

File With _____

SECTION 131 FORM

Appeal NO: ABP 34485-22Defer Re O/H ☐Having considered the contents of the submission dated/ received 07/12/2023
fromAngela Lawton 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: 14/12/2023

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-068771-23**

Case Number: **ABP-314485-22**

Customer: **Angela Lawton**

Lodgement Date: **07/12/2023 12:24:00**

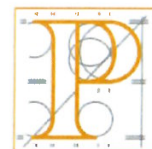
Validation Officer: **Patrick Buckley**

PA Name: **Fingal County Council**

PA Reg Ref: **F20A/0668**

Case Type: **Normal Planning Appeal PDA2000**

Lodgement Type: **Observation / Submission**



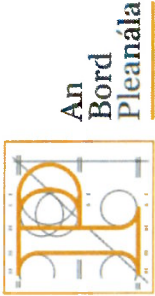
An
Bord
Pleanála

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: 14/12/2023 13:14

Run by: Patrick Buckley

Lodgement Cover Sheet - LDG-068771-23



Details

Lodgement Date	07/12/2023
Customer	Angela Lawton
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068771-23
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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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

		<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>
	Development Description	

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>Permission (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

AN BORD PLEANÁLA

LDG- _____

ABP- _____

07 DEC 2023

Fee: € _____ Type: _____

Time: 9.57am By: Post

14 J. Taillieu
 16 E. C. Woodlands
 Pontnewnagh
 D-13XT18

A Chára

In iata tã mo thuairim
 faoin eolas breise
 cas (314455)

D'fhiafraigh mé ar Aerfort
 Bhaile aitha Cluiche an
 t-eolas breise a chua ar
 fáil as lae ille.

A bhfaigh na mí bhfaigh na mí!

Ma si n, tá mé a
 scríobh as Beate
 de gach dea-gha
 Angela Lawton

AN BORO PUNAWALA

NO.

DATE

TIME

BY

An Bord Pleanála.

Submission re case 314485 on Further Information submitted by Dublin Airport

I have read through the further information. and it is evident that the legitimate fears of Airport Communities have not been addressed.

The document supports "The relevant action" which removes 2 hours 1 minute from our night.

European Union defines night as 23:00 -07:00. hours

Dublin airport Authority defines Night 00:00 - 5:59. hours

The further information supports the removal of the numerical cap of 65 flights per night, replacing it by a noise Quota, which allows for at least a doubling of night flights. The noise quota does not apply from 23:00 to 23.30.

Indeed, The Airport incentivise night flights by allowing free parking and air bridge facilities to Planes arriving after 23:00 and departing before 07:00.

Further information does not comply with WHO guidelines, which stipulate that any noise over 40dB leads to sleep disturbance and has a negative effect on Public Health. The Netherlands published a major study to show an airport of more than 30 million passengers has significant negative health effects on surrounding populations.

I see no commitment in Further information to a phasing out of night flights. [The opposite is evident. An Bord Pleanála have a duty to protect residents health and residential amenities (DAA 106 and 321.)

Ghent University in Belgium conducted a study in 2003 which showed that the Significant negative Health Effects of night flights greatly outweighed the Economic benefits. The result was the removal of DHL CARGO NIGHT FLIGHTS FROM Dublin Airport

the submission by the HSE of Their concerns have not been addressed in the Further information FROM DAA. The Bord should request an independent Epidemiology study.

Sleep patterns supplied to Heathrow by U.K. statistical office on sleep patterns.

state During the week 96 percent are asleep at 06:00.

90 percent at 07:00

I presume the pattern is similar in Ireland.

EU Directives stipulate that noise should be reduced over communities not increased, using a noise quota.

The Models used by the DAA for measuring aircraft noise have not been independently verified.

There is a new facility for elderly vulnerable residents being built in Limetree Avenue, Portmarnock, under the flight path, also a new 5 storey school community school is being built under the flight path.

Bord Pleanála Inspector having listened to all sides at an oral hearing rejected the planning application for the Northern Runway. The Board allowed it with conditions 3 and 5 as a minimum protection for communities.

The Board has up to now rejected an oral hearing on the relevant action. We hope that this decision can be reversed.

How does this increase of flights comply with our goals of reducing greenhouse gases?

The Aviation Industry enjoys huge subsidies as they pay no Vat or Excise duty on Aviation Fuel or aircraft parts.

The Polluter pays principle should be applied to this industry.

The protection of the Habitat in the further information is not adequate. The communities were shocked to hear more than a hundred tons of polluted soil, from the airport environs was exported abroad for treatment. The worry is that pollution will get to the water table and do untold damage to plant, animal and human population.

I call on the board to disallow the 'relevant Action' and maintain conditions 3 and 5 in their entirety to provide minimum protection for airport communities.