

S. 37

SECTION 131 FORM

File With \_\_\_\_\_

Appeal NO: ABP 314485

TO: SEO

Defer Re O/H ☐

Having considered the contents of the submission ~~dated~~ received 17/12/20  
from

Tony Gray 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 1880

E.O.: [Signature]

Date: 20/12/24

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: \_\_\_\_\_

File With \_\_\_\_\_

**CORRESPONDENCE FORM**Appeal No: ABP 314485

VI \_\_\_\_\_

Please treat correspondence received on 17/12/26 as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

2. Acknowledge with BP 233. 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 Decd Tony Gray\* To be scanned**4. Attach to file**(a) R/S ☐(b) GIS Processing ☐(c) Processing ☒(d) Screening ☐(e) Inspectorate ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamp Filled in ☐EO: JSAA: F. [Signature]Date: 20/12/26Date: 24/12/26

## Sinead White

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**From:** Tony <t0ny.gr4y@gmail.com>  
**Sent:** Tuesday 17 December 2024 14:14  
**To:** Appeals2  
**Subject:** PL06F.314485 - ABP my reference to previous submission: NPA-OBS-002780  
**Attachments:** Tony\_Gray\_final\_your\_deductions\_are\_incorrect\_NRTG\_edited.pdf

**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.

Hi,  
Please find the attached supplementary observation to my original observation, which my reference is NPA-OBS-002780.

Can you please confirm receipt of such and confirm that it is applied to my original observation.  
Regards,  
Tony Gray

Tony Gray  
Hickey's Lane,  
Baltrasna  
Co. Meath  
17/12/2024

An Bord Pleanála

Bord Pleanála Case reference: PL06F.314485

Planning Authority Case Reference: F20A/0668 My reference: NPA-OBS-002780

ABP case number: 314485

ABP case number: 314485-22

ABP my reference to previous submission: NPA-OBS-002780

**To Whom it may concern,**

Further to your recent granting of the draft '**relevant action**' to the DAA, which **allows changes to the flight paths**.

planning application F20A/0668 - <https://www.pleanala.ie/en-ie/case/314485>

Let me explain how your deductions are based on **false information provided by Vanguardia**.

1. Vanguardia said there is 15 degrees of deviation, when in fact it is 30 degrees followed by a further 56 degrees for some flights.
2. I will detail how the current **flight paths impact over 3000 homes, as opposed to the original flight paths approved by ABP**, which would impact **less than 1000** and now mainly consists of **newly built Solar Farms**.
3. I will also show you how **ABP stipulated that insulation be installed in these ~1000 houses in advance of the runway opening**. This stipulation was acted on and now there are **no planes taking off over these insulated homes**.
4. I will also explain what it is like to live in **a house with no sound insulation** under a flight path which **was never expected**.

We as Irish citizens are **not opposed** to the expansion of the airport, but as Irish citizens **we are entitled to relative peace of ~40dB(A) inside our own home**.

Your draft decision means we and **~3000 other homes, now have 300+ noise events of 60dB(A)+ inside our bedrooms and sitting rooms daily**.

It is unacceptable for State-owned commercial company to **inflect this level of stress and financial loss on Irish citizens**.

I have read the inspectors report in minute detail, which I will reference in my observation.

Let me explain the technical details of your folly.

**Problem Statement:**

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The DAA asked you to modify the edges of the EIS to suit their new flight paths.

The reason, the DAA said this request was necessary, was due to ICAO safety requirements.

Hence ABP commissioned Vanguardia to examine the situation.

**Vanguardia report states:**

*"The departures now follow a 15-degree divergence from the runway axes immediately on take-off."*

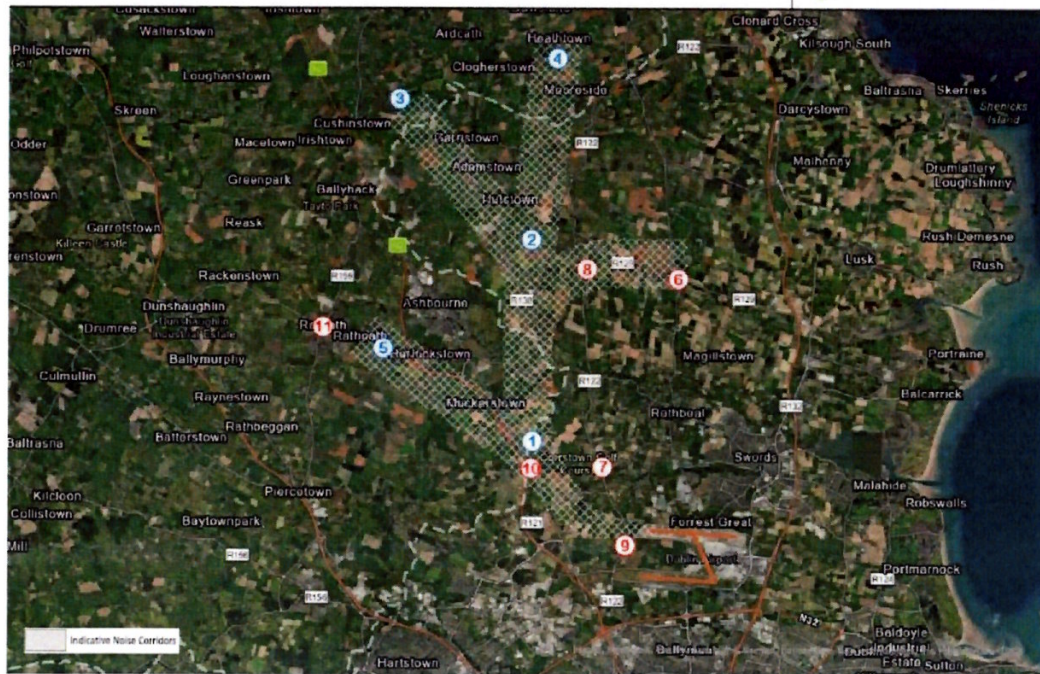
**ABP Inspector 1.11.3:** *The mode of operation has been referenced in a significant number of submissions, mainly in relation to the new flight paths for departures from the NR. The supplementary information includes information on these new flight paths which will divert north, off the north runway, earlier than previously indicated in the EIS with the original NR application. **This is referred to as a 15-degree divergence throughout my report***

This report by Vanguardia is factually incorrect:

1. There is **no instance of any flight path in operation diverging by 15 degrees**.  
No aircraft has ever turned only 15 degrees when departing RWY28R.
2. The minimum divergence is 30 degrees and approximately 55% of the departures turn twice, first by 30 degrees and then immediately upon reaching the Meath border (at DW128) by a further 56 degrees for a total of 86 degrees deviation from the Noise Preferential Route used in the EIS.

These are the flight paths/Noise corridors as indicated by the DAA.  
Between points 9 and 10 there is 30 degrees of deviation.

## Indicative Noise Corridors



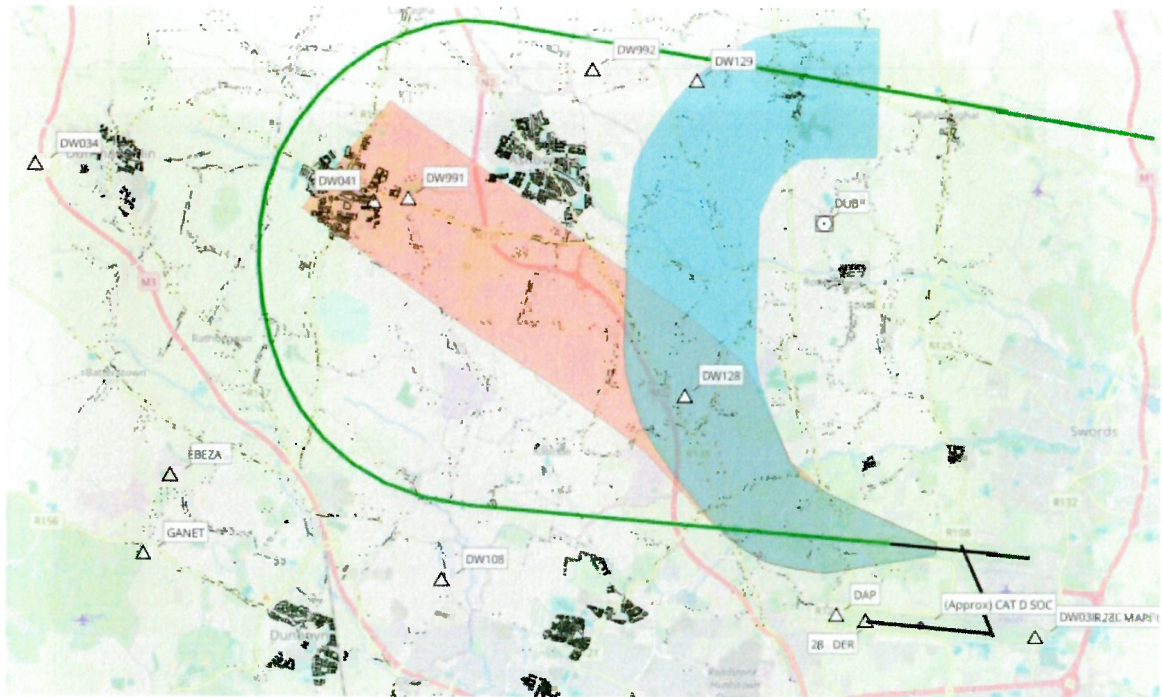
Document Classification: Class 1 - General

- Neither of these turns are “**required for safe operation of the runway**”. Which is what the DAA is claiming. The 30-degree deviation derives from a suboptimal design by AirNav, who designed the minimal viable product, rather than design to **the planning permission as stipulated by ABP**.

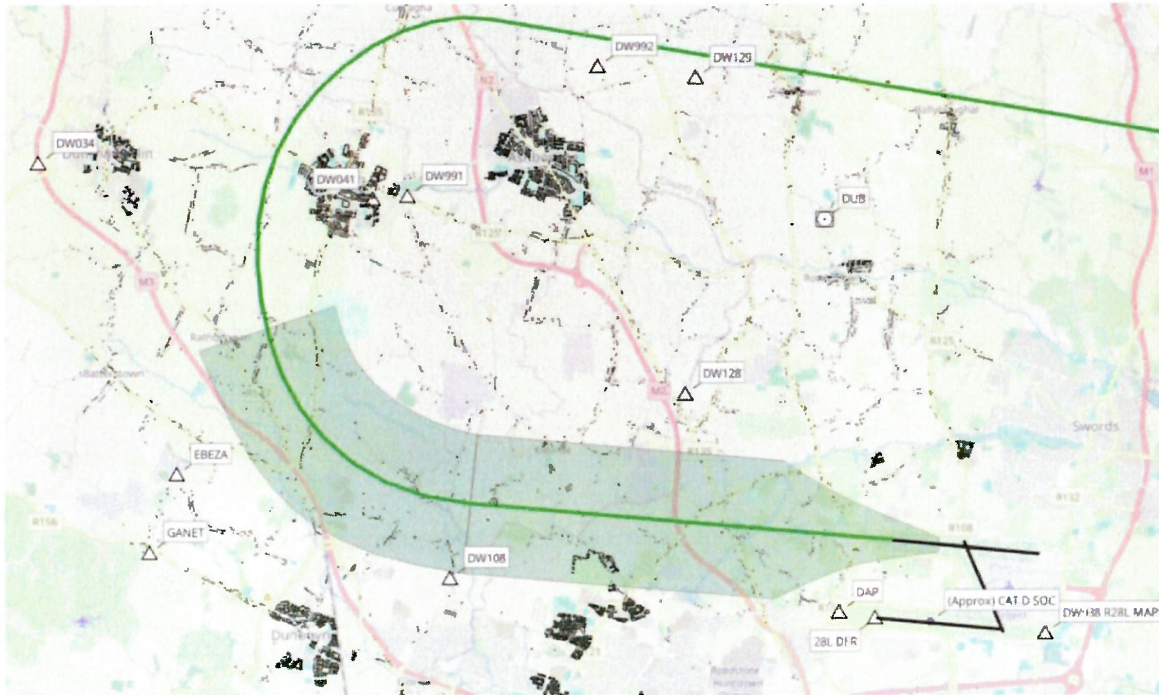
Far from a minor 15-degree operational change, it is a **fundamental change** to the EIS upon which the granting of permission was originally made in a manner strictly forbidden by Condition 1. This is akin to modifying the route of a motorway such that it is built 12km from where originally planned and calling it a speed-limit change that doesn't need planning permission

Below is a diagram of the current flight paths in use. Inside the blue and red areas: 1.5km either side of the SIDs daa chose to use in breach of their planning permission, there are 3,115 houses.





Below is a diagram of the flights paths which ABP approved in the original application:



Inside the green area, which is 8 nautical miles along the real Noise Preferential Route granted permission by ABP there are 934 houses. Of these 934 houses, which were stipulated, **by ABP in advance of the runway opening**, to be insulated under a scheme called Residential Noise Insulation Scheme (RNIS) and the Home Sound Insulation Programme (HSIP).

'Condition 7 of An Bord Pleanála's 2007 grant of planning permission for North Runway stipulated that "Prior to commencement of development, a scheme for the voluntary noise insulation of existing 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 63dB LAeq 16 hours within 12 months of the planned opening of the runway for use. The scheme shall include for a review every two years of the dwellings eligible for insulation".'

Here is a link from 2021 from the progress report on RNIS and HSIP:  
[https://www.fingal.ie/sites/default/files/2021-09/appendix-d\\_progress-statement-lu\\_5\\_6\\_7.pdf](https://www.fingal.ie/sites/default/files/2021-09/appendix-d_progress-statement-lu_5_6_7.pdf)

Detailed in this document are homes under the straight out flight path that were deemed necessary to insulation:

Here is an image from that progress document which shoes the RNSI and HSIP contours.





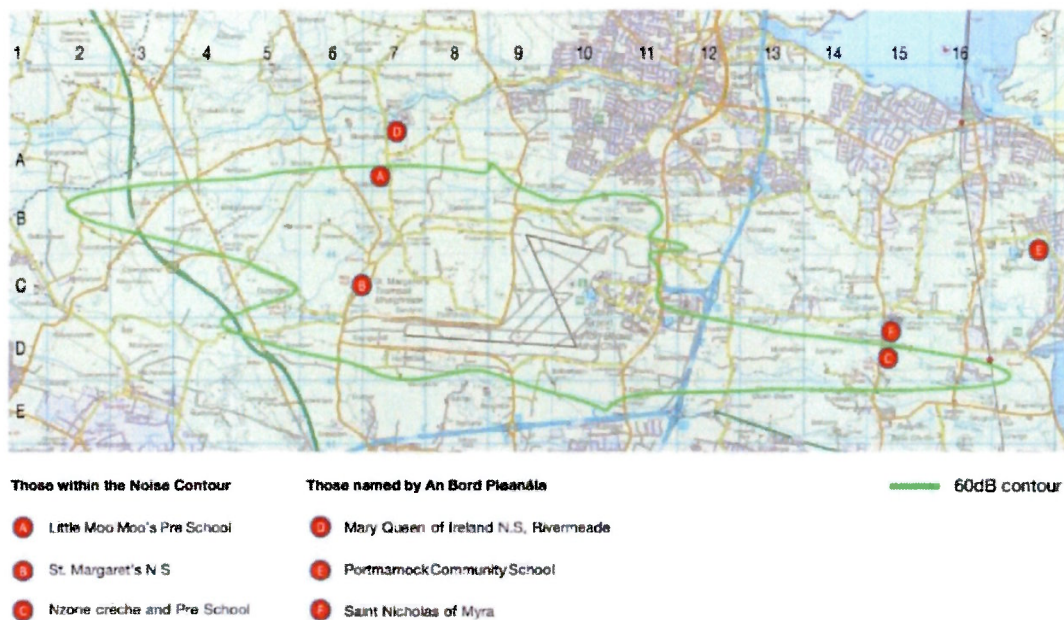
Also detailed were schools that were deemed necessary to insulate:

### LU-7 Voluntary School Sound Insulation

Condition 6 of An Bord Pleanála's 2007 grant of planning permission for North Runway stipulated that "Prior to commencement of development, a scheme for the voluntary noise insulation of schools shall be submitted to and agreed in writing by the planning authority (in consultation with the Department of Education and Science). The scheme shall include all schools and registered pre-schools predicted to fall within the contour of 60 dB LAeq 16 hours within twelve months of the planned opening of the runway to use and, in any event, shall include Saint Margaret's School, Portmarnock Community School, Saint Nicholas of Myra, River Meade and Malahide Road schools. The scheme shall be designed and provided so as to ensure that maximum noise limits within the classrooms and school buildings generally shall not exceed 45 dB LAeq 8 hours (a typical school day). A system monitoring the effectiveness of the operation of the scheme for each school shall be agreed with the planning authority and the results of such monitoring shall be made available to the public by the planning authority".

3

ment Classification: Class 1 - General



Notice how **Kilcosan school**, which is adversely impacted by noise, is not in the list from 2021.

This is a complete and utter disservice to our young citizens who have had to endure 2 years of noise in their class rooms, yet ABP want to approve these flight path changes based on factually incorrect information. No amount of sound insulation will give Kilcosan

school ~40dB(A) inside their class rooms as they are so close to the 30degree divergent flight path. Also you can't insulate their play area.

The ABP inspectors report also details, that houses where one lives in an attic space, i.e dormer bungalows, are deemed ineligible for noise insulation. Yet, Meath county council has been allowing planning for such dwellings over the last 20 years on lands which were not expected to be under the flight path.

Due to the DAA not correctly informing AirNav, the flight path designer, the exact boundaries of the EIS from the original planning, we now have planes are now flying over homes ill-equipped to deal with the impact. Furthermore Meath CoCo are allowing building of brand new homes in areas like Fleenstown which is directly under the flight path.

In the sound map below, the purple square represents Fleenstown, where one can expect to experience 100-200 Noise events above 65dB(A) N65 over a 16h period (Lmax16h).

The concept of N65 was conceived in Australia, it describes the number of noise events outdoors during day time of at least 65dB(A). This is directly linked to residents experiencing speech interference indoors.

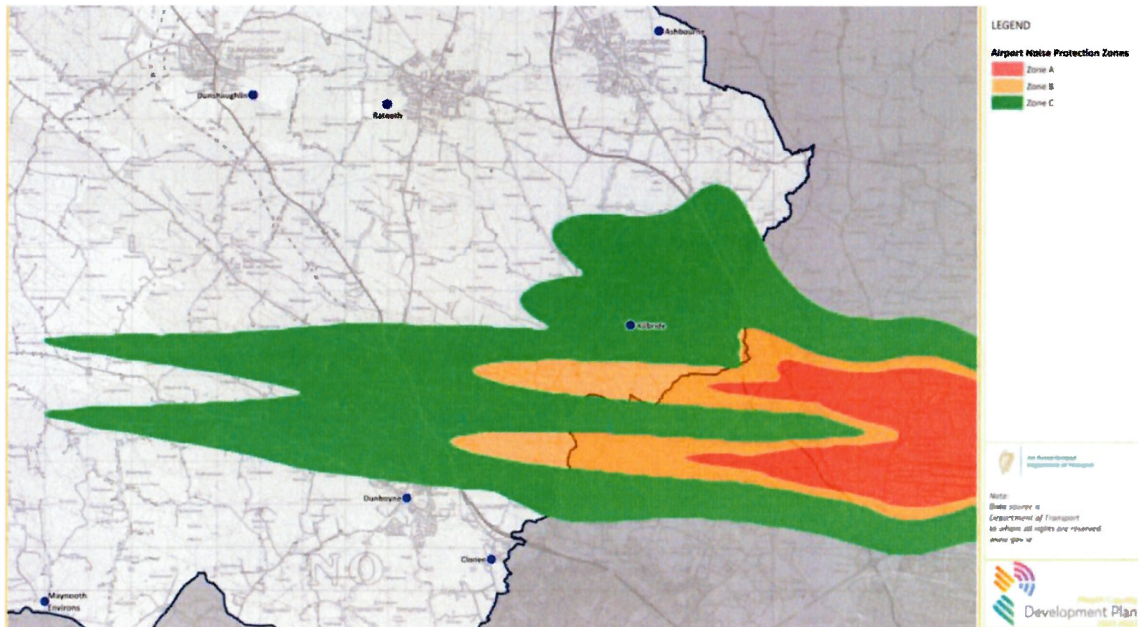
You can see the number of events of 65 dB(A) is stretching easily to Ratoath.



When I asked Meath CoCo why they were allowing planning directly under a flight path, they replied saying the DAA had given MeathCoCo these areas below and consequently they



added it to the Meath Development plan. Here are the noise zones and maps from the development plan.(which are now outdated and do not reflect the current flight paths)

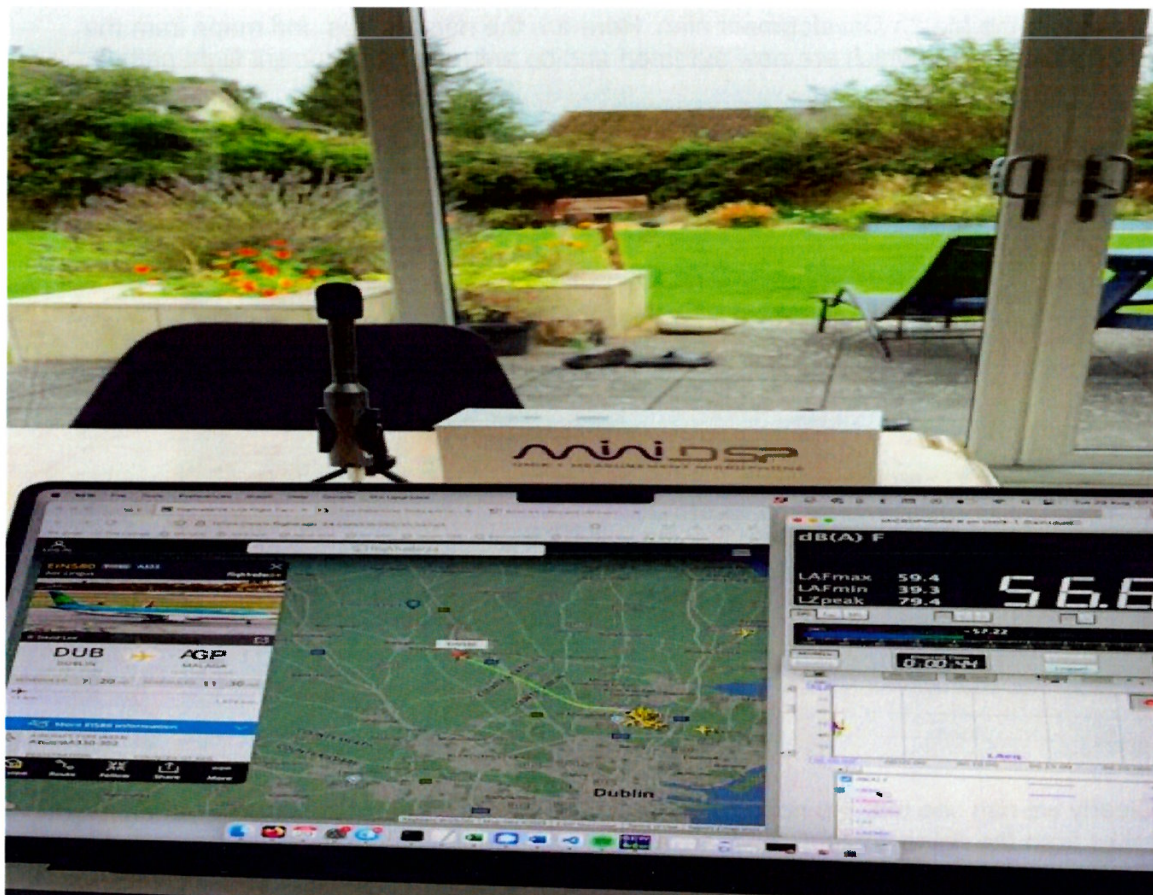


Clearly we can see that the noise lands reserved are due west of the airport, yet the flight paths from the noise contours by the DAA are north west of the airport. This means Meath CoCo are allowing building of new houses, under a flight path with no noise insulation stipulation. This is insanity.

Living inside a house under the current flight path, which was never approved, means the occupants never have a **lie-in and never have the peace to read a book**. My whole family wears 400euro Noise cancelling headphones to get some peace. Our pregnancy was incredibly stressful due to the noise impact of the planes and now our 1 year old stops what he's doing to point and look at every single plane. Even a friend's 2 year old was unable to sleep here because "the planes keep waking me Mammy". Is this fair?

Here is a detailed image using **professional grade** \*calibrated\* equipment. It is like standing beside the edge of a busy road inside my house even though it is B3 rated with significant amount of insulation.

56dB(A) inside a house is wholly unacceptable for an Irish citizen.



Below is an excerpt from Fingal's noise modelling strategy document:

<https://www.fingal.ie/sites/default/files/2020-04/20200331-aircraft-noise-modelling-methodology-report-1.pdf>



The 1999 Community Noise Guidelines (CNG) gives a guideline internal noise level of 30 dB  $L_{Aeq,8h}$  for "sleep disturbance" in the night-time period. This can be equated to an outdoor noise level of 45 dB  $L_{Aeq,8h}$  based on the estimated difference between indoor and outdoor levels of 15 dB for "tilted or half open" windows given in the WHO 2018 document. This then equates to an outdoor noise level of 55 dB  $L_{Aeq,8h}$  if windows are closed (assuming 25 dB difference between indoor and outdoor noise levels). These are therefore considered to be appropriate indicators of the onset of effects.

### BS 8233 Sound insulation and noise reduction in buildings – code of practice

The British Standard *BS8233:2014 Sound insulation and noise reduction for buildings – Code of practice*<sup>40</sup> provides guidance on the control of external noise. The standard presents a number of design ranges for indoor noise levels for different types of space.

Internal ambient noise guideline levels for dwellings are given in Table 22.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq,16h}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16h}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16h}$	30 dB $L_{Aeq,8h}$

**Table 22: BS 8233:2014 Indoor ambient noise guideline levels for dwellings**

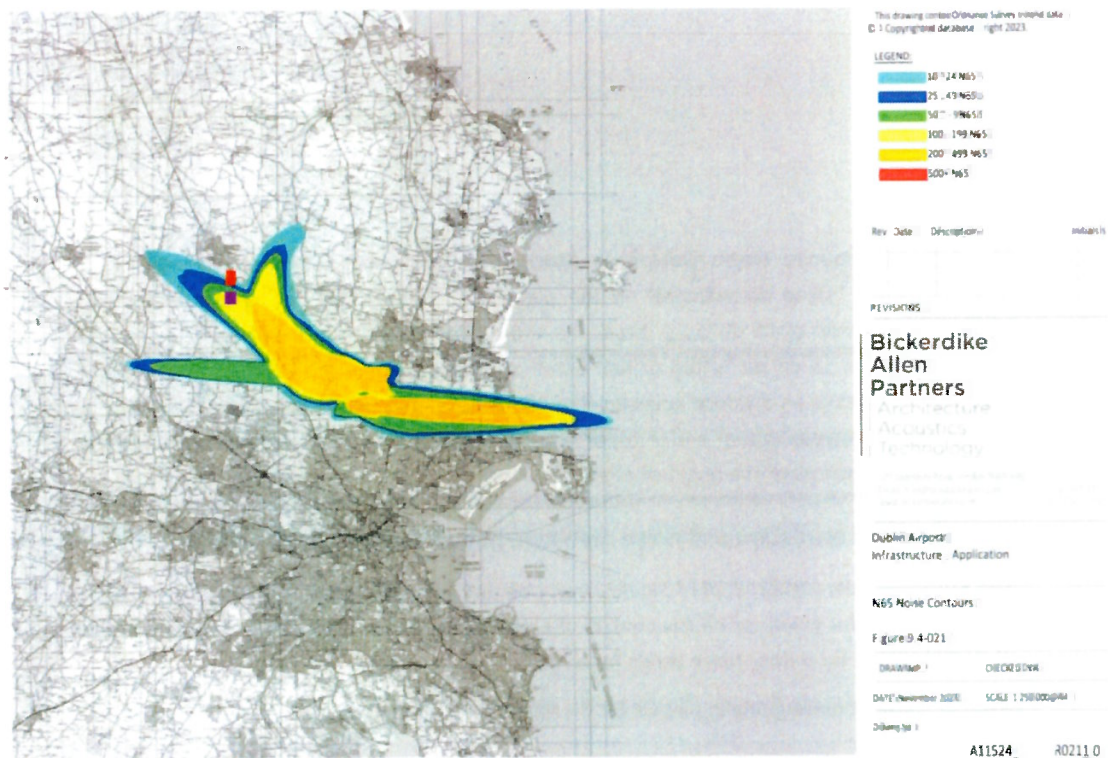
Regular individual noise events (for example, scheduled aircraft or passing trains) can cause sleep disturbance. A guideline value may be set in terms of SEL or  $L_{AFmax}$ , depending on the character and number of events per night. Sporadic noise events could require separate values.

These guideline noise levels can be used for rooms for residential purposes including hotels, hostels, halls of residence, school boarding houses, hospices and residential care homes.

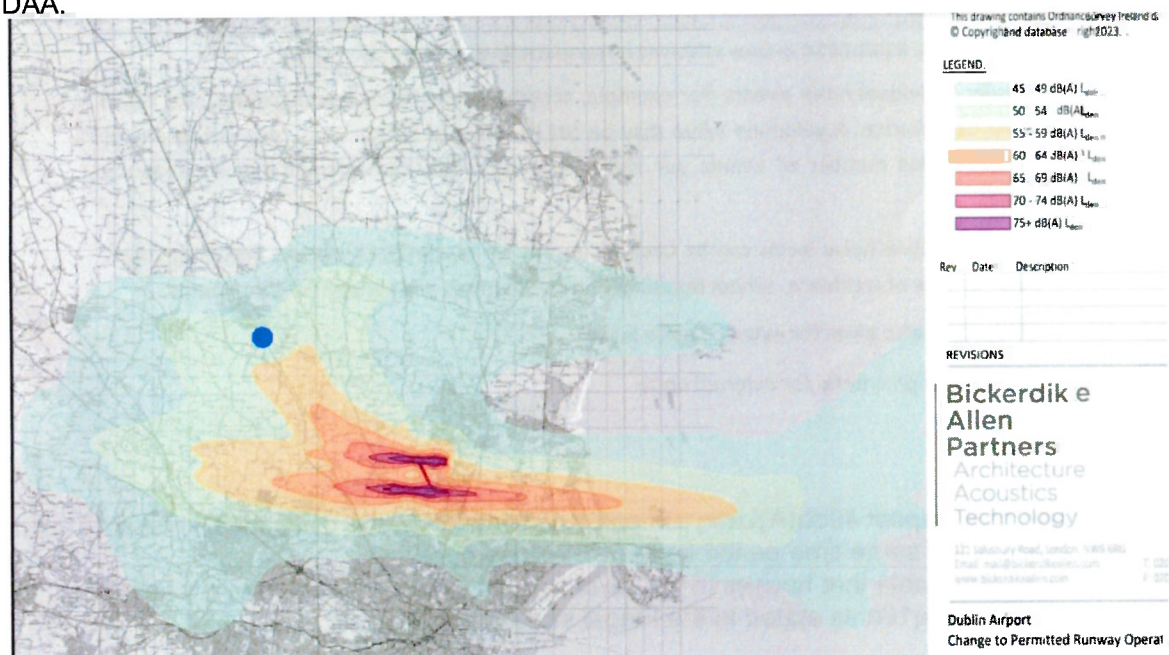
Guidance is also given for external noise levels:

#### "7.7.3.2 Design criteria for external noise

We can see they expect 40db(A) $L_{Aeq16h}$  so basically an average of 40dB(A) over a 16 hour period, which is the same time period as the N65 noise contours. It is highly questionable that houses in yellow/blue/cyan contours are achieving anything close to 40dB(A) $L_{eq16h}$  as stated in the Fingal strategy.



Here is the Lden averaged dB(A) noise contour for reference, which is also created by the DAA.



The DAA are using the power of mathematical averages to make the Lden values look better, and hence minimise the number of homes to insulate around 63dB Lden.

You can't average noise events like this. Just because the DAA have averaged noise events, it **does not mean that** all the louder than 65dB(A) noise events don't have an impact/wake us up any more. All awakenings count. In fact the **first awakening creates the impending doom of the next one and the next one**, because you know just as you are falling back asleep, another one is coming. All disturbances count

This, compounded with the fact that they do not take into account wind speed or real world conditions which is making a mockery of your authority.

I have had the **DAA out in my house over this issue**, they have accepted aircraft noise is having a profound effect on me and my family but are unwilling to do anything.

How can this be possible for a State-owned commercial company to inflict this level of stress on Irish Citizens?

----- Forwarded message -----

From: Angela Flynn <Angela.Flynn@daa.ie>

Date: Fri, 8 Mar 2024 at 12:44

Subject: RE: Community engagement

To: Roisin King <kingroisin@gmail.com>

Dear Róisín and Tony,

I hope all is well with you.

Sincere apologies for the delay in responding to you following our meeting. I know at the time, you were keen to see data and this has probably been the key reason for my delayed response. I wanted to be able to provide you with recent, updated data in so far as possible and that has taken a little longer than anticipated to collate.

I'm attaching information which I hope might further your understanding of the noise impact surrounding your home (from the noise data perspective). More is to come including the 2023 noise contours which will be published very shortly. As soon as that does happen, I will forward that information along.

From visiting you at your home, I have no doubt that you are impacted by aircraft noise and it is having a profound effect on you. Unfortunately, your home is not eligible for mitigation measures at this time, however, there are a number of processes ongoing which may very well impact on your future eligibility. However, I do have to wait for those processes to conclude before I can comment further.

I'm sorry I can't provide you with an immediate solution to the issues you are experiencing however, I will keep you updated if anything changes with respect to mitigation. Following your review of the attached, please feel free to revert with any questions you might have.

Best Regards,  
Angela

## Solutions:

It is unacceptable for ABP to take the path of least resistance and **modify the EIS sound boundary to suit the DAA**, at the expense of thousands of residents in Ashbourne and Ratoath.

However, If ABP directed the DAA to request AirNav to re-design the current flight paths **to be within the original EIS**, this problem will go away. Why will it go away?

There is one easy option:

## 1. Dual departure / Parallel mode: modified flight path for missed approach for South runway:

This means the flights off the North run will take a 10 degree turn and head out over the large swathes of **newly constructed solar fields**.

The DAA will say this is not possible due to Baldonnell(military) and Weston airspace. This is not the case as is detailed in this video.

<https://youtu.be/v6pCTfXS0Cw?si=OpwYmzQDZaaNFe96>

I plead with you to watch this, to get a quick detailed understanding of this complex issue, which directly relates to the **Noise contours the DAA are asking you to extend**.

This video **includes international flight separation** regulation to ICAO standard, the **missed approach**, and a **simple solution**, which you can enforce the DAA and AirNav to implement in order to comply with **your original planning permission**.

You will also be enforcing your power as planning authority for the greater good of the Irish people, which is to minimise the impact of planning but yet maintain growth. The current solution seeks to maximise the health impact on as many people as possible.

AirNav took the simplest design option, based on information provided to them by the DAA, which happens to fly over thousands of homes. Rather than looking at other options, such as flying over solar fields which is much more forward thinking and less impactful on Irish citizens and which is **just as feasible**.

## Solutions which are not solutions:

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### 20K Grant for bedroom only insulation:

I am far outside the noise insulation grant proposed by the DAA in this new addendum. Yet, I have spent 10K installing **sound proof laminate glass** windows in our bedroom along with sound bloc plasterboard and attic insulation, this pales into insignificance when an A330 or 737-8AS(Ryanair) flies past.

We still have over the order of **52dB(A)** inside our bedroom which is **wholly unacceptable for an Irish asset that was built with state money to be inflicted on a subset of Irish people**, even more so, when there are **simple alternative solutions over solar fields!** The rest of our house is still experiencing 56dB+ of noise **INSIDE** when a plane flies past!

## Complementary Solutions:

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With 2 runways, in other EU airports e.g. Heathrow they swap the take off and landing runways to give **residents a break**, in the case of Dublin they want to move **ALL** take offs to the **North runway and none off the South**.

People under the old flight path of the south runway already have insulated houses, compared with people under the north, who don't.

This isn't logical under any circumstances.



**Final Thought:**  
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As the adjudicator, with the final say, you need to create a **functional airport with ability for growth for the Irish state**, yet adhere to **your planning requirements**.

I have **distilled the subterfuge by the DAA, into plausible solutions which would keep everyone happy, even the solar panels**. Please enforce a solution which is the correct solution for everyone.

Yours faithfully

Tony Gray