

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
fromClara Stack 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

M _____

Please treat correspondence received on 02/04/2024 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 Clara Stack response to S.18112/03/2024 - 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 ☐

	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>18/04/2024</u>	Date: <u>25/04/2024</u>

An Bord Pleanála
64 Marlborough St.
Dublin 1
D01 V902

AN BORD PLEANÁLA	
LDG- _____	
ABP- _____	
02 APR 2024	
Fee: € _____	Type: _____
Time: <u>9.30</u>	By: <u>Hand</u>

Greenogue,
Kilsallaghan,
Co.Dublin

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

RE: Planning Authority Reference Number: F20A/0668

Dear Mr. Buckley,

Further to your correspondence dated the 12th of March regarding the relevant action referenced above I wish to make the following observations and submission:

1. I am extremely upset to see that the noise contours have extended massively into our community and that a very significant number of homes are now included within the noise eligibility contours.
Firstly, we note that no notice of this fact was given, in any of the planning notices, for this application to date. Many of our neighbours who thought they were unaffected by this application are now inside these contours, yet the first notification received was solely due to attendance at a public meeting held by St Margarets /The Ward residents' group . None of the newspaper or site notices informed the public. Why have these neighbours, who now know they are within the contours, not been given the opportunity to make a submission or observation? 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 has not ever 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 the 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 absent from 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. Why has Tom Philips omitted this?

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

AN IBORD PLEANA

LDD-

ABP-

U.S. MAR 5004


Feb. 6

Time


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 the DAA estimated averaging methodology. Their noise predictions are entirely inaccurate. A blatant attempt to obtain permission by misrepresentation through a manipulating of the numbers, utilising means with no reference to median or modal numbers. Why can they not submit **actual** noise results along the flight path which has been in operation since August 2022? Why are individuals affected not permitted to submit independent, professional noise impact assessments? Why is only the DAA permitted to submit selective reports.
5. Reference is made to the noise zones on the Fingal development plan. These noise zones must now be revised due to the proposed flight path over our area. Fingal County Council has already opined that no residential development should be permitted 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 both Noise Zone A and B which is entirely unacceptable 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 the decisions of An Bord Pleanála, This application must be refused.

Yours Sincerely,

Sign: _Clara Stack_



Date: _28th March 2024_



Address: Greenogue, Kilsallaghan, Co. Dublin
