

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 Maurice O'Donnell 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-002906

Online Observation Details

Contact Name
Maurice O'Donnell

Lodgement Date
13/12/2023 12:39:08

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
Maurice O'Donnell

Payment Amount
€50.00

Processing Section

S.131 Consideration Required

☒ Yes — See attached 131 Form

☐ N/A — Invalid

Signed

Pat B.

EO

Date

20/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€ 50

Lodgement No

LDG— 068757-23

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_30MrSB1CW0EN5FC0cANv8WR

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

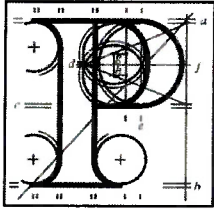
SEO (Finance)

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

Maurice + Marie O'Donnell

(b) Address

Coolatrath, The Ward, County Dublin D11 F519

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

Click or tap here to enter text.

(b) Agent's address

Click or tap here to enter text.

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

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.

My wife and I are resident in The Ward since 1995 and understand perfectly the implications of living in proximity to an airport, and we have done so happily until the opening of the new runway.

We are now living under an illegal flightpath since the opening of the North Runway. The 2007 planning condition documentation includes flightpath assumptions which many people have built their lives around. The flightpaths in the 2007 planning permission are much different to the ones in use today and since it opened.

The noise from the current flightpaths is intolerable and poses a major health risk to the community at large.

Having read through the DAA newly-submitted documents it is clear in the submission from DAA that they have used the current flightpaths for their 'permitted' drawings instead of the permitted noise zones from the original 2007 planning permission. If ABP grants planning permission, they would effectively be accidentally granting retention to the current flight paths which are currently illegal and causing continued untold distress across the Fingal area.

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 retention of the flightpaths would set a precedent that ABP conditions should be ignored if inconvenient.

The DAA are breaching their current planning permission and flightpaths as per below;

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.

- DAA have breached the passenger cap in 2019 and will most likely do so again this year
- DAA are consistently breaching the 65-movement cap per night
- DAA are not using the flightpaths they used in their 2007 Planning Permission

It is impossible for us to enjoy any peace and quiet in our garden, impossible to carry on a conversation while we walk in the local area. Our enjoyment of our home and garden has been severely impacted since the opening of the North Runway.

The prospect of further changes that will allow an increase of day hours and night flights is causing us significant stress and distress in our own home, given the significant noise levels we are already experiencing.

We would like to add the following bullet points for ABP consideration in coming to a decision;

- Well documented negative health effects and illness can be attributed to excessive aircraft noise.
- Flightpaths in use bear no resemblance to what was approved in 2007 planning.
- Straight-out flightpaths will largely improve the noise issue
- Unlimited night flights using a pure noise quota system will cause more sleep disturbance. Night flights have been banned in many major airports.
- Flight Path Changes – the proposed changes are 'based on actual routes flown'. The applicants are basing their plans on an assumed

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acceptance of their illegal, unauthorised flightpaths. There is a total democratic deficit in asserting their assumption and local residents are being seriously harmed by these flights.

- The applicant is assuming their current, illegal, flightpaths are a basis for modelling future routes.
- The IAA was consulted prior to the North Runway completion, minutes of these meetings should be made available in the interests of due diligence, transparency and corporate accountability.
- It is evident that FCC 2007 planning stipulations have been absolutely flouted.

I received communication from ABP – Letter reference ABP-314485-22 dated 03 October – advising that the case will be determined through written procedures rather than by oral hearing. The letter also advised that a communication would be issued in respect of ‘further information’

I have not received any further notification and consequently am submitting this observation with little more than 24 hours before the deadline for submissions

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.

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.



