

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
fromPaul and Susanne Lynam 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: 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 2/3/4 weeks – 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>	1. RETURN TO SENDER with BP _____
3. Keep copy of Board's Letter <input type="checkbox"/>	2. Keep Envelope: <input type="checkbox"/>
	3. Keep Copy of Board's letter <input type="checkbox"/>

Amendments/Comments <u>P+S Lynam response to S.131</u>
<u>12/03/24: 02/04/24 ✓</u>

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 <input type="checkbox"/>
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	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Pat B</u>	AA: <u>Anthony McNally</u>
Date: <u>08/04/2024</u>	Date: <u>25/04/2024</u>

Patricia

Fergal Ryan

From: Paul Lynam <lynam_paul@hotmail.com>
Sent: 31 March 2024 14:00
To: Appeals2
Subject: RE: Case Number ABP- 314485-22 Relevant Action Application Dublin Airport
Attachments: ABP March 2024 Final.pdf

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 submission regarding the Relevant Action Application Dublin Airport as I was invited to do so in your recent communication to me.

Regards,

Paul Lynam
Thornton Oaks
Thornton
Kilsallaghan
Co Dublin
K67V902.

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 appear to 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. I believe looking at actual data would better show the true noise effect (also Max Peak) on any route, I further believe it would be a true reflection of the impact in the early and later hours (7:00 – 8:00 – 21:00 – 22:00) as I assume it will be same flights on most given days and will represent a truer picture for effected

families in certain corridors, and an average is not really that relevant. I am personally woken by a flight shortly after 7:00 each morning due to the excessive/peak noise, I am not woken by average noise. This morning as the flights passed nearby shortly after 7:00 am I measured a few of the flights, all were mid 50's in terms of db, but this was indoors with the windows closed. The suggestion that the extension of the night time hours will have a minimal effect on the noise levels is probably mathematically correct, given the relatively (to total flights) small number of flights (As per DAA plans) and their effect on the overall average noise levels. However, for many of us in the region (and outside the suggested insulation areas) it will have an absolute effect, in that the majority of flights (departing west from the north runway) will pass near our home at noise levels over 70 db (outside) from 6:00 am in the morning. As I mentioned, the average noise level will not help me sleep if the 6:00 am departure is the one that wakes the family.

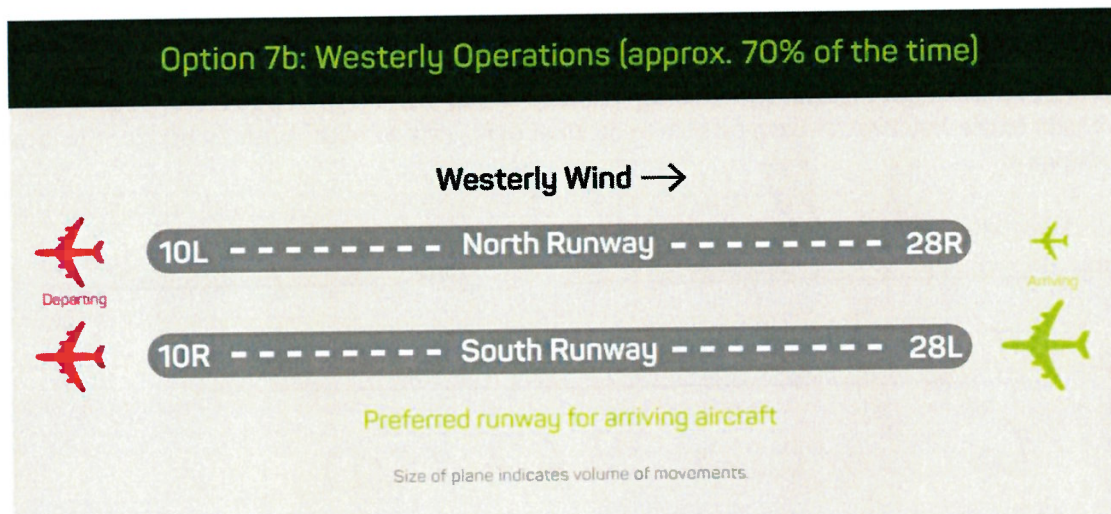
I did not see any reference in the reports on the effect of at what height flights from the North runway can turn, I am not an acoustic engineer but I would assume the height and the flight path must be considered in conjunction if one is to estimate the noise levels in properties on the ground. Sound will travel in 3D, the maps are all 2D. Our property is outside the blue lines and as per the DAA info and is not covered by any insulation support. From the DAA Document North Runway, Operation, Assessment and Next steps it suggests our property is /will be in low 45 – 55 DB (Average) range, however last night, once I finished reading the DAA submission, I measured the next plane passing close by and it registered in excess of 70 db (iphone – may not be entirely accurate, but definitely a far cry from 45 – 55 db).

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. I believe the changes to flight paths that are now operated compared to planning permission are having a disproportionate impact on our neighbours and ourselves and this is before any additional effect of extended take off hours. The assumption that flights using the North runway would be required to stick to the same rules as the South runway (no turning before 3,000 feet) has a massive impact on this matter. As this 3,000 feet requirement does not seem to apply on the North runway, the whole sound contouring have changed and our property is about 1,5 km closer to the flight paths currently used and far closer the airplanes if the 3,000 feet rule is ignored. Based on some simple rule of thumb (6db sound impact each time distance is doubled) suggests the revised flight path adds in the region of 20 DB on top of what we would have experienced, coincidentally very close to the delta referenced in point 4.

8. The disproportionate impact on our area is referenced but incorrectly presented in DAA documents and this begs the question what data they have used (assumptions made as per Tom Philips) to draw up the contour lines.



As per the above approx. 70% of flights (increased to 80% in the submission by Tom Philips & Associates) will depart to the West, preference will be to use the North runway. The DAA images suggests an equal use of North and South Runways, but that does not seem to be the reality, and we live with the reality, however I am sure this would affect any AVERAGE numbers if it was the basis for any calculation.

9. The information in the letter from Tom Philips presents the idea/position that the contours should be updated to reflect the actual noise data. The letter states on two occasions, "As such, given the previously predicted noise information has been revised, so too should the eligibility contour". It also mentions "a change in assumptions regarding the mixed mode operations, which had the effect of increasing the number of night flights using the north runway etc". The reason for any variation is that DAA have decided to change paths/frequency/height = Noise from what was originally planned and I assume approved. They appear to be effectively, retrospectively changing their application, and I cannot help but wonder if they would have experienced more community resistance, had this version of reality been initially communicated. I am pretty sure if this reality was publicly known I and several others would not have invested in buying our property in this location, and would not be concerned with potential health issue for our families associated to noise nor any financial down side in the value of the property due to the amended flights paths and extension of flight hours. We bought and renovated our property knowing that the new runway was coming, but based on the information at that time that flights (in restricted times) would depart straight West to 3,000 feet before turning meant we were only partially concerned.

10. In summary planning is an afterthought for DAA. It also seems they can change flight paths at will (with our noise impact study) as was shown early 2023 when it seems a restriction on the turning angle was implemented meaning flights no longer turned sharp right from the North Runway and passed to the East of our home, flying over Kilsallaghan/Oldtown/Ballyboughal. Any flights now pass West of our home, but still far closer than expected. Their actions show that they do not respect planning legislation or decisions of An Bord Pleanála nor of the residents in the region. This application must be refused, if this is passed, it will a negative impact on our health and I fear it's only a matter of time before they ask for something else or perhaps don't bother to ask/advise/advertise. I also expect any future challenge to DAA on related matters (health or financial impacts) will simply be met by a stock response that it has been approved by ABP and they are operating within the approval and it has nothing to do with them.

I fly every week, my issue is not with the new runway, I understand the need to be connected, but I do object to the way DAA seem to be able to do what they want without consideration for the local community.

Yours Sincerely,
Sign: _____

Paul Lyman

Date: 31/3/2024

Address: THORNTON OAKS, KILSHALLAGHAN
Co. DUBLIN K67V902