

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission (S) dated/ received 14/12/2023
fromJim Isdale 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 BDate: 22/12/2023

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: _____

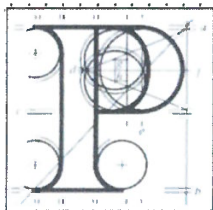
Allow 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____



An
Bord
Pleanála

Observation on a Planning Appeal: Form

AN BORD PLEANÁLA
LOG- 131-002359-23
APP- LD4-068906-23
14 DEC 2023
Fee: € 50.00 Type: CAID.
Time: 3.51 By: hand.

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)

Jim Isdale

(b) Address

Macepool, Kilsallaghan, Co Meath

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: ABP-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 Fearainn, Co Abhaile)

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.

Dear Sirs,

I am farming in the locality and also rent out several residential and commercial properties. I make this observation on behalf of tenants, employees and my family. I have resided my entire life in this location and my family has been here for generations and long before the existence of Dublin Airport.

Coinciding with the introduction of the new runway 28R in August 2022 and more specifically the revised Standard Instrument Departure (SID) in February 2023 departing aircraft are currently flying low over all my lands and buildings.

Initially, aircrafts were flying at exceptionally low altitudes, in my estimation at less than 1000ft, often appearing to struggle as they tried to climb. It remains a vision that will be difficult to etch from my memory. I am approximately 5km distance from the north runway. Fortunately, aircraft now appear to be on average at a slighter greater altitude, circa 2,000 ft, though nevertheless equally annoying, noisy and overall having the same negative impact as the initial aircrafts in 2022 and early 2023.

As you may appreciate my profession is based mostly outside and on the land and thus the impact of this on me has been profound. I mix farm, operating between tillage and sheep and am concerned for the welfare of

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my animals. I have observed what appears to be new deposits of contamination on plants and trees in the vicinity and have genuine concerns for the natural impaction on crop and food production and have brought my concerns to the Irish Farming Association. I also have a small holding of horses and notice that they have been highly distressed by these aircraft. There are several horse-riding schools in the vicinity and there have already been close calls reported regarding animal behaviour and dangerous, nervousness provoked reactions and I imagine it will only be a matter of time before there is a fatality.

It is the case that the majority of my tenants are expressing deep stress and anxiety in relation to these low flying aircrafts. I have had several tenants already vacate and imagine that this will continue as long as these flights are located directly above their residence. I have noticed at viewings a disinterest in properties and confirm that this was previously not the case and is in my opinion absolutely intrinsically linked to low flying aircraft. In essence, my right to earn a living is being directly and negatively impacted.

As ABP may recall, initially RTE expressed the opinion albeit in late 2022 that flight paths were incorrect but that this would be rectified in the coming months and so we as a family decided to allow the opportunity for correction however this situation did not transpire and instead was made worse in late February 2023. We are now at the end of our tether with the whole debacle and will instigate legal proceedings in the matter in due course.

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I acknowledge that ABP must address the planning issues in and around this Relevant Action application, however, I note in the submitted material by the applicant they have provided nonsensical arguments relating to sleep disturbance by a Prof Penzel. I am not aware of any medical expertise at ABP however it should be clear to most that it is not a 'noise contour' nor a 'noise algorithm' nor 'an average noise' nor 'acoustic modelling' that wakes or disturbs a person from sleep rather it is a *single event* that causes sleep disturbance be it a sleep arousal or an awakening. As you may appreciate the health of my family is being negatively impacted, now unfortunately at a rapid rate, given the passage of time that we have now been subjected to this problem. I have very young children as well as teenagers and anyone who is a parent recognises the negative consequences of sleep deprived children. I would urge the board to consider the length of time we have now endured this exposure. There is no doubt in my mind it has irrefutable negative consequences to the health of my children. As we all know growth hormone is secreted in early hours of sleep and is fundamentally necessary for development and growth. The constant intrusion by planes will only ever be addressed by proper medical assessment and tests and even then it will difficult to ascertain the full impact of this situation. This entire situation needs to be robustly assessed at national level. It cannot be the case that some Irish citizens are expendable in the pursuit of economic gain / Ireland Inc. I believe Kenny Jacobs is flogging a dead horse and the global aviation sector is approaching instead a wake-up call. Consequently, Ireland needs to position itself to be cognisant of all nations and it's global impact in the world. External challenges are coming and flight limitation will only serve to

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concentrate the mind of those people who choose still to use air travel. A global strategic aviation policy needs to be developed at a National level and taken out of hands of local councils.

I have lost count of the number of complaints to daa that I have submitted. I have received effectively no correspondence to-date regarding any of my complaints. No good neighbour policy at play. I note Tom Philips and Associates commentary regarding flight path changes and would highlight that the modelling techniques used are fundamentally flawed and questionable. We cannot accept one professional opinion on this matter and in the interest of fairness an alternative noise modelling specialist should be considered. Indeed an EIAR modification should not be possible at this late stage and should certainly not be accepted by ABP. I believe there will ^{be} out roar on this matter if this transpires.

Finally, I would request an oral meeting. There has been insufficient time provided given the context and quantity of material provided by daa for the purposes of this Relevant Action and it is simply disgraceful that such a short duration of time to allow for assessment of this material has been provided. We are hoping in this context that sufficient technical report and opposing information has been submitted by SMTW committee / FORUM and other representative bodies in this matter. Notwithstanding the latter I sincerely hope that ABP has the competent and qualified personnel necessary to review the overall situation. Has ABP familiarised itself with the Oireachtas Transport Committee meeting and if so it will expose the litany of mistruths especially were it was recently suggested that safety

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reasons had caused such divergent flightpaths. Is this referenced in this RA?

It is clear to all that this situation may be remedied easily and quickly but that this is not happening and we in this community are being made suffer unnecessarily. We have not even been provided with specialised earplugs to prevent damage instead we were thrown into this situation literally over night with no warning it was to land on our doorstep, no opportunity to prepare ourselves, no opportunity to try and escape, we literally became the rabbits in the field scurrying for cover... but there was and remains no cover.

ABP must reconfirm their original decision, enforcing the original EIAR and refuse the request of this relevant action, specifically NOT to implement the noise quota system without set limits and NOT to permit an extension of operation hours.

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

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.

