

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
fromLo Klinkenbergh 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 _____
2. Acknowledge with BP <u>23</u>
3. Keep copy of Board's Letter <input type="checkbox"/> | 1. RETURN TO SENDER with BP _____
2. Keep Envelope: <input type="checkbox"/>
3. Keep Copy of Board's letter <input type="checkbox"/> |
|--|--|

Amendments/Comments Lo Klinkenbergh response to S.13112/03/2024 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>

Stephen Sutton

From: Bord
Sent: Tuesday 2 April 2024 10:58
To: Appeals2
Subject: FW: case number ABP-314485-22 Planning ref number F20a/0668
Attachments: bord pleanala email_004.jpg; bord pleanala email_003.jpg; bord pleanala email_002.jpg; bord pleanala email_001.jpg; bord pleanala email.jpg; bord pleanala email_005.jpg

-----Original Message-----

From: Lo Klinkenbergh <lo@klinkenbergh.ie>
Sent: Tuesday, April 2, 2024 10:48 AM
To: Bord <bord@pleanala.ie>
Cc: tklinks@gmail.com
Subject: case number ABP-314485-22 Planning ref number F20a/0668

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.

Attention: An Bord Pleanala

2 April 2024

Dear Sir/Madam,

Please find attached response/observation to letter received 12 March 2024.

Case number: ABP-314485-22

Planning Authority Reference Number: F20A/0668

Please can you confirm receipt of this email - Thank you

Yours faithfully,

Lo Klinkenbergh

Klinkenbergh Agents

Aeolus, Kinsealy Lane, Malahide, Co Dublin. Ireland. Eircode K36CX36.

Phone (+353) 086 2424322

<https://eur01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.klinkenbergh.ie%2F&data=05%7C02%7Cappeals%40pleanala.ie%7Cd27dbd1b17dd4725a93208dc52fb5398%7Cda4b02cb99534ab9abd9bcfe6c687ebb%7C0%7C0%7C638476486825019596%7CUnknown%7CTWFPbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjojV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=WbsjUdUiU1bVWmF41vY9VTUtXnt5VHpQAdoJD7Oa1to%3D&reserved=0>

Dublin Airport North Runway Relevant Action Application
Environmental Impact Assessment Report Volume 2 - Main Report

[https://www.pleanala.ie/publicaccess/EIAR-NIS/
314485/1A9E7869472111EEB8AAD81265965232.pdf?r=294602771202](https://www.pleanala.ie/publicaccess/EIAR-NIS/314485/1A9E7869472111EEB8AAD81265965232.pdf?r=294602771202)

Regarding sections 1.2.5; 1.2.6 and 1.2.7

The 65 already allowed aircraft movements between the hours of 11.00pm and 7am is already too many. This is already on average 8 flights per hour which is one flight every 7 minutes.

To add “..... where Runway 10L-28R length is required for a specific aircraft type.” (1.2.6) seems to me to be a stealthy way of increasing craft movements in and out of the airport in the night hours. 65 is already more than enough and this amendment should not be allowed, particularly but not only, in view of inaccurate data already mentioned.

There is also the consideration that these aircraft may also be a lot louder and that going forward aircraft will be bigger so that an increasing amount of these types of aircraft is a real possibility. Much more detail and the use and implementation of strict limitations is required and should be included to mitigate any increased air traffic and noise in the future.

Re 1.2.9 “Noise Quota System”

Much more detail and transparency is required for this idea and also needs to be discussed in a public forum before it is considered an option at all. Also, why the times have changed here ? - from between 11pm to 7am in other parts of the documents to between 11.30pm to 6am here.

Re 1.2.10 “Relevant Action”

Before being considered by An Bord Pleanala, all details of noise mitigation measures need to be discussed including all people in all areas affected by increased noise levels both in volume and frequency, especially those in the area heretofore not included formally (this includes anyone living south and east of the north runway who were not included in previous “relevant action” discussions), as well as seeking and gaining a full and unconditional commitment from the daa to fully comply and in a timely manner with whatever is agreed.

Bord Pleanála Case reference: PL06F.314485
Planning Authority Case Reference: F20A/0668

Further notes:

As you can see below the ANCA issued their direction to daa regarding the installation of noise measuring systems in November 2022.

From [fingal.ie](https://www.fingal.ie) published 29 august 2023. See link below

On 30 November 2022, ANCA issued a direction to daa to install and maintain permanent noise measuring systems in 23 community locations no later than 24 August 2024. The implementation was directed to be phased so that 15 of these locations would be operational by 24 August 2023.

Arising from this direction, daa have now made 15 noise measuring systems operational and they are accessible for public viewing via Dublin Airport's Webtrak flight monitoring system (<https://webtrak.emsbk.com/dub1> (link is external)).

<https://www.fingal.ie/news/15-permanent-noise-measuring-systems-now-place-around-dublin-airport#:~:text=On%2030%20November%202022%2C%20ANCA,operational%20by%2024%20August%202023>

From DAA submission march 2024

The dates on all images contained in link below are dated 2020. This makes the noise monitoring data completely inaccurate as there were no monitoring stations in appropriate areas for north runway. This is misleading and disingenuous, to say the least, on the part of daa.

<https://www.pleanala.ie/publicaccess/EIAR-NIS/314485/0A07D45F451311EB85F2005056926A5C.pdf?r=577207744699>

It also makes alot of DAA's rationalisations, arguments and statements about noise, noise pollution and its impacts null and void as no actual real and current data was used in their analysis of the north runway and it's actual flight paths as per above document
It seems to me that it is factually incorrect.

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 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.
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: 
Patricia Klaverberg

Date: April 2 2024

Address: K36 CX36

Aeolus Kersedy Lane Malahide Co Dublin

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.

As per letter from An Bord Pleanála dated 12 march 2024 :

Our Case Number: ABP-314485-22

Planning Authority Reference Number: F20A/0668

As per submission on An Bord Pleanála website:

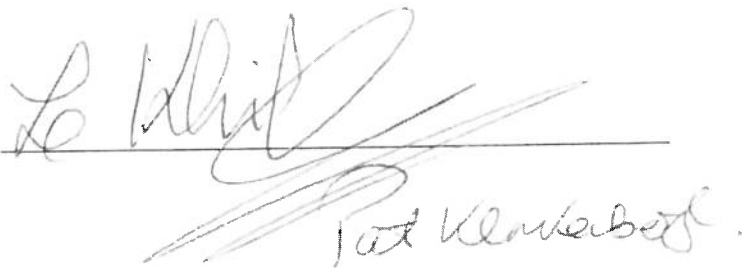
Bord Pleanála Case reference: PL06F.314485

Planning Authority Case Reference: F20A/0668

It should be further noted and taken seriously that WHO advise noise levels much lower than those proposed by DAA and currently accepted and allowed by them. High noise levels negatively impact people in their cognitive health, physical health and in mental health and wellbeing. This is particularly impactful in an area of repeated and ongoing high noise levels. Along with chronically disturbed sleep, the negative impact of which is also well documented, what DAA propose in their changes and what they are already illegally doing is and will have far reaching negative impacts on the lives of many people, personally, familial and within the greater communities in terms of general health and also in financial health.

Yours sincerely

Sign


Pat Kinsealy

Date 2 April 2024

Address K36CX36

Aeolus Kinsealy Lane Malahide Co Dublin

