

File With

SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated/received 13/12/2023 from Ballyboughal Community Council 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

20/12/2023

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-002921

Online Observation Details

Contact Name
David Walton

Lodgement Date
13/12/2023 17:48:54

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
David Walton

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Pat B.

EO

Date

20/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 06 8726-23.

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_30MwYDB1CW0EN5FC0oj86m4d

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



Ballyboughal Community Council

C/O David Walton

Crannóg,

Mainscourt,

Ballyboughal

Co. Dublin

An Bord Pleanála


Case Reference PL06F. 314485: Dublin Airport, Co. Dublin (F20A/0668)

To whom it may concern,

Ballyboughal Community Council wishes to make the following observations to ABP in objection to the proposed development which relates to the use of the runway systems at Dublin Airport.

We shall provide a detailed background rationale our objections to the Relevant Action which broadly fall under the following criteria:

1. Lack of proper Consultation and breaches of existing planning conditions by the DAA : Lack of information, knowledge, and consultation with our community on the impact of the opening of the North Runway RWY28R which has only become apparent since the new Runway opened on 24th August 2022.

- 
2. The material and major differences to the flightpaths which were provided as part of the DAA's original planning application and the public consultation prior to planning permission being granted by ABP, thereby means that the current flightpaths in use, and the February 2023 adjusted flight paths, and the associated noise contours for these flight paths, have not been properly assessed from an Environmental Impact Assessment perspective, nor are the proper noise monitoring facilities in place which can adequately measure the impact on the health of local residents in the Ballybouaghal and Oldtown areas. This is to the detriment and well-being of thousands of local residents across Fingal. We shall show beyond any reasonable doubt that the theoretical modelling used by the DAA in their original planning application and their current Relevant Action has grossly underestimated the noise impacts on local residents, as described by the residents themselves, and is not fit for purpose.
 3. We shall show that the current unauthorised flight paths have caused enormous distress and anxiety to the residents of Ballyboughal and Oldtown, and across Fingal and East Meath, the negative health effects and cost to the state of which are yet to be fully understood and realised. There is a wealth of scientific evidence, research and medical facts supporting the medical view that excessive and repeated aircraft noise leads to increased mortality, cardio-vascular disease, central nervous system disorders, stroke and other life threatening and impacting diseases, as well as serious cognitive impairment in children. Guidelines to mitigate and minimise these negative impacts are provided by The World Health Organisation (WHO) which have been adopted by the EPA in Ireland. Given the number of people effected by the DAA's activities, well in excess of 30,000, the seriousness of the cumulative impact of these scientific facts cannot continue to be ignored.
 4. Regulation and Governance failures: We shall show that there been a complete failure in Regulatory Governance by ANCA (Aircraft Noise Competent Authority) and Fingal County Council (FCC) to adequately monitor and enforce the adherence by the DAA to the strict conditions of its planning permission for the North Runway which has allowed the DAA, for well over a year, to continue to deliberately breach strict planning conditions which were put in place by ABP when granting permission for the North Runway development. Not only have the DAA deliberately planned to breach its planning permission, for example, their night-time flights cap, which they have exceeded by 50% and is now belatedly the subject of court enforcement action by FCC but this breach was exposed "Following complaints by residents" and note, NOT any Regulatory authority. The DAA have not denied that they breached this cap, nor can they, as the data, on which the FCC has sought an enforcement order in the courts, shows this in black and white. The DAA's actions and the total failure of the governance and regulatory environment to monitor and correct these breaches, and other breaches which are being "investigated" by FCC, in a timely manner, highlights that a properly functioning Regulatory and Governance environment is not in place as it was envisaged when ABP originally granted permission for the North Runway development.

5. Complaints: The complaints process is not fit for purpose. The ANCA Regulatory authority, tasked with monitoring noise pollution and regulating same, does not accept or manage complaints from the public. When we first complained to the IAA last year, they referred us to ANCA and ANCA then referred us to complain to the DAA who is the primary source of the pollution. This goes against any known model for an industry Regulatory body where consumer or public complaints are typically a primary tool used to assess, monitor, and respond to the impact of industry player activities on society. This also highlights an obvious conflict of interest as complaints are not managed or accepted by any Regulatory authority except the DAA, the regulated organisation, which is the prime source of the offending flight paths and noise pollution. This system allows the DAA, by design, to filter the complaints and use in their PR machine to spin and minimise the true levels of complaints for wider public and media consumption.
6. Imbalanced regional development – the original historical location of Dublin Airport and subsequent housing developments and the subsequent conurbation of the areas adjacent to the airport, when combined with the massive growth in national air travel over the last 50 years has put an unsustainable strain on both the airport itself, and the affected residents of North County Dublin. Both government and planners have utterly failed to generate a balanced debate and strategic approach to national development of our air connectivity when several viable alternatives exist. The DAA's wilful breach of strict planning conditions and denial of both the spirit of, and the conditions written in plain English and set down by ABP, have added to this toxic mix, whereby the residents of Fingal are expected to shoulder all the downsides of the noise and pollution emanating from Dublin Airport in "The National Interest". Virtually no thought or consideration has been given to the health and medical economic costs to follow, over generations, resulting from excessive air noise and pollution to the population of Fingal. The DAA has spun a grossly exaggerated and one-sided story of economic collapse if they do not get their way and there has been no genuine effort to look at the clear imbalance and alternatives of utilising other better suited airports, and connectivity to same, which are located just a few hours away from Dublin.
7. In view of the above and the enormous scale of the changes proposed by the DAA's Relevant Action we believe that with just 5 weeks to review such a major development we believe that insufficient time has been allowed to review the complex documentation in the DAA's submission. The timescale does not allow for proper consultation with the affected public or a true examination of the environmental and health impacts on our lives and the residential amenity in North County Dublin and East Meath. We believe that in these circumstances an oral hearing by ABP is essential so that the true impact of new flight paths can be assessed and understood fully, and allow residents have a fair opportunity to have their voices heard.

In summary the events over the last 15 months, in parallel with our observations, which we detail in the following sections, show that the entire aircraft noise pollution mitigation planning around this major infrastructure development is entirely deficient and is in disarray. Collectively, on the coat-tails of a DAA, which clearly believes they can disregard and break the integrity of the planning process, both ANCA and FCC have completely underestimated the detrimental impact and distress it has caused to many of the residents of Fingal, and have not effectively monitored and protected the planning conditions put in place to protect of the residential amenity and citizens of Fingal

1. Background

1.1 Ballyboughal Village

Fingal County Council, in its most recent Development Plan describes Ballyboughal as:

“Ballyboghil is a key village centre situated at the crossroads of the R108 and the R129 linking Swords to Naul and Blakes Cross to Oldtown and is part of the network of rural villages functioning as small local service centres for the surrounding rural hinterland. The village has developed in a linear form over time from the original village core which was centred on the church and school. The Ballyboghil Stream is a key natural asset in the centre of the village. Hedgerows and trees contribute strongly to its unique character and charm and link the village with the adjoining agricultural landscape. The significance of hedgerows in the village and surrounding area is celebrated by the Ballyboghil Hedgerow Society through a number of educational walks throughout the year in co-operation with the local landowners.

The Council will support the development of new initiatives such as walking trails around the village and along the Ballyboghil Stream linking the village to Oldtown, both for the enjoyment of local people and as an attractor for visitors to the area, promoting local economic development.”

In 2015, this small north Dublin village came 2nd place in its small village category when representing Fingal in the National Pride of Place awards for the whole island of Ireland. The award prompted a visit from the then CEO of FCC, Paul Reid, to thank our community for such an amazing achievement. The village has an incredibly strong voluntary community for such a small community, including the Hedgerow Society, Tidy Towns, GAA, Scouts & Cubs, Youth Club, , Senior Citizens, Choir, Pitch and Putt club and the Community Council.

There is a great local pride in our small village and beautiful countryside and a strong attachment to local agriculture and the natural wildlife and fauna which surrounds this, until recently, sleepy village. Ballyboughal is one of the last rural villages of its kind in North County Dublin and , prior to the opening of the North

Runway, its peace and tranquillity throughout the year was one of its greatest charms. Ballyboughal is 10 km from Dublin Airport.

The townlands and area surrounding Ballyboughal village are zoned "RU" which FCC says the objective of its 2017-2023 plan is *"to protect and promote, in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage"*.

The population of the village and environs has doubled over the last 10 years and the village and the immediate townlands now have an estimated population of just under 2000 people.

1.2 Ballyboughal Community Council

Ballyboughal Community Council (BCC) was constituted in the 1991 and has gone through several periods of change in parallel with the wider social changes and development experienced by the local population. BCC has been lucky to have had a strong leadership team over the last 20 years and has worked in its own right and closely with other community groups, with the primary mandate to enhance the quality of lives for our residents across social, cultural, sporting, planning, and environment issues.

BCC currently has ten active committee members who work part-time, between their day jobs, to pro-actively hold events and activities, fund-raisers, seek funding from local government, and monitor planning for the betterment of our community and village. Our Text Alert Scheme and community event text notification scheme is a strong model for keeping our community in touch with both crime issues and social and cultural events, and currently BCC has a database of circa 450 adults within the village and surrounding area stretching south to Roganstown, north towards the Naul, west towards Oldtown and east towards Lusk, an area approximating to 25 square kilometres. Given the scale of development in recent years, as a part-time voluntary organisation, we are light on resources and expertise which allow us to monitor and respond to planning issues as effectively as we would wish.

BCC is an approachable and progressive Council and engages with local businesses constructively. Most recently we have had consultations in 2017 (Gaelectric) and 2022 (Mainscourt Solar DAC) around a major solar farm proposal in the area which we supported and was approved by FCC and ABP. We seek to take a balanced approach to major proposals in our area and recognise the economic and social benefits these bring.

This includes Dublin Airport and the accruing benefits in local and national employment and economic activity and we are not anti-Airport or anti-air travel. BCC supports a regional development plan for Fingal and Dublin Airport with a balanced approach, where the impact of the growth of Dublin Airport and any associated national economic growth is adequately balanced against the downsides and costs of the negative health impacts of excessive aircraft noise for the residents of Fingal, particularly where better alternatives for flight paths and fly connectivity to the island are available. We expect all businesses and residents to fully abide by the planning laws with strict adherence to planning conditions in order to protect the residential amenity, well-being, and democratic rights of all our citizens. This is even more important for large infrastructural projects.

Since this issue has come to light, BCC has aligned with the FORUM (Fingal Organised Residents United Movement) group which is an amalgam of resident groups and associations across Fingal stretching from East Ashbourne across to Portmarnock and Malahide, incorporating groups from Swords, Lusk, Ballyboughal, Rollestown, Roganstown, St Margarets, and Kilsallaghan and Oldtown.

1.3 Events since 24th August 2022 and the opening of the North Runway RWY28R

In the immediate aftermath of the opening of North Runway RWY28R a number of committee members noticed a considerable increase in aircraft noise. Initially we thought these might be teething problems and test flights however very quickly it became clear that on certain days, with the wind coming from the westerly directions, for example the 3rd of September 2022, that our normally quiet village, with previously just the occasional aircraft noise in the distance had become a major flight path, with incessant aircraft flights flying overhead every few minutes. Using the Flight Radar application <https://www.flightradar24.com> we were able to see and identify aircraft flying overhead every few minutes at flight altitudes varying between 3500 and 5000 ft, with the corresponding noise impact both inside and outside our homes. It should be noted that even aircraft flying at 10,000 ft also have a significant noise impact. The problem has continued, in conjunction with the aforementioned wind directions which are in play 70% of the time. In view of additional feedback from several residents the area BCC unanimously decided to undertake a survey of local residents which was completed by the end of September 2022. In order to update this first survey a second survey was carried out in November 2023. In order to highlight the impact on local residents we have provided the findings of both surveys below.

1.4 1st Survey Findings- September 2022

The survey was created by BCC and a link circulated via text to over 450 residents opted-in to such notifications. The response rate was exceptional for any such survey, and the results from those who provided verifiable names and contact details was startling. A summary of same is provided below:

1st Survey on Aircraft Noise - Summary of findings

The Following are the summary of results of the Aircraft noise survey conducted on Survey Monkey by Ballyboughal Community Council in September 2022. The results are based on the responses of those residents who completed the survey in full and provided verifiable contact details. A small number of duplicate responses were eliminated where surveys were completed twice in error by the same person. 121 respondents provided valid responses which represents an extraordinary response rate to any survey at over 30% of the residents on the Ballyboughal Community Alert database.

Questions and findings of first for Survey – September 2022:

- 1. Have you noticed any significant increase in aircraft noise since 24th August? Yes/No**

78.5% of respondents noticed an increase in aircraft noise whereas 21.5% had noticed any only a small difference or no difference.

2. If Yes, how much increase in aircraft noise have you noticed?

No increase Significant Increase Large Increase Enormous Increase

Of the 78.5% of residents who had noticed an increase in noise levels, 17.9% had noticed a small difference while 47.4%, 20% and 14.7% had noticed a Significant, Large or Enormous increase respectively, or a total of over 82% in these categories.

3. Where did you notice this increase in noise?

Inside your house Outdoors Both

85% of respondents who had noticed a difference had noticed this increase in aircraft noise either indoors or both indoors and outdoors.

Just 15% of respondents who had noticed an increase in noise had noticed this increase in aircraft noise outdoors only.

21.5% of all respondents only noticed a small difference or no difference.

4. How would you rate this increase in terms of aircraft noise to you/family and the quality of life and environment in your home?

Not Significant Minor impact Significant impact Major impact

41% of respondents who noticed an increase said the increase had a minor impact whereas 59% of respondents said the noise was having a significant or major impact on their quality of their life and the environment in their home.

5. Please rate the level of aircraft noise you have experienced in recent weeks as either:

Acceptable Unacceptable

78% of respondents said the level of aircraft noise was unacceptable whereas 22% said the level of noise was acceptable.

6. Did you ever receive any written communication from the DAA or Fingal County Council about potential aircraft noise in the Ballyboughal area from the opening of the North Runway? Yes/No

100% of all respondents said they had not received any written communication from the DAA or Fingal County Council about potential aircraft noise in Ballyboughal as a result of the opening of the North Runway

7. Do you wish to complain to the DAA and/or other regulatory authorities about the levels of aircraft noise over your home? Yes/No

70% of respondents said they wished to complain to the DAA and other regulatory authorities about the levels of aircraft noise over their homes, of which 81% provided their names and permission to use their names in any submission to the DAA or other regulatory authorities.

8. Please provide your following contact details for any follow up that may be necessary by BCC:

Name: Contact number: Email:

121 respondents provided either one or a combination of the above.

9. Please confirm if you wish your name to be included in any supporting submission or observations Ballyboughal Community Council may make to the regulatory authorities? (Please note, if your response is “yes,” this does not prevent you from making your own direct contact should you so wish). Yes/No

Of those who provided their names just 27% either asked not to have their names included in any submission. The names and contact details of the residents who wished to complain are provided at the end of this section after the results our 2nd survey are presented.

10. Please make any additional comment (e.g., dates/times etc..) you would like to add.

Comments section:

There were over 51 additional comments in the entire survey response.

The following are some sample comments from those who were most upset:

“Massive increase and flight and volume of aircraft noise on certain days since north runway opened.”

“For me there’s been a significant increase of aircraft noise over our house since flights returned post covid at the start of this year not just since the new runway opened. Some days there’s a continual stream of flight noise”

“The aircraft seemed very low in the sky, is there a required level that they should be at over Ballyboughal”

“September 2nd from 8am constant stream of aircraft at height of approx 7000ft very loud”

"Aircraft noise is particularly noticeable in early morning and results in us being woken / having disturbed sleep from 5.30/6am"

"On the morning of August 25th there was a major increase in aircraft noise with a steady flow of both heavy and medium jets flying directly over the village as they turned east at approximately a third of the usual altitude. I could clearly read company logos on the aircraft. After a couple of hours of near constant aircraft over the village I phoned fingal county council to complain. After 23 years living in North County Dublin I am well accustomed to hearing and seeing aircraft overhead, but this was no comparison to anything I have ever experienced before being both low, continuous and having engines on high power as they climbed away over my house and village"

"The noise is that bad that it seems that plane is landing in the front garden"

"Late night and very early morning noise is my issue - development of airport is great but the noise at night in particular isn't fair"

"Over 20 flights between 08:30 & 10:30 am last Tuesday 6th Sept taking off on full power, banking right and flying directly over the house approx 90-120 seconds apart.."

"Quite surprised in the increase of noise, completely unexpected, I dread a further increase of air traffic next year!!! That will really impact negatively on our community and as individuals!"

"I have already made a noise complaint to DAA. I live in Oldtown and work near Coolquay."

"Are the traffic movements on compliance with planning ?"

"Flights fly directly over our house every 3 minutes some mornings"

"have made two complaints to DAA about aircraft flying over between 3-4 am. It woke me up"

"What are the plans routes for air traffic going forward???"

"The aircraft off 28L cross is at about 10,000' which is fine. Off 28R it's 5000' which is much louder. Rerouting them a further 5 miles north between Ballyboughal and Naul or having them cross at 10,000' would rectify the situation."

"Yesterday 17th September was particularly bad"

"There is noise a lot more sometimes for continuous periods"

"Very low aircrafts and the noise is startling for dogs and young kids."

"I have noticed more frequent flights and more later evening flights than before.. the noise level has increased as a result but it doesn't impact to the point where we cannot function. I do have 3 special needs kids with sensory issues in residence."

"More noisy even with windows closed and we also live beside Ballyboughal national school - aircraft should not be taking this path"


"I work nights in an extremely busy hospital, the noise is that bad it wakes me from my sleep and thus is affecting my sleep and productivity during the day . It is particularly unbearable in the morning."

2nd Survey Findings- November 2023

The second more detailed Survey by BCC in the Ballyboughal/Oldtown area was completed just over one year later in November 2023 in advance of this submission to ABP. The unique response rate of 174 respondents to a text message with a link to 450 adults on our community Database, at a 40% take up, is staggering and unprecedented for this type of survey, particularly given that not all adult members of the community are on our database or fully aware of our activities . The findings and responses are stark and are shown below. These are particularly relevant given the "amended" Flight paths which the DAA and IAA implemented at the end of February 2023 which has made the problem worse.

Survey on aircraft noise pollution levels in Ballyboughal area and environs

Friday, December 08, 2023

Powered by  SurveyMonkey

174

Total Responses

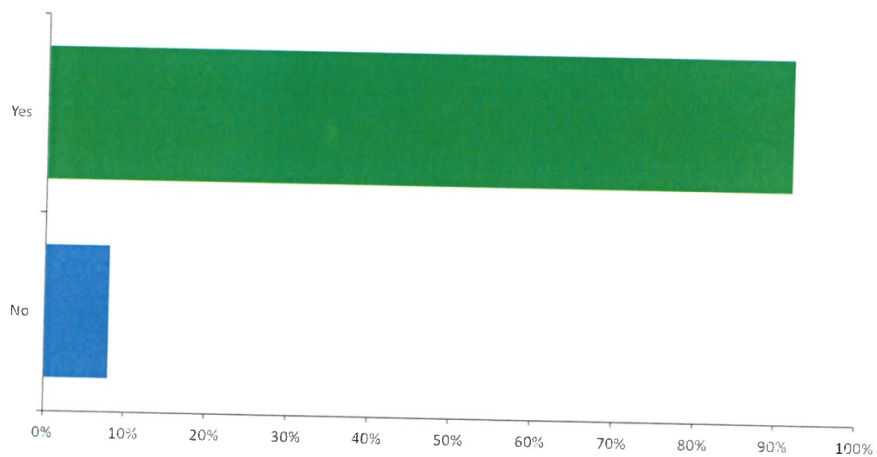
Date Created: Saturday, November 25, 2023

Complete Responses: 174

Powered by  SurveyMonkey

Q1: Have you noticed any significant increase in aircraft noise since our survey last year and following the opening of the North Runway?

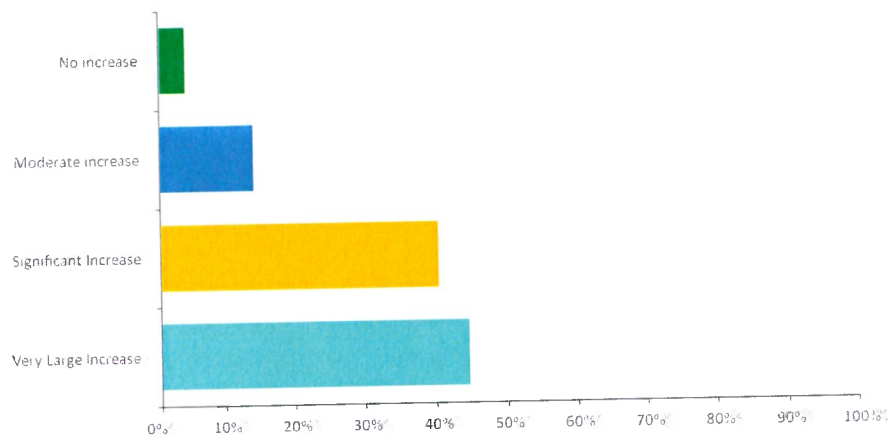
Answered: 174 Skipped: 0



Powered by  SurveyMonkey

Q2: If Yes, how much increase in aircraft noise have you noticed?

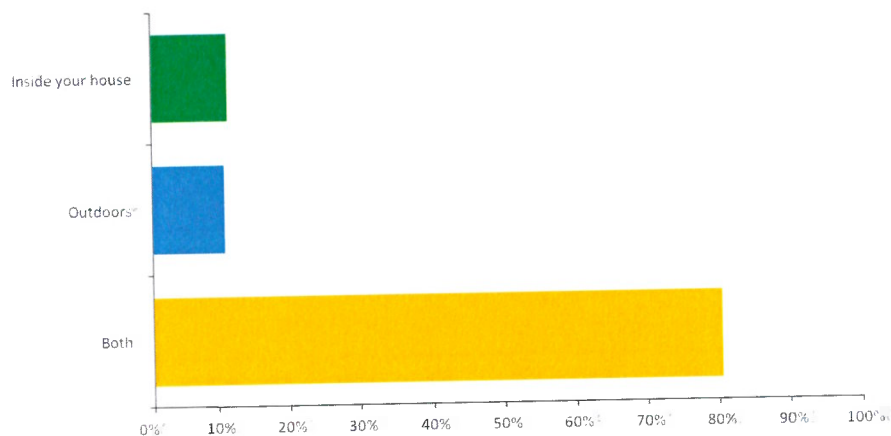
Answered: 165 Skipped: 9



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Q3: Where did you notice this increase in noise?

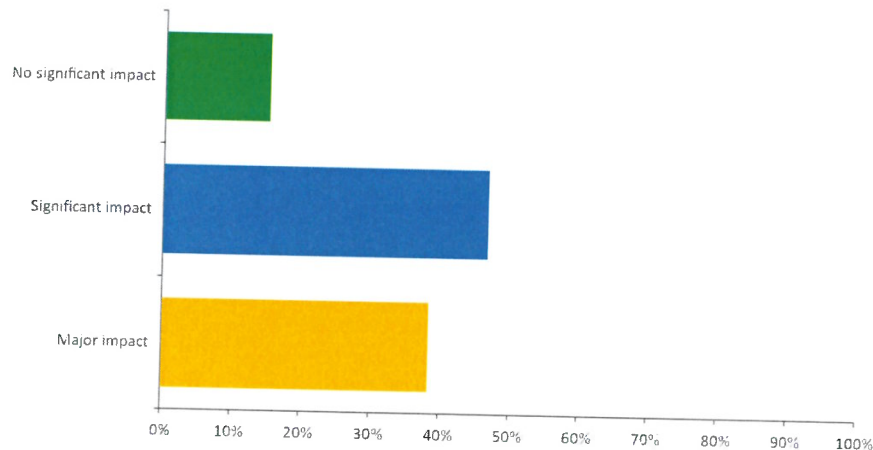
Answered: 160 Skipped: 14



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Q4: How would you rate this increase in terms of aircraft noise to your/family and the quality of life and environment in your home?

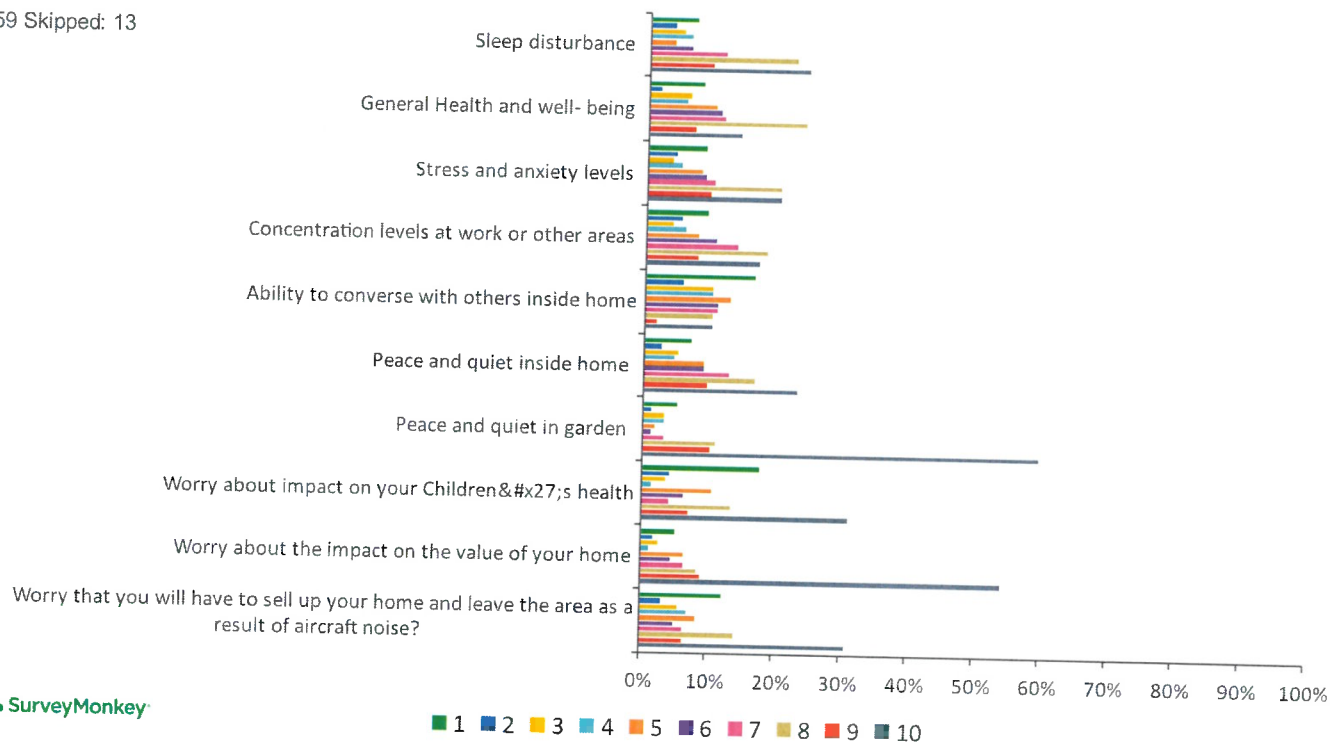
Answered: 167 Skipped: 7



Powered by SurveyMonkey

Q5: If you have noticed either a Significant or Major impact please rate out of 10 (10 being the highest negative impact and 0 the lowest negative impact) the levels of how the aircraft noise you have experienced is impacting you and your family members in the following areas:

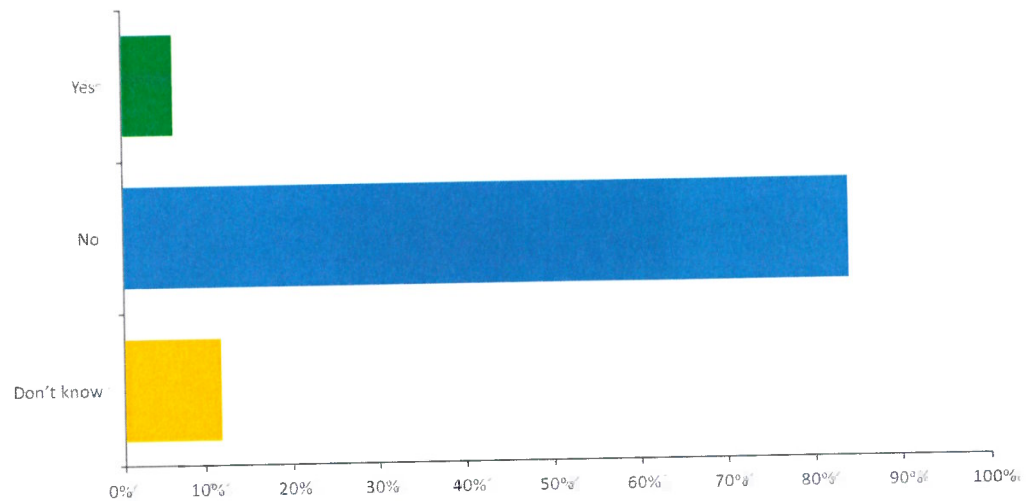
Answered: 159 Skipped: 13



Powered by SurveyMonkey

Q6: Do you believe that the DAA is a good neighbour?

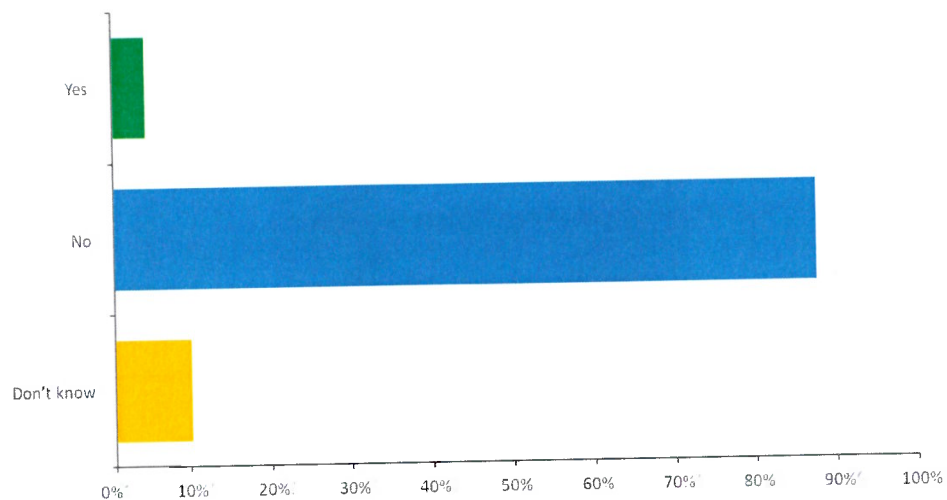
Answered: 172 Skipped: 2



Powered by  SurveyMonkey

Q7: Do you believe that the DAA has engaged meaningfully with our community around the issue of Aircraft noise?

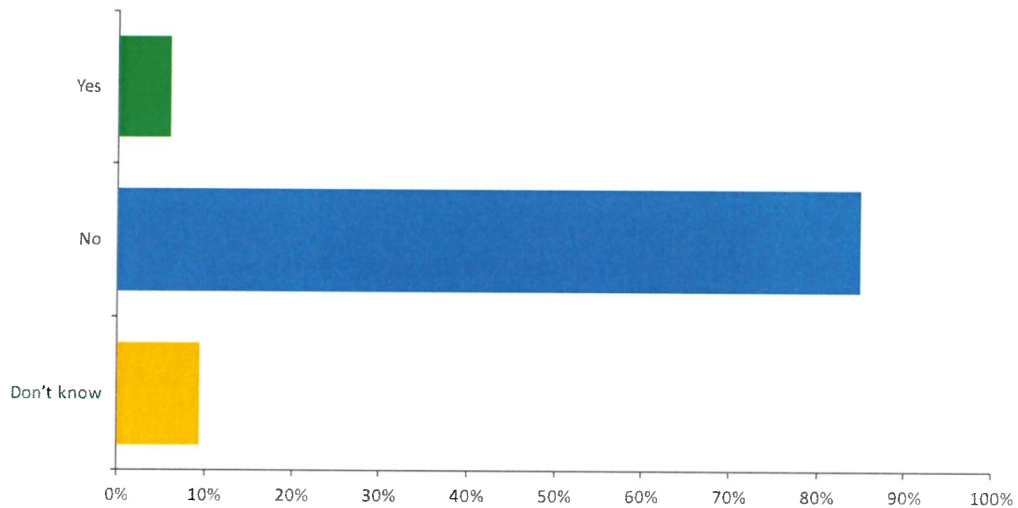
Answered: 173 Skipped: 1



Powered by  SurveyMonkey

Q8: Do you trust the DAA?

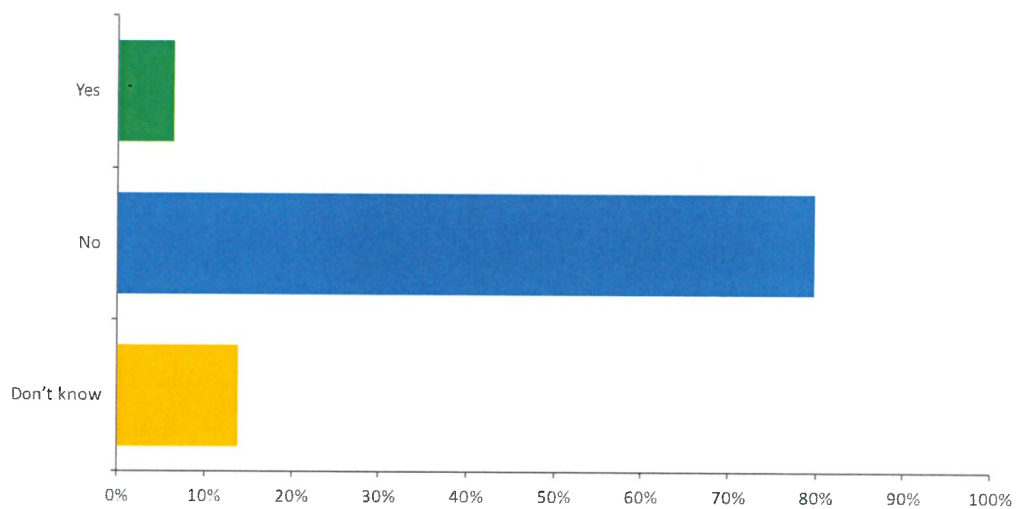
Answered: 172 Skipped: 2



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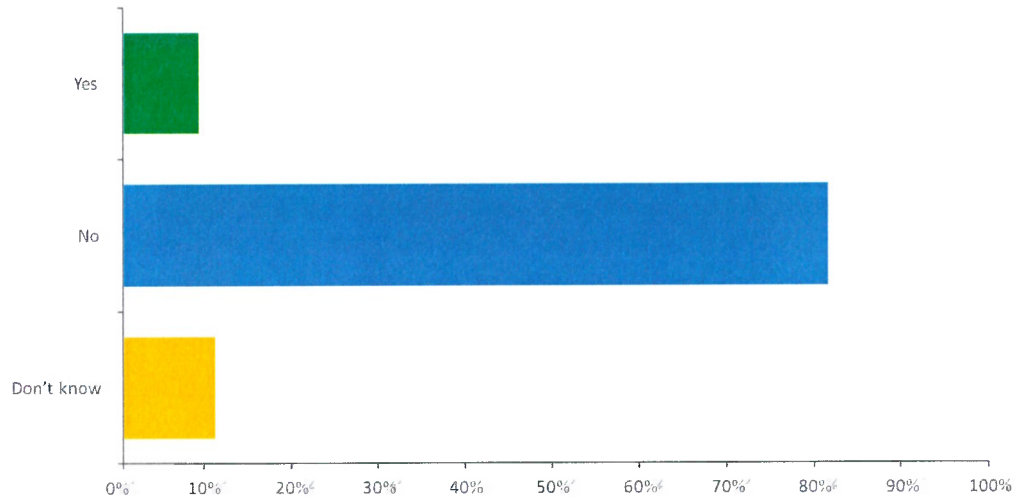
Q9: Do you believe that the DAA has Planning permission for the current flight paths ?

Answered: 173 Skipped: 1



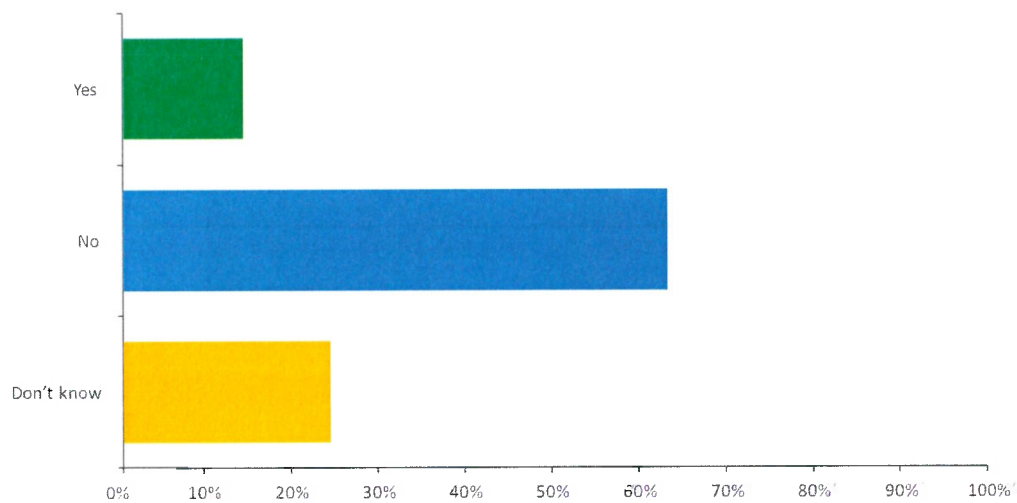
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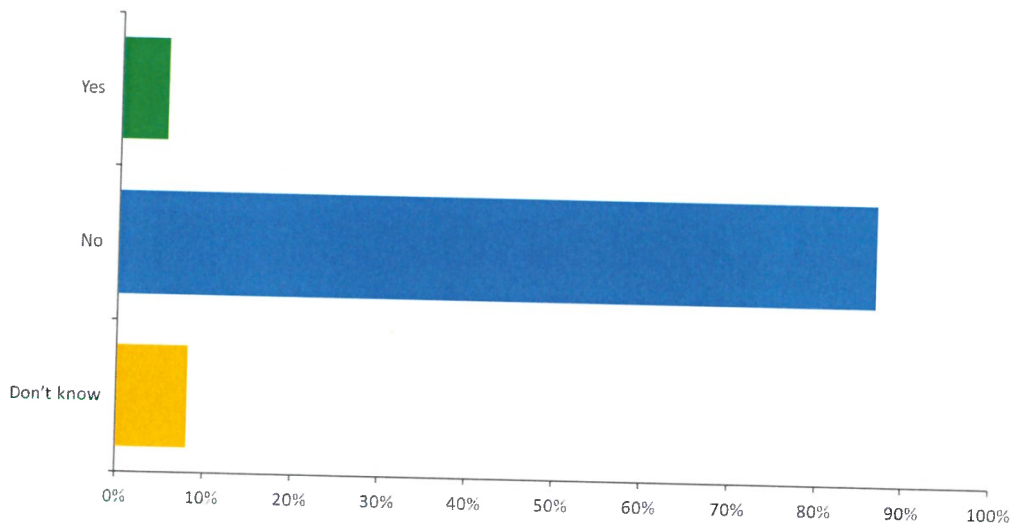
Powered by SurveyMonkey

Answered: 173 Skipped: 1



Q12: Do you believe that the Regulatory authorities (ANCA and Fingal County Council) have done a good job in protecting the citizens of North County Dublin from the adverse effects of aircraft noise ?

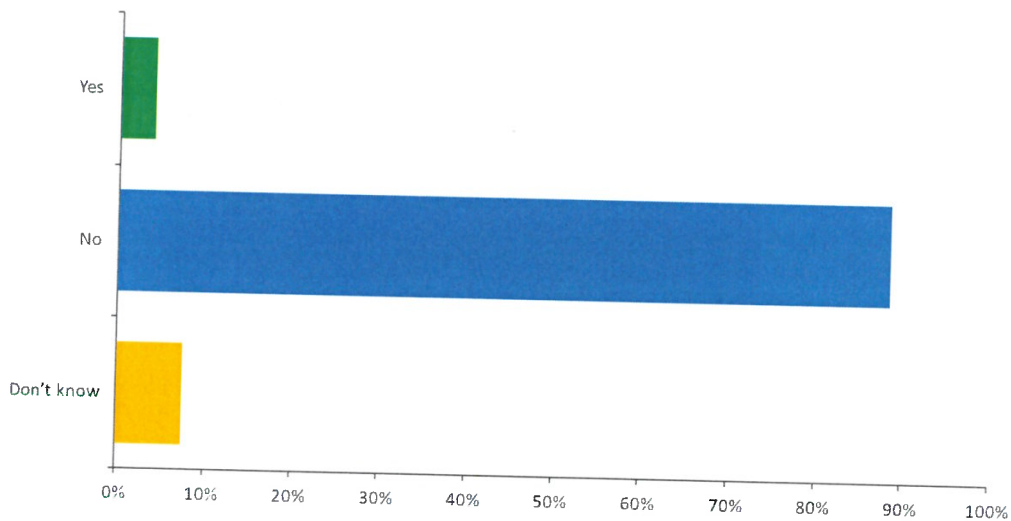
Answered: 173 Skipped: 1



Powered by SurveyMonkey

Q13: Do you believe that the Government have done a good job in protecting the citizens of North County Dublin from the adverse effects of aircraft noise ?

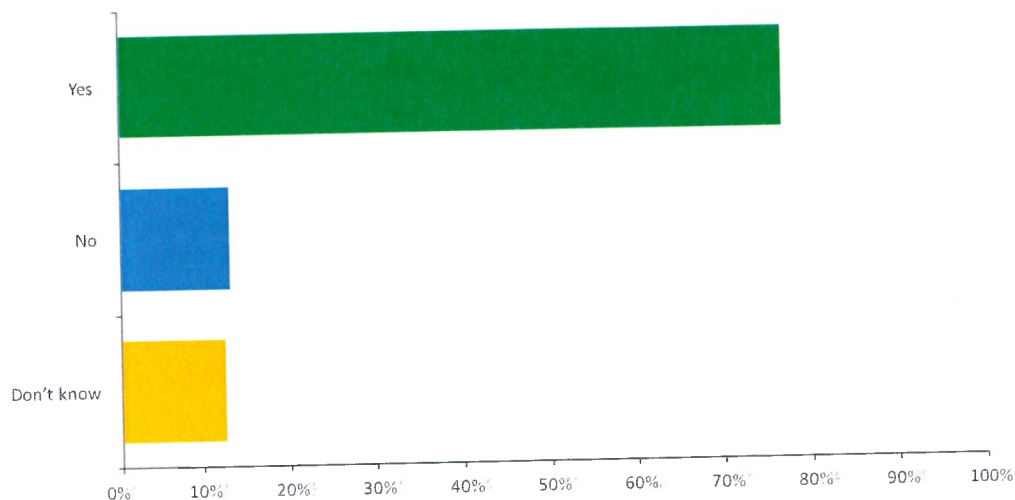
Answered: 173 Skipped: 1



Powered by SurveyMonkey

Q14: If No to 13 Do you believe this issue will impact the way you vote in the next General Election?

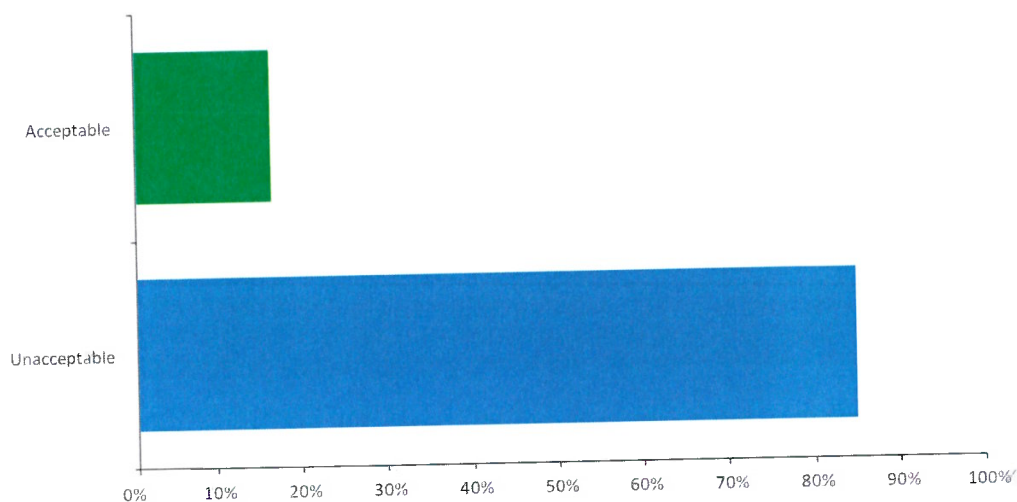
Answered: 162 Skipped: 12



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Q15: Please rate the level of aircraft noise you have experienced over the last year as either :

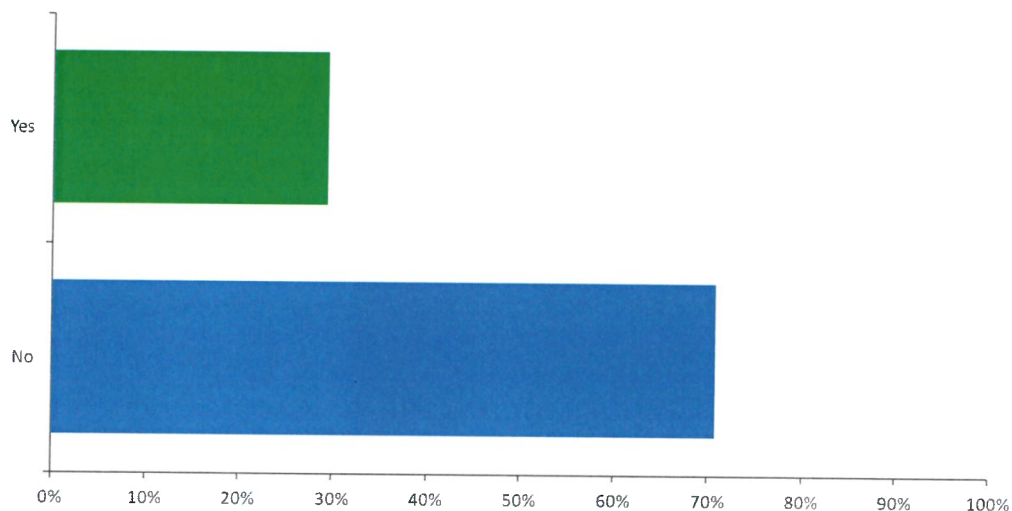
Answered: 170 Skipped: 4



Powered by  SurveyMonkey

Q16: Have you ever complained about aircraft noise to the DAA?

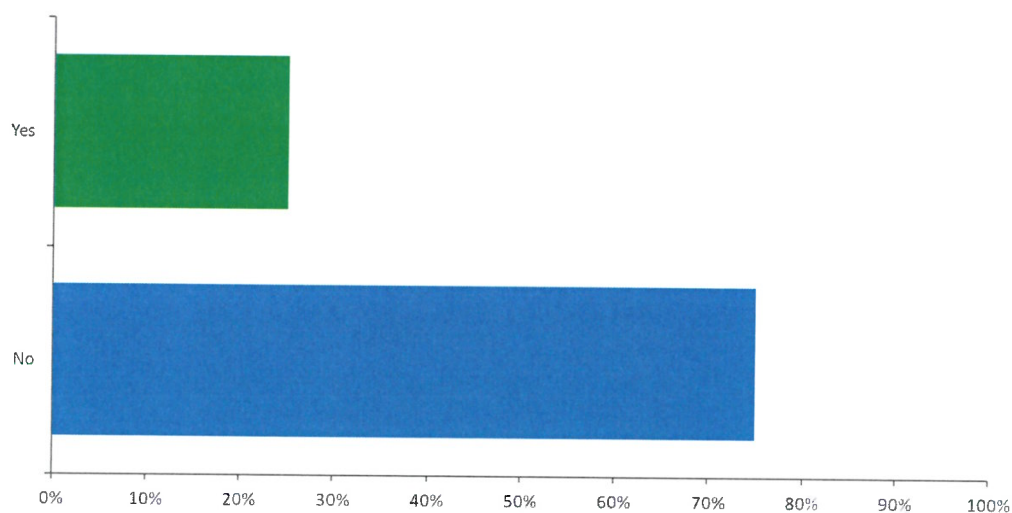
Answered: 171 Skipped: 3



Powered by  SurveyMonkey

Q17: If yes, did you find the experience easy?

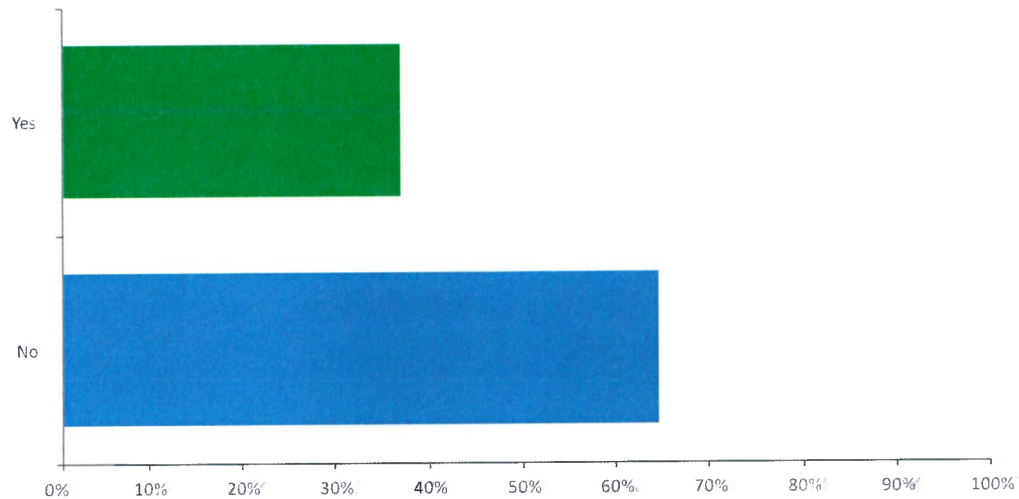
Answered: 64 Skipped: 110



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Q18: If Yes, did you get a response from DAA?

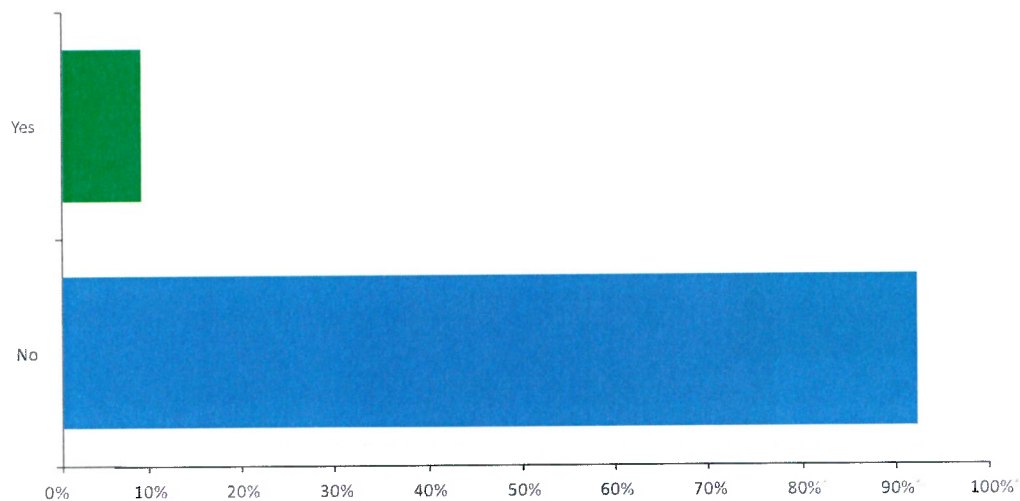
Answered: 58 Skipped: 116



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Q19: If Yes and you got a response from the DAA was it satisfactory?

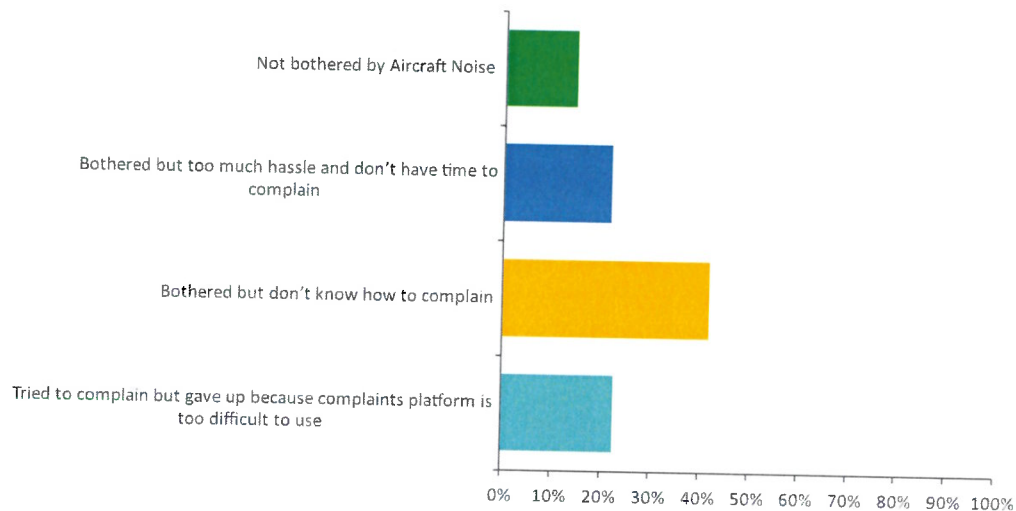
Answered: 47 Skipped: 127



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Q20: If No (you have not complained), please provide reason:

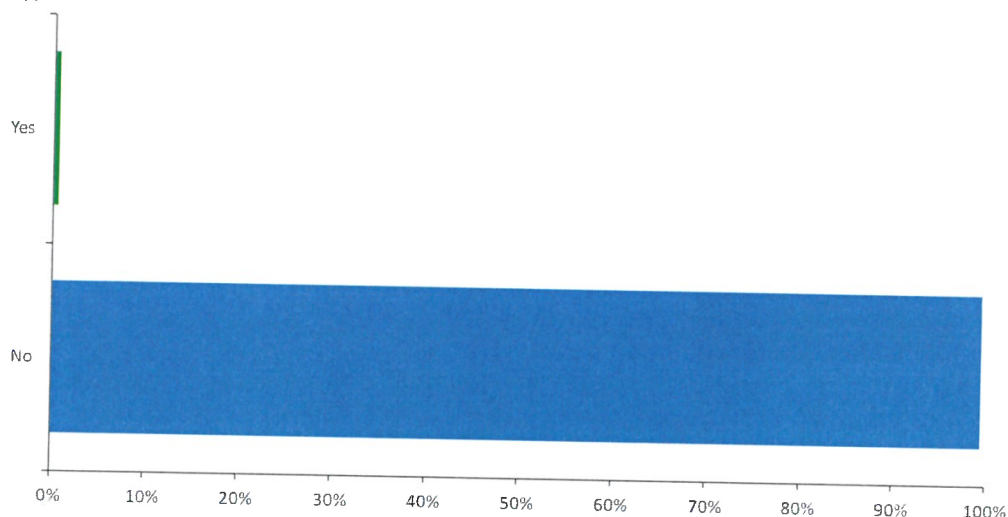
Answered: 120 Skipped: 54



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Q21: Did you ever receive any written communication from the DAA or Fingal County Council about potential aircraft noise in the Ballyboughal area from the opening of the North Runway?

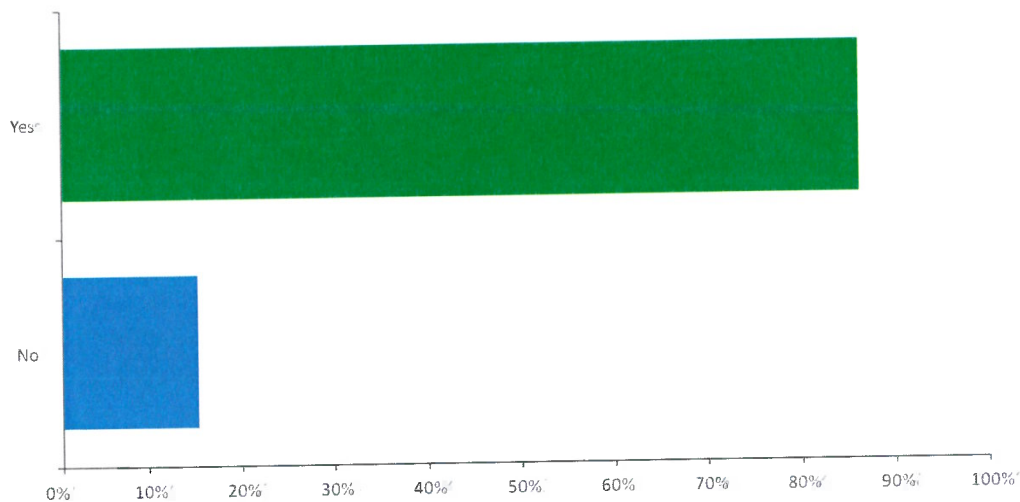
Answered: 168 Skipped: 4



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Q22: Do you wish Ballyboughal Community Council to complain and make observations to the regulatory and planning authorities about the levels of aircraft noise over your home on your behalf?

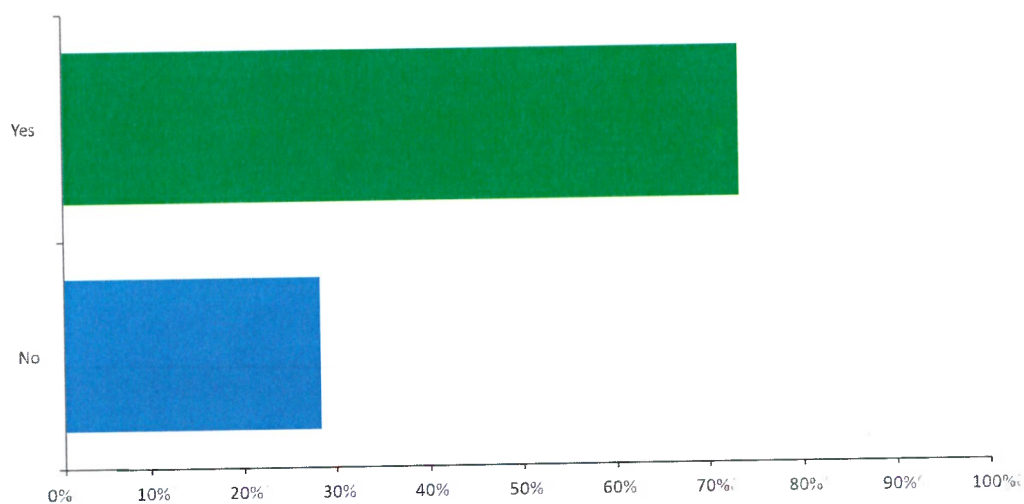
Answered: 172 Skipped: 2



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Q23: Would you like to know more about this issue?

Answered: 160 Skipped: 14



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All respondents answer were identified as coming from unique IP addresses and below is a list of 154 respondents from both our surveys who provided BCC with their names and addresses to in order complain on their behalf to ABP about the level of aircraft noise pollution in Ballyboughal and Oldtown (duplicates have been removed).

Name	Address	Mobile	email
Aaron Murphy	4 Barley hill	0857342196	
Ailsa Sexton	Belinstown Lodge, Belinstown	0862213634	
Aisling Keenan	Ballyboughal		
Alan Matthews	Ballyboughal		alanpmatthews@gmail.com
Alec and Mary Love	Drishogue Oldtown Co Dublin	0872332863	drishogue@gmail.com
Ana Barisnikova	15 The Green , Ballyboughal	0892279994	niutik86@gmail.com
Andrew Moore	4 Doorogue	+353838723186	andyellen@eircom.net
Angela McGloin	Pinewood, Dooroge, Ballyboughal, Co Dublin	0862935663	bodyjustice1@gmail.com
Angela McGrath	Green Lane, Oldtown Co Dublin	+353863749556	angiewall@gmail.com
Ann Lynch	Richardstown A41F859	0863638487	lynchjustice@gmail.com
Ann O'Meara	Ballyboughal	0851195875	anngomeara@gmail.com
Anna Grabowska	27 Clonmethan Green Oldtown	0872847323	anna_gracienciala@yahoo.com
Anne Thirion	Highgrove house, Clonmethan, Oldtown, A45HF67	0868188262	anne.thirion@hotmail.com
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Austin Kealy	Newtown Lane Oldtown	0862643354	Kealyaustin6@gmail.com
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Brendan Rice	Garristown	868571715	Brendan.rice1@gmail.com
Brian O'Connell	Ballyboughal		brianpoconnell@gmail.com
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Carol Mimmagh	Ballyboughal		carolemim2@hotmail.com
Caroline Prendy	Ballyboughal	0863758899	Mrsprendy@gmail.com
Cathal MaGee	Ballyboughal		cathalmcgee@gmail.com

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Ciara Power	Ballyboughal		cp.ciarapower@gmail.com
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Corrs, Roscall	Roscal, Ballyboughal		corrhousehold@gmail.com
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Dean Murphy	Ballyboughal		deanmurphy1987@gmail.com
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Elaine Byrne	Ballyboughal	0876858477	
Elizabeth Byrne	Wimbletown, Ballyboughal	0863583626	
Ellen Loughrey	Mainscourt, Ballyboughal, Co. Dublin.	0872221806	loughrey.el@gmail.com
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Geraldine Cleary	Keoghs cross, Oldtown		Gercleary42@gmail.com
Gerard Griffin	O'Brien's Lane, Clonmethan, Oldtown, Co Dublin A45EV84	0874181744	Griffinger@gmail.com

Gerry Douglas	Bettyville Ballyboughal	0877515668	Gerrydouglas7@gmail. Com
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Gervin Kielt	Ballyboughal		gervinkielt@gmail.com
Gillian O'Brien Murray	2 Cnoc dubh Ballyboughal A41CX79		Abiericajoe84@gmail.com
Gráinne Dignam	Ballyboughal	0876497516	Gdignam@hotmail.com
Greg Gill	Bealinstown Ballyboughal co Dublin	0862546244	Greggggill@hotmail.com
Harry Walker	10 The Lawn, Cnoc Dubh, Ballyboughal	0879641585	
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Laragh King	Skidoo	0868547169	laraghs@yahoo.co.uk
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Marisa Cassidy	Ballyboughal	086 2430988	
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Michael McMahon	Strayacre, Oldtown, Co Dublin	0862316465	michael.x.mcmahon@gmail.com
Michelle Queally	Cnoc dubh, ballyboughal	0873218246	M_queally@yahoo.co.uk
Mike Rudding	Hopyard Ballyboughal		mike@ruding.net
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Neil Connolly	The Grange, Ballyboughal		Neil.connolly533@gmail.com
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Sarah kelleher	934 Knightstown, Ballyboughal	0879720542	Sarahkelleher_1@hotmail.com
Sarah Keogh	Ballyboughal	0872805244	Sarah.keogh@eatwell.ie
Sarah Mc Garvey	Liz cottage dublin road oldtown co dublin	0879798814	Sarahcmgarvey@gmail.com
Seamus Broderick	Bushfield wyanstown Oldtown	0876767040	shaybrods@gmail.com
Sean Cullen	Ballyboughal		seanpcullen3174@gmail.com
StJohn Baird	2 O'Brien lane , Oldtown, Nth Dublin	0879978306	St John.baird@gmail.com
Suzie Murphy	Parnelstown ballyboughal	0868108018	suziecmurphy@gmail.com
Tanya Kelly			tanyakelly6@hotmail.com
Terry Quinlan	5 The Lawn Cnoc Dubh Ballyboughal	0878043616	terry@pilotmedia.ie
Terry Quinlan	5 Cnoc Dubh, Ballyboughal	0878043616	
Thomas Moxon	14 The Grange	0860443240	tommoxon1985@gmail.com
Thomas Quinn	7 Mountain View, Wimbletown, Ballybougha	+353877441488	tom@dragon.ie
Tina Lundmark	Ballyboughal		tina.lundmark@hotmail.com
Trevor Pigott	3 The Orchard	0876384096	trevp68@gmail.com
Trish Kinsella	Ballyboughal		Kinsellatrish@hotmail.com
Vicky McGauley	Wimbletown, Ballyboughal	0868334411	

The combined total of above is 154 Residents and BCC request that ABP consider our observations on their behalf in addition to the comments below from residents.

Q25



Save as ▼

Please make any additional comments about how you feel about this issue which you would like to add to your response.

Answered: 67 Skipped: 107

67 respondents provided the following additional commentaries:

"The DAA have treated the north Dublin community with absolute disdain and disregard. It is disgraceful. The mental and physical health of North county Dublin residents have been impacted enormously. These are clearly not the promised flight paths that were sold to the community in the lead up the north runway operations and the aircraft should depart straight out as per the 2007 planning. "
"Thank you very much for taking up the cause for the community and the great work you do."
"It's frightening to think that it could get worse."
"DAA is non-compliant with planning granted"
"All we are asking is for peace from the noise In our retirement. "
"Keep up the good work BCC"
"When our son was medically examined for an on-going condition (30 yrs ago) barium and thorium were found in his system. These elements do not occur naturally in the environment but are by-products of aircraft fuels!"
"The DAA have not communicated or acknowledged the fact that they are not following the planning permission that the new runway was based on. Everyone knows it - including Fingal County Council. Any rhetoric from DAA or their CEO stating they've talked to Ballyboughal community is false. The noise is so loud it wakes you up from a dead sleep and is only getting worse. If I were to build an extension over limits of needing planning permission - or ignored anything in regard to planning permission I'd be hauled up and punished from breaking planning permission- but DAA is doing that in plain sight and we all know it. Yet the council and aviation authorities will let this drag on because citizens don't matter - DAA saving fuel costs is the only thing that does matter to these people in suits."
"Already on your mailing list "

"Since the North Runway has opened our home has been destroyed. When the wind is westerly (70% of the time) we are awoken first thing in the morning to loud aircraft noise in our beds. Usually it is also the last thing at night we hear, and we are regularly awoken by night-time flights. During the day the noise permeates every room in the house, bedroom, bathroom, kitchen, sitting room, and home office every few minutes. Over 25 years we have rebuilt and modernised our house which we love but even double glazing offers no respite from the incessant and invasive aircraft noise. Our beautiful garden has been destroyed during Spring, Summer and Autumn with birdsong now replaced by whining aircraft engines that climb at full throttle over our village and home. Sitting out in the garden to enjoy our life's greatest pleasure, our garden, is no longer an option. I worry about my husband's health which has been impacted by this destruction of our home. There is no doubt that if these flight paths are approved we will have no choice but to sell up our family home of 25 years and move from the area we love so much where we have reared our children and invested so much into our home. The DAA have put the flightpaths in the wrong place and without adhering to their planning application. They have deliberately planned to and broken the strict night-time cap on the number of aircraft flights for the last year which were put in place by ABP to protect the residents and residential amenity of North County Dublin. If this was a road motorway our village would have been "unexpectedly" (Quote DAA) demolished. They must be held accountable for their incompetence and the integrity of the planning process must be protected. Failure to do so on such a major infrastructure project would be an unforgiveable injustice to the citizens of Fingal and destroy any remaining faith in that we may have in the planning process."

"Have lodged observations to ABP"

"Deeply frustrated at the failure to protect local communities. Angry at the attitude of daa and the lack of transparency or honest communication "

"I feel that DAA is doing whatever they want. Changing routes in a cycle so people get confused or by the time you complain the planes are not impacting you as much. But then it all kicks back in again "

I have to increase the volume on my TV when plane's fly over the house. It's just unbearable and I am honestly considering moving from the community and village I love. I feel I am being forced from the home I have invested so much of myself, my time and my finance in. Please make it stop. I am finding it very distressing.

Daa must adhere to planning permission granted like everyone else

I'm feel stressed and disappointed

I am worried that significant increase of the aircraft noise that made and will continue to impact my family life level, impact our health and sleep, impact us financially (house cost) and etc. Government should put more effective methods to solve that problem

"I'm concerned that if the only penalties for breach of planning regs are financial, DAA will simply pass these costs onto the airlines who will be happy to pay them while continuing to make massive profits. If they continue to ignore the very real impact this noise and consequent sleep loss is having to a very large community the long-term effects to both mental and physical health, will be damaging in the longer term to a broad community. This community likely includes many of their own staff who will eventually lose their resilience to work effectively due to the slow but steady decline stress causes."

"On a normal basis we have to worry about noise roughly twice a year due to fireworks, these noises have a severe impact on our family as a hole as we have special needs people who have severe intolerance to these types of noises, but since the flights that fly so low and directly over our house it is a nightly stress occurrence in our home ,using sound blocking ear defenders to try help with the noise .these flights have had and continue to have a severe impact on our family "

"we live on an island and there two ways to get off , by ferry/boat or aeroplane."

"I live beside a very busy road which drowns out the increase in air noise associated with the north runway. I chose to live beside the busy road. Nobody in Ballyboughal or it's surrounds chose or were consulted in regard to putting an air traffic route directly over their homes and the current flight paths did not feature in any pre planning consultation, it was a completely different flight path. The current flight paths are a direct violation of planning and need to be amended and DAA held to account. I have seen how much it has affected people in the community and it is not acceptable that they are being effectively ignored/bypassed with a retrospective planning alteration."

"Much appreciation to everyone working to reduce the noise from aircraft 🙏"

"Major health issue for my wife who has PTSD. The noise has devastated her physical and mental health. "

" Flight path seems to be inconsistent. Some days the flights come over at a much lower altitude than others."

"Flights are starting at 06.00 every 2 mins currently for the hour"

"Our house sometimes vibrates when aircraft pass by "

"We are letting this government away with too much enough is enough our home is no longer our safe haven "

"How is it possible in this country that the DAA are allowed by our elected representative to just do as they please."

"DAA have zero respect for anyone. It's all about them. Money money money. Extra flights hardly beneficial to the environment. "

"My main concern is with increasing the level of traffic from 32m pax to 40m. I don't know how they can justify it on climate change grounds, never mind noise pollution. Whatever CO2 mitigation they have planned should be done anyway regardless of changes (increase or decrease) in pax numbers. We should be doing the same as the Dutch government, and reducing traffic at DUB, not increasing it. Regarding the new runway specifically, I am quite annoyed at how Oldtown was not included in the community scheme, which gave the impression we would not be affected at all. If they wanted to get the project passed us on false pretences, they couldn't have done a better job."

"I do not understand why the flight path does not continue north before heading East, which would result in flights no longer flying over the village. How the DAA can continue to allow aircraft departing to follow a flight path that was never planned and approved."

"Frustrated that local representatives are not doing enough and therefore it's just not an issue. Feel North Co. Dublin is receiving no support whatsoever with this issue"

"Thank you for all your assistance in helping raise this really important issue"

"Already on the Oldtown Forum"

"Our daughter has complex needs and the noise from aircraft is causing her anxiety. It is also impacting her sleep."

"The noise is getting worse especially early morning and late nights you only get a short time to sleep due to the noise"

"Feel DAA think they can do what they like. Ordinary people have to abide by planning laws. Why should they be any different. Pure arrogance. FCC should also be answerable for their actions or non-actions to the matter on behalf of the locality "

"Emirates flying as low as 4,500ft directly over our home. Also many others. Never occurred prior to new Runway opening."

"The very early morning flights with large noisy aircraft seems to affect our property the most. we have both been woken up multiple times due to these flights. I have complained to daa but the response is so generic it's pointless. We have lived here for over 15 years and it has become increasingly bothersome to the point we want to move. To note, we have lived in multiple areas in north county dublin (swords, Malahide, Sutton, Bayside) and although we have been aware of aircraft in the past- this is the 1st time it is impacting our sleep and therefore our lives."

"It's ridiculous that someone can put a flight path above my house and get away with it. It is totally unfair. And it looks like they hardly use the south runway now, except for landing. I'm worries that it will get even worse over the next summer."

"We have recently spent €20,000 on insulating our house and replacing our doors and windows. Now we find that the aircraft noise is a bigger issue outside than inside the house"

"Worried about the flight paths in the future as planes fly over or houses and estate at low levels some high but others do be lower. Makes you think at times just how low is that aeroplane, and when you have to think about that you realise it's low. There should be a route that all aircraft need to take across the least populated flying path, and then they can turn once they've reached altitude into direction at which they want to go. This way they're not flying in the initial part of flight climbing at low levels at which noise is the greatest. Nobody wants the value of their homes, especially those in Ballyboughal which is a good community to be affected by flightpaths. Also if you work from home and you open your window and you're on calls and you need to close that window and that is an effect on your working life, not just your home life, there are many reasons why DAA and those in authority should come up with a better plan for the direction of flights minimum altitudes at which they are allowed to go over populated areas."

"The DAA would not get away with this total disregard for its neighbours in other major European cities."

"I would expect that this Survey should require the respondents Eircode. There are differing levels of Aircraft activity across the Ballyboughal area. We are in "Rural" Ballyboughal, circa 3KM from the village. Noise levels can be, at times, in excess of the noise levels in the village. "

"I am so angry that after over 30 years living in Ballyboughal I now find that I may have to move due to broken sleep from aircraft flying directly over my house."

"DAA have opened a wastepipe of noise emissions at between 40-60dB over oldtown and Ballyboughal by wilfully disregarding the conditions of their 2007 flight path planning permission. If this relevant action gets permission they get retention permission of these flightpaths in a clandestine manner by ABP accidentally granting permission for the illegal flightpaths currently in use. Why will airnav the DAA the military and other stakeholders not sit down and work together to enable the permitted paths as they agreed to do in this recent prime time documentary. <https://www.rte.ie/news/primetime/2023/1003/1408594-how-an-unexpected-dublin-flight-path-has-caused-airport-outrage/>"

"Fair play to you for taking this on and keep up the good fight. Other airports in Europe have nighttime bans which would be worth referencing and see they refer to adopting new aircraft but there are engine issues with those which mean current and older aircraft will continue to be used for years to come"

"Why did the IAA let the whole runway project go ahead & then after it was built, say that they couldn't use the original flight path? It seems very negligent on their part?"

"There is next to zero transparency from DAA. Planning should aim to curtail not increase. Politicians not visible. Planning misaligned or deliberately attempting to degrade residential areas (clearout) for other uses. Anyone involved in decision making and not living under flight paths should be disqualified from making any input."

"I believe this has severely impacted the sale of my house. Many viewers said the aircraft noise put them off buying. We will sell at under market value just to move away now "

"Airplane noise has greatly increased over the last few weeks"

"I pay LPT to FCC for them to represent me in these matters and they've failed completely. I'd love to know have they considered the president of letting the DAA away with breaching their planning? Also our locality and that of our wider neighbouring villages have nothing if not peace and quiet. No proper BB for many, no shop in Oldtown no post office no garage no public transport....the very reason people like living here is the peace and quiet and now that's gone. "

"More flights should be coming and going out of other airports in this country potentially 40m passengers into dublin alone is ridiculous perfectly good airports else to boost their economy therefore every flight not coming into to the one place "

"The flight paths are not as agreed, we have many flights at night right over our homes this is massively affecting my rest and wellbeing. I have no problem with the DAA sticking to the planned flight path, but not over Ballyboughal. The flight paths used now were not agreed and should not continue."

"Governments agencies are not above the planning laws"
"My residential amenity has been destroyed that I had and enjoyed up to last August and the value of my home has declined, as has my enjoyment of my home life."
"I live in Naul and there have been incidents over the past year or so where there have been loud, low flying planes over our house which frequently has awoken me just before 4 and 7am. This aircraft noise was quite audible in our home which is located east of the village. Our home is one of the most northerly in the county. There has also been issues with aircraft which has been quite loud in the village square during the daytime since the new runway opened. There was a funeral last year in Naul and it was difficult to hear the speakers outside the church due to the noise of the plane. Aircraft noise is also audible inside the Seamus Ennis Centre in the evenings and in the courtyard during the summer months. Aircraft noise is having an impact on this Fingal owned facility. "
"The noise increase and disruption is shocking over the last year or more, our home literally vibrates with the level of noise at times"
"It is a complete disgrace that DAA have been allowed to continue operating these change to flight paths, when it has been acknowledged it is vastly different to their planning permission submission. The response from the DAA, the Irish Aviation Authority, Fingal Council and the government has been woefully lacking, and seem happy to continue to ignore the significant impact this is causing to residents in impacted areas. This unnecessary madness needs to stop- there is no coherent reason I have heard to date on why the flight paths should continue as they have been. The regulators and Fingal Council need to start acting on behalf of residents."
"I live in Oldtown village Do the DAA have permission to fly directly over my house? Can they fly so low as I can read the name on the aircraft. How early are they allowed to fly over ? I am awoken some morning very early"
"We accept that we chose to live near an airport and that airports are important to the growth of the country, so we accept the decisions that are made by the relevant planning authorities following appropriate assessments. We are strongly opposed to any organisation abusing or ignoring the planning process and have a general concern that the DAA, a public body, have become so belligerent with the public and government that left un-checked they will make further inappropriate decisions."

If required BCC can provide ABP the contact details of respondents for each of the above comments, should you wish to validate them.

1.5 Survey conclusion

We shall interpret some of the data in this survey in the context of our observations in other sections, but overall the two surveys show the evolution of what has happened and in plain English the increasing impact that is being widely felt across our communities. Some initial disbelief and confusion in September 2022 has now manifested itself, over a year later, in clearly expressed outrage for the vast majority of residents as they begin to understand the behaviour of the DAA and the failures of the Regulatory and Governance to intervene in a timely manner. The supporting comments clearly describe the impact on residents on the ground which has been entirely airbrushed out of existence by the DAA in their submission. From the two surveys a total of 154 residents have formerly requested BCC to complain and make observations on their behalf, with many more expressing their views without wishing their names to be used..

It is worth noting that for many reasons, some people do not want their names made public, and many more in the community have no idea that there are Forums and Groups providing information and assistance on this matter. It took BCC several months to get to grips with and understand what had happened, particularly who to complain to and who was responsible for the failures of the planning enforcement. It was a very difficult and time-consuming journey for BCC which had some sense of where to look. How difficult must it be for those individuals who did not have the support of colleagues on the council and other resident groups who were ahead of the curve? Many people we have spoken to have expressed absolute helplessness and are depending on BCC to articulate their anger on their behalf .

We have had many people come to us who are distraught but did not know where to turn. We also know from the many people that are making observations to ABP directly, and those that are supporting legal actions and fundraisers, that there are far more people impacted than just those who responded to this survey. Plus it is worth noting that in most cases the respondents to the survey represent a household of at least 2, 3, or 4 family members.

The DAA and two major airlines would have the wider unaffected public believe that there are just a "handful" of residents in St Margarets who are inconvenienced. This survey shows that this is patently untrue. BCC feels fully justified therefore in taking this mandate to make the best observations we can, to represent the interests of our broad community, albeit not being planning experts. We are simply describing how we find matters and , in the absence of any meaningful engagement from the DAA to correct their mistakes and comply with their planning permission conditions, we are asking the highest planning authority in the land, ABP, to consider the true scale of the problem and prevent it becoming worse, by forcing those who have created this problem, whether by incompetence or recklessness, to rectify it and comply with the conditions of planning, and the proper planning processes stipulated in our laws, going forward.

2. What is noise pollution and what are the effect effects of excessive noise?

In preparing for this submission certain people suggested that ABP would not be interested in the negative Health impacts of Aircraft Noise. We think this is not giving credit to the intelligence of ABP, as clearly this is the main reason we are all here. If aircraft were silent and did not pollute the environment and impact our lives negatively, in more ways than just noise, everyone would be happy and we would not need to be involved in this process. So it is useful to recap on some of the pertinent facts about Noise Pollution.

“Noise pollution, also known as environmental noise or sound pollution, is the propagation of noise with ranging impacts on the activity of human or animal life, most of them are harmful to a degree. The source of outdoor noise worldwide is mainly caused by machines, transport, and propagation systems. Poor urban planning may give rise to noise disintegration or pollution, side-by-side industrial and residential buildings can result in noise pollution in the residential areas. Some of the main sources of noise in residential areas include loud music, transportation (traffic, rail, airplanes, etc.), lawn care maintenance, construction, electrical generators, wind turbines, explosions, and people....

Noise pollution affects both health and behaviour. Unwanted sound (noise) can damage physiological health. Noise pollution is associated with several health conditions, including cardiovascular disorders, hypertension, high stress levels, tinnitus, hearing loss, sleep disturbances, and other harmful and disturbing effects. According to a 2019 review of the existing literature, noise pollution was associated with faster cognitive decline.”

Wikipedia 2022

Further supporting articles and documents are provided below:

2.1 The European office of the WHO published the below document in 2018 on Environmental Noise Guidelines.

<https://iris.who.int/bitstream/handle/10665/279952/9789289053563-eng.pdf?sequence=1>

On Page 18 it makes the following statements:



Aircraft noise

Recommendation	Strength
For average noise exposure, the GDG strongly recommends reducing noise levels produced by aircraft below 45 dB L_{den} , as aircraft noise above this level is associated with adverse health effects.	Strong
For night noise exposure, the GDG strongly recommends reducing noise levels produced by aircraft during night time below 40 dB L_{night} , as night-time aircraft noise above this level is associated with adverse effects on sleep.	Strong
To reduce health effects, the GDG strongly recommends that policy-makers implement suitable measures to reduce noise exposure from aircraft in the population exposed to levels above the guideline values for average and night noise exposure. For specific interventions the GDG recommends implementing suitable changes in infrastructure.	Strong

2.2 The below National Geographic interview with Erica Walker, an epidemiologist at Browns University deals with the effects of chronic and constant noise

<https://www.nationalgeographic.com/premium/article/noise-pollution-body-health-harm>

In an extract Professor Walker says:

[“\(How living near a railroad can harm your health.\)”](#)

It’s one thing to leave a concert with ringing ears or to be surprised by a sudden loud noise, but how does that actually affect your health?

“When that stress response is stimulated, you start to breathe faster. Your heart rate starts to increase. Your body’s releasing all of these hormones,” says Walker, who also runs Brown University’s Community Noise Lab.

If this happens once or twice, it might not be that big of a deal, says Walker, but over time, constant stimulation of your body’s stress response, or chronic noise exposure, can make you more prone to serious health outcomes.

“A lot of the literature is in the cardiovascular realm,” she says. “Hypertension, myocardial infarction, cardiovascular-related mortality.”

According to [one estimate](#), chronic noise exposure leads to 48,000 new cases of heart disease in Europe each year and affects the quantity and quality of sleep for 6.5 million people. Noise can raise

your blood pressure and heart rate even while you sleep, which can also be associated with [lower birthweight in infants of Type 2 diabetes](#).

But there can also be a psychological aspect, especially if people feel like they have no control over the noise they are exposed to. This can lead to mental health harms, such as increased anxiety and depression, says Walker.”

She goes on to discuss the impact on sleep:

“Sleep is also when our body clears toxins from the brain and bolsters the immune system, she adds. Likewise, when sleep is disrupted, it can lead to an array of physiological effects, such as blood vessel dysfunction and changes in glucose metabolism and appetite regulation.

Interestingly, noise’s ability to interfere with our sleep is probably what kept humans safe through our evolutionary history. Even though you are asleep, your ears are still actively scanning the night for potential threats.

(These are the planet's last few "naturally quiet" places.)

“Sleep is believed to help with learning and memory consolidation, cellular and tissue growth, as well as repair,” says Chandra Jackson, principal investigator at the National Institutes of Health, in an email.

“Nighttime noise can fragment sleep structure by inducing awakenings, creating difficulties with falling asleep, and shifting to lighter, less restorative sleep,” says Jackson.

Similarly, chronically disrupted sleep is associated with a variety of negative health outcomes, including obesity, diabetes, hypertension, cardiovascular disease, and poorer cognitive function, she says.

Of course, when it comes to sleep, noises don’t have to be nearly as loud to cause problems. According to Jackson, sounds as low as 30 to 40 dB can cause a person to toss and turn or wake up. However, sounds in this range—which can be as quiet as a soft whisper—are only associated with modest health effects, she says.

It’s really when you see night noises in the range of 40 to 55 dB or more that adverse health effects are observed.”

2.3 The below report on CBS news discusses new research from Harvard University in published in February 2023 showing how good quality sleep can add up to 5 years to your life:

<https://www.cbsnews.com/video/study-finds-quality-sleep-could-add-up-to-5-years-to-your-life/#x>

This new study suggests that consistently getting a good night's sleep can add up to five years to your lifespan. One of the co-authors of that study, Dr. Frank Qian, an internal medicine resident and clinical fellow in medicine at Harvard Medical School, joined CBS News to discuss the findings.

2.4 In 2017 the Irish Environmental Agency produced its first report entitled: Environmental Transport Noise and Health: Evidence from Ireland (Noise–Health)

Authors: Enda Murphy, Jon-Paul Faulkner, Ciarán Mac Domhnaill, Seán Lyons, Anne Nolan, and Owen Douglas

https://www.epa.ie/publications/research/environment--health/Research_Report_423.pdf

Among the report's many recommendations, in Chapter 4 the EPA singles out Airport noise for special treatment:

"However, the European Commission has recognised that transport noise is a major environmental concern in Europe and that transport-based noise needs to be mitigated as a matter of urgency across the EU. In the light of this, an adequate policy response is required in the Irish context. National noise planning guidance for local authorities is needed to

(1) support and promote the proactive management of noise,

(2) implement the noise objective in Project Ireland 2040. National Planning Framework 2040 (Government of Ireland, 2019a) and

(3) consider the 2018 WHO noise and health guidelines (see Wall et al., 2020).

In relation to assessing the negative health impacts of environmental noise, the following recommendations are suggested for practitioners:

1. Practitioners should apply the harmful effects method outlined in Commission Directive (EU) 2020/367 rather than the burden of disease method outlined in WHO (2011) because the harmful effects method is more efficient, fewer health data are necessary, it requires less calculation time, it permits spatially localised estimates and results may be easier to interpret.

2. Practitioners should apply only incidence rates in the estimation of risk, not prevalence. To do otherwise will lead to an overestimation of HA and burden of disease.

3. It may be worth reconsidering population exposure statistics for major airports in Ireland because, unlike road traffic and railway noise, the results for aircraft noise reported by Ireland are dramatically different from those reported by international comparators. In this regard it is notable that exposure estimates for aircraft noise were based solely on round 3 data and were thus not modelled for this analysis.

4. If required, disability weight (DW) and duration of disability estimates should be acquired from the latest WHO publications.

5. Relative risk (RR) and absolute risk (AR) estimates should be acquired from the latest WHO public publications.”

2.4 The Journal of Populations Economics published the following paper in September 2023: Health benefits of reducing aircraft pollution: evidence from changes in flight paths

<https://link.springer.com/article/10.1007/s00148-023-00964-y#ref-CR4>

“This paper investigates externalities generated by air transportation pollution on health. As a source of exogenous variation, we use an unannounced 5-month trial that reallocated early morning aircraft landings at London Heathrow Airport. Our measure of health is prescribed medications spending on conditions known to be aggravated by pollution, especially sleep disturbances. We observe a significant and substantial decrease in prescribed drugs for respiratory and central nervous system disorders in the areas subjected to reduced air travel between 4:30 am and 6.00 am compared with the control regions. Our findings suggest a causal influence of aviation on health conditions.”

This is a recently published and powerful study from areas around Heathrow Airport which has been able to connect aircraft noise with changes GP prescriptions for Cardiovascular, Respiratory, and Central nervous system illnesses. In the areas where flight paths and noise were changed downwards the prescription levels went down and in the areas where there were increased flights, resulting from the former change, the prescriptions went up.

From the above articles there can be no scientific doubt that over time the health and well-being of Fingal residents will be detrimentally impacted from constant and intrusive aircraft noise during the day, and subconsciously at night-time even if not awoken. Given the numbers of residents which we estimate are impacted, at least 30,000, there can be little doubt that over time lives will be lost as a direct result of aircraft noise on physical and mental health of residents

2.6 Conclusions

While the authorities may wish to sanitise Aircraft Noise with terms like “noise abatement” and describe those affected under the anonymous statistics as those likely to be “as Sleep Disturbed and Highly Annoyed”. It is more direct and honest to describe the negative impact of Aircraft Noise as “Noise Pollution” with all its negative connotations, keeping in mind that the people, and their children, who are affected by same are *real* people and not statistics. The airline industry talks about aircraft that are “50% quieter”, however there is no such thing as a “quiet” aircraft, while some aircraft may be “less noisy” the use of the word “quiet” in conjunction with aircraft noise is pure spin and a complete misnomer.

In every civilised society it is the duty of government, planning authorities and regulators to protect their citizens from any form of pollution and protect the well-being of all, through proper strategic planning, strict conditions, monitoring of same, financial penalties and real consequences for those who break those conditions and full accountability of the polluters, in a timely fashion. The events of the last 15 months shows clearly that, to date, this has not been the case. Justice delayed is justice denied.

3. Reasons why Ballyboughal Community Council is objecting to the DAA's Relevant Action

3.1 Lack of proper Consultation and the flight paths are in breach of the DAA's planning conditions:

As our survey supports, 99.4% of respondents had no written communication from the DAA or FCC in relation to the opening of the North Runway. There was no communication to BCC or the population of Ballyboughal and Oldtown, nor any planning signage notifications in the vicinity, for one of the largest infrastructure projects in the history of the state. The village of Ballyboughal was not mentioned in any pre-planning media advertisements by the DAA or in relation to the public consultation.

Now please look carefully at the below chart showing all flights taking off from Dublin Airport over a two-week period in September 2023

Figure 1 – Flight paths over Ballyboughal from Dublin Airport over 2 weeks in September 2023



This is nothing less than a giant motorway for aircraft in the sky. If this were planned, by any standards and under any form of credible planning process, the residents of Ballyboughal would have to be informed of such a dramatic change to their residential amenity.

On the 7th of September 2022 to Deputy CEO wrote to the IAA as follows:

[REDACTED]

From: [REDACTED]
Sent: Wednesday 7 September 2022 18:54
To: [REDACTED]
Subject: Runway 28R SID

[REDACTED],
As previously discussed I am writing to you to request a meeting at your earliest convenience to discuss the current SID for Runway 28R operations.

From my limited understanding, I believe collaborative engagement between daa and IAA ANSP a number of years ago resulted in a set of assumptions being developed for noise modelling purposes. IAA ANSP kindly provided technical information to daa to assist our consultant complete noise modelling aligned to these assumptions. It was made clear that this was indicative data only and no formal SIDs had been designed at that stage.

daa used the output of this modelling in the Relevant Action application as well as modelling information provided to Fingal County Council for the Fingal County Development Plan and Local Area Plan for land-use planning noise zones. The material was also used in public consultations regarding North Runway.

While I understand no instruction was given to IAA ANSP to design the SID aligned to this modelling, I'm sure you can understand that it now causes us a challenge that a significant number of aircraft are overflying areas not indicated in the Relevant Action application or communications material issued publicly.

We would like to engage with you and your team in collaborative manner to assess what options might be available and in what time period to allow for a closer correlation between modelled aircraft tracks and actual tracks.

You might let me know what options you have over the coming days so that we can try and agree a time for this initial meeting?

Regards
[REDACTED]

 **DublinAirport**
Aerfort Bhaile Átha Cliath

.....
[REDACTED]
Deputy Managing Director, Dublin Airport
M: + [REDACTED] [REDACTED]

So, by the DAA's own admission, in their "limited understanding" these flight paths were not the flightpaths which the DAA presented on their Planning Application or their Public Consultation, which showed that all flights from the North Runway would fly due west in a straight line for 5 nautical miles or reach 3000 feet before turning right. Separate to the first Fiduciary duty a Director of the DAA has under Irish Company law of a duty of "Care and Skill" , it is a staggering admission that the DAA never engaged formally with the IAA (Irish Aviation Authority) and only used "indicative" data for their planning Application, without any formal engagement on the matter with the IAA . It is indicative of a gung-ho and blasé approach by the DAA with is nothing short of reckless and irresponsible.

Following multiple complaints in the autumn of 2022 BCC received the following email on the 12th of January 2023 from the DAA apologising for being "unexpectedly overflown".

Date: Thu, Jan 12, 2023 at 4:41 PM
Subject: North Runway Update.
To: North Runway <northrunway@daa.ie>

Good evening,

As you are aware, an issue regarding North Runway's departure flightpaths was identified which resulted in some local communities being unexpectedly overflown, for which daa again sincerely apologises.

You will recall from our earlier correspondence that a review of these departure flightpaths concluded that some Instrument Flight Procedures, specifically the current Standard Instrument Departures (SIDs), needed to be updated to align flightpaths more closely with the information previously communicated by daa.

The revised SIDs were required to go through regulatory review and consent processes before they could be implemented, and I am pleased to advise that they have now been approved and will become operational on February 23, 2023, in line with the International Civil Aviation Organisation's Aeronautical Information Publication cycle. In the interim weeks, the continued use of the current SIDs is necessary, but we will ensure there are no departures off North Runway before 0900 during that period.

Kind regards,

North Runway Team.

At the time we thought, well at least they have acknowledged their mistake and there was good reason to be optimistic despite the excessive noise and disruption to our lives. However ,on the 21st of February 2023, six months later from the opening of the North Runway, we received the following email and attachment from the DAA:

North Runway <northrunway@daa.ie>
to North ▾

Tue, Feb 21, 7:07 PM



Good evening,

Following our earlier correspondence, we committed to keeping you updated regarding North Runway's flightpaths. We had hoped to provide this information and illustration to you earlier but needed to undertake flight simulations of the revised SIDs with a number of airlines, the final session of which was completed last week. The attached leaflet includes details about altitudes of aircraft in specific locations and an illustration of the indicative noise corridors associated with the revised flightpaths.

Kind regards,

North Runway Team.



Freephone: 1800-804422

Email: northrunway@daa.ie



North Runway, Dublin Airport Revised Standard Instrument Departures from February 23, 2023

As previously advised, an issue regarding North Runway's departure flightpaths was identified which resulted in some local communities being unexpectedly overflown, for which daa again sincerely apologises. daa immediately undertook a review in consultation with the relevant stakeholders which established that some Instrument Flight Procedures, specifically the current Standard Instrument Departures (SIDs), needed to be updated to align flightpaths more closely with the information previously communicated by daa.

The revised SIDs underwent the required regulatory review and consent processes and were approved to become operational on February 23, 2023, in line with the International Civil Aviation Organisation's Aeronautical Information Publication cycle. Flight simulations of the revised SIDs were also completed, and we now provide more details about these new flightpaths and associated indicative noise corridors (see illustration overleaf).

Taking account of factors including other airfield airspace and parallel runway operations, Safety Regulations require that aircraft departing North Runway 28R will follow the new SIDs which must diverge by a minimum of 30 degrees northwest. Following this 30-degree turn, all aircraft will head towards Waypoint 1, and on passing that initial point, aircraft will then continue to climb on course to their ultimate destinations using further waypoints. A waypoint is a point on the flightpath that aircraft should flyby or fly over; for example, UK-bound flights will typically use Waypoint 1 and then 2, whilst transatlantic flights will typically use Waypoints 1, 2 and then 3.

The rate that aircraft climb will depend on aircraft type, weather conditions and load factor, so aircraft altitudes will vary. Typically, across the two main aircraft types used at Dublin Airport (Airbus A320 and Boeing 737-800), with maximum take-off weight, aircraft will reach the following typical altitudes at the waypoints and locations identified on the illustration:

Location		Typical Height*
1	DW128 flyby waypoint used by all 28R departing aircraft	2,200
2	DW129 flyby waypoint typically used by transatlantic, northerly and easterly bound aircraft	>5,500
3	DW120 flyby waypoint typically used by transatlantic bound aircraft	9,000
4	DW119 flyby waypoint typically used by northerly bound aircraft	9,000
5	DW991 flyover waypoint typically used by southerly bound aircraft	>4,000
6	Ballyboughal	6,700
7	Kilsallaghan (not overflown)	N/A
8	Oldtown	5,250
9	St. Margaret's	1,200
10	Coolquay	2,200
11	Ratoath	>4,000

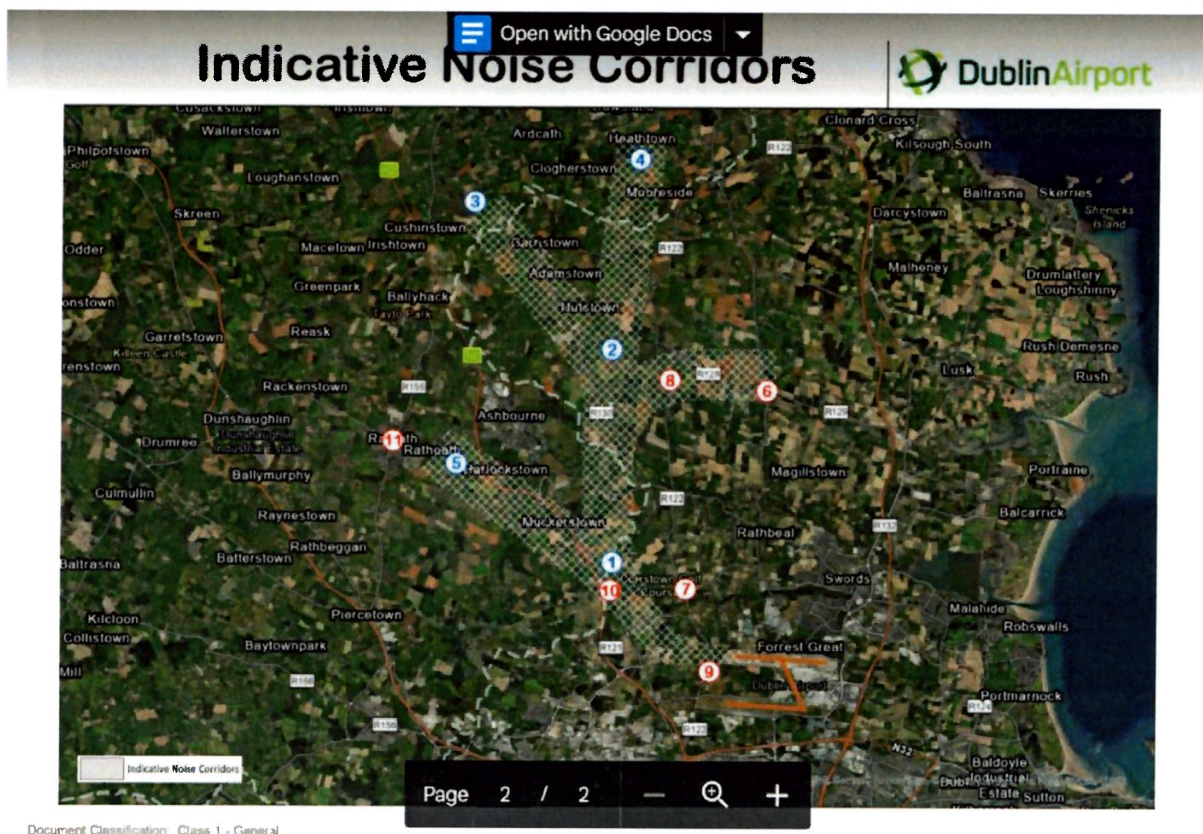
*Feet above ground level

The revised SIDs will align flightpaths more closely with the information previously communicated by daa. This means that from February 23 some areas like St. Margaret's, Shallow and The Ward Cross will continue to be overflown as anticipated, whilst other areas like Oldtown and Ballyboughal will also continue to be overflown but at higher altitudes. Areas such as Skephubble, Kilsallaghan and Rostown will no longer be directly overflown by jet aircraft but will still be exposed to a certain amount of aviation noise, albeit less than currently. Category A/B (turbo propeller and small jet aircraft) can continue to turn earlier than Category C/D (larger jet aircraft).

It is expected that the overall number of houses in the various noise contours will be similar to that previously communicated. However, a small number of dwellings which were previously on the verge of eligibility for mitigation measures may become eligible as a result of these revised SIDs. We intend to engage with these dwellings regarding the required mitigations as soon as possible.

To enhance tracking of aircraft using Dublin Airport, 18 new noise monitoring terminals (16 fixed and two mobile) are being added to the existing system. 10 fixed and three mobile monitors are already in place, with 12 further fixed monitors scheduled to be installed over the coming months.

Should you have any queries or need clarification regarding these new SIDs or any related matter, please contact us at northrunway@daa.ie



This 2-page document says that Ballyboughal and Oldtown will “continue to be overflown” but the important word “unexpectedly” has been dropped!

The flight paths are not remotely “more closely aligned to the flightpaths previously provided by the DAA”

The planning conditions approved stipulate:

“6.2.4 Aircraft of Categories C/D (medium to heavy jets) departing to the west (Runway 28) are required to maintain straight ahead after take-off to 5NM before commencing turn, unless otherwise cleared by ATC above 3000 feet.

6.2.5 Aircraft of Categories C/D (medium to heavy jets) departing to the east (Runway 10) are required to maintain straight ahead after take-off to 5NM before commencing turn (if turning left), and 6NM (if turning right), unless otherwise cleared by ATC above 3000 feet. The disparity here is to ensure that southbound aircraft do not over-fly Howth Head. Northbound aircraft will turn over the sea thereby avoiding the communities of Portmarnock and Malahide.”

Following these minor adjustments to the flight path SID’s in February 2023, aircraft are now turning right at 650 ft instead of 450 ft, effectively at the end of the runway, making the flightpath problem worse and directing these aircraft directly even more directly over Ballyboughal Village where they are on full throttle

after take-off and climbing at between 5000 and 6000 feet , less than 30 seconds after take off. If these aircraft were following the original planning permission they would not be overflying Ballyboughal Village and would be at a much higher altitude.

Not only was there no adequate communication before the first flightpaths were implemented but there has been no meaningful engagement with the community since the second set of flight paths were implemented. DAA continues to maintain publicly that they are fully compliant with their planning permission when, to any objective observer, this is obviously false. The DAA's CEO says that "they did not build the North Runway to have less flights." Well then they should have put the current flightpaths in their planning permission as a basic responsibility to those affected by it, so that the public and planners should have been able to study and assess them.

Such arguments promulgated by the DAA CEO are facile and irrelevant, and hide the enormity of the consequences of their lack of proper duty and care to residents on the ground, and do not stack up to any reasonable scrutiny from a planning perspective. If the DAA Board of Directors knew about the flightpaths before they submitted their planning permission they should have included the actual flightpaths in being used now, if they didn't know they are incompetent, and have failed in their duties as DAA Directors

3.1.1 Flawed logic continued

In an article in the Irish Times on Wednesday 2nd August 2023 , following the FCC's decision to take enforcement action on the DAA's deliberate breach of the night-time flight cap over several months, the DAA called on Fingal County Council to suspend the "overly onerous conditions" or give the DAA 6 months to comply with their enforcement order instead of 6 weeks. Mr Kenny, the CEO of the DAA, in his comments, then went on the state " it would be like increasing the capacity of Croke park to 100,000 and but cutting it to 50,000, it makes no sense, and the travelling public deserve better".

There is no logic to this argument in the context of the DAA being in breach of the strict regulations clearly laid down in their planning. To use his analogy, based on their night-time flight average between June 15th and August 15th, the DAA has planning for 100,000 seats in Croke Park but has built a stadium with 150,000 seats. Having deliberately broken the planning regulations which are there to protect us all, not just the travelling public, Mr Kenny has decided that he does not like the regulations and would like them changed. Nowhere did I see an apology from Mr Kenny to the residents of North County Dublin for the DAA so wilfully and blatantly breaking the planning laws which, presumably, was approved at DAA Board level.

With 65 flights per night the DAA already have twice the combined night-time flights of Heathrow, Gatwick and Stansted, or from a European perspective, more than the combined night-time flights of Heathrow, Charles De Gaulle, and Frankfurt airports! How they got this incredibly generous quota in the first place is beyond us. There is a good reason most airports in Europe which are close to highly populated urban populations more or less shut down at night-time and that night-time flight quotas are strictly enforced. It is

called Public Health and protection of the residential amenity. So Mr Sweeney, the “Head of Regulatory Affairs” for IBEC, who in the same article was critical of FCC’s enforcement action, is right about "unnecessary disruptions" but they are to the sleep of the citizens of North Dublin. He is also right about "does not align with good planning and business practices" but this is on solely the part of the DAA who have clearly known the average number of flights they are allowed under their planning for the last few year but have wilfully broken them. The responsibility for any "unnecessary disruptions" therefore sits squarely on the shoulders of the DAA Chairman and its board of Directors.

In a separate presentation to the Dail Transport Committee in November 2023 the DAA CEO was asked to explain his rationale for not including “Transit Passengers” twice when calculating compliance with the 32 million passenger cap at Dublin Airport. Mr Kenny argued , unconvincingly, that the DAA believes the passenger cap only referred to surface activity at Dublin airport. In the first instance there is nothing to support this assertion that the cap relates only to surface activity at the airport, and his rationale to not double count transit passengers makes no sense.

An Bord Pleanála Reference Number: PL 06F.220670 Condition 2 states:

“The combined capacity of Terminal 2 as permitted together with Terminal 1 shall not exceed 32 million passengers per annum unless otherwise authorised by a further grant of planning permission”. We also know that the DAA asked FCC was exceeding this cap a “material” breach of planning to which FCC ruled it was. We understand interactions from the DAA CEO’s recent appearance at the Dail Public Transport Committee, that the DAA then went to ABP for a ruling, but that ABP deferred to FCC’s view referred them back to FCC’s ruling. So the DAA have known for some years that any breach of the 32m cap was material.

Transit passengers use two flights (both the inbound and outbound flights) and therefore each flight movement impacts on the local environment (aircraft movements ,noise, pollution etc.) at Dublin Airport twice and should absolutely be counted twice. Each passenger typically equates to a single flight however transit passengers equate to two flights so it makes perfect sense to count them twice.

Eurostat States: “Data are compiled following the provisions of the Regulation (EC) N°1358/2003, implementing Regulation N°437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air. The air transport data are collected at airport level.

Eurostat also states “Passengers arriving and departing on a different aircraft within 24 hours, or on the same aircraft bearing different flight numbers. They are counted twice: once upon arrival and once on departure.”

For Mr Kenny to argue otherwise is nothing short of facile and shows the complete lack of knowledge or understanding by the DAA around the accepted definitions, planning laws (plain English as Senator Regina Doherty from the Transport Committee stated to him on this matter) which were planning laws put in place to protect the local population and environment when planning was granted. Mr Kenny’s arguments are nothing short by the Board of the DAA of a twisting of logic to counter the clear ruling by the planning authorities, which is completely unsupportable by any stretch of the imagination. This entirely subjective

interpretation is designed to support the DAA's commercial objectives at the price of the health and well-being of the citizens of North County Dublin.

These brazen attempts to contort the intended logic behind the planning condition cap of 32m add insult to injury when one considers that these circa 1m transit passengers add no real value to the local economy and only boost the DAA's commercial revenues from landing fees for which no doubt the DAA's Board Executives are handsomely incentivised and rewarded for attaining. Is there detail provided by the DAA or any conflict of interest with such revenue incentives, and the Board's wider social responsibilities as a semi-state body? Perhaps that is another discussion to be had but, in our opinion, such distorted logic is just another example of how the DAA pursues its commercial objectives with reckless abandonment, to the detriment and degradation of abiding with its strict and material planning conditions.

In his appearance Mr Kenny also referred to insulating "a few hundred houses" to help with noise mitigation when, in fact, there are many thousands of houses affected. Ballyboughal and the immediate environs has a population of 2000 people alone. It seems to us that Mr Kenny and the DAA board has no grasp, or chooses to have no grasp, of the scale of the problem when applied across North county Dublin.

BCC, along with other communities, contend that if these unauthorised flightpaths, breaches of night-time flights and the passenger cap at Dublin Airport, are effectively approved in hindsight, which is precisely what this Relevant Action by the DAA requests, that it would effectively completely undermine the integrity of the planning and consultation process.

To draw an analogy, if this were a €300m Road Motorway project the Village of Ballyboughal and all its homes would have been "unexpectedly" demolished without the residents of Ballyboughal being informed or having any chance to have a say in the planning process. The concept of such a catastrophic event for our citizens is too outrageous to contemplate, yet this is what the DAA are demanding of the residents of Ballyboughal live through, and ABP to approve, in order mask their incompetence and to satisfy their purely commercial ends under the guise of so-called national interest on major infrastructure projects.

In summary we also wish to include the below additional and more technical observations on why the proposed Relevant action should not be allowed :

3.1.2 Flightpaths and Noise Contours:

The flightpaths and noise contours presented in the DAA's EIAR supplement (in response to An Bord Pleanála's Request) are materially different from those approved in the application for the North Runway EIS 2004 -2007 Option 7b. and Noise Abatement & Flight Procedures in the North Runway Planning Permission (ABP Ref. No.: PL06F.217429) documentation. See extract below:

"6.2.4 Aircraft of Categories C/D (medium to heavy jets) departing to the west (Runway 28) are required to maintain straight ahead after take-off to 5NM before commencing turn, unless otherwise cleared by ATC above 3000 feet.

6.2.5 Aircraft of Categories C/D (medium to heavy jets) departing to the east (Runway 10) are required to maintain straight ahead after take-off to 5NM before commencing turn (if turning left), and 6NM (if turning right), unless otherwise cleared by ATC above 3000 feet. The disparity here is to ensure that southbound aircraft do not over-fly Howth Head. Northbound aircraft will turn over the sea thereby avoiding the communities of Portmarnock and Malahide."

Speaking to The Journal, Minister O'Brien – who is a TD for the Fingal area where the airport is located as well as being Minister for Housing – said it is his view that the airport is "using flight paths that weren't agreed."

"You can't go outdoors at the moment in some areas," O'Brien said, referring to the noise of overhead planes."

These new unapproved flightpaths currently being used and presented in the DAA EIAR supplement are based on aircraft turning before the 5NM and 3000 feet limits. This has resulted in intolerable noise problems for thousands of residents in North County Dublin who were not included in the original planning.

Areas such as Ashbourne are being overflown by aircraft causing aviation noise in the region of 60 to 70 dBA, which are not included in any insulation scheme. This is in breach of condition 6 of Planning Permission (ABP Ref. No.: PL06F.217429).

No consultation has taken place with the residents of the overflown areas in the unapproved flightpaths and noise monitoring is not fully in place along the new flightpath. This would appear to be in breach of condition 10 of Planning Permission (ABP Ref. No.: PL06F.217429).

Through this relevant action request, the DAA are consciously and deliberately trying to retain unapproved flightpaths without the prerequisite noise insulation abatement measures, consultation, and appropriate planning permission. We request that you consider this when making your decision as it will lead to an intolerable level noise for residents along the flight paths.

3.1.2 Night Flights:

An Bóad Pleanála restricted the quantity of night flights to 65 per night and imposed a condition that the North runway should not be used between the hours of 11pm and 7am, in order to ensure that there would be no deterioration in noise conditions at night, per the decision on the planning application by the DAA (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429).

There have been numerous news articles on the subject and an RTE Prime Time programme on the noise problems caused by the DAA change to flightpaths.

The DAA in conjunction with ANCA are planning to amend operating conditions per the DAA planning application (F20A/0668) to allow night flights while introducing a new noise quota system based on average noise levels without a cap on the number of flights (movements) per night.

They will allow a noise quota annual limit of 16,260, which can result in a very large number of flights on any given night.

Normal practice is to have a limit on flights (movements) per annum or per night as you can see from the table below of major European hub airports and an extract from UK Department of Transport night flight restrictions.

3.1.3 Night flight policies on major European hub airports:

Night flight restrictions at Heathrow, Gatwick, and Stansted,

Decision Document Moving Britain Ahead from the Department for Transport in the UK. Night flight restrictions - GOV.UK (www.gov.uk) :

“Set a two-year regime, from October 2022 to October 2024. During this period, we intend on keeping the existing movement and noise quota allowances that are in place at the designated airports.” These are set out below:

Airport Seasonal Period		Movement Limit	Noise Quota Limit
Heathrow	Winter	2,550	2,415
	Summer	3,250	2,735
Gatwick	Winter	3,250	1,785
	Summer	11,200	5,150
Stansted	Winter	5,600	3,310
	Summer	8,100	4,650

We request that you do not approve the DAA application to remove the 65 / night limit on flight per condition 5 of planning permission PL 06F.217429 granted for the development of North Runway.

Please maintain condition 3d to restrict the use of the North runway 10L-28R between 2300 and 0700 hours to prevent an escalation in noise problems in North County Dublin.

Please maintain condition 3d to restrict the use of the North runway 10L-28R between 2300 and 0700 hours to prevent an escalation in noise problems in North County Dublin.

Also, please consider and comment on why ANCA has agreed to do this against the background of the current protect against the noise level in North County Dublin and considering what other European airports do in relation to night flight caps.

The DAA have been in breach of the 65 flights per night limit throughout 2023 which has resulted in an enforcement notice and High Court case. If An Bord Pleanála decided on this application prior to completion of the High Court case, there is a possibility that your decision may affect the outcome of the case.

3.1.4 Airport Capacity:

An Bord Pleanála Reference Number: PL 06F.220670 Condition 2 states:

“The combined capacity of Terminal 2 as permitted together with Terminal 1 shall not exceed 32 million passengers per annum unless otherwise authorised by a further grant of planning permission”.

The DAA exceeded this condition in 2019 and are likely to exceed it again in 2023 unless planning conditions are enforced.

Currently the DAA count transit and transfer passenger arrival and departure as one count as opposed to two counts. This means that the DAA is currently understating the passenger cap by approximately 1m passengers which means it will effectively breach another planning condition by the end of 2023.

The CSO states “Transit passengers are included and are counted twice (i.e., both as arriving and departing passengers)” in their statistics. This means that the DAA are likely to exceed the 32 million passenger per annum limit again this year if you take a reasonable interpretation of the PL 06F.220670 Condition 2.

Approving a change to increase the hours for daytime operation of the North runway will result in increasing capacity and will give the DAA the ability to exceed their regulatory limit of 32M passengers. This is detrimental to the residents of North County Dublin and puts extra pressure on the services (such as Garda, bus service and road maintenance) while at the same time overloading existing infrastructure (such as Terminals, roads to the Airport and carparks). Why would any reasonable manager or neighbour do this?

3.2 DAA's Noise Modelling is flawed:

As if the above was not sufficient in itself to reject this Relevant Action by the DAA we can also see that the theoretical modelling used by the DAA in their original planning application and their current Relevant Action has grossly underestimated the noise impacts on local residents, as described by the residents themselves in sections 1.3 and 1.4, and is not fit for purpose.

The nearest monitoring station to Ballyboughal is 8.5 km away in Balcultry. It is the equivalent of measuring air pollution in Ballymun from an air monitoring station in Ballyfermot! The noise contours and modelling based on the current flight paths have no relevance to those in the DAA's original planning application. There is no noise data pre-implementation and to date, there is no data in from Ballyboughal apart from strong anecdotal evidence in video and dB readings from the residents of Ballyboughal, which are far more than the DAA's modelling. Over the last year we have recorded aircraft noise regularly from aircraft between 70dB and 90dB. While the DAA have an approved planning application for a noise monitoring station in Ballyboughal

National School, which we support, this monitoring station is not yet in place, and is unlikely to be so until at least 2024, so there is no historical or real data on which to confirm or assert that the DAA is compliant with their noise monitoring and modelling assumptions. The only real evidence we have is what residents are saying and measuring. It is intolerable, and certainly nowhere close to the DAA's "everything is rosy in the garden" approach.

To allow the DAA to continue to proceed as they have when the clear evidence is of something terribly amiss, with over 30% of our sample respondents saying the noise is so bad they will have to sell up their homes, would be a travesty of justice to 10's of thousands of residents and their residential amenity which, we believe, ABP is duty bound to protect.

In the attached link you will find many videos of aircraft overflying Ballyboughal Village taken intermittently of the last 15 months by a resident living just 500 metres Northeast of Cnoc Dubh Housing estate in Ballyboughal Village. Several screen shots show flightpaths and "average" dB readings taken while the aircraft are flying overhead. The right-hand arrow shows the peak sound experienced and regularly approaching 80dB and often going above this level. The two most recent video demonstrate the sound from inside the house in an upstairs bedroom and downstairs toilet.

<https://drive.google.com/drive/folders/1Vj616V3hallXUXtzbUWAMvze4X4umas?usp=sharing>

On a more technical level we have also included these observations, for your consideration, of a resident from Portmarnock who has shared and made some very simple points on the noise modelling and expressed them in simple language following extensive research. We fully support these observations.

1. *The two aircraft movement restrictions that are proposed by the DAA be removed and replaced in the planning application are currently the ONLY two provisions providing protection against dangerous concentrations of aircraft noise at night. If the proposed changes proceed they expose communities across Fingal and Meath to the prospect of virtually unlimited concentrations of aircraft noise at harmful levels during the hours of night.*

a. *The proposed night noise quota would allow as many as 178 737-800's (the preferred aircraft in Ryanair's fleet currently by way of example) or c360 737-Max's which are growing in use but only slightly quieter. Either of these types of aircraft will generate noise levels above the WHO strong guidance during landing and take-off, for affected communities.*

b. *Internationally, the noise quota systems are used to restrict the use of the loudest planes but recognised not to restrict the overall noise nuisance unless they are used in conjunction with other limits and particularly a limit on movements also. That is because the decibel ranges are turned into points and at the upper and lower end of the points, the ranges are unlimited. So, in theory:*

i. the noise of a jet breaking the sound barrier at 300ft, noise that could awaken all of Dublin, could get the same points as a 747 coming in to land.

ii. a single aircraft generating over 94db could attract the same points as 100 aircraft generating over 83db (this is actually an example taken from the US FAA website as they explain the limitations of noise quotas)

2. The calculations underpinning the assessments of the potential impact of the changes are evidentially unreliable for the purposes of making any significant decision such as changes to restrictions.

a. The noise contours are generated on models developed and run by the applicant that have not been validated as reliable for the purpose they are being put to. The high-level review commissioned by ANCA does not include:

i. Assessment of Input data accuracy and completeness

ii. Assessment of impact of all modelling assumptions

iii. Assessment of impact of output modelling adjustments

iv. Assessment for impact of model coding errors

b. As the models are creating simulations of what might happen (or might have happened for historical contours) the information should include - but does not - evaluations of variability and key sensitivities. Internationally, these models are known to sometimes show wide variability to actual experience and to be very sensitive to certain variables such as deviation to core expected flight path.

i. One would expect to see the impact of one and two standard deviations to the contours and to the number of people assessed as annoyed/disturbed

ii. One would expect to see sensitivities to flightpaths/routes being different or 'distributed' around the core path on contours and number of people highly annoyed/disturbed

c. The model simulations are supposed to be validated and calibrated with reference to the actual noise measured by receptors around the airport. The only validation of this sort, referenced in the planning papers, shows the modellers only 3 of the receptors (there are up to 18) closest to the end of the runway for only two months in 2018 (Jan and Dec). This is not adequate to extrapolate across the entire flightpaths affecting communities, or across the entirety of the year (given meteorological conditions have a significant influence on calculations) in Fingal and Meath or to the North Runway which did not exist in 2018.

d. The assessment of a decrease in people affected by harmful levels of noise is with reference to 2019. There is no comparison offered or independent check to made to ensure the

model applied each year from 2019 is the same or to show what differences changes in the models or assumptions over time have on generating the expected reduction.

3. The limited choice of metrics used in the assessment of the potential for increased harmful effects of noise on neighbouring communities, and the approach chosen to averaging that is applied to these metrics, has the effect of supporting an increase in the number of people exposed to harmful levels (through re-distribution) while appearing to reduce it.

a. The international regulations guiding Irish law/regulation on managing the harmful effects of aircraft noise allow for and encourage the use of additional metrics to Lden/night when measuring and managing noise that is intermittent over time (such as aircraft noise). Lmax is pointed to as a commonly used aircraft noise metric as, combined with the number of movements above a threshold, this allows for limits to be put on the number of opportunities for awakenings during the hours of night.

b. The use of Lden/night averaged over 365 days is only the minimum that must be measured to provide international comparisons and comparisons across noise types (e.g. traffic noise generation v trains v aircraft). It is no-where promoted as an adequate metric alone for managing noise. Lden/night metrics may be averaged over any period that is relevant to the noise hazard.

c. By choosing to take the noise Lden experienced by aircraft taking off on the North Runway c30% of the time (wind blowing from east) and averaging it as if it were happening 100% of the time, it clearly dilutes the effect. This means that communities experiencing damaging levels of noise 30% of the time appear not to experience damaging levels at all. To take a different analogy – if we were to expose 50% of the population to dangerous radiation for half of the week and 50% to dangerous radiation for the other 50% of the week but average the radiation for each over the full week such that it was below the dangerous level... it would not protect both communities from cancer. Distribution of noise is one of the key strategies that is openly applied to reduce the number of people counted as Highly annoyed/disturbed. That only works due to the choice of metrics and the averaging.

4. The Ground Noise impact of increased number of aircraft movements that would be allowed (by removing the 65 limit and by reducing the hours of night restrictions) for the closest communities to the airport, has not been measured/simulated.

a. Ground noise generated by planes on the runway at maximum thrust is commented on by NCL as having been considered by DAA as insignificant without any supporting evidence.

b. Ground noise is not included in Lden/night and there are no additional measures offered (albeit international guidance points to the need for separate measures).

c. Ground noise will increase with aircraft movements yet there is no assessment offered in any of the papers supporting the planning application.

5. *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.*

6. *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 (no judgement) turned out to be mis-leading 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.*

7. *The potential for a significant increase in aircraft as a result of proposed nighttime restriction changes (which could include parking of planes, more cargo planes etc without significantly affecting the passenger numbers) has not been assessed for impact on air quality pollution...*

8. *The Noise Insulation proposal has no supporting evidence to show that it will provide any meaningful mitigation. There has been no evaluation of the effectiveness of the noise insulation that has already been deployed and none is planned. Anecdotally, those who have had it deployed (small in number) have found only small improvement in the noise impact when all doors and windows are shut. There is also no assessment offered as to what % of the total cost the grant may typically cover. It would only partially pay for changing all doors, windows and then insulating roof and walls in most homes and average earners would not be able to afford the balance.*

3.3 The negative Health impacts of Aircraft Noise Pollution have been totally understated and ignored by the DAA.

3.3.1 DAA is Ignoring the science and the obvious

It is clear from our survey findings in sections 1.3 and 1.4 that the unauthorised flight paths have caused enormous distress and anxiety to the residents of Ballyboughal and Oldtown, the negative health effects and cost to the state of which, are yet to be fully understood and realised. There is a wealth of scientific evidence and medical facts supporting the medical view that excessive aircraft noise leads to increased risks of mortality, cardio-vascular disease, central nervous system disorders, stroke and other life threatening and impacting diseases, as well as serious cognitive impairment in children. These reports are credible and

supported by the World Health Organisation , and the EPA in Ireland, who have publicly deferred to the findings and guidelines of the former on these matters. Given the number of people effected in Fingal by the DAA's activities, well in excess of 30,000, the seriousness and the cumulative impacts of these scientific medical facts cannot continue to be ignored as the DAA have effectively done in their Relevant Action.

The DAA in its Relevant Action provides just a 5-page document to address the health impacts from Aircraft Noise on residents near Dublin Airport, only dealing with night-time noise. This document (Penzel-report-Dublin FINAL 11.09.23.pdf) is tucked away in an appendix at the end of the DAA's 500 odd page submission for the Relevant Action:

Report on awakenings as a response to noise during sleep.5 September 2023

Note with respect to noise effects on health

Night-time use of the runway system at Dublin Airport

Reference to the Relevant Action Revised EIAR (September 2021)

ABP-314485-22 F20A/0668 DAA PLC

by Prof. Dr. Thomas Penzel (Charité Berlin, Germany)

Prepared for Tom Phillips + Associates

The document does not state how much Dr Penzel was paid for his advice but apart from its brevity on such a critical topic, there are glaring omissions.

1. There is no mention on the known effect on human health from excessive aircraft noise above 45dB from repetitive day-time flights.(All of our measurements in Ballyboughal since August 2022 show aircraft continually exceeding these levels by between 50% and 100%)
2. There is no mention of any other credible research countering his dismissal of the impact of night-time flights on sleep patterns even though there are many such scientific papers and research readily available as highlighted in this section from a cursory search of the internet.
3. There is no mention of the World Health Organization recommendations or guidelines on the mitigation of aircraft noise and the known negative impact of same on the Health of citizens in close proximity to aircraft noise.
4. The author makes 2 and 2 equal 5 when he states from a selectively chosen report that " *While the paper identifies a link between aircraft noise and awakenings, it does not include advice on noise thresholds or a definitive assessment of impacts. We therefore have no conclusive research on the appropriateness of using the probability of additional awakenings in order to assess the effects of peak noise levels of ATMs*"

This statement is outrageously deficient in logic given the basic information which any layperson can find on the WHO's website which offers clear guidelines on thresholds and an assessment of the impacts, as to make the report completely imbalanced and useless. The depths which the DAA will stoop to in order

to avoid confronting the problem head on seems to know no limits. The DAA could have gotten free advice on Chat GPT where a simple question like the one we input below gets the following answer:

What are the known health side effects of exposure to constant aircraft noise at nighttime and during the day?

ChatGPT

ChatGPT

Exposure to constant aircraft noise, both during the daytime and nighttime, has been associated with various health effects. Some of the known health side effects include:

1. Sleep Disturbances:

- Aircraft noise can disrupt sleep patterns, leading to difficulty falling asleep, frequent awakenings, and overall reduced sleep quality. Nighttime noise can be particularly problematic as it interferes with the body's natural circadian rhythm.

2. Cardiovascular Effects:

- Long-term exposure to aircraft noise has been linked to an increased risk of cardiovascular diseases, including hypertension (high blood pressure), coronary artery disease, and stroke. The stress response triggered by noise may contribute to these cardiovascular effects.

3. Stress and Anxiety:

- Continuous exposure to loud aircraft noise can lead to chronic stress and anxiety. The body's stress response, including the release of stress hormones like cortisol, can have negative implications for mental health over time.

4. Cognitive Impairment:

- Prolonged exposure to noise, including aircraft noise, has been associated with cognitive impairments, including difficulties with concentration, memory, and problem-solving skills.

5. Hearing Loss:

- Exposure to loud aircraft noise can lead to hearing loss, especially if the noise levels exceed recommended limits and if individuals do not use adequate hearing protection.

6. Annoyance and Quality of Life:

- Aircraft noise can be a significant source of annoyance for people living in affected areas. Chronic annoyance can negatively impact overall quality of life and well-being.

7. Adverse Birth Outcomes:

- Some studies have suggested a potential link between exposure to aircraft noise during pregnancy and adverse birth outcomes, including low birth weight and preterm birth. However, more research is needed to establish a clear causative relationship.

It's important to note that the specific health effects can vary depending on factors such as the intensity and duration of the noise, individual susceptibility, and the presence of other environmental stressors. Regulations and guidelines for acceptable noise levels are in place in many regions to mitigate the potential health impacts of aircraft noise. If you are concerned about noise exposure in your area, it is advisable to consult with local health authorities or environmental agencies for information and guidance.

It is interesting that neither the WHO, nor the EPA or ChatGPT, refer to the findings from the eminent Dr Penzel from Germany in their assessment of the Health Impacts from Aircraft noise at night-time. This report

from Dr Penzel must be called out for what it is – complete drivel! There is not even a inkling of an acknowledgment by the DAA of the true science that is widely available.

3.3.2 Similarities to the Coal Industry in Ireland and their efforts to ignore the facts.

In the early 1980's the powerful and wealthy Coal Industry in Dublin, which had become enormous during the oil crises of the 1970's, lobbied heavily against the introduction of smoke free zones in Dublin. This was despite well-documented medical evidence going back to the 1950's in London of the impact of burning coal on open fires and the impact of smog on the health of a city's residents (there were 4000 excess deaths in London during the great smog of 1952 which resulted in the UK's Clean Air Act of 1954).

In Dublin in the late 1970's and early 1980's there was already widespread anecdotal evidence that there was a big problem with smog and our air quality, particularly the 4 highly populated areas of Ballyfermot/Clondalkin, Ballymun, Rathmines, and the north inner city. Numerous state bodies and (the now) Professor Luke Clancy, in particular, had authored compelling papers on the problem of Air Pollution which were poorly understood at the time. Dublin City Council had correctly installed 14 atmospheric pollution measuring stations in the city which indicated increasing levels of breaches of EU safe levels which were often multiples of the World Health Organisation's guidelines for smoke and Sulphur Dioxide levels for days at a time.

The coal industry lobby had said, up to 1985, that there was no evidence of a problem and cited annual averages of air quality in these areas, which naturally hid the regular and extremely serious breaches of European air quality standards over prolonged periods of freezing weather. The Air Pollution Act legislation, which was introduced by a courageous Minister, Mary Harney, TD, in 1986 ultimately changed the air quality landscape of the city and over the last 40 years has saved countless lives as well as improving the quality of life for millions of Dublin residents. Following research for a thesis on Air Pollution in Dublin, this author produced a report at the time for the coal industry market leader, CDL, which detailed the problems and that the industry was in denial, and recommended strategies to diversify to smokeless fuels. This later strategy was taken up by the then Marketing Director, Eugene Gibney, who shortly after, became CEO, of CDL. More enlightened individuals in the Coal industry, like Mr Gibney recognised that it had to change and move with the times.

We raise this Coal Industry story now as there are many similarities to the current approach of the DAA and the Coal Industry pre- 1985 :

1. A compelling and a growing body of global medical evidence on the negative impact of Aircraft Noise Pollution on human health is being ignored and dismissed.
2. Statistics and complaints are being massaged by the industry and distorted to give the impression there is no problem – just a few hundred disgruntled residents living beside the airport looking for

compensation – after all, they chose to live beside an airport so what could they expect? (remember that Ballyboughal is 10km from Dublin Airport). And of course, the DAA's favourite line is that 85% of annual complaints are from just one complainant!

3. Alternative strategies to minimise the problem have not been discussed at a national level – we have started so we will just continue as we are going regardless of the consequences and the straightforward evidence that there is something terribly wrong. The DAA can even change the flightpaths from their planning permission and expect to get away with it.
4. An Industry lobbyist like Michael O'Leary has gone as far as to state publicly that local communities are making a "big dog and pony show" about the runway and flights at Dublin Airport.

"Some of these complainers are self-appointed – they live in Ballyboughal, which isn't even on the flightpath," said Mr O'Leary.

"So, no, I don't have any sympathy. If you live somewhere around an airport, you should expect some noise. The noise at Dublin Airport is less than it is in the centre of Dublin and in any of the train stations."

Well, apart from the fact he has not done his homework about the flight paths (see the map and Flightpaths above in **Figure 1**) the residents of Ballyboughal don't live in the city centre or in a train station, but in a beautiful part of the countryside which is known for its peace and quiet, and is the main reason most people like living there. Many people have bought or built their homes based on the flight paths provided by the DAA in their planning submission.

(He is correct that we are self-appointed because of the failures of FCC and ANCA to do their jobs)

More recently, last month, Mr O'Leary was reported as stating in the media "that the DAA should just ignore the 32m passenger cap".

It is clear that the only thing that Mr O'Leary cares about is Ryanair's profits and his impending €100m bonus. We are watching an industry led by the DAA, and the likes of Mr O'Leary, where none of the decision makers live under flightpaths (with just two DAA directors living on the Northside of the Liffey). Would these directors have behaved differently if the flightpaths were over Sandymount, Dartry, Rathfarnham and Dalkey, or would Mr O'Leary be saying the same if his beloved Gigginstown Stud was being overflown every few minutes by aircraft at 5000 or 6000 feet and upsetting his racehorses?

We very much doubt it.

One enormous difference with the two industries then and now is that the Coal Industry was not deliberately breaking any planning regulations or laws as the DAA has manifestly done. At the time in the early 1980's air quality legislation was not in place however in 2023 there are aircraft noise planning and associated noise mitigation conditions fully in place which are legal obligations upon the DAA. However when the Air Pollution Act was enacted by the Dáil in 1986 the Coal Industry complied with it fully and diversified into smokeless

fuels. At no point did they say publicly that the planning “was too onerous to implement” as the DAA CEO stated on a recent RTE Prime Time documentary earlier this year in relation to its current planning conditions.

3.3.3 Hiding the true Health costs

There has been zero debate on the economic health costs to the state of this fall-out over time. If we take that figure of 30,000 impacted people and just 1% of those experience excess mortality rates and serious illnesses they would otherwise not endure, that is nearly twice the total number of people killed in car accidents every year in Ireland, which we, as a nation, are desperately trying to reduce because of the dramatic cost to society. Car crashes, by their nature are easier to understand because they are so dramatically obvious, traumatic and often fatal, Noise pollution on the other hand is less tangible and easier to ignore by those that do not understand how it works. Noise pollution, like air pollution, works stealthily over time to degrade human health and is often hard to nail down and articulate medically, very often being internalised physically and emotionally with serious long term effects. The economic health costs from the current unauthorised flightpaths in the concentrated and highly populated region of Fingal, which have not been properly environmentally assessed, could well run into billions of euros over time, putting an already stretched HSE public health service under further stress. Without being sensationalist, there is a very strong argument that, more than likely, these hidden costs could largely offset or exceed any economic benefits which accrue to the state.

The DAA board have their heads so deeply in the sand and are so committed to their own profitability that any balanced national debate around the impact on the health residents of Fingal and alternative strategies to mitigate same is impossible. It does not exist as an issue for the current DAA Board. While not in the remit of ABP, BCC believe that this DAA board must be replaced by one that takes this problem seriously and does not operate solely for its own commercial self-interest. There should be representation from local communities on the DAA Board of Directors to voice and protect their interests, reasonably, at Board level.

In the absence of this, and given the failures of FCC and ANCA to do their job, this ABP Relevant Action is the last opportunity outside of the courts, either in Ireland or Europe, for the planners to address the negative health effects on the residents of Fingal and to highlight the total lack of effort by the DAA to address the same in any meaningful or constructive way. We respectfully urge ABP to reject the DAA's Relevant Action until a proper assessment and review of the latest medical evidence and a full environmental assessment of these radically different flightpaths is introduced to the planning process.

4. Regulatory and Governance failures of a system which is not fit for purpose.

4.1

There been a complete failure in Regulatory Governance by ANCA and Fingal County Council to adequately monitor and enforce the adherence by the DAA to the strict conditions imposed by ABP in its planning permission for the North Runway which has allowed the DAA, for over 16 months, to continue to deliberately breach strict planning conditions which were put in place by ABP when granting permission for the North Runway development.

The DAA have deliberately planned to breach its planning permission, for example, their average night-time flights cap of 65, which they have exceeded by 50% up to very recently and is now subject of a court enforcement action by FCC. This is the equivalent of getting planning permission of a 2-storey house and building a 3-storey house. This breach was exposed, to quote FCC, "Following complaints by residents" and note, NOT any Regulatory authority. Such breaches of planning have not only exposed the DAA Board to potential criminal prosecutions. A fact which the Judge highlighted in the preliminary High Court hearing and was extremely critical of FCC for not following their procedure and lodging their enforcement action correctly on the planning portal which has allowed the DAA to delay matters on legal technicalities. The seriousness of the DAA's actions, if prosecutions follow, cannot be understated.

In addition to this, in deliberately breaking the planning conditions and law, the DAA Directors have broken their fiduciary duties as Directors to the DAA organisation itself which may be a matter for the Office of Corporate Enforcement at some future point. The DAA have not denied that they breached this night-time cap as the statistics clearly show it in black and white. The DAA now wish, through this Relevant Action, to retrospectively fix this, without going through a new planning process and proper environmental assessment.

The DAA's actions and the total failure of the Governance and Regulatory environment to monitor and correct these breaches and at least four other breaches of planning which are being "investigated" by FCC, in a

timely manner, in addition to undermining the integrity of the planning process , have caused major distress and have impacted the health and well-being of tens of thousands of residents in Fingal .

The manifestations of these failures are borne out by the fact that resident groups like FORUM representing thousands of private citizens in Fingal have had to fund raise over a quarter of a million euros to fund impending legal cases against the DAA to protect their residents. BCC alone has raised and contributed over €20,000 euros for this effort from small donations across our community. Despite claims to the contrary from some quarters, nobody in Ballyboughal wanted this or is doing it for compensation claims, as it is such a stressful and time consuming undertaking, they just want the planning process protected and their peace and quiet back, and to get on with their lives as they were before the 24th August 2022. It must be clear to any objective observer that residents are forced into taking strategic legal actions because neither FCC or ANCA have done their job in any effective fashion.

ANCA, which sits in the same offices and under the CEO of FCC is completely compromised, given FCC is one of the biggest revenue receivers from the DAA, with over 20% of their commercial rates coming from the DAA. We understand that FCC received over €20m in development levies in 2022 from the development of the North Runway. This cosy relationship is borne out by the complete lack of real activity by FCC and ANCA to control the DAA in a timely manner both in adequately monitoring its planning permission and ensuring adherence to the formal noise abatement policies for Fingal. The sloth and delays in enforcement actions, given the seriousness and extent of the problem are unforgiveable.

In its own report on noise effectiveness abatement in Fingal:

<https://www.fingal.ie/news/anca-reports-effectiveness-aircraft-noise-mitigation-dublin-airport-2022>

ANCA admits that the DAA is not compliant with its Noise objectives for Fingal:

“This review indicates that although the longer-term NAO required outcomes are lower than the 2019 baseline levels, one of the four NAO expected outcomes has not been achieved for the 2022 assessment year. The inventory of noise mitigation measures in place at Dublin Airport as submitted to ANCA does not incorporate all noise mitigation measures contained within planning consents and does not reflect three runway operations as in place since August 2022. It must be concluded that the noise mitigation measures identified by daa and provided to ANCA (Appendix A) have not been effective in achieving the fourth NAO outcome within localised noise bands.

Although this report is for the 2022 assessment period, it is noted that airspace changes were introduced for westerly departure routes from the north runway in February 2023. This change will further affect the noise climate around the airport and may have an impact on the effectiveness of the noise mitigation measures in place at the airport for 2023.

Where effective measures are not in place to ensure that the outcomes of the NAO will be achieved, interim targeted measures may be required to mitigate the aircraft noise impact. For

example, there are homes located within the NAO priority level of 55dB Lnight that do not currently have access to home insulation measures through an approved insulation scheme."

Not surprisingly, although ANCA have "shared their findings with the DAA" this fact is referenced nowhere in the DAA's most recent Relevant Action documentation. Why?

And importantly, if the current flightpaths were known and anyway close to the original planning, why is the DAA and ANCA suddenly rushing to get noise monitoring stations into areas like Ballyboughal? Is it because there is no accurate actual data for Ballyboughal and nobody anticipated in the modelling they would be overflowed? "Unexpectedly" even.

More token gestures after the horse has bolted.

While ANCA posture around the issues without taking any meaningful action, the DAA claims to be compliant with everything when in fact it is patently not. Not only have ANCA kicked this ball down the road in a characteristically nebulous fashion, but they have also suggested the possibility for "interim" noise mitigation measures (effectively changing the planning conditions) which we are sure would suit the DAA, ANCA's effective paymasters, down to the ground.

4.2 FCC Executive is not representing the citizens of Fingal

On the 14th of September 2023, a motion from councillor Cathal Boland calling for the removal of the Board of Directors of the DAA was passed by over 40 FCC councillors. The motion was based on the DAA's consistent failures to show understanding of the planning conditions for the North Runway. BCC had passed a similar resolution on the 4th of September 2023 and issued a press release to that effect which is provided below.



Press Release 4/9/2022

For Immediate Release

Ballyboughal Community Council calls for the Resignation of DAA Directors and Chairman of the Board amid breach of Night-Time Flight Allowances and other Planning Breach Investigations by Fingal County Council.

Ballyboughal, Co Dublin – In light of the alarming and ongoing breaches of night-time flight allowances and the strict planning conditions attached to the 2007 permission for the North Runway granted by An Bord Pleanála, the members of Ballyboughal Community Council passed a resolution at its monthly meeting on the 30th August 2023 to vehemently call for the immediate resignation of the Directors and Chairman of the Dublin Airport Authority (DAA).

The night-time flight restrictions, of an average of 65 flights per night over a 3-month rolling period, and the meticulous planning conditions established by An Bord Pleanála when granting planning permission for the North Runway, were designed to safeguard the residential amenity and the public health of North Dublin's residents. However, the DAA's deliberately planned violations of these conditions, in particular averaging 105 night-time flights since the 15th of June 2023, have raised serious concerns about the DAA Board's blatant disregard for both the planning laws and the well-being of the communities across North Dublin which it is a neighbour to. Ballyboughal village, with a population of just under 2000 residents is 10km from Dublin Airport.

The DAA's actions are not only in breach of the fiduciary duties they owe to the company, in particular a duty of Care and Skill, but also reflect a lack of competency, accountability, and transparency. The continued use of flight paths that deviate from their planning permission and public consultation, where highly populated areas and townlands of North Dublin continue to be "unexpectedly overflowed" (DAA's own words when they initially apologised to the residents of Ballyboughal and Oldtown in December 2022) is a clear indication of the DAA's failure to uphold the trust placed in them by the public and regulatory authorities.

In a statement issued today, Ballyboughal Community Council stressed that "The Chairman and Board of Directors of the DAA have demonstrated a shocking disregard for the rule of law, planning regulations, and the health of our community. Their actions and behaviour fall far below the ethical standards expected of leaders in a semi-state body. We demand their immediate resignation, as their decisions have not only endangered public health and caused much distress and disruption to many thousands of residents across North Dublin but have also severely damaged the reputation of the organization. This blatant disregard for the board's legal responsibilities and to uphold basic ethical standards must not go unchecked."

In a striking violation of planning laws around night-time flights, the DAA's actions could potentially lead to criminal charges if prosecuted by Fingal County Council.

The DAA is currently being investigated by Fingal County Council on 4 other areas where it is alleged to be in breach of its planning conditions relating to the North Runway development. Furthermore, ANCA (the Aircraft Noise Competent Authority), in a specific report recently published in August 2023, has stated that the DAA is non-compliant with the Noise Abatement Objective (NAO) for Fingal.

According to ANCA "The inventory of noise mitigation measures in place at Dublin Airport as submitted to ANCA by daa does not incorporate all noise mitigation measures contained within planning consents and does not reflect runway operations as they have been since August 2022. On foot of this review, it must be concluded that the noise mitigation measures identified by daa and provided to ANCA (Appendix A) have not been effective in achieving the fourth NAO outcome within localised noise bands. "

"The Community Council believes that such consistent failures by the DAA board raises serious questions about their value of the integrity of the planning system as well as their competency as Directors. We call on the Irish government to intervene and remove the current DAA board and Chairman of the Board if they refuse to resign".

Additionally, the Community Council urges Fingal County Council to pursue their legal action against the DAA to enforce planning regulations and protect the interests of the community.

"We demand that Fingal County Council rigorously defend and pursue their legal enforcement action against the DAA for their deliberate breaches of night-time flight planning permission. Criminal prosecutions are warranted to hold the DAA board accountable for their actions and to send a strong message that such behaviour, by the board of a semi-state body or any other organisation will not be tolerated. A defence based on legal technicalities cannot protect the DAA Chairman and board from the actual flight statistics and the fact that they deliberately planned, some time ago, to exceed the night-time planning restrictions by 50%. The overly generous night-time flight allowance of 65 flights per night is more than the combined night-time flights for Heathrow, Stansted, and Gatwick airports in the UK, or more than the combined night-time flights of Heathrow, Paris CDG, and Frankfurt Airports, which are among the largest airports in the world. The responsibility for this reckless act to breach this permission rests solely with the DAA board, as do the consequences."

Ballyboughal Community Council emphasizes the urgency of resolving these issues to preserve the quality of life and health of North Dublin's residents and to uphold the integrity of the planning regulations and process.

"The Council recognises the importance of Dublin Airport to the local and national economic infrastructure however this does not give the DAA board permission to act outside the laws which are designed to protect the health and quality of life of its neighbours in North Dublin. Furthermore, the impact of any night-time flight cancellations, or any rescheduling as a result of the DAA abiding with its night-time flights planning permission, would be a very small percentage of the overall annual passenger traffic at Dublin Airport which is currently operating at its planning permission capacity of 32m passengers per annum. In particular, the Council is disturbed by the fearmongering around mass flight cancellations, and the passenger numbers impacted, as recently promulgated by the DAA Chairman. Separate to the exaggeration of the passenger numbers involved, as many of the flights are freight flights and are not carrying passengers, as a basic managerial competency, the DAA Board should have considered this before they scheduled such flights and planned to deliberately breach the strict conditions of their planning permission around night-time flights which were imposed by the highest planning authority in the land. Such reckless behaviour by the DAA board clearly shows

they are unfit to hold board positions in a semi-state body and should resign or be removed immediately".

The collective efforts of concerned citizens and community organizations across North Dublin aims to restore accountability and ensure that the DAA fulfils its legal obligations to all members of the public.

For media inquiries, please contact:

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Spokesperson on Aircraft Noise Pollution

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In our opinion, it is essential that before any further changes to planning conditions granted to the DAA by ABP, the Regulatory and Governance functions around this planning must be moved into a "fit for purpose" environment, and be removed to a genuinely independent body such as the EPA, with the will and teeth to monitor and control the DAA's blatant breaches of planning conditions. We can think of no other regulated industry (for example such as the Banking & Financial, Insurance, or Telecoms sectors) which has been so poorly served in protecting the citizens and laws it was put there to protect as the citizens of Fingal have been served by ANCA and FCC in its regulatory and planning capacity. How can FCC grant permission for a development, and following its investigations, a full 15 months later, still not be able to conclude whether the DAA is compliant or not with the flightpaths of the planning permission it granted. IF FCC had the competence to grant planning permission in the first place then surely they also have the competence to state whether the DAA are compliant with the planning conditions. This matter needs the urgent attention of the Government and EPA. In the absence of this, we urge ABP to recognise the abject failings of the current environment which should make it impossible to approve this Relevant Action by the DAA, at least until such time as a properly functioning Regulatory and Governance environment is in place.

The only way we can see this happening is if ABP reject this DAA relevant action on the grounds of the evident failures of the regulatory authorities and FCC and ANCA to manage and control the DAA in an appropriate fashion, and the likelihood that, if past performance is a good measure of future performance, they are highly unlikely to be able to do so in the future.

5. Complaints: The DAA complaints process is not fit for purpose.

5.1

The ANCA Regulatory authority, tasked with monitoring noise pollution and Regulating same, does not accept or manage complaints from the public. When we first complained to the IAA last year they referred us to ANCA, and ANCA then referred us to complain to the DAA, who is the primary source of the noise pollution. This goes against any known model for an industry Regulatory body where consumer and public complaints are typically the primary tool used to assess ,monitor compliance, and respond to the impact of industry player activities on society.

This also shows an obvious conflict of interest as complaints are not managed or accepted by any Regulatory authority except the DAA which is the prime source of the offending flight paths and noise pollution. This allows the DAA to filter the complaints and use in their own PR machine to spin and minimise the true levels of complaints for wider public and media consumption. Where else, in any developed society or industry sector, does a regulatory authority allow the sinner to investigate its own sins and present its own data? This is completely counter-intuitive to any logical understanding of how a properly functioning regulatory authority should work.

As our survey clearly confirms, the experience of using the DAA complaints process is fundamentally flawed and we believe has been designed by the DAA to fail. Complainants must complain about each individual flight and have all the flight details to hand if they are to get a response regarding each flight. This is cumbersome and time consuming and allows the DAA to project an image that there are relatively few complaints. There is no qualitative element to the complaint platform which allows complainants to complain about multiple flights on a single day, and for these complaints and flights to be accurately quantified in the DAA's reports.

<https://www.dublinairport.com/corporate/corporate-social-responsibility/noise/complaint-form>

For example, if each the 154 residents in our surveys who put their names down and asked to us to complain on their behalf, had to complain about each individual flight it would take approximately 10 minutes for each complaint, and therefore all day for each individuals complaints to be represented in order to capture the qualitative and quantitative nature of a single complainant who wants to complain about multiple flights which he or she may not have the flight details of. The Complaint form clearly states that **“Please note, only one complaint will be logged per form.”**

And you invariably get an answering machine if your ring the 1800 200 034 number.

The DAA takes immense pride in saying how relatively few people are affected and that 85% of complaints come from one single complainant. This individual (we do not know who he or she is), is then highlighted by the DAA in their reports and effectively portrayed as some kind of obsessive lunatic with nothing better to do, and who is skewing the small level of other complaints. When, in fact, that complainant is the only person using the complaints platform properly, as it is designed by the DAA. If we all complained like this complainant would we be considered mad? Probably but it would also represent the true anger in the community. Very few people, who have used the DAA's complaints platform, as we have, have the will or the time to complain about each flight, which is exactly what the DAA wish to happen, thereby facilitating what they want the wider public and authorities to believe. The fact is that the more one complains and uses the DAA system the more stressed one becomes with each complaint and over time it becomes overwhelming for most people which is exactly the “wearing down” effect that the DAA wish to happen.

Then also consider if each of the 154 complainants on our survey was able to complain about each flight that affected them negatively over Ballyboughal every day for the last 15 months. Say, conservatively 200 flights per day, 70% per cent of the days of the year (when westerly winds blow), i.e. 255 days a year.

You would end up with $154 \times 200 \times 255 = 7,854,000$ complaints per annum just from Ballyboughal Village and environs alone!!!

Nothing in the DAA's or ANCA's data complaints reflects these numbers, or the thousands of people let down by the system and a complaints process which is firstly, entirely inappropriate to be captured by the DAA and secondly, is not fit for purpose.

Add to this the fact the nearly 65% of our survey respondents either did not know where to complain (42%) or complained but gave up eventually because the complaints platform is too difficult to use, with another 22% per cent are bothered by aircraft noise but don't have the time to complain, and you get the picture fully. DAA does not advertise the platform on any national or social media which would make it easier for people to know how to complain. But even if they did advertise it the complaint process as it is run by the DAA will never capture the true levels of anger across the community.

Of those who did complain and got a response from the DAA 92.5% said the response was unsatisfactory.

This echoes the experience of BCC. In the Autumn of 2022 BCC submitted 20 formal complaints on behalf of our community to which we got a formal written response back from the DAA to just 2 complaints which related to fixed wing aircraft so the DAA were able to answer these complaints formally. The other 90% of our complaints remained unanswered for over 6 months until we got the following generic email from the DAA in July 2023, which was sent to many other complainants who had complained over the previous 6 months.

Complaint Response - Aviation Noise, Dublin Airport

Inbox x



Noise Information Only <noiseinformationonly@daa.ie>

to ▾

Tue, Jul 25, 5:24 PM



We are responding to your feedback regarding aircraft noise. Following the opening of North Runway in August 2022, we have experienced an increase in the number of aviation noise complaints and this has delayed our ability to correlate your exact issue with specific aviation movements and our noise abatement procedures.

Following the opening of North Runway, a review of flightpaths was conducted, in consultation with AirNav Ireland, which led to the adoption of new Instrument Flight Procedures (IFPs) and Standard Instrument Departures (SIDs) procedures off Runway 28R (North Runway) since February 23, 2023.

As a result, for those complaints related to the period August 24, 2022 to February 22, 2023, we are unable to respond specifically and individually. These complaints were reviewed and considered during our consultation with AirNav Ireland around the changes to the revised SIDs to improve our noise abatement procedures.

Environmental Noise Corridors are now in place for North Runway (Runway 28R and 10L) that allow flight track keeping for all relevant movements. We are actively [reviewing](#) and improving our noise abatement procedures and are currently installing more Noise Monitoring terminals in Dublin Airport and surrounding areas to continue to monitor the effects of aircraft noise on our communities.

daa will endeavour to respond in detail to all current and future complaints.

Advance notifications on North Runway operations are published on Dublin Airport's website [here](#), and are provided by email to local community groups and residents who have subscribed to receive updates. If you would like to receive these notifications, please visit

<https://www.dublinairport.com/corporate/north-runway/keep-updated> to add and submit your details to be included.

.....
NFTMS Team

Apart from being in breach of their planning conditions in which the DAA is obliged to investigate and to respond to each and every noise complaint and complainant (which we also understand is being "investigated" by FCC as yet another potential breach of planning regulations by DAA) this response is entirely inadequate given that in our complaints we regularly stated that the DAA is in breach of the flightpaths allowed in their planning permission. The DAA refers to our complaints as "feedback" when, in fact, these are full blown and serious complaints about breaches of planning permission. The substance of our complaints and the numbers of people we are representing, has been ignored, and we have received no written explanation to 90% of our complaints which shows how they might be compliant with their planning permission. Frankly speaking, we believe the reason for this is that the DAA were unable to show this in writing and were probably advised not to provide a detailed response by their lawyers. A catch-all generic response to all of the complainants on this matter over a 6-month period is utterly and completely unacceptable and is a clear attempt by the DAA to avoid their planning obligations and to avoid acknowledging and addressing the scale of the problem.

Having used the complaint system we feel it critical the ABP take on board how inappropriate this system is and how it underestimates the true level of anger and complaints across the community. Surely this system

must be managed by an independent body which is above the suspicion which, in our opinion, the DAA fully deserves.

6. Balanced regional development and the integrity of the planning process

6.1 Where is the balance?

The DAA's tells us the planning process must be sped up so that major national infrastructure projects are not held up by unnecessary bureaucracy. Well, the bureaucracy which protects the health of its citizens and their residential amenity is quite important. The DAA scaremongers and tells us how many jobs and how much business will be lost (even though only 11% of flights from Dublin are business related) , and how many flights and holidays will be disrupted and cancelled if they don't get their way. The DAA's latest "Independent" Economic Impact Study 2023 report on how they are propping up our Island's economy almost single handedly is a consultancy report from InterVISTAS Consulting (to get the right answer) but it does not state how many homes and lives will be destroyed if they do get their way (wrong answer). The DAA do not mention that InterVISTAS is a global specialist in writing reports for airlines and the travel industry vested interests. How can any paid consultancy report be considered independent? (We are presuming that InterVISTAS did not do it for free)

There is no doubt that the Airport is an important strategic asset and that it supports many jobs in the economy and brings many tourists to the country. This is not in dispute.

However the scale of doom and gloom if the DAA has to comply with its planning conditions has been grossly exaggerated by the DAA to suit its purely commercial agenda. Dublin Airport was doing very well before covid without the North Runway and had recovered well to similar pre-covid numbers before the North Runway opened . These facts are mentioned nowhere.

The DAA does not mention in this report how much revenue earnings it transports out of the economy to be spent abroad through cheap flights which are effectively subsidised by VAT-free fuel and some of the lowest landing passenger charges in Europe. This obvious loss in revenues to local businesses in Ireland and to the state in indirect taxes, particularly if more Irish people holidayed in Ireland, is conveniently skipped by the in this report. In many respects this loss of tax revenue to the Irish state and local businesses could well mean that the net gains and contribution to the Irish economy from Dublin Airport are marginal at best. Such claims by the DAA of its massive contribution to the Irish economy would have more credibility if this report were published by a genuinely independent body such as The Irish Central bank or the ESRI, than a Vancouver-based consultancy firm that specialises in vested interest reports for the Airline industry. This is not an

"Independent" Report and none of the DAA's or InterVISTAS claims in this report have been validated by independent economic bodies. It is pure spin.

One can fly to Gatwick return for €20 when a train journey to Cork costs at least twice that amount. Why is this? How many of these cheap flights are essential and necessary and would be undertaken if the pricing reflected the true cost of the flights, not just financially but in environmental costs? In many industries and sectors it is illegal to sell goods below their cost, particularly items that are considered to impact on health, like alcohol. Nobody seems to mention that the explosion in aircraft flights at Dublin Airport is largely based on below-cost selling and short return weekend break flights which are neither environmentally justifiable and sustainable. It is highly likely that this behaviour will have to change in the medium to long term if we are to be considered a responsible society.

The flights from Dublin Airport (not the airport building itself) are the largest single carbon emitter in the state according to the EU, and this is at a time when the globe is facing a climate crisis. Separate to the wider problems we are discussing; cheap airfares are not sustainable or good for the planet and prices will have to adjust upwards to remove unnecessary journeys. The current unsustainable bonanza for low cost airlines has to stop.

In the shorter term, what is the point in a few thousand extra jobs at Dublin Airport when the peace and quiet in tens of thousands of homes in North Dublin will be ruined by intrusive noise every few minutes (currently between 7am-11am), and possibly between 6am and 12am, if the DAA get their way and redefine the internationally recognised definition of night-time and shorten it by two hours. Based on the Ballyboughal data, if we extrapolate this across Fingal, we are talking about hundreds of millions of flight complaints per year if we take a just a conservative base figure of 30,000 people impacted and all of them were to complain about each flight.

Furthermore, the imminent job loss statements made by the DAA about Dublin Airport is highly questionable. Certainly, no jobs will be lost as the airport is at currently at capacity, in the same way the economy is at full employment and overheating, and Dublin Airport cannot recruit enough staff to fill vacancies as it stands. Not only do we not have enough people to fill vacancies we have nowhere for anyone taking those vacancies to live!

With the economy already at full employment the economic upsides which the DAA refer to are highly questionable. In fact, when one considers the outflows of revenue these flights support it is more likely the only body that will benefit from increased flights is the DAA revenues and bottom line from increased landing fees. No doubt the DAA's executives are duly incentivised by the DAA's revenue targets, which is itself is a questionable driver for a semi-state body with wide ranging social responsibilities.

6.2 Dublin is not Dubai

The DAA wishes to turn Dublin Airport into a hub for which it was never designed for, and its location, beside a burgeoning population expansion and conurbation in North Dublin is inappropriate. North Dublin is not a Dubai, where planes can approach over the sea to the runway and take off directly over a desert without impacting residents below. Portmarnock, Malahide, Swords, Ashbourne, Lusk, Donabate and all the smaller

satellite villages of North Dublin including Ballyboughal, Oldtown, Rolleston, Roganstown, Kilsallaghan and Saint Margarets etc... have experienced massive development and population growth in the last 10 years.

In this context ,the underutilisation of Shannon and Cork Airports and adherence to the government's own stated policies of balanced regional development, is a massive failure of policy and proper planning which has also been brought to life by the DAA's failures on this massive infrastructure project. Instead of improving investment and connectivity to these more suited airports, which are crying out for business, the DAA are cramming 84% of aircraft arriving into the island through an already bottlenecked Dublin Airport and then glossing over the impact on the residents of Fingal who are being asked to shoulder the entire country's noise pollution burden.

As we stated previously in over 500 pages of documentation the DAA in its Relevant Action offer just 1% of its proposal to cover the negative health impacts on the local community for which it uses unsupportable science from someone who does not live in Ireland and has no connection or understanding of the issues affecting the local population of Fingal . Apart from being completely unethical, it is a completely daft planning strategy to expect Fingal to shoulder 84% of the national aircraft traffic and noise burden, and not to engage with the local community in a meaningful manner to explore alternative more balanced national options and compromises which might be acceptable to the local population. Throwing money at local GAA , boxing and other sporting clubs to buy goodwill is not engagement with the local population and does nothing to constructively address the real concerns of residents about the and impact of aircraft noise on their lives.

Cheaper flights to better suited regional airports like Shannon and Cork, in compensation for longer travel times would make far more sense, and those that want the shorter travel times to Dublin, should have to pay a premium reflecting the impact it is having on local residents. To say that people want to travel to Dublin and won't use other airports, given that there has never been a price incentive or differential for regional airports is ridiculous, given that even Ryanair operates many of its flights to European cities to regional airports well away from the main city airports e.g. Luton, Gatwick, and Stansted for London, Beauvais for Paris, Sandefjord and Gothenburg for Oslo, Milan etc...This list is endless and travel times to final destination can often be a few hours . The airlines and their passengers , in millions, use these airports because the landing charges and flight prices are cheaper. And improved connectivity invariably follows over time.

We are a small country geographically but as it stands if you listen to the DAA you would think we only have one airport in Ireland.

6.3 In support also please consider the following supporting observations and data from a member of our committee in considering the economic Impact of this relevant action:

Per CSO Statistics for 2022 Dublin airport handled 84% of all flights. For freight Dublin airport handled approx. 88% of all freight. See extracts below from the CSO site.

Aviation Statistics Quarter 4 and Year 2022 - CSO - Central Statistics Office

“Over 236,000 flights were handled by Ireland's five main airports in 2022, with Dublin handling 84% of all flights (199,464), while Cork handled 7% of all flights (16,592).”

Table 9: Air freight classified by arrivals and departures handled by main airports, Quarter 4 and Year 2022

	Tonnes	
	Quarter 4	January to December
Arrivals		
Cork	5	25
Dublin	19,026	74,965
Kerry	0	0
Knock	2	4
Shannon	2,268	9,512
Total arrivals - freight ¹	21,300	84,506
Departures		
Cork	0	2
Dublin	17,981	67,417
Kerry	0	0
Knock	0	0
Shannon	1,881	7,661
Total departures - freight ¹	19,862	75,080
All		
Cork	5	26
Dublin	37,006	142,382
Kerry	0	0
Knock	2	4



Shannon	4,149	17,1
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Based on the above there is a huge imbalance in Airport usage across Ireland with Dublin Airport having a disproportionate share of the market. With access to excellent road motorways and traffic congestion in the Greater Dublin Area there is no good reason for this imbalance.

Dublin Airport Operating Restrictions September 2023 – Addendum v1.0 Quantification of Impacts on Future Growth Addendum to the Analysis of June 2021 (Report version 1.3.1) advise that:

“As overall DUB traffic recovers to 2019 pre-pandemic levels, demand for night flights is expected to be higher at 133 movements by 2025 (+15%). This is due mainly to growth in night cargo flights.”

It does not consider the wider business opportunity for regional airports for night flight business.

If the current night flight cap of 65 flights is retained it may present an opportunity to address some of the huge imbalance between Dublin Airport and the regional airports.

Also, it does not consider the wider global environment for example:

“In July 2021, the European Commission released the ‘Fit for 55’ package, which includes a set of policy proposals spanning all major sectors of the economy to achieve emission reductions of at least 55 per cent below 1990 levels in 2030. The ‘Fit for 55’ package includes a proposal for amending the ETS Directive, which would eliminate free ETS allowances allocated to the aviation sector by 2026”.

From <<https://www.gov.ie/pdf/?file=https://assets.gov.ie/207239/55a2a58a-6e17-431c-9b28-9fec09e0e82f.pdf#page=null>>

What impact will the elimination of the free Emissions Trading System (ETS) allowances and subsequent cost increases have on DAA forecast for demand. Will the quantity of flights increase or decrease at night. Will IAG (Aer Lingus) and Ryanair in the short term try to push more low-cost flights into Dublin to avoid fees and taxes that are currently being introduced across Europe.

Will the DAA increase the quantity of night flights and early morning flights. Will this lead to a huge number of flights from the North Runway during the additional 2 hours being requested by the DAA.

We see no valid reason for the residents of North County Dublin to lose an additional 2 hours sleep to facilitate low-cost flights by IAG and Ryanair. And I would ask you to consider if these companies would really move to higher cost airports with similar restrictions to Dublin if they do not get their way.



7. Request for an Oral Hearing

In view of the above and the enormous scale of the changes proposed by the DAA's Relevant Action we believe that with just 5 weeks to review such a major development that insufficient time has been allowed to review the complex documentation in the DAA's submission. It seems that extraordinarily little has changed from the DAA's original application other than token documentation to allow them to validate their current unauthorised flightpaths retrospectively, and have the conditions imposed on their original planning permission, which they did not comply with now validated. The timescale allowed does not allow for proper consultation with the public or a true examination of the environmental and health impacts on our lives and the residential amenity in North County Dublin. We believe that, in these circumstances, an oral hearing by ABP is essential so that the true impact of new flight paths can be understood fully and that ABP can hear first-hand and orally from residents what our experience has been.



8. Concluding Summary

The DAA is a bad neighbour in the opinion of most people living near Dublin Airport. Our last survey sample is representative of our community and confirms this starkly.

83% of respondents believe the DAA has not been a good neighbour.

87% of respondents do not believe the DAA has engaged meaningfully with our community.

85% of respondents do not trust the DAA.

80% of respondents do not believe the DAA has planning permission for its current flightpaths

86% Do not believe that FCC or ANCA have done a good job in protecting the citizens of North County Dublin from the adverse effects of aircraft noise

84% have rated the level of Aircraft Noise as unacceptable

They are conclusive and damning.

The current DAA board have demonstrated a failure to meet their fiduciary duties, in particular a duty of care and skill.

They have not acted in good faith in making this application and have showed a history of continuous breaches in planning conditions by:

- Exceeding the overall capacity limit of 32M passengers per annum (by deliberately not double counting transit passenger) resulting in pressure on services and infrastructure around the airport and an underestimation of the impact in aircraft noise from excess flights.
- Exceeding night flight limits of 65 per night, resulting in a pending High Court case.
- Changing flightpaths and consequently noise contours without planning permission.
- Misleading the public and government bodies through a complaints process which is not fit for purpose and designed to fail and underrepresent the true scale of the problem

- Misleading or partially informing ANCA of noise levels along their unapproved flight path.
- Having not conducted an insulation programme to affected residents along the unapproved flightpath (leaving the DAA open to court cases).
- Eligibility to the insulation scheme shall be reviewed every 2 years commencing in 2027 with residential dwellings situated in the 55 dB Lnight contour being eligible under the scheme. A period of 2 years is unreasonable for residents affected by noise levels.
- Effectively colluding with Ryanair and IAG to put pressure on public bodies through their scare campaign about flights moving from Dublin.

The events of the last 15 months show that the entire aircraft noise pollution mitigation modelling and planning for this major infrastructure development is entirely deficient and is in disarray because of the behaviour of the DAA, and the failures in the regulatory and governance functionaries to protect against such behaviour.

We believe that ABP must ask itself the question that, with the benefit of hindsight, if ABP had known how the DAA would behave and ignore its planning conditions once it got planning permission for the North Runway would ABP have granted permission at the time of the original appeal? If the answer is no, there are even more reasons, included in this submission, not to allow it now.

We are relying on An Bord Pleanála, as the highest planning authority in the land, to put an end to this assault on well-being of the citizens of Ballyboughal and North County Dublin and refuse any further expansion of the operating hours, night-time caps or use of the current flightpaths in operations from the North Runway until the framework for managing serious noise pollution emanating from Dublin Airport is fit for purpose and our concerns about the behaviour and actions of the DAA can be properly addressed.


Sincerely,

Ballyboughal Community Council

This observation has been circulated and approved by Ballyboughal Community Council by its following members:

Ronan Buckley (Chairman)

Vicky McCauley (Vice Chairperson)



Stephanie O'Brien

Catriona Hoey

Fred McEvoy

Mairead O'Keefe

Michelle Quelly

Ronnie Delaney

David Walton (Spokesperson on Aircraft Noise Pollution)

Rory Homan

Barbara Carroll