S. 37

File With ______________

SECTION 131 FORM

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

Having considered the contents of the submission dated/received 01/04/2024 from

Darragh O'Neill 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 issues

E.O.: Pat B **Date:** 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:** ______________

S. 37

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 23 3. Keep copy of Board's Letter ☐	1. RETURN TO SENDER with BP ______ 2. Keep Envelope: ☐ 3. Keep Copy of Board's letter ☐

Amendments/Comments Darragh O'Neill response to S.131
12/03/24 : 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 B	**AA:** Anthony McNally
Date: 08/04/2024	**Date:** 25/04/2024

Fergal Ryan

From:	Bord
Sent:	02 April 2024 09:19
To:	Patrick Buckley
Cc:	Appeals2
Subject:	FW: Case Number ABP-314485-22
Attachments:	ABP-314485-22 An Bord Pleanala - D O'Neill - 29032024.pdf

From: Darragh O'Neill <oneilldw@gmail.com>
Sent: Monday, April 1, 2024 9:45 PM
To: Bord <bord@pleanala.ie>
Cc: Darragh O'Neill <oneilldw@gmail.com>
Subject: RE: Case Number ABP-314485-22

FAO: Mr Patrick Buckley
Executive Officer

RE:
Case Number: ABP-314485-22
Planning Authority Reference Number: F20A/0668

Dear Sir,

Please find my submission and observations in relation to the submission dated 04th March 2024 received by An Bord Pleanala from Tom Phillips and Assoc. on behalf of DAA plc, saved in PDF format attached.

In addition to my submission, I would note that the Fingal County Council 2007 planning stipulations have been absolutely flouted by the DAA. The authorized flightpaths as per 2007 planning permission have been completely ignored. There is a raw arrogance displayed by the DAA in this assertion.

In the interest of public democracy, the appeal should be upheld and the Bord should not allow the DAA to persist with its illegal activities.

I would request confirmation of receipt of this email by reply,

Yours Sincerely,

Darragh O'Neill
BSc Arch Tech Hons RIAI

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 fight 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: D O'Neill

Date: 29/03/24

Address: WOTTON, THE WARD, CO. MEATH

AN BORD PLEANÁLA
LDG-
ABP-
02 APR 2024
Fee: € Type:
Time: 14:14 By: Hand

An Bord Pleanála

64 Marlborough St.

Dublin 1

D01 V902

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

Dear Sir/Madam

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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 fight 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: D O'Neill

Date: 29/03/24

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AN BORD PLEANÁLA
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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 fight 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: Reill

Date: 29-3-24

Address: Wotton, The Ward. Co. Meath.