

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/ (received) 02/04/2024
fromBrian Dougan 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: 18/04/2024

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 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 314485-22

M _____

Please treat correspondence received on 02/04/2024 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 233. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐Amendments/Comments Brian Dougan response to S.13112/03/24 . 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 BAA: Anthony McNallyDate: 18/04/2024Date: 25/04/2024

Stephen Sutton

From: Bord
Sent: Tuesday 2 April 2024 14:48
To: Appeals2
Subject: FW: ABP - 314485-22
Attachments: An Bord Pleanala Response 02-04-2024.docx

From: Brian D <briandougan01@gmail.com>
Sent: Tuesday, April 2, 2024 2:43 PM
To: Bord <bord@pleanala.ie>
Cc: brian@cchireland.com
Subject: 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 Sir / Madam,

Thank you for affording me the opportunity to make observations on the additional information submitted by Tom Phillips & Associates of behalf of the DAA

I trust you find this in order and will take into account when deciding this matter

Should you have any queries please do not hesitate to contact me on 087 2820527

--

Regards,
Brian.

An Bord Pleanála

64 Marlborough St.

Dublin 1

D01 V902

18 Carrickhill Heights

Portmarnock

Co. Dublin

D13 XH28

2nd April 2024

RE: Your letter dated March 12th 2024 regarding Number ABP- 314485-22 additional information

Dear Sir / Madam,

Thank you for affording me the opportunity to make a submission on this additional information submitted by Tom Phillips & Associates on behalf of the DAA.

Based on the additional information that has been provided I would like to make the following observations.

- Neither the Maps nor associated documentation provided show any flight / noise contours relating to North Portmarnock despite this being directly under the flightpath of Runway North.

All maps provided showing revised noise contours completely ignore the flight path coming over North Portmarnock.

- Specified in the Tom Phillips response letter (bottom paragraph on page 3 and top paragraph on page 4) "The lack of extension of the noise contour to the East of the Airport is due to the near total absence of approaching or departing Aircraft due to the preferential runway use.

Unfortunately, the reality is North Runway is being used for incoming Aircraft

However, the documents do show that the North Runway will be used for approaching Aircraft more than 30% of the time meaning that there is a potential for a substantial number of approaching flights per night using North Runway.

- If you look at the original Bikerdike Allen Partners drawing No A11267_01_DR035_3.0 it clearly shows the intended flightpath for incoming flights using North Runway
- I see 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.
- To the best of my knowledge 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.

- 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).
- 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. The DAA themselves object to developments within that contour due to noise and safety issues (see F22A/0279 Kealys Coffee Shop, Portmarnock) (F21A/0238 My own house the DAA were insisting get additional insulation to deflect 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.
- Our house is in the Fingal Noise Zone B yet the DAA say we will not be affected despite the fact we have recorded noise levels of up to 86dB at 1am in the morning Copies of screenshots can be provided if required.
- The DAA have failed to install any Noise Monitoring Stations on the incoming flight for North Runway and the nearest accurate reading can only be gleamed for a station located on the Malahide Road (Feltrim Quarry) which does not reflect the true extent of the impact of Aircraft noise over Portmarnock.
- Under Planning application F23A/0414 Proposed Noise Monitoring Station located if St Annes Church which was granted permission despite Fingal Co Co. being advised this station was NOT on the proposed flight path and is in fact over 1km off course therefore readings obtained would be completely inaccurate and irrelevant. This station has not even been built yet.
- 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.

Based on the above observations, I feel this application should be refused.

Yours Sincerely,

Brian Dougan