

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated received 13/12/2023
fromLisa Morris 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.: Pat BurDate: 29/12/2023

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 reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

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

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

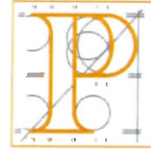
Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-069015-23**
Case Number: **ABP-314485-22**
Customer: **Lisa Morris**
Lodgement Date: **13/12/2023 13:07:00**
Validation Officer: **Patrick Buckley**
PA Name: **Fingal County Council**
PA Reg Ref: **F20A/0668**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**



An
Bord
Pleanála

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

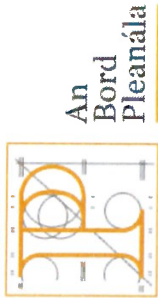
F.k.

28/12/23

Run at: 29/12/2023 10:13

Run by: Patrick Buckley

Lodgement Cover Sheet - LDG-069015-23



Details

Lodgement Date	13/12/2023
Customer	Lisa Morris
Lodgement Channel	Email
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-069015-23
Map ID	
Created By	Karen Byrne
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	F20A/0668

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

PA Name	Fingal County Council
Case Type (3rd Level Category)	Normal Planning Appeal PDA2000

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	50.00
Refund Amount	

Observation/Objection Allowed?	Yes
Payment	
Related Payment Details Record	

Observation

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	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,
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Run at: 19/12/2023 13:52

Run by: Karen Byrne

Co. Dublin, in the townlands of Collinstown, Toberbunny, Commons, Cloghran, Corballis, Coultry, Permellick, Harristown, Shanganhill, Sandyhill, Huntstown, Pickardstown, Durlbro, Millhead, Kingstown, Barberstown, Forrest Great, Forrest Little and Rock on a site of c. 580 ha. The proposed relevant action relates to the night-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. F04A/1755; ABP 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

Case Number	Development Description
F20A/0668	<p>Permission, in accordance with the annual night time noise quota. The relevant action pursuant to Section 34C (1) (a) is: To amend condition no. 3(d) of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19). Condition 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, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports.'</p> <p>Permission is being sought to amend the above condition so 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 conditions, adverse weather, technical faults in air traffic control systems or declared emergencies at other airports or where Runway 10L-28R length is required for a specific aircraft type.' The net effect of the proposed change, if permitted, would change the normal operating hours of the North Runway from the 0700hrs to 2300 hrs to 0600 hrs to 0000 hrs. The relevant action also is: To replace condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19) which provides as follows: 5. On completion of construction of the runway hereby permitted, the average number of night</p>

all the aircraft movements at the airport 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 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

	<p>Permission (Fingal County Council Reg. Ref. No. F06A/1843; ABP Ref. No. PL06F.223469) provide that the combined capacity of Terminal 1 and Terminal 2 together shall not exceed 32 million passengers per annum. The planning application will be subject to an assessment by the Aircraft Noise Competent Authority in accordance with the Aircraft Noise (Dublin Airport) Regulations Act 2019 and Regulation (EU) No 598/2014. The planning application is accompanied by information provided for the purposes of such assessment. An Environmental Impact Assessment Report will be submitted with the planning application. The planning application and Environmental Impact Assessment Report may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the Planning Authority during its public opening hours of 9.30 - 16.30 (Monday – Friday) at Fingal County Council, Fingal County Hall, Main Street, Swords, Fingal, Co. Dublin.</p>
Applicant	
Additional Supporting Items	Yes

		08/08/2022
PA Decision Date		
County		
Development Type		
Development Address		Dublin Airport, Co. Dublin
Appellant		
Supporting Argument		

Palmer

Mary Tucker

From: Bord
Sent: Wednesday 13 December 2023 14:24
To: Appeals2
Subject: FW: Observation - Case 314485
Attachments: observation0.docx

From: lisa burke <lisamb2000@yahoo.com>
Sent: Wednesday, December 13, 2023 2:01 PM
To: Bord <bord@pleanala.ie>
Subject: Observation - Case 314485

Ref: ABP-314485-22
Planning Authority Ref No: F20A/0668

Dear All,

Please find attached an observation in relation to the DAA Relevant Action referenced above. I am sending this by email as per phone conversation at 13:45 on 13/12/2023 with An Bord Pleanála.

Can you please confirm that you have received this.

Regards,
Lisa Morris

3 Surgalstown Cottages
Kilsallaghan
Co. Dublin
K67N4V2

ORef: Case number: ABP-314485-22

Planning authority Ref Number: F20A/0668

13/12/2023

To whom it may concern

On behalf of myself and my family I am against the DAA Relevant Action for reasons submitted in my previous observation and the following reasons:

Since the very first day of the opening of the new runway the lives of myself, my husband and my 3 young children have changed for the worst. We bought our home in Kilsallaghan after consulting the flight paths and taking into account that flights would stick to their approved flight paths under planning permission. We wanted a relaxed peaceful life in the countryside for ourselves and our 3 young children and paid a lot of money on our home to achieve this. Before the new runway opened, we thought we had achieved that but from the moment the north runway opened it has made our lives miserable. We hear noise and vibrations in our home constantly. We can barely talk in the garden when flights are flying overhead. Our enjoyment of our home and garden have been severely impacted since the opening of the north runway and the prospect of granting further changes to increase the day hours and night flights seems way out of order when we are already facing such severe problems. The flights affect our moods and mean we are constantly agitated and unable to sleep properly and we are woken up by flights regularly. This is made all the worse by knowing that DAA are in breach of their planning permission and are getting away with it. If I breached planning permission as a citizen, I would face the full rigors of the law and rightly so.

Fingal county council 2007 stipulations to DAA have and continue to be flouted at will.

DAA are trying to retain the flight paths they are currently using which are not approved, meaning they are breaking their 2007 planning permission. The EIAR supplement 2023 within the significant additional information is prepared for the DAA and thus is not independent of potential bias. Their report is based on the illegal flight paths from the north runway so how can their future projections be valid.

DAA needs to implement that flights go straight out 5 miles from the north runway before turning as was supposed to happen. This way flights will be higher and less noisy and affect less people.

DAA have breached the passenger cap in 2009 and will more than likely do this again this year.

DAA consistently breach the 65 movement cap per night.

DAA want permission for unlimited nighttime flights which will be entirely detrimental to mine and my husband's health and the health of my 3 young children. We already suffer with constant noise from flights which have no planning permission to fly anywhere near our home. Increasing the number of these illegal flights will push us over the edge. We and our children are already suffering health wise from being woken up and from constantly being aware of noise in our garden and inside our home. We are constantly on edge and the flights are affecting our ability to relax and to enjoy our home and garden. Unlimited nighttime flights should be banned as is the case in many other major airports around the world.



DAA want a change of daytime hours to 6am to midnight. As per above this will have a further health impact on my family.

We have been forced to block off air vents to some of our rooms in order to mitigate the constant noise and disturbance from flights overhead.

DAA have never used the flight paths for which they have planning permission so before any change is considered they should be made use them to see the effects. They are trying to circumvent the rules here.

Sound insulation schemes were put in place based on the flight paths granted in 2007 and homes which would have been greatly impacted by noise were retrofitted with sound insulation. We now have a situation where these houses which were insulated against noise are nowhere near the noise from the illegal flight paths while my family, and thousands of others, have never had sound insulation offered as we were not near the correct flight path. Now have all the noise with none of the insulation.

An oral hearing is absolutely necessary given the impact and gravity of the situation on our communities.

Having read the newly submitted DAA documents its clear that they have used the current illegal flight paths for their permitted drawings instead of the permitted noise zones from the original 2007 planning permissions. This is in the hope that An Bord Pleanála grants this on the basis of the relatively small difference between before and after with respect to night time flights. If that occurred ABP would be effectively granting retention to the current flight paths which are illegal and causing untold mental suffering to our community. These flight paths must therefore be considered within this Relevant Action submitted by DAA.

The so-called permitted noise zones in this submission do not match the environmental impact statement for the only granted permission. Acceptance of the relevant action by ABP and flightpaths would set a dangerous precedent that ABP conditions should be ignored if inconvenient.

Yours sincerely

Lisa Morris

3 Suralstown Cottages

Kilsallaghan

Co. Dublin

K67N4V2