

S.37

File With

SECTION 131 FORM

Appeal No

ABP— 314465-12

Defer Re O/H

☐

Having considered the contents of the submission dated/received 11/12/2023
from Eugen Dumitras 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

Pete B.

Date

20/12/2023

EO

Signed

Date

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

Date

EO

Signed

Date

AA



Planning Appeal Online Observation

Online Reference
NPA-OBS-002863

BP40-Task No:

3 64830 + 23
✓ HB 13/12.

Online Observation Details

Contact Name
Eugen Dumitras

Lodgement Date
11/12/2023 11:17:38

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Eugen Dumitras

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

EO Aisling Reilly

Date

14/12/23

Fee Refund Requisition

Please Arrange a Refund of Fee of

€ 50

Lodgement No

LDG— 068599-23.

Reason for Refund

Not required to pay a fee — Previous Participant on appeal

Documents Returned to Observer

☐ Yes ☒ No

Request Emailed to Senior Executive Officer for Approval

☒ Yes ☐ No

Signed

EO Aisling Reilly

Date

14/12/23

Finance Section

Payment Reference

ch_3OM7UUB1CW0EN5FC1LMqbJ8N

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

Name: Eugen Dumitras

Address: The Rath . Rath Lane, Boggyheary, Co Dublin, K67AK13

Case Reference number: 314485

Planning Authority: Fingal County Council

An Bord Pleanála appeal case number: PL06F.314485

Planning Authority Case Reference: F20A/0668

Location of Planned Development: Dublin Airport

Date: 11 Dec 2023

To whom it may concern,

Please see below observation related to An Bord Pleanála appeal case number: PL06F.314485.

1. Observation Details:

Since the North runway opened, residents in Kilsallaghan, North County Dublin have been subjected to thousands of large jet aircraft flying directly over our home. Depending on the route, the frequency of these flights can be every 90 seconds. This is torture and the most distressing experience I have ever had to endure in my life. It has rendered our garden and our kids' safe space for playing useless as it is impossible to stay outside with the noise levels. In addition, the noise cannot be escaped inside the house. We cannot open our windows as the noise is insufferable, and we are smothering inside our houses as a result. We wear earphones for most of the day in the house and when I say 'we' I am including my 2 children who are 5 and 8 years old.

The DAA Admitted of messing up and not respecting the flight paths and from February 23, 2023 moved the flight paths about 10 more degrees towards the original planned flight path which they had presented in planning of 2007 . But this have not made a huge difference in the noise disturbance . They need to respect the planning which they were granted with flight paths going straight and not diverting to the right after taking off .

2. DAA Submission

Having read through the DAA newly submitted documents, it is clear in the submission from DAA that they have used the current flight paths for their "permitted" drawings instead of the permitted noise zones from the original 2007 planning permission. The DAA are expecting that ABP grants this permission on the basis of the relatively small difference between before and after with respect to night flights. If that occurs, ABP would effectively be accidentally granting retention to the current flight paths which are currently illegal/unapproved by FCC and causing significant distress for tens of thousands of people in North County Dublin and Meath. **The flightpaths are a significant element of this relevant action submission and must be considered within it. If flightpaths were reverted to what was approved in 2007 planning permission 90% of the complaints will disappear as this is the biggest element to all of this and must be acknowledged. My major areas of observation and concerns are:**

- So-called "permitted" Noise zones in this submission **do not match** the Environmental Impact Statement for the only granted permission.
- The public consultation in 2016 used different routes and noise zones from the routes in this submission.
- > 85% of the environmental impact of the changed flight paths occurs in Kilsallaghan and Meath. The public consultation was strictly limited to Fingal. County Meath and areas such as Kilsallaghan **were excluded** from the list of areas included in the leaflet drop and

advertising. So, we were not aware in Kilsallaghan the impact this would have and therefore did not have a voice.

4. Fingal Co Council, Meath Co Council and the DAA has taken the position that only Fingal has standing regarding the planning permission. DAA insists that the planning permission has nothing

to do with the routes however original planning permission in 2007 was granted based on the environmental assessments for the original routes which are over industrial estates and not residential areas as they are currently, how could it not be part of the original planning permission.

In addition, citizens in Meath have no means to engage in the planning process while being subjected to this significant environmental impact.

5. Acceptance of the relevant action by ABP and thus retention of the **current unapproved flightpaths** introduced in Feb 2023 would set a precedent that ABP rules/policies and processes should be and will be ignored if inconvenient and cost effective.

6. There are alternative routes that conform to the existing noise zone without reducing the capacity

of the airport. AirNav's failure to design the SIDs well and DAAs pure ignorance of approved planning permission should not be rewarded. The DAA and some airlines are gaining from these flightpaths as they are saving flight time and fuel by turning when they are not even 650ft in the air and crossing over Kilsallaghan as a short cut. The DAA would rather ignore and cause significant

distress to tens of thousands of people with harmful noise rather than lose a cent in profits.

7. The safety of the passengers and residents on the ground as a result of turning the aircraft <650ft

in the air – surely that has to be considered. I have been on some flights myself and that sharp turn jerks you in your seat and looking from my house some of the planes struggle to climb at a height with the sharp turn.

8. The reports and estimates within the DAA submission regarding noise impacts from proposed changes are all lined with the language 'no material change' and 'not significant'. It should be noted that this kind of language is presented to favour the DAAs proposal. This is not factual. The actual daily, hourly experience of tens of thousands of people is the actual reality. The DAA are not good neighbours as they like to call themselves, Kenny Jacobs has not been out in the community talking to the residents. They cannot be trusted and have shown this in terms of their

blatant breaches of planning permission and flightpaths as per below:

- Breach of the passenger cap in 2019 and scheduled to breach again in 2023
- Breach of 65 movement cap per night.
- Use of flightpaths that are not approved and used in their 2007 planning permission.

Conclusion

To conclude, there is no attempt to determine the health impact through assessing the actual experience of Fingal and Meath residents. The data being used to model future impacts is **out of date**

and **misleading**. There are a lot more people affected than estimated. For current flightpaths the measurements performed were not under actual flightpaths.

I cannot stress enough the impact the flightpaths are having on my family, my children and residents

of Kilsallaghan. The flightpaths are a significant element of this relevant action submission and must

be considered within it. If flightpaths were reverted to what was approved in 2007 planning permission 90% of the complaints will disappear as this is the biggest element to all of this and must be acknowledged and reverted back to what was approved in 2007. Please do not grant the DAA permission to remain on the current flightpaths. This is and will have a detrimental impact on peoples lives and future.

Regards

Eugen Dumitras

Electronically signed by: Eugen Dumitras

Reason: I am the author of this document

Date: Dec 11, 2023 13:38 GMT