

File With

## SECTION 131 FORM

Appeal No

ABP— 314485-23

Defer Re O/H

☐

Having considered the contents of the submission dated received 05/12/2023  
from Bernard and Susan Lynch 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 B

EO

Date

13/12/2023

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 Online Observation

Online Reference  
NPA-OBS-002818

### Online Observation Details

Contact Name  
Bernard Lynch

Lodgement Date  
05/12/2023 13:28:00

Case Number / Description  
314485

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Bernard Lynch

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed



EO

Date

13/12/2023

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068 548-23.

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\_30JyfMB1CW0EN5FC1EUyf0Ja

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

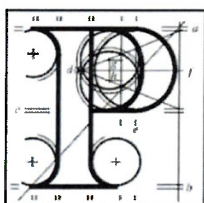
SEO (Finance)

Authorised By (2)

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

Date

Date



An  
Bord  
Pleanála

## Observation on a Planning Appeal: Form.

### Your details

#### 1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

Bernard and Susan Lynch.

(b) Address

Thorncroft,  
Newtown Lane, Oldtown Co Dublin, A45 YR98

### Agent's details

#### 2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please **also** write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not applicable

(b) Agent's address

Not applicable

## Postal address for letters

3. During the appeal process we will post information and items to you **or** to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

**You (the observer) at the address in Part 1**

☒

**The agent at the address in Part 2**

☐

## Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

**(a) Planning authority**

(for example: Ballytown City Council)

Fingal County Council

**(b) An Bord Pleanála appeal case number (if available)**

(for example: ABP-300000-19)

PL06F.314485

**(c) Planning authority register reference number**

(for example: 18/0123)

F20A/0668

**(d) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Dublin Airport

## Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

My wife and I are some of over 30,000 people who are now living under an illegal flightpath since the opening of the North Runway, it is not a tiny minority as Ryanairs mouthpiece would have us believe.

The 2007 planning condition documentation includes flight path assumptions which many people have built their lives around. The flightpaths in the 2007 planning permission are different to the ones in use today and since it opened. These flight paths are not permitted and are unauthorised.

In or around August of 2022 our lives were completely turned around, suddenly we had flights flying directly over our home, the noise was so bad that we had to stop talking when we were working in the garden because we could not hear one another, quite frankly we were devastated and everything we worked so hard for was we felt thrashed, and we were just collateral damage.

The noise from the current flight paths is intolerable. These flight paths must be changed back to what was proposed in the 2007 planning. No further changes will be considered until this crucial issue is addressed first. There is a major health risk to tens of thousands of people due to excessive aircraft noise, it is not just to us.

This noise is also causing us stress, we have built our home over a period of 20 years, and at no time in that period did anyone from the DAA or anyone else ever approach us and inform us of the fact that there were going to be planes in a power climb over my home on the way to the UK or whatever every three or four minutes. The DAA have totally destroyed our residential amenity that we had and enjoyed before these unauthorised flight paths were put into operation, on top of all of that I have now got health issues to consider with jet fuel pollution being a major factor in our air quality, and to top all of that the value of my home has been substantially downgraded, who wants to live under a flightpath???

Having read through the DAA newly submitted documents, it is clear in the submission from DAA, that they have used the current flight paths for their "permitted" drawings instead of the permitted noise zones contained in the original 2007 planning permission.

Who do DAA think they are fooling here? , we are being treated like idiots, we are the injured parties here caused by an authority { the DAA} that seems to think it can trample on peoples residential amenity with impunity, they are also treating the planning permissions that they have been granted and the conditions thereon, as something they can change at will, something needs to be done to stop the DAA in its tracks, it is breaking the law, and making a farce of the whole planning process.

They seem to be hoping that ABP grants this on the basis of the relatively small difference between before and after with respect to night flights. **If that occurs, ABP would effectively be accidentally granting retention to the current flight paths which are currently illegal/unauthorised and causing continued untold distress for tens of thousands of people. This means that flightpaths are now a very important element of this relevant action submission and must be considered within this application.**

**5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.**

I also have grave concerns about noise zones.

So-called "permitted" Noise zones in this submission do not match the Environmental Impact Statement for the only granted permission in 2007. Acceptance of the relevant action by ABP and thus retention of the flightpaths would set a precedent that ABP conditions should be ignored if inconvenient. The DAA are breaching their current planning permission and flightpaths as per below:

- DAA have breached the passenger cap in 2019 and will most likely do so again this year.
- DAA are consistently breaching the 65-movement cap per night.
- DAA are not using the flightpaths they used in their 2007 planning permission.

Our enjoyment and amenity of our home and garden has been severely impacted since the opening of the North Runway. Everyone I have spoken to about this expected something different in terms of flightpaths based on the 2007 planning permission, and what has happened is completely different. The current operation is causing huge distress and disturbance for 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 and they are already flouting the conditions of the 2007 permission.

Its time the DAA and their partners saw the light, Dublin airport has reached its capacity, they need another airport to cater for the numbers being predicted, I also think that if the changes being sought are so significant to this permission that surely an entirely new application is required?

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

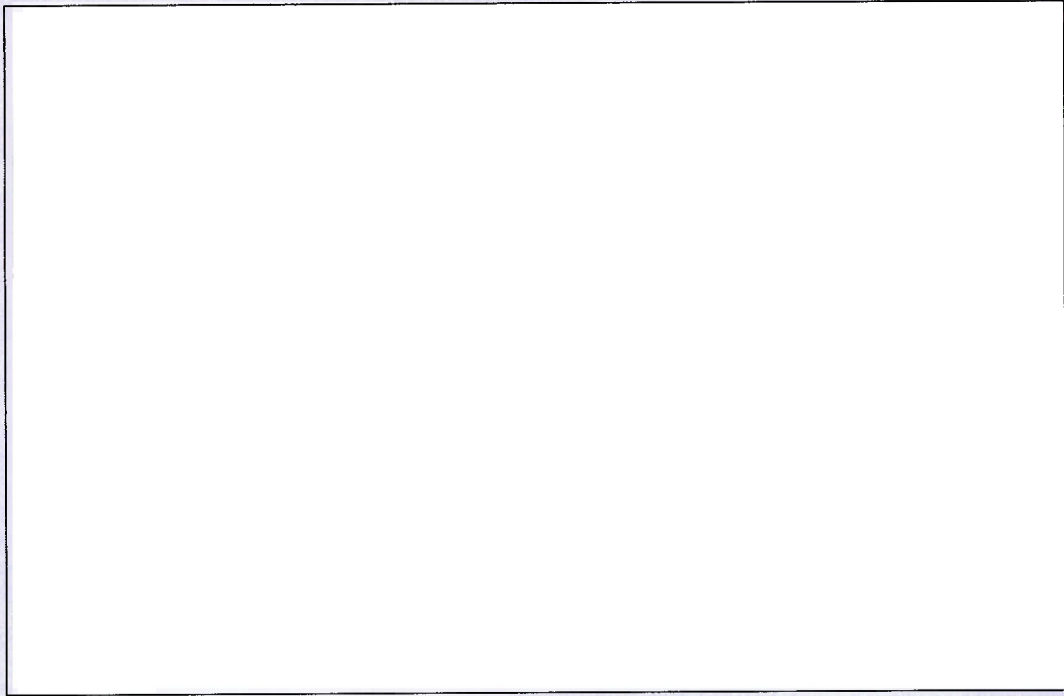
Yours

Bernard and Susan Lynch.

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Section 5 continued.

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## Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or

- other supporting materials.

## **Fee - €50.00 (if a submission was not already made)**

7. You **must** make sure that the correct **fee** is included with your observation. You can find out the correct fee to include in our [Fees and Charges Guide](#) on our website.

This document has been awarded a Plain English mark by NALA.  
Last updated: April 2019.

