

File With _____

SECTION 131 FORM

Appeal NO: _ABP_ 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/received 31/03/2024

from

Alan Lynch

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 EDate: 08/04/2024

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 31/03/2024 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 Alan Lynch 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 ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: Pat BAA: Anthony McNallyDate: 08/04/2024Date: 25/04/2024

Dan Wigglesworth

From: Bord
Sent: Tuesday 2 April 2024 09:56
To: Appeals2
Subject: FW: ABP-314485-22 Relevant Action Application
Attachments: An Bord Pleanala Letter 2nd April 2024.pdf

Follow Up Flag: Follow up
Flag Status: Completed

From: Alan Lynch <axllynch@gmail.com>
Sent: Sunday, March 31, 2024 11:43 PM
To: Bord <bord@pleanala.ie>
Subject: ABP-314485-22 Relevant Action Application

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.

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 beyond 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 (or indeed close to the contours and still subject to continuous noise from aircraft) have not been given the opportunity to make a submission/observation as they do not qualify. This is 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 or close to the North Runway flightpath, 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. 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. Members of the St Margarets/The Ward residents group met with the IAA on 21 February 2024 to discuss the north runway flightpaths. Crucially, the IAA confirmed there is alternative flightpaths available which were not considered by DAA and AirNav for some reason. One option is to change the current go around for missed approaches on the South Runway. This is an average of one flight per day and would only occur in very bad weather conditions when people are generally indoors. One go around back over the city is better than 300 flights per day diverging over communities and causing a major noise problem to tens of thousands of people who were never supposed to be under or close to a flightpath. A second option is to use the runways in dependant mode, similar to what Gatwick airport propose in their current planning application. This would allow north runway flightpaths to go straight out over empty fields and solar farms like it was intended in the original 2007 planning permission. This would avoid the current major noise problem as it would allow aircraft to rise slowly and more quietly to a higher altitude before turning to the intended route. This approach would allow the airport to meet it's current planning permission conditions and still achieve at least 32 million passengers per annum. Incidentally, Gatwick airport believe they can achieve up to 75 million passengers per annum using dependant mode on their two runways as detailed in their current live planning application.
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. My family and I moved to Kilsallaghan in June 2021 on the understanding that we were not going to be close to the north runway

flightpath. We reviewed the planning documentation before purchasing our home and now we find ourselves exposed to continuous levels of harmful noise from aircraft. It has completely diminished our enjoyment of our home and outdoor space. We would not have moved and sold our previous home had we of known this would be the case.

This application must be refused.

Yours Sincerely,

Sign: Alan Lynch

Date: 31 March 2024

Address: Alan Lynch, Castlefarm House, Kilsallaghan, Co Dublin, K67WE52
