

S.37

File With

## SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

☐

Having considered the contents of the submission dated received 14/12/2023  
from Liam and Orla McMahon 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

21/12/2023

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-003006

### Online Observation Details

Contact Name  
Liam McMahon

Lodgement Date  
14/12/2023 16:38:28

Case Number / Description  
314485

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Liam McMahon

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

*Pate B*

EO

Date

29/12/2023

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068891-23

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\_3ONHvcB1CW0EN5FC1YY2XePm

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

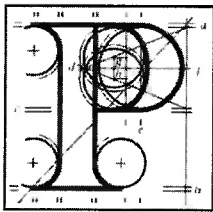
SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date



An  
Bord  
Pleanála

## Observation on a Planning Appeal: Form.

### 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

Liam & Orla McMahon

(b) Address

Fiedstown West, Kilsallaghan, Co Dublin

### 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: 18/0123)

F20A/0668

**(d) Location of proposed development**

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

Dublin Airport and North County Dublin

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.

We object to the following:

- a) Any increase in the number of night flights.
- b) Changing of the night flying hours to 12.00am-06.00am
- c) **Continued use of the current unapproved flightpaths which differ from those approved in the only planning permission granted in 2007.**

We **object** for the following reasons:

a) Flightpaths in use bear no resemblance to what was approved in 2007 planning. We purchased our house in Oldtown in 2015 at a time when flights taking off from Dublin airport flew straight out in accordance with planning permission at that time. In 2015 there was no planning permission for flights taking off from Dublin airport to fly over or near Oldtown. We were free to purchase a house anywhere. We have lived here since 1966. Our home was the perfect peaceful area for us to make our home. We had no reason to believe that this was going to change. But it did change when the DAA and those responsible at Dublin airport allowed flights taking off from Dublin airport to use flight paths, for which they had no planning permission, over Greenogue, Fieldstown, Oldtown, Ballyboughal, Ashbourne and many other previously peaceful communities.

b) Our enjoyment of our home and garden has been severely impacted since the opening of the North Runway. Everyone expected something different in terms of flightpaths based on the 2007 planning permission and what has happened is completely different. The current operation is causing huge distress and disturbance for tens of thousands of people not to mention the negative health effects and illnesses which can be attributed to excessive aircraft noise.

Before the implementation of the current flight paths, we enjoyed our garden, we enjoyed eating outdoors, barbecues, entertaining guests and playing outdoors with our children. These things have been taken from us. It has become impossible and pointless for us to enjoy outdoors because the peacefulness and quiet of the day, evening and night has been destroyed by overflying planes.

Yes, there are days when planes don't take off over our house, on days when they take off in an easterly direction, but we have no advance schedule for these days. And few of these quiet days coincide with suitable days for private social events at home.

We have had meals or tea outside, just our household, but, when there are planes flying overhead, there is little enjoyment when we have to pause our conversation and find ourselves becoming ever more irritated and annoyed. It is ALSO the amount of planes which can be a plane every two to five minutes.

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.

Regardless of many submissions of complaint through the complaint portal, no response or engagement has been forthcoming from the DAA (despite what they say) who just don't care and are only interested in making profit.

c) Planes flying over our home between the hours of 11.00pm-07.00am frequently disturb our sleep and are a serious problem for our household. There are many nights where we are woken by planes and at any time of the night. We find that when we are woken at 4, 5 or 6 in the morning it is impossible to get back to sleep when further planes are taking off over our house. We are constantly tired from sleep deprivation. My wife and I have experienced increased levels of stress and anxiety since planes began flying over our house.

d) The value of our home has been severely impacted so that we are now trapped in this nightmare. Who is going to buy our house for the market price that it commanded prior to the implementation of the current flight paths? We want to escape this torment, but we cannot. And we shouldn't have to. If flights are routed to use the take off flight paths for which they were granted planning permission in 2007, then our village will return to a beautiful and peaceful environment where we can continue to live and bring up our children.

The prospect of granting further changes to increase the day hours and night flights seems ludicrous when there is a major noise issue already in place. Extending day hours for residents is only going to cause more noise exposure, it doesn't make any sense given how serious the current noise situation is.

Unlimited night flights using a pure noise quota system is only going to cause more sleep disturbance for residents. Night flights should be banned as is the case in many other major airports. It is ridiculous to think that we can get a better night's sleep in many large European cities than we can in this tiny village in the countryside of north county Dublin.

e) FCC 2007 planning stipulations have been absolutely flouted. No body, be that public or private should be allowed to operate outside the planning process. If we built an extension or changed the use of our house without planning permission and to the detriment of our neighbours, we would be compelled to undo the changes to our house.

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.

