

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/ received 30/11/2023
fromAlbot Raffigan and Catherine O'Donovan 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 B.Date: 07/12/2023

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: _____

Validation Checklist

Lodgement Number : **LDG-068481-23**
Case Number: **ABP-314485-22**
Customer: **Albert Rattigan & Catherine O'Donovan**
Lodgement Date: **30/11/2023 15:10:00**
Validation Officer: **Patrick Buckley**
PA Name: **Fingal County Council**
PA Reg Ref: **F20A/0668**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**



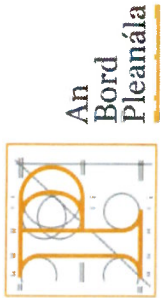
An
Bord
Pleanála

Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Run at: 07/12/2023 15:19

Run by: Patrick Buckley

Lodgement Cover Sheet - LDG-068481-23



Details

Lodgement Date	30/11/2023
Customer	Albert Rattigan & Catherine O'Donovan
Lodgement Channel	Email
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068481-23
Map ID	
Created By	Patrick Buckley
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	F20A/0668

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Fingal County Council
Case Type (3rd Level Category)	Normal Planning Appeal PDA2000

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	50.00
Refund Amount	0.00

Observation/Objection Allowed?	Yes
Payment	
Related Payment Details Record	

Observation

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	A proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, at Dublin Airport,
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Run at: 07/12/2023 15:19

Run by: Patrick Buckley

Co. Dublin, in the townlands of Collinstown, Toberbunny, Commons, Cloghran, Corballis, Coultry, Portmellick, Harristown, Shanganhill, Sandyhill, Huntstown, Pickardstown, Dunbro, Millhead, Kingstown, Barberstown, Forrest Great, Forrest Little and Rock on a site of c. 580 ha. The proposed relevant action relates to the night-time use of the runway system at Dublin Airport. It involves the amendment of the operating restriction set out in condition no. 3(d) and the replacement of the operating restriction in condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19), as well as proposing new noise mitigation measures. Conditions no. 3(d) and 5 have not yet come into effect or operation, as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing. The proposed relevant action, if permitted, would be to remove the numerical cap on the number of flights permitted between the hours of 11pm and 7am daily that is due to come into effect in accordance with the North Runway Planning Permission and to replace it with an annual night-time noise quota between the hours of 11.30pm and 6am and also to allow flights to take off from and/or land on the North Runway (Runway 10L 28R) for an additional 2 hours i.e. 2300 hrs to 2400hrs and 0600 hrs to 0700 hrs. Overall, this would allow for an increase in the number of flights taking off and/or landing at Dublin Airport between 2300 hrs and 0700 hrs over and above the number stipulated in condition no. 5 of the North Runway Planning

	Development Description
	<p>Permission, in accordance with the annual night time noise quota. The relevant action pursuant to Section 34C (1) (a) is: To amend condition no. 3(d) of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19). Condition 3(d) and the exceptions at the end of Condition 3 state the following: '3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 0700 hours except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports.'</p> <p>Permission is being sought to amend the above condition so that it reads: 'Runway 10L-28R shall not be used for take-off or landing between 0000 hours and 0559 hours except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports or where Runway 10L-28R length is required for a specific aircraft type.' The net effect of the proposed change, if permitted, would change the normal operating hours of the North Runway from the 0700hrs to 2300 hrs to 0600 hrs to 0000 hrs. The relevant action also is: To replace condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19) which provides as follows: 5. On completion of construction of the runway hereby permitted, the average number of night</p>

PA Case Number	F20A/0668
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all aircraft movements at the airport shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007. Reason: To control the frequency of night flights at the airport so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway'. With the following: A noise quota system is proposed for night time noise at the airport. The airport shall be subject to an annual noise quota of 7990 between the hours of 2330hrs and 0600hrs. In addition to the proposed night time noise quota, the relevant action also proposes the following noise mitigation measures: - A noise insulation grant scheme for eligible dwellings within specific night noise contours; - A detailed Noise Monitoring Framework to monitor the noise performance with results to be reported annually to the Aircraft Noise Competent Authority (ANCA), in compliance with the Aircraft Noise (Dublin Airport) Regulation Act 2019. The proposed relevant action does not seek any amendment of conditions of the North Runway Planning Permission governing the general operation of the runway system (i.e., conditions which are not specific to nighttime use, namely conditions no. 3 (a), 3(b), 3(c) and 4 of the North Runway Planning Permission) or any amendment of permitted annual passenger capacity of the Terminals at Dublin Airport. Condition no. 3 of the Terminal 2 Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.220670) and condition no. 2 of the Terminal 1 Extension Planning

PA Decision Date	08/08/2022
County	
Development Type	
Development Address	Dublin Airport, Co. Dublin
Appellant	
Supporting Argument	

	<p>Remission (Fingal County Council Reg. Ref. No. F06A/1843; ABP Ref. No. PL06F.223469) provide that the combined capacity of Terminal 1 and Terminal 2 together shall not exceed 32 million passengers per annum. The planning application will be subject to an assessment by the Aircraft Noise Competent Authority in accordance with the Aircraft Noise (Dublin Airport) Regulations Act 2019 and Regulation (EU) No 598/2014. The planning application is accompanied by information provided for the purposes of such assessment. An Environmental Impact Assessment Report will be submitted with the planning application. The planning application and Environmental Impact Assessment Report may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the Planning Authority during its public opening hours of 9.30 - 16.30 (Monday – Friday) at Fingal County Council, Fingal County Hall, Main Street, Swords, Fingal, Co. Dublin.</p>
Applicant	
Additional Supporting Items	Yes

Alice-Faye Staunton

Patrick

From: Bord
Sent: Friday 1 December 2023 09:13
To: Appeals2
Subject: FW: PIO6F314485
Attachments: ABP letter.pdf; Observation PL06F.314485.pdf

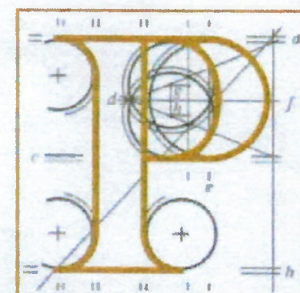
From: Albert Rattigan <albert.rattigan@gmail.com>
Sent: Thursday, November 30, 2023 3:58 PM
To: Bord <bord@pleanala.ie>
Subject: PIO6F314485

Attached please find further observations
Regards

Albert

Our Case Number: ABP-314485-22

Planning Authority Reference Number: F20A/0668



An
Bord
Pleanála

Albert Rattigan & Catherine O'Donovan
Coolatrath
The Ward
Co. Dublin

Date: 08 November 2023

Re: A proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, which relates to the night-time use of the runway system at Dublin Airport.
Dublin Airport, Co. Dublin

Dear Sir / Madam,

Further to the Board's letter of 3rd October 2023 in which you were informed that the Board had received significant further information from the applicant in relation to the above appeal, the Board is publishing a newspaper notice in accordance with Article 113 of the Planning and Development Regulations, 2001 (as amended). The notice will be published in the Irish Times newspaper on 10th November 2023.

This notice will enable written submissions in relation to the further information to be made to the Board **within 5 weeks** beginning on the date of publication of the notice. The further information will be available for inspection and purchase at the offices of Fingal County Council and An Bord Pleanála. The further information will also be posted on the website of An Bord Pleanála at www.pleanala.ie/en-ie/case/314485.

As you are an existing participant in this appeal, there is no requirement for you to pay a fee when submitting any further submission you may wish to make in this case.

Please contact the undersigned if you need any further information in respect of this process and quote the above appeal reference in any further telephone or written correspondence.

Yours faithfully,

Karen Hickey

Patrick Buckley
Executive Officer
Direct Line: (01) 8737167

BP77

Teil
Glao Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

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LoCall 1800 275 175
Fax (01) 872 2684
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Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

I wish to make the following further observations in relation to this Appeal

Our enjoyment of our home and garden has been severely impacted since the opening of the North Runway. The flight paths expected and advised in consultations with the local community are much different than those on the 2007 planning permission. The current operation is causing huge distress and disturbance to tens of thousands of people not to mention the negative health effects and illnesses which can be attributed to excessive aircraft noise.

The prospect of granting further changes to increase the day hours and night flights seems ludicrous when there is a major noise issue already in place.

An oral hearing is absolutely necessary given the gravity of the situation.

The flight paths in use are not what were granted by planning permission in 2007.

Straight out flight paths as agreed in 2007 will largely improve the noise issue.

Unlimited night flights using pure noise quota system is only going to cause more sleep disturbance for residence. Night flights should be banned as in the case of many other major airports.

The proposed changes are "based on actual routes flown". The applicants are basing their plans on an assumed acceptance of their illegal, unauthorised flight paths. There is a total disregard for the democratic system of this country. It is abhorrent to think that a state owned company is disregarding the law of the country and nobody is calling them to account.

The FCC 2007 planning stipulations have been absolutely flouted. There is a raw arrogance in this assertion. It flies in the face of WHO and all academic research on harm done by air traffic. How safe is it for the stakeholders in this matter to not accept the reality of the harm done by these unauthorised flight paths.

I am one of over 30,000 people who are now living under an illegal flight path since the opening of the North Runway. Indeed even in death you cannot escape from the onslaught of noise. My mother died on 12 June this year, on 17 June we had her burial service at the Ward Cemetery. On the day the wind was from the east so planes were coming in from the West flying directly over the cemetery (illegal flight path). The noise was so bad the priest had to pause several times during the prayer service. In the end he just had to continue and nobody was able to hear the prayers for our mother. This caused considerable upset to family and friends gathered to celebrate our mother's life.

If the DAA are allowed to continue in this manner it makes a mockery of our planning and democratic systems in this country and will set precedent for others to follow in their path.

Thank you for taking the time to read my observations

Albert Rattigan & Catherine O'Donovan

Coolatrath

The Ward

Co Dublin

D11 RK37

30 November 2023