

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  
fromJohn Lynch 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 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>	1. RETURN TO SENDER with BP _____
3. Keep copy of Board's Letter <input type="checkbox"/>	2. Keep Envelope: <input type="checkbox"/>
	3. Keep Copy of Board's letter <input type="checkbox"/>

Amendments/Comments <u>John Lynch response to S.131</u>
<u>12/03/24: 02/04/24 ✓</u>

<b>4. Attach to file</b> (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"/>	<b>RETURN TO EO</b> <input type="checkbox"/>
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	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Pat B</u>	AA: <u>Anthony McNally</u>
Date: <u>08/04/2024</u>	Date: <u>25/04/2024</u>

**Fergal Ryan**

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*Primer*

**From:** John and Car <johnandcar56@gmail.com>  
**Sent:** 01 April 2024 19:37  
**To:** Appeals2  
**Subject:** ABP case 314485-22 Dublin Airport night time use  
**Attachments:** ABP case 314485-22 submission by J Lynch.docx

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.

Hi,

I am making a further submission on this case as per your invitation dated 12 March 2024. Please see attached for details.

Your letter does not make it clear how or where to make the submission so I am using this address in the hope it gets there.

Your website was trying to charge me another €50 fee and I believe this is incorrect.

Please let me know if my submission is accepted by An Board in this case.

Best Regards

John Lynch



56 Clonkeen,  
Ratoath,  
Co. Meath

1<sup>st</sup> April, 2024.

An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.

**Appeal against Dublin Airport late night usage and noise nuisance.**  
**Ref Case no. : 314485-22**

Dear Mr. Buckley,

I refer to your letter dated 12 March, 2024 offering me the opportunity to make observations on the latest submission in this case.

The issue is about noise. And the methodology for measurement of noise is crucial to ensuring the integrity of the planning appeals process. When An Bord exercises its quasi-judicial powers on this matter it must have regard to the quality and suitability of the information being provided to it.

It would appear that the Bord will be relying on a newly formed statutory body, ANCA, for this data. I have doubts that the ANCA organisation is a suitable authority to provide high quality data to the Bord for the following reasons :

1. ANCA does not appear to be a fully independent organisation. It is hosted & staffed within Fingal County Council which relies heavily on Dublin Airport for Rates income. It appears that the DAA maintains the noise monitoring equipment. These leave ANCA open to accusations of bias.
2. ANCA sees Operating Restrictions as a last resort – evidence of further bias.
3. ANCA does not have a full network of noise monitoring devices with which to effectively monitor noise. In particular they do not have a monitor in Ratoath and so have no data on noise in my area despite it being on the direct track for departing aircraft – especially “heavies” going to the USA.
4. ANCA rely on a computer model to calculate noise impact and this model is adapted to the local conditions existing in Dublin. I have some experience with computer modelling and wish to inform you that control of model parameters dictate the result of the model. Models are frequently wildly in error and must be corrected by actual observations and empirically obtained data. Two examples come to mind – reliance on the Black-Scholes Model which led to the global financial crash of 2008 and the Covid 19 Imperial College model which was hugely inaccurate. The Bord should question ANCA on their understanding of how their model works and whether they test it against real world data. The old phrase of Lies, damned lies and statistics needs to be updated with a 4<sup>th</sup> (and worst) category – predictive analytics.
5. Gaming. Last summer it seemed that every morning there was a queue of aircraft going over my house. Recently I have noticed on Flight Radar 24 that aircraft are being distributed across the area much more. This would have the effect of reducing noise averages. I

strongly suspect this is an attempt to game the noise numbers and once approval is given that the airlines would resume their old habits. I'd like to be able to prove this but 2023 data is not accessible on the ANCA data site.

6. I believe the official basis for understanding noise is based on averages. If I stood in your bedroom and banged a drum every half hour your average noise level would be very low. But you wouldn't get any sleep. I believe An Bord must adopt a better measure than the one used by ANCA for measuring the impact of noise. The WHO has a standard that could be used.
7. Finally, I believe a simple mitigation measure whereby aircraft departures are staggered (like in Gatwick) hasn't even been considered. This is very remiss and indicates at best that due care and attention to the welfare and health of the population in the area has not been a priority for the various bodies engaged in this review.

Respectfully

*John Lynch*