

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

## SECTION 131 FORM

Appeal NO: ABP-314485-22Defer Re O/H ☐

TO:SEO

Having considered the contents of the submission received 17/10/22 fromDAA 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 raisedE.O.: Date: 19/10/22

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: \_\_\_\_\_ Task No: \_\_\_\_\_

Allow 2/3/4weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

## CORRESPONDENCE FORM

Appeal No: ABP-314485-22M s McCormackPlease treat correspondence received on 17/10/22 as follows:

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

2. Acknowledge with BP 203. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

## Amendments/Comments

DAA response to SMTW Environmental appeal

## 4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☒EO: Date: 18/10/22Plans Date Stamped ☐Date Stamped Filled in ☐AA: Pete BenDate: 19/10/22

**From:** Orla O'Callaghan <orlaoc@tpa.ie>  
**Sent:** Monday 17 October 2022 15:11  
**To:** Appeals2; Bord  
**Subject:** First Party Response to Third Party Appeal - ABP Ref. PL06F.314485.  
**Attachments:** First Party Response to Third Party Appeal ABP Ref. PL06F.314485 \_SMTW Environmental DAC\_FINAL.pdf

Good Afternoon,

On behalf of daa plc, please find attached First Party Response to a Third-Party Appeal by SMTW Environmental DAC against a Notification of a Decision to Grant Permission by Fingal County Council (FCC) dated 8th August 2022 (Fingal County Council Reg. Ref. F20A/0668 /ABP Ref. PL06F.314485).

Can you please confirm receipt of this First Party Response to the Appeal?

Regards,

Orla O'Callaghan  
Senior Planner

**Tom Phillips + Associates**  
Town Planning Consultants



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The Secretary  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

17, October 2022  
[By email - appeals@pleanala.ie]

Dear Sir/Madam,

**Re: 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 at Dublin Airport, Co. Dublin**

**First Party Response to Third Party Appeal**  
**ABP Ref. PL06F.314485; Fingal County Council Reg. Ref. F20A/0668.**

## 1.0 Introduction

daa plc have retained Tom Phillips + Associates<sup>1</sup> along with a multi-disciplinary team to prepare this First Party Response to a Third-Party Appeal by SMTW Environmental DAC c/o Liam O'Gradaigh (hereafter referred to as the 'Appellants'), against a Notification of a Decision to Grant Permission by Fingal County Council (FCC) dated 8<sup>th</sup> August 2022.

## 2.0 Executive Summary

The appeal submitted by the Appellants relates to a notice of decision by FCC to grant an application made on behalf of daa plc 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. The proposed Relevant Action is 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 at Dublin Airport, Co. Dublin.

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<sup>1</sup> 80 Harcourt Street, Dublin 2, D02 F449.



### **3.0 Appeal Context**

This First Party Response on behalf of the applicant relates to an appeal against FCC planning permission Reg. Ref. F20A/0668. FCC issued a notification to grant permission for the proposed development on the 8<sup>th</sup> August 2022 with 5 conditions attached.

On review, it is noted that the issues raised in this appeal are the same as those set out in the Third-Party Appeal submitted by St Margaret's The Ward Residents Group (SMTWRG). The content of both appeals is the same.

### **4.0 Response to Items Raised in Third Party Appeal**

As the content of both appeals is the same, we ask the Board to review the First Party Response to the appeal by St Margaret's The Ward Residents Group which sets out a comprehensive response to the appeals by SMTWRG and SMTW Environmental DAC. This response has been submitted to the Board under separate cover.

### **5.0 Conclusion & Recommendations**

As indicated in the appeal response and the material submitted with the application, it is considered that the proposal as determined by the planning authority and competent authority (ANCA) is appropriate. The proposed Relevant Action is fully in compliance with multi-governmental strategic objectives and policies that seek to facilitate the growth of Dublin Airport and foster the airport's connectiveness to the UK, Europe and wider global environment. By comparison, the permitted operating restrictions which this application seeks to amend/replace run contrary to these strategic objectives and policies.

The potential for impacts on local communities as a result of the proposed Relevant Action has been assessed in great detail through the course of preparing this application and subsequent response to FCC's request for FI and ANCA's Direction's. In this regard, the proposed Relevant Action seeks to apply a balanced outcome. As a result, in addition to amending/replacing the above referenced operating restrictions the proposed Relevant Action also seeks to propose a preferential use of the runway system, a noise insulation grant scheme, a night noise quota system and a noise monitoring framework.

This package of measures will ensure that the overall noise effects of the proposed Relevant Action will not exceed the noise situation from 2019. In this regard the proposed Relevant Action is fully in accordance with the proper planning and sustainable development of the area and we respectfully request that Board not allow the appeal and direct permission to be issued without delay.

Yours Sincerely

**Director**  
**Tom Phillips + Associates**