

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/received 30/03/2024
fromJohn Whyte 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 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 314485 - 22

M _____

Please treat correspondence received on 30/03/2024 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 John Whyte 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 <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Pat B</u>	AA: <u>Anthony Mc Nally</u>
Date: <u>07/04/2024</u>	Date: <u>25/04/2024</u>

Patrick Buckley

From: Appeals2
Sent: Wednesday 3 April 2024 10:00
To: Patrick Buckley
Subject: FW: Case number: ABP-314485-22 Relevant Action Application Dublin Airport
Attachments: Document_2024-03-30_Page1.pdf; Document_2024-03-30_Page2.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Internal Mail

From: Bord <bord@pleanala.ie>
Sent: Tuesday, April 2, 2024 9:49 AM
To: Appeals2 <appeals@pleanala.ie>
Subject: FW: Case number: ABP-314485-22 Relevant Action Application Dublin Airport

From: John Whyte <johnpatrickwhyte@gmail.com>
Sent: Saturday, March 30, 2024 10:58 AM
To: Bord <bord@pleanala.ie>
Subject: Re: Case number: ABP-314485-22 Relevant Action Application Dublin Airport

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,

Please find attached my letter detailing my observations/submissions in relation to case number : ABP-314485-22.

I have attached two PDF files containing the two pages of my letter.

Kind regards,

John Whyte.

Newtown House,
The Ward,
Co. Dublin
D11XA52

29th March 2024

An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902

Re: Case number: ABP- 314485-22 Relevant Action Application Dublin Airport
Planning Authority Reference Number : F20A/0668

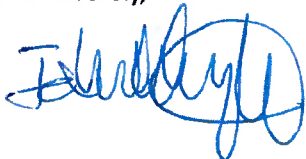
Dear Sir/Madam,

Further to your correspondence on the above case, I wish to make the following observations/submissions:

1. I am extremely shocked to see the noise contours have been extended hugely into our community and that a very significant number of dwellings are now included within the noise eligibility contours. There was no notice of this in any of the planning applications to date. Many residents who thought that they were not affected by this application are now within these contours but were never publicly notified until they attended the public meeting held by the St. Margaret's/The Ward residents' group. The newspapers or site notices failed to inform the public. The people who now know they will be affected have been denied the opportunity to make a submission/observation as they do not qualify because they did not make one previously thinking they were unaffected. An Bord Pleanála did not give public notice of this significant additional information. The above is totally unacceptable and unjust to the communities affected.
2. It is noted that the correspondence from Tom Phillips & Associates refers to the ANCA Regulatory Decision regarding eligibility to the noise insulation scheme and suggests that the change in contours is as a result of their assessing that the increased area is as a result of them considering the new area which contains dwellings to having "very significant" effects. It is noted 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 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 makes continual reference 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. Margaret's/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. 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 the 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 the Fingal Development Plan and are not sufficient to protect human health.
7. In summary, planning is an afterthought for the 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,



John Whyte.

29th March 2024

Newtown House, The Ward, Co. Dublin, D11 XA52.

