

File With

## SECTION 131 FORM

Appeal No

ABP— 314485-22

Defer Re O/H

Having considered the contents of the submission dated/received 13/12/2023  
from Mairead and Gerry Fitzsimons 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

20/12/2023

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-002930

### Online Observation Details

Contact Name  
Mairead Fitzsimons

Lodgement Date  
13/12/2023 21:15:12

Case Number / Description  
314485

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Mairead Fitzsimons

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

*Pat B.*

Date

*20/12/2023*

EO

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— *068807-23*

Reason for Refund

Documents Returned to Observer

☐ Yes ☐ No

Request Emailed to Senior Executive Officer for Approval

☐ Yes ☐ No

Signed

Date

EO

### Finance Section

Payment Reference

ch\_3OMzlsB1CW0EN5FC1tGMyVrO

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

**Planning Authority:** Fingal County Council  
**An Bórd Pleanála appeal case number:** PL06F 314485  
**Planning authority register reference number:** F20A/0668  
**Location of proposed development:** Dublin Airport

Fingal County Council 2007 planning stipulations have been absolutely flouted. There is a raw arrogance in the approach by DAA to the regulations. The DAA are breaching their current planning permission and flightpaths as below:

- DAA have breached the passenger cap in 2019 and have done so again this year and are planning to do so again next year.
- DAA are consistently breaching the 65 movements cap per night.
- DAA are not using the flightpaths they used in their 2007 planning permission.

DAA have flown over 110 flights each night, far above their allowed 65 flights per night. They have incentivised nighttime flights such as Air Ethiopia Dreamliners that fly in to refuel only. DAA show no concern for the health of the citizens of Fingal. Unlimited night flights using a pure noise quota is only going to cause more sleep disturbance for residents.

Late night flights should be banned as is the case in many other major airports such as Heathrow, Stansted, Gatwick, and other airports in Europe.

Well documented negative health effects and illness can be attributed to excessive aircraft noise. 'For night noise exposure, the GDG strongly recommends reducing noise levels produced by aircraft during nighttime below 40dB Night as night-time aircraft noise above this level is associated with adverse effects on sleep' (Table 8.11 Recommendations of the WHO Environmental noise guidelines for the European Region)

Sleep is our life support system, the foundation and the pillar of health. 'Sleep is a non-negotiable biological necessity', so writes Matthew Walker PhD in his important and fascinating book 'Why We Sleep'. Without a good night's sleep *all* other aspects of our lives suffer negatively. Studies have shown that for adults there are direct links between noise and health. Problems related to aircraft noise include stress related illnesses, high blood pressure, speech interference, hearing loss, sleep disruption, and lost productivity.

We have lived in Portmarnock for 45 years, and due to early morning flights, 4am/5am, from the USA we have slept with closed windows for many years, even on the hottest nights in summer.

The briefing below was prepared in the UK for MPs by the AEF on the 'Night Noise Quota Count Scheme'. It was prepared in connection with the Civil Aviation Bill in Oct 05, but is of general relevance to the night flights issue.

<https://www.aef.org.uk/2005/10/21/night-noise-quota-count/>

*The Night Noise Quota Scheme professes to be a regime that will encourage the uptake of quieter aircraft but its numerous shortcomings in fact allow far more planes to fly at night, while maintaining the same supposed 'noise climate'.*

*While these planes may indeed be marginally quieter, it is the number of noise events, rather than a token reduction of a few decibels, that causes the misery of sleep deprivation to residents living under flight paths. It is essential, therefore, that the cap on numbers of movements at night is retained.*

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.



As residents of Portmarnock for 45 years, and grandparents to children who live under the flight path we insist that:

- Limits on the number of night flights
- Nighttime hours when no flights are allowed (no changes to the 2 conditions imposed by An Bord Pleanála)
- Implementation of the HSE Noise guidelines, and the WHO Noise guidelines (a max on 40dB at night and an average of 45dB at other times)

Globally, COP28 has shown us that fossil fuels are at the heart of the climate crisis. ClimateTrace.org at COP28 shows us that Dublin Airport is no1 GHG emitter in Ireland in 2022. In making this application DAA have shown themselves to be climate hypocrites. It's essential that ABP stands by the goals of COP28 by refusing any increase in flights beyond the original permissions.

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Emissions from aviation are a significant contributor to climate change. Aircraft burn fossil fuel which not only releases CO2 emissions but also has strong warming non-CO2 effects due to nitrogen oxides (NOx), vapour trails and cloud formation triggered by the altitude at which aircraft operate.

[https://www.theguardian.com/commentisfree/2023/jul/27/airlineemissions-climate-crisis-holiday-advertising?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/commentisfree/2023/jul/27/airlineemissions-climate-crisis-holiday-advertising?CMP=Share_iOSApp_Other)

Sustainability and climate change are literally 'hot' topics all over the world at the very moment with soaring temperatures and melting ice around the globe. The effects on the environment are monumental and Ireland is one of the worst countries in the world in terms of GHG emissions. Increasing aircraft activity in the midst of a climate crisis seems counterintuitive. Further growth at Dublin Airport is unsustainable and contradicts our emissions reduction goals. The urgency of this situation cannot be overstated

We wish to object to this application by the DAA. The restrictions, as outlined in the original planning permission, set a standard to limit night-time flights and to limit noise levels. These limits were put in place by An Bord Pleanála to protect the surrounding communities and the surrounding environment. Since then, Fingal has been identified as an area of high-density residential housing, and thousands of houses/apartments have been built along the flight path from Portmarnock to Dublin Airport. These new houses are home to thousands of young families and their quality of life, sleep and health will be put at risk through the disturbance of late flights after 11pm and early morning flights from 6am.

Fingal has a youthful, diverse, and vibrant population with 26% of its citizens below the age of 18 years, and 63% below the age of 44 years. Between 2006 and 2022, Fingal's population grew by 37.7%, the fastest of any county in Ireland, and it's predicted to grow by 22% by 2030. The health of Fingal's population is at stake from sleep deprivation/disturbance and increased emissions, all resulting from the proposals in this application.

### **Our Health is our Wealth.**

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

Mairead and Gerry Fitzsimons  
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Portmarnock  
Co Dublin D13PX32