

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H


☐

To

SEO

Having considered the contents of the ^{observation} submission dated/received 3/10/22
 from Joe O'Brien TD I recommend that section 131 of the Planning
 and Development Act, 2000 be not be invoked at this stage for the following reason(s):

Signed



EO

Date

14/10/22

To

EO

Section 131 not to be invoked at this stage.

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

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☐

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



An
Bord
Pleanála

Planning Appeal Online Observation

Online Reference

NPA-OBS-001374

Online Observation Details

Contact Name
Joe O'Brien

Lodgement Date
03/10/2022 15:43:27

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
John Doody

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒

Yes — P.T.O.

☐

N/A — Invalid

Signed



Joe O'Brien TD

Green Party/Comhaontas Glas

Minister of State
for Community Development and Charities

Dáil Éireann, Leinster House,
Kildare Street,
Dublin 2

3rd October 2021

Re: Case reference: PL06F.314485 Dublin Airport, Co. Dublin (F20A/0668)

A chara,

As a public representative I have received a large volume of correspondence from members of the public in relation to the proposed amendment of these planning conditions. Given the size of the communities impacted, the level of impact on these communities, and the lack of public consultation on the matter to date, I would respectfully ask An Bord Pleanála to hold an oral hearing on this appeal, to provide an opportunity for all parties to present their submissions in full.

I would also like to make the following observations in respect of the above Planning Appeal:

- The Dublin Airport Authority (DAA) in their application are proposing the amendment of two planning conditions attached to the development of the new North Runway which would limit the use of North Runway between 11pm and 7am and also place an overall limit of 65 aircraft movements across the entire airport during those hours.
- I note that these planning conditions were put in place to protect the wellbeing of local residents who live in the areas surrounding Dublin Airport from the impact of excessive noise. Any change to these amendments should be preceded by extensive consultation with these residents.
- Both Fingal County Council and the DAA have previously committed to public engagement on matters such as these. The Dublin Airport Management Plan dated May 2018 states that the DAA "are committed to engaging with the local Community in order to inform and discuss developments relevant to the airport. It should be noted that community engagement is expected to form part of the next iteration of The Balanced Approach". Fingal County Council has stated that a "collaborative approach to development must be taken with the local communities by the DAA", in line with the Fingal Development Plan.

- Residents who are based in the surrounding areas have called for a full public consultation on this matter, as per the Dublin Airport Local Area Plan and EIAR legislation. I support the holding of such a consultation to allow all stakeholders to engage with this matter fully, and due to the potential impact upon the local area that this application may have.
- Residents' groups have reported a lack of engagement to date on the part of DAA with their attempts to have their concerns with these proposals addressed adequately. Given the nature of the changes being proposed, much greater consultation and interface is needed with local communities before planning is granted.
- Under the terms of the planning application, the proposed noise criteria is to be set at 2018 levels as a baseline. Residents contend that throughout 2018 noise levels were significant – according to monitoring reports noise levels that year were only exceeded by 2019 levels. As such, the use of 2018 as a baseline year is concerning.
- The application, if granted, would radically change the conditions for the operation of a new runway set down by ABP following an extensive oral hearing in 2007. These 31 conditions were accepted by DAA in order to allow for construction of the new runway to proceed. This was despite a recommendation from the inspector to reject the application in its entirety.
- Conditions 3 and 5 specifically address the issue of night-time flights and these were inserted with the approval of DAA in order to protect the communities from noise at night which would significantly impact their quality of life. To seek to reverse or change these conditions is disingenuous of the DAA and shows what little regard they have for the community in which they operate.
- The World Health Organisation (WHO) clearly states that in order to maintain reasonable physical and mental health a minimum of eight hours of sleep is recommended. Night-time hours are 11pm - 7am and these hours are recognised at the hours in which people are sleeping. The request from DAA to reduce the limits on night-time flights to just six hours between 12 midnight and 6am. Any such change is not only detrimental to the physical and mental well-being of those who live in the surrounding areas but should be subject to an environmental assessment to ascertain the full impact of the proposed changes. Furthermore, WHO guidelines strongly recommend that night noise levels should not exceed 40dB.
- In a similar context the disruption caused by noise from aircraft has been, through various studies, linked to causing hypertension, myocardial infarction, stroke, arrhythmias and psychological stress reaction.

- The proposed noise insulation scheme is not a panacea for mitigating aircraft noise. Residents may understandably wish to have their windows open at night, especially in warm weather, which reduces the efficacy of noise insulation. Furthermore, residents who are outside the scope of the insulation scheme will still see a considerable increase in night-time noise under these proposals.
- The DAAs proposed insulation scheme falls far below par in providing supports for homes affected by increased night-time noise levels. The scheme identifies a mere 350 properties the DAA believes would be impacted by the increase in night-time noise. However, the actual impact would be felt by residents of thousands of homes. The 350 properties are those that fall within the 63db category however the WHO states that night-time noise levels exceeding 35db can impact people's health and quality of life. As well as this I have spoken to many residents who live in newer properties rated A2 and despite the improved infrastructure in these homes they still suffer a poor quality of life due to the noise caused by current flights. I note from the application that a population of 174,473 is forecast to reside in night-time contours. It is not at all clear that grants to 350 homes will be sufficient to support all residents affected by severe noise.
- I note in particular that residents of Malahide and Portmarnock have already been significantly impacted by night-time aircraft noise, and are not included within the scope of the scheme.
- The revised flight paths under this proposal appear to effect a new cohort of residences with the associated noise contours (e.g. Riverwood, Boromhe and River Valley, Ashbourne, and Dublin 15). It is not clear that these areas have been fully consulted on the proposals which will now have a direct impact upon them.

I would be very grateful if you could take the above points into consideration when considering this appeal.

Yours sincerely,



Joe O'Brien TD