

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/ received 26/03/2024  
fromAlbert Pattison and Catherine O'Donovan 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: 04/04/2024

## 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 26/03/2024 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 All bot Raffigan and Catherine O'Donovan 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 ☐

EO:

Pat SPlans Date Stamped ☐Date Stamped Filled in ☐

AA:

Anthony McNally

Date:

04/04/2024

Date:

25/04/2024

*Patrick*

**Derek Kelly**

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**From:** Bord  
**Sent:** Wednesday 27 March 2024 10:04  
**To:** Appeals2  
**Subject:** FW: Observations re ABP-314485-22  
**Attachments:** An Bord Pleanala Letter 2nd April 2024.docx

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**From:** Albert Rattigan <albert.rattigan@gmail.com>  
**Sent:** Tuesday, March 26, 2024 8:13 PM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** Observations re 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.

Please find attached our observations as requested in your letter of 12 March 2024



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. We suggest that the change in contours is as a result of their assessing the increased area which contains dwellings, and as a result will have "very significant" effects on those living there. 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.
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. If the community could submit actual noise results why cannot a state body with all their resources do this.
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. In their Development Plan 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 illegal 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 from night noise. Measurements of noise taken in bedrooms of housing already insulated indicate that the noise levels exceed the recommendations in the Fingal Development Plan and, are therefore, not sufficient to protect human health.
7. One possible solution would be for DAA to cease current operations and operate both Runways at Dublin Airport in Dependent Mode in accordance with the noise abatement procedures as submitted for the ABP 2007 Grant of planning. These are straight out departures off both runways to 5 miles or 3000 ft before diverging off the straight flight paths.
8. 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: Albert Rattigan Catherine O'Donovan

Date: 26 March 2024

Address: Coolatrath The Ward Co Dublin D11 Rak37

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64 Marlborough St.  
Dublin 1  
D01 V902

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Date: 26 March 2024

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