

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 Shelly Barron 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



An
Bord
Pleanála

Planning Appeal Online Observation

Online Reference
NPA-OBS-003003

Online Observation Details

Contact Name
Shelly Barron

Lodgement Date
14/12/2023 16:24:13

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Shelly Barron

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— 068963-23.

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_3ONHhpB1CW0EN5FC0fntx2js

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

To whom it may concern

I am the owner and occupier of a home in Rivermeade, St. Margarets, Co. Dublin. Toberburr Avenue is the section of houses in Rivermeade that were built in 2000, I have lived here since 2002. I would like to submit an observation with regards to the North Runway at Dublin Airport, which commenced operation on the 24th of August 2022. My home is on the back row directly facing the North Runway, we are on a slightly higher elevation than the original part of the development. The level of noise and frequency of flights is beyond what is tenable for human habitation. This section of homes is acting as noise barrier for surrounding houses. **The disturbance this has brought to my life cannot be overstated.** I absolutely understand that changes are necessary for progress and development of Ireland's transport network, however this should not be to the cost of someone's standard, quality of life and mental health. The daytime noise inside my home even with all windows and doors closed has made my home uninhabitable. The focus of all the daa reports appears to be on nighttime noise and exposure, shouldn't daytime noise also be relevant? *I am not highly annoyed; I am highly distressed.* In my view, it is a problem when you can read the name of the airline from your kitchen table.

There is no doubt that I have been materially, negatively impacted by this change. I have lived peacefully in Rivermeade for the last 20 years. It is a very safe and pleasant community to live in, I was very happy living here until the North runway commenced flights.

My genuine belief is the **daa, the IAA and Fingal County Council (ANCA)**, have grossly miscalculated the noise that **would be and is generated** around the immediate community such as Killeek lane, and sections of Rivermeade that run parallel to the runway. To be absolutely clear, Rivermeade has lost all of its outdoor amenity space, to the noise of the runway.

It is my opinion that the projected operations on the North Runway is not what is indicated within current contour brackets. My home is projected to be in 40-45db. The level of noise exposure is much higher than what was and is predicated from the original planning application. **Although there are lots of the communities affected by the North Runway, our community is the only one that experiences every single outgoing flight between 7am-11pm.** Our homes do not move nor does the runway, there is no change of flight path or an introduction of new aircraft that will reduce the noise level. The current daily exposure of flights leaving every 1 – 3 mins on a continual basis is not within the reasonable expectations of what any person can tolerate. This has rendered my outdoor space unusable, without even the ability to refresh my home by opening windows. As was stated to me by a Daa representative, even if I had qualified for the insulation grant, it would not be suitable as I am one of "those people that like to open windows for fresh air".

The closest point of approach to my home is 1.1km with an altitude of between 200 – 1000ft. ***I don't think I need to explain to anyone in the Planning, Environmental or Aviation industry what the intensity and sound of an Airbus A330 or a Boeing 737 at that distance and height is, added to the frequency and number of flights means I can never get away from the noise.*** (This information is viewable on the daa webtrak system, if you use my eir code you can view all this information).

Contact with the daa

*I have a series of email correspondence that I have sent to the Board of Directors of the daa, the IAA, Fingal County Council, ANCA and the Environmental Protection Agency. To date only the daa have made an effort to contact me. **These are all government agencies, and their lack of engagement and concern is unacceptable. I will not disclose the information in those emails in a public forum due to personal sensitive data that they contain, but they are not emails any government agency should ignore.***

From August 2022 to December 2022, I had hoped that I would get used to the noise, I quickly realised that this was not going to happen. In January 2023 I contacted the daa to discuss the issue, they responded to me in March 2023. To date, they have been to my home on 2 separate occasions. The initial meeting was in March 2023, the outcome of that meeting was less than satisfactory, I have a detailed correspondence with the member of staff from the daa, which I will not share in a public domain, I can provide copies of the emails to the An Board Pleanála directly if required. The subsequent meeting with 2 daa representatives was on the 6th of October 2023, to date there has been no response or follow up from that meeting. They did inform me that the first representative called to my home on a day when the wind was not Westerly and therefore did not get an accurate representation of the noise. The only time wind is relevant to my situation is when there is an East wind, when the runway is used for arriving aircraft. It is still loud, but much more manageable. For the record, these representatives very professional and clearly working under strict guidance from Senior Management in the daa.

An average daily departing number of flights is 290 (Winter) to 360 (summer), in a 16-hr window. An extension of 2 flying hours could mean an additional 40-60 flights from the North Runway. **The prospect of the daa being granted permission to increase their nighttime flights using a noise quota system is just outrageous, particularly while people like myself are trying to communicate with them and getting no satisfactory response.**

Fingal County Council/ANCA/daa

I understand the development of Dublin Airport and the North runway is necessary for Ireland. However, choosing to expand without an immediate plan by Fingal County Council or the daa to accurately monitor the noise level in the community most directly parallel to it, without a reasonable solution or support system in place, should it have presented such problems, is grossly unfair. Especially for a community that has little choice but to remain here as our homes which have been devalued so greatly and at a time when housing is not easily accessible. In my opinion the Daa and FCC is choosing to ignore individuals that are reporting and finding this massive change in their environment untenable.

All the daa planning applications were approved on modelling data, the North runway has now been operation for over a year, why is the current flight, Airline Fleet and noise monitoring data information that is now available, not being used. Shouldn't current data, **not modelled data** be the information that is relied upon for requested changes to planning permissions. To proceed to grow the Airport and just wait for the fall out is unacceptable. ***However, I do not think is an unsolvable problem, plenty of Airports and government agencies worldwide have provisions and plans in place to protect or assist those that are greatly affected by such changes.*** I was forced to contact the daa directly, they have not reached out the local community for feedback. My understanding is that there is supposed to be a biannual review of how the operations are affecting the immediate community, there does not appear to be a record of this within local meetings or the daa website.

Webtrak system.

I have not made any complaints through the webtrak system for the following reasons.

1. I was informed by a representative in the daa that the system is regularly getting flooded with complaints from a bot.
2. The daa self-reports the results of the noise monitors to FCC (ANCA). They are not assessed by any outside agency. Nor is any other agency including ANCA permitted to implement their own noise monitors or delegate an expert to do this on their behalf. Frankly, the idea that ANCA must rely on daa to self-report noise complaints and monitor their own noise levels seems unethical.
3. I would need to submit a complaint for almost every outgoing flight apart from the smaller domestic aircraft.

Local Community Engagement:

I have reviewed all the minutes of meeting for both the St. Margarets Community Liaison Group and the Dublin Airport Environmental working group and there appears to be a high level of frustration. The information passed throughout these meetings is unclear at best and completely evasive at worst. Notably the discussions around the applications and implementation of mobile noise monitors are very unclear.

I requested that noise monitor be installed in my garden, I was informed that I would need to go on a waiting list in the Swords area, I live in St. Margarets. I subsequently learned from these minutes that there were 4 monitors installed in homes in the St Margarets area, but they daa refused to clarify where and what the outcome of those monitors where. To-date this does not appear to have been made available to the Community Liaison Group either.

I have reviewed all the documents submitted by the daa regarding this Appeal. There are many inconsistencies from this documentation and other reports regarding on-going planning permissions such as Belcamp on FCC land. The requirements for these buildings to meet the standards of planning permission is much greater than existing buildings that are much closer to these flight paths, yet there is no additional requirement from the daa to support this community even though they were granted planning permission many years after our homes were built.

There are many shortfalls within the information being submitted by the daa, however these to me are the most relevant.

Dublin Airport North Runway Relevant Action Environmental Impact Assessment Report Supplement Chapter 13 Aircraft Noise and Vibration Page 5: *The assessment of air noise relies heavily on the modelling of noise levels. This has been carried out using the noise modelling software produced by the Federal Aviation Administration (FAA), the Aviation Environmental Design Tool (AEDT).*

Why is the daa still relying on modelling of projected noise and historical data from 2016/7/8. The North Runway has been operational since 24th of August 2022, why has this new report not based on the most recent data available through their own noise monitoring system?

TPA Cover Letter, page 3: *Earlier Fleet Modernisation During the intervening period between the previous RFI submission on 13th September 2021, FCC's Notice of Decision to Grant Permission on 17th October 2022 and the submission of this response to ABP, the modernisation of the fleet at Dublin Airport has advanced at a quicker rate than initially anticipated. This has been captured within the various supporting materials provided with this response.*

I have reviewed reports on Flight Radar 24 hr and crossed referenced the data with the daa Webtrak system. There does not appear to be a significant increase in new fleet being used in Dublin Airport, most of those planes are being used in Europe. Of the ones that I have tracked, they only register 5db lower on the webtrak monitors.

State Owned Agencies

The disparity in discourse between two state agencies such as the daa and Eir grid is unexplainable. The daa has implemented permanent changes on local communities in Co Dublin and Co Meath and yet their communication with the public was as covert as possible, 1 leaflet drop in 2016 and zoom consultations advertised on their own website, when there were no flights in Ireland due to covid. This compared with the overwhelming public campaign by Eir grid to include the public in their consultation process on which road should be used to cause the least amount of disruption as possible for a short period of time to update our electricity supply, is just astounding.

The Media Spats.

The current very public disagreement between FCC and the daa just adds to the upset. The public statements by both Michael O'Leary describing the community as a 'tiny number of neighbours' cannot be allowed to restrict air travel and Kenny Jacobs analogy of Croke park being only able to use half of its capacity, is just offensive. **I can no longer use my home as it was, it's now a substandard apartment with no outdoor space with only the use of the front of my home, (which is a little less noisy), the sitting room, where the chimney is located is a super megaphone for the heavy rumble and loud whistle generated by the aircraft.**

I take no pleasure emailing the daa or submitting this observation. It is very stressful, and I would just prefer not to be in this situation at all. Due to an injury and numerous surgical procedures I have been retired early on ill health medical grounds, my daily life is very constrained, with much of my time spent in my home. I must manage my physical and mental health very carefully; I am completely overwhelmed by this massive change in my living conditions.

I would greatly welcome any solution that either the daa and or Fingal County Council could provide at this stage. I would hope that An Board Pleanála will continue to see good sense and not permit nighttime flights and assist and guide the daa and FCC (ANCA) with supporting the communities that are greatly affected by their on-going expansion. I would welcome anyone that wishes to call to my home to experience the noise level and evaluate the conditions in real time.

Kind regards

Shelly Barron, 18 Toberburr Avenue, Rivermeade, St. Margarets Co. Dublin, K67W211

