S

S. 37

File With _____

## SECTION 131 FORM

Appeal NO:_ABP 324485

TO:SEO

Defer Re O/H ☐

Having considered the contents of the submission ~~dated/~~ received 23/12/24 from

Michael MacCabe 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

E.O.: _____ Date: 23/12/24

To EO: _____

Section 131 not to be invoked at this stage. ☐

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

S.E.O.: _____ Date: _____

S.A.O: _____ Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____

Allow 2/3/4weeks – BP _____

EO: _____ Date: _____

AA: _____ Date: _____

S. 37

File With _____

**CORRESPONDENCE FORM**

Appeal No: ABP 314485

M _____

Please treat correspondence received on 23/12/24 as follows:

1. Update database with new agent for Applicant/Appellant _____
2. Acknowledge with BP 23
3. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____
2. Keep Envelope: ☐
3. Keep Copy of Board's letter ☐

Amendments/Comments

4. Attach to file
(a) R/S ☐
(b) GIS Processing ☐
(c) Processing ☑
(d) Screening ☐
(e) Inspectorate ☐

RETURN TO EO ☐

| | |
|---|---|
| | Plans Date Stamped ☐<br>Date Stamped Filled in ☐ |
| EO: | AA: F. Madden |
| Date: 23/12/24 | Date: 24/12/24 |

**To: An Bord Pleanala**

**Re: Appeal of Relevant Action Draft Decision**

**Case Number: 314485**

**Contact Details:**

| | |
|---|---|
| **Name** | MICHAEL MACCABE |
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| **Date** | 23/DEC/24 |

**Introduction**

The Inspector's Report has rightly concluded that the adverse impact of the Relevant Action on the surrounding communities would be too severe to justify granting permission. The proposal's request for additional hours of operation on the north runway and a projected increase in night-time activity would result in significant additional awakenings, which are well-documented to cause substantial health and well-being consequences, including increased risks of cardiovascular disease, mental health disorders, and sleep-related cognitive impairments.

Given these findings, it is essential that any current or future expansion of airport activity during night-time hours be disallowed but at the very least strictly limited by a movement cap of 13,000 annual night-time flights, as proposed.

Proposed operations on the north runway from 6am to midnight presents unacceptable risks to health and quality of life, and in particular will cause further catastrophic and unreasonable sleep disruption for residents and families already suffering due to north runway flightpaths.

The following summary points highlights the inadequacies of the DAA application:

**1.0 Inadequacy of DAA Application**

- The Dublin Airport Authority (DAA) application fails to assess or mitigate the adverse effects of nighttime noise adequately. Average metrics like % Highly Sleep Disturbed (HSD) and $L_{night}$ fail to capture acute impacts such as awakenings, which have immediate and long-term health consequences[1].

- The inspector has defined that more than 1 additional awakening per night as a result of aircraft noise is a significant adverse impact[2].

**2.0 Insulation Limitations:**

- Insulation measures cannot fully mitigate nighttime noise due to factors like open windows, low-frequency noise, and peak noise events. The WHO average insulation value of 21 dB assumes windows are open 20% of the year, making insulation less effective.
- The introduction of a new insulation criteria of 80dB $L_{ASMax}$ is welcomed, however, without a detailed set of maps indicating who qualifies for this the decision is incomplete.
- The proposed grant value of €20,000 is considered inadequate to fully insulate those homes that qualify. Comparisons to other EU countries are incomplete and do acknowledge the fact that construction costs in Ireland and particularly Dublin are close to the highest in the EU. The scheme should be redesigned to cover the full cost of insulation.
- Residential Noise Insulation Scheme (RNIS) and Home Sound Insulation Program (HSIP) do not meet modern health protection standards. Insulation is unsuitable for nighttime impacts and cannot substitute for operational restrictions like movement caps.

**3.0 Necessity of the Movement Limit and Rejection of the Additional North Runway Operating Hours:**

- The movement cap of 13,000 nighttime flights is critical to reducing noise impacts and protecting public health. Without this cap, noise exposure levels will rise significantly, endangering the well-being of nearby residents.
- The proposed additional operating hours from 6am to 7am and from 11pm to midnight on the north runway are completely unacceptable. The flightpaths in operation from north runway are causing huge suffering, distress and sleep disturbance for tens of thousands of people in Fingal and Meath.
- Adding a further two hours to the schedule when most people are trying to sleep only makes and unreasonable situation even worse. The flightpath issue must be solved firstly before any other changes can be considered. For context, there were 40 departures between 6am and 7am on Monday 16 December 2024. This is the busiest hour of each day at the airport. It would be disastrous if these 40 departures were switched to the North Runway because they would now be taking a divergent turn and flying low (on full power while turning) over communities who should not be under or near to a flightpath. The volume and frequency would be much greater in the summer period.

**4.0 Unauthorised Flight Paths and Breach of Planning Conditions**

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[1] https://www.europarl.europa.eu/RegData/etudes/STUD/2020/650787/IPOL_STU(2020)650787_EN.pdf

[2] The inspector has concluded "in conjunction with the board's independent acoustic expert that the information contained in the RD and the RA does not adequately demonstrate consideration of all measures necessary to ensure the increase in flights during the nighttime hours would prevent a significant negative impact on the existing population."

- The DAA has implemented flight paths that deviate significantly from those approved in the Environmental Impact Statement (EIS). These unauthorised deviations expose previously unaffected areas to significant noise impacts, creating unassessed risks.
- The deviations breach Condition 1 of the planning permission, which requires adherence to the originally assessed flight paths. No updated Environmental Impact Assessment (EIA) or planning application has been submitted for these changes.
- Affected communities have and are experiencing unreasonable noise levels without proper consultation or mitigation measures. Local schools have been impacted. The impact has been devastating for communities with families now feeling like they have no option but to sell their homes.
- The unauthorised flight paths undermine the planning system's integrity, setting a dangerous precedent for future projects. Granting permission under these conditions violates planning laws and obligations under the EIA Directive.
- There are multiple possible means of compliance with the pertinent ICAO regulations. IAA has received and approved only the one chosen by daa as Aerodrome Operator.
- Any inference or implication that IAA instructed or caused daa to deviate from the route approved in their planning permission **is not correct.**

## 5.0 Night Flight Restrictions in Europe and Implications for Dublin

- Major airports like Schiphol, Heathrow, and Frankfurt enforce strict caps or curfews on nighttime flights. Dublin's proposed 31,755 annual nighttime flights far exceed these airports' limits relative to passenger numbers.
- European airports prioritize reducing noise exposure to mitigate sleep disruption, cardiovascular risks, and stress.
- Adopting the 13,000-flight cap aligns Dublin with international best practices, ensuring proportional and sustainable operations.
- Without the movement limit the Noise Abatement Objective (NAO) set by ANCA for Dublin Airport cannot be fully achieved.

## 6.0 Health and Environmental Impacts

- Chronic exposure to nighttime aircraft noise increases the risks of cardiovascular disease, hypertension, and mental health issues. Children's cognitive development is adversely affected, impairing memory, learning, and overall performance.
- Health-related costs, including healthcare expenses and reduced productivity, are substantial and long-term. For example, Brussels Airport's health cost analysis suggests similar impacts at Dublin could reach €750m annually.
- The DAA analysis has not used the correct population datasets in determining the impacts. This underestimates the impact on the communities around the airport.
- Evidence from health agencies emphasizes that noise-induced sleep disturbance is a significant environmental health risk. Ignoring these risks contravenes principles of sustainable development and public health protection.

## 7.0 Recommendations

- Immediately halt unauthorised deviations and revert to the flight paths approved under the original EIS.
- At the very least, maintain the cap of 13,000 nighttime flights to prevent further degradation of community health and well-being, however due to the severity of the

projected health and environmental impacts that nighttime aircraft noise presents, a complete ban on night-time flights should be strongly considered.

- Implement the Noise Quota System to incentivize quieter aircraft and ensure proportional operations.
- Reject the proposed additional hours of operation on the north runway for reasons outlined.