

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  
fromJoe Bonner 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: 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-069133-24**

Case Number: **ABP-314485-22**

Customer: **Joe Bonner**

Lodgement Date: **14/12/2023 09:37:00**

Validation Officer: **Patrick Buckley**

PA Name: **Fingal County Council**

PA Reg Ref: **F20A/0668**

Case Type: **Normal Planning Appeal PDA2000**

Lodgement Type: **Observation / Submission**



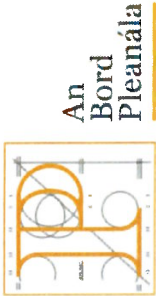
An  
Bord  
Pleanála

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: 02/01/2024 09:44

Run by: Patrick Buckley

Lodgement Cover Sheet - LDG-069133-24



Details

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

Lodgement ID	LDG-069133-24
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,

00. 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

	Development Description
	<p>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.'</p> <p>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</p>

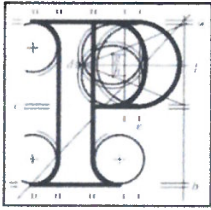
PA Case Number	F20A/0668
----------------	-----------



time 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

	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.
Applicant	
Additional Supporting Items	Yes

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



An  
Bord  
Pleanála

## Planning Appeal Form

### Your details

#### 1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Joseph Bonner

(b) Address

Milltown Road  
Ashbourne  
Co. Meath

### Agent's details

#### 2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

N/A

(b) Agent's address

N/A

**AN BORD PLEANÁLA**

LDG- \_\_\_\_\_

ABP- \_\_\_\_\_

**14 DEC 2023**

Fee: € \_\_\_\_\_

Type: \_\_\_\_\_

Time: 3:21pm

By: Hand





## Postal address for letters

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

**You (the appellant) 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 planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

**(a) Planning authority**

(for example: Ballytown City Council)

An Bord Pleanála Ref.

PLO6F 314485

**(b) Planning authority register reference number**

(for example: 18/0123)

F20A/0668

**(c) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Dublin Airport,

Co. Dublin

--

## Appeal details

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

The following are the main points that are being presented to me from the communities affected by the unauthorised changes to the flight paths out of Dublin Airport and what they want included in the submission.

- We request an Oral Hearing to have our issues heard.
- The DAA are ignoring our complaints and they are doing nothing to alleviate the situation in fact the situation is getting worse.
- The DAA will not meet the affected communities.
- The flight paths are not in agreement with the planning permission.
- The noise and air pollution are intolerable.
- This pollution is seriously affecting the health of the people under the flight paths.
- The constant noise, vibrations and aircraft smell is affecting people's mental health. The DAA are in breach of the WHO guideline.
- People cannot sleep at night and when they do get to sleep they are awoken by the noise.
- There is documentary evidence of children having to go to bed with ear muffs on in order to get them to sleep.
- The houses are vibrating with the impact of the planes.
- House at A84978 is vibrating when planes fly pass over and the occupants cannot use their garden.

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

- The planes are flying that low over some houses they are lighting up their rooms.
- People cannot open their windows.
- People cannot use their gardens.
- Animals even cower at the sound of the planes.
- The DAA Are looking to retain unauthorised flight paths.
- The DAA are looking to expand the capacity of the airport and this will make the situation worse.
- The DAA are looking to expand the capacity of the airport and this will make the situation worse.
- There is no insulation scheme in place under the unauthorised flight paths.
- The noise monitors are in the wrong place.
- Air quality monitors are required under these flight paths on the Meath size of the runways.
- The communities feel under siege by the DAA and are at their wits end.
- Many families are looking to move out of the area but their properties have been greatly devalued as a result of this unauthorised development.
- People are afraid of what the future holds for them if the DAA get approval for their unauthorised flight paths and are allowed to intensify the traffic through the airport up to 40 million using these unauthorised flight paths.



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

## Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

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

## Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

## Fee

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

## Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

**Yes, I wish to request an oral hearing**

☒

**No, I do not wish to request an oral hearing**

☐

NALA has awarded this document its Plain English Mark

Last updated: April 2019.



The following are the main points that are being presented to me from the communities affected by the unauthorised changes to the flight paths out of Dublin Airport and what they want included in the submission.

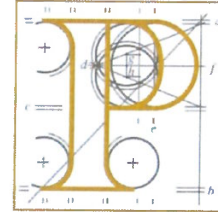
- We request an Oral Hearing to have our issues heard.
- The DAA are ignoring our complaints and they are doing nothing to alleviate the situation in fact the situation is getting worse.
- The DAA will not meet the affected communities.
- The flight paths are not in agreement with the planning permission.
- The noise and air pollution are intolerable.
- This pollution is seriously affecting the health of the people under the flight paths.
- The constant noise, vibrations and aircraft smell is affecting people's mental health. The DAA are in breach of the WHO guideline.
- People cannot sleep at night and when they do get to sleep they are awoken by the noise.
- There is documentary evidence of children having to go to bed with ear muffs on in order to get them to sleep.
- The houses are vibrating with the impact of the planes.
- House at A84978 is vibrating when planes fly pass over and the occupants cannot use their garden.
- The planes are flying that low over some houses they are lighting up their rooms.
- People cannot open their windows.
- People cannot use their gardens.
- Animals even cower at the sound of the planes.
- The DAA Are looking to retain unauthorised flight paths.

- The DAA are looking to expand the capacity of the airport and this will make the situation worse.
- The DAA are looking to expand the capacity of the airport and this will make the situation worse.
- There is no insulation scheme in place under the unauthorised flight paths.
- The noise monitors are in the wrong place.
- Air quality monitors are required under these flight paths on the Meath size of the runways.
- The communities feel under siege by the DAA and are at their wits end.
- Many families are looking to move out of the area but their properties have been greatly devalued as a result of this unauthorised development.
- People are afraid of what the future holds for them if the DAA get approval for their unauthorised flight paths and are allowed to intensify the traffic through the airport up to 40 million using these unauthorised flight paths.



**Our Case Number:** ABP-314485-22

**Planning Authority Reference Number:** F20A/0668



An  
Bord  
Pleanála

Joe Bonner  
Milltown Road  
Ashbourne  
Co. Meath

**Date:** 08 November 2023

**Re:** 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, which relates to the night-time use of the runway system at Dublin Airport.  
Dublin Airport, Co. Dublin

Dear Sir / Madam,

Further to the Board's letter of 3rd October 2023 in which you were informed that the Board had received significant further information from the applicant in relation to the above appeal, the Board is publishing a newspaper notice in accordance with Article 113 of the Planning and Development Regulations, 2001 (as amended). The notice will be published in the Irish Times newspaper on 10th November 2023.

This notice will enable written submissions in relation to the further information to be made to the Board **within 5 weeks** beginning on the date of publication of the notice. The further information will be available for inspection and purchase at the offices of Fingal County Council and An Bord Pleanála. The further information will also be posted on the website of An Bord Pleanála at [www.pleanala.ie/en-ie/case/314485](http://www.pleanala.ie/en-ie/case/314485).

As you are an existing participant in this appeal, there is no requirement for you to pay a fee when submitting any further submission you may wish to make in this case.

Please contact the undersigned if you need any further information in respect of this process and quote the above appeal reference in any further telephone or written correspondence.

Yours faithfully,

  
Patrick Buckley

Executive Officer  
Direct Line: (01) 8737167

BP77

Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel  
LoCall  
Fax  
Website  
Email

(01) 858 8100  
1800 275 175  
(01) 872 2684  
[www.pleanala.ie](http://www.pleanala.ie)  
[bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902