

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  
fromAmbrose Jameson 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: 08/04/2024

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 2/3/4weeks – BP \_\_\_\_\_

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

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

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

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

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

## CORRESPONDENCE FORM

Appeal No: ABP 34485-22

M \_\_\_\_\_

Please treat correspondence received on 01/04/2024 as follows:

- |  |  |
|--|--|
| 1. Update database with new agent for Applicant/Appellant _____<br>2. Acknowledge with BP <u>23</u><br>3. Keep copy of Board's Letter <input type="checkbox"/> | 1. RETURN TO SENDER with BP _____<br>2. Keep Envelope: <input type="checkbox"/><br>3. Keep Copy of Board's letter <input type="checkbox"/> |
|--|--|

Amendments/Comments Ambrose Tameson response to S.13112/03/24: 02/04/24

## 4. Attach to file

- |   |   |
|---|---|
| (a) R/S <input type="checkbox"/>            | (d) Screening <input type="checkbox"/>    |
| (b) GIS Processing <input type="checkbox"/> | (e) Inspectorate <input type="checkbox"/> |
| (c) Processing <input type="checkbox"/>     |   |

RETURN TO EO ☐

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Pat Bue</u>	AA: <u>Anthony McNally</u>
Date: <u>08/04/2024</u>	Date: <u>25/04/2024</u>

## Fergal Ryan

---

**From:** Bord  
**Sent:** 02 April 2024 09:29  
**To:** Appeals2  
**Subject:** FW: Case No. APB-314485-22 Relevant Action Application Dublin Airport  
**Attachments:** Ref APB-314485-22 Page 1 of 2.pdf; Ref APB-314485-22 Page 2 of 2.pdf; Observation on a Planning Appeal\_Section 5\_update.pdf

---

**From:** Ambrose Jameson <ambrose.jameson@gmail.com>  
**Sent:** Monday, April 1, 2024 7:59 PM  
**To:** Ambrose Jameson <ambrosejameson@gmail.com>; Bord <bord@pleanala.ie>  
**Subject:** RE: Case No. APB-314485-22 Relevant Action Application Dublin Airport

**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.

Dear Sir/Madam,

Further to your letter dated 12 March 2024, please find attached my submission related to the subject APB Case Number.

My submission is in two parts, 1 A new submission (2 pages) from me in relation to the Relevant Action Application at Dublin Airport, and 2. My original submission from December 2023 (3 pages), with updated reference, which remains fully applicable to the Relevant Action Application.

I look forward to hearing from you in due course.

Yours sincerely,

Ambrose Jameson  
68 Blackberry Rise  
Portmarnock  
D13FX34

Mobile:086176890 Email: [ambrose.jameson@gmail.com](mailto:ambrose.jameson@gmail.com)



An Bord Pleanála  
64 Marlborough St.  
Dublin 1  
D01 V902

**RE: Case Number ABP- 314485-22 Relevant Action Application Dublin Airport**

Dear Sir/Madam

Further to your correspondence to us on the above case we wish to make the following observations/submissions:

1. We are shocked to see that the noise contours have extended hugely into our community and that a very significant number of dwellings are now included within the noise eligibility contours. Firstly, we note that there was no notice of this fact in any of the planning notices for this application to date. Many of our neighbours who thought they were not affected by this application are now inside these contours but yet were never publicly notified until they attended a public meeting held by St Margarets /The Ward residents' group who explained this to all of us. None of the newspaper or site notices informed the public. Secondly, the people who now know they are within the contours have not been given the opportunity to make a submission/observation as they do not qualify because they did not make a submission previously as they thought they were unaffected. An Bord Pleanála did not give a public notice of this significant additional information. The above is totally unacceptable and unjust to the communities affected.
2. We note that the correspondence from Tom Phillips & Associates refers to the ANCA Regulatory Decision regarding eligibility to the noise insulation scheme and suggest that the change in contours is as a result of their assessing that the increased area is as a result of them considering this new area which contains dwellings to having "very significant" effects. We note that the DAA have never carried out significant test criteria within any of the EIAR they have submitted and therefore they have not met with the EIA directive. This is a fundamental flaw in the assessment as the EIA directive is clear, all significant impact on environment must be identified, quantified and mitigation proposed. That has not happened to date. For areas under the North Runway this involves comparing the scenario with no flights from the North Runway to a scenario where there will be night flights. This has not been done.



3. Tom Phillips refers continuously to the regulatory decision by ANCA in his correspondence. However, what is not contained in his correspondence but is within the EIAR relating to these noise contours is that the proposal does NOT meet the Noise Abatement Objective of ANCA in future years. The proposed 2025 Scenario will fail the NAO when compared to 2019 when the total of the existing population, permitted developments and zoned developments are summed together. "2025 exceeds 2019 by 4,541 people (1533 v 6074).
4. Why have the noise contours grown. St Margarets The Ward residents carried out noise monitoring on the north runway flight path and found the noise levels to be far beyond those PREDICTED by DAA. Their noise predictions are not accurate and unfounded and they are trying to obtain permission by manipulating numbers. Why can they not submit actual noise results along the flight path which has been in operation since August 2022. The community could.
5. Reference is made to the noise zones on Fingal development plan. These noise zones must now be revised due to the proposed flight path over our area. Fingal County Council consider that there should be no residential development allowed in noise zone A as it is considered harmful to health or otherwise considered unacceptable due to the high levels of aircraft noise. However, the flight path now being operated by DAA is putting many existing residences in Noise Zone A and B which is just not acceptable from a health point of view.
6. The noise insulation grant as proposed is not fit for purpose and is totally insufficient to protect for night noise. Measurements of noise in bedrooms of housing already insulated indicate that the noise levels exceed the recommendation in Fingal Development Plan are not sufficient to protect human health.
7. In summary planning is an afterthought for DAA. Their actions show that they do not respect planning legislation or decisions of An Bord Pleanála. This application must be refused.

Yours Sincerely,

Sign: Ambrose Jameson Date: 1st April 2024  
AMBROSE JAMESON

Address: 68 BLACKBERRY RISE, PORTMARNOCK,  
COUNTY DUBLIN, D13 FX34





## **Observation on a Planning Appeal – Section 5**

**Observer: Ambrose Jameson, 68 Blackberry Rise, Portmarnock, County Dublin, D13FX34**

**Email: [ambrose.jameson@gmail.com](mailto:ambrose.jameson@gmail.com) Mobile: 0861768909**

**Planning Authority: Fingal County Council      Appeal Case No.: PL06F.314485/APB-314485-22**

**Planning Authority register reference number: F20A/0668      Location of proposed development: Dublin Airport**

I and my family are residents of 68 Blackberry Rise, Portmarnock and have been adversely affected by the increase in aircraft operations over and near our home. The flight paths being taken near and over our home are in breach of those approved in the 2007 planning approval and are causing significant disturbance to our family and to others in our community.

I understand that it is proposed to increase further flight operations at Dublin Airport over the coming years which will make the current situation even worse with consequent adverse effects on the health and wellbeing of our community.

The DAA are consistently breaching the restriction attached to their planning permission of 2007 which limited them to an average of 65 movements per night, night being defined as between 23:00 and 07:00. For example, on 7<sup>th</sup> December 2023, the first departure from Dublin Airport took place at 04:40 in an eastward direction with the consequent disruption of sleep for our community in Portmarnock. On that day, there were eight departures scheduled at or before 06:00 and forty two scheduled at or before 07:00. This indicates a lack of intent on the part of the DAA to comply with the reasonable restrictions in relation to night flights. In fact, there is, on average, well in excess of one hundred flights per night, well above the 65 limit. It is also the declared intent of the DAA to increase the number of flights almost without limit, except for operational demand, and to replace the restriction on the 'number of flights' with noise zone contouring and modelling which is under the control of the DAA and ANCA and is not subject to review and independent verification. The DAA are further seeking a redefinition of the period considered to be Night to be between the hours of 24:00 and 06:00. These changes will make a bad situation, in relation to aircraft noise, considerably worse for the communities around Dublin Airport.

A recent **NY Times** article titled **Noise Could Take Years Off Your Life. Here's How** (from June 9<sup>th</sup> 2023), for which more than 30 scientists were consulted and thousands of pages of research and policy was reviewed, examined the pathology and epidemiology of noise. Its findings were very worrying for communities subjected to high levels of average noise and intermittent noise. This article found that the health effects, for those affected by high average and intermittent noise, included :

1. An increase in hypertension, strokes and heart attacks
2. The Amygdala is chronically over activated by noise
  - The Endocrine System over reacts producing excess Cortisol and Adrenaline
  - The Sympathetic Nervous System reacts with higher blood pressure, increased heart rate and an increase in inflammation.

Another serious adverse effect of high noise levels at night is **sleep deprivation**. This, the research shows, has significant negative effects on people's health. It also found that the negative effects were not just due to the levels of the noise but also to its intermittent nature. This is significant when considering the noise to which the communities around Dublin Airport are subjected. It has been shown in recent studies that sleep deprivation has far reaching effects on the brain and on the rest of the body.

Sleep deprivation has significant negative impact on memory. Having had good sleep is necessary for the Hippocampus in our brain to make memories of the information that we take in during our waking hours and further good sleep, in the following night, is needed to make those memories permanent. Also, sleep deprivation has been shown to cause premature ageing and an increased risk of early onset of dementia.

Sleep deprivation also has significant negative impact on the human body. Good sleep is essential to the proper functioning of the immune system. A weakening of the immune system caused by sleep deprivation is known to lead to increased risk of occurrence of various forms of cancer. Also, sleep deprivation has an impact on how our genes may be altered in a way that weakens genes associated with immunity and strengthens those associated with inflammation and the promotion of cancers.

(The importance of good sleep for human health and wellbeing is well explained in a TED Talk called Sleep is your Superpower by Matt Walker, a sleep expert. [https://www.ted.com/talks/matt\\_walker\\_sleep\\_is\\_your\\_superpower?language=en](https://www.ted.com/talks/matt_walker_sleep_is_your_superpower?language=en))

School Children are particularly affected by high noise and intermittent noise levels. Research has shown that exposure to noise above acceptable levels has adverse effects on children's health and performance leading to higher incidences of stress hormones, lower reading scores and increased hyperactivity.

The WHO recommended average noise limits, of 40dB during the night and 45dB during the day, are being ignored by the DAA and by ANCA and instead the limits being used in their modelling are 55dB at night and 65dB during the day. This is highly significant difference in that research has shown that even a 1dB increase in average noise level over the WHO recommended limits have a measurable negative impact on human health.

The polluting effect of exhaust gasses from aircraft operating to and from Dublin Airport has an adverse effect on human health, particularly on young children whose bodies are still growing and developing. The health impacts of any further increase in aircraft operations at Dublin Airport needs to be carefully assessed before any increase in aircraft movements, either by day or night, can be granted.

Another issue which has not been given proper consideration is the effect of increased aircraft operations at Dublin Airport on reaching, or not reaching, the climate change targets that Ireland has signed up to in COP 28. The signatories of COP 28 are committed to phasing out the burning of fossil fuels. Such a commitment is not consistent with an increase in flight operations at Dublin Airport, as is being sought by the DAA and others.

Finally, we claim to be a country of laws and regulations so it is unacceptable that any public or private body flout regulations and the conditions attached to them. This is what the DAA has done and continues to do relating to aircraft operations at Dublin Airport.

### **Recommendations**

1. The DAA must be compelled to comply with current regulations in relation to straight out flight paths as approved in the 2007 planning permission.
2. The DAA must be required to observe the average of 65 flights per night already approved.
3. There must be no change in the definition of Night as envisaged by the DAA which would lead to further sleep disturbance in communities around the airport.
4. Flight operations at Dublin Airport must be kept below a level that is consistent with Ireland's climate change targets in COP 28.
5. An independent assessment of the noise monitoring and modelling around Dublin Airport and of the methodologies involved in it needs to be done to ensure that average noise levels consistent with WHO recommendations can be achieved.
- 6 An oral hearing on this application is necessary given the gravity of the situation for communities around Dublin Airport.

### **In Summary:**

- All the people in our community have a **right** to live in a safe environment free from excessive aircraft noise with its negative impact on their health.
- Everyone has a **right** to a minimum of eight hours of good sleep unaffected by aircraft noise at night. The effects of disturbed sleep on our physical and mental wellbeing must be fully considered.
- The impact on the health of members of our community, particularly on the young, of exhaust emissions from aircraft both on approach to and after take-off from Dublin Airport needs to be carefully assessed.
- Planning decisions affecting operations at Dublin Airport must be consistent with Ireland's commitments under Cop-28
- There must be severe sanctions imposed on any individuals or organisations that ignore or violate the conditions attached to planning decisions at Dublin Airport.

