

File With _____

SECTION 131 FORM

Appeal NO: ABP 34485-22Defer Re O/H ☐Having considered the contents of the submission dated received 01/04/2024
fromBernadette Lawless and Keith Horton 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 2/3/4weeks – 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 <u>23</u>
3. Keep copy of Board's Letter <input type="checkbox"/> | 1. RETURN TO SENDER with BP _____
2. Keep Envelope: <input type="checkbox"/>
3. Keep Copy of Board's letter <input type="checkbox"/> |
|--|--|

Amendments/Comments Bernadette Lawless + Keith Harlan response to S13112/03/24: 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 ☐EO: Pat BDate: 17/04/2024
Plans Date Stamped ☐
Date Stamped Filled in ☐
AA: Anthony McNallyDate: 25/04/2024

Fergal Ryan

From: Bord
Sent: 02 April 2024 09:41
To: Appeals2
Subject: FW: Case nr ABP-314485-22

From: Bernie Lawless <lawlessbernie@gmail.com>
Sent: Monday, April 1, 2024 7:00 PM
To: Bord <bord@pleanala.ie>
Subject: Case nr ABP-314485-22

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.

Please see enclosed two page letter.
Kind regards
Bernie

An Bord Pleanála
64 Marlborough St.
Dublin
D01 V902

Mabestown
The Ward
Co. Dublin
01/04/2024

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 Phillips & Associates refers to the ANCA Regulatory Decision regarding eligibility to the noise insulation scheme and suggests that the change in contours is as a result of their assessing that the increased areas as a result of them considering this new area which contains dwellings to have "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 this 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. I have logged numerous complaints with the DAA in relation to noise from planes taken off from the south runway in the middle of the night which have woken us up from our sleep and just get the same reply that they are approved to fly this way. They have changed and made it much harder to lodge a complaint. When I try to submit more than one complaint it says wait 60 seconds. I wait the 60 seconds and still won't accept submission. I have even tried 30mins later. This is a major flaw. Who can hang around and wait to submit at a later time. This never happened on the previous package.

8. I have meet with the DAA last year and was told I would be eligible for the insulation scheme if they were approved to fly from 6am til 12am. I have an email also to back this up. How can they think I am not affected if from planes flying over my house from 7am at the moment. If this changes I really don't know how I would be able to cope as it stands I have an underlying health issue and it is a constant battle dealing with the DAA. When I meet with two senior managers last year they both lied to me and said the route they are flying now had planning permission approval. Since they stopped turning the sharp left and started flying over the Coolquay. I do not believe a word they say and can not believe they kept the secret from us about dependent take off from parallel runways like Gatwick Airport had researched.

9. 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: Bernie Lawless

Date: 1. 4. 2024

Address: Mascotown, The Ward, Co Dublin D11 CX98

Sent from my iPhone

