

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  
fromDeirdre McNamara 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 raisedE.O.: Pat SDate: 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 _____ | 1. RETURN TO SENDER with BP _____                       |
| 2. Acknowledge with BP <u>23</u>                                | 2. Keep Envelope: <input type="checkbox"/>              |
| 3. Keep copy of Board's Letter <input type="checkbox"/>         | 3. Keep Copy of Board's letter <input type="checkbox"/> |

Amendments/Comments Dorothy McNamara 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 ☐EO: Pat SDate: 17/04/2024
 Plans Date Stamped ☐  
 Date Stamped Filled in ☐
AA: Anthony McNallyDate: 25/04/2024

## Fergal Ryan

---

**From:** Bord  
**Sent:** 02 April 2024 09:42  
**To:** Patrick Buckley  
**Cc:** Appeals2  
**Subject:** FW: FAO Mr. Patrick Buckley, Executive Office,  
**Attachments:** 240329 Letter of Reply Blackwoods copy.docx; Attachment 05 Anca Night Contour 40 to 45 dBls.jpg; Attachment 04 Anca Day Evening Contour 50 to 54 dBls.jpg; Attachment 03 Fingal Development Plan 2023-2029.pdf; Attachment 02 Fingal Developent Plan Aircraft Noise Zone B.jpg; Attachment 01 Fingal Developent Plan Aircraft Noise Zone B.jpg

**From:** Deirdre Mc Namara <MCNAMAD@tcd.ie>  
**Sent:** Monday, April 1, 2024 6:16 PM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** FAO Mr. Patrick Buckley, Executive Office,

**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 Mr Buckley

re Case [bord@pleanala.ie](mailto:bord@pleanala.ie) No ABP-314485-22. Previous response with referenced maps.

Kind Regards

Deirdre

Sent from [Outlook for iOS](#)



Mr. Patrick Buckley,  
Executive Officer,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1. D01 V902  
29<sup>th</sup> March 2023

**Re. Case ABP-314485-22 Planning Reference No. F20A/0668**

Dear Sir,

I refer to the response from Tom Philips and Associates dated 14<sup>th</sup> September 2023 on behalf of DAA plc., their covering letter including the relevant documents and maps concerning aircraft activity related to Dublin Airport's runway operations. Below is my submission as requested.

My foremost concern regards excessive noise emanating from aircraft landing in a westerly direction on the new northern runway 28R/10L, primarily at night but not exclusively. The above-mentioned response is yet another incarnation of conflicting evidence, it pertains to be a factual representation of the noise levels, that we in the locality of Portmarnock and Blackwoods Malahide, experience; **it is nothing of the sort**. Indeed, the contour lines of the northern runway would suggest we experience almost silence from its operation. Both the maps and narrative would give the impression that air liners whose median weight would be in excess of 96 tons under powered flight, passed our way at all.

**My submission is to request An Bord Pleanála, (in the interests of attaining valid, honest and accurate information), to instigate an independent professional acoustic survey, accurately reflecting the living reality of those communities neighbouring the northern runway flight paths.**

The following is a quote from Mr. Karl Searson, Acoustic Engineer, who carried out an acoustic survey (attached) at Blackwoods, Malahide, on the day July 11<sup>th</sup> and the night 12<sup>th</sup> July 2023.

*"Even were the tests to have been conducted for potential "emergency" or "one-off operational conditions", the data, now to hand, means that unless and until significant upgrades/modifications to your home (and that of your immediate neighbours) are completed (thereafter being suitably commissioned, confirmed and maintained) these flight paths must not be availed of." Karl Searson.*

My evidence for this request is set out under the following headings,

1. Fingal Development Plan 2023-2029 Dublin Airport, Aircraft Noise Zones. Attachments 1,2 and 3.
2. Aircraft Noise Competent Authority (ANCA) Aircraft Noise Zones, Dublin Airport. *World Health Organization (WHO) and International Standards organisation (ISO 1996-1)* Attachments 4 & 5.
3. Karl Searson & Associates Acoustic Survey and Conclusions Dated 5<sup>th</sup> October 2023. Attachment 6.

**1. Fingal Development Plan 2023-2029 Dublin Airport Noise Zones.**

Maps 1 and 2 attached are taken from the Fingal County Development Plan 2023-2029 dated April'23 that resulted in document 3 attached, page 328, heading 8.1 Aircraft Noise Zones, citing a necessary acoustic survey and sound insulation requirement with conditions and recommendations. For the

sake of illustration, I have highlighted Blackwoods position within the zone areas and its proximity to the north runway westerly flight path.

You will note that Blackwoods, Malahide, is in **Zone B**. The methodology used by the planners of Fingal County Council in December 2019 is described as 'Single Mode' operations. It is notable that irrespective of the resultant decibel figures, (>54 & <63dB LAeq, 16hr & >55dB Lnight) the council concludes the noise levels to be of a magnitude requiring all new dwellings and public structures to perform an acoustic survey with appropriate sound insulation.

The absurdity of the situation is further illustrated in that should I decide to alter my garage to domestic usage, I would be subject to the planning requirements of aircraft noise mitigation. However, under ANCA's Noise Contour Zones and subsequently DAA's Noise Assistance Grant Scheme, I am neither Annoyed by Noise nor Sleep Disturbed, thus illegible for a single bedroom noise insulation grant. It is difficult to believe both these conflicting results emanated from the same building, namely Fingal County Council HQ. One would have thought there would be some correlation in their respective outcomes.

## **2. Aircraft Noise Competent Authority (ANCA) Aircraft Noise Zones, Dublin Airport.**

ANCA's remit is set out in the relevant legislation of which section 21. (1) states the following

The competent authority shall monitor—

- (3) (a) The airport authority, or a person upon whom there is a noise impact from the airport, may, by notice in writing given to the competent authority, request the competent authority to review the effectiveness of the noise mitigation measures and operating restrictions (if any) on achieving the noise abatement objective.
- (b) The competent authority shall, as soon as is practicable after it receives a request under *paragraph (a)*, respond in writing to the requester.
- (c) The competent authority may, at its discretion, comply with a request under *paragraph (a)*.

It was under the highlighted section 3(c) above that ANCA refused to accept or review Mr. Searson's Acoustic Survey. To date neither myself nor any of my neighbours are aware of ANCA accepting any other source of information other than that provided by the Dublin Airport Authority.

An incidence of excessive noise is just as Mr. Searson's Report aptly describes, charting as it does its severity and intensity. The purpose of ANCA's contour maps is to dilute and smear-out over time the level and intensity of aircraft noise as it happens. It is a deliberate act aimed to conceal that which has blighted our lives as we live it, excessive noise as it peaks and decays in actuality. If one is disturbed from one's sleep by excessive noise, it happens in the moment, not over a period of weeks and months. It is incredulous, bearing in mind the findings in Mr. Searson's report that ANCA an unelected body, can produce contour maps so detached from reality that Blackwoods is within the 50-54 dB Daytime contour and at the 00-55dB Nighttime contour.

Acoustic Survey's producing contour maps requires mathematical modelling of the collected data. A myriad of decisions like acoustic monitoring placement, rounding up or down of the data, frequency, segmentation and weighting of data must be constantly made over long periods of time. It is incredulous that ANCA and the DAA choose to ignore both the **World Health Organisation and**

**International Standards organisation 1996-1** rules for Lden and Lnight with regard to areas of concentrated noise. ANCA and the DAA's use of Lden365 and Lnight365 to smear out and dilute high levels of recorded noise is reprehensible and quite peculiar to Ireland, by comparison to international practice. An example of which is London Heath Row's use of **Lden92** for the 3 summer months when use is made of a supplementary runway.

It is little wonder the communities neighbouring Dublin Airport view ANCA's contour maps with incredulity as they bear no relationship to their lived experience.

### **3. Karl Searson & Associates Acoustic Survey and Conclusions Dated 5<sup>th</sup> October 2023. Attachment 6**

Mr Searson's report is self-explanatory and corroborates what has been maintained by all the groups forming the neighbouring communities of Dublin Airport, that ANCA's contour maps bear no relationship to their living realities and in particular our small community in Blackwoods.

Mr. Searson's data was collected exclusively from nighttime flights and resulted in maximum readings of 90dBs outside and 67dBs inside our home. A further item of note is that 101 flights were recorded that night greatly in excess of the 65 flights granted in planning permission. My home is approximately 275 metres from the centre line of the northern runway flight path with aircraft flying on average, 395 metres overhead, this piece of Information gleaned from Flight Radar 24.

Mr. Kenny Jacobs, Chief Executive, of the DAA answer to Mr. Searson's report was to say the northern runway is only operational for westerly landings when the southern runway is closed for essential maintenance. We have no guides or time limits on such periods, nor do we know when this is liable to happen. Furthermore, concerning the future, neighbouring communities only have a single sentence statement that the south runway is the preferred runway for westerly landings. This is such a generalisation that it bears no comfort whatsoever for future operations with increased traffic.


### **Conclusion**

In Mr. Jacobs reply to our enquiries and Mr. Searson's Report stated the following,

*"On a final point, the acoustic report (Section 1) refers to two design levels, namely "LAeqT... should not exceed 30dBA" and "LAS max should not exceed (about) 42 dBA". It is important to note that these are design criteria but are not legal requirements that the airport is required to meet."*

It is my contention that the DAA, will continue to blight our lives with excessive aircraft noise unless they are required to do so by the force of law. They have already ridden rough-shod over passenger numbers and night flight limits contrary to planning permission. An appropriate start would be to instigate an independent acoustic survey with a brief to future growth at Dublin Airport,

Yours Sincerely,

Name  CDEIRDKE McNAMEE. Date 01/04/2024.

ADDRESS Bortanwell, Blackwood Lane, Malahide (K36 W627)














[illegible]

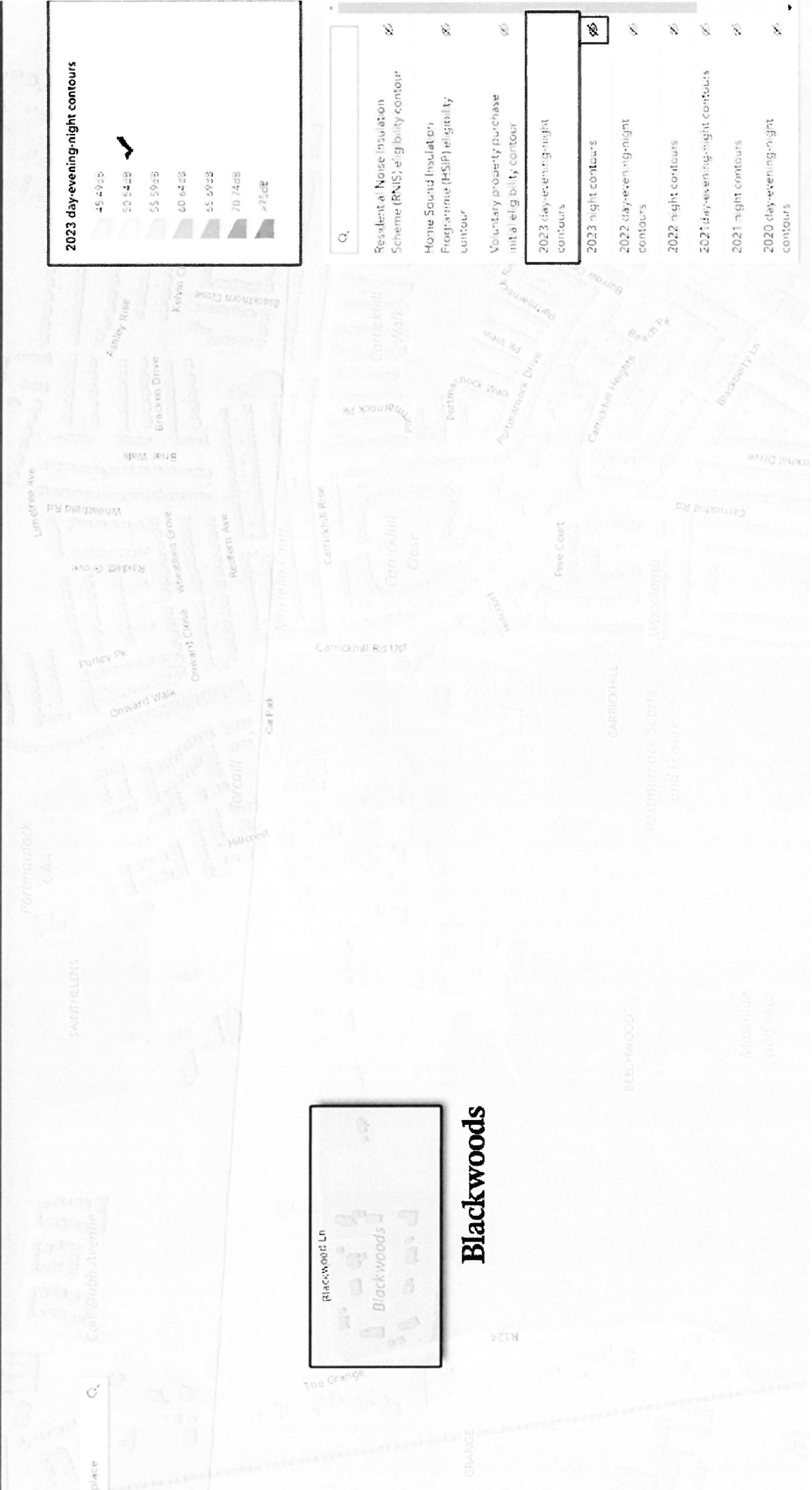
© Ordnance Survey Ireland



# Aircraft Noise Competent Authority 2023 Airport Noise Contours

📍 fmgalcccmaps.arcgis.com/apps/instan/basic/index.html?appid=4f551ec95a3849c9945eff67b8ca2f01

aircraft noise contours



Blackwoods

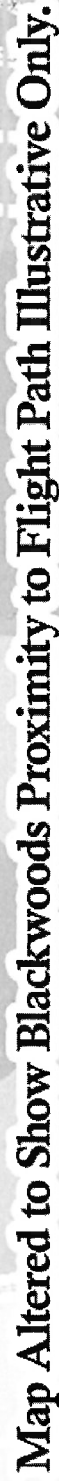


Table 8.1: Aircraft Noise Zones

Zone	Indication of Potential Noise Exposure during Airport Operations	Objective
D	≥ 50 and < 54 dB LAeq, 16hr and ≥ 40 and < 48 dB Lnight	To identify noise sensitive developments which could potentially be affected by aircraft noise and to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment. All noise sensitive development within this zone is likely to be acceptable from a noise perspective. An associated application would not normally be refused on noise grounds, however where the development is residential-led and comprises non-residential noise sensitive uses, or comprises 50 residential units or more, it may be necessary for the applicant to demonstrate that a good acoustic design has been followed. Applicants are advised to seek expert advice.
C	≥ 54 and < 63 dB LAeq, 16hr and ≥ 48 and < 55 dB Lnight	<p>To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure, where appropriate, noise insulation is incorporated within the development. Noise sensitive development in this zone is less suitable from a noise perspective than in Zone D. A noise assessment must be undertaken in order to demonstrate good acoustic design has been followed.</p> <p>The noise assessment must demonstrate that relevant internal noise guidelines will be met. This may require noise insulation measures. An external amenity area noise assessment must be undertaken where external amenity space is intrinsic to the development's design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels. Applicants are strongly advised to seek expert advice.</p>
B	≥ 54 and < 63 dB LAeq, 16hr and ≥ 55 dB Lnight	To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure noise insulation is incorporated within the development. Noise sensitive development in this zone is less suitable from a noise perspective than in Zone C. A noise assessment must be undertaken in order to demonstrate good acoustic design has been followed. Appropriate well-designed noise insulation measures must be incorporated into the development in order to meet relevant internal noise guidelines. An external amenity area noise assessment must be undertaken where external amenity space is intrinsic to the development's design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels. Applicants must seek expert advice.
A	≥ 63 dB LAeq, 16hr and/or ≥ 55 dB Lnight	To resist new provision for residential development and other noise sensitive uses. All noise sensitive developments within this zone may potentially be exposed to high levels of aircraft noise, which may be harmful to health or otherwise unacceptable. The provision of new noise sensitive developments will be resisted.
Notes:	<ul style="list-style-type: none"> <li>➤ 'Good Acoustic Design' means following the principles of assessment and design as described in ProPG: Planning &amp; Noise – New Residential Development, May 2017;</li> <li>➤ Internal and External Amenity and the design of noise insulation measures should follow the guidance provided in British Standard BS8233:2014 "Guidance on sound insulation and noise reduction for buildings"</li> </ul>	



















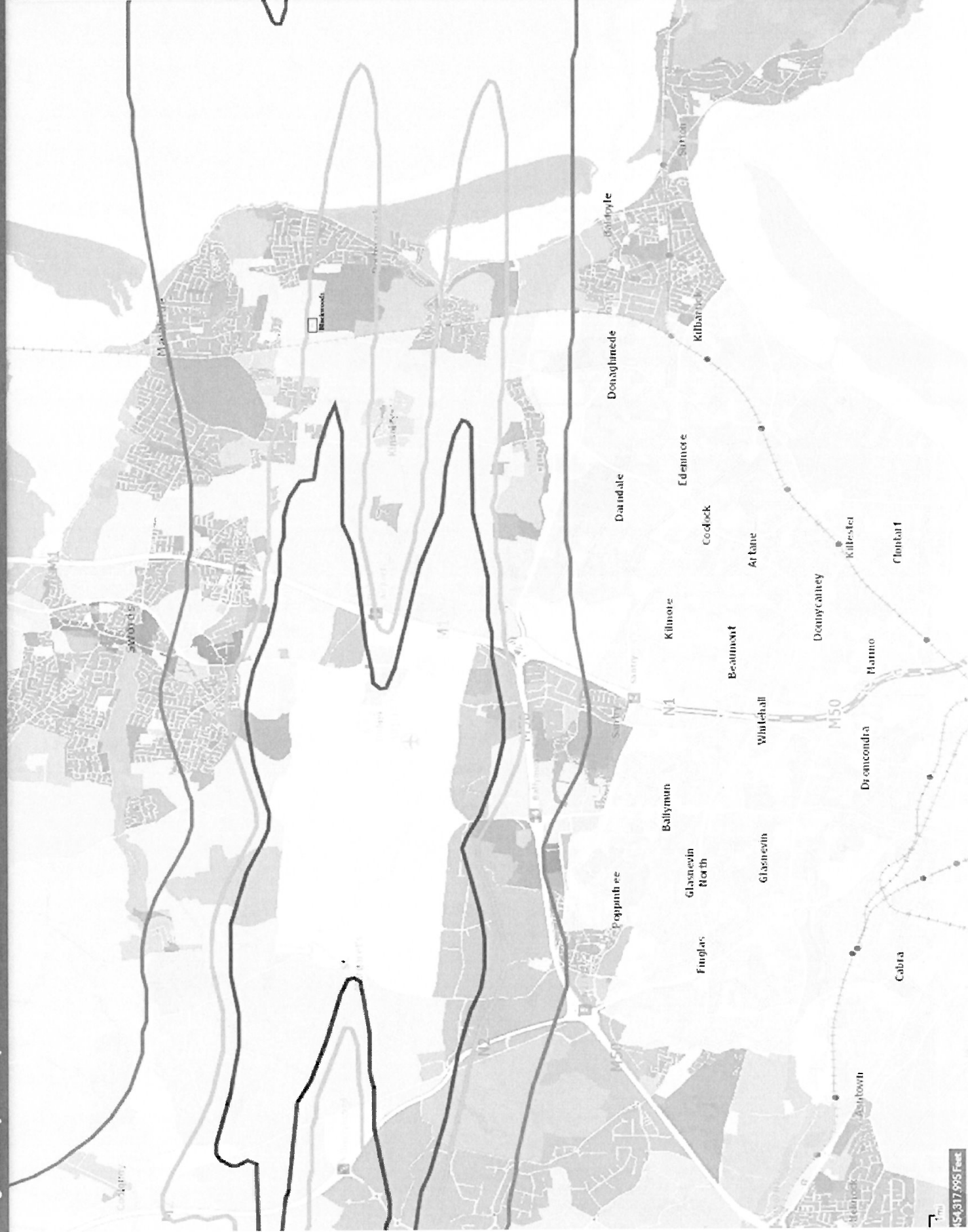


## Layers

- > ☐ Map Sheet Grid
- > ☐ Record of Protected Structures
- > ☐ Local Objective Points
- > ☐ Specific Objective Points
- > ☐ Specific Objectives Lines
- > ☐ NTA GDA Cycle Network Plan
- > ☐ Architectural Conservation Areas
- > ☐ Specific Objective Areas
- > ☐ NTA Strategic Transport Routes
- > ☐ Dublin Airport Development Schemes

**△ 注意：**

- | Legend  | Map |
|---|-----|
|  Zone B                            |     |
|  Zone C                          |     |
|  Local Area Plans                |     |
|  Fingert County Boundary         |     |
|  Specific Objectives Areas       |     |
|  GWR Historic Graveliers         |     |
|  GWR Glaciated Based Objects     |     |
|  GWR National Monuments          |     |
|  GWR Proposed Open Space         |     |
|  GWR Highly Sensitive Landscapes |     |





## Fergal Ryan

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**From:** Bord  
**Sent:** 02 April 2024 09:45  
**To:** Appeals2  
**Cc:** Patrick Buckley  
**Subject:** FW: FAO Mr. Patrick Buckley, Executive Office, Reference Case No ABP-314485-22.  
**Attachments:** 240329 Letter of Reply Blackwoods copy.docx

**From:** Deirdre Mc Namara <MCNAMAD@tcd.ie>  
**Sent:** Monday, April 1, 2024 6:08 PM  
**To:** Bord <bord@pleanala.ie>  
**Cc:** Lorna <lornamac25@hotmail.com>  
**Subject:** FAO Mr. Patrick Buckley, Executive Office, Reference Case No 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.

Dear Mr Buckley

Please find attached my letter of response as requested in relation to case No ABP-314485-22

Yours sincerely

Deirdre McNamara



Mr. Patrick Buckley,  
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An Bord Pleanála,  
64 Marlborough Street,  
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Yours Sincerely,

Name  DEREK McMANUS. Date 01/04/2024.

ADDRESS Bortonnell, Blackwood Lane, Malware (K36 W627)

