

File With

## SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

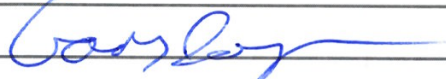
To

SEO

Having considered the contents of the submission dated/received 5/09/22  
 from Nicola O'Neill I recommend that section 131 of the Planning  
 and Development Act, 2000 be/not be invoked at this stage for the following reason(s):

No new issues raised

Signed



EO

Date

13/10/22

To

EO

Section 131 not to be invoked at this stage.

Section 131 to be invoked — allow 2/4 weeks for reply.

☐  
☐

Signed

SEO

Date

Signed

SAO

Date

M

Please prepare BP ..... — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date

Garry



An  
Bord  
Pleanála

## Planning Appeal Online Observation

### Online Reference

NPA-OBS-001225

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### Online Observation Details

Contact Name  
Nicola O'Neill

Lodgement Date  
05/09/2022 16:44:40

Case Number / Description  
314485

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### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Nicola O'Neill

Payment Amount  
€50.00

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### Processing Section

S.131 Consideration Required

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Yes — P.T.O.

☐

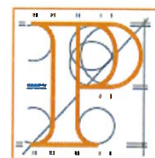
N/A — Invalid

Signed

Karen Byrne

# Validation Checklist

Lodgement Number : **LDG-056976-22**  
Case Number: **ABP-314485-22**  
Customer: **Nicola O'Neill**  
Lodgement Date: **05/09/2022 15:38:00**  
Validation Officer: **Garry Dorgan**  
PA Name: **Fingal County Council**  
PA Reg Ref: **F20A/0668**  
Case Type: **Normal Planning Appeal PDA2000**  
Lodgement Type: **Observation / Submission**



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

BP40 to issue to Nicola O'Neill and enclose a copy of the receipt.

✓ ym 12/9/22 ✓



Details

Lodgement Date	05/09/2022
Customer	Nicola O'Neill
Lodgement Channel	Web Portal
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	50.00
Refund Amount	0.00

Observation

PA Case Number	F20A/0668
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An Bord Pleanála

Lodgement ID	LDG-056976-22
Map ID	
Created By	Karen Byrne
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	F20A/0668

PA Name	Fingal County Council
Case Type (3rd Level Category)	Normal Planning Appeal PDA2000

Observation/Objection Allowed?	Yes
Payment	PMT-044377-22
Related Payment Details Record	PD-044270-22

Development Description	A proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of
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<p>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</p>	
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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.:



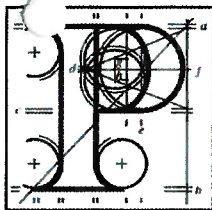
PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19) which provides as follows: 5. On completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 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



	<p>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.</p>
Applicant	
Additional Supporting Items	Yes

	08/08/2022
PA Decision Date	
County	
Development Type	
Development Address	Dublin Airport, Co. Dublin
Appellant	
Supporting Argument	





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## Observation on a Planning Appeal: Form.

### Your details

#### 1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

Nicola O'Neill

(b) Address

3 Beach Park, Portmarnock, Co. Dublin D13 DR44

### Agent's details

#### 2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not applicable

(b) Agent's address

Not applicable

## Postal address for letters

3. During the appeal process we will post information and items to you **or** to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

**You (the observer) at the address in Part 1**

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**The agent at the address in Part 2**

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## Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

**(a) Planning authority**

(for example: Ballytown City Council)

Fingal Co Co planning reference number F20A/0668

**(b) An Bord Pleanála appeal case number (if available)**

(for example: ABP-300000-19)

An Bord Pleanala reference number is 314485/22

**(c) Planning authority register reference number**

(for example: 18/0123)

314485/22

**(d) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

The new DAA flight path over Portmarnock. Co. Dublin.

## Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

The noise levels of aircraft with the new flight paths over the houses and the impact of night-time flights, very difficult to get sleep with the noise levels and the frequency of the flights. I observe and object to scheduling of night-time or early morning flights (even for refuelling). I strongly propose a curfew of 11pm to 7am and strongly proposed the implementation of a monitoring mechanism for this.



## Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

## Fee

7. You **must** make sure that the correct **fee** is included with your observation. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.

This document has been awarded a Plain English mark by NALA.

Last updated: April 2019.



