft is operable for about 30 years before it has to be retired. Therefore, the prediction that the current G1 Aircraft types will be largely replaced on a phased basis by next generation G2 types by 2020, as stated in the EIAR, Mott MacDonald Global Aviation, Fleet Modernisation is completely aspirational.

Despite the fact, that the daa have referenced their inability to achieve WHO Noise Guidelines, they make no effort or attempt to recognise the material effect these noise levels will have on our family homes, our health & wellbeing, and our quality of life. Suffice to say, the alteration of conditions 3(d) and 5 are inextricably linked to Conditions 7 - Voluntary Noise Insulation for existing dwellings and 9 - Voluntary Buy-Out scheme for residents.

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We as a family, are in a unique situation of living on the family farm, alongside each other, which is simply impossible to replicate.

Similarly, the St. Margaret's Ward Residents Group has recently had independent noise consultants conduct noise monitoring in homes that have only recently been insulated by the daa, as part of the noise/sound insulation scheme. We understand that the readings taken from these recently insulated homes have proved higher than what the WHO recommends as providing adequate mitigation from Aircraft noise.
The WHO studies carried out in relation to the effects of noise on Human Health identifies the following decibel levels which should be achieved in a residential dwelling which is 30db at night and 35db during the day.

Why is there not any provision for protection against vortex damage as part of the works? There is a regular occurrence of off-track flight patterns with the existing runway and due to the increased proximity to the proposed new runway, vortex damage will be a real risk and represents a major concern to the home owners.

The target noise levels identified in the Noise Insulation Scheme document refers to an improvement of 5-10db. To make such a statement indicated that the approach to this scheme is less than scientific and to issue such generalisations shows a very haphazard approach to this issue. All properties should be properly sound proofed to ensure the Human Health of the occupants is adequately protected. Daa states that the existing condition of a given property may dictate effectiveness of the proposed works which would clearly indicate that the bare minimum of sound proofing will be carried out throughout the homes affected. This will not be tolerated or accepted by our families, and all homes must be insulated to achieve the minimum standard as set out by the WHO there can be no deviation from this.

Conclusion

We understand the relevance and importance of the expansion of Dublin Airport and it's ancillary road networks, and realise that the building of a new runway at Dublin airport is the right thing to do for Ireland's economy and categorically state, we are not against progress. However, what we are against, is progressing without paying due consideration and fairness for the people who will be forced out of their homes via a so-called voluntary buyout scheme, which doesn't allow us to replicate what we already have or the injurious affliction which will be caused by our loss. We strongly object to the Irish Government and Dublin Airport Authority (daa), who are effectively strategically evicting the residents of Kilreesk Lane – (five households whom are our family), through manipulating the regulations and revisiting a legal planning process which has been completed AGAIN AND AGAIN, UNTIL THEY GET WHAT THEY WANT!

Our family, as members of the SMCRG who initially secured no night-time flights, which daa have now altered to their benefit. We went to the High Court
on breaches of compliance by the airport authorities, which the judge decided to ignore and to further make a mockery of the planning process. The then Minister for Transport worked to use the regulation to manoeuvre the transposition of an EU Directive 598/14 whose premise was to achieve a 'Balanced Approach' between local residents and airport operations on Noise. It should be noted, that the planning authority had already agreed and signed off on an unfit insulation and house purchase scheme, without consultation with the affected home-owners. In contravention to the 'balanced approach 'a so-called 'independent' Competent Authority on Aircraft Noise (ANCA) was created.

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We as the most affected residents, i.e. those in the buyout, need to be treated fairly and this has not been forthcoming. **Our family – who are among those most materially affected and whose houses are deemed 'uninhabitable' when both parallel runways are up and running in March 2023, should be made a priority** so that we can move forward with their lives, and not be left in a 'limbo' situation, which we have had since the granting of the permission in 2007 (15 years ago).

Our family have very big decisions to make with regard to Condition 7 & 9. The daa have NEVER set up noise monitoring or asked to come into our home to measure noise and attain accurate field measurements. We are attaching our acoustic engineer - Karl Searson's recent noise monitoring figures from August (prior to runway opening and post runway opening). The daa have provided computer generated readings for the last 15 years, and never once done field measurements on Kilreesk Lane.

We are concerned about the accuracy and the methodology of the data furnished to date by daa. For instance, to date, there has been a complete lack of transparency and openness as regards data provided by daa. Past experience has shown, daa cannot be trusted and any data provided can only be taken with a "grain of salt." We cannot have a situation, where daa provide the data and it is accepted/ used by ANCA. Taking into account the 'balanced approach', this needs to be independently validated and stringently audited.

In 2007, An Bord Pleanála stipulated in the conditions attached to the grant of permission of the new runway, that there would be 65 movements per night (between hours of 2300 hrs and 0700 hours). With the introduction of the new noise quota scheme, we as residents have major concerns of the validation of this scheme. At present there are over 100 movements per night. The proposed amendment is confusing and unrealistic for the ordinary person to understand – let alone measure from a technical perspective. Regardless of these noise quotas, we consider the point of our acoustic engineer, Karl Searson most valid, in terms of what he points out that the Single Event Level (SEL) metric the most valid and realistic measurement, i.e. one aircraft can wake us up from a tranquil nights sleep, and therefore disrupts our quality sleep.

This is of grave concern to us as families in the buyout scheme – and leaves us in a very unpredictable situation and therefore, in order to make informed decisions about our futures, we request the following: -

1. Reinstate the conditions 3(d) and 5 as per original planning permission – to protect the local community;
2. Another Oral Hearing to take place, as with the introduction and transposition of EU Directive 598/14, we feel as residents most affected, the 'balanced approach' has been wholly weighted in favour of daa and local residents have been ignored;
3. An Bord Pleanála engage an independent acoustic engineer to complete field measurements on Kilreesk Lane, St. Margarets;
4. An Bord Pleanala enforces the introduction of an independent Noise Performance Reporting system; i.e. full independent audit – not relying on daa's local noise and track keeping performance date from the airport system, as set out in part 4.1 e of Notification of Decision to Grant of Permission register ref. F20A/0668, Decision Order no. PF/169/22. Dated. 8 August 2022;
5. An Bord Pleanála insist that daa provide clear and accurate number of night-time movements;

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5. An Bord Pleanala insist that daa provide clear and accurate number of night-time movements.

6. ANCA conduct noise monitoring in Kilreesk Lane, using the longitudinal noise methodology, which gives a more robust and accurate prediction as to what the true levels of noise will be, once the new runway is fully operational; i.e. March 2023 when both runways are used simultaneously;
7. An Bord Pleanála to incorporate independent validation of noise quotas; we cannot have a situation where daa provide the data and it is accepted and rubber stamped by ANCA;
8. An Bord Pleanála to stipulate that daa produce the all noise monitoring locations for the new runway, and they are published and put into the public domain;
9. Condition 7 to be amended; redevising the Noise and Sound Insulation schemes to reflect an exceptionally high standard (above and beyond what is proposed) with independent acoustic engineers to verify the WHO guidelines have been reached to the levels acceptable for human health purposes;
10. Condition 9 to be amended, providing absolute clarity and removing ambiguity, such as 'voluntary buyouts' when in fact, this would lead to a forced/constructed situation and will render our homes uninhabitable from a human health perspective;
11. To be treated fairly, and that the daa and FCC/ANCA reconsider the methodology used to determine the Voluntary Buyout Scheme for residents within the 69dB noise levels.
12. In line with the 'balanced approach' of EU Directive 598/14 – the affected local residents need meaningful engagement and agreement on both sides, with regards to buyouts; Our family does not consider representation via 'Community Liaison Groups' or 'Public Consultation Forums' as stipulated in condition 28 of the original planning permission PL 06F.217429, Planning Reference Number: F04A/1755, as adequate or fit for purpose to deal with our unique situation;
13. Should residents chose to stay in their existing premises, they should be provided with bespoke noise mitigation and sound insulation, along with air conditioning to ensure that their human health is adequately provided for;

Please do the right thing by Fingal Citizens and engage in a meaningful way with our family to find a resolution to this sorry situation that has thrown a cloud of doubt on our futures for the past 15+ years.

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Appendices:

1. Searson Associates, Reference KVS/HM-SM, report dated 21st August 2016
2. Map on the EIAR Volume 3, dated September 2021, Figure 13.4 Project no. 60601864 by AECOM detailing the proposed 2022, and permitted 2022 Lnight Noise Contours
3. Searson Associates, Reference 6658/22, report dated 5th February 2022.
4. Searson Associates, report dated 4th September 2022.

Signed 4th September 2022

Betty McDonnell

Adrienne McDonnell

Declan & Joscelin McDonnell

Deirdre & Peter Colgan

Elizabeth & Padraig Rooney

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Signed

Betty McDonnell

Adrienne McDonnell

Declan & Joscelin McDonnell

Deirdre & Peter Colgan

Elizabeth & Padraig Rooney

Appendix 1

Appendix 1

5. Appendix 1

SEARSON ASSOCIATES

CONSULTING
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OUR REF:KVS/HM-SM YOUR REF: DATE:21st August2016

Mz Helena Merriman,
Mz. Sheelagh Morris,
St Margarets Concerned Resident's Group,
Kilreesk,
Co Dublin.

Re: Proposed Runway Extension Noise issues

Dear Ladies,

I attended, by arrangement, at Adrienne McDonnell's home on 7th August and conducted extended measurements, both indoors and outdoors, from just before 01:30 hours until 00:00 hours on 8th August. The measurements did not extend to a full 24 hour period***inside and outside*** but considerable data was built up to gain a good insight into the current exposure of this location in respect of the most predominant noise source – aircraft taking off from the existing runway at Dublin Airport. From the plans to hand a suitable proxy location was chosen (permission having been earlier obtained from the landowner) and a 1 hour measurement of existing departing aircraft was conducted. Measurements at this location were matched and compared with measurements being simultaneously conducted at Adrienne's home. This location corresponded to the type of exposure Adrienne's home would experience from the new runway – assuming similar weather conditions and similar numbers/types of departing aircraft. I had earlier attended at the DAA's open afternoon and held discussion with the DAA's acoustic consultants with respect to the *minutæ* of their published document "*Residential Noise Implementation Plan*". I report as follows:

1. For the tests Bruel&Kjaer 2260 Real-time Analyzers were used. The "outside" Analyzer's microphone, situated 4m overground and 3.5m from the façade of the house, was cable-connected to the instrument – as indeed was the was the "inside" microphone. The two analyzers were calibrated at the start and conclusion of the measurements. No drift occurred.

2. The proxy test was of 1 hour duration. The other tests, at Adrienne's home, (both indoors and outdoors) were a combined duration of just over 20 hours. Considerable data was obtained (and indeed some memory limitations occurred) as the Analyzers were set to record and store on a second-by-second basis; for the final period of the

outside measurements at Adriennes (just over a 9 hour period) the data was stored in 15 second intervals.

3. There are a number of noise metrics of interest in this assessment. Firstly there is the $L_{Aeq}T$ which is the equivalent continuous a-weighted level over the period of measurement, T. This could be regarded as the "*decibel average*". A number of matched indoor and outdoor tests were conducted with the time – T – set for 30 minutes in some cases and 60 minutes in other cases. A 1-hour measured result of, say, 53 dB(A) is denoted:

$$L_{A,EQ(60\ mins)} = 53\ dB(A).$$

4. A second metric of significance is the maximum level achievedduring a particular measurement. It can be denoted L_{max} but it preferable to include the particular time constant of the maximum measurement. For this metric there are 2 time constants, 1 second being referred to as "slow" and 0.125 second being referred to as "fast". These metrics are denoted L_{ASmax} and L_{AFmax} . There can be up to 5 dB difference between these metrics and there are guidelines in respect of each in relation to in-bedroom night-time noise levels.

5. Another metric of relevance in relation to Aircraft fly-by is the ***S***ound ***E***nergy ***L***evel (sometimes called the ***S***ingle ***E***vent ***L***evel) and denoted **SEL**. It is expressed in A-weighted decibels, dB(A). In practice it takes all the acoustical energy associated with – in this context – an aircraft take-off and normalises it back to a 1-second average. The result is a useful metric for it enables calculations to be conducted in respect of multiple similar take-off's.

6. Thus far we have concentrated on A-weighted decibels. Aircraft fly-by's, particularly take-off however, have considerable amounts of low-frequency content. A-weighted decibels discount (via international agreement) an amount of low frequency content in "ordinary noise" but with aircraft take off, this ***must*** be assessed. There are currently good practice guidelines for assessing low frequency noise and this Assessment has taken same into account. One of the challenges with low-frequency noise is that it travels considerably further than medium or high-frequency noise. This is because medium- and high-frequency noises are "absorbed" fairly quickly by the atmosphere (and indeed by building elements) whereas the low-frequency components are not. Another challenge is that while windows (including thermal double glazing) when shut provide good "defense" against medium and high-frequencies, they do not provide a good defence against low-frequency noise. In some cases the reduction afforded by good quality thermal double glazing against medium and high-frequency noise means that the low-frequency elements are *perceived* as being more noticeable – in other words they are not masked but become more readily associable with a given aircraft's fly-by – when the windows are closed.

7. The instrumentation was set up to "capture" a particular flight which left at 01:30 hours on the Sunday morning. While both instruments set to measured for a suitable 1-hour period the logging facility has meant that the 2 mins of the actual take off, as experienced on Adreinne's Patio (at 4 m overground) and in the main bedroom (with the window ajar for fresh air admission) were extracted for further analysis.

8. The metrics*of this 2 minute take-off compare as follows:

Location	SEL	L_{AFmax}	L_{ASmax}	Fly-pass Duration	Start time

INSIDE	69 B(A)	64 dB(A)	60dB(A)	2 mins 8 secs	01:31:11
OUTSIDE	87 dB(A)	83 dB(A)	78 dB(A)	ditto	Ditto

**Values rounded to nearest integer (whole number)*

9. The above table provided quite a degree of insight – even at this stage. It demonstrates that good quality double glazed windows, when ajar for ventilation provide an attenuation (reduction) in SEL of [87 - 69] i.e. 18 dB(A). It also confirms that this particular flight provokes in-bedroom L_{AFmax} levels of 64 dB(A). When assessed using the *slow* constant the provoked in-bedroom L_{ASmax} level is 60 dB(A). On the basis of the current good guidance for these maximum metrics they are each about 20 dB(A) ***too high***.

10. The in-bedroom data has been analyzed for low frequency content – that is to say the components from 16 Hz to 160 Hz. The Danish good guidance in this regard looks for a bedroom night–time level ***in this low frequency range*** – of 20 dB(A). Computation in respect of the a suitable period before the flight (and confirmed after the flight) indicates that this bedroom is around 12 dB(A) ***in this low frequency range*** but for the duration of the flight this low frequency range attains an $L_{A,EQ(2mins\ 8secs)}$ of 36.6 (say 37) dB(A). With no other flights and a return to the pre-existing level of 12 dB(A) the overall level will start to decay. However it will take about 1.5 hours before the effect of this single night-time flight decays so that the overall level re-attains the low frequency recommended or guidance figure of 20 dB(A).

11. The overall A-weighted in-bedroom level deserves attention. In the absence of movement in the house levels around 25 dB(A) were obtained for notable periods of time. The 1-hour reference period in the bedroom (including the single fly-by) yielded a 1-hour $L_{A,EQ}$ of 34 dB(A) but with a background level, L_{AF90} of 23 dB(A). This background level is consistent with the location being (*aircraft apart*) a location of night-time quietitude. Even allowing for movement in the house (and bedroom) and clicking of computer keyboards the highest maximum levels occurred during the period of aircraft take off.

12. Scheduled flights were due to commence later that morning, with 4 flights scheduled before 06:00 hours. In the event a short delay must have occurred for the first of the scheduled take-offs occurred at 06:02 hours. Simultaneous inside and outside measurements of 49 sequential flights from 06:29 hours to 08:04 hours have all been analyzed and comparative data in respect of the in-room provoked levels at Adriennes have been examined. Most of the other flight departures that day - until the final departure at 22:38 hours - have been measured from Adriennes outdoor location.

13. From the DAA-provided map of the proposed new runway a suitable "proxy" location was computed and permission sought (and received) for me to enter onto those lands for measurement purposes. The "proxy location" related to Adriennes home with respect to the proposed runway. The outdoor Analyzer was left at her home, recording in contiguous 15 second intervals, while the indoor instrument was removed and used at the proxy location. A 1-hour interval was chosen and the data from the 2 outdoor locations compared. The period was from 15:54 hours to 16:54 hours and during that period a total of 16 take-off's occurred. Firstly the overall results in the 1-hour $L_{A,EQ\ (1\ hour)}$ is as follows:

Adrienne's patio, 1-hour $L_{A,EQ}$:	62 dB(A)
Proxy location, 1-hour $L_{A,EQ}$:	70 dB(A).

Dealing with the significant metrics of the take-offs each event was analysed from both locations and the data is presented below, the flights being numbered #150 to #166 for ease of reference:

COMPARISON OF RELEVANT METRICS FROM PROXY VsADRIENNE'S

Metric	SEL dB(A)		L_{AFmax}dB(A)		L_{ASmax}dB(A)		Duration	Start time
Location	Proxy	Adr's	Proxy	Adr's	Proxy	Adr's		
#150.	89	81	82	74	79	70	01:59	15:57:22
#151	89	80	83	72	79	68	01:28	15:59:20
#152	100	91	93	84	91	80	01:43	16:02:19
#153	93	84	87	77	84	74	01:22	16:05:51
#154	90	84	83	75	79	73	01:47	16:07:48
#155	90	83	83	80	79	71	01:32	16:11:02
#156	91	83	84	75	81	71	01:36	16:13:39
#157	91	84	86	75	82	72	01:14	16:09:05
#158	89	83	82	79	80	73	00:52	16:21:57
#159	92	86	87	79	83	74	01:03	16:28:03
#160	93	85	85	78	82	74	02:02	16:30:14
#161	93	87	87	82	84	78	01:47	16:32:19
#162	91	83	85	81	81	73	01:40	16:40:11
#163	89	78	82	81	80	72	01:18	16:43:32
#164	100	89	92	81	91	79	02:23	16:45:33
#165	91	85	92	81	91	79	02:23	16:45:33
#166	90	83	83	76	81	72	01:06	16:53:36

The implications here are that a significant increase in SEL and the maxima values (whether expressed in *slow* or *fast*) is going to occur. Such increases are – broadly speaking within the "numbers" of the increase in $L_{A,EQ(1\ hour)}$ – of 8dB as set out above. The possibility of an additive effect from the existing runway together with new runway might not necessarily imply a +3 dB increase in the maxima values but if take off volumes increase by 100% the possibility of the addition of the 1 hour reference results [62 dB(A) + 70 dB(A) = 71 dB(A)] means a large increase in arrival level at Adrienne's Patio.

14. Representative ***low frequency components*** - *as per item 10)* above – have been taken in respect of a single take off and analyzed as to their "increased" value via the chosen proxy. An increase of 7 dB(A) has been computed. The implications of this increase are very significant as these components – being low frequency – are relatively difficult to attenuate. Once again should Adrienne's home be exposed to comparable numbers of take-off's from the new ***and***existing runways comparable to those measured during the 1-hour proxy period then her outdoor low frequency components will total:

Low frequency from existing runway:	51 dB(A).
Low frequency from new runway:	58 dB(A).
Total:	59 dB(A).

15. Given the layout of Kilreesk most of the St Margaret's properties will be similarly exposed.

16. I am of the opinion that the Applicants have not addressed this directly and rather than taking in the written guidance of BS 8233 (wherein SEL limits, WHO criteria and low frequency elements are specifically mentioned) seem to intend to provide 3 modes of insulation. Furthermore my discussion at the open day indicated that the attainment of an in-room daytime level from 07:00 hours until 23:00 hours of 35 dB(A) that no other acoustical criteria are being considered, most pointedly night-time, and, furthermore, that the attainment of this daytime level of 35 dB(A) is being viewed as being ***aspirational***.

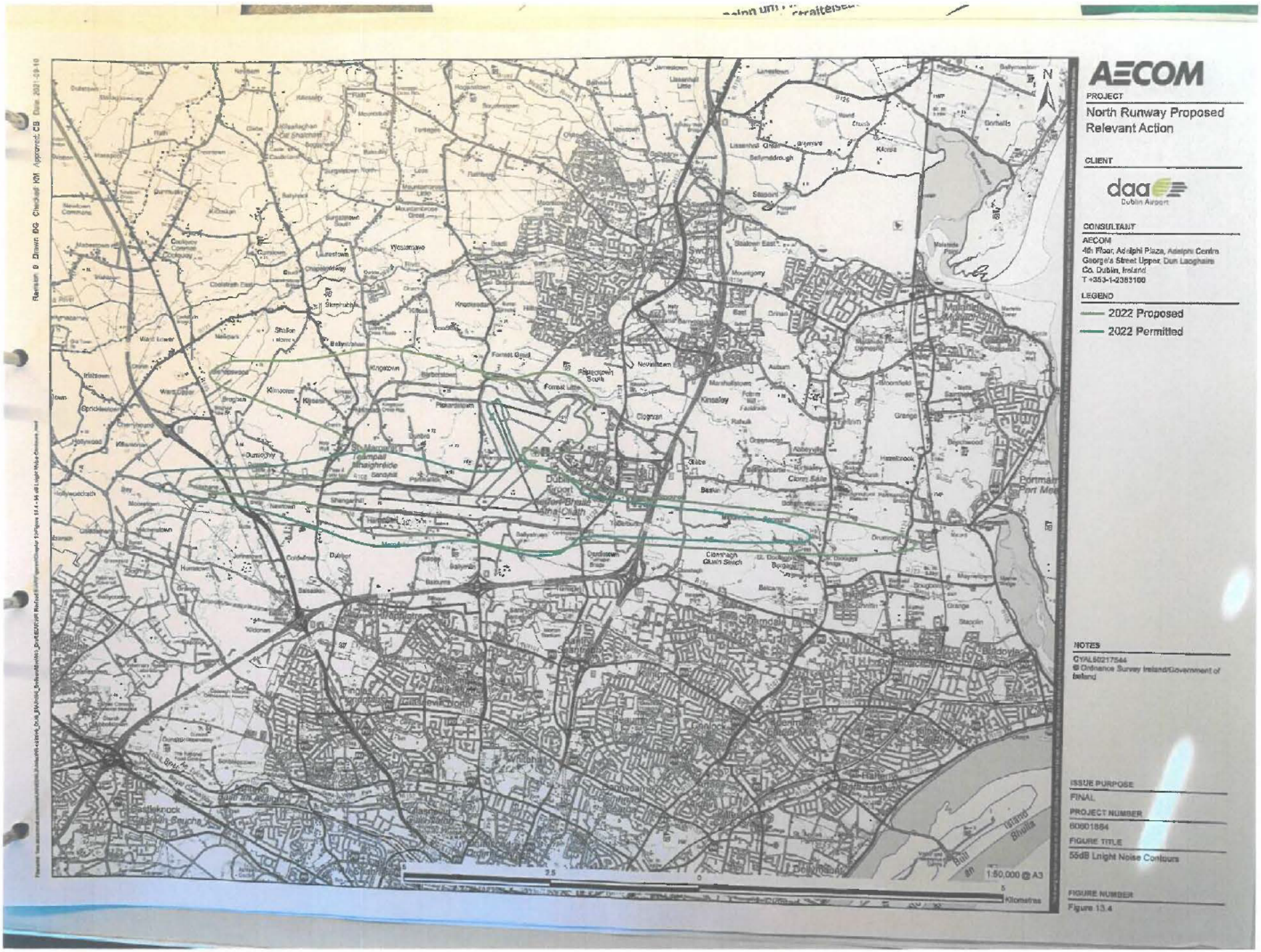
17. In such circumstances I have serious reservations about the effectiveness of these proposed measures in even preserving the current indoor levels, which, in the case of Adrienne's home (with the window ajar for ventilation) are simply too high. Additionally the outdoor noise associated with the current arrangement is likely to be most seriously increased, especially at night. I conclude that normal family living, both indoors and outdoors, will become intolerable at Adrienne's (and the other nearby homes of the St Margarets group), in the event that the second runway is completed and put into service.

Yours sincerely,
Karl Searson

SEARSON ASSOCIATES,
CONSULTING ENGINEERS

Appendix 2

Appendix 2


AECOM
PROJECT
North Runway Proposed Relevant Action
CLIENT
daa Dublin Airport
CONSULTANT
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Co. Dublin, Ireland
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LEGEND
2022 Proposed
2022 Permitted
NOTES
CYAL50217544
© Ordnance Survey Ireland/Government of Ireland
ISSUE PURPOSE
FINAL
PROJECT NUMBER
60601884
FIGURE TITLE
55dB Lnight Noise Contours
FIGURE NUMBER
Figure 13.4
1:50,000 @ A3
Kilometres

Appendix 3

Appendix 3

SEARSON
ASSOCIATES
CONSULTING
ENGINEERS

KARL V SEARSON
C Eng MIEI MIOSH MIOA ACIArb

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Email searsonassociates@gmail.com

OUR REF: 6658/22 YOUR REF: AMcD DATE: 5th February 2022.

Ms. Adrienne McDonnell,
Kilreesk Lane,
St Margarets,
Co Dublin.

[redacted]

Re: North Runway: Up-to-date acoustic assessment.

Dear Ms McDonnell,

I re-attended at your home (K67 AD79) early on the morning of 25th January 2022. The purpose of my visit was to conduct synchronized indoor and outdoor measurements. In this respect two certified, calibrated and synchronized Brüel & Kjær 2250 instruments were deployed. The first was set up in the centre of the main (upstairs) bedroom. The second was set up at a suitable outdoor location. Both instruments had suitable microphone extension leads and windshields in place. Weather conditions were ideal for such measurement. Although cold it was dry with virtually calm conditions. The app "Flightradar" was used as a useful assist in identifying the flights which took off during the assessment period and which were the main focus of attention.

These flights took off from the existing runway. The McDonnell home is situate - effectively – midway between the existing and North (new) runway. While the results of comparable take offs are likely to be comparable (in the sense of arrival noise level at the given location), the source of such noise emanations will be a *new source* as opposed to a long-established source.

The new source, therefore, must be subject to current restrictions and controls in relation to its infiltration level into existing bedrooms which has been developing and changing over many years. The data gathered, therefore, are to be scrutinized on the basis of their constituting a new source to which existing buildings (family homes including bedrooms with natural ventilation) are to be subjected. The in-room level provoked by the passage of existing flights is being taken as a suitable proxy for the night-time flights from the new runway.

The relevant details metrics noted for each take-off include the time, destination, aircraft type and age (as provided by Flightradar), and the acoustical metrics include **SEL**, L_{AFmax}, L_{ASmax} and derived metrics including *duration of "event"* and corresponding L_{Aeq}. These latter two metrics were taken from scrutiny/analysis of the logged data recovered from the Analyzer recording in the bedroom (window ajar for fresh air admission) and that recording outdoors.

The *time* was taken as that point on the logged trace where the highest max levels occurred. The *duration* was taken as that from the commencement of the increase above background level until its decay.

The **SEL** data has been downloaded from the source data, itself analyzed via EVALUATOR software. As is good practice, the results have been rounded to the nearest integer. Similar comments apply to the L_{AFmax} and L_{ASmax} and indeed the L_{Aeq} values (the duration of this latter metric being that as indicated above). These metrics are all expressed in A-weighted decibels, denoted dB(A).

A particular take-off has been assigned an "event number" and two separate table have been prepared in this regard. The first table details the acoustical metrics identified by the event number in respect of the in-bedroom level and the outdoor level. The second table deals with (as best possible) the correlation between the noted data and the Flightradar posting.

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TABLE 1: Event #, duration, indoor and outdoor metrics.

	INDOORS						OUTDOORS					
Event #	Time	Duration	SEL	L_{Aeq}	L_{AFmax}	L_{ASmax}	Time	Duration	SEL	L_{Aeq}	L_{AFmax}	L_{ASmax}
1	05:56:00	82 secs	66	47	59	55	05:56:00	86	85	65	75	72
2	06:16:16	93	64	44	56	53	06:16:00	73	83	64	74	72
3	06:17:49	76	67	48	59	56	06:17:51	73	84	66	76	74
4	06:19:30	94	65	45	58	54	06:19:28	87	83	64	74	70
5	06:21:12	94	67	47	58	55	06:21:02	76	85	66	75	73
6	06:23:00	78	64	45	56	53	06:23:00	75	82	63	73	70
7	06:24:31	78	64	45	57	53	06:24:30	80	83	64	76	72
8	06:27:32	80	67	48	58	55	06:27:28	83	84	65	74	71
9	06:29:23	78	65	46	55	53	06:29:21	79	83	64	73	70
10	06:32:53	86	65	46	56	53	06:32:47	86	84	65	75	72
11	06:34:14	78	68	49	59	56	06:34:06	78	85	66	77	73
12	06:35:41	70	66	47	57	55	06:35:27	82	83	64	74	71
13	06:37:10	72	63	45	54	52	06:37:12	83	82	63	74	71
14	06:38:39	83	64	45	53	51	06:38:31	86	83	63	73	69
15	06:40:03	80	63	44	55	51	06:40:03	85	81	62	72	68
16	06:41:26	74	65	46	57	54	06:41:35	78	83	64	74	72
17	06:42:57	88	65	46	59	54	06:42:43	86	83	64	73	71
18	06:44:22	66	65	46	56	54	06:44:19	79	82	63	72	69
19	06:45:46	74	65	46	57	55	06:45:46	76	82	63	73	70
20	06:46:51	76	65	46	59	54	06:46:51	68	83	64	76	73
21	06:56:03	80	64	45	57	54	06:56:03	82	83	63	75	72
22	06:57:27	78	65	46	57	54	06:57:28	90	82	63	73	70
23	06:59:03	77	60	41	54	50	06:59:04	93	78	59	72	68
24	07:00:44	77	64	45	56	53	07:00:35	92	82	62	72	69
25	07:02:41	69	67	49	59	57	07:02:42	82	85	65	75	73
26	07:05:12	74	65	46	58	55	07:05:07	83	82	63	73	70
27	07:06:42	78	63	44	55	52	07:06:39	96	82	62	73	70
28	07:07:59	78	64	45	57	54	07:08:00	81	82	63	74	71
29	07:10:19	89	64	45	56	53	07:10:19	99	83	63	74	71
30	07:13:3	78	65	46	58	55	07:13:3	76	84	65	76	73

TABLE 1: Event &, duration, indoor and outdoor metrics.

	INDOORS							OUTDOORS				
Event #	Time	Duration	SEL	Lmax	Lmin	Lmean	Lmedian	Time	Duration	SEL	Lmax	Lmedian
1	05:56:00	82 secs	66	47	59	55		05:56:00	86	85	65	72
2	06:16:10	93	64	44	58	53		06:16:00	73	83	64	72
3	06:17:40	76	67	46	59	56		06:17:51	73	84	66	74
4	06:19:30	94	65	45	58	54		06:19:28	87	83	64	70
5	06:21:12	94	67	47	58	55		06:21:02	76	85	66	73
6	06:23:00	78	64	45	58	53		06:23:00	75	82	63	70
7	06:24:30	78	64	45	57	53		06:24:30	80	83	64	72
8	06:27:32	80	67	48	58	55		06:27:28	83	84	65	74
9	06:29:23	78	65	46	56	53		06:29:21	78	83	64	70
10	06:32:53	80	65	46	56	53		06:32:47	86	84	65	72
11	06:34:14	78	65	45	58	56		06:34:00	78	85	66	73
12	06:36:41	70	60	47	57	56		06:36:27	82	83	64	71
13	06:37:10	72	63	45	54	52		06:37:12	83	82	63	74
14	06:38:39	83	64	46	53	51		06:39:31	86	83	63	75
15	06:40:03	80	63	44	55	51		06:40:03	85	81	62	72
16	06:41:26	74	65	46	57	54		06:41:38	78	83	64	74
17	06:42:58	88	65	46	59	54		06:42:44	86	83	64	73
18	06:44:22	86	65	46	59	54		06:44:17	79	82	63	72
19	06:46:46	74	65	46	57	55		06:46:46	76	82	63	73
20	06:48:51	76	65	46	59	54		06:48:58	68	83	64	76
21	06:50:03	80	64	46	57	54		06:50:03	82	83	63	75
22	06:57:27	78	65	46	57	54		06:57:28	90	82	63	73
23	06:59:00	77	60	47	54	50		06:59:00	83	78	59	72
24	07:00:44	77	64	46	56	53		07:00:03	92	82	62	72
25	07:02:41	89	67	49	59	57		07:02:42	82	85	65	75
26	07:05:12	74	65	46	58	55		07:05:00	83	82	63	73
27	07:08:42	78	63	44	55	52		07:08:38	96	82	62	73
28	07:07:59	78	64	45	57	54		07:08:00	81	82	63	74
29	07:10:19	80	64	45	56	53		07:10:19	98	82	63	74
30	07:13:39	78	65	46	58	55		07:13:39	78	84	65	76

	5						7					
31	07:15:10	79	64	45	55	53	07:15:06	82	82	63	73	71
32	07:15:35	89	63	44	54	51	07:17:27	85	82	63	71	69
33	07:17:35	74	60	41	51	48	07:19:58	70	79	61	71	69
34	07:22:29	80	65	46	56	53	07:22:28	83	82	63	73	70
35	07:23:53	73	64	46	56	53	07:23:50	78	82	63	72	70
36	07:25:20	74	64	46	57	54	07:25:21	82	82	63	74	71
37	07:26:42	74	65	45	59	54	07:26:40	95	83	64	74	71
38	07:36:33	85	65	46	58	55	07:36:42	82	83	64	75	72
39	08:11:30	91	64	44	57	54	08:11:30	97	82	62	73	70
40	08:17:24	93	65	45	57	54	08:17:25	90	83	63	75	72
41	08:22:58	74	64	45	56	52	08:22:58	101	83	63	73	70
42	08:33:21	105	64	43	54	51	08:33:21	93	82	63	72	70
43	08:38:36	94	64	44	54	52	08:38:36	86	82	62	71	69

These "events" are flight take-offs. As expected, the lulls between sustained take off periods (such as the lulls in between events 20 and 21, and 38 and 39) a useful insight into the "no flight" conditions. In this respect of outdoor levels, these two periods give levels of 50dB(A) whereas the corresponding in-room levels are 30 – 31 dB(A) for these periods. The max levels for these "no flight" periods (even that after 07:00 hours) are all comfortably below the night-time threshold.

There were some variations between the posted times and the noted events. It has not been possible to fully correlate the earlier flights but reliable notes from events #8 onwards are to hand and tabulate as follows:

TABLE 2; Event #, destination, aircraft type/age and noted take-off time.

Event #	Flight/Carrier.	Destination	Aircraft	Stated age	Time (noted)
8	-	Birmingham	B738	-	06:25
9	FR	-	A320	21	06:29
10	FR	Madrid	B738	13	06:32
11	FR	-	B738	13	06:33
12	EI	Gatwick	A320	17	06:35
13	FR	Edinburgh	B738	15	06:37
14	FR	Gatwick	B738	17	06:38
15	FR	Brussels	B738	13	06:39
16	FR	Manchester	B738	11	06:41
17	EI	Manchester	A320	21	06:42
18	EI	Munich	A320	16	06:43
19	EI	Dusseldorf	A320	14	06:45
20	EI	Heathrow	A321	2	06:46
21	EI	Glasgow	A320	17	06:55
24	EI	Geneva	A320	16	07:00
25	FR	Amsterdam	B737	9	07:02
26	EI	Madrid	A320	13	07:04
27	FR	Glasgow	B737	16	07:06
28	FR	Liverpool	B737	11	07:07
29	EI	Berlin	A320	16	07:10
30	FR	Faro	B737	9	07:13
31	EI	Edinburgh	A320	12	07:14
33	BA	Heathrow	A320	8	07:17

21	07:15:10	79	64	46	58	53	07:16:06	82	82	63	73	71
22	07:16:56	80	63	44	54	51	07:17:27	85	82	63	71	69
23	07:17:55	74	60	41	51	48	07:18:58	70	79	61	71	68
24	07:22:29	80	65	46	56	52	07:22:26	83	82	63	73	70
25	07:23:53	73	64	46	56	53	07:23:50	78	82	63	72	70
26	07:25:20	74	64	46	57	54	07:25:21	82	82	63	74	71
27	07:26:42	74	65	46	59	54	07:26:40	85	83	64	74	71
28	07:36:53	85	65	46	58	55	07:36:42	82	83	64	75	72
29	08:11:30	91	64	44	57	54	08:11:30	87	82	62	73	70
40	08:17:24	93	65	46	57	54	08:17:26	90	83	63	75	72
41	08:22:58	74	64	45	56	52	08:22:58	101	83	63	73	70
42	08:33:21	105	64	43	54	51	08:30:21	93	82	63	72	70
43	08:38:36	84	64	44	54	52	08:38:36	86	82	62	71	69

Three "events" are flight take-offs. As expected, the lulls between sustained take off periods (such as the lulls in between events 20 and 21, and 38 and 39) a useful insight into the "no flight" conditions. In this respect of outdoor levels, these two periods give levels of 50dB(A) whereas the corresponding in-room levels are 30 – 31 dB(A) for these periods. The max levels for these "no flight" periods (even that after 07:00 hours) are all comfortably below the night-time threshold.

There were some variations between the posted times and the noted events. It has not been possible to fully correlate the earlier flights but reliable notes from events #8 onwards are to hand and tabulate as follows:

TABLE 2: Event #, classification, aircraft type/age and noted take-off time.

Event #	FlightNCarrier	Destination	Aircraft	Stated age	Time (noted)
8	-	Birmingham	B738	-	06:25
9	FR	-	A320	21	06:29
10	FR	Madrid	B738	13	06:32
11	FR	-	B738	13	06:35
12	EI	Gatwick	A320	17	06:36
13	FR	Edinburgh	B738	15	06:37
14	FR	Gatwick	B738	17	06:38
15	FR	Brussels	B738	13	06:39
16	FR	Manchester	B738	11	06:41
17	EI	Manchester	A320	21	06:42
18	EI	Munich	A320	16	06:43
19	EI	Dusseldorf	A320	14	06:45
20	EI	Heathrow	A321	2	06:46
21	EI	Glasgow	A320	17	06:55
24	EI	Geneva	A320	16	07:00
25	FR	Amsterdam	B737	9	07:02
26	EI	Madrid	A320	13	07:04
27	FR	Glasgow	B737	16	07:06
28	FR	Liverpool	B737	11	07:07
29	EI	Berlin	A320	16	07:10
30	FR	Faro	B737	9	07:13
31	EI	Edinburgh	A320	12	07:14
33	BA	Heathrow	A320	8	07:17

34	EI	Milan	A320	17	07:22
35	EI	Lisbon	A320	10	07:23
36	EI	Barcelona	A320	16	07:24
37	FR	Vilnius	B737	11	07:26
38	FR	Gatwick	B737	17	07:35
39	FR	Stansted	B737	11	08:11
40	SW	Tenerife	B737	10	08:17
41	FR	London	B737	16	08:22
42	FR	Bristol	B737	14	08:33
43	FR	Kerry	B737	16	08:38

Study of the data from Table 1 – particularly the in-room levels – indicates the metric L_{AFmax} reaches 59 dB(A) on 6 occasions. It does not exceed this level. In a similar fashion the L_{ASmax} reaches 55 dB(A) on 8 occasions (indeed it attains 56 dB(A) on a further 2 occasions) and this provides an initial target for reduction. Were these metrics to be reduced by some ***15 dB(A)*** the max criteria for a bedroom (*at night with fresh air admission*) will be achieved.

Consider, now, the measured 1-hour in-bedroom level; from the data obtained this yields a 1-hour L_{AEQ} of 43 dB(A). During this period – from 06:00 to 07:00 – there were 22 take-offs. To attain the appropriate in-bedroom level of 30 dB(A), a reduction, with respect to this metric, of ***13 dB(A)*** is indicated.

The data gathered above applies to your home; similar data will apply to the neighbouring homes of those living close to you – family members.

The data gathered indicates the performance required by the additional attenuation/insulation required to be installed by the DAA. Careful assessment of the bedrooms (the most sensitive rooms) and other rooms (to include study, lounge, reception, dining and halls) will be required in respect of each of the homes. Similar construction may permit similar upgrading.

It is only when such assessment, calculation, design and fit is completed that the night-time operation of the North Runway may occur without serious and objectionable intrusion into your home and that of those immediately proximate to you.

Yours sincerely,

Karl Searson
Chartered Engineer.

34	EI	Milan	A320	17	07:22
35	EI	Lisbon	A320	16	07:23
36	EI	Barcelona	A320	16	07:24
37	FR	Vilnius	B737	11	07:26
38	FR	Gatwick	B737	17	07:35
39	FR	Istanbul	B737	11	08:11
40	SW	Tenerife	B737	10	08:17
41	FR	London	B737	16	08:22
42	FR	Bristol	B737	14	08:23
43	FR	Kerry	B737	16	08:28

Study of the data from Table 1 – particularly the in-room levels – indicates the metric L_{Aeq} reaches 59 dB(A) on 8 occasions. It does not exceed this level. In a similar fashion the L_{Aeq} reaches 55 dB(A) on 8 occasions (indeed it attains 56 dB(A) on a further 2 occasions) and this provides an initial target for reduction. Were these metrics to be reduced by some **15 dB(A)** the max criteria for a bedroom (at night with fresh air admission) will be achieved.

Consider, now, the measured 1-hour in-bedroom level; from the data obtained this yields a 1-hour L_{Aeq} of 43 dB(A). During this period – from 06:00 to 07:00 – there were 22 take-offs. To attain the appropriate in-bedroom level of 30 dB(A), a reduction, with respect to this metric, of **13 dB(A)** is indicated.

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It is only when such assessment, calculation, design and fit is completed that the night-time operation of the North Runway may occur without serious and objectionable intrusion into your home and that of those immediately proximate to you.

Yours sincerely,

Kar Searson
Chartered Engineer.

Appendix 4

Appendix 4

SEARSON

ASSOCIATES

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KARL V SEARSON
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(089) 2158958
Email searsonassociates@gmail.com

OUR REF: 6658/22 YOUR REF: AMcD DATE: 4th September 2022.

Ms. Adrienne McDonnell,
Kilreesk Lane,
St Margarets,
Co Dublin.

[redacted]

Re: North Runway: Acoustic assessment of operation of New Runway.

Dear Ms McDonnell,

While considerable data relating to the "old" runway has been gathered – 24-hour synchronised inside and outside measurements in respect of bedrooms (windows ajar for fresh air admission) – the opportunity to measure the "new" runway, with aircraft taking off in a ***westerly direction***, did not present itself until last Friday, 2nd September. I attended at Property 4 and set up Brüel & Kjær calibrated instruments, inside and outside to measure and log the flights. A written note (together with a helpful internet source) enabled the flights that morning to be identified, both by their aircraft type, their time of departure (and some arrivals) and, most importantly, the actual runway they used.

I had two further (certified and calibrated) Brüel & Kjær 2250 Analyzers already recording in bedrooms of Properties 1 and 5.

The measurements that morning commenced at 05:23 hours and a written note was kept. Until just after 07:00 hours that morning all aircraft activity (37 movements) occurred on the "old" runway.

There was a brief lull at 07:01, the last flight leaving at that time, until 07:06. That marked the commencement of departing flights from the "new" runway. A few arrival flights landed, using the "old" runway. A written note was kept of the type, time and activity until 10:12 hours.

By that stage, a total of 59 departing flights were recorded. There were 7 arrivals and 1 indeterminate result.

The data from the 3 in-room Analyzers was downloaded and, via Brüel & Kjær software, EVALUATOR, was broken down into two important metrics. The first metric is the single noisiest event – denoted L_{AFmax} - and in this case using the 100msec - *fast* - time constant.

The second metric is the **Sound Energy Level** (SEL) and is a useful metric as it takes all the acoustical energy of a specific event (in this case an aircraft movement) and normalises it back to a 1-second constant level.

Both these metrics are expressed in A-weighted decibels, dB(A). The results have been expressed to the nearest integer (whole number).

Appendix 1, comprising 2 pages, is attached hereto. It contains, on the left-hand side, the Event number and description. Each event has been assessed in 4 locations. The first location is outdoors (as it happens in Property 4) with the microphone well clear and in a free field setting. The **SEL** and L_{AFmax} for each event is tabulated in the first vertical column.

The second twin column displays the **SEL** and L_{AFmax} for the same events, this time in Property 1. This location is a bedroom; the window was ajar.

Similar comments apply to the third twin vertical column, this time the results are in respect of a bedroom – window ajar, in Property 4.

The final column is in respect of the measurements gathered in the bedroom of Property 5, window ajar for ventilation.

It is accepted that all these "new" runway measurements were gathered during the hours of daytime. The night-time departures from the "new" runway have not yet commenced. I say, and am so advised, that the factors (particularly acoustical metrics) associated with daytime departure of a particular aircraft will be *comparable* to the departure of that aircraft, all other factors remaining constant, were the departure to occur during night-time.

Night time, throughout Europe, runs from 23:00 until 07:00 hours.

There are good and dependable in-bedroom criteria – at night with fresh air admission – for private homes. The $L_{AF,max}$ should not exceed 45 dB(A). The in-room decibel average (technically called the equivalent continuous A-weighted level) should not exceed 30 dB(A). While the night time extends for a full 8 hours, it is customary to look to shorter periods – sometimes 15 minutes – for specifying the duration of the in-room 30 dB(A) level.

There is a variation in the way the maximum level may be expressed. The "slow" – 1-second constant may be used. When expressed in this fashion the metric is denoted L_{ASmax}. For departing aircraft, the "slow" level is usually 2 or 3 dB less than the "fast" level. This is equivalent to saying the in-bedroom L_{ASmax}, with fresh air admission, should remain below about 42 dB(A).

Consider, now, the first "new" runway flight, aircraft B738, denoted as event 1. We will concentrate on the L_{AFmax} for the time being. It is clear that is it significantly exceeds the 45 dB(A) level in Properties 1, 4 and 5. It is only when events 4 & 5 are reached, - the AT76 departures - that Property 5 has the 45 dB(A) level maintained. The other properties have mixed fortunes.

The first 13 events are "new" activities, arising as they from aircraft departing the "new" runway. Event 14 – an arrival on the "old" runway, generates excessive levels in all the properties in this important metric. The levels associated with events 15 up to 38 all display $L_{AF,max}$ levels above 45 dB(A).

In the case of event 40, the departure on the new runway of A333, very high levels were experienced. Levels – in a bedroom at night (in $L_{AF,max}$ form) - of 70, 56 and 53 are *more than likely* to rouse people already asleep and to preclude those about to "nod-off" from doing so.

I have measured the night-time ambient outdoor level proximate to these homes and, in the absence of airport activity, very low levels indeed have been recorded. Property 3 has yielded an outdoor night-time level varying between 35 and 42 dB(A) over a 5-hour period. This is an area devoid of passing road traffic.

The computation for predicting the 15-minute (or hourly) outdoor level based on daytime aircraft movements requires the type of exercise I have carried out above together with a measurement of the ambient and background night time noise levels adjacent to these family homes. Once a reliable baseline level is established the DAA (or their consultants) can factor in both the L_{AFmax} levels and the **SEL** levels to arrive at a reliable and robust assessment.

Even should the predicted outdoor levels exceed the current WHO guidance, the target for night-time is the ***in-bedroom level***. It is at night-time that most people wish to retire and sleep. The ventilation of these homes is passive – windows must be opened for fresh air admission.

I have included the trace from the bedroom of Property 1 as a second appendix. There is a stark change in the trace from just after 07:00 hours. I have attached a second page, entitled ***Property1*** which shows the alteration in the (almost) hourly levels on the "old" runway and on the "new" runway. A jump from an in-room level of 29 dB(A) to an in-room level (virtually the same duration – 1 hour) is a particularly sever increase. The current recommended in-room level for a bedroom during the day – or lounge for that matter - is 35 dB(A). The daytime level is usually specified in terms of 1 hour. There are notable changes (though not as severe as Property 1) in respect of Properties 4 and 5 when changing from the "old" to the "new" runway.

As matters currently stand it is my firm opinion that the DAA have failed to execute measures to re-assure these families and ensure/secure proper in-bedroom night-time levels are present with the opening and operation – particularly the (*yet-to-come*) night-time operation of the "new" runway.

It is to the Bord that my clients appeal in the earnest hope that the Bord will set binding conditions on the DAA such that they can be reassured – and see positive proof of same – that the night-time operation of this "new" runway will enable them to enjoy appropriate in-bedroom noise levels (with fresh air admission).

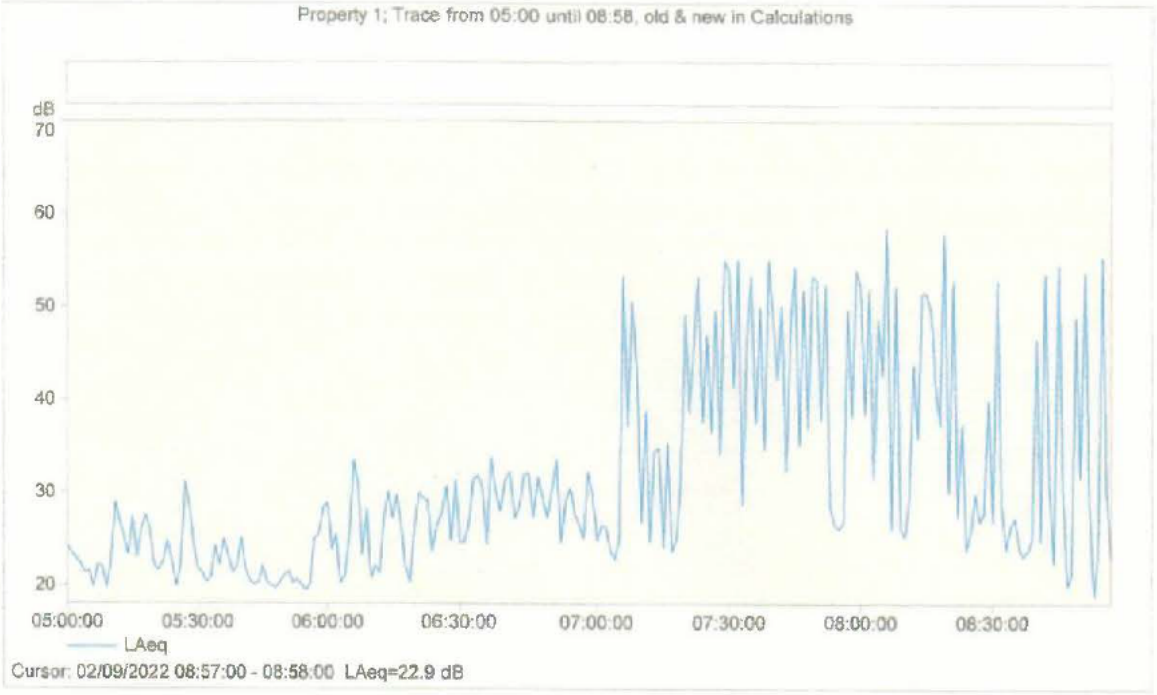
I say, with respect, that it is not my clients' duty to decide *what*, and *which* attenuation or insulation measures will enable then to re-discover their in-room amenity. This was the task and challenge facing the DAA; they had many years to address same. I tendered evidence as to potential aircraft night-time disturbance at the Oral Hearing all those years ago. Conditions were set and - even now - do not appear to have been tackled head-on.

Then DAA, *as recently as last Friday*, are using the "new" runway without any concrete, tangible on-the-ground measures in place to protect the daytime – and most importantly upcoming night-time – in-room levels of these resident's homes.

Yours sincerely,

Chartered Engineer.

40, A333, depart, new runway.	92	83	76	70	67	56	63	53
41, B738, depart, new runway.	88	80	71	63	66	56	62	53
42, A333, arrival, old runway	74	65	50	42	58	51	54	43
43, B738, depart, new runway.	88	79	71	64	64	54	61	51
44, A20N, depart, new runway.	81	71	64	61	59	50	56	48
45, B738, depart, new runway.	89	79	71	63	65	55	61	53
46, B738, depart, new runway.	90	81	72	65	66	56	62	53
47, B38M, depart, new runway.	85	75	67	60	61	50	57	49
48, A320, depart, new runway.	88	79	72	65	65	54	61	52
49, B738, depart, new runway.	91	82	73	66	67	56	63	54
50, Flexi-jet, depart, new runway.	80	69	62	52	56	55	52	41
51, A320, depart, new runway.	85	75	67	60	61	51	59	52
52, A320 depart, new runway.	82	72	63	53	61	56	59	51
53, B738, depart, new runway.	87	78	69	63	64	54	60	52
54, E190, depart, new runway.	83	74	65	59	60	49	57	45
55, A333, arrival, old runway.	76	66	59	53	53	41	51	42
56, B738, depart, new runway.	88	79	72	64	65	55	62	53
57, B738, depart, new runway.	89	80	72	65	65	56	61	53
58, A318, depart, new runway.	81	71	61	52	59	49	57	50
59, B738, depart, new runway.	89	80	72	65	66	55	62	57
60, E75L, depart, new runway.	82	73	64	56	59	49	57	50
61, B764, depart, new runway.	89	81	73q	67	66	55	62	54
62, A21N, arrival, old runway.	79	67	59	49	56	48	56	50
63, A320, arrival, old runway.	79	68	59	51	54	41	52	45
64, B789, depart, new runway.	87	79	70	64	63	54	50	51
65, B738, depart, new runway.	87	78	70	65	62	54	61	56
66, B788, depart, new runway.	85	76	67	61	62	52	57	51
67, B38M, depart, new runway.	83	74	66	59	59	49	56	50
68, A320, depart, new runway.	85	76	68	64	62	52	59	53


Property 1; Trace from 05:00 until 08:58, old & new in Calculations
dB
70
60
50
40
30
20
05:00:00
05:30:00
06:00:00
06:30:00
07:00:00
07:30:00
08:00:00
08:30:00
LAeq
Cursor: 02/09/2022 08:57:00 - 08:58:00 LAeq=22.9 dB

Property 1. LAeq levels (almost) hourly, 2nd Sept 2022, in bedroom, window ajar:

05:00 – 06:00:	24 dB(A)
06:00 – 07:00:	29 dB(A)
07:05 – 08:00	49 dB(A)
08:00 – 08:58*	48 dB(A).

*This was consequent on the Analyzers automatic internal calibration.

APPENDIX 1.

Core data from Outdoors, Location 1 (in bedroom), Location 4 (in bedroom) and Location 5 (in bedroom), relating to west-bound take off (and some west-bound landings) of 68 discrete events (detailed as available), measured between 07:05 hours and 10:13 hours on Friday 2nd September 2022, is tabulated below. The metrics are 1), *Sound Energy Level* (SEL) and 2), *Maximum level* (*referenced to 100msec*), (L_{AFmax}). The results, to nearest integer, are expressed in A-weighted decibels, dB(A). In each bedroom, the window was ajar for fresh air admission, the microphone and windshield were tripod-mounted at or around the geometric centre of the room.

	Outdoors		Location 1		Location 4		Location 5	
Event #	SEL	L_{AFmax}	SEL	L_{AFmax}	SEL	L_{AFmax}	SEL	L_{AFmax}
1, B738, depart, new runway.	88	78	71	64	66	55	62	54
2, A320, depart, new runway.	85	75	69	65	62	51	59	49
3, A21N, depart, new runway.	82	70	61	53	57	47	55	48
4, AT76, depart, new runway.	76	66	57	48	52	46	52	45
5, AT76, depart, new runway.	74	63	55	47	52	40	51	43
6, AT 76, depart, new runway.	73	61	53	43	52	39	51	40
7, A320, depart new runway.	86	76	67	59	63	51	62	53
8, A320, depart, new runway.	83	73	64	56	60	49	59	51
9, A320, depart, new runway.	89	79	71	64	65	54	61	53
10, A320, depart, new runway.	84	74	65	57	60	48	59	49
11, A320, depart, new runway.	85	75	67	59	62	50	59	48
12, B738, depart, new runway.	91	81	73	63	67	56	64	53
13, B738, depart, new runway.	90	80	72	64	66	55	63	55
14, B738, arrival, old runway.	78	69	73	66	63	55	61	55
15, B38M, depart, new runway.	90	81	73	66	66	56	62	52
16, A318, arrival, old runway.	84	76	64	57	60	50	55	47
17, B738, depart, new runway.	89	79	71	64	66	55	62	52
18, B738, arrival, old runway.	85	74	68	60	62	50	50	50
19, A320, depart, new runway.	90	81	73	66	66	56	62	53
20, B738, arrival, old runway.	85	73	68	59	61	50	59	50
21, A320, depart, new runway.	86	76	68	60	62	50	60	49
22, A320, depart, new runway.	84	74	66	58	60	49	57	54
23, B38M, depart new runway.	89	79	72	66	65	55	62	51
24, B738, depart, new runway.	88	77	70	62	63	52	61	50
25, A320, depart, new runway.	88	78	71	64	64	52	61	51
26, A320, depart, new runway.	89	79	71	64	65	54	61	52
27, B738, depart, new runway.	87	77	70	66	63	52	61	52
28, not clearly identified	-	-	-	-	-	-	-	-
29, B38M, depart, new runway.	86	76	68	60	62	52	58	48
30, A320, depart, new runway.	89	80	72	64	66	55	62	53
31, B738, depart, new runway.	88	79	70	63	64	54	61	52
32, A320, depart, new runway.	88	78	70	63	64	52	60	51
33, B38M, depart, new runway.	85	67	66	60	61	51	58	56
34, A333, depart, new runway.	94	85	76	70	69	60	65	54
35, A32, depart, new runway.	88	79	70	64	64	53	61	52
36, A21N, depart, new runway.	80	69	62	53	57	64	54	47
37, A320, depart, new runway.	80	77	69	64	62	51	59	50
38, B738, depart, new runway.	90	80	72	64	66	56	62	55
39, A320, depart, new runway.	80	69	60	50	57	45	56	46