

File With _____

SECTION 131 FORM

Appeal NO: ABP-314485-22Defer Re O/H ☐

TO: SEO

Having considered the contents of the submission dated 14/12/2023from Mr. Helen Meyerand Darren O'Rourke T.D.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 B.Date: 22/12/2023

To EO: _____

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: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-068818-23**

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

Customer: **Cllr. Helen Meyer and Darren O'Rourke TD**

Lodgement Date: **14/12/2023 14:39:00**

Validation Officer: **Karen Byrne**

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

BP40 to issue to Observer and enclose receipt.

✓

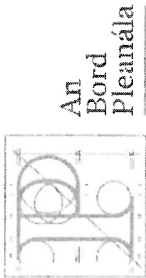
F. K.

28/12/2023

Run at: 19/12/2023 11:52

Run by: Karen Byrne

Lodgement Cover Sheet - LDG-068818-23



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Details

Lodgement Date	14/12/2023
Customer	Helen Meyer
Lodgement Channel	In Person
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068818-23
Map ID	
Created By	Jade Farrell
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Fingal County Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Observation/Objection Allowed?	
Payment	PMT-053471-23
Related Payment Details Record	PD-053344-23

Observation

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	

AN BORD PLEANÁLA
LOG- 068818-23
ALP- _____
14 DEC 2023
Fee: € 50.00 Type: CASH
Time: 14.20 By: hanc1

Submission to An Bord Pleanála in relation to:

Bord Pleanála Case reference: PL06F.314485
Planning Authority Case Reference: F20A/0668

On behalf of Cllr. Helen Meyer and Darren O'Rourke TD

Context:

Additional information has been provided by the daa relating to the appeal on the relevant action sitting with ABP (An Bord Pleanála). This additional information reads more like a new planning application than a relevant action. This appeal relates to the proposed changes to conditions 3d and 5 of the planning conditions for the new north runway at Dublin airport.

This relevant action which was already approved by ANCA (Airport Noise Competent Authority) in 2022, was appealed to ABP by Fingal residents and representatives last year on the grounds that the suggested changes were completely unbalanced and not considerate of the health and well-being of residents of north county Dublin and further afield. As public representatives for Ashbourne, Ratoath, Kilbride, Coolquay, the Wooton, the Ward, Greenogue and surrounding areas we believe the impact on these communities must be assessed also.

Condition 3d states that the north runway should not be used between 23.00 and 07.00. This condition was put in place as part of the initial planning process to protect the health of those living under the new runway flight path. The daa wishes to change this and shorten this time period from 24.00 to 06.00. While it includes an offer of a €20,000 grant for night-time noise insulation, this does not cover all areas affected and is not sufficient to make a difference to those whose sleep will be disturbed even further.

Condition 5 relates to the restriction of 65 flight movements per night off the south runway and changing this to a noise quota system.

Observations:

The significant issues we see with the Relevant Action are the following:

- The north runway has been the subject of huge controversy since it became operational in August 2022. Planes were not following flight paths previously advertised or agreed. Despite revisions and changes to flight paths in Feb 2023, this remains the case. More importantly these flight paths have not had a previous environmental impact assessment which is in accordance with condition 1 of the planning permission from 2007. This is a matter that has resulted in motions raised by local Councillors in Meath and Fingal and at meetings of the Transport Committee in the Dáil and on the floor of the Dáil. It is a huge source of frustration for the households and communities affected and it must be addressed.
- Residents' homes are being overflown, unmitigated and exposed to high levels of detrimental noise on a daily basis. The daa wants to expose those affected to even more noise with the proposed increased hours of use of the north runway. Bearing in mind that many people bought or built based on the flight paths that had been advertised, they were outside the noise contours. Eligibility for insulation was also not an option because families are now within a noise area that weren't identified as such. This issue has yet to be properly addressed by the daa, who despite being aware of the health implications both mental and physical of residents now want to increase capacity exacerbating the hardships that these residents are already suffering.

- Condition 5 of the north runway, that sets a cap of 65 movement per night limit was to come into effect once the north runway became operational on the 24th August 2022. This never occurred. There were almost double this number of movements off the south runway during the busy 92 day summer period. This has been challenged by Fingal County Council (FCC) as a breach of planning conditions and the daa have been issued with an enforcement notice for which they challenged and achieved a stay. This condition is now awaiting a judicial review in the new year.
- The daa indicate that the proposed noise quota system will resolve the issues and ensure undisturbed sleep for those on flight paths. However they have not referenced the point that there is no fleet movement limit with this noise quota, which means unlimited flights overnight once the noise quota is met. This will likely worsen the noise problem for those already affected by night flights. There is an argument made that planes are getting quieter, by 50%. This equates to 3db as sound is measured on a logarithmic scale. If a plane is flying over anyone's home at 3am, whether it is 85 or 82 db there is no doubt that this will disrupt sleep.
- The relevant action if implemented will have a profound effect on people.

Summary:

As public representatives, we are aware of the importance of Dublin Airport as a significant employer not only for staff in the airport but related business, and as a key travel service provider. We do not want to stand in the way of progress in relation to the developments in the airport and welcome improvements, however we do recognise the need for compliance with planning conditions. That said, we also represent residents in Co. Meath who are now living under flightpaths, since the opening of the North Runway, that were next indicated or intended and that we believe have not been appropriately assessed.

The 2007 conditions include flightpath assumptions that residents have built their lives around. Those flightpaths differ significantly to those currently in use. We propose that no further changes should be considered until compliance with current planning conditions is followed by the daa. Noise pollution has a significant impact on communities and our environment.

We are concerned that if ABP grants this instead of giving cognisance to the permitted noise zones from the 2007 permission it will in effect be granting retention to the current flight paths which are in breach of planning conditions (set by ABP) and do not match the Environmental Impact Statement for the only granted permission. This will cause significant distress to those living on the flight paths.

We should also be cognisant of the impacts on aircraft activity on climate and biodiversity and look to the example of good practice in other countries, where they are reducing their night-time flights rather than increasing them, not only in relation to climate and biodiversity but also the impacts on the health and well-being of those affected by aircraft noise.

Because of the impact on residents in Co. Meath and elsewhere, the ever-growing number of people affected and the environmental effects we call for an oral hearing on this matter.

Cllr Helen Meyer and Darren O'Rourke TD
Sinn Féin
Unit 14, Ashbourne Town Centre,
Ashbourne,
Co. Dublin
Tel: 01 8499573

Helen Meyer
14/12/2023

D O Rourke
14/12/23