

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 Peter Swail 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

EO

Date

21/12/2023

Signed

SEO/SAO

Date

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date



Planning Appeal Online Observation

Online Reference
NPA-OBS-002969

Online Observation Details

Contact Name
Peter Swail

Lodgement Date
14/12/2023 12:38:11

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Peter Swail

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed



EO

Date

21/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068836-23

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_3ONEB5B1CW0EN5FC1FBAa2Gh

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

Peter Swail

**Apt 2, 14 The Meadow,
Robswall,
Malahide,
Dublin,
K36 T663**

peterswail@gmail.com

086 275 9910

I am writing in great personal distress at the DAA's continued bad faith acting for their own best interest, while acting with impunity with regard to their planning restrictions and are not taking into consideration communities concerns. I am writing in distress at the underhand tactics, language and strategies used by the DAA to get their own way, while completely disregarding the impact on their actions on the health of the people, animals and environment around them. I am writing in distress that the globally agreed best practice db limits from the WHO (40 and 45db for night and day) are being ignored. That those mechanisms in place to protect us are not acting in our best interest. I am writing in distress at the prospect of solidifying a lifetime of negative health effects and illnesses which can be attributed to excessive aircraft noise.

I am one of over 30,000 people who are now living under an illegal flightpath since the opening of the North Runway. The 2007 planning condition documentation includes flightpath assumptions which many people have built their lives around. The flightpaths in the 2007 planning permission are **much different** to the ones in use today and since the new runway opened.

My lived experience is that the noise from the current flightpaths is intolerable. Both during the day and especially at night, when I am being woken up at 3.30am by aircraft. These flightpaths must be changed back to what was proposed 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.

The DAA are using the current flight paths for their "permitted" drawings instead of the permitted noise zones from the original 2007 planning permission. They seem to be hoping that ABP grants this 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 and causing continued untold distress for tens of thousands of people. This means that flightpaths are now a very important element of this relevant action submission and must be considered within it.

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.

- Acceptance of the relevant action by ABP and thus retention of the flightpaths would set a precedent that ABP conditions should be ignored if inconvenient.

The DAA are breaching their current planning permission and flightpaths as per below:

- DAA breached the passenger cap in 2019 and will most likely do so again in 2023.
- DAA are consistently breaching the 65 movement cap per night and are not transparent about when they use the north runway during this time when they are not supposed to.
- DAA are not using the flightpaths they used in their 2007 planning permission.

Granting an increase in day hours and night flights seems outrageous when there is a major noise issue already in place. Then adding 6-8am flights to the north runway would be absolutely appalling.

A summary:

- Well documented negative health effects and illness which can be attributed to excessive aircraft noise.
- Flightpaths in use bear no resemblance to what was approved in 2007 planning and people have built their lives around that.
- Straight out flightpaths will largely improve the noise issue.
- The effects on the environment are monumental and Ireland are one of the worst countries in the world in terms of GHG emissions. Increasing aircraft activity in the midst of a climate crisis seems counterintuitive.
- Extending day hours for residents is only going to cause more noise exposure it doesn't make any sense given how serious the current noise situation is. Please be aware of how they calculate their noise generated – it does not give a real-world picture of the actual peak noise generated and thus real disturbance to the community. It is taken as an average. Further to that, it is calculated by the DAA itself, and ANCA did not even check assumptions, data quality, adjustments, changes to the 2019 model inputs or code used to create it – all basic recommendations from the EU. Neither was the noise validated or calibrated using actual noise receiver data from those around the airport. The HSE have officially reported in favour of the community on this in their Jan 2021 Environmental Health Submission.
- There has been no proper EIA at the airport.
- This is not just about noise, it is about pollution too.
- Unlimited night flights using a pure noise quota system is only going to cause more sleep disturbance for residents. Any noise quota system must be accompanied with a cap to ensure residents can get a night's sleep.
- Flight Path Changes - the proposed changes are "based on actual routes flown. The applicants are basing their plans on an assumed acceptance or their illegal, unauthorised 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. The IAA was consulted prior to the North Runway completion. The IAA thus share liability for the deleterious health effects on Fingal residents. Minutes of these meetings should be made available in the interests of due diligence, transparency and corporate accountability.

- FCC 2007 planning stipulations have been absolutely flouted. There is a raw arrogance in this assertion. It flies in the face of WHO and all academic research on harm done by air traffic. How safe is it for the stakeholders in this matter to not accept the reality of the harms done by these unauthorised flight paths?
- The EIAR supplement 2023 within the significant additional information is prepared for the DAA and thus, is not independent of potential bias. Again, their report is based on the illegal night paths from the NR. The authorised flightpaths as per 2007 planning permission have been ignored. Thus their future projections are not valid.
- The DAA's goal is to expand from 30m passengers per year to 65m passengers per year by 2050, so if we allow them to get away with this, the area around the airport is going to become unliveable for residents.

The scope of their insulation plan is pitiful. The Fingal Development Plan was completed under the assumption that this kind of activity from the DAA would not happen, so many homes, businesses and schools are in inappropriate positions.

An example of two recent flight paths (28 October) below:



Call sign

3669.5 miles.

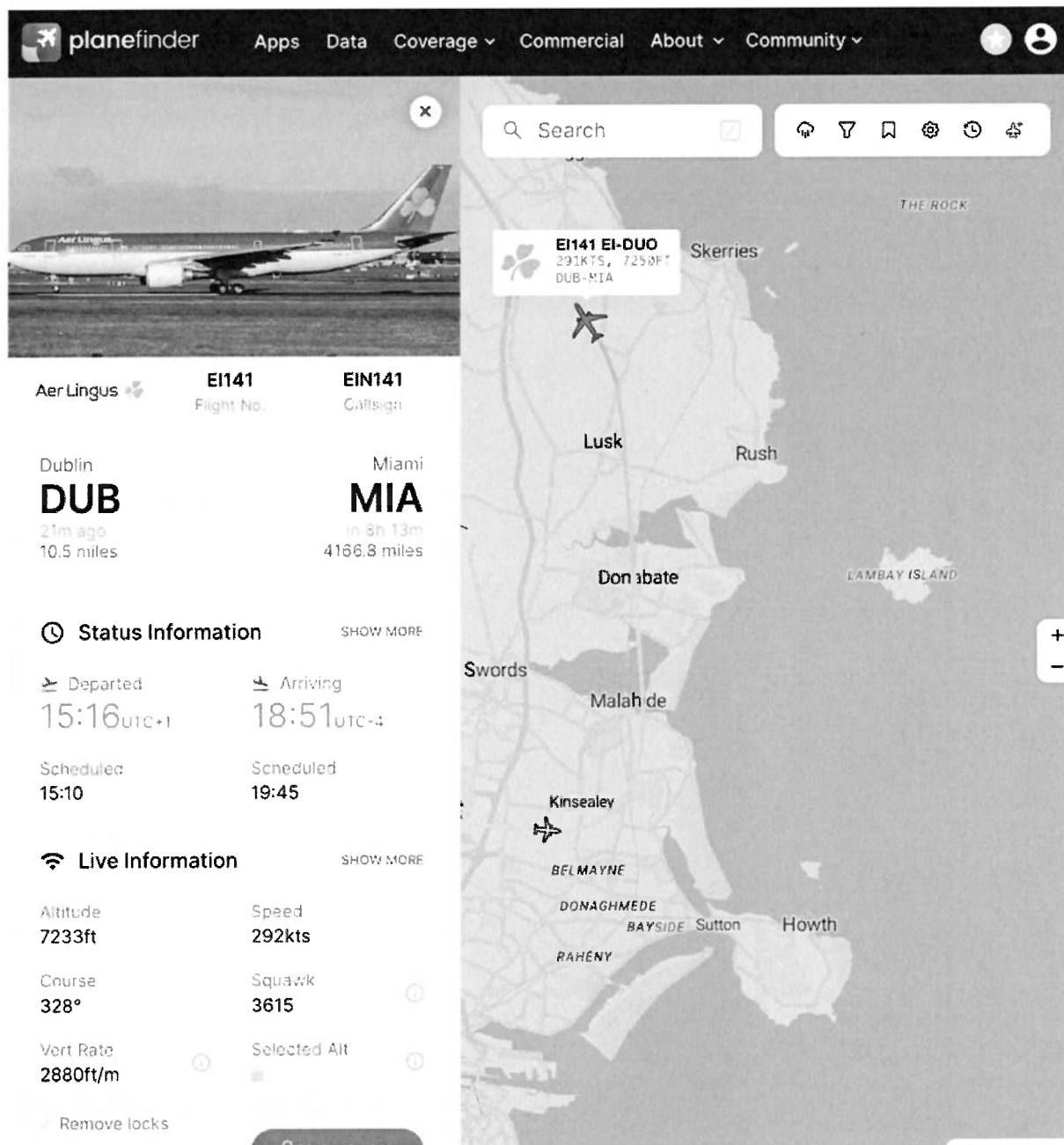
[SHOW MORE](#)

Scheduled
18:55

SHOW MORE

Selected Alt

 **Unlock data**[SHOW MORE](#)



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

I completely accept the need for Dublin airport to evolve to meet the needs of the country. However, all we are asking for is that they must play by the rules everyone else has to and consider the impact it has on the local community.

I beg you to be on the side of the people. Protect us. Please.