

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 Cllr John Walsh 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

LDG-C68914-23



Planning Appeal Online Observation

Online Reference
NPA-OBS-003021

Online Observation Details

Contact Name
John Walsh

Lodgement Date
14/12/2023 17:22:45

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
John Walsh

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—

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_3ONlcTB1CW0EN5FC05qdlheQ

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

Submission to An Bord Pleanála

Cllr John Walsh

(PL06F.314485)

I wish to submit the following observation, which supports the 3rd party appeal (PL06F.314485) by St Margaret's the Ward Residents' Group and other parties against the notice of decision of Fingal Council to grant permission to the following relevant actions proposed by the Dublin Airport Authority which change very significantly the original planning permissions for the runway system at Dublin Airport.

Background

This is 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, 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.

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 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.' 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

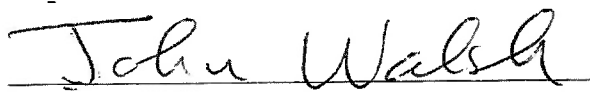
aircraft type.' The net effect of the proposed change, if permitted, would change the normal operating hours of the North Runway from the 0700hrs to 2300 hrs to 0600 hrs to 0000 hrs. The relevant action also is: To replace condition no. 5 of the North Runway Planning Permission (Fingal County Council 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 time 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.

Submission

I would like to make the following points in support of the appeal against the EIAR and original decision by Fingal Council:

- WHO noise guidelines strongly recommend reducing night noise exposure levels produced by aircraft during night time to below 40 db Lnight, as it states that aircraft noise above this level is associated with adverse effects on sleep. The HSE has indicated that a significant proportion of people, including 19,464 people assessed as "highly annoyed" by aircraft noise and 281 people exposed to at least a high level of noise based on the current 2025 baseline scenario, will still be exposed to airline noise at night above the WHO recommendation of 40 Lnight. This is excessive, unreasonable and dangerous to the health of people and communities living close to the Airport.**
- The proposed increase in hours and the removal of the 65 flight cap severely compromises the residential amenity of residents living in the flight path of aircraft, especially in St Margaret's, the Ward and Hollystown.**
- The change from a numerical cap to a noise quota system effectively gives the DAA a high level of discretion in deciding on the number of flights and could allow a potentially unlimited number of flights throughout the night, causing great distress to residents.**
- The proposal for an additional two hours in which flights may take off or land from the north runway is unreasonable, and allows flights to take off in the middle of the night which has a disproportionate and unreasonable impact on residents.**

I wish to request An Bord Pleanála to uphold the appeal and reject this application by the DAA as it is contrary to proper planning and sustainable development.

A handwritten signature in cursive script, reading "John Walsh", written over a horizontal line.

Cllr John Walsh
10 Ashleigh Court
Castleknock
Dublin 15