

File With

SECTION 131 FORM

Appeal No

ABP— 314685

Defer Re O/H

☐

Having considered the contents of the submission dated/received

from Chambers ^{Sarah Dyer} ~~the~~ 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 w 25/12/24

Section 131 not to be invoked at this stage.

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

☒☐

Signed



EO

Date

30/12/24

Signed

SEO/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



Planning Appeal Online Observation

Online Reference
NPA-OBS-004126

Online Observation Details

Contact Name
Peter Byrne

Lodgement Date
20/12/2024 14:57:14

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Peter Byrne

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☐ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

EO

Date

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

Reason for Refund

Documents Returned to Observer

☐ Yes ☐ No

Request Emailed to Senior Executive Officer for Approval

☐ Yes ☐ No

Signed

EO

Date

Finance Section

Payment Reference

ch_3QY7deB1CW0EN5FC1fJNdcaP

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date

Submission in Support of the North Runway at Dublin Airport

To Whom It May Concern,

I am writing to submit the views of South Dublin Chamber regarding the draft decision and associated conditions outlined by An Bord Pleanála (ABP) in relation to the North Runway at Dublin Airport (Reg. Ref. PL06F.314485). We urge ABP to reconsider and revise the proposed draft conditions due to the significant risks they pose to the airport's operations, Ireland's economy, and the principles established under both Irish and EU legislation.

South Dublin Chambers Key Concerns

1. Fundamental Issues with the Draft Decision and Process

- The draft decision, issued on 11th September 2024, and the Inspector's Report, dated 29th May 2024, raises concerns regarding process, understanding, calculation, and interpretation of the application documents.

- We are concerned that ABP may not have adhered to the process as mandated by the Planning and Development Act 2000 (as amended by the Aircraft Noise (Dublin Airport) Regulation Act 2019). This may undermine the validity of the decision and its proposed conditions.

2. Specific Conditions of Concern

- **Condition 3(e):** This condition imposes undue restrictions on the use of the North Runway during easterly winds, effectively barring operations between 06:00 and 08:00. This would force all operations onto the South Runway, creating operational inefficiencies and risks.

- **Condition 5:** The proposed 13,000 ATM night limit translates to an unsustainable average of 35 aircraft movements per night (11:30–07:00), with seasonal variations that severely disrupt operational planning. This restriction may be based on calculations not aligned with the airports operations and does not align with the airport's needs or the Noise Abatement Objective (NAO).

3. Failure to Properly Engage with the NAO

- Section 9.7 of the Aircraft Noise (Dublin Airport) Regulation Act 2019 states that mitigation measures must not exceed what is necessary to achieve the NAO. However, ABP's decision does not provide clear evidence that the proposed conditions are required to meet the NAO.

- Moreover, the Balanced Approach required by EU Regulation 598/2014 has not been followed to evaluate and select appropriate mitigation measures. If this does not comply with EU and Irish law then it necessitates a re-evaluation of the process.

4. Non-Compliance with EU and Irish Legislation

- The draft decision, including conditions 3(e) and 5, maybe non-compliant with EU Regulation 598 and the Aircraft Noise (Dublin Airport) Regulation Act 2019. The restrictions appear to us to be excessive and unjustified, failing to balance the operational needs of the airport with the NAO.

Economic Impact

The proposed restrictions on the North Runway would have major consequences for our regional and national economy:

- The economic fallout would impact aviation, tourism, trade, investment, and the broader economy due to direct and indirect effects.

- Full utilisation of the North Runway is vital to realising Ireland's economic potential and supporting sustainable growth.
- The EU's Draghi report published on the 9th September 2024 in addressing EU Competitiveness, highlights the need for modern, developed and properly functioning infrastructure, as an Island our key airport is vital to achieving that aim.

Conclusion

In conclusion, the draft decision, and its associated conditions, particularly conditions 3(e) and 5 we believe pose risks to Dublin Airport's operations and Ireland's economic future. We strongly urge ABP to:

- Reexamine the process and methodology underpinning the draft decision, ensuring compliance with the 2000 Act, the 2019 Act, and EU Regulation 598.
- Remove the restrictions on North Runway use (condition 3(e)) and the ATM night limit (condition 5).

Thank you for considering this submission.

Yours sincerely,
Peter Byrne
CEO
South Dublin Chamber

SECTION 131 FORM

File With _____ S. 37

Appeal NO: ABP 314485

TO: SEO

Defer Re O/H ☐

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

Robert J Beyer 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.: [Signature]

Date: 20/1/25

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 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

S. 37

File With _____

CORRESPONDENCE FORMAppeal No: ABP 314485Please treat correspondence received on 23/12/24 as follows:

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

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

Amendments/Comments

Resp Recd

4. Attach to file

(a) R/S ☐(b) GIS Processing ☒(c) Processing ☒(d) Screening ☐(e) Inspectorate ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: *[Signature]*AA: *F. Whistler*Date: *21/1/25*Date: *21/1/25*

Alfie Staunton

From: Robert Beyer <robertbeyer12@gmail.com>
Sent: Monday 23 December 2024 13:43
To: Appeals2
Subject: Robert J Beyer observation 314485

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

To: An Bord Pleanála
Re: Appeal of Relevant Action Draft Decision
Case Number: 314485

Robert J Beyer
Kilkoscan
The Ward
Co. Dublin

robertbeyer12@gmail.com

23 December 2024

To Whom it Concerns:

The DAA, a state-owned entity, has been operating contrary to approved planning permission since August 2022. This has been ongoing for over two years.

It is a blemish on Ireland that TDs have selected a London investment banker to chair the DAA board. This same London investment banker has written letters to the then Taoiseach advocating for the airport's continued operation contrary to granted permission. This London investment banker encourages DAA management to operate outside of granted permissions and this London investment banker refuses to meet with local communities adversely impacted by the DAA actions. It is disgraceful that the Irish government has not intervened to stop these shenanigans perpetrated by a state owned organization.

Perhaps Ireland is a country with two-tier planning. One set of permissions for the powerful, politically connected elite and another set of rules for ordinary people.

For the third Christmas in a row, families in North County Dublin and Meath are spending their time reading, researching, and responding to a DAA planning application. The timing of these applications shows the DAA's deep cynicism, hoping that fewer people will object during the holiday season.

The DAA bullies its way to get what it wants, disregarding ordinary people. It operates outside of planning restrictions, pretends to engage with the community, and submits planning applications with dubious timing.

For over two years, we have spent our nights and weekends learning about airport operations, pollution concerns, and flight patterns. We have educated our neighbours and organized our communities against this Goliath bully. This is time we could have spent with our families, working on our careers, or caring for elderly parents.

It is disgraceful that the Irish government has allowed this to continue. The DAA does not pay its fair share for the external costs it imposes on the Irish economy, such as air pollution, carbon pollution, heavy metal pollution, and sound pollution. These external costs reduce the health, productivity, and standard of living for those living near the airport, especially those under the illegal flight paths.

The talk of decibel levels and insulation as a solution does not even begin to paint the full picture. Living under the flight path with Boeing 777s flying one thousand feet over my house, I can tell you that no amount of insulation will be effective. The garden shakes, the ground shakes, my walls and windows shake, and my kids' desks and beds shake.

Extending the airport's hours so that night operations run from 12 am to 6 am will ruin our community. Can you imagine flights every minute from 6 am to 12 am? This is what is coming to our community unless the government stands up for ordinary people. When are our kids supposed to sleep?

The people pushing for airport growth do not care about Ireland; they only care about their own pockets. Let's see whose side the government takes. It will be telling.

Specific observations follow:

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 flight paths.

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 Night fail to capture acute impacts such as awakenings, which have immediate and long-term health consequences.
- The inspector has defined that more than 1 additional awakening per night as a result of aircraft noise is a significant adverse impact.

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 LASMax 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 not 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 flight paths 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 an 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

- 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.