SECTION 131 FORM

Appeal NO:_ABP_3 4485-22	Defer Re O/H ☐
Having considered the contents of the submission from Derek McGowon I recommend that se be not be invoked at this stage for the following real	ction 131 of the Planning and Development Act, 2000
E.O.: Pat B	Date: 19/12/20 22
For further consideration by SEO/SAO	
Section 131 not to be invoked at this stage.	
Section 131 to be invoked – allow 2/4 weeks for rep	ly.
S.E.O.:	Date:
S.A.O:	Date:
M	
Please prepare BP Section 131 no submission	tice enclosing a copy of the attached
o: Task No:	
Allow 2/3/4weeks – BP	
EO:	Date:
AA:	Date:

Validation Checklist

Lodgement Number: LDG-068783-23 Case Number: ABP-314485-22

Customer: Derek Mc Gowan

Lodgement Date: 13/12/2023 12:00:00 Validation Officer: Patrick Buckley
PA Name: Fingal County Council
PA Reg Ref: F20A/0668
Case Type: Normal Planning Appeal PDA2000
Lodgement Type: Observation / Submission



Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

Run at:

19/12/2023 09:11

Run by:

Patrick Buckley

Lodgement Cover Sheet - LDG-068783-23



LDG-068783-23

-odgement ID

Aisling Litster

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Senerate Acknowledgement

Letter

Customer Ref. No.

PA Reg Ref

Physical Items included

Created By

Map ID

Jetails

odgement Date	13/12/2023
Sustomer	Derek Mc Gowan
_odgement Channel	In Person
odgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Sategorisation

odgement Type	Observation / Submission
Section	Processing

Normal Planning Appeal PDA2000

Case Type (3rd Level Category)

PA Name

PMT-053436-23

Yes

Observation/Objection Allowed?

PD-053309-23

Related Payment Details Record

Fingal County Council

F20A/0668

-ee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Surrency	Euro
Fee Value	50.00
Refund Amount	0:00

Observation

Run at: 19/12/2023 09:11

Run by: Patrick Buckley

A proposed development comprising the taking of a 'relevant action' only within the meaning of Section 34C of the Planning and Development Act 2000, as amended, at Dublin Airport,

Co. Dubiliti, in the townilatius of Collinstown, Toberbunny, Commons, Cloghran, Corballis, Coultry, Portmellick, Harristown, Shanganhill, Sandyhill, Huntstown, Pickardstown, Dunbro, Millhead, Kingstown, Barberstown, Forrest Great, Forrest Little and Rock on a site of c. 580 ha. The proposed relevant action relates to the pinht simplified of the control of the cont	to the hight-time use of the runway system at Dublin Airport. It involves the amendment of the operating restriction set out in condition no. 3(d) and the replacement of the operating restriction in condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. PL06F.217429 as amended by Fingal County Council F19A/0023. ABP Ref.	No. ABP-305289-19), as well as proposing new noise mitigation measures. Conditions no. 3(d) and 5 have not yet come into effect or operation, as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing. The proposed relevant action, if permitted, would be to remove the numerical cap on the number of flights permitted between the hours of 11pm and 7am daily that is due to come into effect in	accordance with the North Runway Planning Permission and to replace it with an annual night-time noise quota between the hours of 11.30pm and 6am and also to allow flights to take off from and/or land on the North Runway (Runway 10L 28R) for an additional 2 hours i.e. 2300 hrs to 2400hrs and 0600 hrs to 0700 hrs. Overall, this would allow for an increase in the number of flights taking off and/or landing at Dublin Airport between 2300 hrs and 0700 hrs over and above the number stipulated in condition no. 5 of the North Runway Planning

 Aun at:
 19/12/2023 09:11

 Aun by:
 Patrick Bucklev

remussion, in accordance wun ure annual night time noise quota. The relevant action pursuant to Section 34C (1) (a) is: To amend condition no. 34C (1) (a) is: To amend condition no. 34C (1) (a) is: To amend condition on 34C (1) (a) is: ABP Ref. No. F04A/1755, ABP Ref. No. COMMISSION COUNTY CONDITION 3 state the following: 3(d) and the exceptions at the end of Condition 3 state the following: 3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 0700 hours except in cases of safety, maintenance considerations, exceptional air traffic conditions on that it reads: 'Runway 10L-28R shall not be used for take-off or landing between 0000 hours and 0559 hours except in cases of safety, maintenance considerations, exceptional air traffic contriol systems or declared emergencies at other airports or where Runway 10L-28R shall not be used for take-off or landing between 0000 has to 0500 hrs to 0600 hrs to 0600 hrs to 0600 hrs to 0600 hrs to 2300 hrs to 0600 hrs to 0600 hrs to 2300 hrs to 0600 hrs to 0600 hrs to 2300 hrs to 0600 hrs in Follows: 5 on completion of construction of the average number of night promitted, the average number of night construction of the average number of night	
Development Description	
F20A/0668	
⁵ A Case Number	Run at: 19/12/2023 09:11

Run at: 19/12/2023 09:11

Run by: Patrick Buckley

shall not exceed 65/night (between 2300 hours and 0700 hours) when measured over the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007. Reason: To control the frequency of night flights at the airport of protect received by	so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway. With the following: A noise quota system is proposed for night time noise at the airport. The airport shall be subject to an annual noise quota of 7990 between the hours of 2330hrs and 0600hrs. In addition to the proposed night time noise quota, the	relevant action also proposes the following noise mitigation measures: - A noise insulation grant scheme for eligible dwellings within specific night noise contours; - A detailed Noise Monitoring Framework to monitor the noise performance with results to be reported annually to the Aircraft Noise Competent Authority (ANCA), in compliance with the Aircraft Noise (Dublin Airport) Regulation Act 2019. The proposed relevant action does not seek any amendment of conditions of the North Runway Planning	Permission governing the general operation of the runway system (i.e., conditions which are not specific to nighttime use, namely conditions no. 3 (a), 3(b), 3(c) and 4 of the North Runway Planning Permission) or any amendment of permitted annual passenger capacity of the Terminals at Dublin Airport. Condition no. 3 of the Terminal 2 Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.220670) and condition no. 2 of the Terminal 1 Extension Planning

	Jevelopment Type
	Sounty
08/08/2022	PA Decision Date
-	
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	08/08/2022

Run at: 19/12/2023 09:11

Dublin Airport, Co. Dublin

Development Address

Supporting Argument

Appellant

Patrick Buckley Run by:

The Secretary

Bord Pleanala

64 Malborough Street

Dublin 1

13th December 2023

CIAMINI DE INC.	N BORD PLEANÁLA
LDG-	BL002355-23
ABP-	068783-23
	1 3 DEC 2023
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Time:	By: Larel

Derek Mc Gowan

Homefield, St Doolagh's

Malahide Road, Balgriffin

Dublin 17

RE: ABP-31448-22 & F20A/0668

Dear Sir/Madam

I wish to make an observation with regard to the above appeal and the additional information received. My house above is situated 3 nautical miles from Dublin Airport and I have been complaining with regard to the intolerable noise levels which we are experiencing for the last number of years with aircraft landing on runway 28L and lately Aircraft taking off from Runway10R directly over my house at all times of the day and night the frequency of which has increased dramatically in recent times. In a letter dated 21/6/2018 from Dublin airport I was told I was "close to the Flight Path for the existing runway" and subsequently I have been told that I am 100 metres outside the outer noise corridor which covers decibel levels up to 63dcb As you will see from the photos attached these aircraft are over my house and the noise monitoring station which is situated beside me at St Doolaghs on webtrack shows average readings of up to 80 dcb or in excess for a lot of aircraft. Quite clearly in the last few years the flight paths have been changed and the outer noise corridors need to be revised and all the modelling/projections and assumptions made therein updated.

I attach copies of correspondence entered into with the daa over the years and have made many complaints online and by phone and received the same generic responses acknowledging "there was an aircraft in the vicinity of my house and assuring me that they take aircraft noise very seriously and strive to do all they can to minimize any adverse impact on both the communities and environment by their operations at Dublin Airport,"

Up to last month and since 2019 three large Ethiopian Airlines aircraft heading for the US and Canada came into Dublin for re fueling every night between 4am and 4.45 am and usually but not every night I was awoken by one or the other on takeoff or landing, I understand all of these aircrafts took in excess of 60,000 litres of fuel each and departed again within 60 minutes thus creating 6 aircraft movements, health &

safety issues, and lot of noise and unnecessary interruption of sleep for a lot of North County Dublin residents like myself, So much for the balanced approach and the daa caring for their communities health and safety not to mention the environment and CO2 emissions etc.

I have given up complaining over the last few months as I am sure a lot of other people have and thankfully Ethiopian Airlines have moved back to Rome for re fueling. However there are other flights coming in all hours of the night way in excess of the permitted 65 flights and the current proposal to replace condition 5 will with a noise quota system will mean the daa can double or treble these night time flights with low quota count aircraft and no controls, limits or sanctions in place and Dublin Airport can be operated as a hub and pit stop for all and sundry with total disregard for their long suffering neighbors and communities.

I wish to make the following points:

- 1 The EU defines a night flight as an aircraft using an airport between 23.00 hours and 07.00 hours, the daa wish to change this definition and the hours in their favour and load night flights between 11-12pm and 6-7am into day flights which are not limited.
- 2 Zurich Airport has a total ban on Night flights and a lot of European countries & the UK are curtailing flights between midnight and 06.00 am due to evidence that night flights are bad for people's health, Our Airport authority would appear to be going in the opposite direction.
- 3 The World Health Organization has published guidelines and findings of a study showing the adverse effects aircraft noise has on communities located near airfields which appears to be ignored and glossed over by the daa.
- 4 There are issues with flight paths at Dublin Airport which would appear to have been changed and which differ from those submitted with the 2007 planning application and are therefore unauthorised. This has not been addressed by the daa.
- 5 The 65 movements per night in condition No 5 has been exceeded with upwards of 100 + flights some nights.
- 6 There is no such thing as a quiet aircraft and although aircraft are getting quieter than their predecessors to take an example of 2 planes flown by a major carrier at Dublin Airport the Boeing 737 -800 Max and Airbus A300 both of these which are newer aircraft have an EPNLdb of 93-94db and a quota count of 2.
- 7 The noise quota system proposed is flawed, quite complex and fails to take into account noise events and requires a movement limit to be put in place alongside this as any number of aircraft with EPNL db below 81 decibels and a quota count of Zero can in effect be unlimited as they are not counted even though they are generating up to 81 db of noise.
- 8 The €20 k noise reduction grant scheme as outlined is quite onerous, not fit for purpose and relies on the household to engage professionals, surveyors etc and bear all expenses upfront and then look for payment from the daa. This problem with excessive noise is being created by the daa and its policies and it should be up to them to sort out

these issues as heretofore and honour all those people entitled to redress under the other 2 voluntary schemes.

I would respectfully request that the board refuse this application in its entirety and stand by their reasons and conditions made rightfully in the original 2007 application and if not at least put conditions on the daa limiting night flights with or without a quota system with specified movement limits and retain the cap on passenger numbers at 32million for Dublin Airport which barely copes as it is.

Yours Sincerely

Derek Mc Gowan

DAA

North Runway Team

Dublin Airport

Co. Dublin

K67CC01

18th June 2018

RE: Increasing Noise and frequency of flights over my house Homefield, St Doolaghs Balgriffin D.17

Dear Sir/ Madam

I refer to the above and my previous letter in 2016 with regard to the residential noise insulation scheme in which I was told that I was not eligible as I am 100 metres off the Flight path. I met with your officials at an information meeting in the Grand Hotel later that year and was told that no flights were coming in or taking off from Dublin Airport over my house according to your officials at Dublin Airport.

Since then there have been a steady increasing number of flights taking off from Dublin Airport especially at the week end directly over my house and these aircraft are quite noisy as they are at full thrust ascending and are disturbing my right to a peaceful existence, I have recorded and videoed some of these aircraft over the last few months and last night I was awoken around 2.30 am by the sound of a rather large aircraft screaming in to Dublin Airport to the side of my house followed shortly afterwards by another larger noisy aircraft.

I understood that night flying over residential areas was restricted during certain night time hours and over the years I had almost become immune to the noise from these flights I wish to make a complaint with regard to the increasing frequency of noisy flight movements over my home both in the daytime and at night and I would like to know what the DAA can do to mitigate this noise.

Yours Sincerely

Derek Mc Gowan

daa cuideachta phoiblí theoranta Príomhoifig, Aerfort Átha Cliath, Co. Bhaile Átha Cliath, K67CC01, Eiro T: 353-1-814 1111 F: 353-1-814 4120 www.daa.ie

daa public limited company Head Office, Dublin Airport, Co. Dublin, K67CC01,

21st June, 2018



Mr. Derek McGowan, Homefield, St. Doolaghs, Balgriffin, Dublin 17

Dear Derek,

St. Doolaghs is located close to the flight path for the existing runway at Dublin Airport. Our consultation events in the Grand Hotel were about explaining the flight paths for the proposed new runway at Dublin Airport. The flight path for this runway will not impact your area.

By way of background, in 2007 we received planning permission for the construction of a new runway at Dublin Airport with 31 conditions attached to the permission, two of which related to restrictions to airport operations during the hours 23.00 to 07.00. As North Runway, has not been constructed there are no operating restrictions at Dublin Airport which is licenced to operate 24 hours a day.

Another condition associated with the planning permission related to a voluntary home sound insulation programme. It relates directly to the new runway and is a long-term solution for residential properties exposed on an ongoing basis to noise levels at or above 63db (decibel level).

As part of our ongoing commitment to actively address issues which are important to our neighbours we have also developed a voluntary Home Sound Insulation Programme to mitigate against the impact of aircraft noise on local communities who are currently impacted by aircraft noise from the current runway. This scheme is in addition to the one associated with North Runway and includes those previously insulated when the existing runway was opened in 1989.

Noise contours are an internationally recognised method for airports to define areas of eligibility for house insulation and potential house purchase. The modelling techniques are widely used throughout the aviation industry. Noise contour modelling covers a 92-day period during the airport's busiest time from June to September. A number of inputs are included in the modelling such as runway location(s), the arrival and departure routes, the aircraft movements (number by aircraft type), the split of the movement amongst the runway(s) and routes and airport procedures.

The average noise experienced over this 92-day period which includes the measurement of aircraft noise 16 hours each day is used to formulate the noise contour. Noise contours are not designed from one-off noise events but they are included in the overall compilation of noise contours.

As your home does not fall within the 63db noise contour you are not eligible for either of the above schemes.

It is important to note that the responsibility for managing airport noise has rested primarily with the airport operator, under EU legislation dating back to 2002.

However, following the introduction of a new EU Regulation 598/2014, responsibility shifted from the airport operator to a separate, independent statutory entity or Competent Authority to oversee the delivery of the new, more prescriptive approach to airport noise management.

Earlier this year, the Minister for Transport, Tourism and Sport announced that Fingal County Council will be the designated competent authority on aircraft noise and he will make the necessary statutory arrangements as a matter of priority.

An Bord Pleanála will be appointed as the Appeals Body for purposes of the Regulation.

As the Airport Noise Regulator, Fingal County Council will carry out its functions in accordance with the regulatory regime set out in Regulation 598/2014. In doing so, it will ensure that, as Dublin Airport grows its capacity and traffic levels over time, that it does so in a way that is sustainable and in accordance with an acceptable noise level.

It will be a matter for Fingal County Council to determine what is an acceptable noise level (having regard to international norms), to set out noise mitigation measures or abatement objectives for the airport to follow (in accordance with the International Civil Aviation Organisation Balanced Approach) and to oversee the implementation of any such measures by the daa. As provided for in Regulation 598/2014, the new regime for managing noise at a growing Dublin Airport will include ongoing monitoring, regular public consultation and an appeals process to provide for the challenge of decisions taken by the Regulator in regard to noise mitigation measures.

You will be given opportunities by the Competent Authority to take part in the public consultation process. The designation of Fingal County Council as the Competent Authority requires primary legislation which we are awaiting.

Yours sincerely,

Mauko Con. Maura Cassidy,

Community Liaison Manager

Homefield St Doolaghs
Malahide Road
Balgriffin
Dublin 17
15th August 2022

Re: My previous complaints and letters regarding low flying noisy aircraft overflying my house

Dear Sir/ Madam

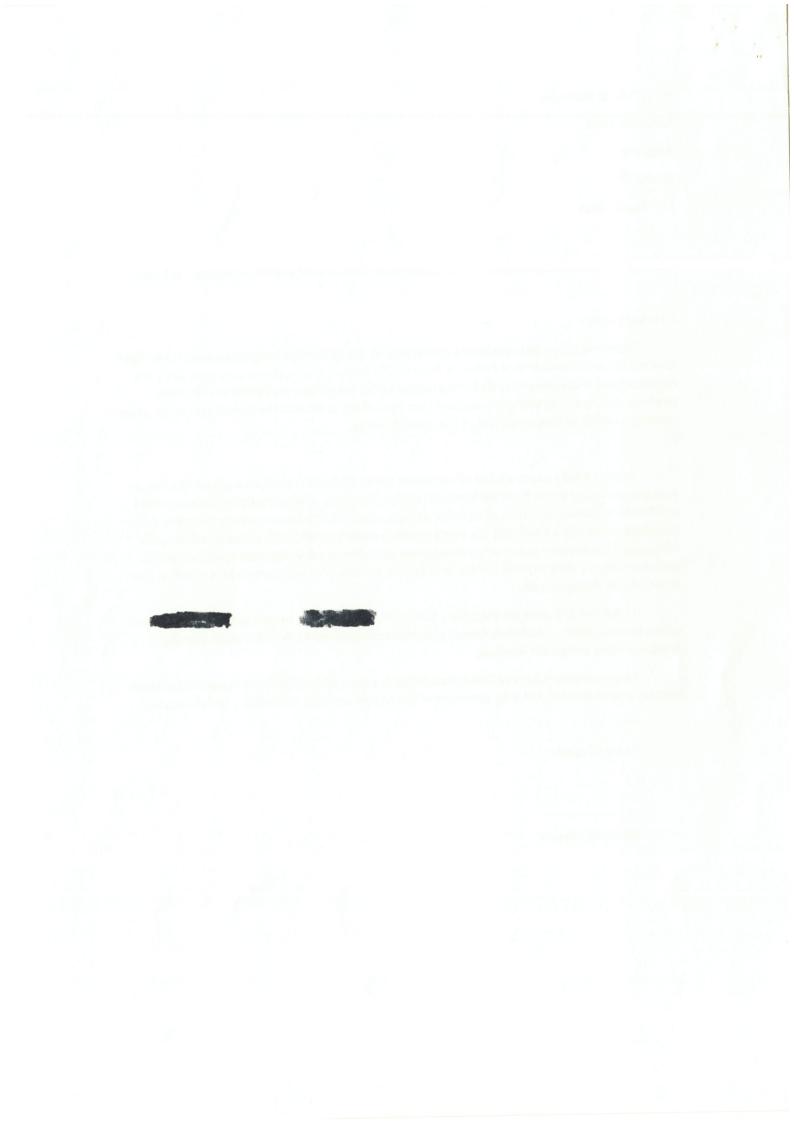
I refer to my recent complaints with regard to the intolerable noise from aircraft taking off over my house at Homefield St Doolaghs from Dublin Airport This has been exacerbated by the recent continual use of runway 10 for departures which heretofore took place in a westerly direction on runway 28 and quite obviously has something to do with the curtailment of the other runways and the coming on stream of the North Runway.

In June 2018 I wrote a letter of complaint to the DAA and received a reply stating that my property was close to the flight path and not eligible for either of your insulation schemes and I was further informed by a DAA official that as my property is 100 metres outside the outer noise corridor it is not eligible and that the north runaway would not affect my property which quite obviously it has as there are now low flying noisy aircraft every day and night taking off at low altitudes over my property and coming in to land to the side of my property which clearly is now on or next to the flight path.

In the last 2/3 years my neighbour next door, William Egan, behind me the Mongeys and across the road have all had their houses assessed and insulated by the DAA under existing re dress and noise mitigation schemes,

I wish to know what the DAA intend doing to assess and mitigate the current noise levels over my property which can only get worse as the airport expands and reaches its full capacity.

Yours Sincerely
Derek Mc Gowan



Homefield St Doolaghs

Malahide Road

Balgriffin

Dublin 17

17th January 2023

By Registered Post

Re: My previous complaints and letters regarding low flying noisy aircraft overflying my house

Dear Sir/ Madam

I refer to my recent complaints regarding low flying aircraft over my house and a letter (attached) which I sent to your office on 15th Augusts 2022 to which I have received no reply or acknowledgement from the Dublin Airport Authority.

I understand that the DAA state that all noise complaints are treated seriously and investigated and are obliged to put mitigating measures in place to curtail excessive noise levels which they have failed to do at my household.

I further understand that my house is one of the 200 houses entitled to a grant for

I further understand that my house is one of the 200 houses entitled to a grant for insulation against excessive aircraft noise announced last July and I have received no correspondence on this entitlement from the DAA or Fingal County Council to date and I wish to enquire what the DAA intend doing to mitigate the current excessive noise levels.

Yours Sincerely

Derek Mc Gowan



Date: 03-Jan-2023

Mr McGowan Homefield Malahide Road Balgriffin D17rr40 Balgriffin D17 RR40 derek.mcg48@gmail.com

Noise Complaint Reference Detail: 47202

Dear Mr McGowan,

I am writing to you following your complaint of the 18-Oct-22 concerning aircraft noise disturbance in your area.

Your complaint specified that there was aircraft noise disturbance in your area on 18-Oct-22 at 12:41 from an aircraft using Dublin Airport.

I have now investigated your complaint on our noise and flight track monitoring system and have found that there was an aircraft in your vicinity on the date and time stated above. The aircraft in question departed Dublin Airport's Runway 10R and remained within the environmental corridor for the prescribed distance and therefore did not violate any of the noise abatement procedures in force at Dublin Airport.

All aircraft arriving and departing Dublin Airport come under the direction of the Irish Aviation Authority (IAA) who provide air traffic control services in Ireland and it is they who are responsible for the routing of aircraft Nonetheless, we in Dublin Airport have regular meetings with the Irish Aviation Authority to continuously review the track keeping of aircraft in the vicinity of the airport. The IAA also licence Dublin Airport to operate 24 hours per day and therefore there is no cut off time for aircraft using Dublin Airport.

Your complaint has been logged in our noise database. I can assure you that we take concerns regarding aircraft noise very seriously and strive to do all we can to minimize any adverse impact on both the communities and the environment by the operation of Dublin Airport. In that regard we welcome all feedback concerning aircraft noise.

Yours sincerely

Ciaran Moore

Noise and Flight Track Monitoring Analyst

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Your complaint has been logged in our noise database. I can assure you that we take concerns regarding aircraft noise very seriously and strive to do all we can to minimize any adverse impact on both the communities and the environment by the operation of Dublin Airport. In that regard we welcome all feedback concerning aircraft noise.

Yours sincerely

Ciaran Moore

Noise and Flight Track Monitoring Analyst



Date: 03-Jan-2023

Mr McGowan Homefield Malahide Road Balgriffin D17rr40 Balgriffin D17 RR40 derek.m @48@gmail.com

Noise Complaint Reference Detail: 47390

Dear Mr McGowan,

I am writing to you following your complaint of the 19-Oct-22 concerning aircraft noise disturbance in your area.

Your complaint specified that there was aircraft noise disturbance in your area on 19-Oct-22 at 18:16 from an aircraft using Dublin Airport.

I have now investigated your complaint on our noise and flight track monitoring system and have found that there was an aircraft in your vicinity on the date and time stated above. The aircraft in question departed Dublin Airport's Runway 10R and remained within the environmental corridor for the prescribed distance and therefore did not violate any of the noise abatement procedures in force at Dublin Airport.

Low Flying Noisy Amenagh









