

**St Margaret's Concerned Residents Group
Kilreesk Lane
St Margarets
Co Dublin**

**Commission for Aviation Regulation,
3rd Floor, Alexandra House
Earlsfort Terrace
Dublin 2**

25th August 2016

To Whom It May Concern,

Please find attached submission to the Commission for Aviation Regulation (CAR) on the Consultation on the Scope of the Interim Review of the 2014 Determination of the Maximum Level of Airport Charges, in respect of the St. Margaret's Concerned Residents Group (SMCRG).

The St. Margaret's Concerned Residents Group, who represent almost 30 home owners, and land owners who will be directly affected by the proposed new runway and ancillary works at Dublin Airport.

Please confirm receipt of our submission by email to: stmgts.concernedresidents@gmail.com

We look forward to hearing from you in respect to our submission.

Yours sincerely



**Helena Merriman
Chairperson**

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Submission to the Commission for Aviation Regulation (CAR) on the

Consultation on the Scope of the Interim Review of the 2014

Determination of the Maximum Level of Airport Charges

at

Dublin Airport relating to the Northern Parallel Runway

Introduction

The St. Margaret's Concerned Residents Group, who represent almost 30 home owners, and land owners who will be directly affected by the proposed new runway and ancillary works at Dublin Airport.

St. Margaret's is located on the western edge of the airport box, in North County Dublin. The group consists of individuals from the following areas in St. Margaret's; Dunbro Lane; Millhead; and Kilreesk Lane – all of which will be directly affected by the new runway and its associated development.

The St Margaret's' Concerned Residents Group (SMCRG) are the official group of residents who objected to the northern parallel runway in 2006 on the basis of the impact this strategic development will have on our members' homes and wider community. The SMCRG represents almost 75 individuals who are home-owners, land-owners and business owners, who are located directly in alignment with the proposed new runway development. Our group consists of residents from Millhead, Kilreesk Lane and Dunbro.

Background:

While we understand that the need for construction is not being consulted on as part of this consultation, we are aware that some exceptional events have materialised since the publication of the 2014 Determination report, namely: -

- 1) The acquisition of Aer Lingus by IAG in August 2015;
- 2) Ireland's economic recovery;
- 3) Brexit – 25th June 2016;
- 4) Dublin Airport (9 August 2016) declared 'Europe's fastest growing major airport in the first six months of 2016 (according to new data from ACI Europe – Trade Association for European Airports)
- 5) EU Directive 598/2014 entered in force on 13th June 2016, and transposition of this regulation into legislation is pending.

Context:

The SMCRG are aware of the 31 conditions attached to the granting of planning permission handed down by An Bord Pleanála to Dublin Airport Authority (daa). It has now transpired that daa intend to change the very conditions that our group tried so very hard to attain through the Oral Hearing process in 2006 (Conditions no. 5 & 7). The daa are now seeking to have these conditions removed or materially altered which is an abuse of the process, time and hard work that was undertaken by our group and its consultants. This makes a mockery of the public process and cannot be allowed to persist.

Therefore, the SMCRG strongly object to the overturning and removal of conditions 3 & 5 the Planning FO4A/1755 – An Bord Pleanála Reference PL.06F.217429.

The SMCRG challenged the construction of the runway through the planning appeal process, and fully participated in the Oral hearing, having engaged legal, environmental, planning and acoustic specialists to defend our homes and our community. Each of our residents made significant personal financial contributions to our lobby - in order to protect their homes.

The mere fact that the Dublin Airport Authority (daa) are considering the removal of the very two conditions that our group received to protect our homes, is a contravention of the planning process. While it is apparent there is a strong fiscal focus on costs associated with the northern runway, there has been a blatant disregard for the families who incurred costs in achieving protection of their homes. Let us remind you, the inspector at the Oral Hearing suggested the planning should be refused (Ref. Inspectors Report, Oral Hearing Volume 3).

Finally, the introduction of the new EU Directive (Regulation 598/2014) took effect on June 13, 2016, aligning the EU with the International Civil Aviation Organization's "balanced approach" to reduce noise by encouraging airlines to capitalise on a new generation of quieter engines, improving airport planning. However, the EU Directive failed to move towards imposing restrictions on night flights, and it still remains to be seen how effective those measures will be. In our opinion, without concrete evidence of specific noise reductions relating to the types of aircraft that are intended to take-off and land on the proposed new runway, this is not a justifiable argument to put out into the public domain. Furthermore, the EU has not set verifiable reduction targets. The transposition of EU Directive 598/14 into Irish legislation is pre-mature, given the lack of evidence to support the argument that says aircraft are becoming less noisy, and daa should not be permitted to use this as a valid argument, without substantive evidence to support their claims.

Notwithstanding this, should the daa move towards building a longer runway, which is being considered, this will accommodate larger aircraft and thus invariably create more noise.

Obviously human health is of significant importance to our community, and the impact of noise both inside our homes, and in our gardens, workplaces, and children's play areas, are of extreme concern.

We welcome the daa's and the Irish Aviation Authority (IAA)'s openness and transparency as regards data and computation methodologies, at this juncture.

Recommendations:

- Conditions 3 & 5 attached to the Planning FO4A/1755 – An Bord Pleanala Reference PL.06F.217429 remain in place with no changes, to protect the residents of St. Margaret's, with no alternation to the planning process.
- Northern Runway length remains at 3.1km, as per original planning permission.
- Any changes to length of runway should be considered under separate planning application, and conducted per planning regulations in the interest of fairness and transparency.
- Should the above recommendations be ignored, i.e. if conditions 3 & 5 are to be overturned; a full re-imbusement of all costs associated with the objection to defend the homes of the St. Margaret's Concerned Residents Group (SMCRG), must be refunded as a matter of fairness. This was requested by SMCRG to An Bord Pleanala after the grant of planning, on the basis that a small and vulnerable group with little or no resources had to fund their own case which was the contrary for the applicant. At the time An Bord Pleanala rejected this request from SMCRG.
- SMCRG believes that the transposition of EU Directive 598/14 into Irish legislation is premature, given the lack of evidence to support the argument that says aircraft are becoming less noisy, and daa should no longer be permitted to use this as a valid argument, without substantive evidence to support their claims.