

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
fromMargaret Bennett 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 LDate: 29/12/2023

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 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-069026-23**

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

Customer: **Margaret Bennett**

Lodgement Date: **14/12/2023 15:55:00**

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 |

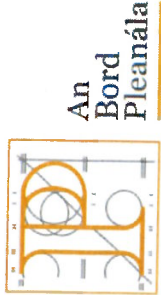
✓

F.k.

02/01/24

Run at: 29/12/2023 13:58

Run by: Patrick Buckley



Details

| | |
|----------------------------------|------------------|
| Lodgement Date | 14/12/2023 |
| Customer | Margaret Bennett |
| Lodgement Channel | Email |
| Lodgement by Agent | No |
| Agent Name | |
| Correspondence Primarily Sent to | |
| Registered Post Reference | |

| | |
|---------------------------------|---------------|
| Lodgement ID | LDG-069026-23 |
| Map ID | |
| Created By | Karen Byrne |
| 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 | |

| | |
|--------------------------------|-----|
| Observation/Objection Allowed? | Yes |
| Payment | |
| Related Payment Details Record | |

Observation

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| | 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, |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Run at: 19/12/2023 16:00

Run by: Karen Byrne

Co. 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

F20A/0668

Case Number

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

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

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|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p> 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. </p> |
| Applicant | |
| Additional Supporting Items | Yes |

Patrick.

Karen Hickey

From: Margaret Bennett <margaretbennett86@gmail.com>
Sent: Thursday 14 December 2023 13:04
To: Appeals2
Subject: 314485-Margaret Bennett Observation
Attachments: 314485- Margaret Bennett.pdf

Hello,

Please find attached my submission document for making an observation on planning case PL06F.314485. I made a submission on this case already back in Sept. 2022 and I have included a copy of the acknowledgement letter and receipt I received from yourselves at that time as proof.

If you have any queries, please don't hesitate to call me.

Kind regards,

Margaret Bennett
41 Carrickhill Heights
Portmarnock D13YE28
086 6043923

Margaret Bennett
41 Carrickhill Heights
Portmarnock
Co. Dublin
D13YE28
14th December 2023

Observation Details:

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
Reference URL: <https://www.pleanala.ie/en-ie/case/314485>

Observation Arguments:

The increase in aircraft noise observed in Portmarnock following the implementation of the North Runway exceeds the expectations of residents in this area and neighboring communities. The proposed modifications to planning restrictions will not only endorse existing flight paths that were never evaluated for potential adverse effects but also exacerbate the overall impact.

1. The planning application suggests the removal and replacement of the only two existing aircraft movement restrictions that currently serve as the sole safeguards against hazardous concentrations of aircraft noise during nighttime. If the proposed alterations are approved, it would potentially subject communities in Fingal and Meath to the risk of virtually unrestricted levels of detrimental aircraft noise throughout the night hours.
 - a. Internationally, there is a recognition that noise quota systems on their own are not sufficient to mitigate against noise impacts because the points system allows certain 'quieter' aircraft to fly nearly ad infinitum while still generating noise in excess of the WHO guidance. They need to be used in conjunction with other limits, in particular a limit on movements, to restrict the overall noise nuisance.
2. The data underpinning the planning amendment application is fundamentally flawed;
 - a. It is out of date, based on data from 2018 before the North Runway was opened.

- b. It is not representative of the experience of residents in Fingal or Meath because it is based on 3 receivers at the end of the runway and not one of the others dotted around the region under the flightpaths.
 - c. The data is pertaining to the 2009 WHO guidance of 55db Lden and 65db Lnight rather than the more up to date 2018 WHO guidance of 40 Lden/45Lnight for noise limits above which harmful health impacts are experienced.
3. The current policy of redistributing the noise to wider communities and then averaging this out over a period gives the impression of less people being affected at the upper end when all that is really happening is that more people are affected for slightly less time each day.
4. The debilitating impact on thousands of affected residents through the continued use of flight paths they could not have envisaged, that would be supported by the proposed changes, is not reflected in the planning process as the overwhelming number of their elected council representatives voted against these measures in FCC but that, thus far, has been ignored.
5. The information provided is inadequate for residents to anticipate the potential range of impacts on their lives. The information in the original planning application, either through being incorrect or incomplete, turned out to be misleading for residents who are now affected. The same sort of information is being provided and we can see that it is certainly incomplete. The proposed changes to restrictions would allow a wide range of scenarios that are not evaluated at all e.g. all the take-offs could be moved to the North Runway between 06.00 and 07.00 and 23.00 and 24.00 every day. That would make life much worse for certain communities. The effects are not mentioned and the omission of assessment of such scenarios gives the impression that they will not happen.
6. The potential of a notable rise in aircraft numbers due to the proposed alterations in nighttime restrictions, which may involve actions such as plane parking and increased cargo flights, has not been evaluated for its potential impact on air quality pollution.
7. The proposal for Noise Insulation lacks substantiating evidence demonstrating its efficacy in providing meaningful mitigation. There has been no assessment of the effectiveness of the previously deployed noise insulation, and there are no plans for such an evaluation. Anecdotal evidence from a limited number of recipients suggests only marginal improvement in noise impact when all doors and windows are closed. Additionally, there is no assessment provided of the percentage of the total cost typically covered by the grant. It is worth noting that the grant would only partially offset the expenses associated with replacing doors and windows and insulating roofs and walls in most homes, leaving an unaffordable balance for individuals with average incomes.

Many thanks for taking the time to read my observations on a topic that is extremely important to the lives of so many people.

Please find below copies of the ABP acknowledgement and receipt for my initial observation on this planning application back in Sept. 2022.

Kind regards,

Margaret Bennett

Our Case Number: ABP 314485-22
Planning Authority Reference Number: F20A/0668



Margaret Bennett
41 Carrickhill Heights
Portmarnock
Co. Dublin

Date: 12 September 2022

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,

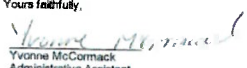
An Bord Pleanála has received your submission in relation to the above-mentioned appeal.

Your observations in relation to this appeal will be taken into consideration when the appeal is being determined.

Section 130(4) of the Planning and Development Act, 2000, (as amended), provides that a person who makes submissions or observations to the Board shall not be entitled to elaborate upon the submissions or observations or make further submissions or observations in writing in relation to the appeal and any such elaboration, submissions, or observations that is or are received by the Board shall not be considered by it.

A receipt for the fee lodged is enclosed

Yours faithfully,


Yvonne McCormack
Administrative Assistant
Direct Line: 01-8737151

BP40

Tel: 01-866 8100
Fax: 01-873 2804
Email: info@abp.ie
Website: www.abp.ie

04 Gerald MacBride 04 Maire McGinnis
01 873 2804 01 873 2804
001 902 001 902



An
Bord
Pleanála

Táille Reachtúil
Statutory Receipt

ABP-314485-22

| | |
|--------------------------------|--------------------------|
| Ainm an Chustaiméara: | Margaret Bennett |
| Name of Customer: | |
| Gníomhaire: | |
| Agent: | |
| Localocht Faighte: | €50 |
| Payment Received: | |
| Modh localochta: | Online Payment |
| Payment Method: | |
| Uimh. Athbainta Lóisteacha: | LDG-057017-22 |
| Lodgement ID: | |
| Cineál na Lóisteacha: | Observation / Submission |
| Lodgement Type: | |
| Iarratas ar éisteacht ó bhéal: | No |
| Oral Hearing Request: | |
| Dáta Faighte: | 02/09/2022 |
| Date Received: | |
| Faighthe ag: | Garry Dorgan |
| Received by: | |

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