

File With

SECTION 131 FORM

Appeal No

ABP— 3/4485-22

Defer Re O/H

☐Having considered the contents of the submission dated received 12/12/2023

from Mark Lewis

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

20/12/2023

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-002982

Online Observation Details

Contact Name
Mark Levins

Lodgement Date
14/12/2023 14:07:41

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Mark Levins

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Si gred

Pat B.
EO

Date

20/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— *068868-23*

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_3ONFZhB1CW0EN5FC1LKk8aFk

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

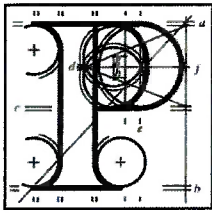
SEO (Finance)

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

Mark Levins

(b) Address

8 Cedar Park,
Ridgewood,
Swords,
Co Dublin.
K67 R295

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)

F20A/0668

(c) Planning authority register reference number

(for example: 18/0123)

PL06F.314485

(d) Location of proposed development

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

Dublin Airport, Co Dublin

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.

I am a resident of Ridgewood estate in south Swords and request that you please REFUSE PERMISSION to DAA Relevant Action on the basis of the following reasons:

1. There have already been serious Planning failures with respect to Swords and the airport. In effect, either the new runway or Ridgewood estates should have got planning permission. I bought my house here on the basis of trust in An Bord Pleanála and that I would not have issues with simple thing like the right to a full night's sleep. Depending on wind direction, there can be toxic aviation fuel fumes in the air that mean a door or window cannot be left open. I have lived in Swords for my whole life and have not experienced any significant problem until the new runway opened. Allowing the runway operate at full commercial scale throughout the night is going to be unbearable. After working for a week, being regularly woken at 6 a.m. on a Saturday or Sunday should not have to have to be tolerated.

All the previous planning was granted on the basis of deliberately incorrect data provided with respect to flight paths and which were used for noise-impact assessments. Allowing retention of the incorrect flight paths allows the DAA to conveniently by-pass responsibilities to residents impacted by the airport's expansion.

2. The point at which planes start their take-off on the new runway is at just about the highest location in north Dublin. I attach a photograph taken as evidence, these are taken a few metres lower than the runway, at the altitude of the road.

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.



This is relevant as there isn't a single noise retardation measure in place between the runway and Swords and means for maximum sound impact through the quiet hours of the nighttime. Residents in Ridgewood also suffer the constant ground noise from the airport. The point at which take-off starts is when planes are at their loudest.

3. Arguments for a 'Noise quota system' and that quieter planes exist are not proven in science or impractical. I have no idea what a 'Noise quota system' could be and even if it did exist, would be ignored by the DAA in alignment with how current planning is adhered to. It seems more 'marketing spin' than a concrete plan. It is also difficult to understand how such a system can work when aircraft/airport noise isn't properly measured. A 'quota' system would imply that noise stops once a threshold is reached but the DAA sells take off and landing slots whole years in advance, what use is a quota system when it has no practical enforcement?

Quieter planes may exist in the future but older planes are more typically used by the freight business which fly during nighttime hours.

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.

Allowing unrestricted nighttime flights will encourage louder planes to impact residents in Swords.

4. The DAA follows a repeated 'Forgiveness is easier than permission' attitude to planning regulations. This is currently also evident with the request to increase the passenger quota from 32 million to 40 million, a massive 25% increase. They support this approach with media and public relations release like

[DAA warns of potential €262m economic hit if runway restrictions not lifted – The Irish Times](#)

[Passenger restrictions at Dublin Airport will hit all aviation activity — DAA – The Irish Times](#)

and are supported by the likes of [Airport operator DAA should ignore 'arbitrary' passenger cap in Dublin, says Michael O'Leary – The Irish Times](#) encouraging that Planning rules are ignored. The first link is based on a study paid for by the DAA and is equivalent to the Vintners Association setting pub opening hours.

The repeated trend is the cost to the economy yet the airport cannot scale indefinitely and what happens when we near or pass the restrictions the DAA is looking for now. If the economy is so important, when is the DAA not supporting national growth. The surrounding environment cannot scale according to a 25% increase in passenger numbers. There simply isn't the road and transport infrastructure in place.

Simply put, the DAA cannot be trusted and need to start adhering to what was previously approved. This point is validated by the letter to Minister Eamon Ryan from Fingal County Council Corporate Services

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requesting that the board of the DAA is stood down because of Planning violations.

I have recently noticed that the DAA is already proceeding with plans for more nighttime flights next year where Ryanair are rescheduling flights for night time hours – the particular example is for a 4.55 a.m. departure that was originally booked much later in the morning.

Lastly, the current nighttime flight restrictions have been completely ignored to date.

5. The airport is a massive environmental polluter. They have published [dublin-airport-carbon-reduction-strategy.pdf \(dublinairport.com\)](https://dublinairport.com/wp-content/uploads/2018/05/dublin-airport-carbon-reduction-strategy.pdf) but conveniently side-step responsibility for carbon emissions from planes. With the desire for growing Dublin Airport, CEO Keny Jacobs cites 'per passenger' numbers for carbon emissions to produce lower media-friendly numbers. It doesn't take a genius to note that the total emissions will be growing by 25% very soon.

The DAA is also looking to increase it's passenger traffic in its operation as a transfer hub, financial opportunities for the DAA that are arising as other European airports are restricting growth or cutting back on traffic. Enabling this growth is at the cost of more pollution and of next to no financial benefit to the country – passengers that simply land and take off again contribute nothing to our economy. Indeed, the DAA have already been creative in their accounting for current breeches of planning regulations [Dublin Airport in talks with airlines on staying below 32m passenger 'cap' for flights – The Irish Times](https://www.irishtimes.com/business/transport/dublin-airport-in-talks-with-airlines-on-staying-below-32m-passenger-cap-for-flights-1.4444444) where it states "Transit passengers are counted twice for aviation purposes, once when arriving and again when departing. But DAA counts such

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passengers once for planning purposes, on the basis that one person equals one passenger.”

6. The unfettered growth of the airport represents a triumph for ‘Big Business’ over the rights of citizens living close to the airport. When Dublin Airport was originally built it was in the countryside but is now surrounded by a large number of suburban towns and residents in each of these are already affected by the current levels of nighttime activity. The DAA should be forced to scale in other ways and with respect to their neighbours.

Should my request not contribute to an immediate refusal for the planning change, I request that there will be a proper Oral Hearing to discuss the matter.

Regards,
Mark Levins

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

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.

