

File With

SECTION 131 FORM

Appeal No

ABP— 314685-22

Defer Re O/H

Having considered the contents of the submission dated/received 14/12/2023
from Joe Cummins I recommend that section 131 of the Planning
and Development Act, 2000 be/not be invoked at this stage for the following reason(s):
no new material issues

Section 131 not to be invoked at this stage.

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

Signed

Pat B

EO

Date

21/12/2023

Signed

SEO/SAO

Date

M

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

To

Task No

Allow 2/3/4 weeks

BP

Signed

EO

Date

Signed

AA

Date



Planning Appeal Online Observation

Online Reference
NPA-OBS-002965

Online Observation Details

Contact Name
Joe Cummins

Lodgement Date
14/12/2023 12:07:14

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Joe Cummins

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Pat B

EO

Date

21/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068805-23

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_3ONDh8B1CW0EN5FC1VHQas4w

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

Name : Joe Cummins

Address : The Bungalow, Maryland Farm, Kilsallaghan, Co. Dublin K67TC79

Case Reference Number : PL06F.314485

Planning Authority Case Reference : F20A/0668

A chara,

I am submitting this letter as a resident among the 30,000+ individuals currently facing the harsh reality of noise pollution due to operations at Dublin Airport. Having lived in Swords my entire life, I appreciate the airport's significance and did not oppose the development of the new north Runway based on the 2007 planning application. However, the reality post-construction starkly contrasts the DAA's initial promises and what was originally granted permission in 2007.

The inaugural flight on August 26th, 2022, was a startling experience that had us genuinely fearing a plane was crashing due to the overwhelming noise and vibrations. This was not an isolated incident; it marked the beginning of a relentless pattern where every take-off seemed to target our home directly. The new flight paths, veering alarmingly close at just 2500ft, have turned our home into a noise corridor, a far cry from the proposed routes we reviewed when purchasing our property.

This ordeal has deeply affected my family, especially my non-verbal autistic son, for whom noise is not just a disturbance but a profound disruption to his well-being. His ability to sleep is precious, and once disrupted, it cannot be regained, significantly impacting his health. The noise intrusion has also rendered our garden, once a place of refuge, unusable.

The deviation from approved flight paths is a breach of trust with severe implications. It has fundamentally altered our living environment and contradicted the plans based on which many, including planners of new homes, made significant life decisions. The current "permitted" noise zones do not reflect the conditions of the only granted permission, as outlined in the Environmental Impact Statement.

Granting approval to these flight paths without proper public consultation and an oral hearing undermines the integrity of the planning process. It sets a dangerous precedent that planning conditions can be sidestepped without recourse. This leeway has never been extended to individual homeowners or developers; why then should an exception be made for the DAA?

Furthermore, the proposed extension of operational hours exacerbates the issue. The DAA has already exceeded its passenger cap with impunity and regularly breaches the night-time flight movement limit. This disruption extends into the early hours, and with the proposed changes, there seems to be no end in sight.

The proposed new "Noise Quota System" that averages noise levels is fundamentally flawed. It downplays the impact of peak noise events by averaging them with quieter periods, failing to represent the true disruption experienced by residents. Prof. Dr. Thomas Penzel's report, while integral to the DAA's application, admits the absence of a systematic approach to measuring the impact of noise on awakenings and arousals, highlighting the need for a more comprehensive assessment.

In summary, the use of 'awakenings' as a metric grossly underestimates the intricate nature of human sleep and its vulnerability to noise. This approach overlooks the individual differences in noise sensitivity, the cumulative effects of noise, and the potential for long-term health issues.

Personal experience stands as the most reliable measure of the proposed changes' impact. For our family and community, extending flight operations will have a profoundly negative effect.

We urge an independent review of these operational changes, prioritising the welfare of the residents over commercial interests. The notion of progress without considering the community's health is antiquated and unacceptable. It is time for the airport's goals to harmonise with the community's right to peace and health.

Yours sincerely,

Joe Cummins

The DAA latest application provided a lot of new “significant” information which is highly complex. In the responses to the submission below I have responded to each of the relevant parts in an attempt to simplify the reasoning behind each one.

Response to 2. Applicant Cover Letter

(<https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/2.%20Applicant%20Cover%20Letter/An%20Bord%20Plean%20C3%A1la%20-%202013%20Sep%202023.pdf?r=532400785690>)

1. Importance of North Runway: While the North Runway is highlighted as crucial for Irish aviation and economy, this should not overshadow the need for sustainable and responsible development. The growth of the airport must be balanced with the environmental and health impacts on local communities.
2. Economic and Policy Goals: Emphasising national policy and economic benefits risks downplaying the significant negative impacts on nearby residents. Economic growth should not be pursued at the cost of residents' health and quality of life.
3. Timing of Decision: The request for a prompt decision to provide operational certainty overlooks the necessity for thorough, community-inclusive discussions. Decisions impacting public health and environment should be made with careful consideration, not haste.
4. Balancing Local Concerns: Merely acknowledging local concerns isn't sufficient. There must be tangible actions and commitments towards minimizing the adverse effects on the residents, not just a theoretical balance in policies.
5. The Noise Quota System, while appearing as a balanced approach, it does not adequately address the real impact of noise on local residents. It averages noise levels over a period of time, understating the impact of short-duration, high-intensity noise events typical of aircraft take-offs and landings. This then leads to a misrepresentation of the actual noise experience of those living near the airport. True noise impact must be assessed more holistically, considering peak noise levels and their direct effect on residents' health and quality of life, rather than relying on averaged data.

Response to 4. RFI Noise Modelling Report

(https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/3.%20RFI%20Noise%20Modelling%20Report/A11267_23_RP060_4.0%20Noise%20Modelling%20Report%20ABP%20RFI%2027%20Apr%202023.pdf?r=198887006219)

Assessment Scope: The report's focus on maximum noise levels (L_{Asmax}) for assessing sleep disturbance does not capture the full spectrum of noise impacts, such as continuous low-level noise which can also disrupt sleep patterns.

Methodological Concerns: The reliance on specific noise metrics and average awakenings does not accurately reflect individual differences in noise sensitivity and the cumulative effect of repeated disturbances.

Health Impact Underestimation: The report underestimates the broader health implications of noise pollution, including stress-related illnesses and long-term sleep disturbance.

Community Experience: The findings do not align with the actual experiences of residents, where the subjective impact and perception of noise can significantly differ from the modelled predictions.

Response to 5. Appropriate Assessment Screening Report

(<https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/5.%20Appropriate%20Assessment%20Screening%20Report%20Addendum/Appropriate%20Assessment%20Screening%20Report%20Addendum.pdf?r=273744764472>)

Unexpected Overflight Impact: The impact of unexpected overflights on the local community was significant and continues to be. It has caused substantial distress and disruption, and we question the adequacy of initial assessments and planning.

Responsiveness and Transparency: While the DAA initiated a review, the immediate and ongoing concerns of our community have not been sufficiently addressed. The process of review and stakeholder engagement should have been more transparent and inclusive of community input.

Alignment with Initial Assumptions: The discovery that Instrument Flight Procedures were not aligned with initial modelling assumptions raises concerns about the accuracy and reliability of the DAA's planning submissions. This discrepancy indicates a potential oversight in the planning process, necessitating a more rigorous review and monitoring system.

Implementation Timeline: The time taken to review, propose, and implement changes, although may have been in line with regulatory requirements have prolonged the period of disturbance for local residents. This delay highlights the need for more agile response mechanisms in addressing community concerns.

Response to 6. Dublin Airport Economic Impact of Operating Procedures - Intervistas Operating Restrictions report

(<https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/6.%20Dublin%20Airport%20Economic%20Impact%20of%20Operating%20Restrictions%20-%20Update/InterVISTAS%20OperatingRestrictionsAddendum%206Sep2023.pdf?r=369440598665>)

While the economic gains from lifting operating restrictions at Dublin Airport are clear, this board must also consider the broader implications. The increased noise pollution affects

thousands of residents and has already led to sleep disturbances, stress, and other health issues. Sustainable development must prioritise not only economic growth but also the well-being of the community. Therefore, it's vital to seek a balanced approach that includes effective noise mitigation strategies and explores innovative solutions to reduce the environmental impact of airport operations.

Response to 7. Quantification of Impacts on Future Growth

([https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/7.%20Quantification%20of%20Impacts%20on%20Future%20Growth%20Addendum%20to%20the%20Analysis%20of%20June%202021/DAA%20Op%20Restrictions%20Report%20\(A%20NCA%20RFI%20v1.3.1\)%20Addendum%20v1.0%2020230907-1.pdf?r=813961640239](https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/7.%20Quantification%20of%20Impacts%20on%20Future%20Growth%20Addendum%20to%20the%20Analysis%20of%20June%202021/DAA%20Op%20Restrictions%20Report%20(A%20NCA%20RFI%20v1.3.1)%20Addendum%20v1.0%2020230907-1.pdf?r=813961640239))

The updated report by the DAA while informative about the projected traffic and fleet renewal post-COVID, seems to prioritise airport capacity and efficiency over the environmental and social impacts of increased night-time operations. It's crucial to balance these operational benefits with the well-being of the surrounding communities, who face significant noise pollution and its associated health risks. We urge a comprehensive review that includes sustainable and community-friendly approaches to airport operations, ensuring that growth does not come at the expense of residents' health and quality of life.

Response to 8. Independent Opinion - Prof. Dr. Penzel

(<https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/8.Independent%20Opinion%20-%20Dr%20Penzel/Penzel-report-Dublin%20FINAL%2011.09.23.pdf?r=621885828341>)

As Dr. Penzel states himself the lack of a systemic approach to measuring awakenings are lacking sufficient context and should not be used in defence of allowing the extension of flights into the early morning.

Awakenings vs. Arousals: The report distinguishes between awakenings and arousals. An awakening is defined as a transition from sleep to wakefulness lasting at least 30 seconds. This suggests that brief noises that cause shorter arousals may not be adequately captured in the assessment of noise impact.

Variability in Noise Impact: The impact of noise is not uniform across the night. Noise is more likely to cause awakenings during light sleep stages, which occur more frequently in the morning hours. This challenges the use of a flat probability of awakenings as a comprehensive measure.

WHO Guidelines: The WHO guidelines referenced in the report do not set a threshold for significance in terms of increased awakenings, leaving this to be a matter of interpretation or negotiation, which can be subjective.

Laboratory vs. Field Studies: Differences in responses to noise in a controlled laboratory setting compared to a real-life environment suggest that laboratory study results might not translate directly to real-life scenarios. This could mean that the actual impact of noise on sleep could be underestimated.

Subjectivity of Disturbance: The report notes that individuals' perceptions of air traffic noise can influence their reported levels of disturbance. This subjective element could skew the data on actual sleep disturbance.

Lack of Definitive Assessment: The report acknowledges the absence of conclusive research on the appropriateness of using the probability of additional awakenings to assess the effects of peak noise levels of air traffic movements (ATMs).

Need for Systematic Approach: Prof. Dr. Penzel concludes that there is no systematic approach to measuring the probability of increased awakenings to date, and that evidence-based decisions depend on clearly defined thresholds, which are currently lacking.

The reliance on 'awakenings' as the primary metric to gauge the impact of nocturnal aircraft noise on sleep significantly understates the complexity of human sleep patterns and their susceptibility to external disturbances. Awakenings, defined as transitions from sleep to wakefulness lasting at least 30 seconds, do not account for the multitude of shorter arousals that fragment sleep architecture and impair sleep quality. These subtle interruptions, while not amounting to full awakenings, can nonetheless disrupt the cyclical nature of sleep, leading to reduced deep sleep and REM stages, which are critical for cognitive functions and overall health.

The use of awakenings alone also fails to consider individual variability in noise sensitivity, the cumulative effect of repeated nightly disturbances, and the resultant long-term health outcomes. Therefore, a more holistic approach is imperative—one that incorporates a wider range of sleep disturbances, evaluates the nuances of sleep architecture, and reflects the true scope of noise-induced sleep disruption experienced by individuals living under the flight paths. Only through such a comprehensive assessment can we ensure that the health and well-being of the community are not compromised in the wake of airport operational changes.

Response to 9. Cost Effectiveness Analysis Report

(https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/9.%20Cost%20Effectiveness%20Analysis%20Report/Cost%20Effectiveness%20Analysis%20Report/daa_CEARResultsUpdate_Report_2023-09-14_FINAL.pdf?r=443009309198507858927407)

Underestimation of Noise Impact: The report's focus on cost-effectiveness and operational efficiency underplays the real-world impact of noise on residents, particularly during night hours.

Methodology Biases: The methodologies used in forecasting and noise modelling inherently favours airport operations over residential well-being, leading to skewed results.

Insufficient Consideration of Health Impacts: While the report discusses noise mitigation, it does not adequately address the long-term health effects of increased noise exposure, such as sleep disturbance and stress-related illnesses.

Overreliance on Technical Data: The reliance on technical data and forecasts overlooks the subjective experiences of individuals living in the impacted areas, whose quality of life is already being significantly affected by the current situation and will be exacerbated by the additional proposed changes.

Response to 10. CEA Noise Information Report

(https://www.pleanala.ie/publicaccess/314485%20-%20Applicant's%20response%20including%20EIAR%20Supplement%2014-09-23/10.%20CEA%20Noise%20Information%20Report/A11267_23_RP065_1.0%20CEA%20Noise%20Information%20Report.pdf?r=212733290262)

Methodological Limitations: The use of a noise model compliant with ECAC, CEAC and EU directives primarily focuses on quantifying noise levels, not directly measuring the health impact of those levels on human sleep. Such models lack the nuance needed to understand the complexities of sleep disturbances caused by airport noise.

Expertise in Sleep Disturbance: The report, while technically sound in measuring noise levels, is prepared by acoustical consultants, not sleep experts. Assessing the impact of noise on sleep requires a multidisciplinary approach involving sleep medicine experts, as sleep disturbances can be influenced by factors beyond decibel levels, such as the frequency and timing of noise events.

Simplification of Complex Health Impacts: The report's findings simplify the complex relationship between noise exposure and health outcomes. Sleep disturbance, annoyance, and long-term health effects of noise pollution require a more in-depth, health-focused study, possibly integrating epidemiological data, to provide a comprehensive understanding of the impact on affected populations.

In conclusion, it is evident that DAA shows a blatant disregard for planning laws, aggressively pursuing their expansion plans with little regard for the health and well-being of nearby residents. Despite being aware of the issues with flight paths since the inaugural use of the North Runway, it took them six months to implement even a minor modification – an attempt to placate rather than genuinely address the complaints raised by the community and Fingal County Council. The latter has even initiated enforcement proceedings against the DAA, underscoring the seriousness of the situation. We now stand at a pivotal moment: Will the DAA be allowed to bulldoze its way through, making alterations without proper consultation and planning, all in the name of growth, regardless of the potential harm to the community? This is a question of not just regulatory compliance, but also of moral responsibility and respect for the community's rights.