

Peter Coyle,
■ Burrow Court,
Portmarnock,
Co Dublin.
■

Aircraft Noise Competent Authority (ANCA),
Fingal Co Council,
Main Street,
Swords,
Co Dublin.

21 February 2022

Re: ANCA Draft Regulatory Decision

A Chairde,

I have studied the ANCA section on Fingal Co Council's website, including the Draft Regulatory Decision and also watched two online webinar sessions. I wish to lodge my observations and objection to the Draft Regulatory Decision.

1. An Bord Pleanála dealt comprehensively with the issue in its decision in 2007 (Planning ref. F04A/1755 / PL06F.217429)

Extensive and comprehensive consideration was made in all submissions and discussions at the oral hearing. Ironically the ABP Inspector recommended Refusal for the new parallel runway. However the Board gave major consideration and recommended the Conditions, particularly relating to night-time noise and activity. Those Conditions are just as relevant today as when the Decision was made.

2. Night Period is Eight Hours

'Night Period' is accepted internationally as an eight hour period, giving people around airports and under flight paths the opportunity to have a full night's sleep consistent with international health guidelines. DAA in its application only wish to acknowledge night as a six and half hour period and also continue substantial night-time activity. ANCA recognizes a 6 hour night with some control on night-time flying between 11.00PM and 7.00AM. This is a contrast to international guidelines and the rights of Fingal citizens.

3. Do DAA and ANCA want Ireland to operate in Central European Time?

The applicants state in their application:

"The demand for these flight times is partly as a result of Dublin Airport's geographical location and the one-hour time difference between it and mainland Europe, meaning that flights need to leave Dublin before 0700 hours to arrive at their destination for the start of the working day. This results in Dublin based aircraft having longer days than competing European hubs."

This issue should be addressed by ANCA and its recommendation given to the Irish Government and the EU. It appears that the DAA would wish to be operating in the

Central European Time Zone. Having one standardized Time Zone is an upcoming issue in the EU. It is not one for the Planning Authority to rule on. In following DAA's wishes and also ANCA's Draft Regulatory Decision, the Planning Authorities would be placing Fingal residents, impacted by aircraft noise, to live by the European Time Zone. This is of course a matter of legal **discrimination**.

4. Noise Maps shown by the applicants ignore flight path divergence required by the Irish Aviation control.

All the noise maps presented (included in the ANCA documents) show direct parallel operation of take-offs and landings. However, officially under Instrument Flight Rules (IFR) **"if both main runways are in operation the departure tracks must diverge by at least 15 degrees immediately after take-off"**. (in order to avoid crashes). Although in local public consultations this issue was referred to and some divergences were shown impacting mainly in the Northern track, this matter was not addressed in the current application or by ANCA. Although in the ordinary operation, Portmarnock Community School is shown to be affected. However, the likes of Malahide Community School and Scoil An Duinninigh at Feltrim Road/Kinsealy Court would be affected by the divergence in take-off. This is not obvious in the maps supplied in this Application, where divergence was not considered, nor is it considered by ANCA.

5. Air Traffic projections are unrealistic.

The projections made were carried out, not taking into account a number of issues including:

- Business travel will be greatly reduced. Covid 19 has shown how international meetings and business can be done online....Zoom etc
- Emphasis will increase in the Environment and Climate Change internationally, now that there is a new US President interested in these areas.
- The predicted impact of the non-availability of carbon fuel for the aviation industry into the future was not considered. To date, no alternative fuel is available, and aviation fuel has the 'benefit' of no tax, which of course is not sustainable. The growth in passenger numbers presented by DAA assumes that the industry will carry on as in the past.

6. Health Implications

The importance of the World Health Organisation is well recognised. Although their guidance was referred to in the ABP consideration in 2006/2007, it was not seen as a Planning requirement at that point. However their guidelines are more likely to be introduced at European level in future. Many studies have shown the adverse impact of aircraft noise on sleep and general health. E.g. one German study stated:

"that aircraft noise clearly and significantly impairs health. For example, a day-time average sound pressure level of 60 decibels increasing coronary heart disease by 61% in men and 80% in women. As another indicator, a night-time average sound pressure level of 55 decibels increased the risk of heart attacks by 66% in men and 139% in women. Statistically significant health effects did however start as early as from an average sound pressure level of 40 decibels."

.

7. Noise Quota Scheme Reports

Actual measurement and control of noise at present and into the future lies with DAA. The question is who oversees that the Noise Quota Scheme is carried out correctly. At present there is a logging system for noise complaints. However, these are ‘handled’ automatically by computer! E.g. I sent in a complaint recently on 01 February 2022 relating to being awakened at 04.48 by aircraft movements, which continued for at least 30 minutes. I received the computer generated acceptance of my complaint. There was no further explanation or apology offered. In the new situation with the Noise Quota Scheme DAA can and will quote **Section 2.2** where “ *The restrictions set out in Paragraph 2.1 shall not apply*” .Who oversees DAA’s in such cases? It appears that ANCA or Fingal Co Council cannot do anything. They just tick the quarterly or annual reports submitted. Do I or other members of the general public have to take a legal case?

Conclusion.

An Bord Pleanála gave comprehensive and detailed consideration back in 2007 to the issues now raised in this new Planning Application by the DAA.

I do not have confidence in the operation of the proposed Noise Quota Scheme under the direct control by DAA and no routine overseeing by ANCA, Fingal Co Council or the EPA.

The European Central Time cannot be discriminately introduced to operate in Fingal. ‘Night Period’ is accepted internationally as eight hours, and not six hours. The Planning Authority leaves itself open to legal challenge if it acknowledges the DAA definition.

The applicants want to introduce discriminatory night-time flying, impacting on major Fingal areas. This will impact on the sleep requirements and health of local residents. As well stated in an international report:

“Night should be defined to mean an eight hour period, giving people around airports and under flight paths the opportunity to have a full night’s sleep consistent with health guidelines”

I am recommending that ANCA amend its Draft Regulatory Decision..

Is mise le meas,

.....
Peter Coyle

