

File With _____

SECTION 131 FORM

Appeal NO: ABP-314485-22Defer Re O/H ☐

TO: SEO

Having considered the contents of the submission dated/ received 11/12/2023
fromRichard merne 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.: Pat B.Date: 13/12/2023

To EO: _____

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: _____

Allow 2/3/4 weeks – BP _____

EO: _____

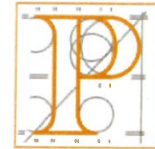
Date: _____

AA: _____

Date: _____

Validation Checklist

Lodgement Number : **LDG-068576-23**
Case Number: **ABP-314485-22**
Customer: **Richard Merne**
Lodgement Date: **11/12/2023 11:55:00**
Validation Officer: **Karen Byrne**
PA Name: **Fingal County Council**
PA Reg Ref: **F20A/0668**
Case Type: **Normal Planning Appeal PDA2000**
Lodgement Type: **Observation / Submission**



An
Bord
Pleanála

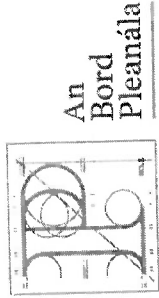
Validation Checklist	Value
Confirm Classification	Confirmed - Correct
Confirm ABP Case Link	Confirmed-Correct
Fee/Payment	Valid – Correct
Name and Address available	Yes
Agent Name and Address available (if engaged)	Not Applicable
Subject Matter available	Yes
Grounds	Yes
Sufficient Fee Received	Yes
Received On time	Yes
Eligible to make lodgement	Yes
Completeness Check of Documentation	Yes

BP40 to issue to Richard Merne and enclose a copy of the receipt.

Run at: 11/12/2023 15:11

Run by: Karen Byrne

Lodgement Cover Sheet - LDG-068576-23



Details

Lodgement Date	11/12/2023
Customer	Richard Merne
Lodgement Channel	Post
Lodgement by Agent	No
Agent Name	
Correspondence Primarily Sent to	
Registered Post Reference	

Lodgement ID	LDG-068576-23
Map ID	
Created By	Carol Gaffney
Physical Items included	No
Generate Acknowledgement Letter	
Customer Ref. No.	
PA Reg Ref	

Categorisation

Lodgement Type	Observation / Submission
Section	Processing

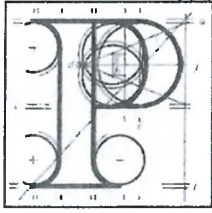
PA Name	Fingal County Council
Case Type (3rd Level Category)	

Fee and Payments

Specified Body	No
Oral Hearing	No
Fee Calculation Method	System
Currency	Euro
Fee Value	0.00
Refund Amount	0.00

Observation/Objection Allowed?	
Payment	PMT-053252-23
Related Payment Details Record	PD-053125-23

Observation



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Observation on a Planning Appeal: Form.

AN BORD PLEANÁLA
LDG- 068576-23
ABP- _____
11 DEC 2023
Fee: € 80- Type: cheque
Time: 9.15am By: Pogh

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

Click or tap here to enter text.

Richard Merne

(b) Address

Click or tap here to enter text.

Don Water, Newbarn, K67
Kilsallaghan, Co. Dublin RX04

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.

Observation to ABP in respect of Relevant Action re. Dublin Airport Runway.

* I have read the DAAs newly submitted documents, and it is clear from these that the DAA have used the current flight paths for their 'permitted' drawings instead of the permitted noise zones from the original 2007 planning permission. By this action the DAA might appear to hope that ABP will grant permission by oversight or default on the basis of the relatively small difference between the 'before and after' with respect to night flights.

They are precluded from doing so, on the single basis of this inaccuracy in their lodged information. In effect, ABP would be acting unlawfully should they so proceed.

The current flight paths are manifestly unlawful and as such, now form a critical element of the 'relevant action' submission and therefore must be considered integral to it.

Considering the gravity of this situation, the deleterious effect on thousands of persons now and for an indeterminate future, and the flawed 'relevant action' submitted, it is essential that an oral hearing on the matter now be held. In essence, it appears that the DAA have; at best, made an accidental blunder, or at worst have launched on a thinly veiled subterfuge to subvert ABP's defined function.

* The so-called, 'permitted' noise zones in the DAAs submission do not accord with the Environmental Impact Statement for the ONLY GRANTED PERMISSION.

* Acceptance by ABP or even consideration per se, of the 'relevant action' would set the precedent that ABP's conditions can be stretched, obfuscated or ignored. This is counter to propriety and an appalling vista.

* The DAA have already breached the stipulated passenger cap in 2019 and having got this one by the system, *sans* consequence, there is no reason to believe they will not make a habit of it.

* The DAA are not using the 2007 planning permission flight paths.

* An oral hearing is urgently called for.

Rich Merne.....