

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 11/12/23
from John Burtchaell 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

Pat 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

B846 - Task No: 364775-23
13.15/12



Planning Appeal Online Observation

Online Reference
NPA-OBS-002862

Online Observation Details

Contact Name
John Burtchaell

Lodgement Date
11/12/2023 09:46:12

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
John Burtchaell

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Aisling Kelly
EO

Date

14/12/23

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068597-23.

Reason for Refund

Documents Returned to Observer

☐ Yes ☐ No

Request Emailed to Senior Executive Officer for Approval

☐ Yes ☐ No

Signed

EO

Date

Finance Section

Payment Reference

ch_3OM640B1CW0EN5FC1VYHcJL0

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

John Burtchaell
5 Saddlers Crescent
Mulhuddart
Dublin 15

11th December 2023

To whom it may concern,

I and my colleague Ruth Coppinger are writing to express our opposition to the Planning Appeal to alter the aircraft noise regulations at Dublin Airport (ABP Ref 314485- Fingal ref F20A/0668) due to the negative impact it will have on the residents in Dublin 15 and most especially the areas adjacent to the airport in Tyrrelstown, Hollystown, Hollywoodrath, St. Margaret's etc.

Please see our observations and concerns below:

1. The Dublin Airport Authority (DAA) want to use the North Runway for an additional 2 hours at night, 23:00-24:00 and 06:00-07:00, resulting in its use from 06:00-24:00. This amends Condition 3(d) of planning. Note: The Inspector recommended to refuse permission, and only with the addition of Conditions 3(d) and 5 did ABP approve the North Runway's planning.
2. The DAA want to get rid of the 65 flights nighttime restriction (Condition 5) and replace it with a Noise Quota System (NQS) which will facilitate unlimited flights on the South Runway impacting residents in Dublin West.
3. There has been a severe lack of consultation and many homes have been built since the last public consultation in 2016.
4. The public notice is incorrect and states that "*Condition 3(d) and 5 have not come into effect as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing*", which is not true as the North Runway is built.
5. The public notice mentions nothing about a change in flight paths since the North Runway's permission was granted in 2007.
6. There is no consideration of health costs or Green House Gas (GHG) emissions. Aviation fuel is not taxed.
7. There is no proper mitigation for those most affected.
8. Contravenes Project Ireland 2040 and balanced regional development.
9. Fingal County Council has issued enforcement proceedings against the DAA over the 65 nighttime flight breach.
10. Fingal County Council has issued enforcement proceedings against the DAA over the divergent flight paths.
11. The DAA breached the 32 million passenger cap in 2019 and are on course to breach it again this year.
12. The DAA failed the Noise Abatement Objective (NAO) in 2022 as more people were exposed to >55dB Lnight than in 2019.

13. Revised Environmental Impact Assessment Report (EIAR) based on new flight paths will result in:
 - a. 326k people above the WHO 45dB Lden limit
 - b. 168k people above the WHO 40dB Lnight limit
 - c. 23,844 people Highly Sleep Disturbed
 - d. 53,854 people Highly Annoyed
 - e. 9,380 people are significantly adversely affected, 553 very significantly affected and 176 profoundly affected at night
 - f. 6,805 more people subjected to > 50 N60 noise events compared to 2025 permitted
14. Significant increase in GHG emissions.
15. No noise data provided for real flight operations on the North Runway in 2023.
16. Because of the complexity of the documentation submitted by DAA residents cannot figure out if they are directly affected by their proposals or if their homes are in the area to be Noise Insulated.
17. It is not clear how the proposed Noise Quota of 16260 was calculated as no values of the QC ratings are included or how many times at night that the North runway will be used for aircraft needing a longer runway than the existing South runway.
18. The DAA promised the local communities in their published Dublin Airport Management Plan dated May 2018 at section 5.3 ENGAGEMENT that they "are committed to engaging with the local Community in order to inform and discuss developments relevant to the airport. It should be noted that community engagement is expected to form part of the next iteration of The Balanced Approach". Residents waited for these consultations, but they never happened. Residents need public Consultation to know how these very serious proposals will affect them for the rest of our lives. Residents demand that the DAA live up to their commitments that they promised as far back as 2016.
19. Fingal County Council committed to our Communities that a "collaborative approach to development must be taken with the local communities by the DAA" as per their Development Plan Policies. Fingal County Council have also failed residents by not insisting that the DAA hold public Consultation on these proposals to inform members of the Communities as to how they are affected and to be able to ask questions on items of confusion. The residents demand public Consultation.
20. We note that the proposed noise criteria is to be compared to the 2019 noise levels at the Airport. Residents have already informed DAA and Fingal County Council that the Noise levels reached in 2019 are severe and intolerable particularly at night. In 2019 families were continuously being woken at night by the noise from aircraft.
21. Noise Insulation is not a solution to mitigate noise. Residents are entitled to have their windows open particularly at night. Reduce the hours of operations and prohibit flights between 23:00 and 7:00 to protect us from harmful noise.
22. Due to the voluminous technical material being put on (ANCA) Aircraft Noise Competent Authority's Web site for this application residents are unable to understand it. ANCA only held 3 public webinars. There were no public community events held which could have taken place after Covid restrictions were removed.
23. ANCA should have consulted with the owners of dwellings which the DAA proposed to insulate. There is confusion among the public as it appears that ANCA have reduced the number of houses for inclusion in the insulation scheme, even though they claim it's superior. High quality maps should be made available to the public for review.
24. Why are there no projections for when the airport reaches 40m passengers and the affects this has on the local community. In 2016 at some public meetings DAA told residents that

they were working on these projections and would submit them. The DAA forecast that in the near future they would have 40m passengers. In 2018 they had 32.9m passengers which exceeded their permission. The DAA should show residents the consequences of this volume of passengers now.

25. When permission was granted for the North Runway the flight paths were straight out. In this proposal they are divergent and as a result the noise contours affect a total new element of the community. In fact, new developments and houses are now affected. These communities need to be informed and consulted regarding these proposals and their effect on them.
26. The DAA are proposing to operate the runways in mixed-mode during 6-8am which results in dual departures. This mode of operation does not have planning permission and the DAA have not requested planning permission to operate in such a fashion. Therefore, this mode of operation is contrary to the planning conditions of the Northern runway.
27. Fingal County Council carried out a revision to their current development plan called variation no 1 whereby they introduced various noise zones associated with the airport. They set out criteria that had to be met by providing a standard of noise insulation in housing to be built in the future within these noise zones. One of the criteria is that the maximum single event noise level within a bedroom shall not exceed 45dB L_{Amax}. However, the DAA nor ANCA have not reviewed single events or the number of single events at night which can cause serious sleep disturbance and major resulting health issues such as cardiovascular disease. Measurements taken inside newly insulated houses by residents indicate that the noise levels for single events exceeds the criteria set out by Fingal County Council. Therefore, the proposals by DAA are unhealthy and do not meet Fingal County Councils criteria and therefore must be rejected.
28. The World Health Organisation strongly recommend that night noise levels should not exceed 40dB L_{night}. DAA have totally ignored this health warning and therefore their proposals should not be accepted as they put people's health at risk over a long period of time.
29. ANCA have sought no medical expertise in their judgement and have failed to factor in the health impacts on residents in their cost analysis.
30. DAA have selected 55dB L_{night} as the target level that beyond which noise insulation must be provided. The World Health Organisation WHO clearly state that the level of 55 dB L_{night} is an Interim Target level to be used only temporarily in a local situation until other mitigation measures are put in place. The WHO state that vulnerable groups cannot be protected at a noise level of 55dB L_{night}. The proposal by DAA is therefore totally inadequate and should not be allowed.
31. The draft decision by ANCA actually reduces the number of houses which are eligible for insulation relative to the DAA submission. This must be an error as ANCA are claiming this is a better scheme.
32. Residents are greatly affected by aircraft noise and these proposals will make it even worse without adequate mitigation measures. Why not insist on only the very quietest of aircraft and a limited number of movements to solve the problem in lieu of putting people's health at risk.
33. The DAA's forecasts do not support their claims of passenger losses in 2025. The main beneficiaries are the shareholders of Ryanair and Aer Lingus who want to operate their aircraft to maximise their profits.
34. In the U.K. the airports not only have far lower Noise Quotas, but they also have a limit on the number of flights at night.