

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 14/12/2023
from Ambrose Jameson 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 issues

Section 131 not to be invoked at this stage.

☒

Section 131 to be invoked — allow 2/4 weeks for reply.

☐

Signed

Pat Bue

EO

Date

21/12/2023

Signed

SEO/SAO

Date

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date



Planning Appeal Observation

Online Reference
NPA-OBS-002963

Online Observation Details

Contact Name
Ambrose Jameson

Lodgement Date
14/12/2023 11:21:00

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Ambrose Jameson

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed



EO

Date

21/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068804 -23

Reason for Refund

Documents Returned to Observer

☐ Yes ☐ No

Request Emailed to Senior Executive Officer for Approval

☐ Yes ☐ No

Signed

EO

Date

Finance Section

Payment Reference

ch_3ONCyOB1CW0EN5FC0i3PCefl

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date

Observation on a Planning Appeal – Section 5

Observer: Ambrose Jameson, 68 Blackberry Rise, Portmarnock, County Dublin, D13FX34

Email: ambrose.jameson@gmail.com Mobile: 0861768909

Planning Authority: Fingal County Council Appeal Case No.: PL06F.314485

Planning Authority register reference number: F20A/0668 Location of proposed development: Dublin Airport

I and my family are residents of 68 Blackberry Rise, Portmarnock and have been adversely affected by the increase in aircraft operations over and near our home. The flight paths being taken near and over our home are in breach of those approved in the 2007 planning approval and are causing significant disturbance to our family and to others in our community.

I understand that it is proposed to increase further flight operations at Dublin Airport over the coming years which will make the current situation even worse with consequent adverse effects on the health and wellbeing of our community.

The DAA are consistently breaching the restriction attached to their planning permission of 2007 which limited them to an average of 65 movements per night, night being defined as between 23:00 and 07:00. For example, on 7th December just gone, the first departure from Dublin Airport took place at 04:40 in an eastward direction with the consequent disruption of sleep for our community in Portmarnock. On that day, there were eight departures scheduled at or before 06:00 and forty two scheduled at or before 07:00. This indicates a lack of intent on the part of the DAA to comply with the reasonable restrictions in relation to night flights. In fact, there is, on average, well in excess of one hundred flights per night, well above the 65 limit. It is also the declared intent of the DAA to increase the number of flights almost without limit, except for operational demand, and to replace the restriction on the 'number of flights' with noise zone contouring and modelling which is under the control of the DAA and ANCA and is not subject to review and independent verification. The DAA are further seeking a redefinition of the period considered to be Night to be between the hours of 24:00 and 06:00. These changes will make a bad situation, in relation to aircraft noise, considerably worse for the communities around Dublin Airport.

A recent **NY Times** article titled **Noise Could Take Years Off Your Life. Here's How** (from June 9th 2023), for which more than 30 scientists were consulted and thousands of pages of research and policy was reviewed, examined the pathology and epidemiology of noise. Its findings were very worrying for communities subjected to high levels of average noise and intermittent noise. This article found that the health effects, for those affected by high average and intermittent noise, included :

1. An increase in hypertension, strokes and heart attacks
2. The Amygdala is chronically over activated by noise
 - The Endocrine System over reacts producing excess Cortisol and Adrenaline
 - The Sympathetic Nervous System reacts with higher blood pressure, increased heart rate and an increase in inflammation.

Another serious adverse effect of high noise levels at night is **sleep deprivation**. This, the research shows, has significant negative effects on people's health. It also found that the negative effects were not just due to the levels of the noise but also to its intermittent nature. This is significant when considering the noise to which the communities around Dublin Airport are subjected. It has been shown in recent studies that sleep deprivation has far reaching effects on the brain and on the rest of the body.

Sleep deprivation has significant negative impact on memory. Having had good sleep is necessary for the Hippocampus in our brain to make memories of the information that we take in during our waking hours and further good sleep, in the following night, is needed to make those memories permanent. Also, sleep deprivation has been shown to cause premature ageing and an increased risk of early onset of dementia.

Sleep deprivation also has significant negative impact on the human body. Good sleep is essential to the proper functioning of the immune system. A weakening of the immune system caused by sleep deprivation is known to lead to increased risk of occurrence of various forms of cancer. Also, sleep deprivation has an impact on how our genes may be altered in a way that weakens genes associated with immunity and strengthens those associated with inflammation and the promotion of cancers.

(The importance of good sleep for human health and wellbeing is well explained in a TED Talk called Sleep is your Superpower by Matt Walker, a sleep expert. https://www.ted.com/talks/matt_walker_sleep_is_your_superpower?language=en)

School Children are particularly affected by high noise and intermittent noise levels. Research has shown that exposure to noise above acceptable levels has adverse effects on children's health and performance leading to higher incidences of stress hormones, lower reading scores and increased hyperactivity.

The WHO recommended average noise limits, of 40dB during the night and 45dB during the day, are being ignored by the DAA and by ANCA and instead the limits being used in their modelling are 55dB at night and 65dB during the day. This is highly significant difference in that research has shown that even a 1dB increase in average noise level over the WHO recommended limits have a measurable negative impact on human health.

The polluting effect of exhaust gasses from aircraft operating to and from Dublin Airport has an adverse effect on human health, particularly on young children whose bodies are still growing and developing. The health impacts of any further increase in aircraft operations at Dublin Airport needs to be carefully assessed before any increase in aircraft movements, either by day or night, can be granted.

Another issue which has not been given proper consideration is the effect of increased aircraft operations at Dublin Airport on reaching, or not reaching, the climate change targets that Ireland has signed up to in COP 28. The signatories of COP 28 are committed to phasing out the burning of fossil fuels. Such a commitment is not consistent with an increase in flight operations at Dublin Airport, as is being sought by the DAA and others.

Finally, we claim to be a country of laws and regulations so it is unacceptable that any public or private body flout regulations and the conditions attached to them. This is what the DAA has done and continues to do relating to aircraft operations at Dublin Airport.

Recommendations

1. The DAA must be compelled to comply with current regulations in relation to straight out flight paths as approved in the 2007 planning permission.
2. The DAA must be required to observe the average of 65 flights per night already approved.
3. There must be no change in the definition of Night as envisaged by the DAA which would lead to further sleep disturbance in communities around the airport.
4. Flight operations at Dublin Airport must be kept below a level that is consistent with Ireland's climate change targets in COP 28.
5. An independent assessment of the noise monitoring and modelling around Dublin Airport and of the methodologies involved in it needs to be done to ensure that average noise levels consistent with WHO recommendations can be achieved.
- 6 An oral hearing on this application is necessary given the gravity of the situation for communities around Dublin Airport.

In Summary:

- All the people in our community have a **right** to live in a safe environment free from excessive aircraft noise with its negative impact on their health.
- Everyone has a **right** to a minimum of eight hours of good sleep unaffected by aircraft noise at night. The effects of disturbed sleep on our physical and mental wellbeing must be fully considered.
- The impact on the health of members of our community, particularly on the young, of exhaust emissions from aircraft both on approach to and after take-off from Dublin Airport needs to be carefully assessed.
- Planning decisions affecting operations at Dublin Airport must be consistent with Ireland's commitments under Cop-28
- There must be severe sanctions imposed on any individuals or organisations that ignore or violate the conditions attached to planning decisions at Dublin Airport.