

File With _____

SECTION 131 FORM

Appeal NO: _ABP_ 314485-22Defer Re O/H ☐Having considered the contents of the submission dated received 14/12/2023
fromDerek Hanlon 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.: Pate BuDate: 02/01/2024

For further consideration by SEO/SAO

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: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-069130-24**
Case Number: **ABP-314485-22**
Customer: **Derek Hanlon**
Lodgement Date: **14/12/2023 08:43:00**
Validation Officer: **Patrick Buckley**
PA Name: **Fingal County Council**
PA Reg Ref: **F20A/0668**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**



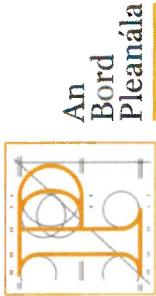
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Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Run at: 02/01/2024 08:47

Run by: Patrick Buckley

Lodgement Cover Sheet - LDG-069130-24



Details

Lodgement Date	14/12/2023
Customer	Derek Hanlon
Lodgement Channel	Email
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-069130-24
Map ID	
Created By	Patrick Buckley
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	F20A/0668

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Fingal County Council
Case Type (3rd Level Category)	Normal Planning Appeal PDA2000

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	50.00
Refund Amount	0.00

Observation/Objection Allowed?	Yes
Payment	
Related Payment Details Record	

Observation

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, Shanghanhill, 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. Conditions no. 3(d) and 5 have not yet come into effect or operation, as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing. 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

Development Description	Case Number
Permitted, 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	F20A/0668

all 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. The proposed relevant action does not seek any amendment of conditions of the North Runway Planning Permission governing the general operation of the runway system (i.e., conditions which are not specific to nighttime use, namely conditions no. 3 (a), 3(b), 3(c) and 4 of the North Runway Planning Permission) or any amendment of permitted annual passenger capacity of the Terminals at Dublin Airport. Condition no. 3 of the Terminal 2 Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.220670) and condition no. 2 of the Terminal 1 Extension Planning

PA Decision Date	08/08/2022
County	
Development Type	
Development Address	Dublin Airport, Co. Dublin
Appellant	
Supporting Argument	

	<p>Permission (Fingal County Council Reg. Ref. No. F06A/1843; ABP Ref. No. PL06F.223469) provide that the combined capacity of Terminal 1 and Terminal 2 together shall not exceed 32 million passengers per annum. The planning application will be subject to an assessment by the Aircraft Noise Competent Authority in accordance with the Aircraft Noise (Dublin Airport) Regulations Act 2019 and Regulation (EU) No 598/2014. The planning application is accompanied by information provided for the purposes of such assessment. An Environmental Impact Assessment Report will be submitted with the planning application. The planning application and Environmental Impact Assessment Report may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the Planning Authority during its public opening hours of 9.30 - 16.30 (Monday – Friday) at Fingal County Council, Fingal County Hall, Main Street, Swords, Fingal, Co. Dublin.</p>
Applicant	
Additional Supporting Items	Yes

Karen Hickey

From: Derek Hanlon <derekjhanlon@gmail.com>
Sent: Thursday 14 December 2023 13:30
To: Appeals2
Subject: Fwd: Observation Reference: NPA-OBS-001278. Case Reference: PL06F.314485
Dublin Airport, Co. Dublin (F20A/0668).
Attachments: PL06F.314485.pdf

----- Forwarded message -----

From: **Derek Hanlon** <derekjhanlon@gmail.com>
Date: Thu, 14 Dec 2023 at 13:22
Subject: Observation Reference: NPA-OBS-001278. Case Reference: PL06F.314485 Dublin Airport, Co. Dublin (F20A/0668).
To: <board@pleanala.ie>

Dear Sir/Madam,

In reference to above and attachment below you will see that I already made an observation in this case. My personal reference being NPA-OBS-001278. I would just like to update An Bord Pleanala with my particular situation since lodging the Observation to date. I would ask that you take it into consideration whilst making your decision where possible. We are just one family of many in similar situations. I will keep it brief but am available to discuss further if necessary.

I have stopped making noise complaints. The process is not fit for purpose. My complaints like many were not addressed or answered. And I'm not a crank!

I engaged with the daa Community Officer. I submitted noise complaints through this channel on their request. They too went unanswered.

I was offered the option to place a noise monitor on my property. I tried to further explore this option.

Communication has ceased from daa on this also.

I have been informed in writing, when you, An Bord Pleanala make your decision I will be able to avail of a some grant scheme for house insulation. How can this be? Are daa aware of the final decision already?

My family are awoken almost every morning at 7am and cannot go to sleep most nights till after 11pm. Sleep deprivation is difficult and takes it's toll. We watch the TV with subtitles now.

According to the North Runway Planning permission my home should not be overflown but due to illegal activity it has been since August 2022.

I will say we are not consistently overflow throughout the day. Some days are worse than others. The uncertainty of when the next overpass has its affects too.

I could go on. I understand that An Bord Pleanala have to make their decision based on what information they are allowed to. I just wanted to inform the board personally of what some family's have to endure. daa are not a good neighbour as they consistently profess. Communities are being bullied by daa. They have no regard for the planning laws attached to the North Runway which is quiet obvious from their behaviour. They just want the planning authority to change all previous decisions to what they want now. One would wonder where is the accountability for daa in this whole debacle?

People should not be treated in this manner in their own homes. I trust that An Board Pleanala will make the right decision and reject daa's appeal. If not I would hope that serious conditions would be attached to the decision to safeguard the local communities rights whether that be a buy out option for those that can't live in the situation imposed upon them, relocation to an acceptable similar dwelling or proper insulation of each individual property should they wish to remain. One size does not fit all. Everyone should have the basic Human Right to feel Safe and

Comfortable in their home. Proper independent bodies should be set up to oversee this and protect peoples rights. The current quango that exists where daa hold all the relevant information and fund or oversee the institutes that are supposed to be acting on the communities behalf is unacceptable.

If you have read this email I thank you for taking the time. If you require any further information or clarification from me, please don't hesitate to contact me.

Thanks,

Derek Hanlon
Skephubble,
Saint Margaret's
Co. Dublin.
K67 RD00

Observation on a Planning Appeal:

Case Reference: PL06F.314485 Dublin Airport, Co. Dublin (F20A/0668).

My areas of concern are as follows:

1. The DAA have lodged a planning submission to extend the night flight operating hours and also remove the restriction on the number of night time flights from 65 a night, in favour of using a Noise Quota Scheme of > 16000 Noise Quota Limit which far exceeds all London airports combined. This seems excessive and would subject us to flights taking off for 18 hours a day over our home without restriction on the number of flights per night.
2. Noise Levels. As per DAA's flight paths and noise contour map, our home is currently deemed to be outside and therefore should not be impacted. However this has proven to be incorrect since the opening of the North Runway. We have had low flights directly over our home recording 90db.
3. There is a lack of engagement and consultation from DAA with local residents in relation to changes to flight paths which are in contravention to their 2007 planning permission for the North Runway. They continue to breach their planning daily since the opening of the North Runway and therefore it would be feared that the same would occur with this planning application for extension of night flights.
4. Health and wellbeing is of serious concern for my family and neighbours. Reasons above would have a serious impact on our daily lives. DAA's blatant disregard to adhere to existing planning and engage with residents is already taking a toll on our community.

Derek Hanlon

Skephubble, Saint Margaret's, County Dublin. K67 RD00.