



Planning Department  
Fingal County Council  
Main St.  
Swords

Observation on planning application F20A/0668

A chairde,

I would like to make the following observations on the above application:

### **Noise**

There is no justification for making a different decision on these conditions inserted to protect public health when the circumstances have not materially changed.

The conditions in the permission for the third runway restricting night flights were inserted to protect the health of local residents. The proposed changes will result in an increase in night flights and noise disturbance. There is no suggestion that there was any error in the analysis leading to the original conditions and no other basis for the decision which is being sought. It would be unreasonable for the planning system to change these conditions without a cogent reason.

### **Apparent inadequacy of new noise insulation measures**

The impact of night flights on local residents is demonstrated by the observation on this application received on 4<sup>th</sup> January from a resident of St. Marnock's Bay, who describes serious sleep disturbance in what they were assured before buying was a housing in which "noise insulation would make planes inaudible outdoors." The sleep disturbance described is from recent months with massively reduced flight numbers. I am referring this observation to planning and building control enforcement for further follow up. The result of that investigation should inform decisions on this application.

Planning permissions have been granted and implemented and assurances have been given to occupants of new houses about the noise insulation which the planning system has required for those houses. If those assurances are unreliable, that makes an even stronger case for restricting night flights.



**Cllr. David Healy**  
**Green Party**  
**Mayor of Fingal**  
**2020/2021**

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## **Climate**

An increase in night-time flights will impact the climate in a manner significantly greater than the increase in CO<sub>2</sub> emissions. It is possible to roughly estimate this additional impact and that should have been done in the EIAR. This information should either be sought as further information or calculated by or on behalf of the planning authority.

The Council is now required to have regard to climate change mitigation in making its decision on this application. Restricting night flights has a disproportionately much greater benefit to the climate than restricting daytime flights. The Council is required to evaluate this benefit in order to have regard to it in its decision on this application.

## **Pre-planning information not made available**

Although the planning application was received on 18<sup>th</sup> December, the pre-planning information was not put on the file until 11<sup>th</sup> and 12<sup>th</sup> January, severely reducing the time available for the public to consider and comment on the information in question. This delay is not in keeping with the Irish planning regulations and the resulting restricted time period for considering the information is not in keeping consistent with the commitments Ireland entered into in signing and ratifying the Aarhus Convention. I refer to the Maastricht Recommendations on Promoting Effective Public Participation in Decision-making in Environmental Matters prepared under the Convention.<sup>i</sup>

## **Appropriate Assessment**

This application is for the amendment of a planning permission for which appropriate assessment under the Habitats Directive was wrongly not carried out. The screening report for this application refers only to the night flight conditions and does not screen the overall development. Public authorities are required to make good insofar as possible, the failure to correctly implement EU law. Therefore the Council should seek the information necessary for it to carry out a full appropriate assessment.

Best regards,

Cllr. David Healy  
Méara Fhine Gall / Mayor of Fingal

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<sup>i</sup> [https://unece.org/DAM/env/pp/Publications/2015/1514364\\_E\\_web.pdf](https://unece.org/DAM/env/pp/Publications/2015/1514364_E_web.pdf)