

Senior Executive Officer
Planning Department
Fingal County Council
County Hall, Main Street
Swords
Co. Dublin

18 December 2020

Dear Sir/Madam

RE: Planning application for a proposed relevant action (S.34C of P&D Acts) to amend/replace operating restrictions set out in conditions no. 3(d) & no. 5 of the North Runway Planning Permission (ABP Ref. No.: PL06F.217429) as well as proposing new noise mitigation measures

daa plc have retained a multi-disciplinary project team of Tom Phillips + Associates ('TPA'; Planning Consultants), AECOM, Bickerdike Allen Partners (BAP), Ricondo, Mott MacDonald, InterVISTAS and Anderson Acoustics to apply to Fingal County Council ('FCC') for permission for a proposed development comprising the taking of a 'Relevant Action'¹ only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, at Dublin Airport.

This Application relates to a site of approximately 580 hectares 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.

Please find the following documents which accompany this planning application:

PLANNING DOCUMENTS

- 1 No. completed Fingal County Council Planning Application Form, signed and dated.
- Applicable Planning Fee
daa has arranged to pay the maximum planning application fee of €38,000 to Fingal County Council by Electronic Funds Transfer ("EFT") in accordance with the provisions of Schedule 9 of the Regulations. Evidence of the fee paid is included at Appendix C of the TPA Planning Report.
- An original page of the Irish Daily Star dated 17 December 2020, in which notice of the application has been published pursuant to article 17(1)(a) of the Regulations.
- 1 No. copy of the Site Notice dated 16 December 2020 and erected or fixed on the land or structure pursuant to article 17(1)(b) of the Regulations. Pursuant to article 19(4) of the Regulations, the site notices are inscribed on a yellow background as a valid application was

¹ Refer Section 1.4 of TPA Planning Report for a full description of the proposed Relevant Action



made on lands which form part of the application site, within the period of 6 months from the date of lodgement of lodging this application.

- 10 No. copies of the *Planning Report*, prepared by Tom Phillips + Associates, dated December 2020
- Confirmation from the Department of Housing, Planning and Local Government confirming receipt of the required information for inclusion on the EIA Portal is appended to the Planning Application Form.
- Planning Drawings
The Planning Application drawings (10 x copies) have been prepared with a view to illustrating the permitted runway system which is affected by the proposed Relevant Action. A schedule of the drawings included with the application is listed below.

Drawing No.	Description	Scale	Page Size	Copies
EDAD98015-C001	Site Location Map	1:10,000	A1	10
EDAD98015-C002	Site Layout Plan - Sheet A	1:2,500	A1	10
EDAD98015-C003	Site Layout Plan - Sheet B	1:2,500	A1	10
EDAD98015-C004	Site Layout Plan - Sheet C	1:2,500	A1	10
EDAD98015-C005	Site Layout Plan - Sheet D	1:2,500	A1	10
EDAD98015-C006	Site Layout Plan - Sheet E	1:2,500	A1	10
EDAD98015-C007	Site Layout Plan - Sheet F	1:2,500	A1	10
EDAD98015-C008	Site Layout Plan - Sheet G	1:2,500	A1	10
EDAD98015-C009	Site Layout Plan - Sheet H	1:2,500	A1	10
EDAD98015-C010	Site Layout Plan - Sheet I	1:2,500	A1	10
EDAD98015-C011	Site Layout Plan - Sheet J	1:2,500	A1	10
EDAD98015-C012	Site Layout Plan - Sheet K	1:2,500	A1	10
EDAD98015-C013	Site Layout Plan - Sheet L	1:2,500	A1	10

EIAR & AA SCREENING

- 10 No. copies of *Dublin Airport North Runway Relevant Action Application –Appropriate Assessment Screening* prepared by AECOM;
- 10 No. copies of *Dublin Airport North Runway Relevant Action Application – Environmental Impact Assessment Report (EIAR)*, prepared by AECOM, dated December 2020;
- 10 No. copies of *Dublin Airport North Runway Relevant Action Application – EIAR Appendices Vol 1 & 2*;

In addition to the above referenced 10 No. hard copies, 1 No. electronic copy of the EIAR & EIAR Appendices has been submitted with the application in accordance with Article 97(1) of the Planning and Development Regulations 2001, as amended. This is Included on the CD containing an electronic copy of the planning application documents.



ANCA DOCUMENTS & REGULATION 598/2014 ASSESSMENT

- 10 No. copies of Regulation 598/2014 Assessment which includes the following documents:
 - o 'Dublin Airport North Runway, Regulation 598/2014 (Aircraft Noise Regulation) Assessment Non-Technical Summary' AECOM Ireland Ltd;
 - o 'Dublin Airport North Runway, Noise Information for the Regulation 598/2014 (Aircraft Noise Regulation) Assessment', Bickerdike Allen Partners LLP;
 - o 'Dublin Airport North Runway, Regulation 598/2014 (Aircraft Noise Regulation) Forecast Without New Measures and Additional Measures Assessment Report' Ricondo and Associates Inc;
 - o 'Dublin Airport North Runway, Regulation 598/2014 (Aircraft Noise Regulation) Cost Effectiveness Analysis Report' Ricondo and Associates Inc;
- 10 No. copies of the completed Aircraft Noise Change Considerations Proforma as required by ANCA.
- 1 No. Electronic copy² of the ANCA Reporting Template v2.0 – Completed (excel file), prepared by Bickerdike Allen Partners LLP. This electronic file is Included on the CD containing an electronic copy of the planning application documents (Refer to CD folder: ANCA DOCUMENTS - 598 ASSESSMENT\2. ANCA REPORTING TEMPLATE).

OTHER SUPPORTING DOCUMENTS

- 10 No. copies of Dublin Airport Operating Restrictions, Quantification of Impacts on Future Growth, September 2020', version 5.3, prepared by Mott MacDonald;
- 10 No. copies of Dublin Airport Economic Impact of Operating Restrictions, prepared by IntervISTAS, dated 5 October 2020;
- 10 No. copies of Dublin Airport, Night Quota Report, prepared by Anderson Acoustics, dated 4 December 2020; and
- 2 No. copies² of 3 No. DVD's containing Modelled Aircraft Noise Levels in Electronic Format, prepared by Bickerdike Allen Partners LLP.

For ease of assessment by the Planning Authority, in addition to the above referenced hard copy submissions, 1 no. copy of all the above referenced planning application material (with the exception of the 'Modelled Aircraft Noise Levels in Electronic Format', which has been separately circulated) has been provided in electronic form on the CD enclosed with this cover letter.

It is noted that this application is accompanied by an Environmental Impact Assessment Report. Notwithstanding this, we wish to highlight The application relates to a proposed Relevant Action only, comprising a change in operating restrictions, and will involve no construction works or changes to the

² as agreed with the Mr. David Murray from the Planning Authority and ANCA in accordance with Article 22(3) of the Planning and Development Regulations 2001, as amended.



consented physical infrastructure of the North Runway. Therefore, the proposed Relevant Action is not a project within the meaning of the EIA Directive.

On the basis of the case law of the Court of Justice of the European Union (CJEU), and, in particular, the Judgments in the Brussels Airport Case (Case C-275/09) and Pro-Braine (Case C-121/11), this application to remove, replace or vary Conditions No. 3(d) and No 5 of the North Runway permission is not an application for development consent for a 'project' within the meaning of the EIA Directive, and is therefore outside the scope of that Directive. Strictly without prejudice to that position, daa is submitting an EIAR with the application out of an abundance of caution.

I trust that the above is in order and would appreciate a letter of acknowledgment.

Yours sincerely

Gavin Lawlor
Director
Tom Phillips + Associates