

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
fromNeil Carey 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 31485-22

M _____

Please treat correspondence received on 29/03/2024 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 Neil Corey 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 EPlans Date Stamped ☐Date Stamped Filled in ☐AA: Anthony McNallyDate: 07/04/2024Date: 25/04/2024

Fergal Ryan

From: Bord
Sent: 02 April 2024 09:46
To: Appeals2
Subject: FW: PL06F.314485 Neil Carey Further Observation
Attachments: PL06F.314485 Neil Carey Further Observation 2024-04.pdf

From: Neil Carey <careyn5@gmail.com>
Sent: Friday, March 29, 2024 6:47 PM
To: Bord <bord@pleanala.ie>
Subject: PL06F.314485 Neil Carey Further Observation

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

Please find attached my further Observation re application PL06F.314485.

Can you please acknowledge receipt of this email?

With kind regards
Neil Carey
087-2788541

Neil Carey
Baltrasna Road
Ashbourne
Co. Meath
A84 DF24

29/03/2024

An Bord Pleanála via online submission

Bord Pleanála Case Number: ABP-314485-22

Planning Authority Case Reference: F20A/0668

Observations relating to Bord Pleanála Case reference ABP-314485-22 subsequent to the receipt of additional information from daa.

Dear Sir/Madam,

Having reviewed the new information supplied by DAA, I implore you to reject this application. DAA are effectively attempting to hoodwink An Bord Pleanála and the public into accepting flight paths that have never formed any part of the EIAR that led to the grant of permission to build the North Runway back in 2007. This is covert retention to cover up for a terrible mistake made by DAA that can be undone by DAA if they so choose. Members of the public should not spend the rest of their lives suffering because of this error. An Bord Pleanála will be complicit in further compounding this mistake to the detrimental effect of thousands of people if this application is granted.

On the 05 of August 2021 I was granted permission (planning number 21337) by Meath County Council to build my home on the road where I grew up. I have spent all my life saving for this and my dreams have now turned into a nightmare as I find myself under a flightpath that is not supposed to be there and one that the community has never been consulted over.

I like so many others affected by the North Runway flightpaths have wasted so much time researching planning and aviation laws to fight this injustice. This has taken a large toll on my health and has taken time from my family. For once, can someone please do the right thing?

On the pages below I will detail further points as to why this application must be rejected.

Regards,



Neil Carey

The updated EIS which the DAA has submitted, clearly shows a completely new noise impact, and this addition is factual proof that the DAA are operating the new North runway against the original planning permission.

Since the planning permission was granted in 2007, there has been no consultation with any population in Co. Meath regarding the currently flown flight paths. People have invested heavily in their properties, myself included, and were not aware that there would be aircraft flying so low over our neighbourhoods. Our quality of life is dramatically reduced, being woken up by low-flying aircraft.

If the Bord were to allow a relaxation of the planning conditions 3(d) and 5 as the applicant wants with this relevant action it would give tacit support to the DAA's strategy and undermine the system of planning permission.

DAA persists in pretending that the flight paths are entirely unconnected to the planning permission and is now on the fourth set of routes since 2005, while nowhere near compliant with the original Environmental Impact Statement (EIS).

To be clear; there is no safety, regulatory or technical reason that prevents DAA from complying with the original noise footprint from the 2005 EIS. DAA's spin that the current flight paths are required for reasons of safety is simply not true.

ADSB transponder data captured from aircraft departing DUB over a 24-hour period was used to show the paths actually flown. Note about 50% fly directly over 12,000 people in Ratoath and 100% fly within 2km of Ashbourne while at climb power, the noisiest most disruptive phase of flight.

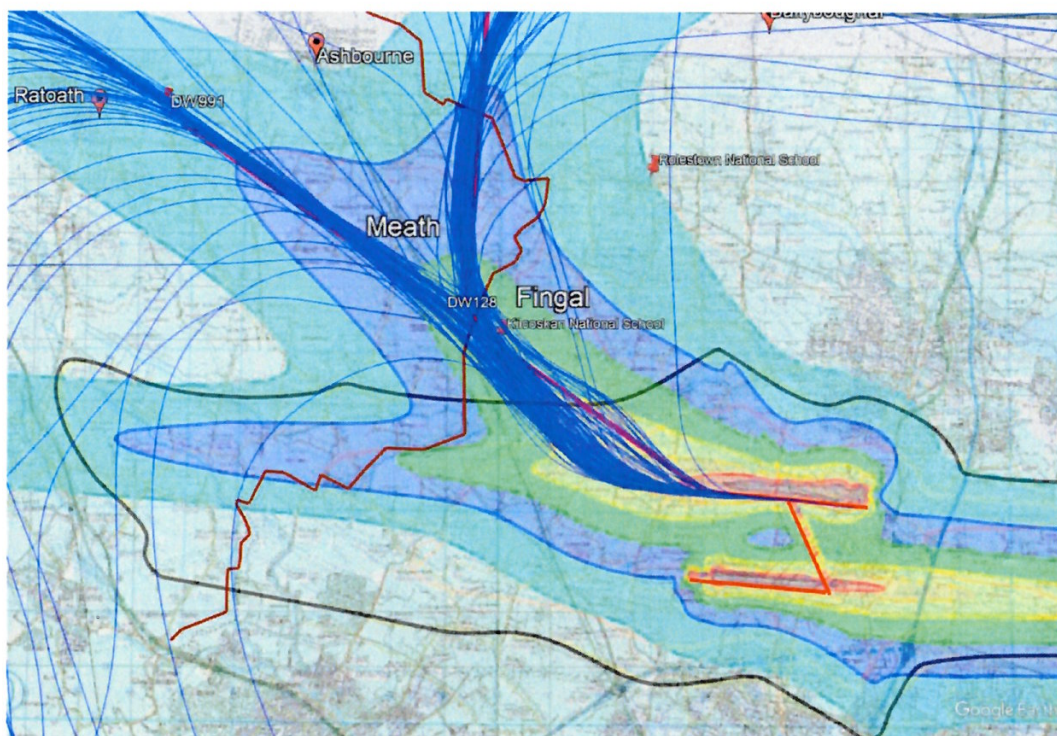


Figure 1 The present EIAR claims the coloured area as the "permitted" scenario.

In Figure 1, daa's Forecast Lday Noise Contours 2035 Permitted Scenario Figure 13C-23 are overlaid with the current traffic. The magenta tracks currently in use form the 4th flight-path design so far by daa/AirNav and only went into operation in February of 2023.

Examination of the original EIS demonstrates that the Noise Contours in Figure 1 are nowhere near the noise contours claimed as permitted in the current EIAR. Simple logic dictates that it is impossible that these noise contours are the “Permitted Scenario”.

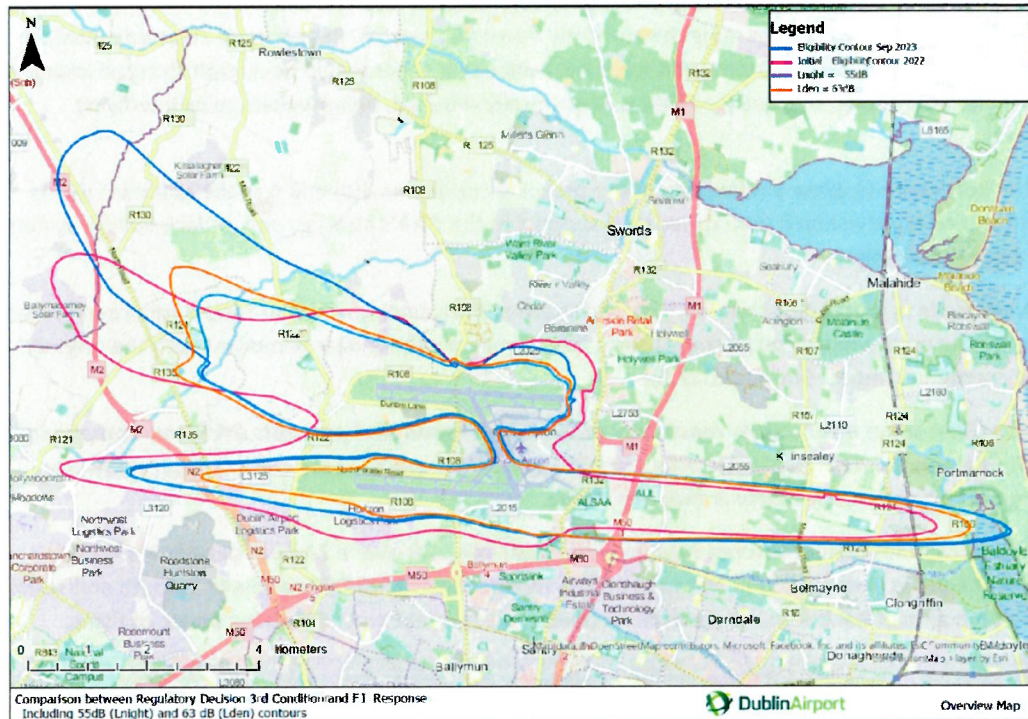


Figure 2 New submission from daa further clarifying breach of Condition 1 of the granted permission

Figure 2 supplied by daa shows that the RWY28R SID is in clear breach of Condition 1 of the granted permission.

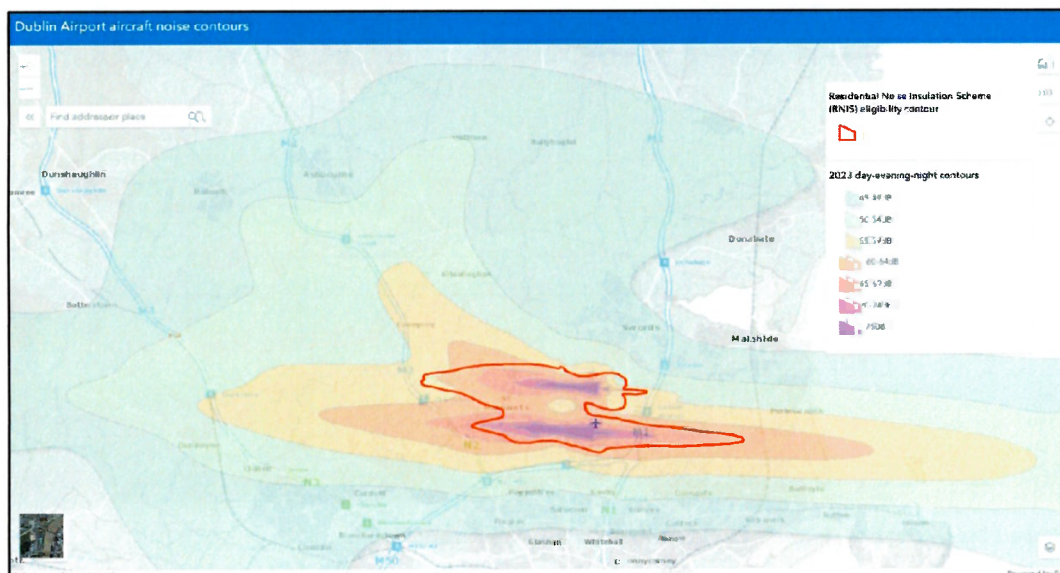


Figure 3 Latest ANCA data demonstrating noise all the way up to Ashbourne and Ratoath

DAA's new submission demonstrates their casual disregard for condition 1 of the only planning permission in force for the north runway.

Further to the above points I would like to detail below the significance to our wider community and would request that you regard 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.
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.

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.