

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

## SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated received 01/04/2024  
fromAdriene McDonnell and others 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 material issuesE.O.: Pat BDate: 17/04/2024

For further consideration by SEO/SAO

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 2/3/4 weeks – BP \_\_\_\_\_

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

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

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

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

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

## CORRESPONDENCE FORM

Appeal No: ABP 314485-22

M \_\_\_\_\_

Please treat correspondence received on 01/04/2024 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 A. McDonnell and others response to S.13112/03/24: 02/04/24 ✓

## 4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: Pat BAA: Anthony McNallyDate: 17/04/2024Date: 25/04/2024

## Fergal Ryan

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**From:** Bord  
**Sent:** 02 April 2024 09:44  
**To:** Appeals2  
**Subject:** FW: Case No. ABP-314485-22 / Planning Authority Register Ref. F20A/0668: Observations in relation to submission dated 4th March 2024 received from Tom Phillips and Associates on behalf of DAA plc.  
**Attachments:** Submission\_ABP\_McDonnells\_1 April 2024.pdf

**From:** Adrienne McDonnell <adriennemacaroo@gmail.com>  
**Sent:** Monday, April 1, 2024 6:08 PM  
**To:** Bord <bord@pleanala.ie>  
**Cc:** Liz Rooney <lizrooney68@hotmail.com>; Deirdre Colgan <deirdremcolgan@gmail.com>; Declan McDonnell <declan@ermfinancialservices.ie>; Adrienne McDonnell <adriennemacaroo@gmail.com>; Peter Colgan <petergcolgan@gmail.com>; Pdraig Rooney <rooneypdraig@gmail.com>; Joscelin McDonnell <joscelinmcdonnell@gmail.com>; Betty (ipad) McDonnell <bettymcdonnell25@gmail.com>  
**Subject:** Case No. ABP-314485-22 / Planning Authority Register Ref. F20A/0668: Observations in relation to submission dated 4th March 2024 received from Tom Phillips and Associates on behalf of DAA plc.

**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.

To Whom It May Concern

Please find attached **Observations in relation to submission dated 4<sup>th</sup> March 2024 received from Tom Phillips and Associates on behalf of DAA plc.**

**Re. A proposed development comprising the taking of 'relevant action only within the meaning of Section 34C of the Planning and Development Act 200, as amended, which relates to the night-time use of the runway system at Dublin Airport, Co. Dublin**

**APPELLANTS:** McDonnell x 3; Rooney; and Colgan families of Kilreesk Lane, St. Margaret's, North Co. Dublin (listed below): -

- **Property 1:** Betty McDonnell, Erkindale, Kilreesk Lane, St. Margaret's, North County Dublin, K67 TN99
- **Property 2:** Deirdre & Peter Colgan, Kilreesk Lane, St. Margaret's, North County Dublin, K67 KH34
- **Property 3:** Joscelin & Declan McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 XN96
- **Property 4:** Elizabeth & Pdraig Rooney, Kilreesk Lane, St. Margaret's, North County Dublin, K67 YK57
- **Property 5:** Adrienne McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 AD79

**Postal address for letters:** Adrienne McDonnell, Kilreesk Lane, St. Margaret's, North County Dublin, K67 AD79

I would appreciate acknowledgement and receipt of this submission.

Regards & thanks  
Adrienne McDonnell  
Kilreesk Lane  
St Margaret's  
Co. Dublin

086-8481891

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**Planning Authority:** Fingal County Council

<b>Case No.</b> ABP-314485-22
<b>Planning Authority Register Ref.</b> F20A/0668

**Area:** Swords

**Applicant:** daa plc

## **Appeal details**

### **Introduction:**

The above named and their families (all McDonnell's) reside on Kilreesk Lane, St. Margaret's, North County Dublin. Each family were given full planning permission (UNOPPOSED BY DAA) by Fingal County Council to build homes on the McDonnell family farm over the past 20 – 45 years. Our late father, John Joseph McDonnell resided in Sandyhill, and subsequently Kilreesk, St. Margaret's for almost 70 years. Indeed we have a large number of wider relations living in the St. Margaret's Community to this day.

We are all are part of the original group of objectors to the North Runway Project in 2007, as members of the St. Margaret's Concerned Residents Group (SMCRG). It is a well-known fact, that St. Margaret's, and in-particular, Kilreesk Lane residents, are the most affected individuals from the new North runway at Dublin Airport.

The McDonnell family have strong roots in St. Margaret's, and now, by far, the most affected family (5 households) are severely and materially impacted by the major infrastructural development that is, the New Northern Runway. Our houses are in the 69db range and have already been identified as included in the proposed voluntary buyout scheme (per condition 9 of original planning conditions). We are extremely concerned, as to what will happen to our homes as a result of the recent granting of amendments to conditions 3 (d) and 5, which contravene WHO guidelines for nighttime flights and the acceptable European night time period.

To this end, there are a number of **Observations in relation to submission dated 4<sup>th</sup> March 2024 received from Tom Phillips and Associates on behalf of DAAplc.**, which we will address anon.

## **Introduction:**

According to Fingal County Council, the new development plan will improve quality of life for people. However, our families **are the most materially affected individuals as a result of the new runway at Dublin Airport**, and have been deemed in the 'voluntary buyout scheme', and are set to mostly likely lose our homes, quality of life and way of life, and enjoyment of our amenities due to the continuous increase of noise levels of this new development of the north runway.

Our family understands that the building of a new runway at Dublin airport is the right thing to do for Ireland's economy and categorically state, we are not against progress. However, **what we are against, is progressing without paying due consideration and fairness to the people who will be forced out of their homes via a so-called voluntary buyout scheme, which doesn't allow us to replicate what we already have or the injurious affliction which will be caused by our loss**. We strongly object to the daa, Fingal County Council (FCC) and the newly created Aircraft Noise Competent Authority (ANCA), who are effectively strategically evicting our family, through manipulating the regulations and revisiting a legal planning process, to profiteer on what generations of the local farming community of St Margaret's has built up.

While currently the Dublin Airport Authority (daa) state they do not need lands, the daa has already in the past persuaded landowners in the St Margarets area to sell their lands for market value by securing them via CPO. The Authority has subsequently rented the lands back to the original owners for farming. The daa have also sold acquired lands on to developers for higher prices as highlighted by Prime Time in the Donnegan case of the mid-nineties. In this case, the Donnegan brothers decided to move from farming into commercial warehousing and were prevented by daa and the local planning authority, i.e. Fingal County Council, on the grounds that they were in an airport safety zone – this land was later commercialised and is now Horizon Business Park.

Our homes are on the family land, and we are fearful that a similar approach will be taken by FCC in relation to us – especially given that daa are insistent that they are only including homes in the buyout. This would result in residents' portfolios being split from their lands, which are in a prime location on the cusp of Dublin city, 10 mins from the M50 and 5 mins from Dublin Airport. We also note, that IPOS has only recently built a new logistics park at Kilshane Cross (only two fields away from our farm). We are consistently being left in the dark in this regard.

We are also extremely cognisant of the fact that DAA are out in the public domain speaking about the shortage of car parking space and are currently in legal battles with An Bord Pleanála in terms of having the monopoly on same in the surrounding areas of Dublin Airport. We are very aware of the potential of our lands and properties, and do not wish for that to be under-estimated or diminished as a result of this development. Also, should future opportunities arise which our families wish to undertake on our lands or in our properties, i.e. Expansion, business development, commercialisation, etc. that they are not blocked via daa, planning or zoning.

Our families have grave concerns with regards to the Voluntary Noise Insulation Scheme and the Voluntary Buyout Scheme offered by Dublin Airport, which leaves us in a very unpredictable situation and therefore, in order to make informed decisions about our futures, we request the following: -

1. Reinstate the conditions 3(d) and 5 as per original planning permission – to protect the local community;

2. Condition 7 to be amended; redevising the Noise and Sound Insulation schemes to reflect an exceptionally high standard (above and beyond what is proposed) with independent acoustic engineers to verify the WHO guidelines have been reached to the levels acceptable for human health purposes.

\*Note: now that all of our families have applied for and have had our initial surveys for noise insulation, we have been informed that these properties will not be insulated until September 2024, i.e. after the peak period has passed; Summer time 2024. Surely, it would be optimum to achieve these mitigation measures ASAP and afford the families directly under the flight paths a solution earlier than September time?

3. Condition 9 to be amended, providing absolute clarity and removing ambiguity, such as 'voluntary buyouts' when in fact, this would lead to a forced/constructed situation and will render our homes uninhabitable from a human health perspective;

\*NOTE: We have a very limited period of time to reach decisions on whether we wish to stay or go, however given that the buyout option is cut off in August 2025, this gives us even less time to make an informed decision – especially when most of our houses won't even be insulated by end 2024! We really cannot make informed decisions when we won't know the true impact of the noise when the houses have been insulated. Therefore, we request that the buyout scheme be extended indefinitely for those on Kilreesk lane.

4. To be treated fairly, and that the daa and FCC/ANCA reconsider the methodology used to determine the Voluntary Buyout Scheme for residents within the 69dB noise levels.

Map 17 shows that Kilreesk residents – in particular our families homes at the end of Kilreesk lane were ALWAYS in the 69 dB noise levels. We are pleased that finally this is something has been verified by daa – something that our noise consultant Mr Karl Searson argued on for years.

Please do the right thing by Fingal Citizens and engage in a meaningful way with our family to find a resolution to this sorry situation that has thrown a cloud of doubt on our futures for the past 15+ years.



Signed

Betty McDonnell

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Adrienne McDonnell

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Declan & Joscelin McDonnell

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Deirdre & Peter Colgan

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Elizabeth & Padraig Rooney

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