

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 Mary Grogan 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-002941

LDG-068746-23

### Online Observation Details

Contact Name  
Mary Grogan

Lodgement Date  
13/12/2023 22:55:25

Case Number / Description  
314485

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
Mary Grogan

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Pat B

EO

Date

13/12/2023

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€ 50

Lodgement No

LDG— 068746-23

Reason for Refund

Overpaid - No fee required (existing participant)

Documents Returned to Observer

☐ Yes ☒ No

Request Emailed to Senior Executive Officer for Approval

☒ Yes ☐ No

Signed

Pat B

EO

Date

20/12/2023

### Finance Section

Payment Reference

ch\_3ON1KrB1CW0EN5FC1ZfEj8Ga

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

Submission on Observation on Planning Appeal to An Bord Pleanala  
Case Number ABP-314485-22

Regarding Planning Authority Reference Number F20A/0668

In submitting my Observation, I wish to strongly oppose any change in the planning permission to allow night flights from Dublin Airport. I would like it noted that I fully support, and I am in full agreement with the submission from Saint Margaret's, The Ward Residents relating to this matter. I am also requesting that this matter is dealt with in an Oral Hearing by An Bord Pleanala.

I would consider myself fairly up to date regarding noise, effects impacts, insulation, airport development however I for one acknowledge that the information is extremely technical.

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.

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 0700 hrs to 2300 hrs to 0600 hrs to 0000 hrs.

The relevant action also is :

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To replace condition 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 time 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 5<sup>th</sup> 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 nighttime use of the existing parallel/runway."

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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.
- Please note that the community of St. Margaret's was first notified of this new proposal of a "Relevant Development" Submission on **Tuesday December 15<sup>th</sup>, 2020** and the Planning Submission was made on **Friday December 18<sup>th</sup>** there was no public consultation on this submission.

Planning permission was granted for the second parallel runway in August 2007( An Bord Pleanála Ref: PL06F.217429 and Fingal County Council Reg:Ref:F04A/1755) which was 16 years ago. Surely we have much more information available to us now that we had 16 years ago but at that time An Board Pleanála in their wisdom granted permission but they wisely attached 31 conditions however now 16 years later Dublin Airport Authority are requesting to have these conditions removed and an open sky regarding night flights. There is more evidence based information available now 16 years on that would prove Aircraft noise affects your health condition3(d) Runway 10L-28R shall not be used for take –off or landing between 23:00 hours and 7:00 hours except in cases of safety, maintenance considerations, exceptional air traffic conditions, adverse weather, technical faults in air traffic systems or declared emergencies at other airports

Regarding Planning Authority Reference Number F20A/0668

**Condition 5** On the completion of construction of the runway hereby permitted, the average number of night time aircraft movements at the airport shall not exceed 65 night between 23:00 hours and 7:00 hours when measured over the 92 day modelling period as set out in the reply to further information requested received by An Board Pleanála on the 5<sup>th</sup> day of March 2007.

*Reason: To control the frequency of night flights so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway.*

This I feel this was the correct decision by the planners and I strongly insist on the retention of Conditions 3 and 5 imposed by An Bord Pleanála and agreed by Dublin Airport Authority in 2007. Dublin Airport Authority has many effects on my life and the life, my health and the use of my gardens and on socialising.

How come DAA is now also trying to change what was also a condition in An Board Pleanála ruling and granting permission in 2007 they are looking to change what '**Night Time**' movement they have submitted to change and proposed the new quota system would operate between 11:30 pm till 6 am therefore allowing 6am -7am not to be added as the restriction on the planning condition as directed by An Board Pleanála which as the DAA chief executive Dalton Philips has stated in many media outlets 6am to 7am was the busiest time of the day, so if this amendment is granted and overturned it does not appear that I will be having any late morning so my sleep hygiene will be severely affected which in turn will affect my health.

## Health

Noise is defined as unwanted or unpleasant sound. There is well –established links between noise and physical health, According to U.S Environmental Protection Agency '*noise pollution adversely affects the lives and have shown direct links between noise and health*'. British Medical Journal '*suggest exposure to aircraft noise may have direct effects on the health of people who live near airports*'. Furthermore it is also well –established noise can lead to annoyance which can be accompanied by negative, stress- related emotions such as irritability, distress and exhaustion. When we discuss noise It does not come to mind that noise can cause disease, but noise can actually produce a host of adverse effects on physical health and the overall psychological well-being. Many aspects of my life are affected including sleep, concentration, communication and recreation. (Try sitting in my garden having a barbeque or a cosy conversation without having to shout at my guests).

The World Health Organization classified the adverse health effects of noise pollution into seven categories

### 1. Hearing Impairment

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2. Interference with Spoken Communication
3. Sleep Disturbance
4. Cardiovascular Disturbance
5. Disturbance in Mental Health
6. Impaired Task Performance
7. Negative Social Behaviour and Annoyance Reactions.

People has and may say living beside the Airport sure you learn to tune out the noise however if someone has learned to tune the noise out the noise continues to affect them. For example, while we sleep research would note we still hear noises the sounds are simply processed subconsciously, even if we don't wake up, our bodies react and release stress hormones.

Why are there no projections for when the airport reaches 40m passengers and the affects this has on our Community. In 2016 at some public meetings DAA told us they were working on these projections and would submit them. The DAA forecast that in the near future they would have 40m passengers. In 2018 they had 32.9m passengers which exceeded their permission and it will not be long following Covid that the numbers will reach 40m. The DAA should show us the consequences of this now and not be looking at the short term. DAA boast that they were planning since 1960 for development of Dublin airport and the surrounding area well surely they can tell me what they are planning for as they become the HUB which is what they are hoping *'Dublin Airport will be the Gateway between Europe and North America, 10.2 million people travelled on flights between Dublin and the UK airports which was an increase of 1% compared to 2018'*, (daa pic Annual Report financial Statements 2019 page 16 Philip Dalton) I want to know my future.

Fingal County Council carried out a revision to their current development plan called variation no 1 whereby they introduced various noise zones associated with the airport. They set out criteria that had to be met by providing a standard of noise insulation in housing to be built in the future within these noise zones. One of the criteria is that the maximum single event noise level within a bedroom shall not exceed 45dBL<sub>max</sub>. However the DAA have not reviewed single events or the number of single events at night which can cause serious sleep disturbance and major resulting health issues such as cardiovascular disease. Measurements taken inside my house which was insulated to the standard which DAA and their experts informed me would be sufficient to reduce the noise level in my house reached therefore however I am work up every morning at 5am-6am every morning. The World Health Organisation WHO strongly recommend that night noise levels should not exceed 40dB L<sub>night</sub>. DAA have totally ignored this health warning and therefore their proposals should not be accepted as they put people's health at risk over a long period of time.

DAA have selected 55dBL<sub>night</sub> as the target level that beyond which noise insulation must be provided. The World Health Organisation WHO clearly state that the level

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of 55 dBLnight is an Interim Target level to be used only temporarily in a local situation until other mitigation measures are put in place The WHO state that vulnerable groups cannot be protected at a noise level of 55dBLnight. The proposal . In the Uk the airports not only have far lower Noise Quotas but the also have a limit on the number of flights at night.

Since the introduction of the Airport Noise Action Plans for Dublin Airport not one single dwelling affected in the noisiest contour have been remedied. They are still expected to put up with this and the DAA want to heap more on top of that. The old storey of Money at the expense of the Health of the ordinary citizen. Enough already this is 2021 and not the dark ages.

DAA have totally ignored this health warning and therefore their proposals It is quite clear from this objective that the proposed " Relevant Action" as submitted by DAA require the involvement of the affected communities in ensuring a collaborative approach to mitigating against Noise Pollution.

The DAA in their submitted documentation state that "The Applicant has and continues to engage with a variety of stakeholders and will continue to manage effective relationships with a wide array of stakeholders." They list the local community as one of these stakeholders.

We note that the DAA did participate in Public Consultation back in 2016 over 7 years ago when they indicated that they were preparing to submit a planning application to revise conditions 3d and 5.

However these consultations did not explain the proposal of a Noise Quota System, they did not indicate that there was to be a "night noise insulation" scheme being proposed, they did not produce the noise information now submitted which indicates that large sections of the community shall be either "Highly Sleep Disturbed (HSD) or Highly Annoyed (HA) due to the projected future noise from the Airport, they did not inform the local communities exactly what area of the community are affected by HSD and HA and they did not indicate that they would be providing a grant of €20k for a night insulation programme and where in the community this would be offered to.

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*' Dublin Airport welcomed more than two million passengers every month during the year for the first time. Short haul passengers increased by 5% to 27.7 million, while long haul traffic increased by 4% to almost 5.2 million. The long haul market , which has expanded significantly in recent years accounted for 16% of total passengers traffic in 2019, while 84% of passengers travelled short haul routes(chief Executives review page daa pic Annual and Financial Statements 2019*

*In DAA We are very aware of the concerns of local resident's relationship to this development and there requirement to strike a balance between those concerns and Ireland's national economic needs*  
*Chief Page 18*

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Our Strategy 02 page 37 Dublin Airport currently facilitates almost 130,000 jobs and has generated an annual value of 9.8 billion in Gross Value Added.

The largest beneficiary of Dublin Airport's economic impact is the Fingal Area, receiving 89% of the direct jobs impact page 37.

Further Observation

- Noise Insulation is not a solution to mitigate noise. We are entitled to have our windows open particularly at night. Reduce the hours of operations and prohibit flights between 23:00 and 6:00 to protect us from harmful noise.
- When permission was granted for the North Runway the flight paths were straight out. In this proposal they are divergent and as a result the noise contours affect a total new element of the community. In fact, new houses are now affected. These communities need to be informed and consulted regarding these proposals and their effect on them. The flightpaths which is presently in use were not granted planning permission in 2007 currently DAA are using unapproved flightpaths
- Fingal County Council carried out a revision to their current development plan called variation no 1 whereby they introduced various noise zones associated with the airport. They set out criteria that had to be met by providing a standard of noise insulation in housing to be built in the future within these noise zones. One of the criteria is that the maximum single event noise level within a bedroom shall not exceed 45dB L<sub>max</sub>. However the DAA have not reviewed single events or the number of single events at night which can cause serious sleep disturbance and major resulting health issues such as cardiovascular disease. Measurements taken inside newly insulated houses by DAA indicate that the noise levels for single events exceeds the criteria set out by Fingal County Council. Therefore the proposals by DAA are unhealthy and do not meet Fingal County Councils criteria and therefore must be rejected.
- The World Health Organisation WHO strongly recommend that night noise levels should not exceed 40dB L<sub>night</sub>. DAA have totally ignored this health warning and therefore their proposals should not be accepted as they put people's health at risk over a long period of time.
- DAA have selected 55dB L<sub>night</sub> as the target level that beyond which noise insulation must be provided. The World Health Organisation WHO clearly state that the level of 55 dB L<sub>night</sub> is an Interim Target level to be used only temporarily in a local situation until other



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mitigation measures are put in place The WHO state that vulnerable groups cannot be protected at a noise level of 55dBlnight. The proposal by DAA is therefore totally inadequate and should not be allowed.

- We are greatly affected by aircraft noise and these proposals will make it even worse without adequate mitigation measures. Why not insist on only the very quietest of aircraft and a limited number of movements to solve the problem in lieu of putting people's health at risk.
- In the Uk the airports not only have far lower Noise Quotas but the also have a limit on the number of flights at night.

Signed Mary Grogan  
Broughan,  
The Ward  
Co. Dublin  
D11XY26

