

Aircraft Noise Competent Authority (ANCA)
Fingal County Council



An tÚdarás Inniúil um
Thorann Aerárthaí
Aircraft Noise
Competent Authority

COMHAIRLE CONTAE FHINE GALL
RECORD OF CHIEF EXECUTIVE'S ORDER

**RECORD OF OPINION OF ANCA UNDER SECTION 34B(1)(a) OF THE PLANNING AND
DEVELOPMENT ACT 2000 (the Act of 2000)**

AND

CHIEF EXECUTIVE ORDER

Planning authority reference: **F25A/0094E**

Date referred to ANCA by planning authority: **07 February 2025**

Section 3 of the Aircraft Noise (Dublin Airport) Act 2019 (the “**Act of 2019**”) designates Fingal County Council as the competent authority for the purposes of the Regulation (EU) No 598/2014 of the European Parliament and of the Council of 16 April 2014 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a balanced approach (the “**Aircraft Noise Regulation**”).

In this Order, “**ANCA**” refers to Fingal County Council acting in its capacity as competent authority as defined in Sections 2 and 3 of the Act of 2019 and the “**Planning Authority**” refers to Fingal County Council acting in its capacity as planning authority as defined in Section 2 of the Planning and Development Act 2000 (as amended) (the **Act of 2000**).

On 06 February 2025, the airport authority for Dublin Airport (daa plc) (**the Applicant**) submitted a planning application (planning authority ref. F25A/0094E) (**the Application**) to the Planning Authority for planning permission for a proposed development at Dublin Airport, Co. Dublin. The proposed development relates to the entirety of the Airport, in the townlands of Millhead, Kilreesk, Kingstown, Dunbro, Barberstown, Pickardstown, Portmellick, Forrest Great, Forrest Little, Cloghran, Collinstown, Corballis, Coultry, Commons, Rock, Harristown, Silloge, Huntstown, Shanganhill, Sandyhill, Dardistown, Stockhole, and Toberbunny.

The proposed development consists of the replacement of condition no. 3 of ABP Ref. No. PL06F.220670 (F06A/1248) and condition no. 2 of ABP Ref. No. PL06F.223469 (F06A/1843) (collectively “**the 32mppa Conditions**”) with a new annual limit on the number of air passengers using the infrastructure at Dublin Airport, which would entail an increase in the number of air passengers permitted annually.

The Application seeks planning permission to replace the 32mppa Conditions with a limit that a maximum of 36 million air passengers will be permitted to use the infrastructure at Dublin Airport per annum (36mppa).

No works or other interventions involving alterations to the physical aspects of the site are proposed as part of the Application.

Pursuant to Section 34B(1)(a)(i)(I) of the Act of 2000, the Planning Authority gave a copy of the Application to ANCA. On 17 February 2025, the Planning Authority and ANCA met for the purposes of section 34B(1)(a)(i)(II) of the Act of 2000.

ANCA must give notice of its opinion formed under section 34B(1)(a)(iii) of the Act of 2000 to the Planning Authority within 4 weeks of it receiving the relevant application.

ANCA EXPERT OPINION

Noise Abatement Objective (NAO)

The noise climate, as reported by ANCA for 2023¹, identified 2,932 more people exposed to aircraft noise above the NAO priority value of 55 dB L_{night} than in 2019, and 38 more people exposed to aircraft noise above the NAO priority value of 65 dB L_{den} , contrary to expected outcome 4 of the NAO, i.e. *"The number of people exposed to aircraft noise above 55 dB L_{night} and 65 dB L_{den} shall be reduced compared to 2019"*.

Available Assessment Scenarios

The Application presents an assessment of the environmental impact for three scenarios with respect to aircraft noise:

1. Current State of the environment, taken to be actual 2023 activity (approx. 33.5mppa);
2. Future Baseline, taken to be 2026 activity at 32mppa;
3. Future Proposed, taken to be 2026 activity at 36mppa.

The aircraft noise impacts of the proposed development are presented in the Application based on a specific assumption of a grant of planning permission for the North Runway Relevant Action (NRRRA) (ABP Ref: PL06F. 314485 (F20A/0668)) in line with the Regulatory Decision (RD) of ANCA of 20th June 2022. The NRRRA planning application is currently under appeal with An Bord Pleanála ("**ABP**"). The timing and outcome of a decision of ABP are unknown.

The application states: *'In the event that ABP grant permission for the proposed NRRRA in different terms, supplemental information can be provided to update the assessment on that*

¹ <https://www.fingal.ie/sites/default/files/2024-08/noise-mitigation-effectiveness-review-report-for-2023.pdf>

basis. The Application further states: *'the applicant only intends to implement permission for this proposed development, if granted, in the event that its application for a relevant action in relation to the nighttime operation of the runway network at Dublin Airport, which is currently pending before An Bord Pleanála is granted in some form.'* As set out above, the final form and timing of such a decision is unknown and cannot be relied on to allow ANCA to form the opinion an assessment for the need for a noise related action and/or a new operating restriction is not required.

The forecast aircraft noise contours and exposure assessments submitted in support of the Application do not represent situations that may arise in the absence of a grant of planning permission on the NRRRA on the specific terms assumed and presented in the noise assessment. The development impact may be significantly underestimated in such circumstances. The assessment scenarios in the Application do not assess the environmental impact with respect to aircraft noise where:

- ABP refuses to grant permission for the NRRRA,
- ABP grants permission for the NRRRA in different terms or
- ABP grants permission for the NRRRA after the Planning Authority grants permission for the proposed development.

As a result, the proposed development may involve different aircraft activity than assessed, which may impact upon the noise situation at the airport including (but not by way of limitation) with respect to the fourth expected outcome of the NAO.

Proposed Noise Mitigation

The Application does not make provision for any noise mitigation measures as part of the proposed development. The Application seeks to rely on yet undetermined measures to reduce or mitigate noise that may arise through the determination of the NRRRA planning application at an unknown future date. It is noted that the noise mitigation measures within the ANCA NRRRA RD do not form part of the development description for the Application, however they are an explicit assumption within the noise assessment presented with the Application.

Recommendation

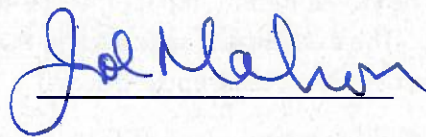
In the context of the foregoing and having regard to:

- The NAO;
- The existing noise mitigation measures and operating restrictions in place at the airport;
- The contents of the Application and, in particular, the gaps in the assessment scenarios set out therein;
- The provisions of the Act of 2019;
- The provisions of the Act of 2000;

- The provisions of Regulation (EU) 598/2014

It is recommended that:

1. In accordance with Section 34B(1)(a) of the Act of 2000, the competent authority (ANCA) concludes that it is of the opinion that the proposed development (F25A/0094E) contains a proposal requiring the assessment for the need for a noise-related action and/or indicates that a new operating restriction may be required.
2. A Notice is issued to the planning authority to this effect pursuant to 34B(2) of the Act of 2000.

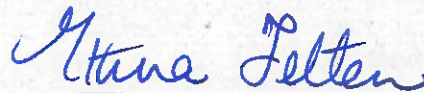


Recommender Joe Mahon
Senior Noise Technical Officer

ORDER:

Having regard to the foregoing report of the Senior Noise Technical Officer, it is hereby ordered that:

1. Pursuant to Section 34B(1)(a) of the Act of 2000, the competent authority (ANCA) concludes that it is of the opinion that the proposed development (F25A/0094E) contains a proposal requiring the assessment for the need for a noise-related action and/or indicates that a new operating restriction may be required.
2. A Notice is issued to the planning authority to this effect pursuant to 34B(2) of the Act of 2000.



Approver Ethna Felten
Director Of Services

Dated

05.3.2025

thereunto empowered by order of the Chief Executive, Fingal County Council C.E No 8912 delegating to me all powers, functions and duties in relation to the Council of the County of Fingal in respect of this matter.