

Observation with Respect to: Additional Information F20A/0668, appeal no: PL06F.314485, Dublin Airport

Names: Cllr Dean Mulligan, Clare Daly MEP

Address: 10 The Court, Ravensmill, Rolestown East, Swords, Co Dublin K67A6P6

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Introduction

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, my colleague Clare Daly MEP and I have received numerous queries and complaints with respect to noise associated with the current operating hours as they stand actively breaching the agreed standard instrument departs (SIDs) and planning conditions for night time noise. The consequence of these breaches have a much more significant consequence in that the new SIDs not agreed by the planning permission have increased aircraft noise in areas that our more densely populated. Residents from St Margaret's, Kilreesk Lane, Newtown, Barberstown, Santry Close, Portmarnock, Rivervalley, Ridgewood, Boriomhe, Rolestown, Killsallaghan, Ballyboughal, Oldtown, Garristown, Naul, the Rath and Coolquoy among others. These concerns have greatly increased since the North Runway has commenced operation.

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.

The very fact that because of the appeal to an bord pleanála has resulted in an additional information been ascertained, so much so that the scope of the appeal means that the consultation process needs to be re-open for public participation once more. This is pertinent as it suggests that ABP as an entity reflect that the original planning conditions sought, when taken into account with the additional

information are ultra vires to one another as the areas effected are far more significant then what was suggested in the original application, thus leading to a need for a full round of consultation.

History of Communication Failures and a Foundation of Untruths:

In 2017 members of the St Margaret's Concerned Residents Group, wrote to Minister for Transport and expressed their opposition to the transposition of EU Directive 598/14; i.e. into Irish legislation. One of the issues of concern was the constant reference by the DAA that aircraft are becoming less noisy. That this is technically feasible does not mean it happens in reality e.g. The Airbus 320max has not reduced the db levels in anyway over the respective noise zones yet it is said to be 40% quieter which is only about 12db on average.

Drawing on the analogy of motor vehicle emissions; from the 1st July 2008 motor taxation is based on CO2 emissions levels - despite this change, there is still a significant percentage of the vehicle population still in use to this day. Applying the average life of an aircraft of 25 years, it will be a considerable number of years before the benefits of quieter aircraft will come into play. However, in the intervening years, DAA are happy to impose this nuisance without sufficient regard for the health and wellbeing of those residing in the noise paths and adjoining communities.

EU Directive 598/14, which clearly states,

"The competent authority responsible for adopting noise-related operating restrictions should be independent of any organisation involved in the airport's operation, air transport or air navigation service provision, or representing the interests thereof and of the residents living in the vicinity of the airport".

Residents have always requested openness and transparency as regards data and computation methodologies, which DAA have neglected to provide for some time.

So not alone have the 31 conditions been breached to date in an abuse of power, but we have seen essentially a new altered application by the DAA via the additional information to undo the untruths reflected in the planning application first submitted

1. *I request that the DAA provide Lmax calculation data for projection models for various aircraft used to ascertain projections and how these figures were calculated taking into account the North runways height above sea level when compared to data from other airports and similar flight pattern projections?*

Standard Instrument Departures: SIDs:

The SIDs was an aspect of the planning application I had not addressed in past applications because I understood that the SIDs highlighted where generated by experts, researched applied for and laid the foundation for the framework given to noise contours, all of which had been proven to be completely wrong. Hence this additional information with updated noise contours, projections and flight paths.

This completely changes the goal post for residents and affects a far greater portion of the population than originally proposed.

It is imperative that indicative lines are acknowledged as indicative but we also need to understand the transparency with respect to a safety case which is outside of the scope of the planning procedure but can significantly alter or create "Deviation" with respect to the indicative SIDs accepted as part of the planning conditions. A "safetycase" as a foot note in a planning application is an abhorrent act of misleading terminology. This allows for external actors, to planning (AirNav and IAA) who are statutory bodies to the DAA and ANCA in terms of their role in SIDs. It is Ultra-vires to the planning and development act 2000 to have an actor (third party) essentially have an expert role in decision making of flight paths with impact on mapping of noise contours, air quality assessments but not have their opinion noted or given as either expert as part of applicant's additional information or observer in their own right.

These bodies due to the term "safetycase" have a statutory obligation in terms of provision of the airport, aircraft flight paths and standards accepted once the runway is operational. There is no framework in planning process which sets out the degree to which the DAA can deviate from the planning permission granted.

2. *Clearly the IAA and AirNav had site of their preferential SIDs (preferred route in planning terms) prior to commencement of North Runway, why was the communication and dialogue between these bodies and experts considered or observed as part of the application or projections?*

Thus

3. *Can the DAA acknowledge that the flight paths have indeed changed from those submitted as part of the planning application for the north runway and by how much due to safetycase taken by external bodies outside of original application?*

3.1 And furthermore, that the DAA and their consultants are the only parties involved in the planning application process, screening, assessment, and information submitted as part of planning application process? As per information submitted?

3.2: And the subsequent information provided to the DAA and advice from AirNav and the IAA where only given in a public forum after the planning application due to safetycase? Or where either party involved in the planning application? (given the fact they are considered statutory bodies regards to flight paths in is somehow hard to fathom how they can supersede planning permission and not be accountable for doing so?)

3.3: In response to deviations to agreed Standard Instrument Departure (SIDs) noted on 24th of August 2022 and subsequent changes in February of this year both AirNav and the IAA gave instructions regarding the appropriate SIDs as part of safety cases? Yet both these entities are outside of the planning system, yet their advice was taken as gospel over and above the planning permission granted?

3.4 Or did they not instruct the DAA in terms of the North Runway operations in terms of SIDs currently flown and to begin with? Was a conversation only had in line with operation procedures for the North Runway after it began operation?

3.5 Is it the case the planning application process may have been misled or why was this information (given by AirNav and the IAA) which is pertinent to the running of the runway not given as part of the application process? Instead of the word “indicative line ... subject to safety case “

3.6: Thus leading to this alteration and significant addition information being given at present? Hence this observation.

Night Time Use of Runway:

Additional information:

3.0 ISSUE 1 – IMPACT OF PEAK NOISE LEVELS

3.1 ABP Request and Clarification

The request from ABP was as follows:

*You are requested to assess the probability of additional awakening due to the peak $L_{A,s,Max}$ of ATMs at **night** between 2300 and 0700hrs for the 92 day summer average of ATMs and airport modes, and for the single modes of airport operation and for the likelihood of additional awakenings for the overall annual average number of ATMs at **night**, based on the approach described in the review supporting the WHO ENG 2018 (Environmental Noise Guidelines for the European Region: A Systematic Review on Environmental Noise and the Effects on Sleep – International Journal of Environmental Research and Public Health).*

daa sought clarification on this and in their letter of 26 May 2023 ABP responded that:

Regarding scenarios to be tested the following years are acceptable;

- I. 2018,*
- II. 2025 Permitted and,*
- III. 2025 Proposed*

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 hereby 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](#)).

The information in the additional information gives figures on Noise Monitoring and assessment I question how these figures have been arrived at?

3.4 Noise Outputs

3.4.1 Annual

The noise modelling described in Section 3.3 has been used to determine the expected number of additional awakenings for 2018, 2025 and 2035 based the annual average **nightly** movements, and these are given in Table 1 below. They show a reduction over time from 2018 with or without the proposed Relevant Action.

Year	Nightly Additional Awakenings
2018	46,261
2025 Permitted	27,094
2025 Proposed	26,785
2035 Permitted	16,087
2035 Proposed	20,536

Table 1: Nightly Additional Awakenings based on Annual Average

3.4.2 Summer

For the future years additional the expected number of additional awakenings based on the summer average **nightly** movements are given in Table 2 below. These are higher than those based on the annual average, due to greater activity in the summer.

Year	Nightly Additional Awakenings
2025 Permitted	30,416
2025 Proposed	30,095
2035 Permitted	18,062
2035 Proposed	23,074

Table 2: Nightly Additional Awakenings based on Summer Average

3.4.3 Annual – Single Mode

For the future years the expected number of additional awakenings based on the annual average **nightly** movements and easterly operations are given in Table 3 below. These are higher than those based on the average split of easterly and westerly operations.

Year	Nightly Additional Awakenings
2025 Permitted	33,326
2025 Proposed	40,985
2035 Permitted	20,849
2035 Proposed	33,089

The above is clear without using my own words the proposal for additional usage of nighttime flights has already been adjudicated on. I find it bemusing how the DAA would even consider uses figures for the WHO as they have totally ignored the same figures with respect to nighttime noise.

With respect to the same I have a few questions that I feel need further clarity?

2. On the additional information and new noise contours, where are the noise monitoring stations giving you figures in the immediate proximity of the east side of the north runway closest to South Swords? Our understanding is the nearest fixed station for noise monitoring is on Fingal county councils building? The current published information show no current information pertaining to any monitors within 2km of North runway from direction of north east side south of Swords.

To monitor aircraft noise levels and flight tracks near Dublin Airport, a Noise and Flight Track Monitoring System (NFTMS) is in place. This system, by Envirosuite, is composed of a feed from Air Traffic Control radar to capture the aircraft, and a series of Noise Monitoring Terminals (NMTs) which are installed in the area around the airport. In total, seven NMTs are in place:

- Bay Lane: (NMT 1: monitoring runway 28L departures and runway 10R arrivals)
- St. Doolaghs: (NMT 2: monitoring runway 10R departures and runway 28L arrivals)
- Bishopswood: (NMT 3: monitoring local area)
- Feltrim: (NMT 4: monitoring local area)
- Balcultry: (NMT 5: monitoring runway 34 departures and runway 16 arrivals)
- Artane: (NMT 6: monitoring runway 16 departures and runway 34 arrivals)
- Coast Road: (NMT 20: monitoring runway 10R departures and runway 28L arrivals)

4.1: If that is in fact the case then how can we accurately give information regards noise contours for the area of South Swords? We get more noise from traffic and building works at the council building? This noise monitor is useless at

4.2: In the absence of fixed noise monitoring stations within the immediate radius of the SID lines and the airport itself how can we ascertain these figures? I have been unable to find as part of additional information the location of monitoring stations which correlate to the actual noises' zones outlined? Within the application.

4.3: In Swords, particularly for residents of Ridgewood and Boriomhe at present the absence of any noise monitoring stations in these locations leads me to question how the figures were arrived at? The runway is in operation 18 months?

I have further questions with respect to the insulation scheme as I feel it needs to reflect errors in maps or ideally SIDs returning to agreed standard operating guidelines granted in the original application.

4.4 Insulation scheme figures is based on old maps SIDs and not considering additional information?

4.5: Can you tell me in proximity to the new runway where the nearest air quality monitors are because according to the EPAs website the monitor at Dublin Airport has not been active since the 20th of November at 20:00. The DAAs quarterly report does not show any the vicinity of South Swords? I am told there is one at Rivervalley Community Centre I have yet to see data for the same?



The nearest monitoring station from the EPAs perspective is Swords depot is considered good but nearly on fair, we need more accurate real time information on noise and air pollution in the same manner provided by the EPAs website.

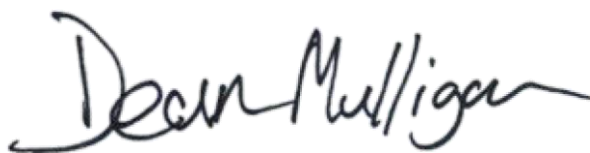
CONCLUSION

For all of the reasons outlined above; the timing of the application, the lack of meaningful engagement with the community, the longstanding statements of the DAA to have the original planning conditions overturned and the legislation establishing Fingal County Council as the Competent Noise Authority in a manner to facilitate that objective, this application needs to be refused. The alteration to an already severely altered application which was agreed as part of legal conditions set down when permission was granted. It is unacceptable to push through with this additional information which would have a devastating impact on the health of surrounding residents. New standards require more safeguards, not less, not only in terms of human health but also environmental sustainability. The information provided is ultra-vires to the original and subsequent applications and the infrastructure and logistics of operating the North Runway have completely changed. Under this logic I could be granted permission to build a 2-storey house and build a 6-storey hotel because I take a "safetycase" and provide information pertaining to the need for economic growth, tourism and jobs which supersedes environmental protection conditions, world health guidelines and the planning and development act 2000 as amended. In no other situation would this be agreeable. We need an ORAL HEARING to deal with this case as the scope of the planning and additional information as well as regulations outside of the planning process (and aforementioned stakeholders) which are integral to the planning process and should be called upon.

Clare Daly MEP

A handwritten signature in blue ink, appearing to read 'Clare Daly', with a long horizontal flourish underneath.

Clr Dean Mulligan

A handwritten signature in black ink, reading 'Dean Mulligan', written in a cursive style.