

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP 314485 - 22Defer Re O/H ☐Having considered the contents of the submission dated/ received 08/12/2023  
fromFTA Ireland 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 BenDate: 14/12/2023

## 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 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

Date: \_\_\_\_\_

AA: \_\_\_\_\_

Date: \_\_\_\_\_

# Validation Checklist

Lodgement Number : **LDG-068803-23**  
Case Number: **ABP-314485-22**  
Customer: **FTA Ireland**  
Lodgement Date: **08/12/2023 13:21:00**  
Validation Officer: **Patrick Buckley**  
PA Name: **Fingal County Council**  
PA Reg Ref: **F20A/0668**  
Case Type: **Normal Planning Appeal PDA2000**  
Lodgement Type: **Observation / Submission**



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

Run at: 14/12/2023 15:49

Run by: Patrick Buckley



Details

Lodgement Date	08/12/2023
Customer	FTA Ireland
Lodgement Channel	Email
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068803-23
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

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	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,
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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. 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

		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
	Development Description	

PA Case Number	F20A/0668	
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all night 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

**Lisa Quinn**

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**From:** Bord  
**Sent:** Friday, December 8, 2023 9:04 AM  
**To:** Appeals2  
**Subject:** FW: Bord Pleanála Ref: ABP-314485-22  
**Attachments:** FTAI\_submission to BOrd Pleanala Dec23.pdf

**From:** Aidan Flynn <aflynn@ftai.ie>  
**Sent:** Friday, December 8, 2023 8:50 AM  
**To:** Bord <bord@pleanala.ie>  
**Subject:** Bord Pleanála Ref: ABP-314485-22

Good Morning

Please find attached a supplementary submission from and on behalf of members of the Freight Transport Association Ireland in regard to your reference [Planning Authority Register Ref: F20A/0668]

Kind regards

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**Aidan Flynn**  
**CEO**  
**Freight Transport Association Ireland**  
**Mobile: 087 3546954**  
[www.ftai.ie](http://www.ftai.ie)

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**Bord Pleanála Ref: ABP-314485-22**

**Date: 6<sup>th</sup> December 2023**

**RE: Planning Authority Register Ref: F20A/0668**

FTA Ireland (FTAI) is a not-for-profit membership trade association for the Irish freight, passenger and logistics industries. Our mission is to inspire, advocate and endorse safe, efficient and sustainable transport operations and supply chains.

FTAI on behalf of our members made a substantial submission to Fingal County Council in January 2021, expressing our support for the amendment of the two operating conditions attached to North Runway. Within this submission, we outlined the considerable contribution of air freight to the Irish economy – cargo night flying in particular supports €1.1 billion in GDP and 15,000 jobs.<sup>1</sup>

Critical to a continued and efficient air freight service for Ireland, is night flying. Freight flown at night accounts for 38% of the total freight volumes at Dublin airport and around 63% of night air cargo is transported by express freight operators primarily shipping sensitive goods. Operating during the night hours is essential, as it enables deliveries to occur at the start of the working day, therefore maximising productivity for thousands of organisations across Ireland. However, planning conditions No. 3(d) and No. 5 of the 2007 North Runway Planning Permission as they currently stand, are not conducive to this activity. In fact, if implemented, they will significantly and, to the detriment of the Irish supply chain and economy, impact on air freight services to Ireland. Moreover, it is not demonstrated that such implementation of the two planning conditions would be consistent with Irish obligations under European Directive (EC) 2002/30 and the subsequent Regulation (EC) 598/2014 that replaced it. Neither would it be consistent with the obligations of the Government of Ireland under the U.S.-EU Air Transport Agreement (ATA) with regards to U.S. carriers operating in Dublin.

***In light of the appeals that have been submitted to An Bord Pleanála in relation to the FCC/ANCA decision to amend the two onerous conditions attached to the grant of planning for North Runway, FTA Ireland want to highlight our support for the regulatory decision of ANCA as outlined below:***

#### **The Regulatory Decision of 8 August 2022**

The Regulatory Decision of ANCA directs that the Planning Authority include in their planning permission three conditions relating to noise mitigations measures and operating restrictions. These three conditions amend condition 5 of the original planning permission, conditions 3 and introduce as a third condition a voluntary residential sound insulation grant scheme.

FTA Ireland and our members support the regulatory decision

- **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) with
  - '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

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<sup>1</sup> [Air-Cargo-Night-Flying-FINAL.pdf \(ftai.ie\)](https://www.ftai.ie/Air-Cargo-Night-Flying-FINAL.pdf)

declared emergencies at other airports or where Runway 10L-28R length is required for a specific aircraft type.'

- **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) with
  - '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'.

We would like to make the following points for consideration by An Bord Pleanála:

- A noise quota count system involves noise quotas for individual flights based on factors such as assigning assigns noise values to each aircraft for its take-off and landing based on its noise certification data. That certification takes into account several factors such as aircraft type, configuration, and maximum take-off weight. By assigning a noise value to each flight operating within a prescribed quota limit, It offers more flexibility and precision compared to a simple movement limit for managing airport noise and actively incentivises airlines to use quieter aircraft. The proposed NQS would thus allow for a more effective control of noise compared to a blanket movement limit, which does not differentiate between quieter and noisier operations.
- As recognised in the data's recently published Economic Impact Study 2023 (Dublin Airport Economic Impact Study), Dublin Airport is a key lynch pin of the Irish economy. This is recognised at all levels of planning policy, with the National Planning Framework charging Dublin Airport with providing High Quality International connectivity in the national interest. Granting planning permission for North Runway Relevant Action will maximise return on the investment made at Dublin Airport to date in the North Runway, and ensure this potential fully realised.

In addition, Air cargo and particularly night flying accommodates the following:

- Enables trading relationships
- Makes Ireland more attractive place to do business
- Supports advanced logistics and supply chain functions
- Means Irish based companies can provide the highest levels of customer care and after sales service
- Air cargo supports consumer choice.

Finally, it is vital to Irelands reputation and international supply chain links that everything is done to preserve our competitiveness. It is critical that urgency is now afforded to arrive at a decision on this issue now, as this is now 3 years in the planning system and is a project of strategic national importance.

We appreciate your consideration of this submission.

Aidan Flynn

CEO

Freight Transport Association Ireland

[aflynn@ftai.ie](mailto:aflynn@ftai.ie)

