

File With _____

SECTION 131 FORM

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

TO: SEO

Having considered the contents of the submission ~~dated~~ received 6/12/2023
fromHilary O'Boia 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: 13/12/2023

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 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-068451-23**
Case Number: **ABP-314485-22**
Customer: **Hilary O'Broin**
Lodgement Date: **06/12/2023 12:51:00**
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
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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

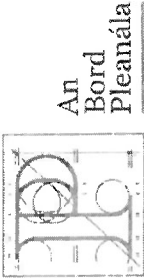
BP40 to issue to Hilary O'Broin and enclose a copy of the receipt.

✓DW 19/12.

Run at: 11/12/2023 14:20

Run by: Karen Byrne

Lodgement Cover Sheet - LDG-068451-23



Details

Lodgement Date	06/12/2023
Customer	Hilary O'Broin
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068451-23
Map ID	
Created By	Aisling Litster
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

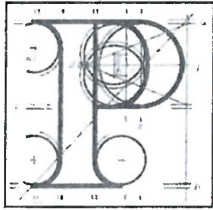
Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Observation/Objection Allowed?	
Payment	PMT-053148-23
Related Payment Details Record	PD-053021-23

Observation

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

Development Description	
Applicant	
Additional Supporting Items	



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Observation on a Planning Appeal: Form.

AN BORD PLEANÁLA
LDG- 0684-51-23
ABP- _____
06 DEC 2023
Fee: € 50 Type: CHQ
Time: _____ By: POST

Your details

1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

Click or tap here to enter text

HILARY O'BROIN

(b) Address

Click or tap here to enter text

29 CARRICKHILL HEIGHTS,
PORTMARNOCK, CO. DUBLIN.

Agent's details

2. Agent's details

If you are an agent and are acting for someone else **on this observation**, please also write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

(b) Agent's address

Click or tap here to enter text.

Postal address for letters

3. During the appeal process we will post information and items to you or to your agent. For this observation, who should we write to? (Please tick ✓ one box only.)

You (the observer) at the address in Part 1

☒
☒

The agent at the address in Part 2

☐

Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

(a) Planning authority

(for example: Ballytown City Council)

Fingal County Council

(b) An Bord Pleanála appeal case number (if available)

(for example: AP-300000-19)

PL06F.314485

(c) Planning authority register reference number

(for example: 18/0123)

F20A/0668

(d) Location of proposed development

(for example: 1 Main Street, Baile Fhearrainn, Co. Athaile)

Dublin Airport

Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

My major concerns are:

1. The unapproved flight path is much different to the ones proposed in 2007.
2. Breaking of regulations of more than 65 flights & well in excess of 100 most nights is wreaking havoc on our sleep patterns in Portmarnock. If individuals can be brought to court for breaking agreements, DAA should be treated equally & charged with breaches. If 65 flights per night was agreed they should be prohibited from any more.
3. An Bord Pleanála should not approve the current flight paths which are illegal and causing untold stress to the people of Portmarnock unable to sleep with the noise.
4. DAA should not be allowed to put profit before the health of the people of North County Dublin.
5. If flights at Heathrow & many European airports can be restricted to 7am - 11pm I cannot see why this cannot be applied here. Greed and big profits should not take precedence over people's health.
6. DAA has breached the passenger cap in 2019 and likely to do so again in 2023.

PTO →

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Section 5 continued.

7. Flight paths in use bear no resemblance to what was approved in 2007. Straight out flight paths should improve this.
8. When we bought this property in 1975 and for many years afterwards the flight path was down at the estuary & didn't impact the people of Portmarnock so much. But in recent years the noise level is intolerable all night long. Planes are going directly over the roof of my house and the noise level is well above the permitted levels. You cannot hear someone in the same room speak. Two to three minutes later it starts again.
9. The permitted noise zones in this submission do not match the environmental impact statement for the only granted permission.
10. While daytime noise is bad enough, the night time disturbances have very negative health effects. WHO's advice has been completely undermined by the arrogance of the DAA.
11. With a big focus on the environment at present it seems very negative to be increasing flights & GHG emissions.
12. AN ORAL HEARING IS ABSOLUTELY NECESSARY

Dilany O'Brien

Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Fee - €50.00 (if a submission was not already made)

7. You **must** make sure that the correct fee is included with your observation. You can find out the correct fee to include in our Fees and Charges Guide on our website.

This document has been awarded a Plain English mark by NALA.

Last updated: April 2019.

