

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 Clr Am Gaves + Louise O'Reilly TD I recommend that section 131 of the Planning
and Development Act, 2000 be/not be invoked at this stage for the following reason(s):

no new material issues

Section 131 not to be invoked at this stage.

☒

Section 131 to be invoked — allow 2/4 weeks for reply.

☐

Signed

Pat B.

Date

20/12/2023

EO

Signed

Date

SEO/SAO

M

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

To

Task No

Allow 2/3/4 weeks

BP

Signed

Date

EO

Signed

Date

AA



Planning Appeal Online Observation

Online Reference
NPA-OBS-002910

Online Observation Details

Contact Name
Cllr Ann Graves

Lodgement Date
13/12/2023 13:34:44

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Ann Graves

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— 068750-23

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_3OMsaGB1CW0EN5FC17lthr3l

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

Submission to An Bord Pleanála in relation to:

Bord Pleanála Case reference: PL06F.314485
Planning Authority Case Reference: F20A/0668

On behalf of Cllr Ann Graves and Louise O'Reilly TD

Context:

Additional information has been provided by the daa relating to the appeal on the relevant action sitting with ABP (An Bord Pleanála). This additional information reads more like a new planning application than a relevant action. This appeal relates to the proposed changes to conditions 3d and 5 of the planning conditions for the new north runway at Dublin airport.

This relevant action which was already approved by ANCA (Airport Noise Competent Authority) in 2022, was appealed to ABP by Fingal residents and representatives last year on the grounds that the suggested changes were completely unbalanced and not considerate of the health and well being of residents of north county Dublin and further afield.

Condition 3d states that the north runway should not be used between 23.00 and 07.00. This condition was put in place as part of the initial planning process to protect the health of those living under the new runway flight path. The daa wishes to change this and shorten this time period from 24.00 to 06.00. While it includes an offer of a €20,000 grant for night time noise insulation, this does not cover all areas affected and is not sufficient to make a difference to those whose sleep will be disturbed even further.

Condition 5 relates to the restriction of 65 flight movements per night off the south runway and changing this to a noise quota system.

Observations:

The significant issues we see with the Relevant Action are the following:

- The north runway has been the subject of huge controversy since it became operational in August 2022. Planes were not following flight paths previously advertised or agreed. More importantly these flight paths have not had a previous environmental impact assessment which is in accordance with condition 1 of the planning permission from 2007. This is a matter that has resulted in motions raised by local Councillors and at meetings of the transport committee in the Dáil.
- Residents homes are being overflowed, unmitigated and exposed to high levels of detrimental noise on a daily basis. The daa wants to expose those affected to even more noise with the proposed increased hours of use of the north runway. Bearing in mind that many people bought or built based on the flight paths that had been advertised, they were outside the noise contours. Eligibility for insulation was also not an option because families are now within a noise area that weren't identified as such. This issue has yet to be properly addressed by the daa, who despite being aware of the health implications both mental and physical of residents now want to

increase capacity exacerbating the hardships that these residents are already suffering.

- Condition 5 of the north runway, that sets a cap of 65 movement per night limit was to come into effect once the north runway became operational on the 24th August 2022. This never occurred. There were almost double this number of movements off the south runway during the busy 92 day summer period. This has been challenged by Fingal County Council (FCC) as a breach of planning conditions and the daa have been issued with an enforcement notice for which they challenged and achieved a stay. This condition is now awaiting a judicial review in the new year.
- The daa indicate that the proposed noise quota system will resolve the issues and ensure undisturbed sleep for those on flight paths. However they have not referenced the point that there is no fleet movement limit with this noise quota, which means unlimited flights overnight once the noise quota is met. This will worsen the noise problem for those already affected by night flights. There is an argument made that planes are getting quieter, by 50%. This equates to 3db as sound is measured on a logarithmic scale. If a plane is flying over anyone's home at 3am, whether it is 85 or 82 db there is no doubt that this will disrupt sleep.
- The relevant action if implemented will have a profound effect on people. It will affect sleep quality, children's development both mentally and intellectually. It will have long term implications on cardiovascular and metabolic health. There are well documented negative health effects and illness which can be attributed to excessive aircraft noise.

Summary:

As public representatives, we are aware of the importance of Dublin Airport as a significant employer not only for staff in the airport but related business, and as a key travel service provider, we do not want to stand in the way of progress in relation to the developments in the airport and welcome improvements, however we do recognise the need for compliance with planning conditions. That being said we also represent residents who are now living under flightpaths since the opening of the North Runway.

The 2007 conditions include flightpath assumptions that residents have built their lives around. Those flightpaths differ significantly to those currently in use. We propose that no further changes should be considered until compliance with currently planning conditions is followed by the daa, there is a risk to the health and wellbeing of thousands of residents due to aircraft noise.

We are concerned that if ABP grants this instead of giving cognisance to the permitted noise zones from the 2007 permission it will in effect be granting retention to the current flight paths which are in breach of planning conditions (set by ABP) and do not match the Environmental Impact Statement for the only granted permission, this will cause untold distress to those living on the flights paths.

We should also be cognisant of the impacts on aircraft activity on climate change and look to the example of good practice in other countries, where they are reducing their night time flights rather than increasing them, not only in relation to climate awareness but also the impacts on the health and well being of those affected by aircraft noise.

Because of the impact on residents and the ever growing number of people affected and the environmental effects we call for an oral hearing on this matter.

Cllr Ann Graves and Louise O'Reilly TD

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