

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 Brian Carey

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

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 On the Observation

Online Reference
NPA-OBS-002996

LDG - 068892-23

Online Observation Details

Contact Name
Brian Carey

Lodgement Date
14/12/2023 15:59:48

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Brian Carey

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Pat B...

EO

Date

21/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

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_3ONHKCB1CW0EN5FC00wXnI2Q

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

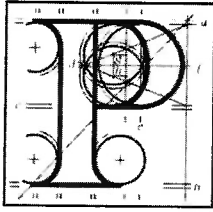
SEO (Finance)

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

Brian Carey

(b) Address

Baltrasna, Ashbourne, Co.Meath, A84R762

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 home is one of over 30,000 people now living **directly** under an illegal flightpath due to the flightpath choices the DAA, Airnav and the IAA have made for planes taking off the North Runway at Dublin Airport.

Under the 2007 planning condition documentation it included flightpath assumptions that are **completely different** to the ones in use today and particularly since **February 2023**.

We wish to submit an observation against the DAA planning appeal case and urge An Bord Pleanala to refuse permission given the **significant adverse impact on a number of indicators**.

Human Health:

- The noise from the illegal flight paths is **unbearable, constant and having a detrimental effect on the quality of my life**.
- This is an **established area** and has been my home over 50 years, since February 2023 I cannot open windows, suffer from lack of sleep and can **NEVER** use my garden this **gravely impacting our residential amenity**.
- I am exposed to constant **noise levels beyond what is tolerable** where I am woken by low flying jets to the point where at times the house vibrates and shakes.
- It is ruining the enjoyment and peace within my home.

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 home has and will depreciate decreasing substantially in value as it is currently under an illegal flight path that we were never consulted on.

- The WHO 2018 Environmental Noise Guidelines outline the internationally accepted impact that consistent aircraft noise exposure has on human health which is increased risk of cardiovascular disease, diabetes, stroke, hearing impairment, mental health and general well-being. Planes take off every 1 to 2 minutes during the year increasing to every 43 seconds in the summer months, this noise level is beyond what is internationally accepted.

Planning:

-The EIAR Environmental Impact Assessment Report that was submitted along with this appeal contains average baseline noise data that is from 2022 and before. The noise issues began for **Ashbourne and Baltrasna in February 2023** therefore the baseline data is too limited and does not include the current flight paths being used.

- Additionally the EIAR was commissioned by the very organisation that is inflicting the noise therefore the data is not robust and subject to bias.

-The land and areas where the flights paths **are meant to be have been sterilised of domestic housing and population.** There are solar panel farms and industrial buildings therefore the original flight paths from the 2007 planning should be adhered to rather than subjecting densely populated areas to extreme levels of noise pollution.

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.

-Under the Aarhus Convention as residents we should have been consulted on the environmental impact of the flight paths that are now included in the DAA's appeal application and we as **MEATH** residents were **NEVER CONSULTED** as this issue is falling between two council areas.

-An Bord Pheanla have granted a strategic housing development case number **TA17.314550** in the townland of Baltrasna. This development is now directly under the illegal flight paths currently being used. In the interest of the population and this much needed development the original 2007 flight paths must be enforced.

- The Meath area county plans must be considered given that the planned strategic housing development will be under a flight path should the appeal be approved.

- The lack recent data on the EIAR means that the DAA are expecting An Bord Pheanla to make a decision without the facts.

-These flight paths have not had an environmental impact assessment which is in accordance with condition 1 of the planning permission from 2007.

- In the case of an emergency landing where planes cannot make it back to the airport after take-off they are directed to attempt to land "in fields" beyond the nine mile stone or an area known as Baltransa, our community. These are the fields behind my family home. Given in the increase in flights over this area there is an increased risk of accident, we wish An Bord Phenala to note that there is only a retained fire service in Ashbourne **no**

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.

full-time fire service in this area. Therefore the locality is not equipped nor resourced to deal with an aircraft accident.

Air Quality

- Research from mainland Europe and North America indicates that aviation emissions can have a significant impact upon particle number concentrations within tens of kilometres of major airports.
- The Department of the Environment Fisheries and Rural Affairs (DEFRA) in the UK refers to research showing that both particulates and nitrogen oxides can travel downwind for a very substantial distance (up to 40 kilometres from aviation fuel.
- There is a regular jet stream of fuel and gases landing on our family home, there has been no research conducted to measure the impact this will have however based on the research conducted in other jurisdictions one would have to assume the impact is similar.

Additional

- We would also like to highlight that there has been a clear lack of Investigation on adequate alternatives which have been suggested. Numerous pilots and academics in noise management have publicly outlined alternatives which have not been investigated by the DAA.
- Given the lack of robust, ethical and up to date data and the significant adverse impact indicators outlined above we ask An Bord Phenala to please REFUSE PERMISSION TO THE DAA relevant action.

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

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.

