

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/ received 27/03/2024
fromWilliam Dempsey 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: 04/04/2024

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 27/03/2024 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 William Dempsey 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 <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <u>Pat B</u>	AA: <u>Anthony McNally</u>
Date: <u>04/04/2024</u>	Date: <u>25/04/2024</u>

Alfie Staunton

From: Bord
Sent: Thursday 28 March 2024 08:51
To: Appeals2
Subject: FW: ABP-314485-22 F20A/0668 DAA Relevant Action Night-time Use of Runways
Attachments: An Bord Pleanala Letter 27 March 2024.docx

From: William Dempsey <wdemp@outlook.com>
Sent: Wednesday, March 27, 2024 8:14 PM
To: Bord <bord@pleanala.ie>
Subject: ABP-314485-22 F20A/0668 DAA Relevant Action Night-time Use of Runways

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,

Following your correspondence to me on the 13 Feb'24, please find attached our observations on the latest information provided by the DAA.
Please confirm receipt of my observations.

Yours sincerely William Dempsey

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

1. It would appear that through this relevant action request, the DAA are consciously and deliberately trying to retain unapproved flightpaths without the prerequisite noise insulation abatement measures, consultation and appropriate planning permission. I would request that you consider this when making your decision as it will lead to an intolerant noise for residents along the flight path.
2. 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.
3. I 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.
4. Tom Phillips refers continuously to the regulatory decision by ANCA in his correspondence. As I understand it ANCA have not concluded their public consultation yet and finalised their decision.
5. 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).

6. 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.
7. 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.
8. 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.
9. In summary the DAA is a bad neighbour in the opinion of most people living near Dublin Airport. Their actions show that they do not respect planning legislation or decisions of An Bord Pleanála. The current DAA board have demonstrated a failure to meet their fiduciary duty, they are not showing good faith in making this application and have breached planning conditions by:
 - Exceeding the overall capacity limit of 30M passengers resulting in pressure on services and infrastructure around the airport.
 - Exceeding night flight limits of 65 per night, resulting in a court case.
 - Changing flightpaths and consequently noise contours without planning permission.
 - Misleading the public and government bodies by their interpretation of passenger numbers and excluding transit and transfer passengers from their counts.
 - Misleading or partial informing ANCA of noise levels along their unapproved flight path.
 - Having not conducted an insulation programme to affected residents along the unapproved flightpath (leaving the DAA open to court cases).
 - Colluding with Ryanair and IAG to put pressure on public bodies through their scare campaign about flights moving from Dublin.

Yours Sincerely,

Sign: William Dempsey
William Dempsey

Date: 27/3/2024

Address: Wheatfield, Belinstown, Ballyboughal, Co Dublin
