

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated received 14/12/2023
from Patrick Donnelly 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 Donnelly

Date

21/12/2023

EO

Signed

Date

SEO/S&O

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-002951

Online Observation Details

Contact Name
Patrick Donnelly

Lodgement Date
14/12/2023 09:54:29

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

Pat B

EO

Date

21/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068827-23

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_3ONBcfB1CW0EN5FC0WQhMe4M

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: Patrick Donnelly

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

Case Reference number: 314485 – Patrick Donnelly

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: 14 Dec 2023

Dear Secretary

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

Please REFUSE PERMISSION to DAA Relevant Action because:

Since the North runway opened, residents in Kilsallaghan my family included, North County Dublin have been negatively impacted by large jet aircraft flying directly over our home. We live in Kilsallaghan and this is happening every 90 seconds and is destroying our lives.

The flightpaths were changed on February 23, 2023, to a new route directly over my house with absolutely no consultation of how these would impact us. Kenny Jacobs in Feb said that Kilsallaghan would not be overflown which is a complete untruth. I live in the heart of Kilsallaghan and its soul destroying. 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.

My wife and children (aged 7 and 9) are significantly impacted by the current unapproved flight paths, chosen by the DAA to the point that my wife is looking to move away from our family home. She is not eating, not sleeping as a result of this stress and I am so concerned for her health and mental wellbeing. My daughter aged 7 is distraught and is constantly talking about it, in school, at home and praying that the planes go away. I have lived in Kilsallaghan all my life with my mam and dad and grandparents before this, way before Dublin airport was on the radar and was not once consulted about these flight paths and the impact this would have on my family. It has rendered our garden and our kids' playing outside useless as it is impossible to stay outside with the noise levels.

Not only is the noise outside unbearable it's the same inside the house. My wife wears earphones to try and get away from the noise and this is no way to live. We don't go to sleep till after 11pm as we can't sleep and then only to be woken at 7am again and to approve this to change from 6am to 12pm would be a disaster. Children need to sleep, adults need to sleep and as the hours as they are now we are just exhausted.

Our property has decreased in value and as mentioned my wife wants to sell up and move away but for what, where would we go?

My wife has submitted numerous complaints to the DAA online and via the phone and has received no 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, we are at breaking point and I am really concerned for my wife and my little girl and the stress they are under because the DAA want to cut flight time, get to their destination quicker and get more planes off the ground by cutting over our houses.

DAA Submission

Having read through the DAA newly submitted documents, the proposed changes are "based on actual routes flown". The applicants are basing their plans on an assumed acceptance of their illegal, unapproved flightpaths. There is a total democratic deficit in asserting their assumption.

Local residents are being seriously harmed by these flights yet, despite this, the applicant is assuming their current flight paths are a basis for modelling their future routes. Flightpaths in use bear no resemblance to what was approved in 2007 planning and people have built their lives around that. **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.

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.

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

The noise from the current flightpaths is unbearable. These flightpaths must be changed back to what was approved in 2007. No further changes can be considered until this crucial issue is addressed first. There is a major health risk to tens of thousands of people due to excessive aircraft noise.

There are alot more people affected than estimated. For current flightpaths the measurements performed were not under actual flightpaths.

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.

An oral hearing is absolutely necessary given the gravity of the situation.

Regards

Patrick Donnelly