

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/ received 11/12/23
fromNeil and Annette Cashell 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.: Pate BaDate: 14/12/2023

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 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-068817-23**
Case Number: **ABP-314485-22**
Customer: **Neil and Annette Cashell**
Lodgement Date: **11/12/2023 14:43:00**
Validation Officer: **Patrick Buckley**
PA Name: **Fingal County Council**
PA Reg Ref: **F20A/0668**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**



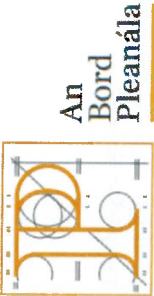
An
Bord
Pleanála

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

Run at: 14/12/2023 14:49

Run by: Patrick Buckley

Lodgement Cover Sheet - LDG-068817-23



Details

Lodgement Date	11/12/2023
Customer	Neil and Annette Cashell
Lodgement Channel	Email
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068817-23
Map ID	
Created By	Patrick Buckley
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	0.00

Observation/Objection Allowed?	Yes
Payment	
Related Payment Details Record	

Observation

--	--

	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,
--	---

Printed at: 14/12/2023 14:49

Printed by: Patrick Buckley

Development Description	20A Case Number
<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>	F20A/0668

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

	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.
Applicant	
Additional Supporting Items	Yes

Aisling Reilly

Patrick

From: Bord
Sent: Monday 11 December 2023 08:23
To: Appeals2
Subject: FW: Submitting an observation on 314485
Attachments: 314485 - Neil and Annette cashell.pdf

From: Da Cashells <cashells@yahoo.com>
Sent: Sunday, December 10, 2023 8:07 PM
To: Bord <bord@pleanala.ie>
Subject: Submitting an observation on 314485

Dear Sir or Madam,
following contact with your office re. the above, we are attaching our submission below. We were told we did not need to make a submission online through the ABP website as we are existing participants in this appeal.

Also, as existing participants in this appeal, we were informed that we do not need to pay a fee to make an observation change to the above case number.

We would be grateful if you could confirm receipt on this email asap and that our submission has been duly accepted.

Yours sincerely,
Neil and Annette Cashell

Neil and Annette Cashell
144 Seapark
Malahide
Co. Dublin
K36 NV99

Observation details:

Planning Authority: Fingal County Council
An Bord Pleanála appeal case number: PL06F.314485
Planning Authority Case Reference: F20A/0668
Location of Planned Development: Dublin Airport
Reference URL: <https://www.pleanala.ie/en-ie/case/314485>

Observation arguments:

1. The daa want to use the North Runway for an additional 2 hours at night, 23:00-24:00 and 06:00-07:00, resulting in its use from 06:00-24:00. This amends Condition 3(d) of planning. Note the Inspector recommended to refuse permission, and only with the addition of Conditions 3(d) and 5 did ABP approve the North Runway's planning.
2. The daa want to get rid of the 65 flights nighttime restriction (Condition 5) and replace it with a Noise Quota System (NQS) which will facilitate unlimited flights on the South Runway impacting residents in Dublin West.
3. There has been a severe lack of consultation and many homes have been built since the last public consultation in 2016.
4. The public notice is incorrect and states that "*Condition 3(d) and 5 have not come into effect as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing*", which is not true as the North Runway is built.
5. Also the public notice mentions nothing about a change in flight paths since the North Runway's permission was granted in 2007.

6. No consideration of health costs or Green House Gas (GHG) emissions. Aviation fuel is not taxed.
7. No proper mitigation for those most affected.
8. Contravenes Project Ireland 2040 and balanced regional development
9. Fingal County Council has issued enforcement proceedings against the daa over the 65 nighttime flight breach
10. Fingal County Council has issued enforcement proceedings against the daa over the divergent flight paths
11. The daa breached the 32m passenger cap in 2019 and are on course to breach it again this year.
12. The daa failed the Noise Abatement Objective (NAO) in 2022 as more people were exposed to >55dB Lnight than in 2019.
13. Based on revised EIAR Supplement, in 2025 Proposed:
 - a. 326k people above the WHO 45dB Lden limit
 - b. 168k people above the WHO 40dB Lnight limit
 - c. 23,844 people Highly Sleep Disturbed
 - d. 53,854 people Highly Annoyed
 - e. 9,380 people are significantly adversely affected, 553 very significantly affected and 176 profoundly affected at night
 - f. 6,805 more people subjected to > 50 N60 noise events compared to 2025 Permitted
14. Significant increase in GHG emissions
15. No noise data provided for real flight operations on the North Runway in 2023