



**An tÚdarás Inniúil um  
Thorann Aerárthaí**

**Aircraft Noise  
Competent Authority**

**Draft Regulatory Decision**

**Appendix K**

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# ANCA Draft Regulatory Decision

November 11th 2021





**An tÚdarás Inniúil um  
Thorann Aerárthaí**

**Aircraft Noise  
Competent Authority**

**DRAFT REGULATORY DECISION**  
**OF THE AIRCRAFT NOISE COMPETENT AUTHORITY**  
**PURSUANT TO**

Section 34C(10) Planning and Development Act 2000

EU Regulation No 598/ 2014

Aircraft Noise (Dublin Airport) Regulation Act 2019

**Planning Register Reference Number: F20A/0668**

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## Glossary of Terms

### In this report:

**Act of 2000** means the Planning and Development Act 2000, as amended

**Act of 2019** means the Aircraft Noise (Dublin Airport) Regulation Act 2019

**Aircraft Noise Regulation** means Regulation (EU) No 598/2014 of the European Parliament.

**ANCA** means Aircraft Noise Competent Authority

**Environmental Noise Directive** means Directive 2002/49/EC of the European Parliament

**Draft RD** means this draft Regulatory Decision, issued pursuant to Section 34C(10) of the Act of 2019

**Night time** means 2300hrs – 0700hrs as defined in the Environmental Noise Directive

**RD** means the Regulatory Decision to be issued pursuant to Section 34C(10) of the Act of 2019 of which this is the draft

**L<sub>night</sub>** Has the same meaning as ascribed to this term in the Environmental Noise Directive

**L<sub>den</sub>** Has the same meaning as ascribed to this term in the Environmental Noise Directive

## Proposed Development

The Applicant seeks planning permission for 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, Coutry, Portmellick, Harristown, Shanganhill, Sandyhill, Huntstown, Pickardstown, Dunbro, Millhead, Kingstown, Barberstown, Forrest Great, Forrest Little and Rock on a site of c. 580 ha.

The proposed relevant action, if permitted, relates to the night time use of the runway system at Dublin Airport. It involves the amendment of the operating restriction set out in condition no. 3(d) and the replacement of the operating restriction in condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19), as well as proposing new noise mitigation measures. Conditions no. 3(d) and 5 have not yet come into effect or operation, as the construction of the North Runway on foot of the North Runway Planning Permission is ongoing.

The proposed relevant action, if permitted, would be to remove the numerical cap on the number of flights permitted between the hours of 23:00 and 07:00 daily that is due to come into effect in accordance with the North Runway Planning Permission and to replace it with an annual night time noise quota between the hours of 23:30 and 05:59. and also to allow flights to take off from and/or land on the North Runway (Runway 10L-28R) for an additional 2 hours i.e. 23:00 to 24:00 and 05:59 to 07:00. Overall, this would allow for an increase in the number of flights taking off and/or landing at Dublin Airport between 23:00 and 07:00 over and above the number stipulated in condition no. 5 of the North Runway Planning Permission, in accordance with the annual night time noise quota.

The relevant action pursuant to Section 34C (1) (a), seeks:

To amend condition no. 3(d) of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19).

Condition 3(d) and the exceptions at the end of Condition 3 state the following:

*'3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 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.'*

Permission is being sought to amend the above condition so that it reads:

*'Runway 10L-28R shall not be used for take-off or landing between 0000 hours and 0559 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 or where Runway 10L-28R length is required for a specific aircraft type.'*

The net effect of the proposed change, if permitted, would change the normal operating hours of the North Runway from the 07:00 to 23:00 to 05:59 to 00:00.

The relevant action also is:

To replace condition no. 5 of the North Runway Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No.: PL06F.217429 as amended by Fingal County Council F19A/0023, ABP Ref. No. ABP-305289-19) which provides as follows:

5. On completion of construction of the runway hereby 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 the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007.

Reason: To control the frequency of night flights at the airport so as to protect residential amenity having regard to the information submitted concerning future night time use of the existing parallel runway'.

With the following:

*'A noise quota system is proposed for night time noise at the airport. The airport shall be subject to an annual noise quota of 7990 between the hours of 2330hrs and 0600hrs'.*

In addition to the proposed night time noise quota, the relevant action also proposes the following noise mitigation measures:

- A noise insulation grant scheme for eligible dwellings within specific night noise contours
- A detailed Noise Monitoring Framework to monitor the noise performance with results to be reported annually to the Aircraft Noise Competent Authority (ANCA), in compliance with the Aircraft Noise (Dublin Airport) Regulation Act 2019.

The proposed relevant action does not seek any amendment of conditions of the North Runway Planning Permission governing the general operation of the runway system (i.e., conditions which are not specific to night time use, namely conditions no. 3 (a), 3(b), 3(c) and 4 of the North Runway Planning Permission) or any amendment of permitted annual passenger capacity of the Terminals at Dublin Airport. Condition no. 3 of the Terminal 2 Planning Permission (Fingal County Council Reg. Ref. No. F04A/1755; ABP Ref. No. PL06F.220670) and condition no. 2 of the Terminal 1 Extension Planning Permission (Fingal County Council Reg. Ref. No. F06A/1843; ABP Ref. No. PL06F.223469) provide that the combined capacity of Terminal 1 and Terminal 2 together shall not exceed 32 million passengers per annum.

The planning application is subject to an assessment by ANCA in accordance with the Aircraft Noise (Dublin Airport) Regulations Act 2019 and Regulation (EU) No 598/2014. The planning application was accompanied by information provided for the purposes of such assessment.

### Process of Aircraft Noise Regulation

By Chief Executive Order ref. ANCA\002\2021 dated 10th February 2021, ANCA determined that a noise problem would arise at Dublin Airport from the taking of the Relevant Action as proposed in the Application and commenced the process of aircraft noise regulation as required by Section 34C of the Planning and Development Act 2000, as amended (the Act of 2000). The process of aircraft noise regulation in this context requires ANCA to define a Noise Abatement Objective (NAO), apply the

Balanced Approach, and, subject to Section 34C(5) of the Act of 2000, make a Regulatory Decision. The Regulatory Decision either sets out the noise mitigation measures or operating restrictions (if any) that ANCA proposes to direct the planning authority to include in the planning authority's decision, if any, to grant permission pursuant to F20A/0668 or confirms that no such conditions are required to be included in the planning authority's decision. This process reflects Ireland's obligations in relation to aircraft noise regulation under Article 5(2) of Regulation EU 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 and repealing Directive 2002/30/EC.

ANCA issued a Direction to Provide Information on February 24, 2021 and daa furnished replies under cover of several responses, the last of which was dated September 13, 2021

Having applied the Balanced Approach to the noise problem identified on 10th February 2021, ANCA determined that one new noise mitigation measure and two new operating restrictions were required to address the noise problem that would arise as a result of the taking of the Relevant Action. As required by Section 34C(7) of the Act of 2000, ANCA assessed those proposed noise mitigation measures and the proposed operating restriction in accordance with the Balanced Approach.

Having undertaken the above analysis, ANCA issued a Notice to the applicant on 17th September 2021 in accordance with the provisions of Section 34C(8) of the Act of 2000. This Notice informed the applicant of the noise mitigation measure and operating restrictions restriction proposed to be required in a decision (if any) to grant the relevant application and the reasons for so proposing. The Notice also advised the Applicant that the Applicant would have an opportunity to make submissions or observations on the proposed noise mitigation measure and operating restrictions within the period from 17th September 2021 to 19th October 2021, in accordance with Section 34C(8)(b) of the Act of 2000. The Applicant provided observations on those noise mitigation measure and operating restrictions on 12 October 2021.

### Matters Considered

In making this draft regulatory decision, the Aircraft Noise Competent Authority (ANCA) had regard to those matters to which, by virtue of the Aircraft Noise (Dublin Airport) Regulation Act 2019 (the Act of 2019), it was required to have regard, including:

- International aviation policy, and in particular the Balanced Approach of the International Civil Aviation Organization (ICAO);
- European policy and legislation, including EU Council Directive 2002/49/EC (the Environmental Noise Directive) (as amended), and Regulation EU 598/2014 (the Aircraft Noise Regulation). In a legislative context, EU Regulation No 598/2014 identifies sustainable development as a key objective of the common European transport policy. This requires an integrated approach aimed at ensuring both the effective functioning of transport systems and protection of the environment;
- Applicable domestic legislation, including the Environmental Noise Regulations 2018 and the Act of 2019;
- The findings of the Environmental Report prepared for the purposes of Strategic Environmental Assessment (SEA), and the Natura Impact Statement prepared for the purposes of Appropriate Assessment;

ANCA's consideration of these matters is set out in more detail in the Draft Regulatory Decision Report accompanying this Draft Regulatory Decision.

In making this draft regulatory decision, ANCA also had regard to National, Regional and Local Policy including as set out in: –

- a) Project Ireland 2040 - National Planning Framework, 2017 (Government of Ireland)
- b) National Development Plan 2018-2027, 2018 (Government of Ireland)
- c) National Policy Statement on Airport Charges Regulation, 2017 (The Department of Transport, Tourism and Sport (DTTAS))
- d) A National Aviation Policy for Ireland, 2015 (The Department of Transport, Tourism and Sport (DTTAS))
- e) Regional Spatial and Economic Strategy for the Eastern and Midland Region (RSES) 2019 – 2031, 2019 (Eastern and Midland Regional Assembly)
- f) Fingal Development Plan 2017 – 2023, March 2017, Fingal County Council.
- g) Variation No. 1 of the Fingal Development Plan 2017 – 2023, September 2019, Fingal County Council.
- h) Dublin Airport Local Area Plan, 2020 (LAP), Fingal County Council.
- i) Dublin Airport Central Masterplan, 2016, Fingal County Council.
- j) Dublin Airport Noise Action Plan 2019 – 2023, 2018 (NAP), Fingal County Council.
- k) Dublin Airport Capital Investment Programme 2020+, 2019, daa.

These programmes and policies provide context for the development of Dublin Airport. These define the specific policy positions and actions to demonstrate Ireland's commitment to mitigate the impacts of aviation on the environment and facilitate the sustainable growth of the sector with actions that support the implementation of legislation. ANCA's consideration of these matters is set out in detail in the Draft Regulatory Decision Report accompanying this Draft Regulatory Decision.

### Reasons and Considerations

The reasons and considerations for ANCA's regulatory decision are set out in detail in the Regulatory Decision Report accompanying this Draft Regulatory Decision.

### Appropriate Assessment (AA)

ANCA undertook an AA Screening in respect of the Noise Abatement Objective and the draft Regulatory Decision arising from an assessment of the noise situation resulting from planning application F20A/0668.

The draft RD is a plan not directly connected with or necessary to the management of any European Site. However, ANCA considered that it could not be excluded, in view of best scientific knowledge and in view of the conservation objectives of the sites, that the draft RD, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the draft RD was required. For this reason, it was determined that draft RD must proceed to Stage 2 (AA) and a Natura Impact Statement (NIS) prepared.

Accordingly an NIS has been prepared and published for consultation alongside the Noise abatement Objective and the draft Regulatory Decision.

[PLACEHOLDER FOR THE APPROPRIATE ASSESSMENT DETERMINATION IN THE FINAL RD]



## Strategic Environmental Assessment (SEA)

The draft RD may set the framework for future development consent of projects listed in Annex I and II to the EIA Directive, including changes or extensions to airfields and airports with a basic runway length of 2,100 metres or more.

ANCA is required to undertake a SEA in respect of a Noise Abatement Objective and draft Regulatory Decision arising from an assessment of the noise situation resulting from planning application F20A/0668.

Accordingly, a SEA Environmental Report has been prepared and published for consultation alongside the Noise abatement Objective and the draft Regulatory Decision.

[PLACEHOLDER FOR THE SEA DETERMINATION IN THE FINAL RD]

## Conditions

This draft regulatory decision contains the following noise mitigation measures and operating restriction that ANCA proposes to direct the planning authority to include as conditions of the planning authority's decision (if any) to grant the relevant application (F20A/0668):

### Condition 1:

The existing operating restriction, Condition 5, of the North Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading as:

*On completion of construction of the runway hereby 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 the 92 day modelling period as set out in the reply to the further information request received by An Bord Pleanála on the 5th day of March, 2007.*

shall be revoked and replaced with an annual noise quota scheme operating restriction as follows:

**The airport shall be subject to a Noise Quota Scheme (NQS) with an annual limit of 16,260 between the night time hours of 23:00 and 06:59 (inclusive, local time) with noise-related limits on the aircraft permitted to operate at night. The annual noise scheme shall be applied as detailed in Schedule A.**

### REASON:

To limit the impact of the aircraft noise at Dublin Airport on sleep disturbance in the interest of residential amenity and to ensure the effective implementation of the Noise Abatement Objective for the Dublin Airport by means of a noise-related limit on aircraft operations.

### Condition 2:

The existing operating restriction imposed by Condition 3(d) and the exceptions at the end of Condition 3 of the North Parallel Runway Planning Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading:

*'3(d). Runway 10L-28R shall not be used for take-off or landing between 2300 hours and 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.'*

shall be amended as follows:

**Runway 10L/28R shall not be used for take-off or landing between 00:00 and 05:59 (inclusive, local time) 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 or where Runway 10L/28R length is required for a specific aircraft type.**

**REASON:**

To permit the operation of the runways in a manner which reduces the impacts on those newly affected by aircraft night time noise, whilst providing certainty to communities as to how they will be affected by night time operations from the North Runway, while also providing continuity with the day-time operating pattern set down by Conditions 3(a)-(c) of the North Runway Planning Permission.

**Condition 3:**

**A voluntary residential sound insulation grant scheme (RSIGS) for residential dwellings shall be provided as detailed in Schedule B, for all homes forecast in 2025 to be exposed to aircraft noise at or above 55dB  $L_{\text{night}}$  contour or experience a 'very significant' effect i.e. exposure to aircraft noise at or above the 50dB  $L_{\text{night}}$  contour together with an increase in noise exposure of at least 9 dB compared to the forecast noise situation in 2025 (had the relevant action not been taken) as shown on the Initial Eligibility Area Contour. Dwellings exposed to levels at or above 55 dB  $L_{\text{night}}$  shall be reviewed every two years commencing in 2027 and if applicable be made eligible for the scheme. This scheme shall not apply to properties where works were undertaken under the existing Residential Noise Insulation Scheme (RNIS) or Home Sound Insulation Programme (HSIP) or to properties where a planning application was lodged after 09 December 2019, being the date of adoption of Variation No. 1 to the Fingal Development Plan 2017 – 2023 incorporating policies relating to development within Aircraft Noise Zones.**

**REASON:**

To mitigate the impact of aircraft night time noise as a result of the use of the Airport's runways, in the interest of residential amenity and the proper planning and sustainable development of the area.

Schedule A – Requirements for the Discharge of Condition 1 (Noise Quota Scheme)

**Part 1 Definitions**

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

<b>Term</b>	<b>Meaning</b>
Annual Quota Period	means the twelve month period from 1 April to 31 March inclusive each year
EASA Noise Certification Database	<p>means the database of noise certification levels approved and as varied from time to time by the European Union Aviation Safety Agency (EASA) and published on its website.</p> <p><a href="https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels">https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels</a>).</p> <p>The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organization (ICAO) Annex 16 Volume 1.</p>
Night time	means the hours at night between 2300 (local time) to 0700 (local time)
Noise Classification Level (NCL)	<p>means the noise level band in EPNdB assigned to an aircraft for take-off or landing, as the case may be, for the aircraft in question for the purposes of identifying the Quota Count of the aircraft.</p> <p>The Noise Classification Level for an aircraft taking off from and landing at the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:</p> <p><math>NCL(Take-Off) = EPNL(Flyover)</math></p> <p><math>NCL(Landing) = EPNL(Approach) -9 \text{ dB}</math></p>
Quota Count	means the amount of the quota assigned to one take-off or to one landing by an aircraft based on the Noise Classification Level for the aircraft having regard for engine type and take-off weight:

Noise Classification Level	Quota Count (QC)
Greater than 101.9 EPNdB	16.0
99-101.9 EPNdB	8.0
96-98.9 EPNdB	4.0
93-95.9 EPNdB	2.0
90-92.9 EPNdB	1.0
87-89.9 EPNdB	0.5
84-86.9 EPNdB	0.25
81-83.9 EPNdB	0.125
Less than 81 EPNdB	0

**Part 2 – Noise Quota Scheme**

- 2.1 Subject the dispensations described in Paragraph 2.2:
- a. A take-off or landing at the Airport shall be determined to fall within the night time based on runway time
  - b. No aircraft with a Quota Count of 4.0 or more shall be permitted to take off at the Airport during the night time.
  - c. No aircraft with a Quota Count of 2.0 or more shall be permitted to land at the Airport during the night time.
  - d. No aircraft with a Quota Count of 2.0 or more shall be permitted to take off at the Airport during the night time from 1 January 2030
  - e. No aircraft with a Quota Count of 1.0 or more shall be permitted to land at the Airport during the night time from 1 January 2030
  - f. Each aircraft landing at or taking off from the Airport during the night time will be assigned a Quota Count based on their Noise Classification Level
  - g. The Noise Quota at the Airport shall be limited to 16,260 for the Annual Period
- 2.2 The restrictions set out in Paragraph 2.1 shall not apply in any of the following dispensations:
- a. Where a take-off or landing of any aircraft at the Airport is made in an emergency, where there is an immediate danger to life or health, whether human or animal.
  - b. Where a take-off or landing of any aircraft at the Airport occurs as a result of a delay to that aircraft which is likely to lead to serious congestion at the Airport and/or serious hardship or suffering to passengers or animals.
  - c. Where a take-off or landing of any aircraft at the Airport occurs as a result of widespread and prolonged disruption of air traffic.
  - d. Flights for military, medical or humanitarian purposes or otherwise granted exemption by the Irish Government

### **Part 3 – Noise Quota Scheme Reporting Requirements**

- 3.1 The Airport shall submit quarterly reports to the planning authority on its implementation of the Noise Quota Scheme. The reports shall include:
- a. The number of aircraft operating during the Noise Quota Period and their type, including technical details including their engines and take-off weights, where applicable;
  - b. The Quota Count assigned to aircraft operating in the Noise Quota Period;
  - c. The total Noise Quota used during the quarter and in the Annual Period to date;
  - d. The total Noise Quota used by Quota Count in the quarter and in the Annual Period to date; and
  - e. Details of any dispensations pursuant to Paragraph 2.2 which have been relied upon during the quarter and in the Annual Period to date.
- 3.2 The quarterly reports shall be issued so that:
- a. The first quarterly report considering activity over the period 1 April to 30 June each year is published by no later than the 30 September each year
  - b. The second quarterly report considering activity over the period 1 July to 30 September each year is published by no later than the 31 December each year

- c. The third quarterly report considering activity over the period 1 October to 31 December each year is published by no later than the 31 March the following year
- d. The fourth quarterly report considering activity over the period 1 January to 31 March each year is published by no later than the 30 June each year

#### **Part 4 – Noise Performance Reporting**

- 3.1 The Airport shall issue annual reports to the planning authority on its noise performance. The report for the previous Annual Period shall be published by no later than 31 March each year and comprise of:
  - a. Noise exposure statistics and contours as required to facilitate performance review of the Noise Abatement Objective including as a minimum:
    - Annual 55dB  $L_{night}$
    - Annual 65dB  $L_{den}$
    - through the number of people ‘highly sleep disturbed’ and ‘highly annoyed’ in accordance with the approach recommended by the World Health Organisation’s Environmental Noise Guidelines 2018 as endorsed by the European Commission through Directive 2020/367, taking into account noise exposure from 45 dB  $L_{den}$  and 40 dB  $L_{night}$ .
    - Annual  $L_{night}$  contours from 40 dB in 5 dB increments
    - Annual  $L_{den}$  contours from 45 dB in 5 dB increments
    - Summer 60 dB  $L_{Aeq, 16hr}$  and 63 dB  $L_{Aeq, 16hr}$  (measured averaged across 92-day summer period from 16th June to 15th September).
  - b. Confirmation of the number of residential properties that (i) have benefitted from and (ii) are eligible for but yet to benefit from the Airport’s noise insulation schemes.
  - c. Key Statistics with respect to aircraft operations in the preceding Annual and Summer Periods including but not limited to:
    - aircraft movements including average hourly movements
    - use of the Noise Quota Scheme
    - movements by aircraft type
    - passenger numbers
    - aircraft destinations
    - flight routings
    - runway use
  - d. Summaries from noise monitoring terminals for the Airport in such format as ANCA shall stipulate
  - e. Details of all noise modelling undertaken in support of the Noise Performance Reporting describing compliance with the methodology set out in Directive 2015/996 (ECAC Doc.29 4th Edition). All noise modelling shall be validated using local noise and track keeping performance data from the Airport’s systems.
  - f. Summary of complaints records for the preceding Annual Period categorised by the:
    - location of complaints; and
    - reason for complaint
  - g. Details of any anticipated changes or developments that may affect noise at the Airport in the current year, through for example airspace change or fleet modernisation.

Schedule B – Requirements for the Residential Sound Insulation Grant Scheme (RSIGS)

## Part 1 Definitions

1.1 The following definitions shall apply with reference to the scheme described in Part 2.

<b>Term</b>	<b>Meaning</b>
Airport	daa PLC
Approved Contractor	Means a contractor procured and managed by the Airport and considered competent and appropriately qualified and have suitable levels of insurance coverage to install the sound insulation measures described in Part 4 in line with acceptable standards and in compliance with the Building Regulations.
Bedroom	A room other than in an attic or loft within an Eligible Dwelling which is used as sleeping accommodation.
Competent Surveyor	Means an appropriately qualified surveyor to inspect and determine relevant information in relation to the existing construction and elements of an Eligible Dwelling for the purposes of undertaking an Elemental Analysis as defined in Part 5.1, Step 5 below.
Eligibility Area	The Initial Eligibility Area as varied from time to time pursuant to the review process set out in Part 3.2 below.
Eligible Dwelling	A habitable dwelling built in compliance with the provisions of the building regulations and the Planning and Development Act within the Eligibility Area and which otherwise qualifies under the conditions set out under Part 3.1 below.
Index Linked	Means index-linked by reference to changes in the Consumer Price Index (CPI) maintained by the Central Statistics Office.
Initial Eligibility Area	The initial area of eligibility to the scheme based on all homes forecast in 2025 to be exposed to aircraft noise at or above 55dB $L_{\text{night}}$ contour or experience a 'very significant' effect i.e. exposure to aircraft noise at or above the 50dB $L_{\text{night}}$ contour together with an increase in noise exposure of at least 9 dB compared to the forecast noise situation in 2025 (had the relevant action not been taken) as shown on the Initial Eligibility Contour Area Map (which contours have been adjusted to accommodate local land boundaries that would otherwise be bisected by the contours).
Initial Eligibility Contour Area	The area shown on the Initial Eligibility Contour Area Map within this Schedule.



Relevant External Noise Level	This noise exposure level at the relevant Eligible Dwelling.
Statement of Need	The recommended measures identified from those available under the scheme as outlined in Part 4
Target Performance	means an improvement of at least 5 dB, where feasible, in the sound insulation of each bedroom of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

## Part 2 – Purpose of the Scheme

- 2.1 The purpose of the scheme is to provide financial assistance by the Airport to property owners in the form of a grant of up to and limited to €20,000 (Index Linked) towards the costs of noise insulation measures to Bedrooms in Eligible Dwellings (the **Grant**).
- 2.2 Bedrooms and properties may qualify only once for the financial assistance provided under this scheme.
- 2.3 Where a dwelling is eligible under this scheme but is also eligible for insulation under the Residential Noise Insulation Scheme (**RNIS**) and the Home Sound Insulation Programme (**HSIP**) best endeavours shall be made by the Airport to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

## Part 3 – Eligibility

- 3.1 Dwellings shall be determined to be Eligible Dwellings under this scheme if they are located within (i) the Initial Eligibility Contour Area as shown in the Initial Eligibility Contour Area Map or (ii) the Eligibility Contour Area (following any review carried out pursuant to Part 3.2 below) and:
  - a. Were constructed pursuant to a planning permission granted following a planning application lodged on or prior to 09<sup>th</sup> December 2019, being the date of adoption of Variation No. 1 to the Fingal Development Plan 2017 – 2023 incorporating policies relating to development within Aircraft Noise Zones and
  - b. Have not benefitted from noise insulation previously under this scheme; and
  - c. Have not benefitted from noise insulation under either the RNIS or HSIP schemes previously.
- 3.2 On 31 March 2027 and every two years thereafter, ANCA shall carry out a review exercise to ascertain whether any authorised habitable dwelling outside the Initial Eligibility Area or the Eligibility Area as at the date of that review (as appropriate) [was subject to aircraft noise level at or above 55dB  $L_{night}$  contour in the calendar year immediately preceding the review]. If there is/are any such authorised habitable dwelling/s, same shall as and from the date of the review be deemed to be an Eligible Dwelling/s and the Eligibility Area shall be amended to include such dwelling/s. Following each review, ANCA shall prepare a revised contour map showing the revised Eligibility Area following such review and shall publish same on its website.

**Part 4 – Measures available under the Scheme**

- 4.1 The owner of an Eligible Dwelling in accordance with Part 3 and following the procedure described in Part 5 shall be entitled to the Grant to be applied towards a selection of insulation measures to be applied to Bedrooms within an Eligible Dwelling as specified in Paragraphs 4.2 to 4.10 below.
- 4.2 The insulation measures referred to in Paragraph 4.1 must be installed by an Approved Contractor and comprise of the following unless the equivalent measure already exists within the Eligible Dwelling:
  - a. Primary Acoustic Glazing
  - b. Secondary Acoustic Glazing
  - c. Glazing Roof Light
  - d. Passive Ventilator
  - e. Mechanical Ventilator
  - f. Loft Insulation
  - g. Ceiling Overboarding
- 4.3 The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarized in Part 5 below.
- 4.4 Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4mm laminated glass with minimum 100mm gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

<b>Thickness of Glazing of the Inner Window</b>	<b>Minimum Horizontal Distance</b>
Less than 4 mm and not less than 3 mm thick	200 mm
Less than 6 mm and not less than 4 mm thick	150 mm

- 4.5 Where secondary glazing is being installed reasonable endeavours will be made to repair the draft seals, catches and hinges to provide an air-tight seal on the existing primary glazing unit.
- 4.6 Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum  $R_w$  of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.
- 4.7 Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the bedrooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable- speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).

- 4.8 Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of 80kg/m<sup>3</sup>. Where insulation is already present but found to be unsatisfactory additional layers of insulation will be added to increase the total thickness to 200mm.
- 4.9 Any ceiling overboarding shall comprise of a continuous layer of mass to provide at least 12kg/m<sup>2</sup> added above joists in attic, for example 22mm plywood (or similar approved).
- 4.10 In the event that loft Insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12 kg/m<sup>2</sup>, i.e. 15mm SoundBloc (or similar approved).

## **Part 5 – Procedure**

- 5.1. The Airport in operating this Scheme shall follow the procedure set out in this Part 5 as required in the discharge of the Airport's obligations under Condition 7 of the North Runway Consent, the discharge of which obligations is achieved through the RNIS.

**Step 1 – Determine Eligibility** - Eligible Dwellings shall be identified as per Part 3 of this Schedule.

**Step 2 – Notification of Eligibility** - The Owner of an Eligible Dwelling shall be notified of their eligibility under the scheme within six months of their eligibility being determined under Step 1.

**Step 3 – Determine Relevant External Noise Level** - The Relevant External Noise Level at the Eligible Dwelling shall be determined

**Step 4 – Undertake Building Survey** – The Airport shall use reasonable endeavours to arrange for the Eligible Dwelling to be inspected by the Competent Surveyor (and secure the necessary agreement to this from the owner of the Eligible Dwelling) within six months of eligibility being determined to record relevant information. The building survey shall be carried out by a Competent Surveyor appointed on behalf of the Airport. The survey shall record the location and number of Bedrooms, and for each Bedroom record the following relevant information:

- External wall constructions - where possible the construction type of the external walls will be recorded for example wall composition including inner leaf, cavity, and external leaf dimensions including all associated building materials;
- Window type – e.g. frame material, single glazing, double glazing, including key dimensions;
- Roof construction – including where possible roof construction type
- Details of chimneys and fireplaces
- Ventilation paths – e.g. existing wall and floor vent types, quantities and dimensions
- Details of any existing sound insulation measures which have been installed previously
- Dimensions of all Bedrooms including window, roof and wall dimensions
- Drawings and/or floor plans – if these are available from the owner
- Photographic records of the building

**Step 5 – Elemental Analysis** - An elemental analysis shall be undertaken to provide a technical assessment of the noise insulation required for the Eligible Dwelling. The following process shall be followed:

- a. The existing sound insulation properties of each Bedroom shall be established
- b. The anticipated future internal noise levels within each Bedroom having regard for the Relevant External Noise Level, presented in octave bands scaled from measurements taken around the Airport, and the existing noise insulation performance obtained from Step a.
- c. A comparison shall be made between the anticipated internal noise level to the BS8233:2014 Targets for internal ambient noise;
- d. An assessment will be undertaken to determine the required improvement in the noise insulation performance, having regard for the Target Performance.
- e. Through an elemental analysis, the most effective combination of measures set out in Part 4 having regard for the Target Performance and the financial assistance grant shall be identified.

**Step 6 – Statement of Need** - A Statement of Need shall be prepared for each Eligible Dwelling. The Statement of Need will be a bespoke document for each Eligible Dwelling. The Statement of Need shall:

- a. Describe the existing sound insulation performance for each Bedroom having regard for the Building Survey as described in Step 4
- b. Identify the potential improvement in the existing sound insulation performance for each Bedroom as can be afforded within the Grant and whether the Target Performance can be met
- c. Set out the recommended set of measures for the Eligible Dwelling in the form of a schedule of works and the associated measures on a bedroom-by-bedroom basis
- d. Provide an opinion on the future internal noise level following the implementation of the noise insulation works and the ability of the works to meet Target Performance.

The Statement of Need shall be issued to the owner of the Eligible Dwelling.

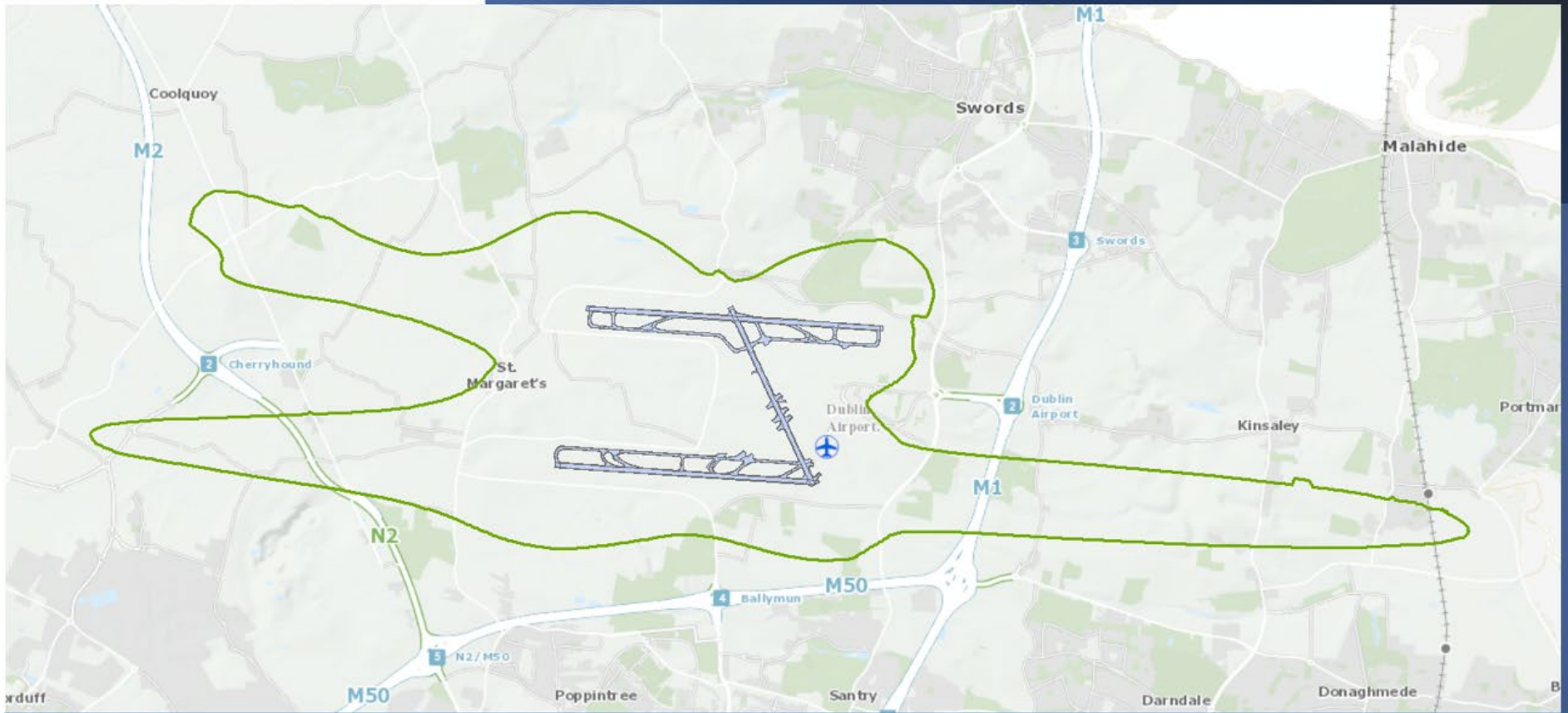
**Step 7 – Acceptance** - Subject to the owner of the Eligible Dwelling agreeing to the scope of works as defined under the Statement of Need, the engagement of the Approved Contractor and access to the dwelling by the Approved Contractor for the purposes of undertaking the works, the Airport will use reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within six months of the owner's agreement to the same.

**Step 8 – Works** – The scope of works as defined by the Statement of Need shall be undertaken by the Approved Contractor [or a suitably qualified contractor procured by the home owner]. The Airport shall procure the Approved Contractor to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations and that the Approved Contractor provides the owner with all appropriate certification and warranties relative to the works completed to the Eligible Dwelling. The Approved Contractor shall photograph the Eligible Dwelling before and after the works for record purposes.

5.2 In the event that a property owner declines to accept the scope of works as defined under the Statement of Need (Step 6) the Airport shall make a grant available towards the costs of sound

insulation measures through the Approved Contractor equal to the cost of the measures identified through the Statement of Need. This grant may be used by the owner to request alternative measures providing they as a minimum meet the Target Performance. Where the alternative measures are calculated to cost more than cost of the measures identified through the Statement of Need, any difference shall be at the expense of the owner.

- 5.3 In the event that a property owner wishes to appoint their own competent contractor, the Airport will provide a specification for the works. The property owner must provide a written quotation from their competent contractor for approval of both the identity of the contractor and the quotation by the Airport. Following approval, the property owner shall be responsible for managing the works and making payments to their contractor and the provisions of this Schedule B shall be deemed to be amended accordingly. Upon completion of the works, the Airport will carry out an inspection and issue payment to the property owner. Where works are not carried out in accordance with the approved specification, payment will not be made by the Airport.



**Draft Regulatory Decision, Condition 3  
Residential sound insulation grant scheme (RSIGS)  
Initial Eligibility Contour Area Map**



**An tÚdarás Inniúil um  
Thorann Aerárthaí**  
Aircraft Noise  
Competent Authority



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Competent Authority

Comhairle Contae  
Fhine Gall  
Fingal County  
Council

