

File With

SECTION 131 FORM

Appeal No

ABP— 34485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 14/12/2023
from Claire Gubbins 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

15/12/2023

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-002971

Online Observation Details

Contact Name
Claire Gubbins

Lodgement Date
14/12/2023 13:05:07

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Claire Gubbins

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Pat B...

EO

Date

15/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068831-23

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_3ONEb9B1CW0EN5FC0mehg8gF

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

Claire Gubbins
3 Emsworth Park
Kinsealy Lane
Malahide
Co Dublin
K36DH94

To whom it concerns,

I am writing to appeal DAA's efforts to get unlimited night time flights, to extend the hours of flights and to appeal the current use of unapproved flight paths.

I am one of many residents significantly negatively affected by changes to the operations of flight paths.

- I have submitted numerous complaints to the DAA system to this effect and sometimes I get replies and sometimes I get no reply. Some of these replies acknowledge flights as off-track and some give me standard text suggesting the planes are on approved flight paths- they are not. Some complaints were forwarded to the IAA for investigation but I have not received even one communication from IAA or DAA in relation to these investigations.
- I did not buy a house under a flight path. I did not buy a house that was going to become under a flight path. The approved flight paths were substantially changed and do NOT match the approved flight paths as per the 2007 planning permission. Arguments by DAA CEO (RTE) that they were approved is a narrative he hopes that if he repeats people will believe- the evidence differs ie
 - o approved flights path and actual paths being used do not match
 - o approved flight path documents and the CEO narrative do not match.

Claiming to be a good neighbour while using such a false narrative just further serves to aggravate.

- Placement of noise monitors was a) delayed b) some were not operating c) those operating do not reflect the reality of houses like mine. These are simply more processes to try to avoid collecting data and evidence to illustrate the reality of how the deviations from the approved flight paths are impacting people. Avoiding collecting this data is a mechanism to avoid real evidence from telling the truth and requiring a change in DAA plans.
 - o Provide real evidence and make decisions on real evidence and according to regulations and planning permission.

This is how a good and just society operates. If everyone chooses to ignore rules, regulations, planning permissions and do as they please- what kind of society would we become- DAA and those supporting these decisions are one such entity progressing a corrupt society.

- Arguments about the amount of money and jobs DAA provides are red-herrings- trying to distract those listening from the issue at hand. This is not about money and jobs for those affected by altered flight paths, increasing numbers of flights and extended hours- this is about being able to live a healthy, peaceful life. Arguments about money and jobs serves to only highlight DAA interest in money and not the community.

- Arguments about quieter planes are also nothing but a strategic objective- they do not address the lived reality on the ground for people now. This does not deal with the issue at hand- the fact is planes are not quiet now and are not likely to be quiet for many years to come- 2030 etc. is a number to DAA but to those living with the impact of noise from planes- 2030 equates to a significant number of years suffering from excessive noise and all the negative health implications arising from it. When planes ARE quiet, then implement your plans but until then the issue is the impact on people's lives NOW with the quality of planes there are now which are noisy. Also, to note that failure by some airlines to take off with a speed that plane engines can cope with leads to even further noise e.g Ryanair.

- My family's enjoyment of our home and our garden is destroyed when flights take off beside our house which is not the approved flight path, when flights decide to take short-cuts over our house which is not the approved flight path, when flights circle over our house, when engines rev hard to try fly out faster.
 - o Sunny days in the garden are over as it is too noisy.
 - o In the house the TV volume goes from 12 to 28 when flights are taking off.
 - o In the house conversations become people shouting at each other and getting annoyed at each other when the noise of planes enters our house EVERY FEW SECONDS.
 - o When I had my first child this house was peaceful and it was a pleasure being at home with her. When I had my 2nd child, the plane noise was so bad my child and I could not get peace and rest.
 - o I now own a pair of ear muffers so that when I work from home I can concentrate and block out the noise. This of course is no use when I have to take calls or record sessions. This is of course not 'living' in peaceful enjoyment of my home- a basic human right.
 - o Our wifi/tv intermittently cuts out/slows down when planes fly over.

- My children are young- these noise issues affect them NOW in their formative years. DAA arguments about the future aircraft being quieter reflect a time period when my children are already grown and all the negative health effects of excessive aircraft noise will have occurred while they were growing. Talks about the future do not fix this for children.

- Noise quota systems are already being manipulated by DAA by varying the paths the flights take "every now and then", it gives the FALSE impression that noise quota systems are being adhered to.

It shocks me to think that in this context that I describe DAA wants to further impose on my home and health by further increasing night time flights and hours. This is not 'care for the community', this is pure capitalism. The DAA legacy shall include growing the airport size, passengers, revenue, flights, destinations. The DAA legacy shall also include mental health issues, depression, heart attacks, children with hampered learning, loss of sleep, deaths as per the known research evidence on the negative effects of excessive aircraft noise. Please do not respond with claims that this research evidence is dated and not based on the current noise levels of planes- this is not the case- quiet planes are not the standard plane DAA operates and as a researcher the research evidence is valid, reliable and trustworthy.

- The Irish government is focused on significant and challenging climate objectives. The Irish government has invested millions to help other countries meet their climate targets. Yet, DAA objectives to increase and increase flights is completely contrary to the Irish government agenda on reducing emissions. So Ireland helps others re emissions but does the opposite ourselves. The airline industry is one of the most significant sources of pollution but as that is not a palatable narrative given how much revenue it generates, this message is muted in favour of focusing on other industries (which are easier targets but by comparison a lower source of emissions).

Actions

- The flight paths must revert back to what was approved in 2007. Those currently in operation are illegal. If the average citizen does something illegal they are held to account. The same should be true for big organisations like DAA regardless of any arguments about revenue, jobs or support from politicians whom are failing to represent communities etc.
- Acceptance of the relevant actions by ABP sets a precedent that ABP conditions can be ignored if convenient. If every citizen and organisation ignored decisions, rules and regulations- what society would we have? ABP must ensure that passenger caps, night time movements, hours of operation and flight paths as approved in 2007 must be adhered to. FCC has also been ignored.
 - o DAA are breaching current planning permission and flightpaths as follows
 - Breached passenger cap in 2019 and moving to do so again this year
 - Consistently breaching the 65 movement cap per night
 - Not using the flight paths approved in 2007 planning permission
 - The fact there is evidence that DAA has breached multiple legally binding rules and with no consequence illustrates that a) they have no respect for those rules and those whom made them and that they will continue to breach rules as they know they will not suffer any negative consequence.
- The minutes (the real minutes not the edited versions) of meetings between IAA and DAA need to be made public.
- An oral hearing is necessary given the gravity of this situation and given the fact that IRELAND appears to want to permit DAA operate with LESS care and consideration for the local community than any other international city with an airport.

Regards

Claire