

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

## SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/ received 29/03/2024  
fromJoe O'Brien T.D. 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: 07/04/2024

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 29/03/2024 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 Joe O'Brien T.D. response to S.13112/03/24 : 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 ☐EO: Pat BPlans Date Stamped ☐Date Stamped Filled in ☐AA: Anthony McNallyDate: 07/04/2024Date: 25/04/2024

## Fergal Ryan

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**From:** Bord  
**Sent:** 02 April 2024 09:40  
**To:** Appeals2  
**Subject:** FW: Submission on ABP-314485-22 Dublin Airport Authority 'relevant action'  
**Attachments:** An Bord Pleanála letter March 2024.pdf; Joe OBrien ABP Submission March 2024.pdf

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**From:** Joe OBrien <Joe.OBrien@oireachtas.ie>  
**Sent:** Friday, March 29, 2024 11:45 AM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** Submission on ABP-314485-22 Dublin Airport Authority 'relevant action'

**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.

To whom it may concern,

In response to the letter attached from ABP please find attached also my submission on the case ABP-314485-22 regarding Dublin Airport Authority and the 'relevant action'.

Sincerely,

Joe O'Brien T.D. for Dublin Fingal  
Minister of State for Community Development, Integration and Charities  
Green Party/Comhaontas Glas  
Working for a better Ireland  
[joe.obrien@oireachtas.ie](mailto:joe.obrien@oireachtas.ie)  
01-6184114



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**Our Case Number:** ABP-314485-22

**Planning Authority Reference Number:** F20A/0668



An  
Bord  
Pleanála

Joe O'Brien TD  
Dáil Éireann  
Leinster House  
Kildare Street  
Dublin 2

**Date:** 12 March 2024

**Re:** A proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, which relates to the night-time use of the runway system at Dublin Airport.  
Dublin Airport, Co. Dublin

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above mentioned appeal.

The Board is of the opinion that, in the particular circumstances of this appeal, it is appropriate in the interests of justice to request you to make submissions or observations in relation to the submission dated 4th March 2024 received from Tom Phillips and Associates on behalf of DAA plc.

The submission has been posted on the website of An Bord Pleanála at <https://www.pleanala.ie/en-ie/case/314485>.

In accordance with section 131 of the Planning and Development Act, 2000, (as amended), you are requested to make any submissions or observations that you may have in relation to this submission **on or before 2nd April 2024**. The Board cannot consider comments that are outside the scope of the matter in question. Your submission in response to this notice must be received by the Board not later than **5:30pm on the date specified above**.

If no submission or observation is received before the end of the specified period, the Board may proceed to determine the appeal without further notice to you, in accordance with section 133 of the 2000 Act.

Please quote the above appeal reference number in any further correspondence.

Yours faithfully,

Patrick Buckley  
Executive Officer  
Direct Line: 018737167

BP70 Registered Post

<b>Tel</b>	<b>Tel</b>	(01) 858 8100
<b>Glao Áitiúil</b>	<b>LoCall</b>	1800 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
<b>Ríomhphost</b>	<b>Email</b>	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



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 on the above case I wish to make the following observations/submissions:

1. The DAA submitted new noise contour maps to An Bord Pleanála in March 2024. The most recent maps include a greater number of dwellings than the original maps initially included. Many homeowners who thought they were not affected by the noise eligibility contours now find themselves included in these maps. As they were not initially included, many of these residents did not make an original submission which excludes them from making any subsequent submissions.
2. Under the EU's Environmental Impact Assessment (EIA) Directive (2011/92/EU as amended by 2014/52/EU), the DAA must identify the direct and indirect significant impact of a project based on a wide range of environmental factors within an EIA Report, which the DAA have not completed sufficiently. The DAA must assess the environmental impact in the case of no flights travelling on the North Runway and they also must assess the impact when flights are travelling on the North Runway. These two scenarios must be compared to calculate the environmental impact, which has not been done to date.
3. As outlined in the EIA report in relation to noise contours, the proposal does not meet the Noise Abatement Objective of ANCA in the future. 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. Residents of the area have carried out independent noise monitoring which starkly contrast the noise levels predicted and published by the DAA. There are reasons to believe that the noise levels being reported by DAA are inaccurate and under representative of the true noise levels.

5. In the Fingal Development Plan 2023-2029 under the Dublin Airport Safety Zones, the areas affected by noise from the North Runway are classified as Noise Zone A. According to the Fingal Development Plan 2023-2029, the objective is "to resist new provision for residential development and other noise sensitive uses. All noise sensitive developments within this zone may potentially be exposed to high levels of aircraft noise, which may be harmful to health or otherwise unacceptable. The provision of new noise sensitive developments will be resisted." The proposed flight path does the opposite of the objective set out by Fingal County Council.
6. In relation to the mitigation measures proposed to alleviate the noise occurring from the use of the North Runway, the night-time insulation grant scheme offered is insufficient. A number of dwellings which have already been insulated, have monitored the noise levels. These levels exceed the recommendation set out in the Fingal Development Plan. This mitigation measure does not go far enough to protect the health of the residents in the area.

To conclude, the DAA have displayed a lack of regard for the current planning legislation and the impact this has had on residents and the local environment. This application must be refused.

Yours sincerely,

A handwritten signature in cursive script that reads "Joe O'Brien".

Joe O'Brien TD