

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 29/11/2023
from Tony Gray 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.

Date

07/12/2023

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-002780

Online Observation Details

Contact Name
Tony Gray

Lodgement Date
29/11/2023 00:39:14

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Tony Gray

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Si gred



EO

Date

07/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068465-23

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_3OHbo6B1CW0EN5FC1mNVL5SV

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

Tony Gray
Hickey's Lane
Baltrasna
Co. Meath
A84NY00

25/11/2023

An Bord Pleanála

Bord Pleanála Case reference: PL06F.314485

Planning Authority Case Reference: F20A/0668

Observations relating to Bord Pleanála Case reference: PL06F.314485

To Whom it may concern,

I hereby want to submit a detailed technical observation based on my findings with regard to the planning application F20A/0668 - <https://www.pleanala.ie/en-ie/case/314485> which details a planning request **to accept the flight paths that are currently being used**, which differ from the original planning approval.

I will provide you with information, based on the following:

1. Environmental Impact Statement(EIS) of the 2005 flight paths i.e. original planning approval.
2. The intended flight paths submitted in circa 2005 and the ones being used in 2023.
3. Why are the current flight paths different from the original ABP approved flight paths?
4. Why the DAA are requesting approval for new flights paths?
5. What is it like to live under these new flight paths?
6. WHO guidelines
7. Solutions whereby the community and the airport can grow without impact.

1. 2005 Environmental Impact Statement

The Environmental Impact Statement (EIS) submitted by DAA in 2004, formed a primary underpinning for ABP decision to grant permission for the north runway. This was of such importance that ABP called it out in the first sentence of Condition 1.

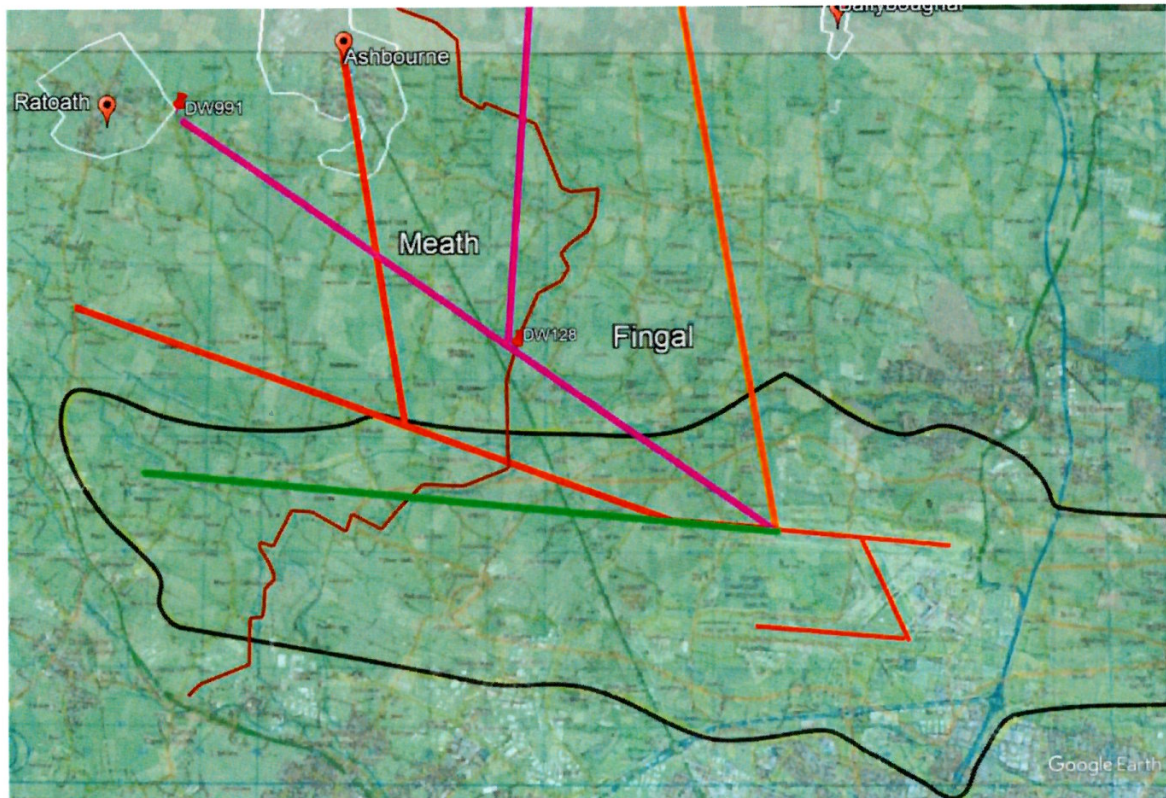
- DAA has outsourced aviation operations to AirNav (formerly IAA ANSP), but AirNav insists that they need not comply with the EIS / planning permission, describing planning as DAA's problem.

The result is that 100% of aircraft leaving the north runway **leave the confines of the original EIS noise boundaries within 30 seconds of take-off**. They are therefore at lower altitude due to climb power being consumed by turning. Consequently, this causes noise at much higher noise levels on the ground in the areas that are overflowed.

ABP used the **accuracy of that EIS to grant planning for the north runway**, yet planes are not flying within the confines of the noise boundaries contained in the EIS.

2. 2005 flight paths:

So what were the flight paths submitted by the DAA that ABP approved?



In the above image;

- The green line was the flight path used to create the original Environmental Impact Statement for the original planning application for the north runway project.
- The black outline is the resulting “outer noise boundary” from that EIS.
- The magenta lines show the flight paths being used in 2023.
- The orange line flight path was initially used but has since been discontinued.
- The red lines are the routes used in the 2016 public consultation using a 15 degree turn and subsequent 60 degree turn

As you can clearly see the magenta flight paths are well outside the approved environmental impact assessment which planning approved is based upon.

3. Why are the current flight paths different from the original ABP approved flight path?

It would seem that when the DAA were showcasing their proposed flight paths for the north runway, they assumed, the flight paths would be straight like the current runway.

Hence why the EIS was conducted around such.

When it came to implementation, they seemed to misunderstand the fact that, parallel runway operation regulation globally, stipulates a minimum of 30 degrees of separation between flight paths. Consequently, we are seeing 30 degrees of diversion after take-off which is being mandated by the regulator the IAA.

Here we can see what the mandated 30 degrees looks like from the north runway. Which is far from **the initial proposed flight paths you approved**. Some flights take an additional turn to the east while others turn south unless heading of the US.



4. Why are the DAA requesting approval for new flights paths?

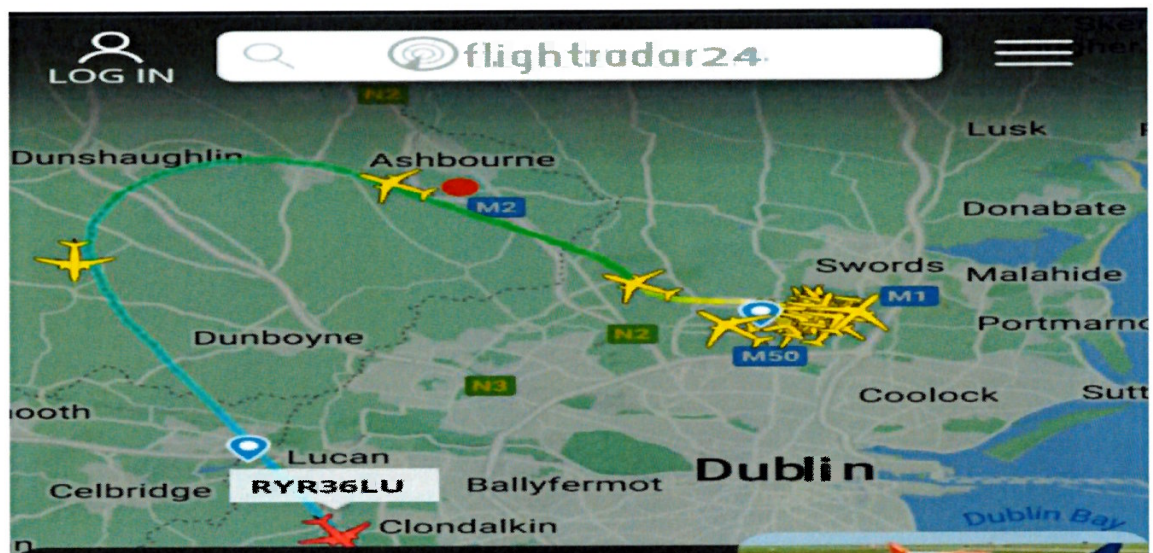
Kenny Jacobs stated on National television on Prime Time 'that the current flight paths were the intended flights paths'

Why does this application contain a request for new flight paths if the previous statement by the CEO is valid? Also why does ABP not have an EIS for these current flight paths?

5. What is it like to live under these flight paths?

A significant cohort of Meath residents now live under an unintended flight path, which could be acceptable if their homes were airtight and not susceptible noise above 'quiet', which would be a maximum of 40dB(A). Yet we have thousands of residents in Ashbourne and Ratoath being overflown. While we have vast swaths of land devoid of houses due to planning of expected flight paths on straight out and 15 degrees of diversion which were the expected flight paths, yet planes are not flying over those areas.

See the image below which shows the houses in my area, noted by the red dot, relative to the current flight path.

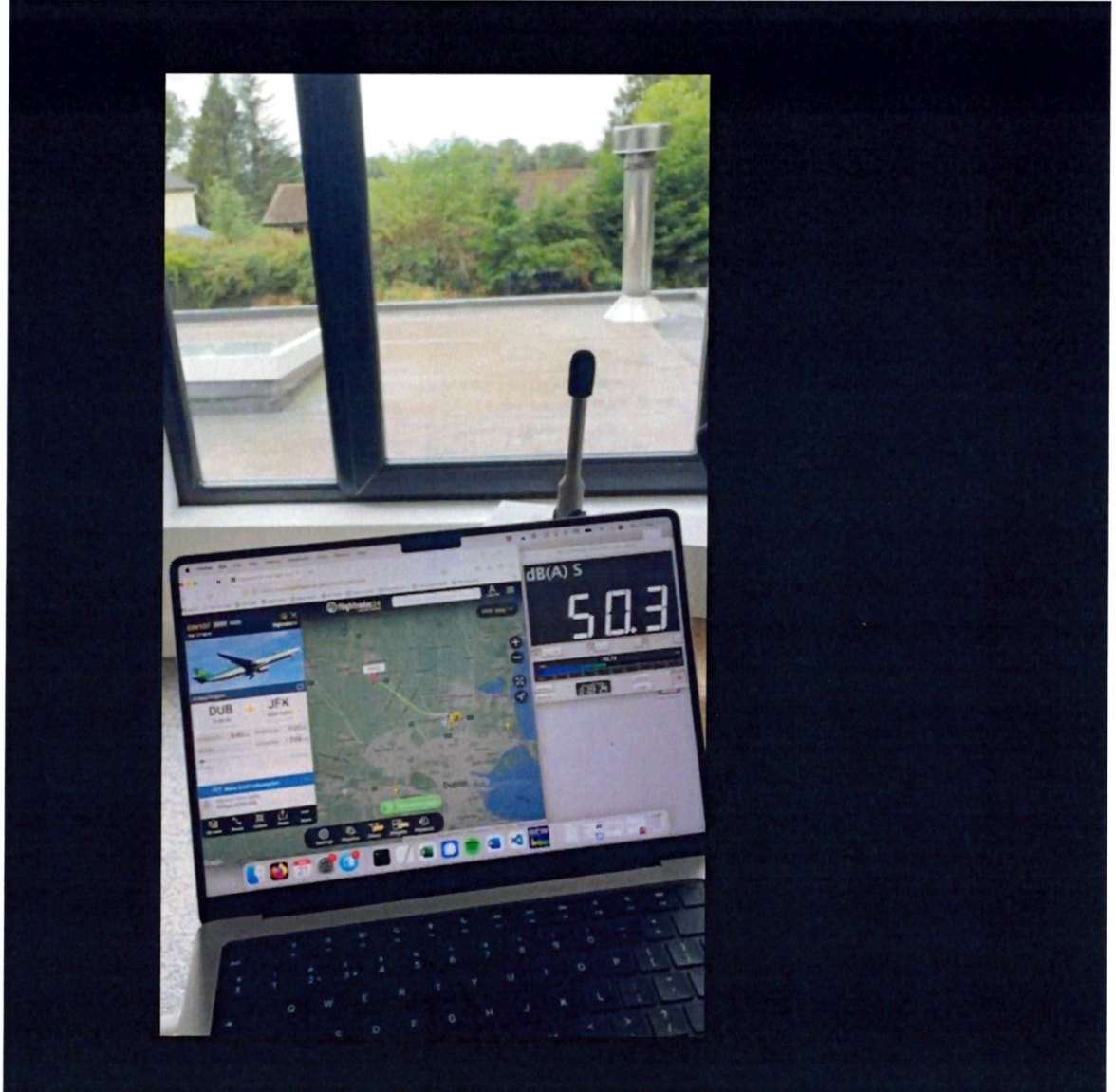


We are 1km from being directly under the flight path, with planes at 1km altitude as they pass, it means we are 2km from the direct sound of the jet engines [$a^2 + b^2 = z^2$]. With the speed of sound being 340m/s and the planes are using full throttle, it takes the sound less than 6 seconds to reach us with very little dissipation.

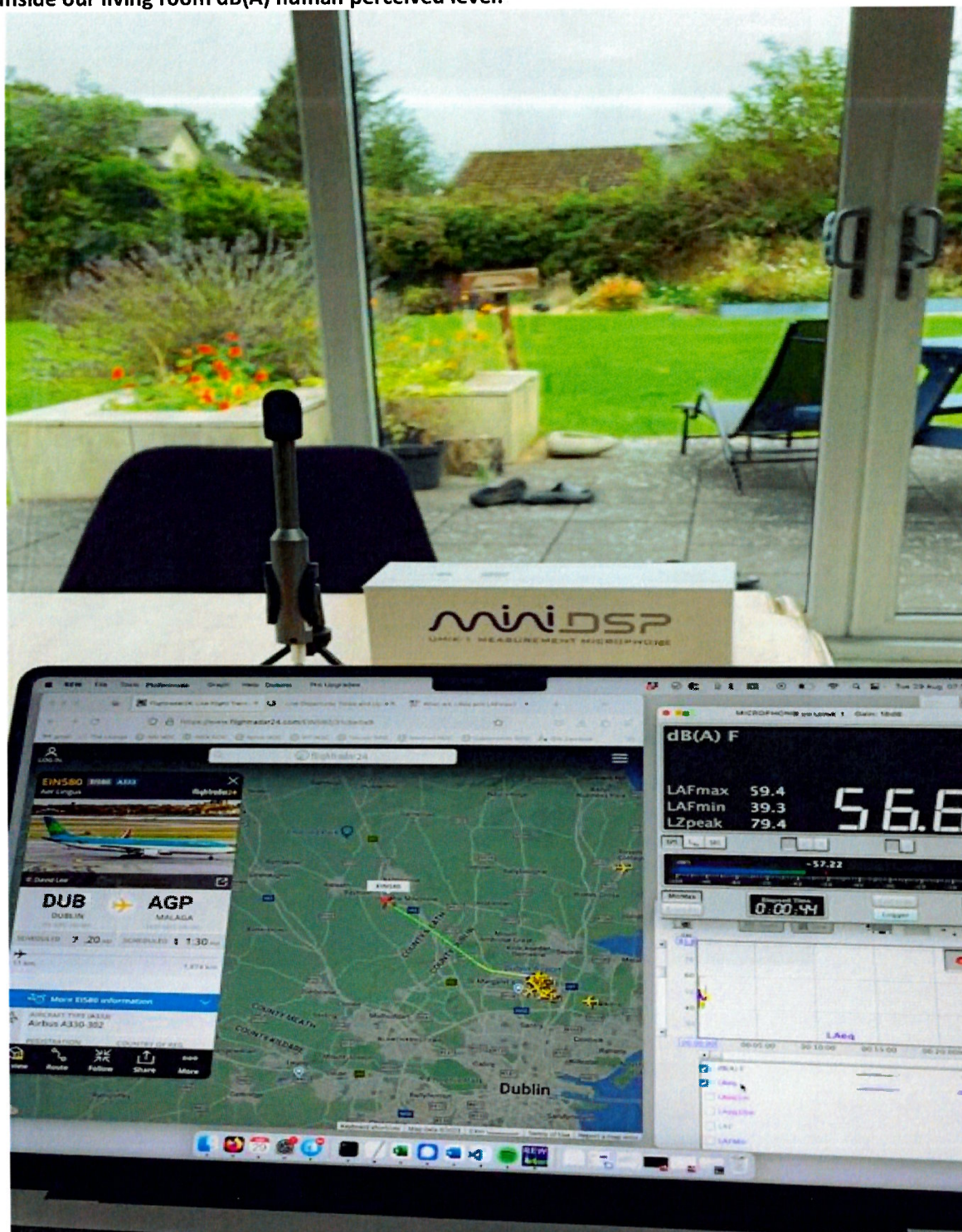
Using 100% calibrated noise monitoring equipment along with studio grade software we can analyse sound accurately.

We are experiencing the following levels of sound inside our house:

Inside our bedroom dB(A) human perceived level:



Inside our living room dB(A) human perceived level:



For comparison the levels outside are:



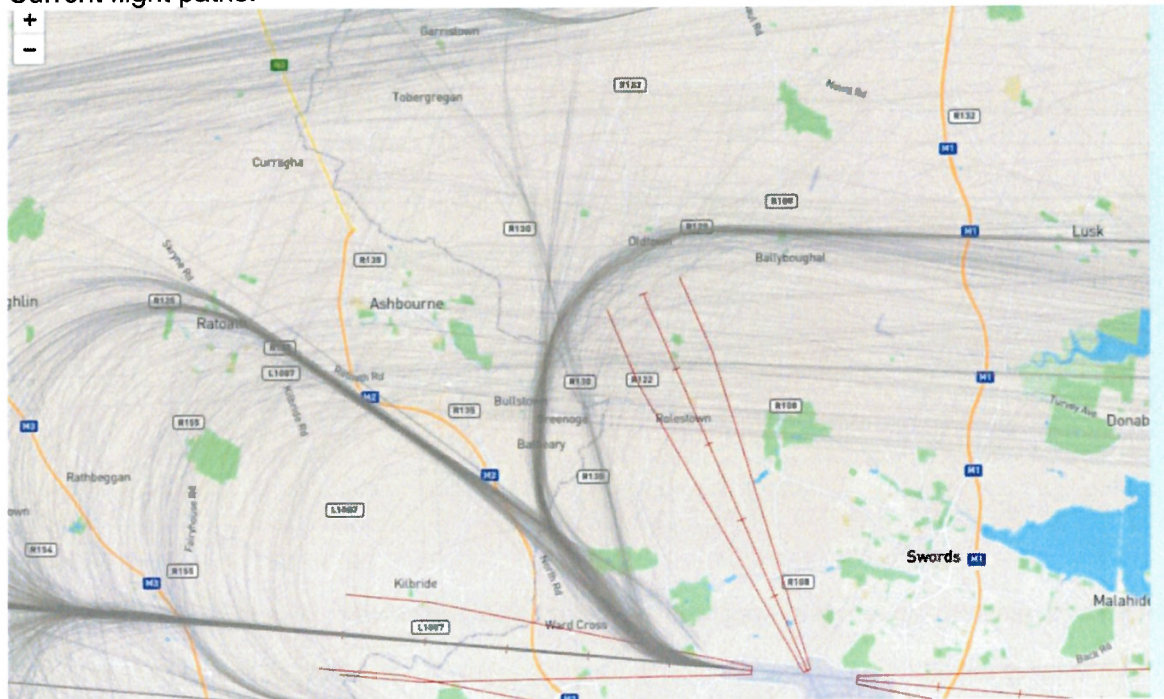
As aircraft take off at approximately 90 second intervals, we are now being exposed to +50dB of noise as each aircraft pass. Which **any human will be interrupted by and more importantly would be woken to.**

Although the DAA's proposal suggests that **no one is awakened from sleep** based on the submitted proposal, I can assure it is not the case.

In order to clarify this, the metric you have available to you in the contained submitted planning application details values of Lden night and Lden day, which are EU recognised metrics for sound exposure, but in this application, they have used weighted averages over 92 days to smooth the peaks. This creates a false level of the actual sound exposure residents are experiencing.

Furthermore, the detailed noise contours are based on perceived data. The DAA don't have actual noise monitoring over the flight path which is illogical.

Current flight paths:

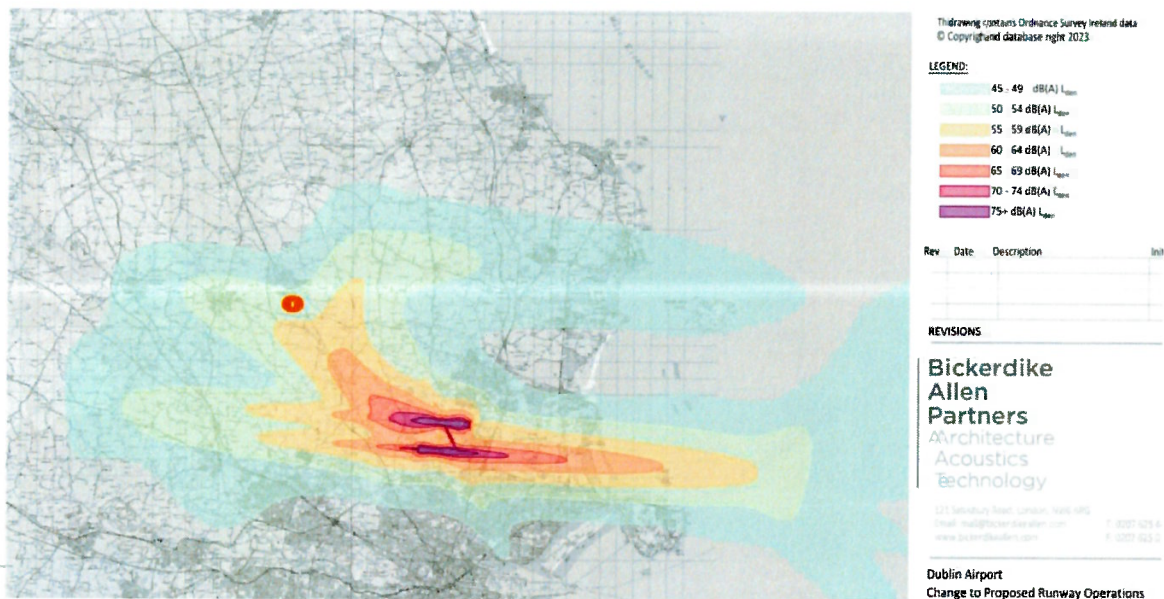


Thinking about the impact of averaged perceived sound contained within the DAA's submission, to the actual recorded sound levels under a flight path contain in this observation.

A human never wakes to background noise, **but one does to noise peaks, which is what I detail.**

Let's look at the Lden average values which is the metric the DAA use in their submission:

So, even with massaging of actual peak sound levels into weighted averages here we have the Lden sound contours in the application.



I live at the red dot, and even with weighted averaging I would still expect to hear 54dB(A) L_{den} .

This translates to 56dB(A) peak inside my living room, and 74dB(A) peak outside. It maybe moot to complain about outside noise, but **56dB(A) inside each time a plane goes past** is wholly unacceptable, especially when **40dB is considered quiet**. Residents under these unplanned flight paths, no longer have peaceful **quiet time inside their homes which the rest of 'Irish Citizens' are accustomed to and can take for granted**.

6. WHO guidelines

The WHO guidelines for community noise recommend less than 30 A-weighted decibels dB(A) in bedrooms during the night, for a sleep of good quality.

Even based on these conservative guidelines we are **way above what would be acceptable**.

7. Solutions whereby the community and the airport can grow without impact.

So what are the possible solutions ABP could consider, in order for the airport to grow, with parallel runway departure from at 6am and not worry about passenger limits, while not annoying residents?

- Change the flight paths to conform with the original Environmental impact assessment which would include AirNav designing lesser degrees of diversion on to land which was prohibited for development and now contains solar farms. This would include the IAA regulating such a change which is possible.

- DAA to provide sound insulation to houses close to the flight path which experience more than 40dB(A) inside. Currently they are only **considering distance from the airport** which is meaningless. I had the local representative from the DAA in my house state that fact after I submitted these sound levels to them.

Either solution is possible, but planning should not be approved for these new flight paths **unless either of the above suggestions are adhered to.**

Otherwise we have **Irish citizens being exposed to noise levels above WHO recommendations, during their sleep cycle.**