

File With

## SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 21/11/2023  
from Leona Cantwell 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

Pete Burr

Date

27/11/2023

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



## Planning Appeal Online Observation

Online Reference  
NPA-OBS-002753

Patrick

### Online Observation Details

Contact Name  
Leona Cantwell

Lodgement Date  
21/11/2023 13:44:08

Case Number / Description  
314485

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Leona Cantwell

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed



EO

Date

27/11/2023

BP40 to issue  
Issued 29/11/2023 AMN

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068262-23

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\_30EuFIB1CW0EN5FC1VRPYNQ4

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

**Name:** Leona Cantwell

**Address:** The Orchard House, Kilsallaghan, Co Dublin, K67Y8E8

**Case Reference number:** 314485 – Leona Cantwell

**Planning Authority:** Fingal County Council

**An Bord Pleanála appeal case number:** PL06F.314485

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

**Location of Planned Development:** Dublin Airport

**Date:** 21 Nov 2023

To whom it may concern,

Please see below observation related to An Bord Pleanála appeal case number: PL06F.314485.

**1. Observation Details:**

Since the North runway opened, residents in Kilsallaghan, North County Dublin have been subjected to thousands of large jet aircraft flying directly over our home. Depending on the route, the frequency of these flights can be every 90 seconds. This is torture and the most distressing experience I have ever had to endure in my life. It has rendered our garden and our kids' safe space for playing useless as it is impossible to stay outside with the noise levels. In addition, the noise cannot be escaped inside the house. We cannot open our windows as the noise is insufferable, and we are smothering inside our houses as a result. We wear earphones for most of the day in the house and when I say 'we' I am including my 2 children who are 7 and 9 years old. When our earphones are not on, I have the cooker fan at high blast to try and distract us from the noise outside. This is not sustainable and an unacceptable way to live and should not be tolerated. I cannot even keep my dogs outside as they just bark and bark as a result of the noise.

My husband's farm and family has been located in Kilsallaghan since the 1930s, way before Dublin airport was built so to be subjected to this pure disrespect from the DAA is brain numbing. The enjoyment running a farm and going about daily business has been destroyed by the DAA electing to fly unauthorised flightpaths since the North runway commenced.

We are experiencing noise levels of between 80 to 100 decibels based on our own readings each time a plane flies over, that's 80-100 decibels every 90 seconds. This has significant impact on health to which is well documented and known.

**2. This situation has had the following consequences for me and my family:**

I am suffering from severe anxiety as a result and take calming drugs to try and cope with this distress, my little girl who is aged 7 is so stressed from all of this. She wakes up to the blaring noise of planes flying over our house, she is complaining of headaches and is crying at bedtime because she cannot sleep with the noise. We don't go to sleep till after 11pm as we can't sleep and then only to be woken at 7am on the dot and as a result are just exhausted. As mentioned, we wear earphones to try and drown out the sound. We cannot go outside and find ourselves running from the house just to get away from the noise and stress of it all.

Our property has decreased in value and with our kids settled in school why should we have to move from our family home, why should my husband have to leave his family farm just so the DAA want to

own the skies, because that is what's happening, they want to own the skies and fly wherever, whenever they like.

The flightpaths were changed on February 23, 2023, to a new route directly over my house. This new flightpath is the flightpath that is causing most distress. The noise levels being generated are creating continuous harmful and excessive noise levels. The situation is extremely distressing, and these noise levels are not acceptable nor safe.

I have submitted numerous complaints via the Webtrak link for aircraft noise and have had no response to any of my complaints except for 1 for a flight that went over my house on 25 Aug 2023 at 00.18am where they admitted to the aircraft leaving the environmental corridor early by turning north – this is what is happening all the time and is causing severe distress. This was then handed over to the IAA from which I have had no follow up.

I have met with the DAA community liaison officer on 24 Jul 2023 where she saw for herself the planes flying over my house. She had a map with her in which my husband circled our house to show her that we are outside the flight corridor. I have had 1 response since then on 03<sup>rd</sup> Aug 2023 and again redirected to Noise Flight Track and Monitoring team from which I have not received a response.

I have made formal complaints to Fingal County Council (FCC) in respect of the North runway operations which are not in compliance with planning conditions attached to Reg F04A/1755. FCC issued a warning letter to the DAA on 21 September 2022 however this process is still not concluded and meanwhile tens of thousands of people are enduring intolerable noise levels and the associated stress and anxiety unnecessarily.

I am not sure how much more me and my family can take, I am at breaking point and am really concerned for my little girl and the stress she is enduring as a result of this.

### 3. DAA Submission

Having read through the DAA newly submitted documents, it is clear in the submission from DAA that they have used the current flight paths for their "permitted" drawings instead of the permitted noise zones from the original 2007 planning permission. The DAA are expecting that ABP grants this permission on the basis of the relatively small difference between before and after with respect to night flights. If that occurs, ABP would effectively be accidentally granting retention to the current flight paths which are currently illegal/unapproved by FCC and causing significant distress for tens of thousands of people in North County Dublin and Meath. **The flightpaths are a significant element of this relevant action submission and must be considered within it. If flightpaths were reverted to what was approved in 2007 planning permission 90% of the complaints will disappear as this is the biggest element to all of this and must be acknowledged.**

**My major areas of observation and concerns are:**

- So-called "permitted" Noise zones in this submission **do not match** the Environmental Impact Statement for the only granted permission.
- The public consultation in 2016 used different routes and noise zones from the routes in this submission.
- > 85% of the environmental impact of the changed flight paths occurs in Kilsallaghan and Meath. The public consultation was strictly limited to Fingal. County Meath and areas such as Kilsallaghan **were excluded** from the list of areas included in the leaflet drop and advertising. So, we were not aware in Kilsallaghan the impact this would have and therefore did not have a voice.

4. Fingal Co Council, Meath Co Council and the DAA has taken the position that only Fingal has standing regarding the planning permission. DAA insists that the planning permission has nothing to do with the routes however original planning permission in 2007 was granted based on the environmental assessments for the original routes which are over industrial estates and not residential areas as they are currently, how could it not be part of the original planning permission. In addition, citizens in Meath have no means to engage in the planning process while being subjected to this significant environmental impact.
5. Acceptance of the relevant action by ABP and thus retention of the **current unapproved flightpaths** introduced in Feb 2023 would set a precedent that ABP rules/policies and processes should be and will be ignored if inconvenient and cost effective.
6. There are alternative routes that conform to the existing noise zone without reducing the capacity of the airport. AirNav's failure to design the SIDs well and DAAs pure ignorance of approved planning permission should not be rewarded. The DAA and some airlines are gaining from these flightpaths as they are saving flight time and fuel by turning when they are not even 650ft in the air and crossing over Kilsallaghan as a short cut. The DAA would rather ignore and cause significant distress to tens of thousands of people with harmful noise rather than lose a cent in profits.
7. The safety of the passengers and residents on the ground as a result of turning the aircraft <650ft in the air – surely that has to be considered. I have been on some flights myself and that sharp turn jerks you in your seat and looking from my house some of the planes struggle to climb at a height with the sharp turn.
8. The reports and estimates within the DAA submission regarding noise impacts from proposed changes are all lined with the language 'no material change' and 'not significant'. It should be noted that this kind of language is presented to favour the DAAs proposal. This is not factual. The actual daily, hourly experience of tens of thousands of people is the actual reality. The DAA are not good neighbours as they like to call themselves, Kenny Jacobs has not been out in the community talking to the residents. They cannot be trusted and have shown this in terms of their blatant breaches of planning permission and flightpaths as per below:
  - Breach of the passenger cap in 2019 and scheduled to breach again in 2023
  - Breach of 65 movement cap per night.
  - Use of flightpaths that are not approved and used in their 2007 planning permission.

## Conclusion

To conclude, there is no attempt to determine the health impact through assessing the actual experience of Fingal and Meath residents. The data being used to model future impacts is **out of date** and **misleading**. There are a lot more people affected than estimated. For current flightpaths the measurements performed were not under actual flightpaths.

I cannot stress enough the impact the flightpaths are having on my family, my children and residents of Kilsallaghan. The flightpaths are a significant element of this relevant action submission and must be considered within it. If flightpaths were reverted to what was approved in 2007 planning permission 90% of the complaints will disappear as this is the biggest element to all of this and must be acknowledged and reverted back to what was approved in 2007.

Please do not grant the DAA permission to remain on the current flightpaths. This is and will have a detrimental impact on people's lives and future.

Regards

Leona Cantwell



*Electronically signed by: Leona Cantwell  
Reason: I am the author of this document  
Date: Nov 21, 2023 13:38 GMT*