

File With _____

SECTION 131 FORM

Appeal NO: ABP-314485-22Defer Re O/H ☐

TO: SEO

Having considered the contents of the submission dated received 13/12/2023
fromJohn Whyte 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 issuesE.O.: Pak BDate: 22/12/2023

To EO: _____

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____

Allow 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-068697-23**

Case Number: **ABP-314485-22**

Customer: **John Whyte**

Lodgement Date: **13/12/2023 10:50:00**

Validation Officer: **Karen Byrne**

PA Name: **Fingal County Council**

PA Reg Ref: **F20A/0668**

Case Type: **Normal Planning Appeal PDA2000**

Lodgement Type: **Observation / Submission**



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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

BP40 to issue to observer and enclose receipt.

✓
F.k.

28/12/23

Run at: 19/12/2023 09:57

Run by: Karen Byrne

Lodgement Cover Sheet - LDG-068697-23

Details

ABP-314485-22.

Lodgement Date	13/12/2023
Customer	John Whyte
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

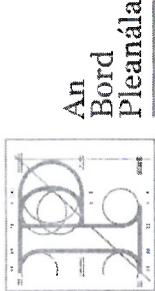
Categorisation

Lodgement Type	Observation / Submission
Section	Processing

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Observation



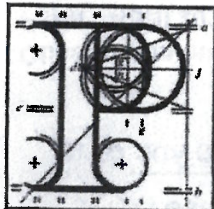
Lodgement ID	LDG-068697-23
Map ID	
Created By	James Gandolfi
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

PA Name	Fingal County Council
Case Type (3rd Level Category)	

Observation/Objection Allowed?	
Payment	PMT-053352-23
Related Payment Details Record	PD-053225-23

PA Case Number	
PA Decision Date	
County	
Development Type	
Development Address	
Appellant	
Supporting Argument	

Development Description	
Applicant	
Additional Supporting Items	



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Observation on a Planning Appeal: Form.

AN BORD PLEANÁLA
LDG- 068697-23
ABP- _____
Date: 13 DEC 2023
Fee: € 50 Type: cléire
By: Pol

Your details

1. Observer's details (person making the observation)

If you are making the observation, write your full name and address.

If you are an agent completing the observation for someone else, write the observer's details:

Your full details:

(a) Name

John Whyte

(b) Address

Newtown House, The Ward, Co. Dublin. D11XA52

Agent's details

2. Agent's details

If you are an agent and are acting for someone else on this observation, please also write your details below.

If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not Applicable

(b) Agent's address

Not Applicable

Postal address for letters

3. During the appeal process we will post information and items to you or to your agent. For this observation, who should we write to? (Please tick✓ one box only.)

You (the observer) at the address in Part 1

☒

The agent at the address in Part 2

☐

Details about the proposed development

4. Please provide details about the appeal you wish to make an observation on. If you want, you can include a copy of the planning authority's decision as the observation details.

(a) Planning authority

(for example: Ballytown City Council)

Fingal County Council

(b) An Bord Pleanála appeal case number (if available)

(for example: ABP-300000-19)

PL06F.314485

(c) Planning authority register reference number

(for example: 18/01 23)

F20A/0668

(d) Location of proposed development

(for example: 1 Main Street, Baile Fearainn, Co Abhaile)

Dublin Airport

Observation details

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

As one of more than 30,000 residents now living under the illegal flight path since the opening of the North runway, the quality of my life and the lives of my family have been severely impacted. The current operation is causing huge distress and disturbance along with negative health effects which can only be attributed to the excessive aircraft noise. The negative health effects of such are well documented.

The flightpaths in the 2007 planning permission are much different to the ones in use today and since the North runway opened. These flightpaths must be changed back to what was proposed in 2007. Straight-out flightpaths will largely improve the noise issue. Night flights should also be banned as is the case in many other major airports.

The DAA are breaching their current planning permission and flightpaths as follow:

- (i) The DAA have breached the passenger cap for 2019 and will most likely do so this year too.

5. Please describe the grounds of your observation (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Section 5 continued.

- (ii) The DAA are consistently breaching the 65 movement cap per night.
- (iii) The DAA are not using the flightpaths they used in their 2007 planning permission.

Fingal County Council planning stipulations have been absolutely flouted and the DAA show a total disregard for the planning process.

An oral hearing is absolutely necessary given the gravity of the situation.

Supporting materials

6. If you wish, you can include supporting materials with your observation.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Fee - €50.00 (if a submission was not already made)

7. You **must** make sure that the correct fee is included with your observation. You can find out the correct fee to include in our Fees and Charges Guide on our website.

This document has been awarded a Plain English mark by NALA.

Last updated: April 2019.