Objection with Respect to: 'Relevant Actions' Additional Information F20A/0668

As a Councillor for the Swords Ward having lived in Rivervalley my whole life, I can appreciate the positive and negative impacts of living within close proximity of the country's largest airport- one of the fastest growing airports in Europe and the western world. As public representatives, myself and my colleague Clare Daly MEP have received numerous queries and complaints with respect to noise associated with the current operating hours as they stand and are laid out in the current framework. Residents from St Margarets, Kilreesk Lane, Newtown, Barberstown, Santry Close, Portmarnock, and Ridgewood among others. These concerns have greatly increased since the application was made to amend the current planning conditions. Residents have said the current situation with one main runway is already immensely disruptive to their quality of life and they cannot imagine what it would be like with two fully active runways. All the more reason why planning conditions which are in some way safeguarding residents and restricting night-time air traffic should be retained. This is the absolute minimum, that is required in the interests of protecting public health. This observation will strongly assert that the amendments to current planning conditions are not sustainable and that the proposed 'relevant action' should be refused:

Consultation and Covid19:

As noted in my previous observation which wasn't addressed in the additional information it is still essential to note that:

The Planning permission to grant permission to construct this runway, with 31 conditions must be adhered to , as this is a legal document , that directly impacts on those in the flightpath in St Margarets and between the runways. This application creates anxiety and distress for those in limbo, with a future of uncertainty as DAA prepare to development their airport with the Dublin Airport Master Plan (LAP) and intent to apply to increase from 32mppa to 40mppa in 2025. Coincidently, this is 3 years time, the same time period that has been extended to the Home Buy out Scheme. I object to the extension of 3 years for the home buy out scheme , as this places a sentence of 3 years on those targeted home, who are in the way of DAA's expansion plans for their masterplan.

The application F20A/0668 was lodged on the 18th of December 2020. The closing date for submissions/observations is 1st February 2021. This included a 9 day grace period for Christmas as required. Only a proportion of the documents were uploaded on the 18th and made publicly available.

On the 4th and the 11th of January more documents appeared online. At this point at a full Council meeting on January 11th when asked regarding the delay in uploading planning documentation, it was reported that "staffing due to ongoing Coivid19 restrictions (staffing levels allowed on site and sick leave) was effecting the efficiency of scanning and uploading relevant documentation". More documents where uploaded on Tuesday the 12th.

I accept that Covid19 impacted the Council's ability to scan and upload the documentation. However as a result, there was a 3 week delay from the date of the application to vital information pertinent to the file being made available to the public and as a result the requirements of the Planning and Development Act, 2000 were not met. Under this Act you are legally entitled to buy all documents and get them printed:

> The Minister shall make regulations providing for any or all of the following matters: (a) the publication by a local authority of any specified notice with respect to proposed development; (b) requiring local authorities to—
>
> (I) notify prescribed authorities of such proposed development or classes of proposed development as may be prescribed, or
>
> (II) consult with them in respect thereof, (ii) give to them such documents, particulars, plans or other information in respect thereof as may be prescribed;
>
> (c) the making available for inspection, by members of the public, of any specified documents, particulars, plans or other information with respect to proposed development;
>
> (d) the making of submissions or observations to a local authority with respect to proposed development.

(Planning and Development Act (34) (4) (c) P.56).

Residents were denied adequate access to the examination of these documents because of this delay. When the timelines were queried and extensions sought, this was declined as the planning framework does not take Covid19 into consideration in this regard.

This is not good enough. Planning continues uninterrupted because "essential projects need to go ahead" but apparently essential communication, discussion regarding projects have no mechanism to allow people or public reps to engage with the community on such matters.

This breaches the Spirit and letter of the Law. The time frames set out have not been adhered to in terms of access to documentation and while Covid19 could never have been envisaged and is not provided for in the legislation, there was no impediment to an extension being granted to allow the necessary time. The failure to do so, means that the people who lose are those most effected. No extensions offered, no public consultation offered. At a time when community relations and sympathy for the DAA is high in terms of the impact of the pandemic they have shown nothing but disregard for the most effected by their actions.

Observations on the Environmental Impact Assessment Report (EIAR)

Residents would like to point out the following observations drawn from the EIAR 'Dublin Airport North Runway Relevant Action Application', which we deem important as THE MOST materially affected residents perspective, as follows: -

The World Health Organisation (WHO) is the United Nations agency that connects nations, partners and people to promote health, keep the world safe and serve the vulnerable – so everyone, everywhere can attain the highest level of health".

For average noise exposure, the Guideline Development Group (GDG) strongly recommends reducing noise levels produced by aircraft below 45dB Lden., as aircraft noise above this level is associated with adverse health effects.

For night exposure, the GDG strongly recommends reducing noise levels produced by aircraft during night-time below 40 dB Lnight., as night-time aircraft noise above this level is associated with adverse effects on sleep. To reduce health effects, the GDG strongly recommends that policy-makers implement suitable measure to reduce noise exposure from aircraft in the population exposed to level above the guideline values for average and night noise exposure. For specific interventions the GDG recommends implementing suitable changes in infrastructure.

According to the EIAR submitted by daa, as part of the planning and development acts 2000, As amended Register reference: F20A/0668. Under the legislation, policy, technical guidelines and

assessment criteria relevant to air noise and vibration page. 13A-5, 13A.23 the daa state, 'The WHO Guidelines could not be adopted as thresholds without imposing very significant restrictions on the current permitted operations of most major airports'.

According to the EIAR submitted by daa, 'Dublin Airport Operating Restrictions – Quantification of Impacts of Future Growth – Updated analysis in response to the ANCA RFI, June 2021 – version 1.3.1 (Final), page 5: Annual Traffic Impact'; a number of scenarios are set out in terms of the Impact of Operating Restrictions, i.e. Scenarios A – F.

Scenario C referenced Option 7b as per the original planning application, this was deemed as the optimum approach. In the 2007 An Bord Pleanala Oral Hearing Assessment Volume 1, it is stated, "The modelling for the preferred mode of operation - Option 7B - is given in the further information submission and in Figures 16.1 and 16.2 of the EIS Addendum. This approach has the aim of limiting the numbers of people affected by operations on the proposed northern parallel runway. The 57dB contour would extend over the southern part of Portmarnock. St. Margaret's and the area to the north around Kilreesk will be within the 69dB contour. "

This is extremely concerning the residents of Kilreesk, given that the WHO Noise Guidelines for night-time are set below 40 dB Lnight, which the daa have stated that they cannot work within these parameters. Moreover, the in-bedroom levels, at night (which commences throughout Europe) at 23:00 hours to terminate at 07:00 hours the next morning, with fresh air admission must not exceed an LAFmax level of 45 dB(A), an LASmax level of 42 dB(A). The other relevant metric is the SEL and this metric, in relation to a given fly pas,s will be addressed later in this submission. The challenge facing the DAA is to ensure that these in -bedroom metrics are achieved. Insofar as the SEL metric is concerned, the 8-hour in -bedroom night-time level must remain below 30 dB(A). This metric, subject to the maxima levels above being complied with, will determine the 8-hour night-time overall in-bedroom level.

DAA wish to have the conditions altered in their favor, for their best interest claiming they are not workable. At the same time, they are also claiming THE most recognised health organisation in the world, who have set out acceptable noise level guidelines, that these are also not workable. It is obvious that An Bord Pleanála by including these conditions recognised the effect of night-time flights would have on the residents of Kilreesk, St. Margaret's by attaching these conditions to the planning permissions. For natural justice, to alter these conditions in the favour of DAA, it would be only fair to afford us the residents the opportunity to amend the two conditions that materially affect us, i.e. Conditions 7 - Voluntary noise Insulation for existing dwellings and Condition 9 - Voluntary buy-out scheme for residents. Vortex Damage - this is

covered briefly in the EIS/EIAR - homes at the end of the runway will be affected and this must also be addressed in an appropriate manner.

Night Time Use of Runway:

What is being proposed:

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, Co. Dublin, in the townlands of Collinstown, Toberbunny, Commons, Cloghran, Corballis, Coultry, Portmarnock, Harristown, Shanganhill, Sandyhill, Huntstown, Pickardstown, Dunbro, Millhead, Kingstown, Barberstown, Forrest Great, Forrest Little and Rock on a site of c. 580 ha. **(It neglects to mention 19 homes in voluntary buy out living at Kilreesk Lane, St. Margaret's).**

Daa are seeking to remove the night time restrictions imposed for health reasons in the planning permission granted in August 2007 PL06F.217429 as this will mean 24 hours of ATM (Aircraft movements) on both runways as they are currently seeking scheduled flights from 6am to 12pm at night and non scheduled flights on North runway from 12.05 to 5.59am as determined by ATC, IAA and emergencies and Code F aircraft (larger Aircraft)

The current conditions:

Reference number: F04A/1755 and ABP ref number: PL 06F.217429 Appeal, agreed with conditions.

3. On completion of construction of the runway herby permitted, the runways at the airport shall be operated in accordance with the mode of operation- Option 7b- as detailed in the Environmental Impact Statement Addendum, Section 16, as received by the planning authority on the 9th day of August, 2005 and shall provide that –

(d) Runway 10L-28R shall not be used for take-off or landing between the hours of 2300 to 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.*

***REASON:** In the interest of clarity and to ensure the operation of the runway in accordance with the mitigation measures set out in the Environmental Impact Statement in the interest of the protection of the amenities of the surrounding areas* (Operating Conditions an bord Pleanala 29/08/2007).

5. On completion of construction of the runway herby 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 92 day modelling period as set out in the reply to further information request received by An Bord Pleanala on the 5th day of March 2207 (Operating Conditions an bord Pleanala 29/08/2007).

Rationale for objection based on legislation:

Traditionally, a determined appeal cannot be altered or changed with respect to the conditions laid down, unless a new separate application is sought, under the Planning and Development Act, 2000. However this case is an exception within the parameters of the Planning and Development Act, 2000, as it was amended to deal with Aircraft Noise (Dublin Airport) Act 2019. This is an outrageous situation essentially this part of the Act was created with the sole purposes of giving a legal framework to the DAA for amendments to be made to conditions written into law by ABP on the 29th of August 2007 in relation to the granting of permission for the major runway. A decision on the back of an oral hearing and court ruling. The clause in this is that the framework or reason given for the judgement in 2007 was:

> *In the interest of clarity and to ensure the operation of the runway in accordance with the mitigation measures set out in the Environmental Impact Statement in the interest of the protection of the amenities of the surrounding areas* (Operating Conditions an bord Pleanala 29/08/2007).

Specifically relating to mitigation measures as set out by the Environmental impact statement, and the impact on surrounding area. Essentially the creation of the Aircraft Noise Competent Authority, was the exact rational required to reopen or amend such conditions. This is the new governing body established to monitor, assess, and adjudicate on Aircraft noise and the Environmental impact. In essence the body that would now have the adjudicating powers with regards setting the conditions for the runway if any new plans where applied. Therefore, in this instance this 'Competent Authority' would be reasonable to deal with the amendment proposed in present day. The new act specific to Dublin Airport would supersede conditions: (34) (2) (b) (c) Planning and Development Act P.55

(*b*) In considering its decision in accordance with *paragraph (a)*, a planning authority shall consult with any other planning authority where it considers that a particular decision by it may have a significant effect on the area of that authority, and the authority shall have regard to the views of that other authority and, without prejudice to the foregoing, it shall have regard to the effect a particular decision by it may have on any area outside its area (including areas outside the State).

(*c*) conditions for requiring the taking of measures to reduce or prevent—

(i) the emission of any noise or vibration from any structure or site comprised in the development authorised by the permission which might give reasonable cause for annoyance either to persons in any premises in the neighbourhood of the development or to persons lawfully using any public place in that neighbourhood, or

(ii) the intrusion of any noise or vibration which might give reasonable cause for annoyance to any person lawfully occupying any such structure or site;

The Aircraft Noise Competent Authority only governs Dublin Airport, as does the Aircraft Noise (Dublin Airport) Regulation amendment to the planning act. applies to Dublin airport and the noise regulator was only created to govern Dublin Airport. This is the only mechanism legally available to amend planning conditions at Dublin Airport. Let there be no ambiguity this was created with this sole purpose. This legislation because of this act, is leading, loaded, and contravening the spirit and intention of the Planning and Development Act 2000. This breaches ethics, the spirit and the intention of the planning and development act in a profound way that cannot be diminished.

The 'Competent Authority' goes out of its way to reiterate its objectivity in relation to this consultation during a pre planning consultation held on 5th of February 2020, one of the many documents that was delayed in being uploaded (ANCA PRE-PLANNING CONSULTATION 05/02/20).

File Note:
Following a request to Planning & Strategic Infrastructure from the North Runway project team, daa to recommence pre planning on the proposal to amend the operating restrictions on the North Runway (PPC 106276 refers), and from the Planning division daa to commence pre planning consultations for increasing the passenger cap to 40 mppa (PPC 106336).

The PA facilitated ANCA to engage in the consultation. As these are interrelated issues and all operating restrictions were being discussed, a joint meeting was held.

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Notes on behalf of the Aircraft Noise Competent Authority:

The Competent Authority would like it to be noted that as these consultations are taking place under Section 247 of the Planning & Development Act as amended, the CA considers that its participation shall not prejudice the performance by the Competent Authority of its functions under the Act or Regulations and cannot be relied on in the planning process or in legal proceedings

Daa gave two presentations (docs submitted) on the holistic approach and proposed timeframe for two proposed planning applications (application for relevant action re conditions/ operational restrictions on the north runway & An Increase to 40+ mppa).

The issue of noise assessment, timing and the regulatory process were discussed.
Two questions were posed:

1. ANCA suggested a check of previous permissions to be fully aware of all conditions which would fall within the scope of Section 30 of the Act (Transitional provisions).
2. ANCA highlighted the typo error in Section 34C(11) – states "*the planning authority's reasons for such decision*" should state "*the competent authority's reasons for such decision*"

It was highlighted that each application will require a noise assessment and the timescale of possible regulatory processes needs to be carefully thought through as it is the position of ANCA that there are 3 Operating Restrictions:

1. Condition No. 3 of F04A/1755 (PL 06F.217429) North Runway Permission.
2. Condition No. 5 of F04A/1755 (PL 06F.217429) North Runway Permission.
3. 32 MPPA Passenger Cap on Terminal, 2 Condition No. 3 of F06/1248 (06F.220670) & Terminal 1 Extension, Condition No. 2 of F06A/ 1843 (06F.223469)

ANCA advised that it must consider all Operating Restrictions *as part of the EU 598 Balanced Approach process*.

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The rationale for justifying the independence and trust of the 'Competent Authority' is solely down to the pre-legislative scrutiny. The decision to appoint Fingal County Council a rate receiver of Dublin Airport as the competent authority, leaving scope to argue the validity and rationale for this decision based on:

Income, Revenue benefited from via Dublin Airport, not having expertise employed to act as competent authority and being the local authority it should not have any real

insider knowledge or decision making capacity in a legal capacity particularly to its largest rate payer.

The Competent authority will continue to be scrutinised regards its ability to be the best option regards independence, irrespective of what decision it makes. Daa talk of quieter aircraft with lower decibel levels - but for those under the flightpath, this will mean a huge increase in volume of aircraft activity at Dublin Airport with sleep disturbance at night from both runways.

Balanced Approach:

The legal obligation regard operating restrictions under EU 598 attributed to the DAA, the noise regulator, Fingal county council (FCC) and An Bord Pleanala (ABP) should take what is considered a "balanced approach". I think the balanced approach is contravened with respect to the Aircraft Noise Competent Authority (ANCA) and FCC with respect to their relationship with DAA under the 'user pays principle'.

The NAO is part of the application - where daa are seeking to set up a cNAO (Candidate Noise Abatement Objective) This is part of the EU regulations , part of the EU598/2014 - END (European Noise Directive) and the Dublin Airport Aircraft Noise Bill - passed in May 2019. DAA are using this application , which should not be permitted, assuming the night time restrictions will be removed, as part of their economic argument to set up the Dublin Airport NAO in line with Europe. Each airport sets up its own Noise Action Plan and Noise Abatement Objective and must be line and report to the EU - END - European Noise Directive regulations. However, there is much leverage , as it is accepted each airport is unique, and gives full control to Union airports to proceed in doing so. This must be agreed by the Local Authority to ensure it is appropriate for all concerned.

ANCA are tasked with the role of setting up the accepted NAO as part of the balanced approach as part of EU598/2014. To date the applicant has not demonstrated any balanced approach to those in Dunbro and St Margarets, Millhead and Kilreesk , over the last 17 years. (since the lodgement of F04A/1755 and previous to that)

Users pay principle / conflict of interest.

I do not agree with the user pays principle used in relation to noise pollution given the subsequent health, and environmental impact aircraft noise has on the surroundings areas, which the WHO and EU have all weighed in on. I understand that the 'Aircraft Noise (Dublin Airport) Regulation Act 2019 gives mandate to the Competent Authority and determines how the role is to be performed. In line with other regulatory codes, the Act provides that the cost of regulation will be funded based on the 'user pays' principle'. Essentially in my opinion this is allowing the regulator to have a free for all in terms of what it decides is appropriate action and in turn the professionals employed to regulate the DAA are being paid by the DAA. Working for an independent body who also receives rates from the DAA? Have you ever told your boss that they are completely wrong and need to get their act together? And also receive two sources of income from this boss? I do not think that is best practice nor does it sit well with the balanced approach.

As much as I respect the job the noise regulator, the DAA and the chief execuative of FCC must play as stakeholders in what is a required growth for Dublin Airport. I feel there is a conflict of interest albeit it legally satisfied in that specialist technical experts can be used to advise the Chief Executive. However, decisions of the competent authority will be made by the Chief Executive as per Section 3(2)(a) of the Aircraft Noise (Dublin Airport) Regulation Act 2019 which provides that the functions of the competent authority *"shall be performed by the Chief Executive".* This in my opinion is an example of where the law is legally sound but morally fails.

However, I hope with this being the case and the majority of submissions stating the issues of night-time flights that the stakeholders will take on board this feedback. The publics opinion is far from balanced regarding the DAA, most believe the only thing the DAA concerns itself with is profit, so the potential of night-time flight traffic increases is very possible, with this mindset. We want to work with DAA and a balanced approach take on board those opinions rather than dismissing them based on what is considered an expert opinion on the matter.

The issue of the balanced approach and its rationale had been questioned by communities surrounding Dublin Airport in that they believe, and I fully echo when they attribute their view that:

> 'This is a direct conflict of interest and there is no balanced approach for communities possible, given that DAA fund the operation costs of the new Aircraft Noise Authority

within Fingal County Council. How can FCC partitioned at arm's length, be independent and give fair and balanced judgements, when DAA fund the council with large planning contributions, rates and now payment for decisions on aircraft noise related planning applications, into the future. Communities and individuals adversely affected currently, and into the future, cannot have assurance that this will be operated in a fair and humane process. This has been the case to date, for SMCRG , dealing with DAA and FCC since 1998'

The 'Balanced Approach' was developed from a variety of different legislation, in this instance I want to present: section 6 of the balanced approach based on a case by case basis under the directive:

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002: relating to the assessment and management of environmental noise - Declaration by the Commission in the Conciliation Committee on the Directive relating to the assessment and management of environmental noise.

Article 1

Objectives

1. The aim of this Directive shall be to define a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. To that end the following actions shall be implemented progressively:

(a) the determination of exposure to environmental noise, through noise mapping, by methods of assessment common to the Member States;

(b) ensuring that information on environmental noise and its effects is made available to the public;

(c) adoption of action plans by the Member States, based upon noise-mapping results, with a view to preventing and reducing environmental noise where necessary and particularly where exposure levels can induce harmful effects on human health and to preserving environmental noise quality where it is good.

2. This Directive shall also aim at providing a basis for developing Community measures to reduce noise emitted by the major sources, in particular road and rail vehicles and infrastructure, aircraft, outdoor and industrial equipment and mobile machinery. To this end, the Commission shall submit to the European Parliament and the Council, no later than 18 July 2006, appropriate legislative proposals. Those proposals should take into account the results of the report referred to in Article 10(1).

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002

The article above from EU directive 2002/49/ EC subsection 6 of the balanced approach. It outlines the aim of the directive in avoiding, prevent or reduce on a prioritised basis. Moreover, this subsection notes the intention of reducing environmental noise where exposure can be harmful to human health. This is further defined in article 2:

Article 2

Scope

1. This Directive shall apply to environmental noise to which humans are exposed in particular in built-up areas, in public parks or other quiet areas in an agglomeration, in quiet areas in open country, near schools, hospitals and other noise-sensitive buildings and areas.

2. This Directive shall not apply to noise that is caused by the exposed person himself, noise from domestic activities, noise created by neighbours, noise at work places or noise inside means of transport or due to military activities in military areas.

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002

Giving more specifics regarding built up areas, mentioning schools, hospitals, and other noise sensitive buildings. This could include churches and other public amenities. The below definitions give clarity to the directive particularly in Annex 1 where it delves into definitions and pretence or rational.

Article 3

Definitions

For the purposes of this Directive:

(a) "environmental noise" shall mean unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity such as those defined in Annex I to Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control(12);

(b) "harmful effects" shall mean negative effects on human health;

(c) "annoyance" shall mean the degree of community noise annoyance as determined by means of field surveys;

(d) "noise indicator" shall mean a physical scale for the description of environmental noise, which has a relationship with a harmful effect;

(e) "assessment" shall mean any method used to calculate, predict, estimate or measure the value of a noise indicator or the related harmful effects;

(f) "Lden" (day-evening-night noise indicator) shall mean the noise indicator for overall annoyance, as further defined in Annex I;

(g) "Lday" (day-noise indicator) shall mean the noise indicator for annoyance during the day period, as further defined in Annex I;

(h) "Levening" (evening-noise indicator) shall mean the noise indicator for annoyance during the evening period, as further defined in Annex I;

(i) "Lnight" (night-time noise indicator) shall mean the noise indicator for sleep disturbance, as further defined in Annex I;

(j) "dose-effect relation" shall mean the relationship between the value of a noise indicator and a harmful effect;

(k) "agglomeration" shall mean part of a territory, delimited by the Member State, having a population in excess of 100000 persons and a population density such that the Member State considers it to be an urbanised area;

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002

Annex 1

NOISE INDICATORS

referred to in Article 5

1. Definition of the day-evening-night level Lden

The day-evening-night level Lden in decibels (dB) is defined by the following formula:

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in which:

- Lday is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the day periods of a year,

- Levening is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the evening periods of a year,

- Lnight is the A-weighted long-term average sound level as defined in ISO 1996-2: 1987, determined over all the night periods of a year;

in which:

- the day is 12 hours, the evening four hours and the night eight hours. The Member States may shorten the evening period by one or two hours and lengthen the day and/or the night period accordingly, provided that this choice is the same for all the sources and that they provide the Commission with information on any systematic difference from the default option,

- the start of the day (and consequently the start of the evening and the start of the night) shall be chosen by the Member State (that choice shall be the same for noise from all sources); the default values are 07.00 to 19.00, 19.00 to 23.00 and 23.00 to 07.00 local time,

- a year is a relevant year as regards the emission of sound and an average year as regards the meteorological circumstances;

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002

Daa seek to use this planning application to introduce an Aircraft Quota System with Aircraft Quota Counts (AQC) which will be administered and determined by the airport operator (daa) The AQS works with various EPNdB assigned to each aircraft per the aircraft manufacturers recommendations , which is not factual in real time, due to various conditions and factors . Aircraft below EPNdB< 87 is exempt (IE QC of count - zero) . This permits a huge volume of aircraft to take off and land at Dublin without being inlcuded in the AQS system - So how many ATMS (Air traffic Movements) are we talking about in the figure of 7990 AQC per annum.

The Air Quality data put forward and how it has been calibrated and standards set, are questionable. Benzene, a harmful invisible substance to the naked eye, mentioned in the Oral hearing in 2006, has not been included and assessed in relation to those impacted in the flight paths and between / parallel to the runways . It is also questionable on the baseline set for NO2 and PM0.5 and PM0.125 Particle materials , again invisible to the naked eye. A proper assessment must be undertaken in relation to those living in the immediate surrounds of Dublin Airport.

Sleep is disrupted by noise events, that is an undeniable fact. This is especially the case with both young children and the elderly. Reducing the noise levels of individual flights will not in itself significantly reduce the chances of disrupting sleep unless there is a significant insulation programme put in place, in areas where it is possible to live, and manage the disruption, in some areas this is simply unattainable. The current strategy and current conditions regard Lnight (or night time noise indicator for sleep disturbance) are mentioned in this directive as default hours

from 2300 to 0700. Changing these would have a considerable impact on the noise in the areas under zone A and B. What this table and the quota system fails to consider is that it is irrelevant how many aircraft fly below the threshold as an increasing number of aircraft meet the 0.25 standard, due to new quota of 7.990 set out. But for example, Ryanairs 737 800 ahd 737 800 max, even though these aleady meet this standard, they can still exert more than this standard particularly when descending e.g. Boeing B737-800 at 2,800ft and climbing reaching 70.9 dBA to 3800 feet at 70.2dba. The issue is and always pertains to be the Single Noise events (SNE). It only takes one aircraft to wake someone up or disturb sleep. The averages and measurments are disengenious to the fact that the likely hood of falling asleep if Dba are within the Lnight threshokd is very different to being woken up by a SNE.

Notwithstanding the movements and quota are above the average of other EU counterparts in all respects, residents groups under the FORUM, group have ascertained that this is much higher than the 22,500 permitted at Paris Charles De Gaulle, in a 5.5.hr Nght Period. The Noise Quota was introduced in 2003/04 and was required to fall, as quieter aircraft are introduced. It is also higher then will be permitted in Amsterdam, where the quota is to fall to 29,000 p.a. in an 8hr Night Period. It equates to an average of 87.6 ATMs per night in a 6.5 hr Night Period or 108 ATM's per night in the 8hr time period provided by ABP and adopted but the World Health Orgnaisation. To put this into context residents are currently enduring high flight numbers at night. The current number is much higher than the 65 flights per night which is allowed for under the current planning grant of permission. We need less flights not more. This is reiterated by the World Health Organisation has made a strong recommendation in its WHO Environmental Noise Guidelines for Europe published in 2018 that the noise levels around airports should be greatly reduced.

When we look at the Environmental assessments at present before the new runway is operational and take the example of Rivervalley which is not on a direct flight path at present,

North (Locations #2 & #11)

River Valley is a residential area located just under 2 km north of the airport. The R132 and M1 are located approximately 1km and 2.5km from measurement positions D and M. Daytime ambient and background noise levels ranged between 56 dB – 61 dB $L_{Aeq,T}$ and 45 dB – 47 dB L_{A90} respectively. Night-time ambient noise levels ranged between 45 – 57 dB and background noise levels were around 39 dB at both locations. Local road traffic dominated noise sources, however, at location #2 between 06:30 and 07:00 frequent plane activity was the dominant noise source

(Dublin Airport North Runway Relevant actions- EA, 13.4.1.5)

This is important in that the aircraft noise was considered a dominant noise source at this location before the runway is operational during Lnight Hours. The new runway is 1.5km closer to Swords then present one so the impact will be felt by residents of Rivervalley in a way it has not before, regardless of this 'relevant action'. No homes in this noise zone C and effectively B, if you include Lnight SNE's, have been granted insulation schemes but they will likely need excess insultation in the future.

Essentially the predictions carried out regards the new runways projections gives no certainty to the new communities who will be affected as the site lines and descending and egressing from the North runway creates very different noise sensitive areas, and further compounds the areas that are not sustainable at present.

Covid19 and Runway Projections and Operations:

The impact on Aviation during this pandemic has in many instances been catastrophic, in relation to airline staff and crews, many of which live in close proximity to the Airport, the effects of bogus self-employment and unsecure and poor employee contracts have been clear for all to see. The workers are the ones to pay for this pandemic. At every turn aviation has been hit and staff feel the brunt of the cuts made my multi-national airliners. The way the Irish state has treated airlines and the Aviation sector is disgraceful and it has shown them that they are not as secure as they once thought, as the state has refused to bail them out.

The way business and work are carried out has changed tenfold, remote, online working has become the norm. The question must be asked if business class air travel will be replaced for a more family friendly remote model of meeting, trading and communicating? One thing is for sure; COVID has resulted in number of face to face meetings in business dropping sharply. Zoom and Microsoft Teams is now used regularly and with good success. As a result the number of business travellers crossing the Atlantic has dropped dramatically. The same is true no doubt with European and UK flights. It is estimated that this type of business travel will drop by how much is anyone's guess.

Therefore, the need for early flights into and out of Dublin is very likely to drop. That said companies and the airport are still trying to facilitate airside offices for multinationals to make access from the airport to business centres easier to incentivise travel. However, it seems unavoidable as business travellers flight costs underpin the economics of many of the above flights the result is likely to be a drop off in traffic flights for the foreseeable future. As a result

of the reduction in business travellers it is very likely that flight costs for tourism and leisure will need to rise sharply to compensate for the loss in income. This is likely to trigger a drop in demand. In fact, it is likely that the reduction in flight numbers may result in little requirement for the new runway for the next 5 years. All major corporations, international agencies and governments are committed to reducing their carbon footprint. They realise that reputational damage done to them by not taking substantial steps to reduce the amount of air travel by their staff will hit their profits hard in the immediate future.

Variation No. 1 of the Fingal Development Plan 2017 -2023

was adopted at a Council meeting on 9th December 2019. The variation explained the following:

Noise.

Noise Zones have been prepared in relation to aircraft noise associated with Dublin Airport as outlined in Table 7.2 below and supported by the following objectives.

The approach taken in preparing these noise zones is considered to be supportive of National Policy Objective 65 set out in the Department of Housing Planning and Local Government (DHPLG) National Planning Framework 2040, February 2018, to:

> *"Promote the pro-active management of noise where it is likely to have significant adverse impacts on health and quality of life and support the aims of the Environmental Noise Regulations throughnational planning guidance and Noise Action Plans".*

This approach also has regard for land use planning which is a component of the ICAO Balanced Approach to Aircraft Noise Management, as set out under EU Regulation 598/2014. This approach is therefore considered also to align with thekey objective set out in the Dublin Airport Noise Action Plan 2019, which is:

> *"to avoid, prevent and reduce, where necessary, on a prioritised basis the effects due to long term exposure to aircraft noise, including health and quality of life through implementation of the International Civil Aviation Organisation's 'Balanced Approach' tothe management of aircraft noise as set out under EU Regulation 598/2014"*

There is a need to minimise the adverse impact of noise without placing unreasonable restrictions on development and to avoid future conflicts between the community and the operation of the airport. Three noise zones are shown in the Development Plan maps, Zones B and C within which the Council will continueto restrict inappropriate development, and Zone A within which new provisions forresidential development and other noise sensitive uses will be actively resisted. An additional assessment zone, Zone D is also proposed to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment.

Table 7.2 presents the four aircraft noise zones and the associated objective of each zone along with an indication of the potential noise exposure fromoperations at Dublin Airport. The zones are based on potential noise exposure levels due to the airport using either the new northern or existing southern runwayfor arrivals or departures.

Noise Contours - we note there are 15 different Aircraft noise measurements used throughout the submission , in the EIS and EIAR documents. The significant and least used in this application are SEL, LAmax LAfmax LAsmax and these are the ones that will rock us in our homes and wake us up at night or in the early morning , from our sleep cycle.

The noise zoning system has been developed with the overarching objective tobalance the potential impact of aircraft noise from the Airport on both external and internal noise amenity. This allows larger development which may be brought forward in the vicinity of the Airport's flight paths to be identified and consideredas part of the planning process. The focus of the noise zones is to ensure compatibility of residential development and ensuring compatibility with pertinent standards and guidance in relation to planning and noise, namely:

- National Planning Framework 2040, DHPLG, February 2018;
- ProPG: Planning & Noise – New Residential Development, May 2017;
- British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for
- buildings'; and
- ICAO guidance on Land-use Planning and Management in Annex16, Volume I, Part IV and in
- the ICAO Doc 9184, Airport Planning Manual, Part 2 — Land Use and Environmental Control.

Where development includes other non -residential noise sensitive receptors, alternative design guidance will need to be considered by the developer. Non-residential buildings and uses which are viewed as being noise sensitive within the functional area of FCC include hospitals, residential care facilities and schools.

Table 7.2 Aircraft Noise Zones

Zone	Indication of Potential Noise Exposure during Airport Operations	Objective
D	≥ 50 and < 54 dB LAeq, 16hr and ≥ 40 and < 48 dB Lnight	**To identify noise sensitive developments which could potentially be affected by aircraft noise and to identify any larger residential developments in the vicinity of the flight paths serving the Airport in order to promote appropriate land use and to identify encroachment.** *All noise sensitive development within this zone is likely to be acceptable from a noise perspective. An associated application would not normally be refused on noise grounds, however where the development is residential -led and comprises nonresidential noise sensitive uses, or comprises 50 residential units or more, it may be necessary for the applicant to demonstrate that a good acoustic design has been followed.* *Applicants are **advised** to seek expert advice.*
C	≥ 54 and < 63 dB LAeq, 16hr and ≥ 48 and < 55 dB Lnight	**To manage noise sensitive development in areas where aircraft noise may give rise to annoyance and sleep disturbance, and to ensure, where appropriate, noise insulation is incorporated within the development** *Noise sensitive development in this zone is less suitable from a noise perspective than in Zone D. A noise assessment **must** be undertaken in order to demonstrate good acoustic design has been followed.* *The noise assessment must demonstrate that relevant internal noise guidelines will be met. This **may** require noise insulation measures.* *An external amenity area noise assessment **must** be undertaken where external amenity space is intrinsic to the development's design. This assessment should make specific consideration of the acoustic environment within those spaces as required so that they can be enjoyed as intended. Ideally, noise levels in external amenity spaces should be designed to achieve the lowest practicable noise levels.*

		*Applicants are **strongly advised** to seek expert advice.*
A	≥ 63 dB LAeq, 16hr and/or ≥ 55 dB Lnight	**To resist new provision for residential development and other noise sensitive uses.** *All noise sensitive developments within this zone may potentially be exposed to high levels of aircraft noise, which may be harmful to health or otherwise unacceptable. The provision of new noise sensitive developments will be resisted.*
Notes: • 'Good Acoustic Design' means following the principles of assessment and design as described in ProPG: Planning & Noise – New Residential Development, May 2017; • Internal and External Amenity and the design of noise insulation measures should follow the guidance provided in British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'		

We note that one of the guidance documents used to formulate the various noise zones is 'ProPG Planning & Noise New Residential Development, May 2017' and atthe footnote to table 7.2 Aircraft Noise Zones it is noted that "Good Acoustic Design" means following the principles of assessment at design described in Pro PGPlanning & Noise – New Residential Development, May 2017.

We note at Noise Zone A where the noise is greater than or equal to 63 dB LAeq,16hr and for 55 dB Lnight that all noise sensitive development within this zone may potentially be exposed to high levels of aircraft noise which may be harmful to health or otherwise unacceptable. The provision of new noise sensitive developments will be resisted.

It is therefore quite clear that Fingal County Council have introduced this restriction in Zone A on health grounds and in order to protect the health of people from aircraft noise by preventing residential development in Zone A as per the accompanying map attached.

Attached is FIG 2 taken from the ProPG Guidance . We note reference to sleepingin bedrooms between 23.00 and 7.00 hours that the maximum recommended noise level is 30 dB LAeq, 9hr and for a s ingle event 45 dB LAmax. We note footnote 4 which states "In most circumstances in noise sensitive rooms at night (e.g.,bedrooms) good acoustic design can be used so that individual noise events do not normally exceed 45dB L Amax more than 10 times a night. However, when it isnot reasonably practicable to achieve the guidance on the maximum noise levels but also on factors such as the source, number, distribution, predictability, andregularity of noise events (see appendix A).

Then at section A19 of Appendix A having gone through the issues associated with LAmax noise events it concludes that "in the light of the above it is clear, asrecognised by BS8233 that the effects of noise on sleep from individual noiseeffects are an important consideration and that the initial site noise risk assessment should include the consideration of the individual noise events when the external LAmax exceeds 60 dB more than 10 times a night. A site should be regarded as high risk if the LAmax exceeds or is likely to exceed 80dB more than 20 times anight. We note that the ProPG document refers continuously to the advice of the World Health Organisation (WHO) on this issue, and which is in line with the above.

We refer to the map SK/01 attached. We note that within the documentation submitted with the application are a number of instances of LAmax noise contours have been produced for only some types of aircraft in use at Dublin Airport. Theaircraft in SK/01 is an Airbus A 330-300. The areas shaded in black are the LA max80dB for both runways to the west i.e., the St. Margaret's The Ward area. Obviously,the number of events at night are dependent on the number of this type of aircraft, however we note from the data presented that taken together with the other aircraft, this puts the shaded area in the high risk area.

The contours used hide the true impact on the most adversely affected homes , thus diminishing the health impacts and the quality of life and health impacts on a small number of households in Millhead, Kilreesk Lane and St Margarets - who are directly in the eye of the airport.

The Longitudinal data relates to Millhead and Kilreesk Lane and this gives dB levels from 76 - 97 dbLAX as produced by BAP in October 2019 with one reaching 104dblax at 0.5 km. This is the true noise impact that will be factual for residents under the flightpaths.

Below is Figure 12 taken from the submitted documentation by DAA for LAmax at the Bay Lane Location N MTI which is 6.5km away from the start of the existing southrunway most houses in St. Margaret 's is far closer than this and therefore it follows are exposed to high levels of LAmax. Also, in total from the figures submitted by DAA for the 2nd half of 2019 noise records reports approximately 70% of al l flightsfor the whole day were greater than 75 dB LAmax and 26% were greater than 78 dB LAmax.

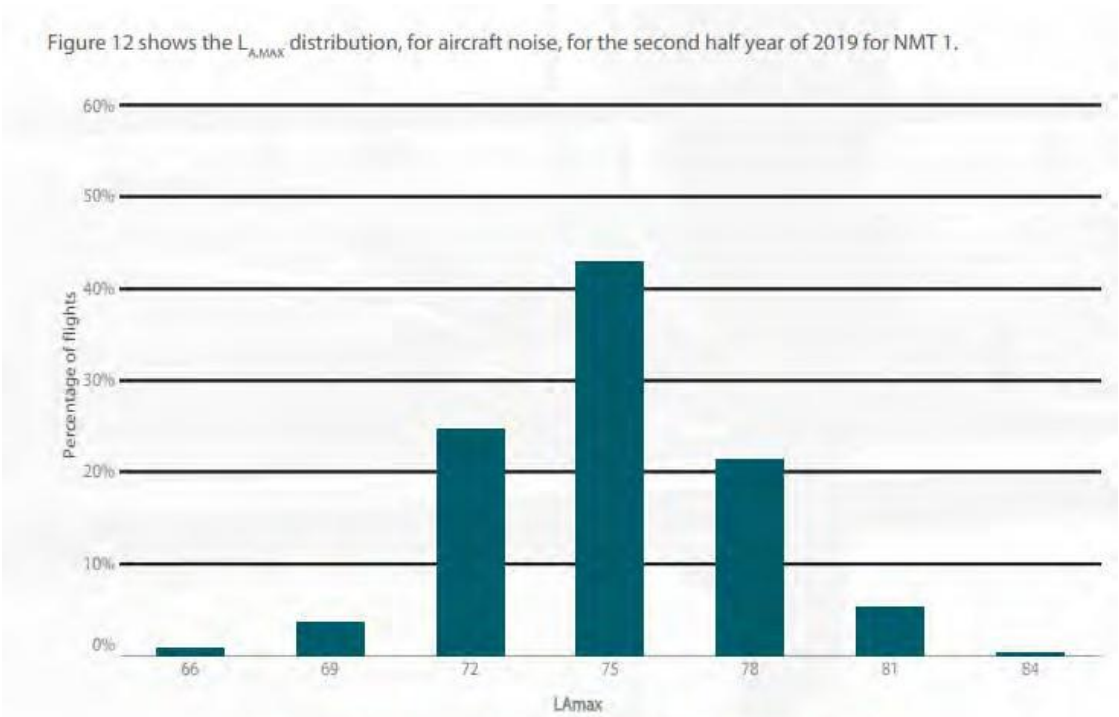


Figure 12: $L_{A,MAX}$ levels distribution for NMT 1, July – December 2019

If sound insulation was acceptable for night insulation (which it most certainly is not as explained below). It would also not solve this problem as we have found outfrom sample noise readings inside bedrooms that have been recently insulated by DAA.

The VDIS - voluntary Insulation scheme is for those between 63db and 69db laeq16 currently and covers the current runway ATMS. The scheme aspires to between 5-10db reduction in aircraft noise. As we look at the Lamax of 76 - 97db quoted on the Longitudinal data produced by BAP - this will certainly not be obtainable to reduce to 30- 40db for night time levels or 45-55db for day time hours. This leads to the next scheme as a mitigation tool, the Voluntary Purchase Scheme.

Very good sound insulation and window replacement could achieve a sound transmission reduction to the highest level of 30 dB and if the 5 dB improvement insound insulation, as claimed by DAA is achieve d through its insulation programme then this only equates to a reduction of 35 dB at most. Therefore, in most instanceswithin the shaded areas in map SK/01 LAmax events due to aircraft within abedroom will be gr eater than 45 dB L Amax. Therefore, even if noise insulation isprovided and as we have monitoredin insulated houses , the noise levels withinbedrooms will be exceeded over and above 45dB LAmax many times a night.

We refer to the TFT response to RFI 93 within the document submitted and inparticular item

(b).

The request was “the applicant is required to demonstrate the benefits of the proposed insultation scheme. Having regard for the €20,000 grant and the types of measures which can be afforded for the properties, included within he proposed eligibility boundary, information should be provided the demonstrate.

(b) How ventilation and overheating is to be addressed through the scheme"

The reply by TFT is as follows:

"Background ventilation to comply with building regulations Part F will be providedby way of either passive or mechanical ventilation to be selected by the owner of the property and permanent passive ventilation where required. As with the current scheme our primary aim is the mitigate against aircraft noise. In this regard, the matter of overheating in Ireland climate was not considered an issue ofsufficient scale to warrant addition of mitigation to the very extensive number of measures already provided by the scheme."

Now everybody knows that the noise insulation scheme being provided under the existing scheme is in accordance with the current planning permission and is to mitigate against daytime noise only.

TFT and other consultants have taken it for granted that a noise insulation scheme is an acceptable mitigation measures for night noise also.

Residents are entitled to enjoy their house particularly at night and to be allowed to sleep with their windows open in a safe and healthy environment as they alwayshave had up until this relevant action has been suggested.

In the Summer, there is no other option but to open windows to preventoverheating in our houses, but of course, TFT have not considered this because they cannot provide mitigation for it and give an excuse as if they are doing us a favour by providing the minimalist of noise insulation. This is in no way solves theventilation or overheating issue.

Also, with respect to ANCA RFI 128, Bickerdike Allen Partners response to this issue does not address the night noise problem whatsoever.

The current voluntary Dwelling Purchase Scheme is to solve daytime noise above the 69 dB LAeq 16hr contour. It is not to solve the nighttime noise issue.

As stated above, even the houses within the contours shaded black on SK/01 cannot achieve the required indoor noise environment as set out by ProPG andWHO and have to be included in a voluntary dwelling purchase scheme or relocation scheme in order to protect their health and wellbeing.

Even closing all windows and enduring severe overheating in the summer will notprotect residents from the harmful frequent noise events at night.

The same consultants Bickerdike Allen Partners refer in their submitted documentation on WHO guidelines as follows:

"The 1999 WHO Guidelines provide advice that for a good sleep, indoor sound

pressure levels should not exceed approximately 45dB LAmax more than 10-15times per night. This guidance on internal noise levels remains current, accountingfor sleeping with a bedroom window slightly open (and a reduction from outside to inside of 15 dB) this translated to an outside sound pressure level of 60dB LAmax.

N60 Contours are therefore used in this assessment how, for a given point on the ground, the number of aircraft event s producing a level of 60dB LAmax or more will change between various scenarios."

The proposed scenarios forecast for N60 Contours projected for 2025 on the easterly and westerly operations are set out on the attached figure 13c -38. It is stated in the documentation that the N60 Contours refer to night flights only.

Only a fraction of the population affected by these proposed night flight health interference activities are being proposed to be included in the Noise InsulationScheme and yet DAA's own consultants are pointing out the potential health issuesassociated with this relevant action.

Again, we note that Fingal Planning Department took on board this exact same health advise when introducing the noise zones under variation #1 BUT as noted the area most affected by the noise from the airport are prohibited from construction of houses on health grounds, yet DAA propose to expose the residents of St. Margaret's The Ward to these noise situations in full knowledge of the health dangers of doing so.

There are numerous health studies and publications giving severe warnings of the serious health effect with respect to exposure to high noise events and frequenthigh noise events at night and its associated health effects from sleep deprivation as a result of noise.

What is also most concerning is the fact that an arm of Fingal County Council theAircraft Noise Competent Authority (ANCA), are to be the official body whicheither refuse or sanction this relevant action and it is ANCA who will ultimately pay millions of Euros in compensation if they decide to expose residents to those extreme unhealthy noise conditions.

We note in the publication by ANCA "Aircraft Noise Mitigation at Dublin Airportoverview of current systems and practices" under "Land -use planning and management" and "Property purchase and relocation schemes" it states "where aircraft noise could be harmful to health or quality of life, and could potentiallyresult in an unacceptable living environment, schemes can be put in place tosupport those impacted to relocate. Property purchase and relocation schemes tend to result from either government intervention or planning decisions."

Therefore, even ANCA recognise that it is not the applicant in this case DAA who are going to propose such mitigation measures nor have they. They have notconsidered human health issues. The revised Ricondo Report does not include any mitigation measures regarding relocation etc. of the residents in the St. Margaret's The Ward area that are significantly affected from a health perspective with respect to the proposed relevant action which interferes with night time operations between the hours of 23.00 to 7.00 nor have they costed these mitigationmeasures.

It should be noted that all residents and dwellings affected by operations on thenew North Runway between 23.00 and 7.00 are not affected by such operations currently and this will be a totaly new noise situation that they will be exposed to that never existed previously. Yet Fingal County Planning Department upon consideration of all advice regarding health and planning issues decided to variation No. 1 to the current development plan taking into accountall of the current guidance available and in particular ProPG Guidance. ANCA cannot now ignore this guidance in making their decision but if they do without providing mitigation measures to those now to be exposed to such seriously harmful noise events then there will without a doubt be legal action taken against them by the St. Margaret's The Ward Community for any and all health issues resulting from residents' exposure to noise.

No study or investigation of the population noted above which will be adverselyaffected by the "high risk" proposed noise situation particularly at night has been carried out by the DAA and we have been ignored in this regard.

For example; The VDPS - voluntary Purchase scheme - there is nothing voluntary about this scheme. This is a last resort by the applicant to demonstrate to ANCA (funded by daa) as a procedure , to profess to all intended bodies and the public , the generous nature of a fabricated scheme, that excluded those directly affected in the Longitudinal Triangle . This is seen as the solution for the homes that cannot be insulated and therefore the collateral fallout. As daa move to change to critical and significant conditions put in place for health and quality of life for flightpath residents , it is beyond belief, that this concocted buy out scheme remains the same, as agreed with FCC. We note those mentioned in the planning application description in 2004 have been engaged and dealt with directly to their full satisfaction. This is viewed as discrimination of our civil and human rights.

Quite simply it appears to be money over human health as far as the DAA are concerned. The DAA could quite easily solve this by providing relocation to those seriously affected in the St. Margaret's The Ward area. They will in that circumstance obtain the lands most affected and this will balance out financially for them in the long run, regarding future development of these lands, re use of the housing for alternative uses etc. These mitigation measures need to be included in the decisions by ANCA the relevant action refused until such time as adequate mitigation measures are proposed. The proposed relevant action istotally based on economic consideration.

With reference to the Mott McDonald report under the heading "Driver of nightmovement demand" and "Aircraft Utilisation" it states, "if airlines were restricted to the 16h operating day (07.00 to 2 3.00) then the necessary level of utilisation wouldnot be achievable, impacting on the economic visibility of aircraft based on other airports."

Why then is it not a consideration from an economical point of view to relocate the proposed high risk areas exposed to the proposed noise situations. What they want to do it to provide an inadequate noise insulation scheme for the residents inthe St. Margaret's The Ward area which leaves them exposed to high risk health issues and provide an insulation scheme that forces people to be locked int o theirhouses in other areas to protect against harmful noise.

We note that in the Mott McDonald report on page 5 under the heading of "Annual Traffic Impact" and "Impact of operating restriction scenarios" andScenario B which "applies to the current North Runway night operating restrictions (the 65/ night limit and no use of the North Runway 23.00-7.00 but does not apply the 32m annual passenger cap", the results indicate that the airport can cater for 42 million passengers by 2040. We therefore question the need for this proposed relevant action in the first place given the lack of mitigation measures proposed.

It must be noted that the operation of the flightpaths will be the responsibility of the IAA (Irish Aviation Authority) and ATC (Air Traffic Control) and will not be under the remit of daa, once the north runway becomes operational . So for flight path residents , it will be futile to make complaints in relation to aircraft movements that are off track , or disturb ones sleep or home activity. The flightpath selection and routes chosen, was done so, with the least number of people impacted. This is St Margarets . So the flightpaths as part of the runway have been slipped in under the Radar in this application and the impact it will have on the adversely affected residents.

The daa will be abdicated from taking any responsibility , once the runway becomes operational.

Conclusion:

The last 58 years have seen the continuous growth of the airport, with the construction of the current runway 10R-28L in 1989, and this runway did not require planning permission.

In December 2004 DAA (formerly Aer Rianta) applied to Fingal County Council for planning permission to construct a new parallel runway, which required planning permission. This was granted by the council and subsequently appealed by the residents directly impacted to the appeals board, An Bord Pleanála in 2006.

In August 2007, planning was grated, with 31 conditions , by the board of An Bord Pleanála after the inspector recommended refusal due to incorrect and insufficient data provided for her consideration. This was August 2007.

As no Judicial review followed the decision in August 2007, the 31 Conditions were deemed accepted by DAA.

It is worth noting that the residents had spent a considerable and significant amount of their own funds to fund the oral hearing and engage legal and noise consultants. Despite due process having already taken place, DAA (Aer Rianta) in August 2008, lodged a request to An Bord Pleanála to have two conditions removed from the 31 conditions imposed by the Bord of Bord

Pleanála , specifically input to protect the neighbouring community, in the interest of health and the avoidance of sleep deprivation. Condition 3 & 5 indicated that the new runway should not be used between 11pm – 7am and current runway should only have 65 movements from the hours of 11pm – 7am in the morning.

While the DAA and Fingal County Council (FCC) used tax payers money to fund their oral hearing expenses, we as residents, spent our hard-earned money, as well as countless hours and days preparing and attending the hearing which lasted for 12 working days. (26th Sept – 12th Oct 2006).

DAA did not accept the conditions in total and chose to lodge a submission to remove condition 3 & 5 under SID (Strategic Infrastructure Development) but were refused, as the development had been submitted prior to the SID legislation.

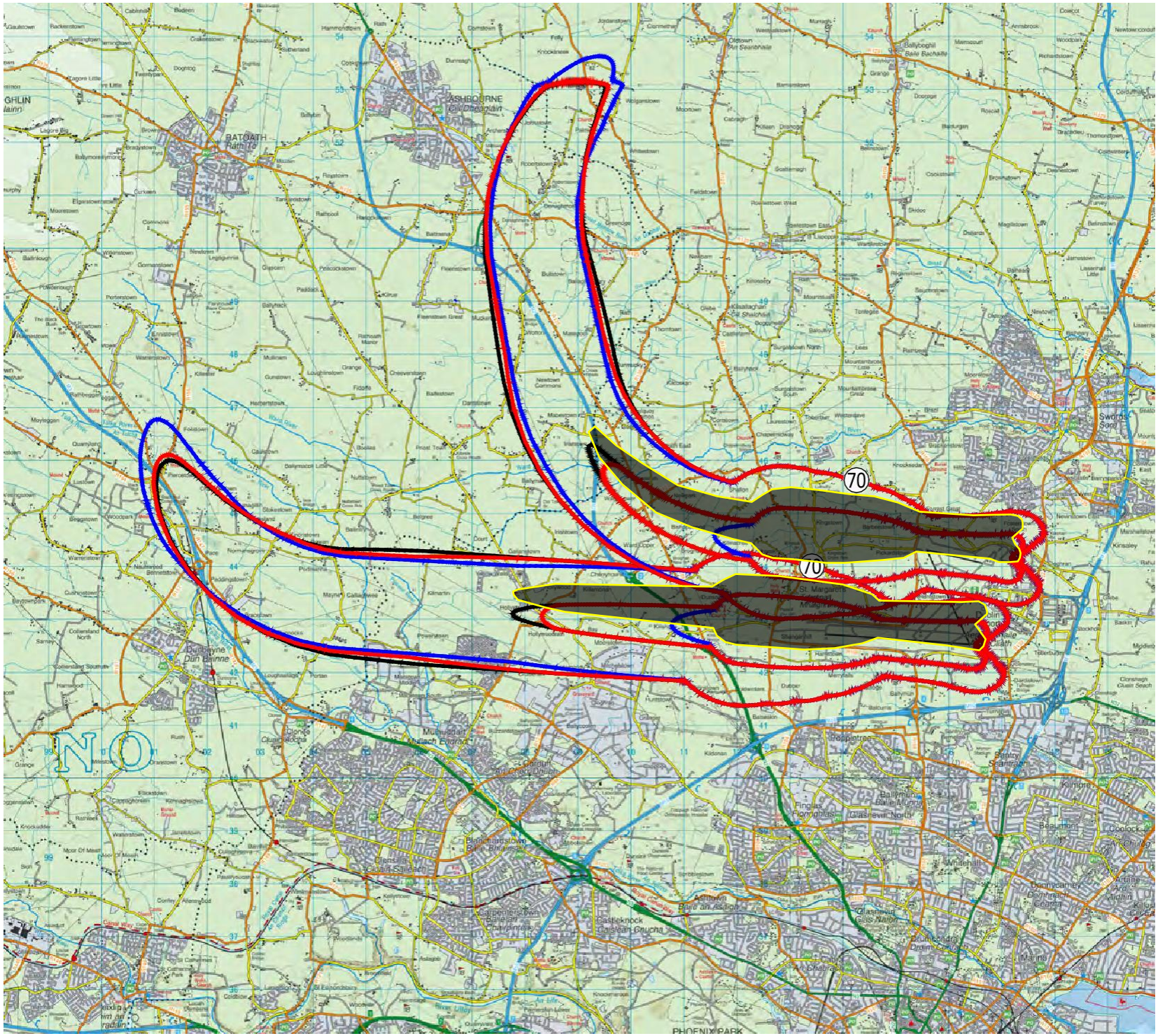
All pre-commencement conditions were to be agreed and signed off by Fingal County Council prior to commencement of the runway and with any issues to be appealed to An Bord Pleanála as part of the implementation of the full 31 conditions.

A Voluntary buy-out scheme and Voluntary insulation scheme were agreed with other conditions, as part of the pre-commencement requirement, without meaningful engagement with our families; - the affected homeowners. In fact, natural justice should have allowed for all parties to formulate an agreed buy-out scheme, however THE MOST affected residents were ignored in the valuation methodology of their homes.

In essence since the 1960s daa then Aer Rianta began their vision of purging the area of its community by forcing the residents (8 families) from Barberstown - Under the Dept. of Transport and this has continued to date. The residents of Dunbro, Millheaed, Kilreesk Lane and St Margarets village are now targeted and left in a limbo state, causing continuous anxiety and huge distress, every day as we view the changes around us. This is also a significantly important health factor to consider. They will not be treated like their friends and neighbors were over 60 years ago. The residents are not insignificant they are real and they live here – they were here before the airport and these are their homes, their lives , their futures and their past, their memories and their dreams for their future.

Appendix A

SK/01



LEGEND:

Current Procedure
NADP1

NADP2

REVISIONS

Rev	Date	Description	Initials

REVISIONS

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Amax

Dublin Airport
NADP Assessment

L_{Amax} Noise Contours
Departure Runway 28L
Airbus A330-300

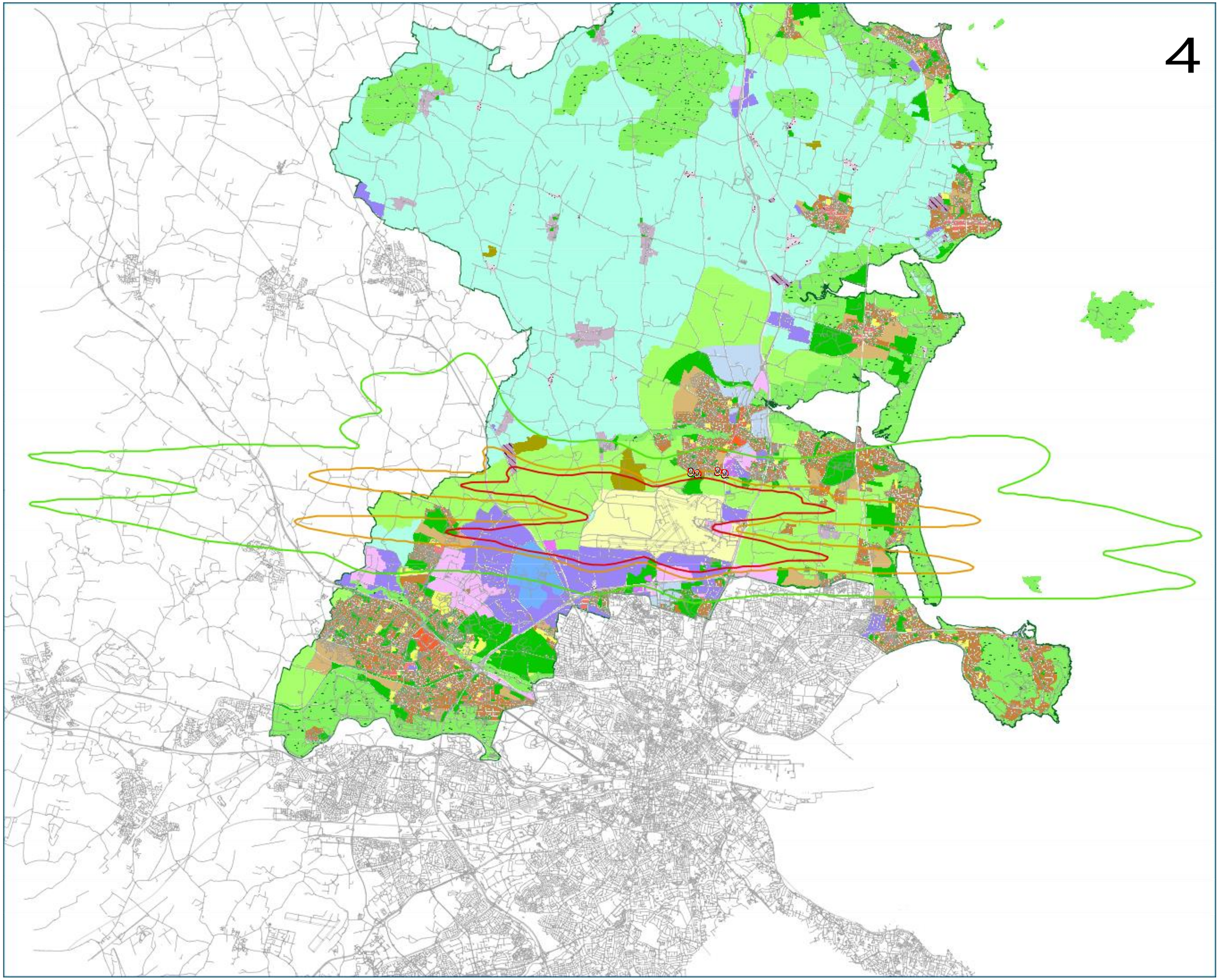
DRAWN: MP
CHECKED: DR

DATE: January 2019
SCALE: 1:100000@A4

FIGURE No:

A11219/R02/DR014

Appendix B



Fingal Development Plan 2017 - 2023

VARIATION NO.1

Dublin Airport Noise Zones

Noise Zones

Zone A
≥ 63 dB LAeq,
16hr and/or ≥ 55 dB Lnight

Zone B
≥ 54 dB LAeq, 16hr and < 63 dB LAeq,
16hr and ≥ 55 dB Lnight

Zone C
≥ 54 dB LAeq, 16hr and < 63 dB LAeq,
16hr and ≥ 48 dB Lnight and < 55 dB Lnight

Local Objective No.54 Removed

Fingal Development Plan
2017-2023
Be part of it.

Comhairle Contae Fhine Gall
Fingal County Council

An Roinn um Pleanáil agus Infrastruchtúr Straitéiseach
Planning and Strategic Infrastructure Department

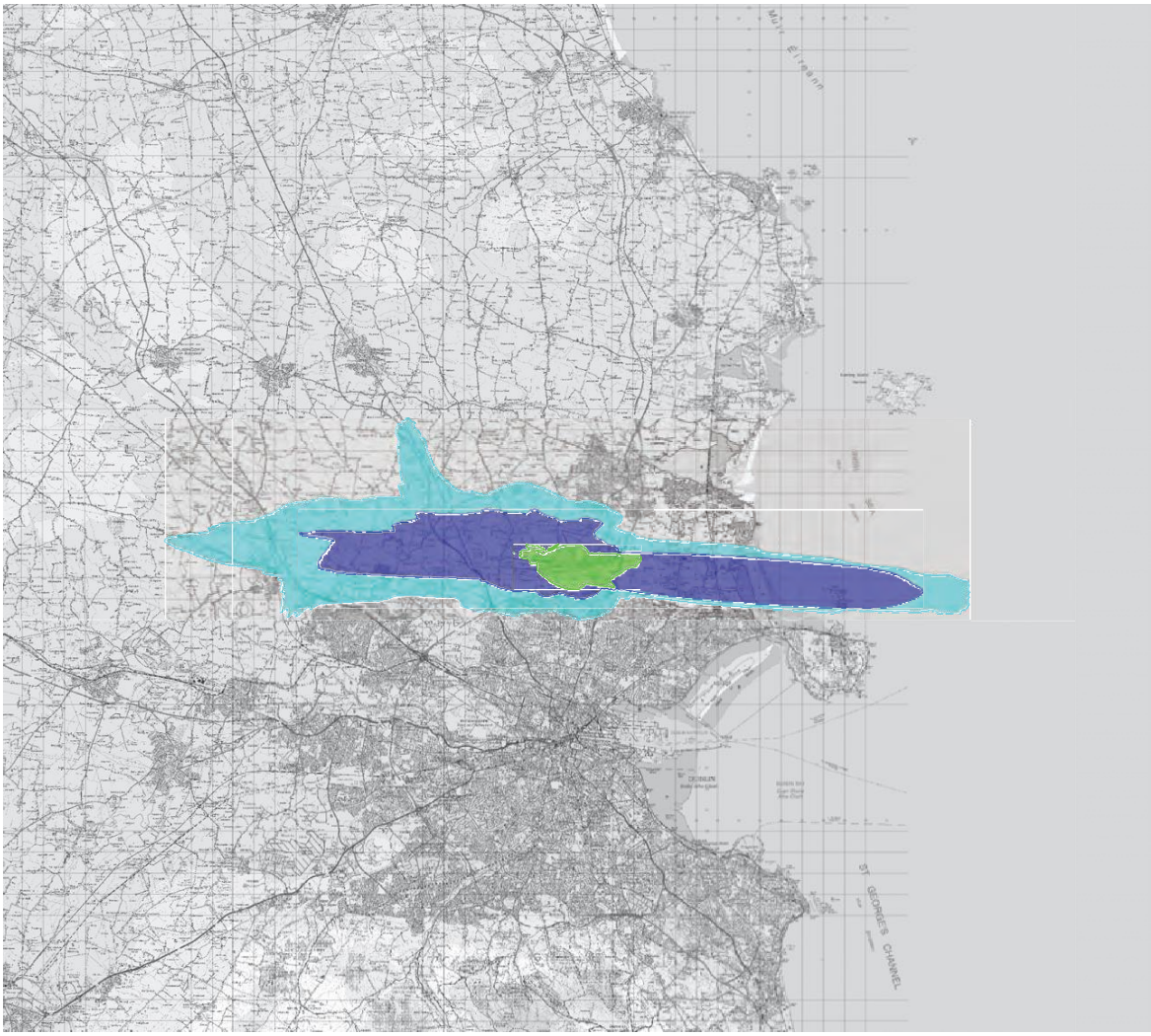
Acting Director of Services : Matthew McAleese

Acting Senior Planner : David Murray

Date: December 2019 | Scale @ A1: 1:60,000

Adopted By Council: 9 December 2019

Appendix C



LEGEND:

- 10 - 24 N60
- 25 - 49 N60
- 50+ N60

Rev	Date	Description	Initials

REVISIONS

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Dublin Airport
Change to Permitted Runway Operations

Forecast N60 Noise Contours
2025 Proposed Scenario
Figure 13C-38

DRAWN: MP
CHECKED: DC

DATE: July 2021
SCALE: 1:250000@A4

Drawing No:

A11267_19_DR727_3.0

Appendix D

Annual Traffic Impact

Impact of Operating Restriction Scenarios

► This study has developed busy day forecast schedules and analysed the impacts of operating restrictions for four scenarios, in addition to the original daa input schedule, as summarised in the tables opposite.

- **Scenario A** is the daa input busy day forecast schedules, aligned with the Centreline annual forecast case. Flights are timed at commercially and operationally 'ideal' timings and are not smoothed to fit within airport capacities
- **Scenario B** applies the current North Runway night operating restrictions (the 65/night limit and no use of the North Runway 23:00-07:00), but does not apply the 32m annual passenger cap

  The night restrictions severely limit traffic growth, delaying post-Covid recovery to 2019 traffic levels by around 2 years (from 2025 to 2027).
- **Scenario C** is an unconstrained schedule with no night limits or annual passenger cap. The daa input schedule (Scenario A) has been coordinated within the physical runway capacity constraints, adjusting flight times to smooth demand, but Scenario C has the same volume of flights as the daa input schedule. The runways are assumed to operate in mode Option 7b (see page 8) and according to the capacities discussed in Section 3 (page 20) of this report.

  Runway capacity is sufficient to accommodate the full daa input forecast schedule with relatively minor schedule timing adjustments. Unconstrained annual forecast passengers can be accommodated
- **Scenario D** applies the 32m annual passenger cap to the runway capacity coordinated schedules of Scenario C, but does not apply the night operating restrictions (Conditions 3d and 5)

  The 32m passenger level is reached in 2025. The 32m cap begins to have an impact from 2024 as traffic growth approaches the 32m capped level asymptotically
- **Scenario E** applies the 32m annual passenger cap to the night operating constrained schedule of Scenario B.

  The 32m passenger level is reached around 2027
- **Scenario F** applies the restriction to operate one runway only 23:00-07:00, but without the 65/night movement cap and without the 32m annual passenger cap.

  Constrained runway capacity in the 06:00-07:00 hour for first-wave departures limits growth in DUB-based aircraft flying

Scenario	Condition 3d (single runway)	Condition 5 (night limits)	32m cap	Description
A	na	None	No	*daa input schedule*
B	2300-0700	65/night	No	*Night limit constraints*
C	2300-0600	None	No	*Unconstrained (runway capacity only)*
D	2300-0600	None	Yes	*32m cap only*
E	2300-0700	65/night	Yes	*Night limits + 32m cap*
F	2300-0700	None	No	*Single runway 2300-0700 only*

Scenarios	A	B	C	D	E	F
2015	25.0					
2016	27.9					
2017	29.6					
2018	31.5					
2019	32.9	32.9	32.9	32.9	32.9	32.9
2020	7.4	7.4	7.4	7.4	7.4	7.4
2021	7.9	7.9	7.9	7.9	7.9	7.9
2022	21.0	19.6	21.0	21.0	19.6	20.6
2023	26.7	24.9	26.7	26.7	24.9	26.2
2024	31.2	29.3	31.2	30.8	29.3	30.8
2025	32.3	30.4	32.3	32	30.4	31.9
2026	34.0	31.6	34.0	32	31.2	33.3
2027	35.6	32.8	35.6	32	32	34.7
2028	37.0	33.9	37.0	32	32	36.2
2029	38.4	35.1	38.4	32	32	37.6
2030	39.6	36.3	39.6	32	32	39.0
2031	40.5	37.0	40.5	32	32	39.7
2032	41.3	37.6	41.3	32	32	40.4
2033	42.1	38.2	42.1	32	32	41.0
2034	42.7	38.9	42.7	32	32	41.7
2035	43.4	39.5	43.4	32	32	42.4
2036	44.0	40.0	44.0	32	32	43.0
2037	44.7	40.5	44.7	32	32	43.6
2038	45.3	41.0	45.3	32	32	44.2
2039	46.0	41.5	46.0	32	32	44.7
2040	46.6	42.0	46.6	32	32	45.3
Traffic Impact						
2022-2025	-	-7.0	0.0	-0.7	-7.0	-1.7

Source: Mott MacDonald analysis, based on daa Centreline *forecast scenario*

Appendix E

Drivers of Night Movement Demand

There are a number of reasons why airlines need to schedule services during the 23:00-07:00 night period:

Aircraft Utilisation

- A key driver of airline cost efficiency and competiveness is the ability to achieve high levels of utilisation of their aircraft assets. The chart below illustrates the lines-of-flying (flights throughout the day) for representative DUB based aircraft.
- If airlines were restricted to a 16h operating day (07:00-23:00) then the necessary level of utilisation would not be achievable, impacting on the economic viability of aircraft based at DUB. Ryanair, for example, has operating bases at a number of airports and if it could not operate profitably at DUB then it would likely choose to base more of its aircraft at other airports.
- In this case, the traffic lost is not just the night period flights but also the daytime flights that the based aircraft would have operated throughout the day.
- If high aircraft utilisation cannot be achieved due to the reduced operating day resulting from the night restrictions, then the consequence is also likely to be higher fares for passengers' on remaining services.

Illustration of Airline Airrcaft Utilisation

Time Zone Differences and Geographical location

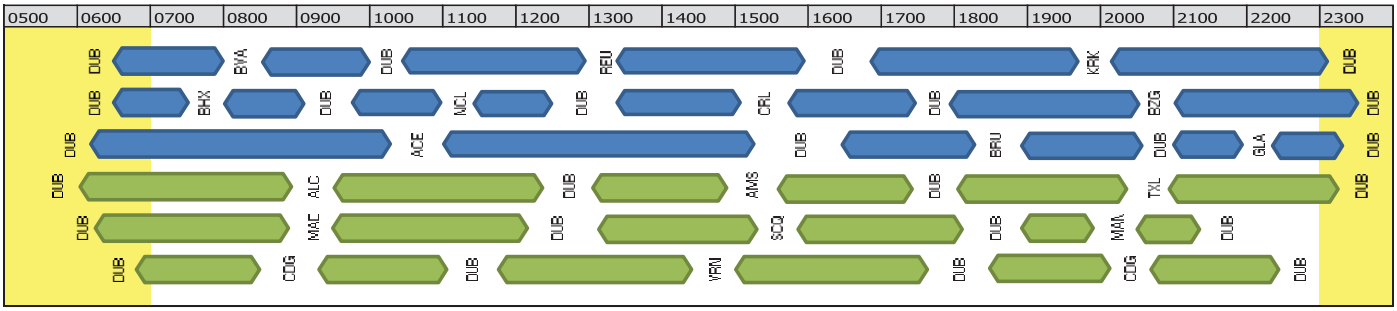
- The 1h time difference between Ireland and mainland Europe means that flights need to leave early (before 07:00) to arrive in time for business passengers to have full working day at their destination[1].
- The geographical position of DUB means that there are longer sector distances to many European destinations than from other competing hub airports. This means that DUB requires longer operating days than competing European hubs. Similarly, DUB's proximity to North America compared to the rest of Europe means that transatlantic flights arrive earlier in DUB than at other European airports.

Hub Connections

- The DUB hub connecting model is predicated on early morning long haul arrivals and early short haul departures able to return to connect with the long haul departures. Without this connecting traffic, the Irish point-to-point market would be too small on its own to support many transatlantic services.

Punctuality and Resilience

- If aircraft lines-of-flying are squeezed into a shorter operating day there will be less flexibility in the schedule to cope with delays and disruption.



(1) From the Behaviours & Attitudes Business Barometer Survey Results 2016, 70% of business owners believe that a flight schedule facilitating arriving in time for the start of the business day is important

Appendix F

ACTIVITY	LOCATION	07:00 – 23:00 HRS	23:00 – 07:00 HRS
Resting	Living room	35 dB $L_{Aeq,16\ hr}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16\ hr}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16\ hr}$	30 dB $L_{Aeq,8\ hr}$ **45 dB $L_{Amax,F}$ (Note 4)**

NOTE 1 The Table provides recommended internal L_{Aeq} target levels for overall noise in the design of a building. These are the sum total of structure-borne and airborne noise sources. Ground-borne noise is assessed separately and is not included as part of these targets, as human response to ground-borne noise varies with many factors such as level, character, timing, occupant expectation and sensitivity.

NOTE 2 The internal L_{Aeq} target levels shown in the Table are based on the existing guidelines issued by the WHO and assume normal diurnal fluctuations in external noise. In cases where local conditions do not follow a typical diurnal pattern, for example on a road serving a port with high levels of traffic at certain times of the night, an appropriate alternative period, e.g. 1 hour, may be used, but the level should be selected to ensure consistency with the internal L_{Aeq} target levels recommended in the Table.

NOTE 3 These internal L_{Aeq} target levels are based on annual average data and do not have to be achieved in all circumstances. For example, it is normal to exclude occasional events, such as fireworks night or New Year's Eve.

NOTE 4 Regular individual noise events (for example, scheduled aircraft or passing trains) can cause sleep disturbance. A guideline value may be set in terms of SEL or $L_{Amax,F}$, depending on the character and number of events per night. Sporadic noise events could require separate values. In most circumstances in noise- sensitive rooms at night (e.g. bedrooms) good acoustic design can be used so that individual noise events donot normally exceed 45dB $L_{Amax,F}$ more than 10 times a night. However, where it is not reasonably practicable to achieve this guideline then the judgement of acceptability will depend not only on the maximum noise levelsbut also on factors such as the source, number, distribution, predictability and regularity of noise events (see Appendix A).

NOTE 5 Designing the site layout and the dwellings so that the internal target levels can be achieved with open windows in as many properties as possible demonstrates good acoustic design. Where it is not possible to meet internal target levels with windows open, internal noise levels can be assessed with windows closed, however any façade openings used to provide whole dwelling ventilation (e.g. trickle ventilators) should be assessed in the "open" position and, in this scenario, the internal L_{Aeq} target levels should not normally be exceeded, subject to the further advice in Note 7.

NOTE 6 Attention is drawn to the requirements of the Building Regulations.

NOTE 7 Where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal L_{Aeq} target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved. The more often internal L_{Aeq} levels start to exceed the internal L_{Aeq} target levels by more than 5 dB, the more that most people are likely to regard them as "unreasonable". Where such exceedances are predicted, applicants should be required to show how the relevant number of rooms affected has been kept toa minimum. Once internal L_{Aeq} levels exceed the target levels by more than 10 dB, they are highly likely to be regarded as "unacceptable" by most people, particularly if such levels occur more than occasionally. Every effort should be made to avoid relevant rooms experiencing "unacceptable" noise levels at all and where such levels are likely to occur frequently, the development should be prevented in its proposed form **(see Section 3.D)**.

Figure 2. ProPG Internal Noise Level Guidelines (additions to BS8233:2014 shown in blue)

Appendix G

Examples of Aircraft Noise Mitigation Measures

Land-Use Planning and Management

Land and buildings surrounding airports can be planned and managed in order to mitigate aircraft noise at those locations. Some examples include:

Zoning

Zoning can be used to ensure that aircraft noise is taken into account when planning decisions are made in areas around airports. Typically, zoning can help advise on the compatibility of a location for noise-sensitive development. It can help to advise on, for example, what form of sound insulation is required for a development to be made compatible.

Noise Insulation Schemes

One of the most common means of mitigating aircraft noise impact is to insulate buildings which are sensitive to noise, such as residential properties, schools and hospitals.

Depending on the scheme, full or partial financial contributions towards the insulation works may be provided. Examples of insulation measures include uprated windows, loft and roof insulation, acoustic door seals and ventilators.

Property Purchase and Relocation Schemes

Where aircraft noise impacts could be harmful to health or quality of life, and could potentially result in an unacceptable living environment, schemes can be put in place to support those impacted to relocate. Property purchase and relocation schemes tend to result from either government intervention or planning decisions. How the scheme operates can vary from airport to airport. For example, some schemes offer compensation based on a market valuation of the property and cover relocation costs. Other schemes may offer an increased valuation and cover payment of legal fees, taxes and relocation expenses.