



An tÚdarás Inniúil um
Thorann Aerárthaí

Aircraft Noise
Competent Authority

Regulatory Decision of The Aircraft Noise Competent Authority Pursuant to

Section 34C(14) Planning and Development Act 2000

EU Regulation No 598/ 2014

Aircraft Noise (Dublin Airport) Regulation Act 2019

Planning Register Reference Number: F20A/0668

20th June 2022



Table of Contents

Glossary of Terms	3
Preamble	4
Proposed Development	4
Process of Aircraft Noise Regulation	6
Matters Considered	6
Appropriate Assessment (AA)	7
Strategic Environmental Assessment (SEA)	8
Reasons for Regulatory Decision	9
Conditions	11
First Condition:	11
Second Condition:	15
Third Condition:	16

Glossary of Terms

In this report:

Act of 2000 means the Planning and Development Act 2000, as amended

Act of 2019 means the Aircraft Noise (Dublin Airport) Regulation Act 2019

Airport has the same meaning as ascribed to this term by the Act of 2019

Aircraft Noise Regulation means Regulation (EU) No 598/2014 of the European Parliament.

ANCA means Aircraft Noise Competent Authority

Applicant means Dublin Airport Authority plc (daa)

Application means the application made by the Applicant for the taking of a “relevant action” only within the meaning of Section 34C of the Act of 2000 bearing Planning Register Reference No: F20A/0668

Environmental Noise Directive means Directive 2002/49/EC of the European Parliament

Draft RD means the draft regulatory decision, issued by ANCA pursuant to Section 34C(14) of the Act of 2019 on 11 November 2021

Night time means 23:00 hours – 07:00 hours as defined in the Environmental Noise Directive

RD means this regulatory decision to be issued pursuant to Section 34C(14) of the Act of 2019

L_{night} has the same meaning as ascribed to this term in the Environmental Noise Directive

L_{den} has the same meaning as ascribed to this term in the Environmental Noise Directive

Preamble

Proposed Development

The Applicant seeks planning permission for a proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, at Dublin Airport, Co. Dublin, 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 on a site of c. 580 ha.

The proposed relevant action, if permitted, relates to the night time use of the runway system at Dublin Airport. It involves the amendment of the operating restriction set out in condition no. 3(d) and the replacement of the operating restriction in condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19), as well as proposing new noise mitigation measures. Conditions no. 3(d) and 5 have not yet come into effect or operation, as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing.

The proposed relevant action, if permitted, would be to remove the numerical cap on the number of flights permitted between the hours of 23:00 and 07:00 daily that is due to come into effect in accordance with the North Runway Planning Permission and to replace it with an annual night time noise quota between the hours of 23:30 and 06:00 and also to allow flights to take off from and/or land on the North Runway (Runway 10L 28R) for an additional 2 hours i.e. 23:00 to 24:00 and 06:00 to 07:00. Overall, this would allow for an increase in the number of flights taking off and/or landing at Dublin Airport between 23:00 and 07:00 over and above the number stipulated in condition no. 5 of the North Runway Planning Permission, in accordance with the annual night time noise quota.

The relevant action pursuant to Section 34C (1) (a), seeks:

To amend condition no. 3(d) of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19).

Condition 3(d) and the exceptions at the end of Condition 3 state the following:

'3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 0700 hours except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports.'

Permission is being sought to amend the above condition so that it reads:

'Runway 10L-28R shall not be used for take-off or landing between 0000 hours and 0559 hours except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports or where Runway 10L-28R length is required for a specific aircraft type.'

The net effect of the proposed change, if permitted, would change the normal operating hours of the North Runway from the 07:00 to 23:00 to 06:00 to 00:00.

The relevant action also is:

To replace condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19) which provides as follows:

5. 'On completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92-day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007.'

Reason: To control the frequency of night flights at the airport so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway'.

With the following:

'A noise quota system is proposed for night time noise at the airport. The airport shall be subject to an annual noise quota of 7990 between the hours of 2330hrs and 0600hrs'.

In addition to the proposed night time noise quota, the relevant action also proposes the following noise mitigation measures:

- A noise insulation grant scheme for eligible dwellings within specific night noise contours
- A detailed Noise Monitoring Framework to monitor the noise performance with results to be reported annually to the Aircraft Noise Competent Authority (ANCA), in compliance with the Aircraft Noise (Dublin Airport) Regulation Act 2019.

The proposed relevant action does not seek any amendment of conditions of the North Runway Planning Permission governing the general operation of the runway system (i.e., conditions which are not specific to night time use, namely conditions no. 3 (a), 3(b), 3(c) and 4 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429) or any amendment of permitted annual passenger capacity of the Terminals at Dublin Airport. Condition no. 3 of the Terminal 2 Planning Permission (Fingal County Council Reg. Ref. No. F06A/1248; ABP Ref. No. PL06F.220670) and condition no. 2 of the Terminal 1 Extension Planning Permission (Fingal County Council Reg. Ref. No. F06A/1843; ABP Ref. No. PL06F.223469) provide that the combined capacity of Terminal 1 and Terminal 2 together shall not exceed 32 million passengers per annum.

The planning application is subject to an assessment by ANCA in accordance with the Aircraft Noise (Dublin Airport) Regulations Act 2019 and Regulation (EU) No 598/2014. The planning application was accompanied by information provided for the purposes of such assessment.

Process of Aircraft Noise Regulation

By Chief Executive Order ref. ANCA\002\2021 dated 10 February 2021, ANCA determined that a noise problem would arise at Dublin Airport from the taking of the Relevant Action as proposed in the Application and commenced the process of aircraft noise regulation as required by Section 34C of the Act of 2000. The process of aircraft noise regulation in this context requires ANCA to define a Noise Abatement Objective, apply the Balanced Approach, and, subject to Section 34C(5) of the Act of 2000, make a regulatory decision. The regulatory decision either sets out the noise mitigation measures or operating restrictions (if any) that ANCA proposes to direct the planning authority to include in the planning authority's decision, if any, to grant permission pursuant to F20A/0668 or confirms that no such conditions are required to be included in the planning authority's decision. This process reflects Ireland's obligations in relation to aircraft noise regulation under Article 5(2) of Regulation EU 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a Balanced Approach and repealing Directive 2002/30/EC.

ANCA issued a Direction to Provide Information on 24 February 2021 and daa furnished replies under cover of several responses, the last of which was dated September 13, 2021.

ANCA issued a Notice to the Applicant on 17 September 2021 in accordance with the provisions of Section 34C(8) of the Act of 2000. This Notice informed the Applicant of the noise mitigation measure and operating restrictions. The Notice also advised that the Applicant would have an opportunity to make submissions or observations on the proposed noise mitigation measure and operating restrictions within the period from 17 September 2021 to 19th October 2021, in accordance with Section 34C(8)(b) of the Act of 2000. The Applicant provided observations on those noise mitigation measure and operating restrictions on 12 October 2021.

A DRD and related report was published and made available for submissions and observations through a public consultation process from 11 November 2021 to 28 February 2022, in accordance with Section 34C(12) of the Act of 2000.

Matters Considered

In making this regulatory decision, ANCA had regard to all submissions and observations received during this consultation in addition to those matters to which, by virtue of the Aircraft Noise (Dublin Airport) Regulation Act 2019 (the Act of 2019), it was required to have regard, including:

- International aviation policy, and in particular the Balanced Approach of the International Civil Aviation Organization (ICAO);
- European policy and legislation, including EU Council Directive 2002/49/EC (the Environmental Noise Directive) (as amended), and Regulation EU 598/2014 (the Aircraft Noise Regulation). In a legislative context, EU Regulation No 598/2014 identifies sustainable development as a key objective of the common European transport policy. This requires an integrated approach aimed at ensuring both the effective functioning of transport systems and protection of the environment;
- Applicable domestic legislation, including the Environmental Noise Regulations 2018 and the Act of 2019;
- The findings of the Environmental Report prepared for the purposes of Strategic Environmental Assessment (SEA), and the Natura Impact Statement prepared for the purposes of Appropriate Assessment;

ANCA's consideration of these matters is set out in more detail in the regulatory decision report accompanying this regulatory decision.

In making this regulatory decision, ANCA also had regard to National, Regional and Local Policy including as set out in: –

- a) Project Ireland 2040 - National Planning Framework, 2017 (Government of Ireland)
- b) National Development Plan 2018-2027, 2018 (Government of Ireland)
- c) National Policy Statement on Airport Charges Regulation, 2017 (The Department of Transport, Tourism and Sport (DTTAS))
- d) A National Aviation Policy for Ireland, 2015 (The Department of Transport, Tourism and Sport (DTTAS))
- e) Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES) 2019 – 2031, 2019 (Eastern and Midland Regional Assembly)
- f) Fingal Development Plan 2017 – 2023, March 2017, Fingal County Council.
- g) Variation No. 1 of the Fingal Development Plan 2017 – 2023, September 2019, Fingal County Council.
- h) Dublin Airport Local Area Plan, 2020 (LAP), Fingal County Council.
- i) Dublin Airport Central Masterplan, 2016, Fingal County Council.
- j) Dublin Airport Noise Action Plan 2019 – 2023, 2018 (NAP), Fingal County Council.
- k) Dublin Airport Capital Investment Programme 2020+, 2019, daa.

These programmes and policies provide context for the development of Dublin Airport. These define the specific policy positions and actions to demonstrate Ireland's commitment to mitigate the impacts of aviation on the environment and facilitate the sustainable growth of the sector with actions that support the implementation of legislation. ANCA's consideration of these matters is set out in detail in the regulatory decision report accompanying this regulatory decision.

Appropriate Assessment (AA)

ANCA undertook an AA Screening in respect of the Noise Abatement Objective and the regulatory decision arising from an assessment of the noise situation resulting from planning application F20A/0668.

The RD is a plan not directly connected with or necessary to the management of any European Site. However, ANCA considered that it could not be excluded, in view of best scientific knowledge and in view of the conservation objectives of the sites, that the RD, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the RD was required. For this reason, it was determined that RD must proceed to Stage 2 (AA) and a Natura Impact Statement (NIS) prepared.

Accordingly, an NIS has been prepared and published for consultation alongside the Noise abatement Objective and the draft regulatory decision.

ANCA had regard to all submissions and observations received during this consultation prior to making the NIS and AA determination.

Strategic Environmental Assessment (SEA)

The RD may set the framework for future development consent of projects listed in Annex I and II to the EIA Directive, including changes or extensions to airfields and airports with a basic runway length of 2,100 metres or more. ANCA is therefore required to undertake an SEA in respect of a Noise Abatement Objective and regulatory decision arising from an assessment of the noise situation resulting from planning application F20A/0668.

Accordingly, an SEA Environmental Report has been prepared and published for consultation alongside the Noise abatement Objective and the draft regulatory decision.

ANCA had regard to all submissions and observations received during this consultation prior to making an SEA Final Environmental Report and SEA Statement.

Reasons for Regulatory Decision

A Noise Abatement Objective (NAO) has been set for Dublin Airport which seeks to *“Limit and reduce the long-term adverse effects of aircraft noise on health and quality of life, particularly at night, as part of the sustainable development of Dublin Airport.”*. The NAO sets outcomes which are required with respect to the harmful effects of aircraft noise. The NAO is the relevant policy which applies for decision making in relation to aircraft noise management at Dublin Airport.

The Application as proposed was screened by ANCA and it was determined that a noise problem would arise from the application due to three aspects:

1. The Application proposes an increase in aircraft activity at night, when referenced against the situation that would otherwise pertain, which may result in higher levels of human exposure to aircraft noise.
2. The Application proposes a situation where some people will experience elevated levels of night time noise exposure for the first time which may be considered harmful to human health.
3. The EIAR accompanying the Application indicates that the proposed relevant action will give rise to significant adverse night time noise effects.

Having followed the process of aircraft noise regulation as set out in Section 11 of the Aircraft Noise (Dublin Airport) Regulation Act 2019 which inserts Section 34C into the Planning and Development Act 2000 (as amended), ANCA has made a regulatory decision requiring the inclusion of three conditions in any planning permission that the planning authority may grant for the proposed development for the reasons set out in the regulatory decision report which accompanies the regulatory decision, including the following principal reasons:

First Condition: Condition 5 of the North Runway Planning Permission shall be revoked and replaced with a Night-time Noise Quota Scheme as described in the First Condition.

The Noise Quota Scheme will limit the impact of aircraft noise at Dublin Airport on communities surrounding the airport in accordance with the NAO. ANCA's Cost Effectiveness Assessment (CEA) identified that while it reduced the population highly sleep disturbed and population exposed above the NAO night-time priority of 55 dB L_{night} , condition 5 was more costly than other means of achieving those aspects of the NAO. Replacing Condition 5 with a Night-Time Noise Quota and associated aircraft type restrictions is a much more cost-effective means of managing and limiting aircraft noise impacts in line with the NAO. It allows the airport to meet its movement forecasts whilst guarding against any risk that the Applicant's noise forecasts are optimistic with respect to fleet modernisation. For example, should the aircraft fleet mix not improve as forecast, the Night-Time Noise Quota will limit the number of night flights. Overall, the Night-Time Noise Quota will place a limit on night-time aircraft noise.

Second Condition: Condition 3(d) of the North Runway Planning Permission shall be revised to apply over the period 00:00 to 05:59 as set out in the Second Condition.

The revision to Condition 3(d) of the Northern Runway Planning Permission will facilitate the operation of runways at Dublin Airport in a manner that minimises the impact of night time noise on communities surrounding Dublin Airport, particularly those newly affected by aircraft night time noise. Although a series of runway use and restriction scenarios were considered by ANCA, the scenario which allows the preferred pattern of operation (Option 7b) as described in Condition 3(a)-(c) of the North Runway Planning Permission to be extended by 2 hours to commence from 06:00 and cease at 00:00 was considered by ANCA to strike a balance between the number of people forecast to be exposed to night time aircraft noise, including the number of people exposed above the NAO night-time priority value of 55 dB L_{night} , and those who may experience significant adverse changes in night time noise exposure. Whilst other options were found to further reduce the number of people exposed above the NAO night-time priority value, these would have resulted in a much greater number experiencing significant adverse changes, and vice versa. The balance struck by extending the preferred pattern of operation also provides continuity between daytime operations and those occurring between 23:00-00:00, and 06:00-07:00.

Third Condition: A Night-Time Residential Sound Insulation Grant Scheme shall be provided in line with Third Condition

The NAO night-time priority of 55 dB L_{night} reflects levels of noise exposure which presents a clear risk to human health. The Residential Sound Insulation Grant Scheme is therefore designed to mitigate the impact of night time aircraft noise in the vicinity of Dublin Airport. Although noise insulation is a relatively costly measure, a noise insulation scheme comprising of suitable measures with eligibility set around the priority value of 55 dB L_{night} will help to mitigate effects on those who become newly exposed to potentially harmful levels of aircraft noise as per the second aspect of the noise problem. It will also benefit those who have already been exposed to noise above this priority value and would continue to do so in the future. By further allowing those who are forecast to experience very significant effects in 2022 and 2025 to benefit from insulation under the scheme will further reduce the number of people highly sleep disturbed.

Pursuant to Section 34C(10) and (14) of the Planning and Development Act 2000, ANCA directs the planning authority to include the noise mitigation measure and operating restrictions specified in this regulatory decision as conditions of any decision that the planning authority may make on planning permission for the proposed development the subject of planning register reference F20A/0668.

Conditions

First Condition:

The existing operating restriction, Condition 5, of the North Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading as:

'On completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007'

shall be revoked and replaced with an annual noise quota scheme operating restriction as follows:

The Airport shall be subject to a Noise Quota Scheme (NQS) with an annual limit of 16,260 between 23:00 and 06:59 (inclusive, local time) with noise-related limits on the aircraft permitted to operate at night. The NQS shall be applied as detailed below.

Part 1 Definitions

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

Term	Meaning
Annual Quota Period	The twelve-month period from 1 April to 31 March inclusive each year
EASA Noise Certification Database	<p>The database of noise certification levels approved and as varied from time to time by the European Union Aviation Safety Agency (EASA) and published on its website. (https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels).</p> <p>The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organization (ICAO) Annex 16 Volume 1.</p>
Night time	The hours at night between 23:00 (local time) to 07:00 (local time)
Noise Classification Level (NCL)	<p>The noise level band in EPNdB assigned to an aircraft for take-off or landing, as the case may be, for the aircraft in question for the purposes of identifying the Quota Count of the aircraft.</p> <p>The Noise Classification Level for an aircraft taking off from and landing at the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:</p> <p>$NCL(Take-Off) = EPNL(Flyover)$</p> <p>$NCL(Landing) = EPNL(Approach) - 9\text{ dB}$</p>

Quota Count

The amount of the quota assigned to one take-off or to one landing by an aircraft based on the Noise Classification Level for the aircraft having regard for engine type and take-off weight:

Noise Classification Level	Quota Count (QC)
Greater than 101.9 EPNdB	16.0
99-101.9 EPNdB	8.0
96-98.9 EPNdB	4.0
93-95.9 EPNdB	2.0
90-92.9 EPNdB	1.0
87-89.9 EPNdB	0.5
84-86.9 EPNdB	0.25
81-83.9 EPNdB	0.125
Less than 81 EPNdB	0

Part 2 – Noise Quota Scheme

2.1 Subject the dispensations described in Paragraph 2.2:

- a. A take-off or landing at the Airport shall be determined to fall within the night time based on runway time.
- b. No aircraft with a Quota Count of 4.0 or more shall be permitted to take off at the Airport during the night time.
- c. No aircraft with a Quota Count of 2.0 or more shall per permitted to land at the Airport during the night time.
- d. Each aircraft landing at or taking off from the Airport during the night time will be assigned a Quota Count based on its Noise Classification Level.
- e. The Noise Quota at the Airport shall be limited to 16,260 for the Annual Quota Period.

2.2 The restrictions set out in Paragraph 2.1 shall not apply in any of the following dispensations:

- a. Where a take-off or landing of any aircraft at the Airport is made in an emergency, where there is an immediate danger to life or health, whether human or animal.
- b. Where a take-off or landing of any aircraft at the Airport occurs as a result of a delay to that aircraft which is likely to lead to serious congestion at the Airport and/or serious hardship or suffering to passengers or animals.
- c. Where a take-off or landing of any aircraft at the Airport occurs as a result of widespread and prolonged disruption of air traffic.
- d. Flights for military, medical or humanitarian purposes granted exemption by the Irish Government

Part 3 – Noise Quota Scheme Reporting Requirements

- 3.1 The Applicant shall submit quarterly reports to the planning authority and ANCA on its implementation of the Noise Quota Scheme. The reports shall include:
- a. The number of aircraft operating during the Noise Quota Period and their type, including technical details including their engines and take-off weights, where applicable;
 - b. The Quota Count assigned to aircraft operating in the Noise Quota Period;
 - c. The total Noise Quota used during the quarter and in the Annual Period to date;
 - d. The total Noise Quota used by Quota Count in the quarter and in the Annual Period to date; and
 - e. Details of any dispensations pursuant to Paragraph 2.2 which have been relied upon during the quarter and in the Annual Period to date.
- 3.2 The quarterly reports shall be issued so that:
- a. The first quarterly report considering activity over the period 1 April to 30 June each year is published by no later than the 30 September each year
 - b. The second quarterly report considering activity over the period 1 July to 30 September each year is published by no later than the 31 December each year
 - c. The third quarterly report considering activity over the period 1 October to 31 December each year is published by no later than the 31 March the following year
 - d. The fourth quarterly report considering activity over the period 1 January to 31 March each year is published by no later than the 30 June each year

Part 4 – Noise Performance Reporting

- 4.1 The Applicant shall issue annual reports to the planning authority and ANCA on its noise performance. The report for the previous Annual Period (1 January to 31 December) shall be issued by no later than 31 March each year, for the first full Annual Period to which this regulatory decision applied and comprise of:
- a. Noise exposure statistics and contours as required to facilitate performance review of the Noise Abatement Objective including as a minimum:
 - Annual 55dB L_{night}
 - Annual 65dB L_{den}
 - the number of people 'highly sleep disturbed' and 'highly annoyed' in accordance with the approach recommended by the World Health Organisation's Environmental Noise Guidelines 2018 as endorsed by the European Commission through Directive 2020/367, taking into account noise exposure from 45 dB L_{den} and 40 dB L_{night}
 - Annual L_{night} contours from 40 dB in 5 dB increments
 - Annual L_{den} contours from 45 dB in 5 dB increments
 - Summer 60 dB $L_{Aeq, 16hr}$, 63 dB $L_{Aeq, 16hr}$ and 69 dB $L_{Aeq, 16hr}$ (measured averaged across 92-day summer period from 16th June to 15th September).

- b. Confirmation of the number of residential properties that (i) have benefitted from and (ii) are eligible for but yet to benefit from the Applicant's noise insulation schemes.
- c. Key Statistics with respect to aircraft operations in the preceding Annual and Summer Periods including but not limited to:
 - aircraft movements including average hourly movements
 - use of the Noise Quota Scheme
 - movements by aircraft type
 - passenger numbers
 - aircraft destinations
 - flight routings
 - runway use
- d. Summaries from noise monitoring terminals for the Airport in such format as ANCA shall stipulate
- e. Details of all noise modelling undertaken in support of the Noise Performance Reporting describing compliance with the methodology set out in Directive 2015/996 (ECAC Doc.29 4th Edition). All noise modelling shall be validated using local noise and track keeping performance data from the Airport's systems.
- f. Summary of complaints records for the preceding Annual Period categorised by the:
 - location of complaints; and
 - reason for complaint
- g. Details of any anticipated changes or developments that may affect noise at the Airport in the current year, through for example airspace change or fleet modernisation.

REASON:

To limit the impact of the aircraft noise at Dublin Airport on sleep disturbance in the interest of residential amenity and to ensure the effective implementation of the Noise Abatement Objective for the Dublin Airport by means of a noise-related limit on aircraft operations.

Second Condition

The existing operating restriction imposed by Condition 3(d) and the exceptions at the end of Condition 3 of the North Parallel Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading:

3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 0700 hours, except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports.'

shall be amended as follows:

Runway 10L/28R shall not be used for take-off or landing between 00:00 and 05:59 (inclusive, local time) except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports or where Runway 10L/28R length is required for a specific aircraft type.

REASON:

To permit the operation of the runways in a manner which reduces the impacts of aircraft night time noise, whilst providing certainty to communities as to how they will be affected by night time operations from the North Runway, while also providing continuity with the day-time operating pattern set down by Conditions 3(a)-(c) of the North Runway Planning Permission.

Third Condition:

A voluntary residential sound insulation grant scheme (RSIGS) for residential dwellings shall be provided. Initial eligibility to the scheme shall apply to all residential dwellings situated within the Initial Eligibility Contour Area as shown in Figure 3.1 - regulatory decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022.

Eligibility to the scheme shall be reviewed every 2 years commencing in 2027 with residential dwellings situated in the 55 dB L_{night} contour being eligible under the scheme as detailed below.

Part 1 Definitions

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

Term	Meaning
Approved Contractor	A contractor procured and managed by the Applicant and considered competent and appropriately qualified and have suitable levels of insurance coverage to install the sound insulation measures described in Part 4 in line with acceptable standards and in compliance with the Building Regulations.
Bedroom	A room other than in an attic or loft within an Eligible Dwelling which is used as sleeping accommodation.
Competent Surveyor	An appropriately qualified surveyor to inspect and determine relevant information in relation to the existing construction and elements of an Eligible Dwelling for the purposes of undertaking an Elemental Analysis as defined in Part 5.1, Step 5 below.
Eligibility Contour Area	The 55 dB L_{night} contour area as varied from time to time pursuant to the review process set out in Part 3.2 below.
Eligible Dwelling	A habitable dwelling built in compliance with the provisions of the building regulations and the Planning and Development Act within the Eligibility Contour Area and which otherwise qualifies under the conditions set out under Part 3.1 below.
Index Linked	Index-linked by reference to changes in the Consumer Price Index (CPI) (maintained by the Central Statistics Office) in the period between the Application and the date of the Statement of Need.
Initial Eligibility Contour Area	The area shown on the map Figure 3.1 - regulatory decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022.
Relevant External Noise Level	The noise exposure level at the relevant Eligible Dwelling.
Statement of Need	The recommended measures identified from those available under the scheme as outlined in Part 4
Target Performance	An improvement of at least 5 dB, where feasible, in the sound insulation of each bedroom of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

Part 2 – Purpose of the Scheme

- 2.1 The purpose of the scheme is to provide financial assistance by the Applicant to property owners in the form of a grant in the sum of €20,000 (Index Linked) towards the costs of noise insulation measures to Bedrooms in Eligible Dwellings (the Grant).
- 2.2 Bedrooms and properties may qualify only once for the financial assistance provided under this scheme.
- 2.3 Where a dwelling is eligible under this scheme but is also eligible for insulation under the Residential Noise Insulation Scheme (RNIS) and the Home Sound Insulation Programme (HSIP) best endeavours shall be made by the Applicant to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

Part 3 – Eligibility

- 3.1 Dwellings shall be determined to be Eligible Dwellings under this scheme if they are located within (i) the Initial Eligibility Contour Area as shown in Figure 3.1 - regulatory decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022 or (ii) the Eligibility Contour Area (following any review carried out pursuant to Part 3.2 below) and:
 - a. Were constructed pursuant to a planning permission granted following a planning application lodged on or prior to 09th December 2019, being the date of adoption of Variation No. 1 to the Fingal Development Plan 2017 – 2023 incorporating policies relating to development within Aircraft Noise Zones and
 - b. Have not benefitted from noise insulation previously under this scheme; and
 - c. Have not benefitted from noise insulation under either the RNIS or HSIP schemes previously.
- 3.2 By 31 March 2027 and every two years thereafter, the Applicant shall update and publish a revised Eligibility Contour Area map identifying all authorised habitable dwellings within the 55 dB L_{night} contour in the calendar year immediately preceding the review.

Part 4 – Measures available under the Scheme

- 4.1 The owner of an Eligible Dwelling in accordance with Part 3 and following the procedure described in Part 5 shall be entitled to the Grant to be applied towards a selection of insulation measures to be applied to Bedrooms within an Eligible Dwelling as specified in Paragraphs 4.2 to 4.10 below.
- 4.2 The insulation measures referred to in Paragraph 4.1 must be installed by an Approved Contractor and comprise of the following unless the equivalent measure already exists within the Eligible Dwelling:
 - a. Primary Acoustic Glazing
 - b. Secondary Acoustic Glazing
 - c. Glazing Roof Light
 - d. Passive Ventilator
 - e. Mechanical Ventilator
 - f. Loft Insulation
 - g. Ceiling Overboarding

- 4.3 The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarized in Part 5 below.
- 4.4 Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4mm laminated glass with minimum 100mm gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

Thickness of Glazing of the Inner Window	Minimum Horizontal Distance
Less than 4 mm and not less than 3 mm thick	200 mm
Less than 6 mm and not less than 4 mm thick	150 mm

- 4.5 Where secondary glazing is being installed reasonable endeavours will be made to repair the draft seals, catches and hinges to provide an air-tight seal on the existing primary glazing unit.
- 4.6 Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum R_w of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.
- 4.7 Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the bedrooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable- speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).
- 4.8 Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of 80kg/m³. Where insulation is already present but found to be unsatisfactory additional layers of insulation will be added to increase the total thickness to 200mm.
- 4.9 Any ceiling overboarding shall comprise of a continuous layer of mass to provide at least 12kg/m² added above joists in attic, for example 22mm plywood (or similar approved).
- 4.10 In the event that loft Insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12 kg/m², i.e. 15mm SoundBloc (or similar approved).

Part 5 – Procedure

- 5.1. The Applicant in operating this Scheme shall follow the procedure set out in this Part 5 as required in the discharge of the Applicant's obligations under Condition 7 of the North Runway Consent, the discharge of which obligations is achieved through the RNIS.

Step 1 – Determine Eligibility - Eligible Dwellings shall be identified as per Part 3 of this Schedule.

Step 2 – Notification of Eligibility - The Owner of an Eligible Dwelling shall be notified of their eligibility under the scheme within six months of their eligibility being determined under Step 1.

Step 3 – Determine Relevant External Noise Level - The Relevant External Noise Level at the Eligible Dwelling shall be determined

Step 4 – Undertake Building Survey – The Applicant shall use reasonable endeavours to arrange for the Eligible Dwelling to be inspected by the Competent Surveyor (and secure the necessary agreement to this from the owner of the Eligible Dwelling) within six months of eligibility being determined to record relevant information. The building survey shall be carried out by a Competent Surveyor appointed on behalf of the Applicant. The survey shall record the location and number of Bedrooms, and for each Bedroom record the following relevant information:

- External wall constructions - where possible the construction type of the external walls will be recorded for example wall composition including inner leaf, cavity, and external leaf dimensions including all associated building materials;
- Window type – e.g. frame material, single glazing, double glazing, including key dimensions;
- Roof construction – including where possible roof construction type
- Details of chimneys and fireplaces
- Ventilation paths – e.g. existing wall and floor vent types, quantities and dimensions
- Details of any existing sound insulation measures which have been installed previously
- Dimensions of all Bedrooms including window, roof and wall dimensions
- Drawings and/or floor plans – if these are available from the owner
- Photographic records of the building

Step 5 – Elemental Analysis - An elemental analysis shall be undertaken to provide a technical assessment of the noise insulation required for the Eligible Dwelling. The following process shall be followed:

- a. The existing sound insulation properties of each Bedroom shall be established
- b. The anticipated future internal noise levels within each Bedroom having regard for the Relevant External Noise Level, presented in octave bands scaled from measurements taken around the Airport, and the existing noise insulation performance obtained from Step a.
- c. A comparison shall be made between the anticipated internal noise level to the BS8233:2014 Targets for internal ambient noise;
- d. An assessment will be undertaken to determine the required improvement in the noise insulation performance, having regard for the Target Performance.
- e. Through an elemental analysis, the most effective combination of measures set out in Part 4 having regard for the Target Performance and the financial assistance grant shall be identified.

Step 6 – Statement of Need - A Statement of Need shall be prepared for each Eligible Dwelling. The Statement of Need will be a bespoke document for each Eligible Dwelling. The Statement of Need shall:

- a. Describe the existing sound insulation performance for each Bedroom having regard for the Building Survey as described in Step 4
- b. Identify the potential improvement in the existing sound insulation performance for each Bedroom as can be afforded within the Grant and whether the Target Performance can be met
- c. Set out the recommended set of measures for the Eligible Dwelling in the form of a schedule of works and the associated measures on a bedroom-by-bedroom basis
- d. Provide an opinion on the future internal noise level following the implementation of the noise insulation works and the ability of the works to meet Target Performance.

The Statement of Need shall be issued to the owner of the Eligible Dwelling.

Step 7 – Acceptance - Subject to the owner of the Eligible Dwelling agreeing to the scope of works as defined under the Statement of Need, the engagement of the Approved Contractor and access to the dwelling by the Approved Contractor for the purposes of undertaking the works, the Airport will use reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within six months of the owner's agreement to the same.

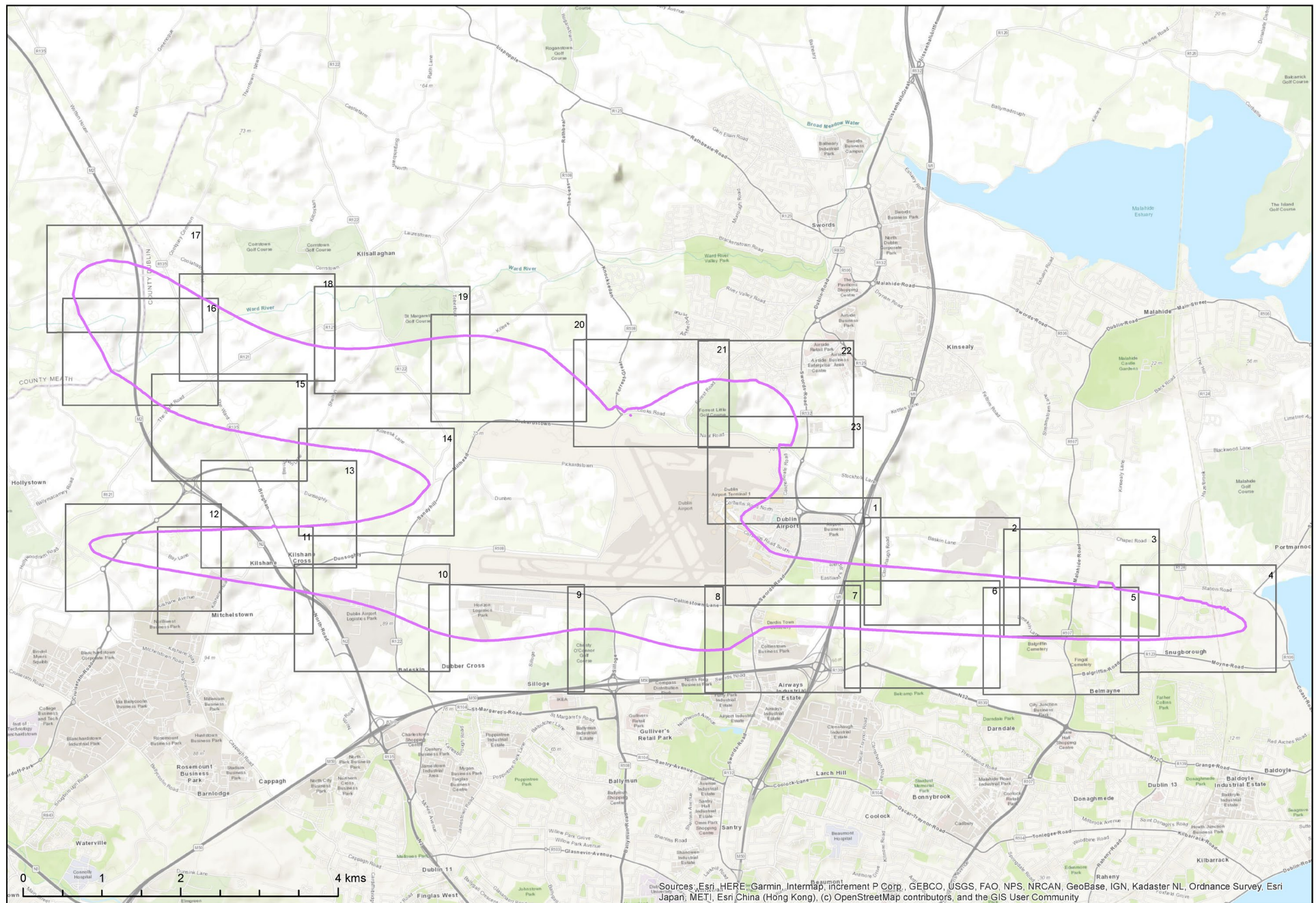
Step 8 – Works – The scope of works as defined by the Statement of Need shall be undertaken by the Approved Contractor or a suitably qualified contractor procured by the home owner. The Applicant shall procure the Approved Contractor to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations and that the Approved Contractor provides the owner with all appropriate certification and warranties relative to the works completed to the Eligible Dwelling. The Approved Contractor shall photograph the Eligible Dwelling before and after the works for record purposes.

5.2 In the event that a property owner declines to accept the scope of works as defined under the Statement of Need (Step 6) the Applicant shall make a grant available towards the costs of sound insulation measures through the Approved Contractor equal to the cost of the measures identified through the Statement of Need. This grant may be used by the owner to request alternative measures providing they as a minimum meet the Target Performance. Where the alternative measures are calculated to cost more than the cost of the measures identified through the Statement of Need, any difference shall be at the expense of the owner.

5.3 In the event that a property owner wishes to appoint their own competent contractor, the Applicant will provide a specification for the works. The property owner must provide a written quotation from their competent contractor for approval of both the identity of the contractor and the quotation by the Applicant. Following approval, the property owner shall be responsible for managing the works and making payments to their contractor and the provisions of this Schedule B shall be deemed to be amended accordingly. Upon completion of the works, the Applicant will carry out an inspection and issue payment to the property owner. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. Where works are not carried out in accordance with the approved specification, payment will not be made by the Applicant. The Applicant must act reasonable in the approvals process, but if the Applicant does not approve of the contractor or the quotation, payment will not be made by the Applicant.

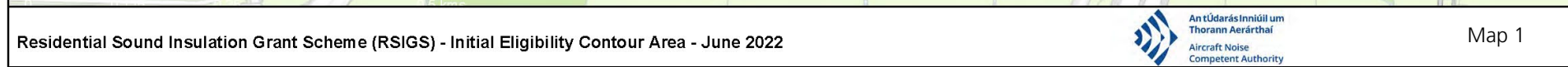
REASON:

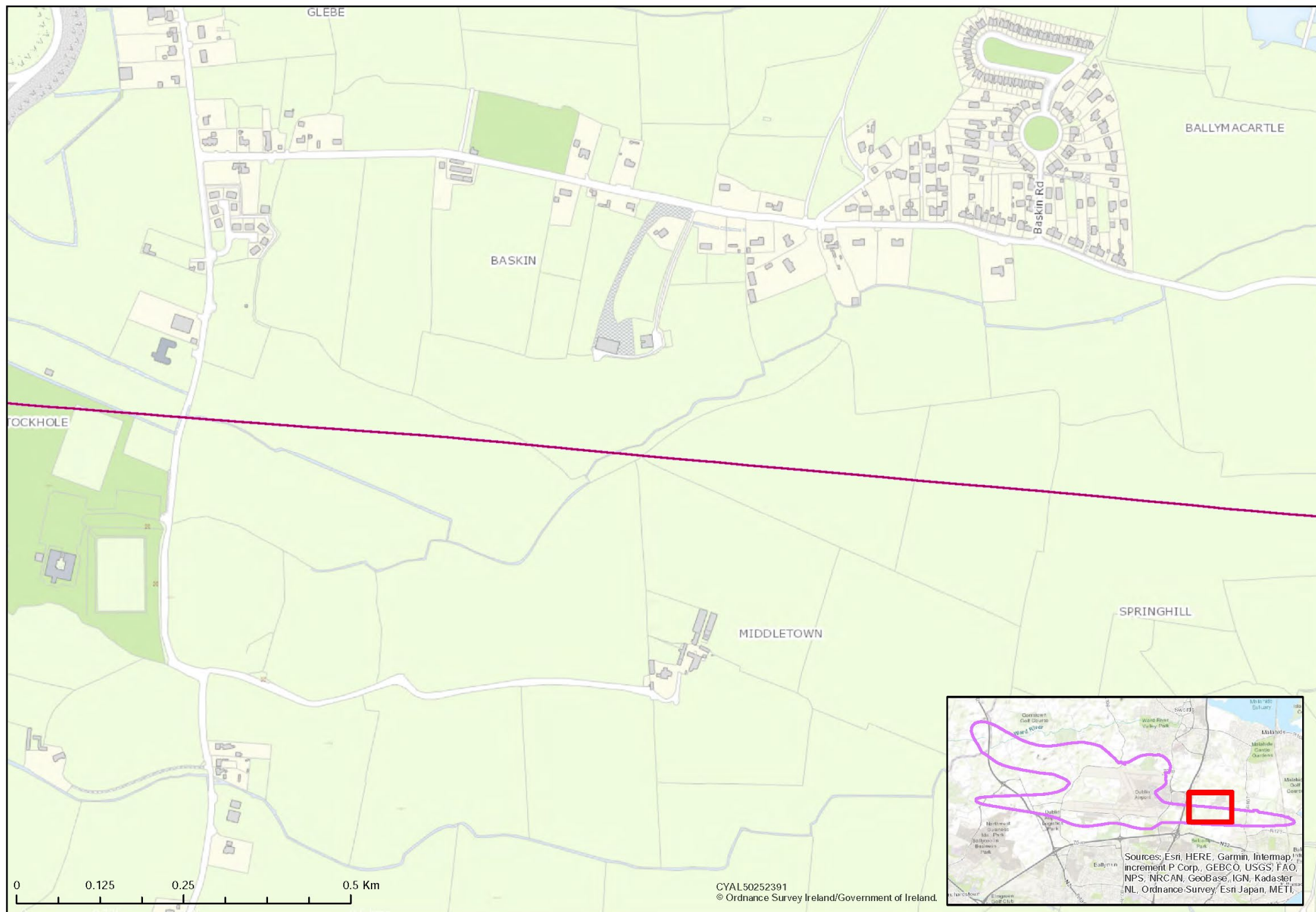
To mitigate the impact of aircraft night time noise as a result of the use of the Airport's runways.



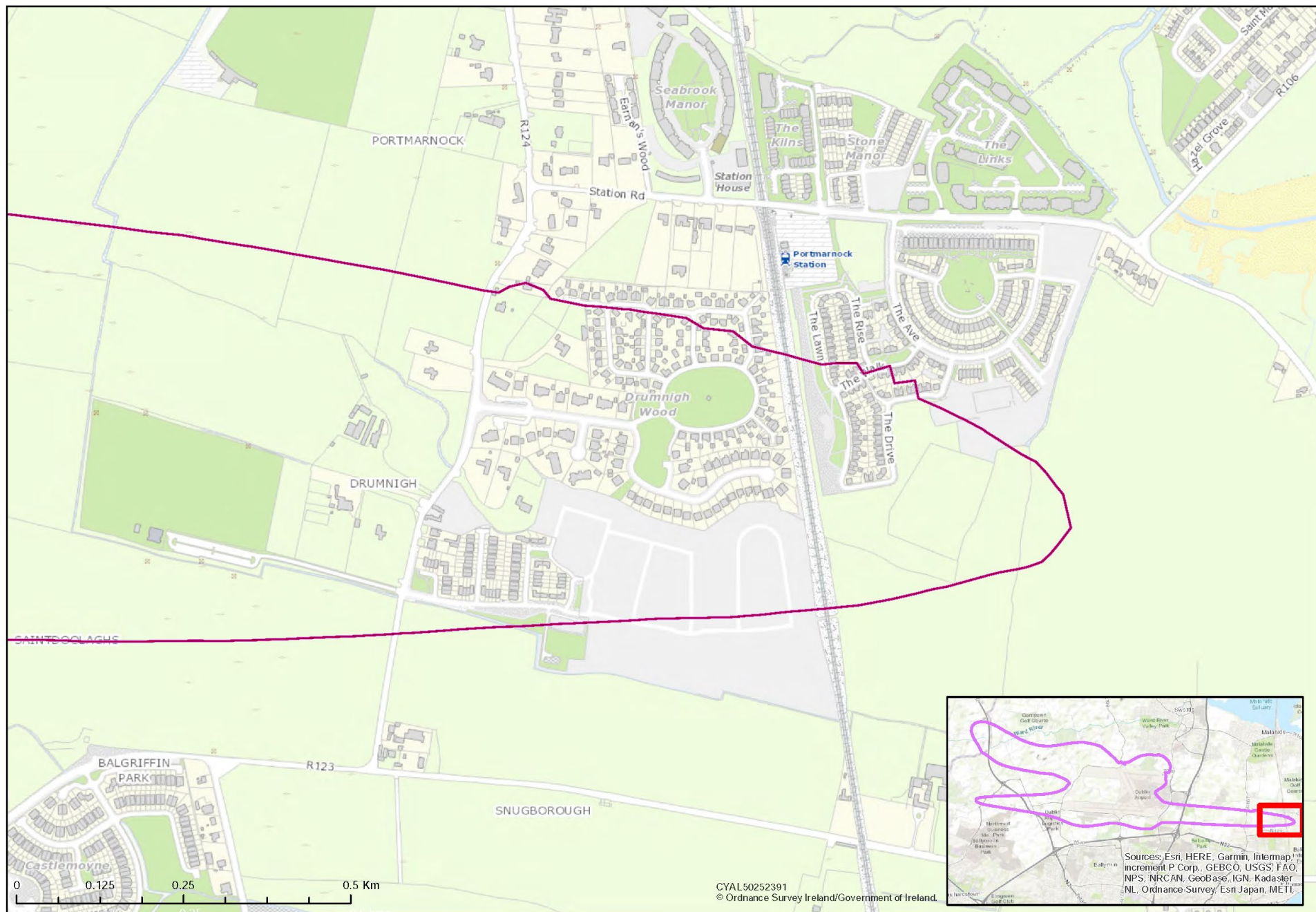
**Figure 3.1 – Regulatory Decision, Third Condition.
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022**

The following maps are provided for clarity and are enlarged elements of the Figure 3.1 Regulatory Decision, Third Condition. Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area – June 2022

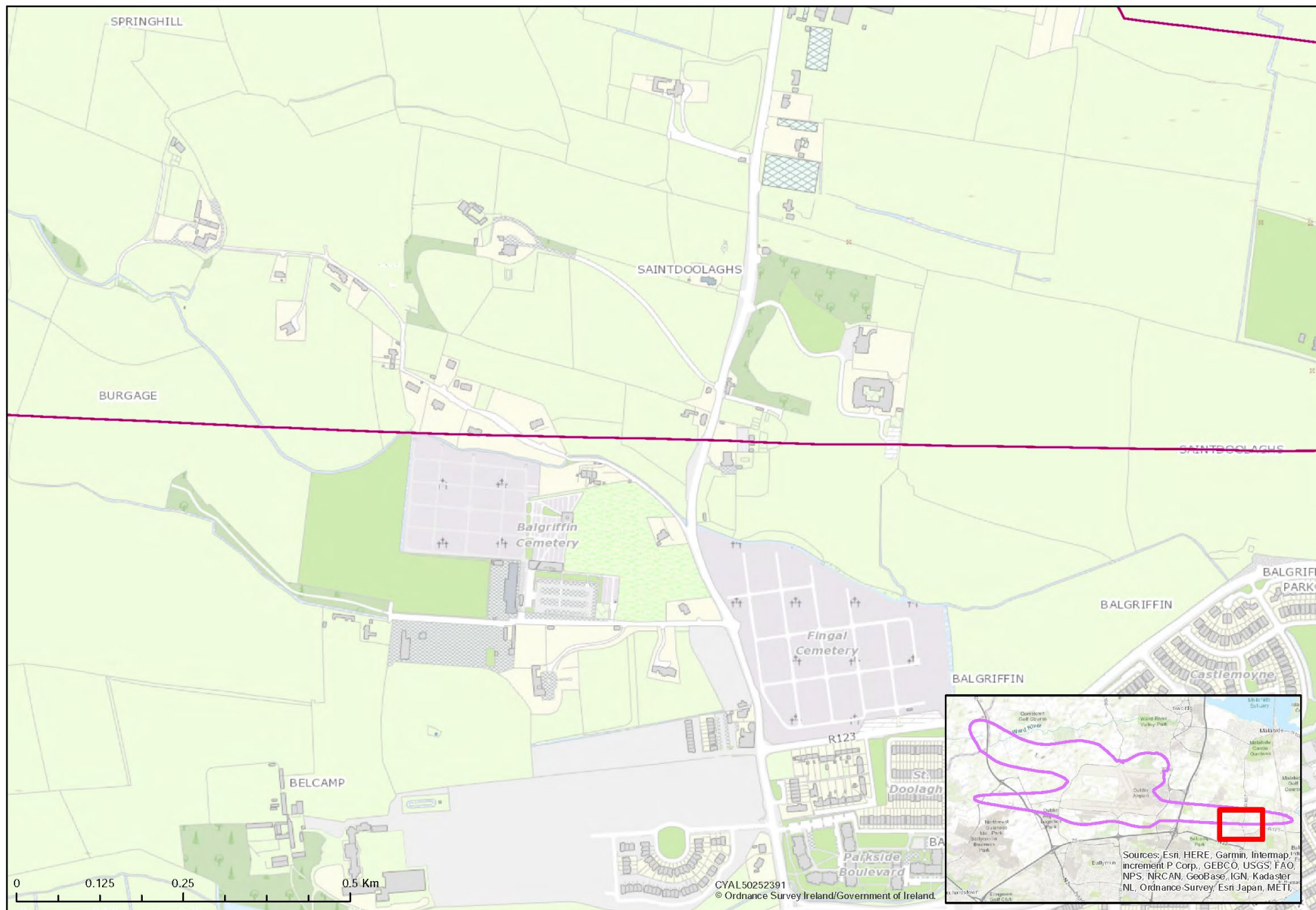




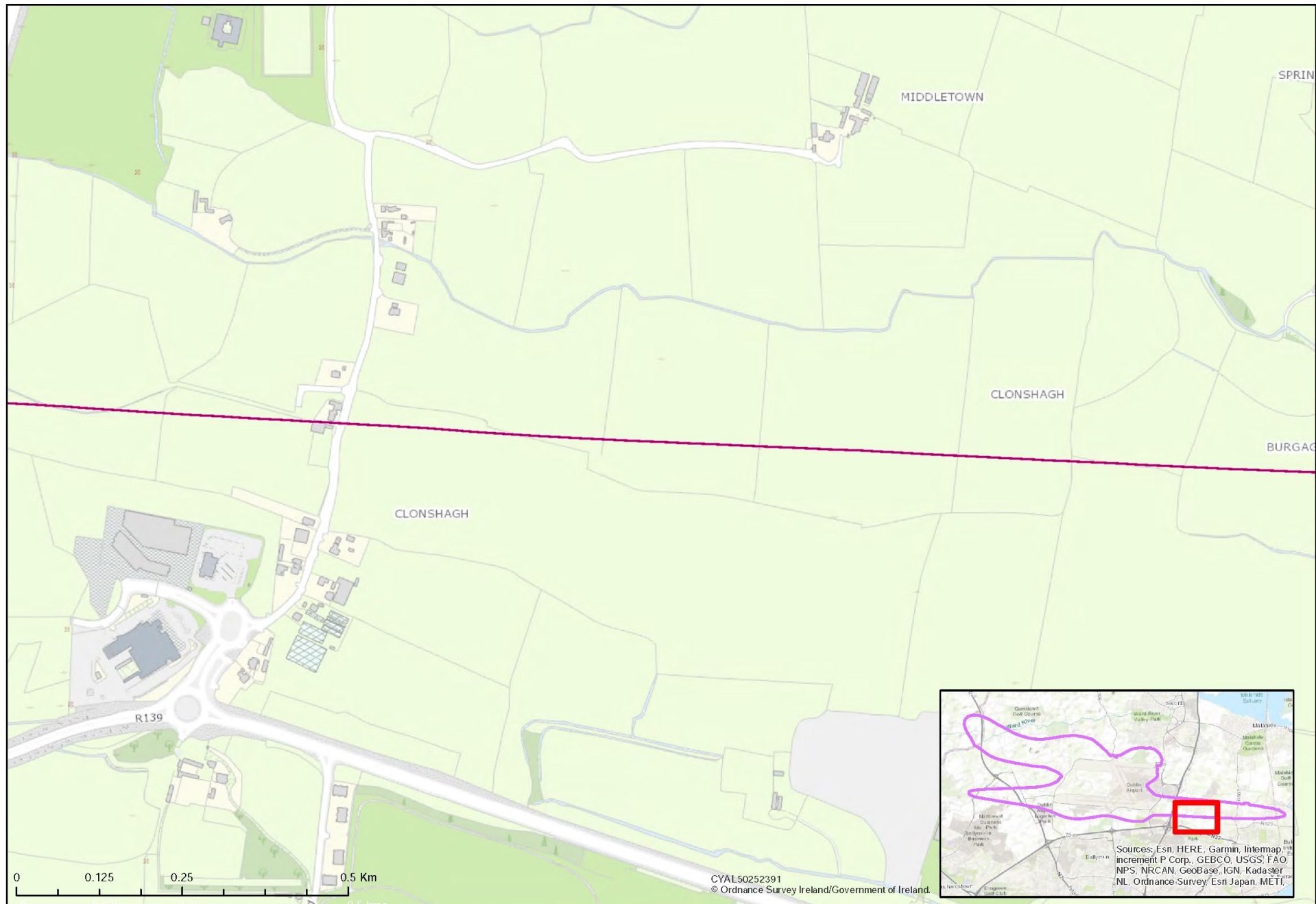
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022

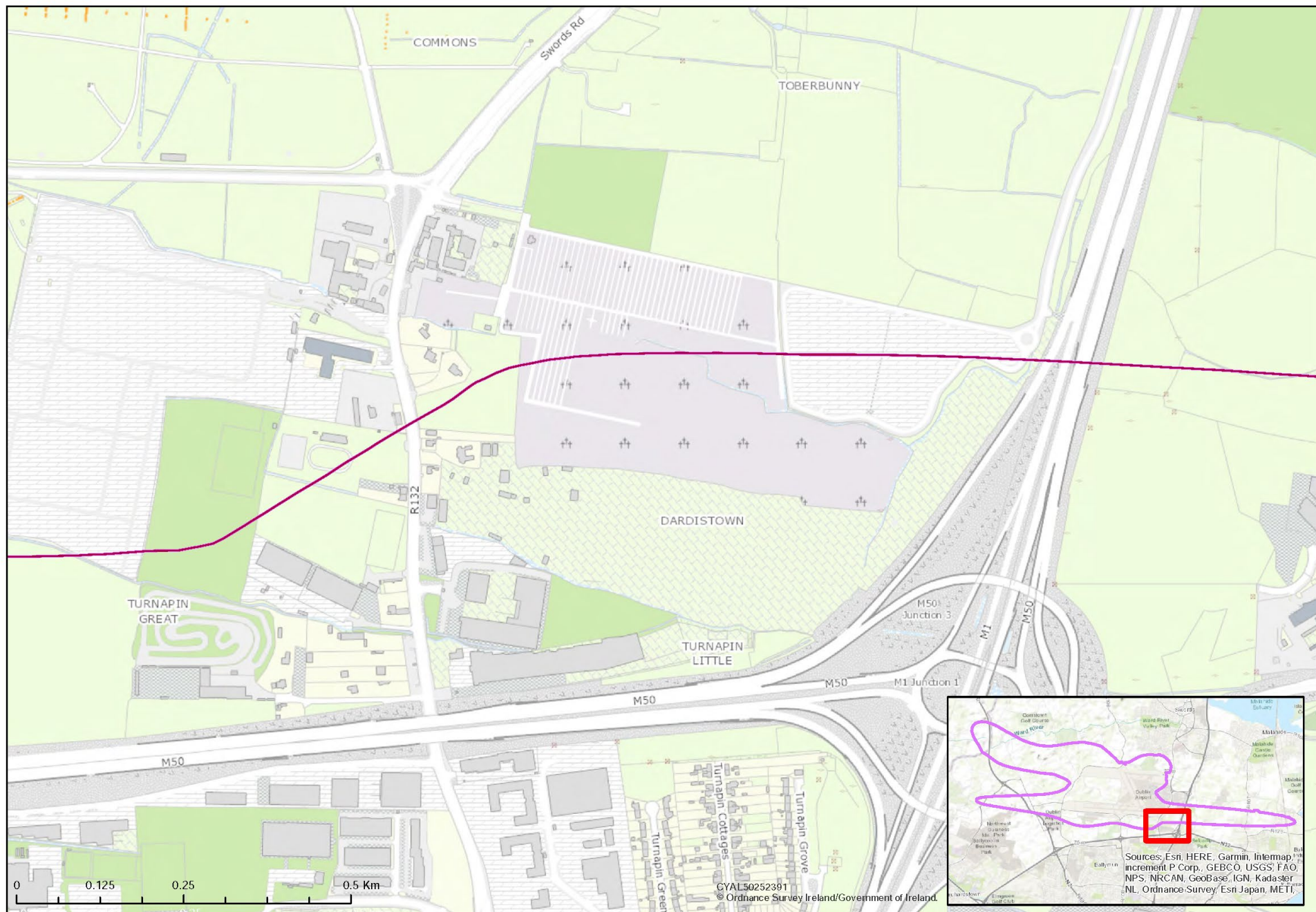


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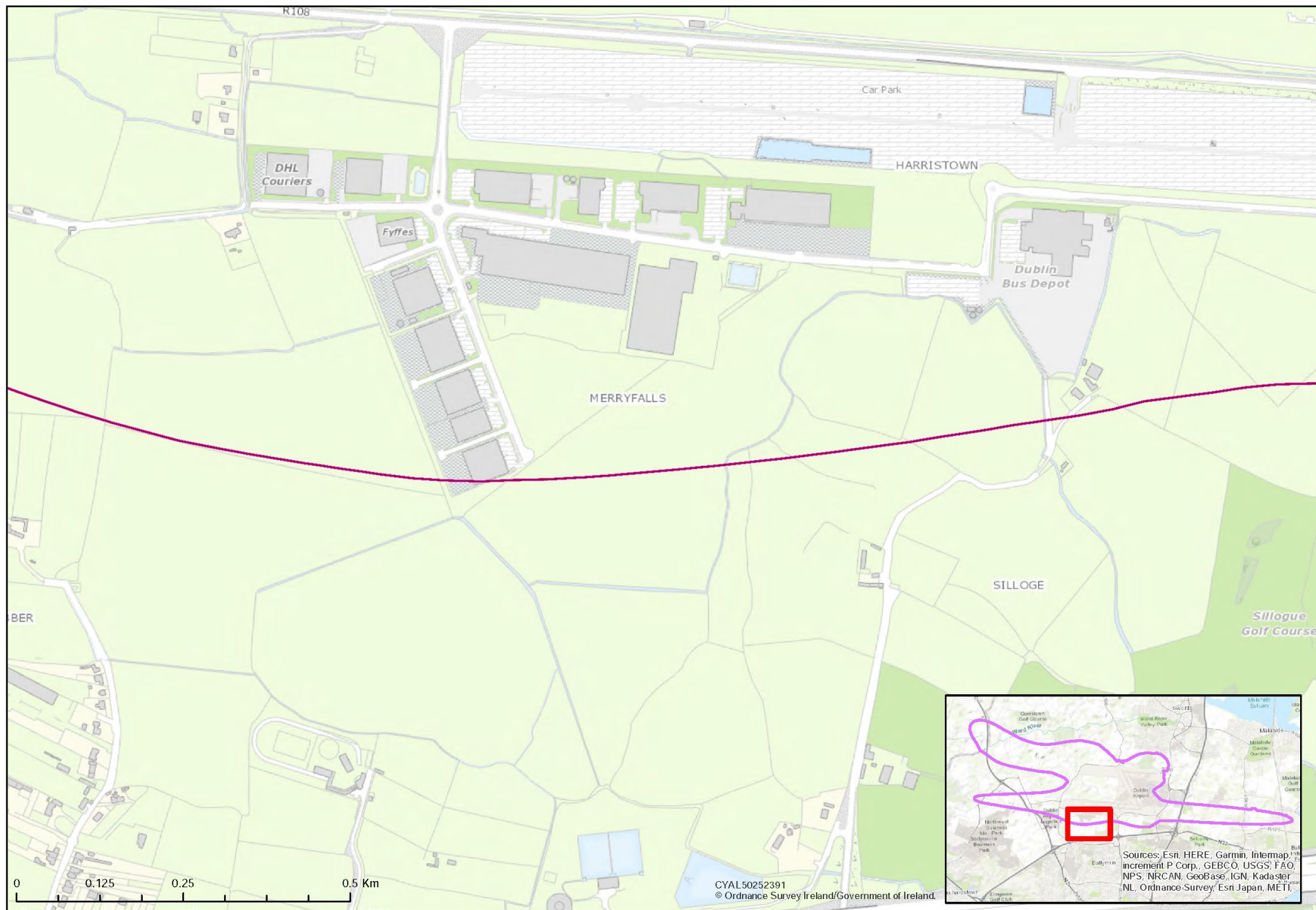
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022





Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022

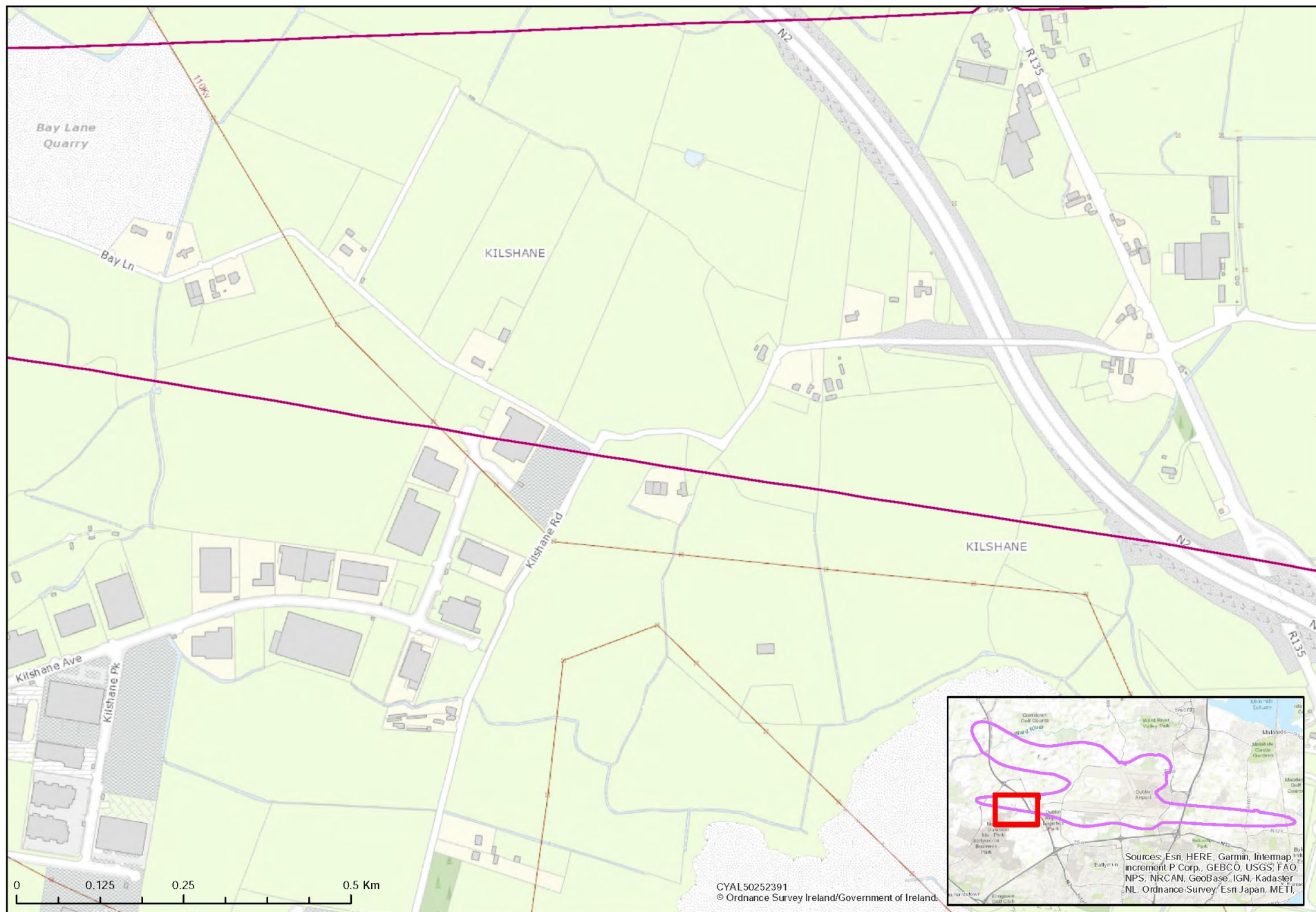
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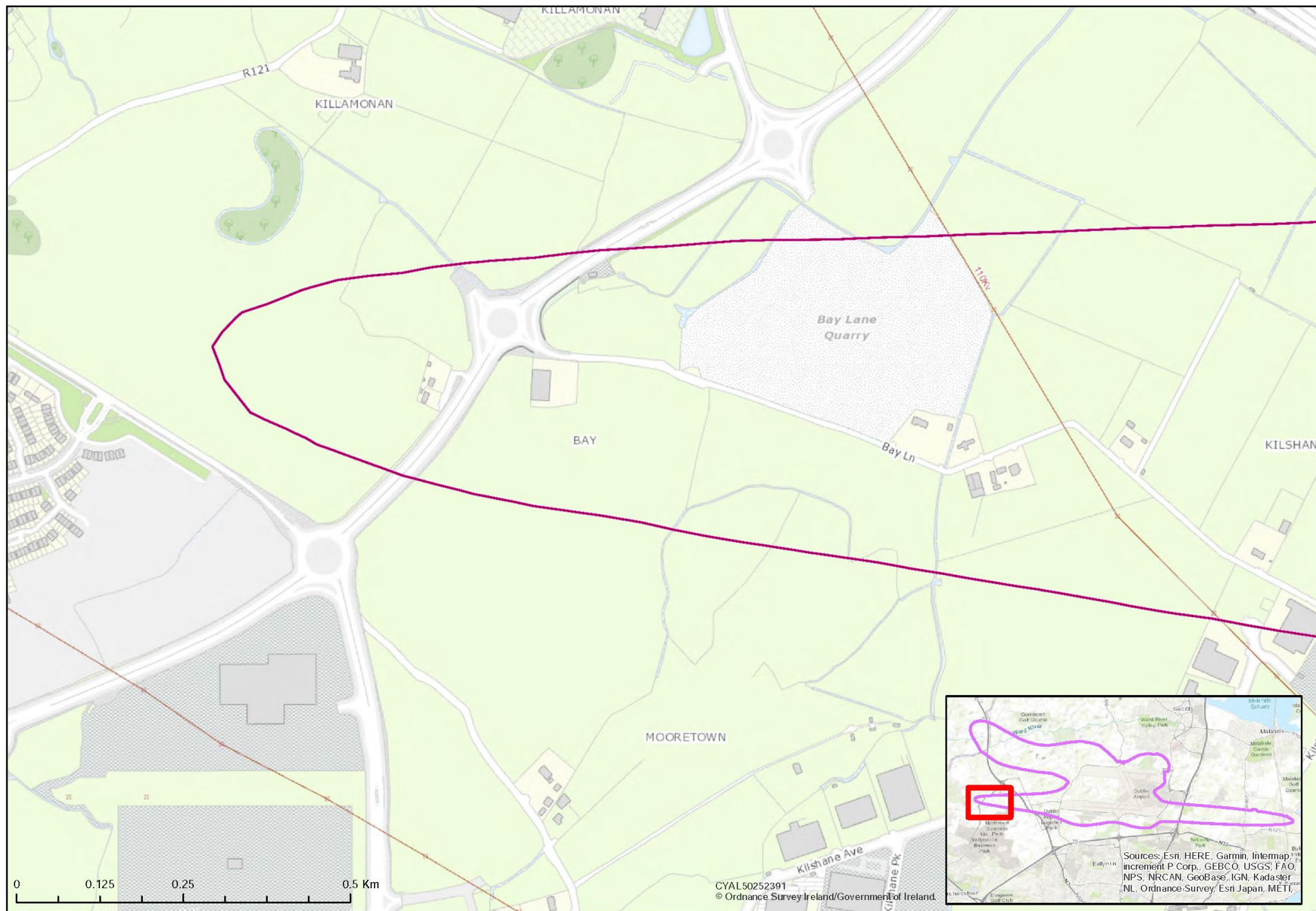
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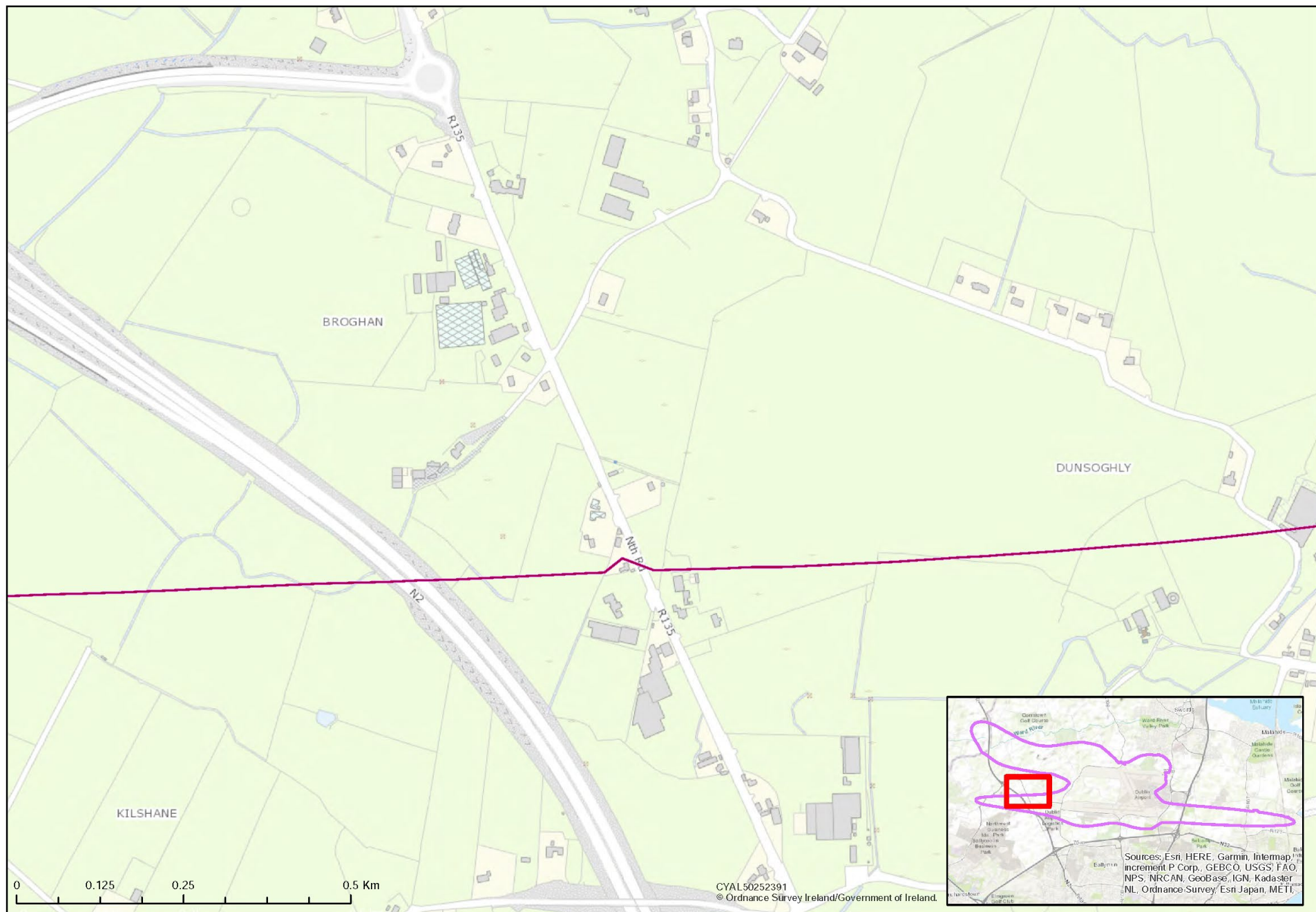
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022



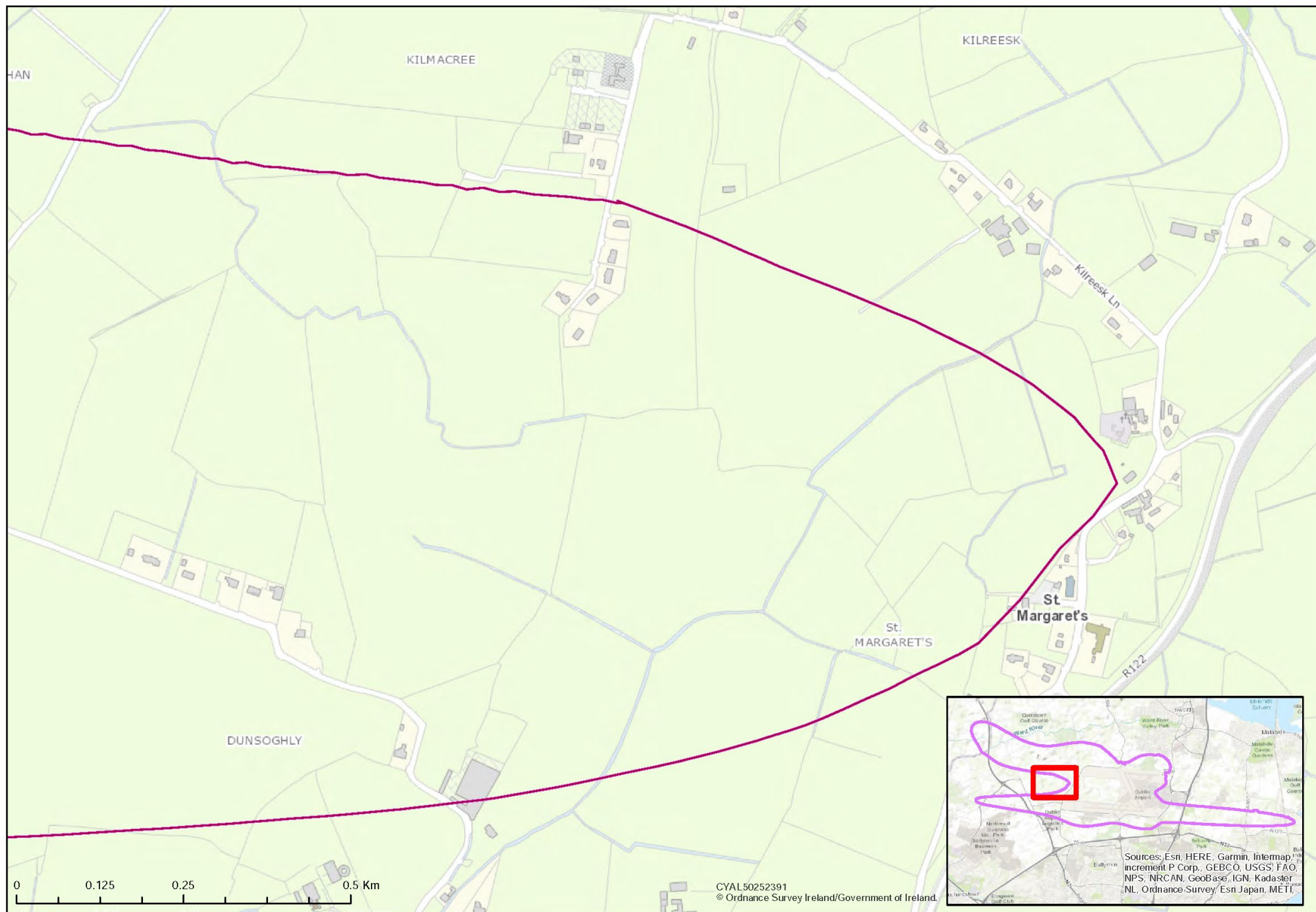
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022



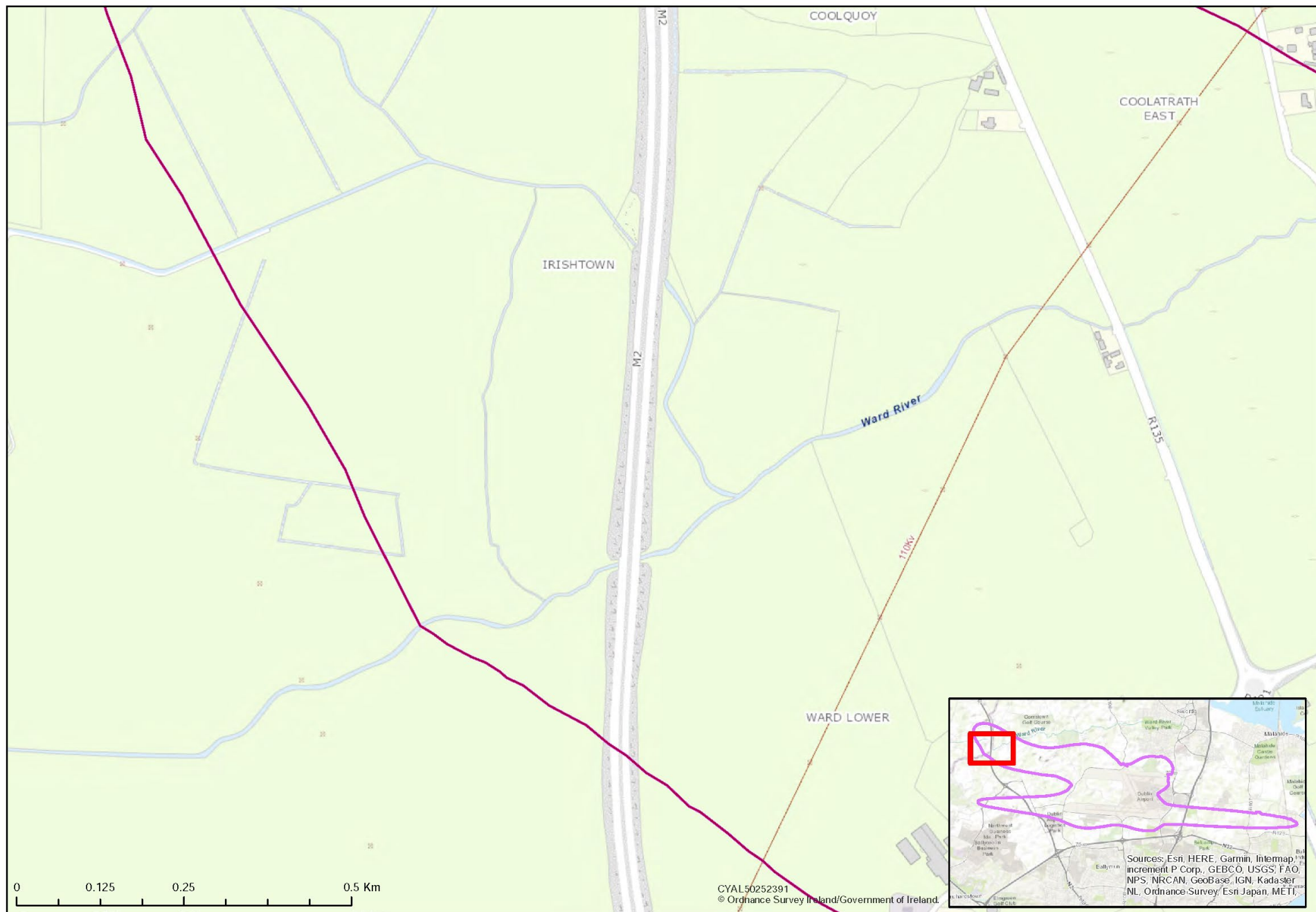
Residential Sound Insulation Grant Scheme (RSIGS) - Initial Eligibility Contour Area - June 2022



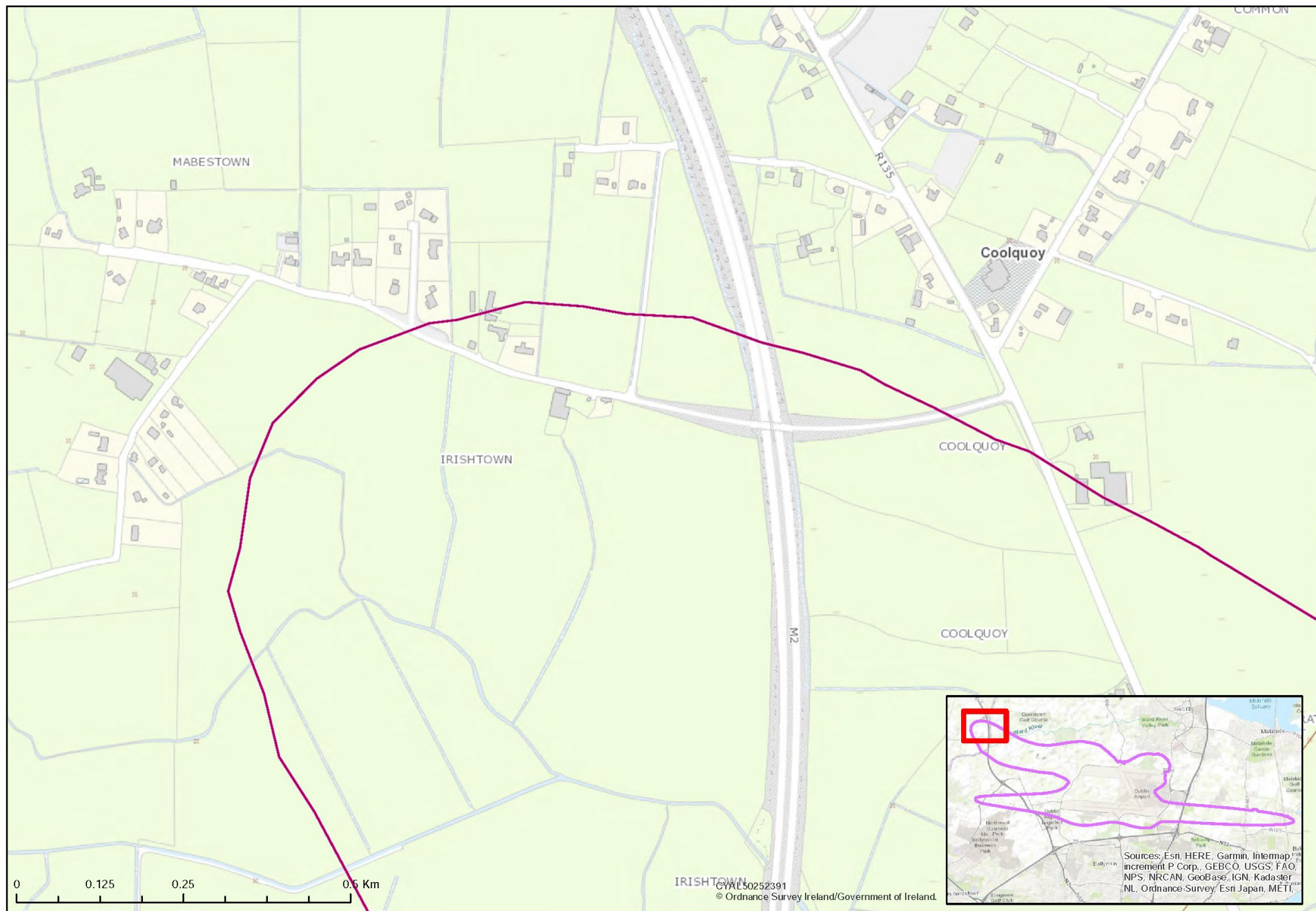
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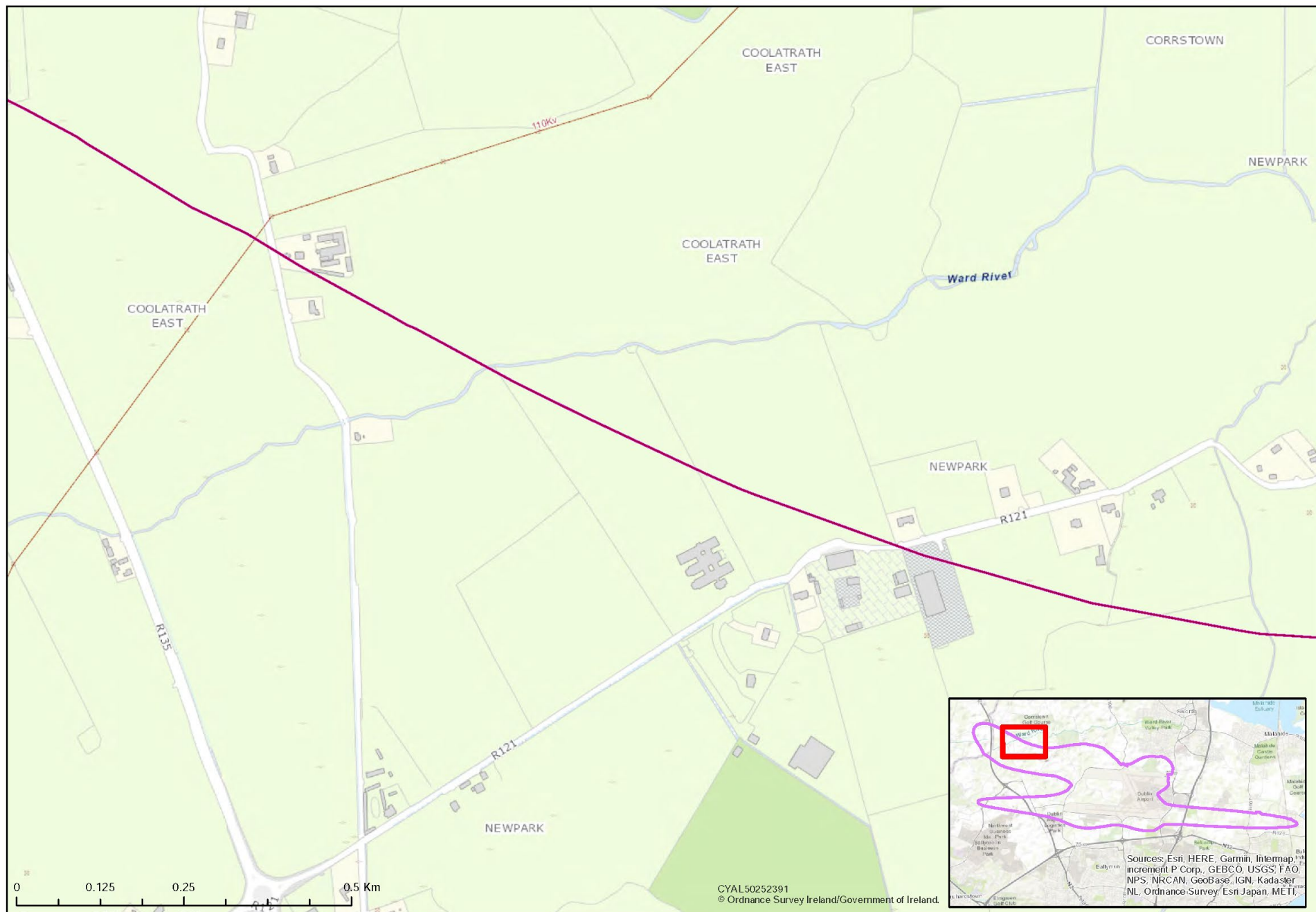


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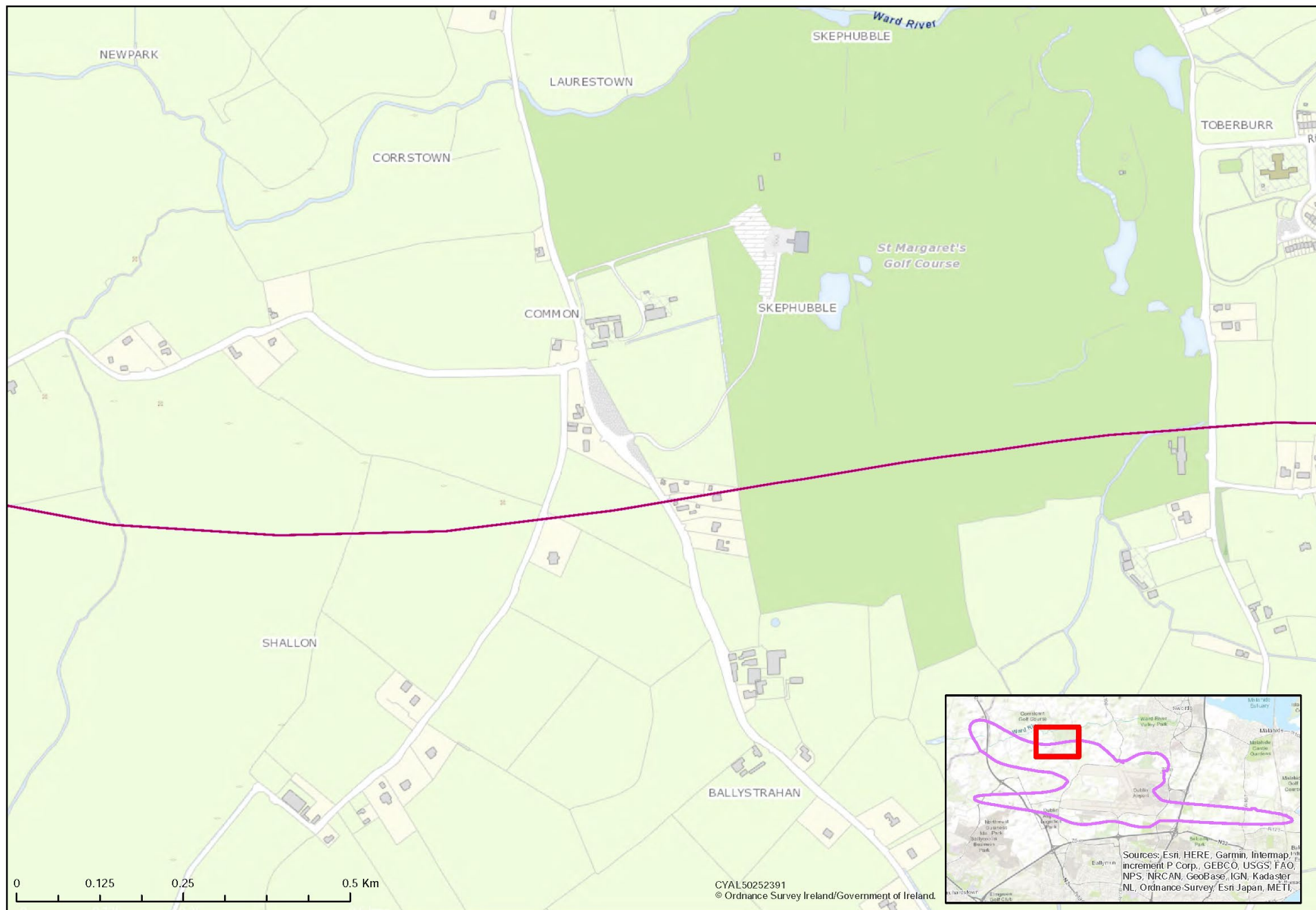


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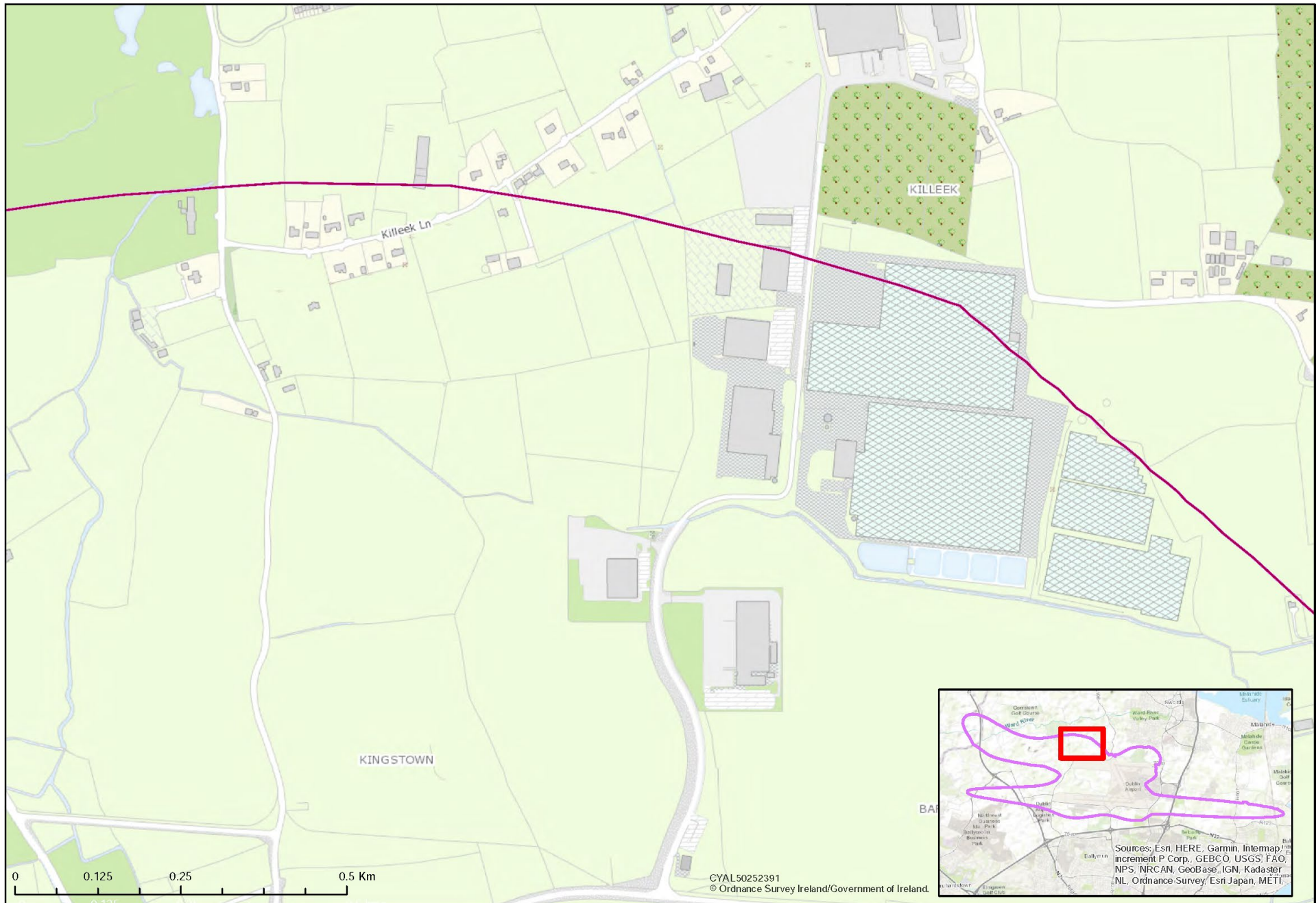




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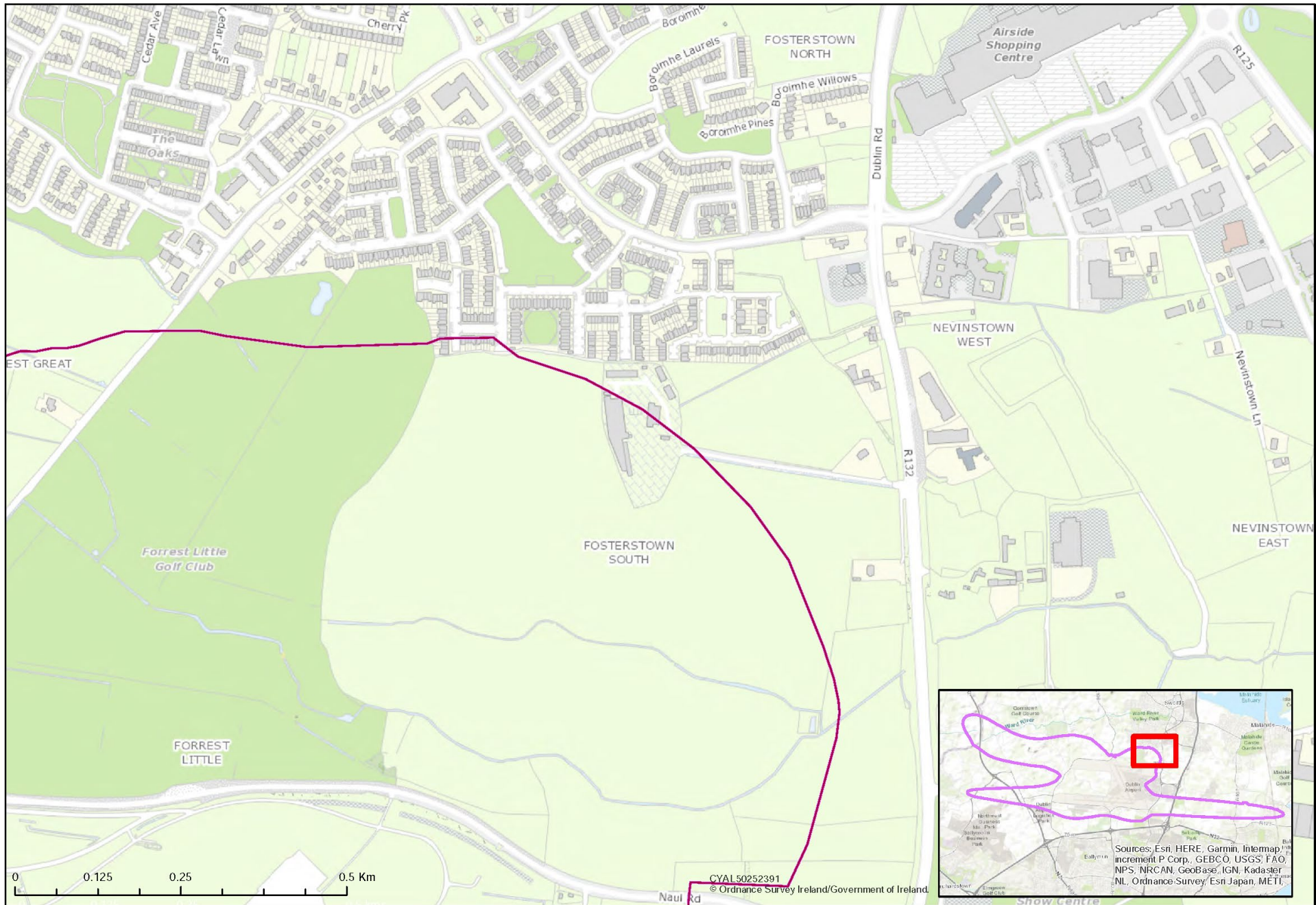


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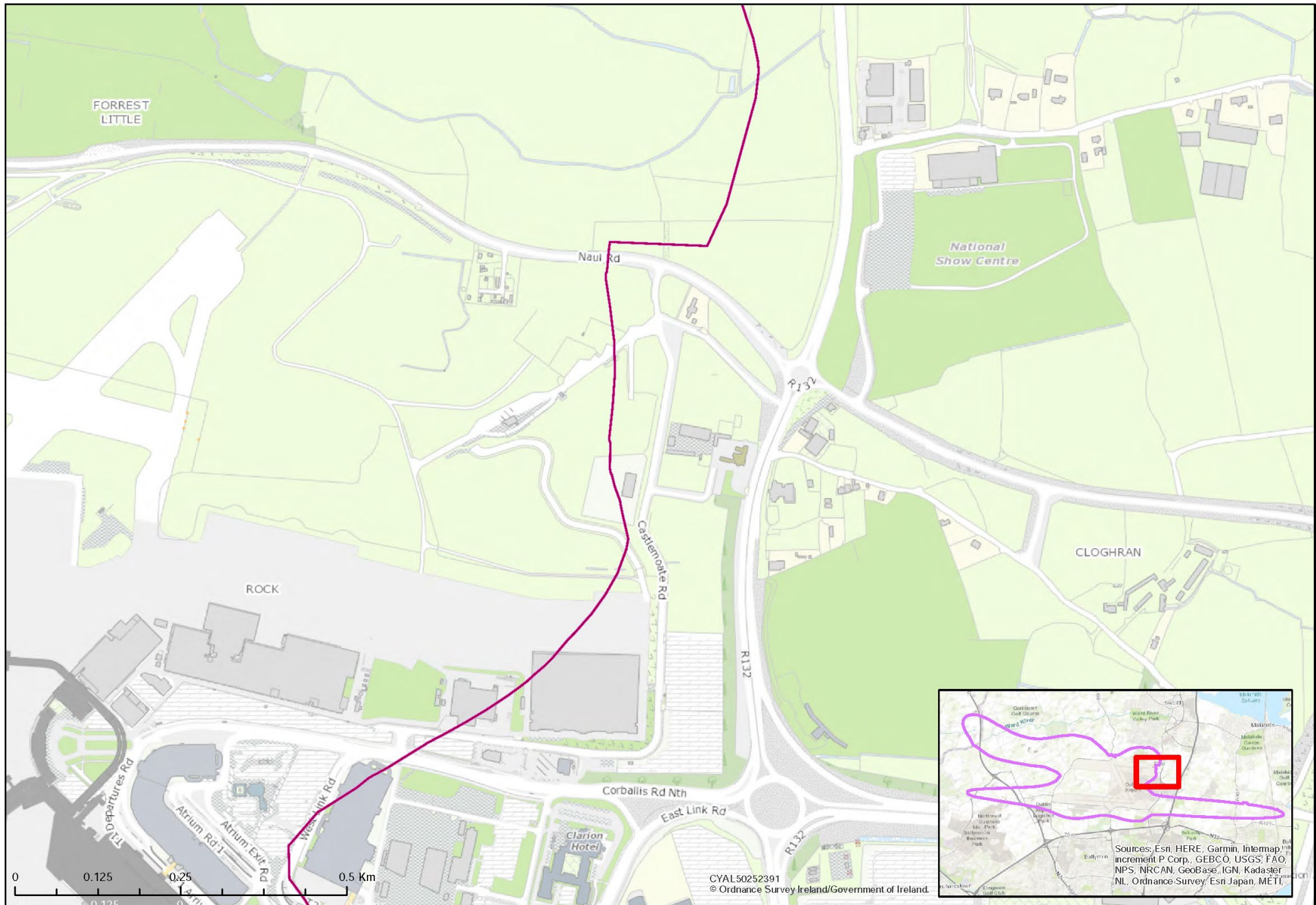




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**An tÚdarás Inniúil um
Thorann Aerárthaí**
Aircraft Noise
Competent Authority

**Comhairle Contae
Fhine Gall**
Fingal County
Council

