

S.37

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 Noelle Dollard 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

Pot 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-002931

Online Observation Details

Contact Name
Noelle Dollard

Lodgement Date
13/12/2023 21:26:15

Case Number / Description
314485

Payment Details

Payment Method
Online Payment

Cardholder Name
John Dollard

Payment Amount
€50.00

Processing Section

S.131 Consideration Required



Yes — See attached 131 Form



N/A — Invalid

Signed

John Dollard

EO

Date

20/12/2023

Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG— 068812-23.

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_3OMzwYB1CW0EN5FC09kBP54d

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

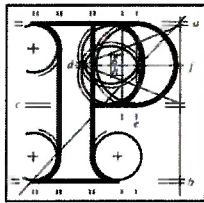
SEO (Finance)

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

Noelle Dollard

(b) Address

8 Barley Hill, Ballyboughal, Co Dublin

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

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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.

The dramatic increase in Aircraft noise in Ballyboughal since the new North Runway opened in 2022 has negatively impacted our quality of life. Aircraft noise is now the dominant noise where we live, causing annoyance and sleep disturbance. The Dublin Airport Authority (DAA) is no longer a good neighbour in its cavalier approach to planning rules associated with the use of the North Runway.

Regarding night time use of the North Runway, I submit that there should be no extension of the night time operating hours on grounds of sleep disturbance arising from the associated aircraft noise. The current eight hour night period from 11pm to 7am daily, during which the North Runway cannot be used, provides a minimum period for undisturbed sleep. While eight hours' sleep is sufficient for most adults, there are some, including children, who require more sleep than this. Any extension of the current operating hours of the North Runway would negatively impact the residents of North County Dublin, including Ballyboughal.

While this planning application concerns night time use of the North Runway, the matter cannot be separated from the DAA's use of flight paths over North County Dublin which were never approved as part of planning permission. The DAA cannot be allowed to claim that flight paths are not a matter for planning permission as same are key to the environmental impact of the North Runway.

Since the opening of the North Runway, the DAA has used two unauthorised flight paths, both of which have caused a large increase in the number of aircraft over-flying Ballyboughal. Aircraft using the current flight path (taking off on 28R) typically pass over our home at 2,000 metres when their engines are working hardest to gain altitude and therefore at their noisiest. There is still no noise measuring system operational in Ballyboughal and the DAA uses estimates and the prospect of less noisy aircraft in the future in its submissions to APB.

The DAA have been disingenuous by referring to 'intended flight path' for the North Runway when neither the 2022 or amended 2023 flight paths were considered as part of the 2007 planning permission. The DAA were adamant that the new flight path introduced on the opening of the North Runway was the 'intended' flight path.

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.

Under pressure, the DAA made a change to the flight path in early 2023 and now they tell us that the newer flight path is 'intended'. Clearly, neither flight path was originally intended and neither are in compliance with planning permission.

The DAA have never fully explained the justification for their use of unauthorised flight paths. If there is a rationale for their use, they should seek to regularise same through the planning process. They should explain why aircraft taking off to the west (28R) turn at a 45 degree angle causing additional engine noise. They should also explain why no turns are similarly required when aircraft take off to the east (10R) on the old runway. If the DAA used the flight paths approved in the 2007 planning permission, aircraft noise would significantly reduce in Ballyboughal as aircraft flying over same would do so at a higher altitude.

The DAA has adopted a paternalistic approach to flight paths, where it knows best and the public should simply put up with its decisions. A recent Prime Time programme on the matter gave an independent view that using the 2007 approved flight paths was feasible. APB should force the DAA to revert to the 2007 flight paths or apply for new ones, not seek to slide them in under the guise of this application connected to night time operations.

In conclusion, APB should reject this application by the DAA on grounds of environmental impact, specifically, the extra sleep disturbance which will be caused by aircraft noise pollution. Additionally, APB should force the DAA to use the flight path for the North Runway approved as part of the 2007 planning permission.

Thank you for taking the time to consider my submission.

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 - €50.00 (if a submission was not already made)

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.



