



**An tÚdarás Inniúil um
Thorann Aerárthaí**

**Aircraft Noise
Competent Authority**

Draft Regulatory Decision

Appendix L

Section 34C(8) Notice to Applicant and Response



Mr Gavin Lawlor,
Tom Phillips & Associates,
80 Harcourt Street,
Dublin D02 F449.

Our Ref. ANCA-F20A-0668
17th September 2021

Copy to:

Mr. Martin Doherty,
Environment and Planning Manager North Runway
daa Plc., Cargo 1,
Dublin Airport, County Dublin.

Re: Notice of proposed noise mitigation measures and operating restrictions pursuant to Section 34C(8) of the Planning and Development Act 2000 (the Act of 2000), as amended, that ANCA proposes to direct the planning authority to include in the planning authority's decision, if any, to grant permission pursuant to planning application F20A/0668 for a proposed relevant action (Section 34C of the Act of 2000) to amend/replace operating restrictions set out in conditions no. 3(d) & no. 5 of the North Runway Planning Permission (FCC Ref: No: F04A/1755, ABP Ref. No.: PL06F.217429) as well as proposing new noise mitigation measures

Dear Mr. Lawlor,

I refer to the application for planning permission ref. F20A/0668 (the Application) lodged by Tom Phillips & Associates on behalf of the airport authority for Dublin Airport (daa) on 18th December 2020.

On 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 Act of 2000. A summary of the reasons for that recommendation were as follows:

1. The Application proposes an increase in aircraft activity at night, when referenced against the situation that would otherwise pertain, which may result in higher levels of human exposure to aircraft noise;
2. The Application proposes a situation where some people will experience elevated levels of night-time noise exposure for the first time which may be considered harmful to human health; and
3. The Environmental Impact Assessment Report (EIAR) accompanying the Planning Application indicates that Relevant Action will give rise to significant adverse night-time noise effects. This indicates that noise effects of the Proposed Development are a material consideration.

The process of aircraft noise regulation in this context required ANCA to define a Noise Abatement Objective (NAO), apply the Balanced Approach, make a Regulatory Decision. The Regulatory Decision sets out the noise mitigation measures and operating restrictions 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 confirm that no such conditions are required to be included in the planning authority's decision.

Section 9(2) of the Aircraft Noise (Dublin Airport) Act 2019 (the Act of 2019) requires Fingal County Council, in its capacity as Aircraft Noise Competent Authority, to "*ensure that the Balanced Approach is adopted where a noise problem at the airport has been identified and, to that end, shall further ensure that, as appropriate: (a) the noise abatement objective is, as appropriate, defined, restated or amended, taking into account, as appropriate, Article 8 of, and Annex V to, the Environmental Noise Directive*". That obligation reflects the obligation under Article 5(2) of Regulation EU 598/2014.

Having applied the Balanced Approach to the noise problem identified on 10th February 2021, ANCA proposes to, in the context of Section 34C(10) of the Act of 2000, make a draft regulatory decision. ANCA proposes to direct the planning authority to include the following conditions in their decision in respect of planning application F20A/0668. These have regard to the objectives and outcomes of the NAO as defined by ANCA.

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 night quota scheme operating restriction as follows:

The airport shall be subject to a Night Quota Scheme (NQS) with an annual limit of 16,260 between the night-time hours of 2300hrs and 0700hrs (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.

Explanation:

ANCA's review of the material submitted with the Application and in response to ANCA's Further Information demonstrates that any revision or revocation to Condition 5 will increase noise exposure. However, noise exposure and health outcomes in 2025 and beyond would be better than those which occur in 2019. This is a key component of the NAO and this Condition will support this outcome.

ANCA has undertaken an independent cost-effectiveness assessment having regard to the restriction imposed by Condition 5 of the North Parallel Runway Planning Permission, and alternatives in the form of noise quota schemes having regard for the forecasts provided with the Application. ANCA's analysis has determined that a noise quota scheme is more cost-effective than the movement restriction imposed by Condition 5. It is ANCA's assessment that the NAO can be achieved by replacing Condition 5 with a noise quota scheme reflecting the forecasts submitted in support of the Application.

Although the Application proposes a night-time noise quota scheme effective over a period of 6.5 hours from 2330hrs to 0600hrs (local time), this does not cover the same night-time period as defined in European Union noise policy and against which the NAO has been set. The Application identifies demand for night flights in the context of 8-hour night-time movements rather than during discrete periods of the night, although it is accepted that demand is greatest during the 0600 to 0700 hour.

The Application has not proposed any specific restrictions on aircraft types which can operate during the night-time period. However, such restrictions are a common feature of noise quota schemes in other jurisdictions. ANCA is of the view that such restrictions are warranted to set limits on individual aircraft noise events at night and to deliver the noise limiting aspects of the NAO. Recognising that the Application has not proposed such restrictions, ANCA has undertaken an analysis of the fleet mixes utilised within the Application forecasts and has concluded that a restriction on aircraft with a Quota Count (QC) of 4.0 on take-off and 2.0 on landing shall accompany the Night Quota Scheme (NQS) as it becomes effective. ANCA also requires that no aircraft with a QC of 2.0 or more on take-off and 1.0 or more landing shall operate during the night-time from 1 January 2030. This allows the Applicant to plan for this restriction to be implemented, with the aim of phasing out marginally compliant aircraft during the night.

The NQS sets an overarching night-time noise-related limit with the NAO requiring that overall outcomes in night time noise annoyance and sleep disturbance improve compared to 2019 with clear reductions set for 2030, 2035 and 2040. ANCA is conscious that the airport's compliance and performance against the NQS and NAO are inextricably linked. To this end, ANCA has set out a series of monitoring and reporting requirements which are outlined in Schedule A. These are in the spirit of the monitoring and reporting framework applied for in the Application.

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 0000 hours and 0600 hours (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.

Explanation:

Subsequent to ANCA's evaluation that Condition 5 can be revised and replaced with a noise-related operating restriction allowing the Airport to operate more than 65 aircraft per night, ANCA has considered the Application's proposals to amend Condition 3(d) of the North Runway Planning Permission.

In reviewing the documentation submitted in support of the Application, ANCA gave consideration for the following two approaches to Condition 3(d):

- i. restate Condition 3(d); or
- ii. amend Condition 3(d).

Restating Condition 3(d) would result in a majority of aircraft activity occurring on the South Runway. ANCA's review of the information provided in the Application indicates that overall health outcomes are likely to improve by using both the north and south runways at night. ANCA also recognises the Applicant's view that use of the north runway is necessary as part of meeting demand. It is concluded by ANCA that Condition 3(d) should be revised alongside replacing Condition 5.

A total of eleven alternatives scenarios to Condition 3(d) have been considered by ANCA. These constituted a mixture of modes of night-time runway operations and/or alternative restrictions to the use of the North Runway. For the purposes of this notice, these are described as 'runway patterns'.

Within the context of the Application and with the Airport operating up to its 32mppa passenger cap, all night-time runway patterns considered in the Application and as requested by ANCA through Further Information were found to meet the NAO in 2030, 2035 and 2040 with Condition 5 revoked and replaced with a noise quota scheme as described in Condition 1. This included a forecast which would allow the Airport to operate without any defined restriction on how it used its runways at night. Whilst such an operation may provide the Airport a great deal of flexibility, and whilst this could meet the NAO, it is not consistent with the existing arrangements for the North Runway as set out in Conditions 3(a)-(c) of the North Runway Planning Permission and does not reflect the Application.

Revising Condition 3(d) effectively means prescribing a form of night-time runway preference or prescribing scheduled use of the north or south runways over certain period of the night. The Application seeks to revise Condition 3(d) in a manner which would prohibit scheduled use of the North Runway between 0000hrs and 0600hrs (local time). ANCA's analysis shows that within the context of the Application all eleven of the runway patterns considered can meet the NAO.

The proposed runway pattern (Scenario 02), within the Application, effectively constitutes a shortening by 2 hours of the current restriction imposed by Condition 3(d). This would result in the Airport implementing the form of operation as described in Condition 3(a)-(c) of the North Runway Planning Permission at 0000hrs and recommencing this pattern at 0600hrs (local time). This will effectively provide some communities affected by North Runway operations with a break of 6 hours from aircraft noise during the hours of 0000hrs to 0600hrs (local time) as opposed to the 8-hours should Condition 3(d) be restated. In these additional 2 hours, the Airport would operate in line with the pattern described in Condition 3(a)-(c) of the North Runway Planning Permission providing a form of continuity in terms of airport operations and to those who are affected by aircraft noise.

ANCA has undertaken its own cost-effectiveness analysis (CEA) of each runway pattern and has studied their relative performance, noting that the CEA in the Application has only had regard for the Applicant's preferred option, Scenario 02, as applied for. ANCA's analysis has had regard for: the population highly sleep disturbed; the potential implications and costs arising from the number of properties eligible for sound insulation and its effectiveness; the change in night-time noise compared

the situation without Relevant Action; the number of people potentially experiencing significant effects; and the continuity of the night-time pattern with the daytime pattern described in Condition 3(a)-(c).

ANCA's analysis has shown that the runway pattern applied for in the Application may not be the most cost-effective when having regard for the total number of people highly sleep disturbed. Of the patterns considered by ANCA, the most cost-effective in this respect was found to be that described by Scenario 13 where the North Runway is restricted over the period 2330hrs to 0500hrs (local time).

The Applicant's proposed runway pattern could result in more people being exposed to levels of aircraft noise above the night-time priority value of 55 dB L_{night} as set out in the NAO than the other patterns considered. This is also an aspect of the noise problem arising from the Application as declared by ANCA.

A balance must be achieved however between the number of people exposed to aircraft noise, the number of people exposed above the priority value of 55 dB L_{night} , and those who may experience significant adverse night-time noise effects. The latter being the third reason summarised by ANCA for the noise problem arising from the Application.

The proposals in the Application are that priorities experiencing aircraft noise above 55 dB L_{night} would be subject to noise insulation under a new night-time noise insulation grant scheme. ANCA acknowledges this approach and would require a scheme addressing such priorities regardless of night-time runway pattern. This is further discussed as part of Condition 3.

Consideration was given within the Application and by ANCA to the numbers of people who may experience 'very significant' effects¹ arising from the Relevant Action. This was an aspect identified by ANCA in determining the noise problem arising from the Application. When applying such considerations, the proposed pattern would reduce the number of people 'very significantly' affected however as indicated above this would be at the expense of more people overall being classed as highly sleep disturbed. When having regard for the number of people experiencing 'very significant' effects, the Application has proposed that dwellings experiencing such effects would be captured by a proposed noise insulation grant scheme. This is further discussed in Condition 3. When considering these significant effects, ANCA's own CEA indicates that the proposed runway pattern (Scenario 02, as applied) is the most cost-effective in this regard.

In general, the differences between each pattern in health terms are relatively small compared to the overall number of people forecast to be highly sleep disturbed with the key differentiator being the number of people exposed above the night-time priority value of 55 dB L_{night} . However, exposure above this value would result in eligibility to a noise insulation grant scheme.

Overall, based on the evidence provided in the Application and ANCA's own analysis, taking into account the noise insulation proposals which are discussed as part of Condition 3, ANCA has not identified any material reason in the context of the Application for why an alternative to the proposals for revising Condition 3(d) should be further considered. ANCA therefore has no objection to the proposal to modify Condition 3(d) of the North Runway Planning Permission as set out in Condition 2.

¹ "very significant": arising from forecast noise levels of at least 50dB L_{night} with the Relevant Action and a change of at least +9dB when compared with the current permitted operation in the same forecast year.

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_{night} contour and experience a 'very significant' effect. Dwellings exposed to levels at or above 55 dB L_{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 09th December 2019, the date being the 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 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.

Explanation:

The NAO has set a priority of 55 dB L_{night} to reflect levels of noise exposure which presents a clear risk to human health. ANCA agrees with the proposal to provide a noise insulation scheme for eligible dwellings found to be exposed to aircraft noise at or above this threshold. Exposure to aircraft noise above this threshold occurs due to operations from both the Airport's runways and not just the North Runway arising from Condition 2. As such, a noise insulation scheme set around the priority value of 55 dB L_{night} will help mitigate the effects on those who become newly exposed to potentially harmful levels of aircraft noise, as well as those who have already been exposed to noise above this value and would continue to do so in the future.

The evidence provided with the Application is that, with the airport operating at its 32mppa passenger cap, night-time noise exposure is forecast in the Application to peak in 2025 thus effectively setting the maximum foreseeable extents of the 55 dB L_{night} contour. Forecasts in 2030, 2035 and 2040 indicate that the number of people exposed above the night-time priority value will continue to fall over the period from 2025 but before 2030 it is possible that the extent of the 55 dB L_{night} contour could be larger than forecast in 2025. The Application has proposed a bi-annual review of the eligibility to this scheme. Such a review is consistent with the requirements of Condition 10 of the North Runway Planning Permission which requires noise insulation eligibility under the existing Residential Noise Insulation Scheme² (RNIS) scheme to be reviewed every two years. ANCA is supportive of this approach and for the reasons outlined above has determined that the Initial Eligibility Area of the scheme shall be based on the Application's 2025 forecasts with the first bi-annual review commencing in 2027 where the situation in 2026 shall be compared to the Application's 2025 forecast and eligibility updated accordingly.

The Application has proposed a second criterion for eligibility to the proposed scheme. These criterion seek to provide noise insulation grants for those who experience a 'very significant' effect as a result of the Relevant Action. This occurs where a dwelling is forecast to experience noise exposure of at least 50 dB L_{night} and an increase in noise exposure of at least 9 dB when compared to the current permitted operation in the equivalent year. The Application has proposed that the criteria and

² As established under Condition 7 of the North Runway Planning Permission

subsequent eligibility will be on forecasts for the first year of the Relevant Action and would be a 'one-off' in terms of the area of eligibility and would therefore not be subject to any annual review. ANCA recognises that a scheme of this nature would help mitigate the effect of those who become newly exposed to night-time aircraft noise below the priority value. However, such criteria could result in a situation where some dwellings receive insulation at lower levels of aircraft noise exposure than others. For example, a dwelling falling under Criterion 2 may result in a noise exposure level of 53 dB L_{night} , whereas elsewhere there may be dwellings experiencing 54 dB L_{night} which is not eligible under this criterion or as a result of being exposed to noise above the priority value.

ANCA's proposed approach is to set the eligibility of this criteria having regard for the first year the relevant action comes into effect. Although there is a rationale for this, based on the forecasts in the Application, the maximum extent of the 'very significant' effects attempted to be mitigated by the proposed scheme are forecast to occur in 2025. For clarity and to ensure that the initial eligibility of the scheme as a whole is set and aligned to its intended purpose, ANCA has determined that eligibility under this criterion should be based on the 2025 forecasts in the Application, in the same way as the 55 dB L_{night} aspect of the scheme.

Unlike the existing RNIS and the Airport's Home Sound Insulation Programme (HSIP) schemes, the proposed scheme is a financial assistance grant scheme which means that insulation measures and works under the proposed scheme will be subject to a €20,000. Furthermore, the proposed scheme applies to bedrooms only rather than all other habitable rooms. ANCA has reviewed insulations schemes in place at other airports and has identified that financial assistance schemes are not uncommon and form part of policies in other jurisdictions.

Information provided in the Application suggests that the measures available under the proposed scheme, could include primary or secondary glazing, rooflights, passive vents, mechanical vents and loft insulation. Information has also been provided showing that various combinations of these measures could be provided within the €20,000 limit for dwellings with a differing number of bedrooms. This has provided ANCA with confidence that within the limit, most properties which would be eligible under the scheme can be afforded an effective package of noise insulation measures. Analysis provided in the Application, having regard for the performance of such measures under the existing RNIS scheme, indicates that an improvement in the sound insulation of bedrooms of by at least 5 dB should be achieved by measures available under the proposed scheme and within the €20,000 limit. Such improvements would help reduce external noise exposure so that bedrooms would in effect experience aircraft noise exposure less than 55 dB L_{night} priority in 2025. Over time, and through forecast further reductions in aircraft noise, many of these dwellings would become exposed to levels less than the priority.

The Application does not provide detail on how the scheme shall function. However, ANCA is of the opinion that expertise will be required to ensure that the owners of eligible dwellings are given options for the most effective package of measures available within the €20,000 limit. Such an approach is already in place for the existing RNIS scheme which was subject to the approval of Fingal County Council in 2016 and makes provision for eligible dwellings to be subject to building survey and a statement of need. ANCA has concluded that such a procedure will be required under this scheme and has outlined such in Schedule B.

ANCA recognises however that some owners may wish to improve upon the measures which are afforded under such a scheme even if this results in the cost of these exceeding the limit. ANCA therefore made provision for this in Schedule B.

For the avoidance of doubt, the noise mitigation measures detailed in Condition 3) are in addition to the property insulation and purchase schemes contained within Conditions 6-9 of ABP Ref. No. PL06F.217429 (RNIS) and the Home Sound Insulation Scheme (HSIP) relating to the 2016 63 dB_{L_{Aeq} 16hr} contour as given statutory effect through Section 20(2) of the Act of 2019.

In accordance with Section 34C(8)(b) of the Act of 2019, daa may, within the period 17/9/2021 to 19/10/2021, (being a period of not less than 4 weeks) make submissions or observations on the noise mitigation measures or operating restrictions, or combination thereof, and on such reasons, including counterproposals, by notice in writing given to ANCA and copied to the planning authority.

In accordance with Section 34C(9) of the Act of 2019, ANCA will apply the Balanced Approach to its consideration of any counterproposals received within the above dates, prior to making a draft regulatory decision in accordance with the provisions of Section 34C of the Act of 2000.

Yours sincerely,



Ethna Felten

Aircraft Noise Competent Authority

Also sent to:

Fingal County Council Planning and Strategic Infrastructure Department as the Planning Authority for the administrative area of Fingal.

The Commission for Aviation Regulation

Irish Aviation Authority

Enclosures: Noise Abatement Objective for Dublin Airport. Date 17th September 2021

Noise Abatement Objective Report for Dublin Airport. Date 17th September 2021

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.

Term	Meaning
EASA Noise Certification Database	<p>means the database of noise certification levels approved by the European Union Aviation Safety Agency (EASA) and published on its website. (https://www.easa.europa.eu/domains/environment/easa-certification-noise-levels).</p> <p>The noise levels are established in compliance with the applicable noise standards as defined by International Civil Aviation Organisation (ICAO) Annex 16 Volume 1.</p>
Annual Period	means the calendar year from 1 January to 31st December inclusive
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 the Airport shall be taken from the Flyover Level from the EASA Noise Certification Database:</p> $NCL(\text{Take-Off}) = EPNLdB(\text{Flyover})$ <p>The Noise Classification Level for an aircraft landing at the Airport shall be taken from the arithmetic average of the Lateral and Approach Levels from the EASA Noise Certification Database minus 9 dB:</p> $NCL(\text{Landing}) = \frac{EPNL(\text{Lateral}) + EPNL(\text{Approach})}{2} - 9 \text{ dB}$
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
99-101.9 EPNdB	8
96-98.9 EPNdB	4
93-95.9 EPNdB	2
90-92.9 EPNdB	1
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 Noise Quota Period 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 Noise Quota period.
- c. No aircraft with a Quota Count of 2.0 or more shall be permitted to land at the Airport during the Noise Quota Period.
- d. No aircraft with a Quota Count of 2.0 or more shall be permitted to take off at the Airport during the Noise Quota Period 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 Noise Quota Period from 1 January 2030
- f. Each aircraft landing at or taking off from the Airport during the Noise Quota Period 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 – Night Quota Scheme Reporting Requirements

3.1 The Airport shall submit quarterly reports to the planning authority on its implementation of the Night 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.

3.2 The quarterly reports shall be issued so that:

- a. The first 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
- b. The second 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
- c. The third 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
- d. The fourth 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

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. Any residential properties that have benefits and are eligible for and 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 Night Quota Scheme
 - movements by aircraft type
 - passenger numbers
 - aircraft destinations
 - flight routings
 - runway use
- d. Summaries from noise monitoring terminals for the Airport
- 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.

Term	Meaning
Airport	daa PLC
Bedroom	A room within an Eligible Dwelling which is used as sleeping accommodation and meets the requirements of the Building Regulations for that purpose.
Initial Eligibility Area	<p>The initial area of eligibility to the scheme based on the following information as provided with the Application (adjusted to accommodate local land boundaries that would be bisected by the contours). A combined contour shall be prepared for:</p> <ul style="list-style-type: none">- The area enclosed by the 55 dB L_{night} contour based on 2025 Scenario 02 noise exposure data provided by the Applicant to ANCA on 18 June 2021- The area exposed to 50 dB L_{night} as a result of Relevant Action and an increase in noise exposure of at least 9dB compared to the situation in 2025 by comparing 2025 Scenario 02 to 2025 Scenario 01 as provided by the Applicant to ANCA on 18 June 2021. <p>A combined contour shall be prepared by ANCA for the initial eligibility area.</p>
Competent Surveyor	Means a surveyor considered competent and appropriately qualified 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, Step 5.
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.
Review Contour	The extents and supporting data for the 55 dB L_{night} contour representative of noise exposure in the previous calendar year of the bi-annual review, as agreed by ANCA
The Relevant External Noise Level	This is the noise exposure level at the dwelling underpinning its eligibility as defined by the data used to determine the Initial Eligibility Area or the Review Contour.
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.

Statement of Need

The recommended measures identified from those available under the scheme as outlined in Part 4

The Grant

means a financial assistance grant of up to and limited to €20,000 (index linked) towards the costs of noise insulation measures to made available to Eligible Dwellings by the Airport through the Approved Contractor

Index linked

means Consumer Price Index (CPI)

Part 2 – Purpose of the Scheme

2.1 The purpose of the scheme is to provide financial assistance in the form of a financial assistance grant of up to and limited to €20,000 (index linked) towards the costs of noise insulation measures to Eligible Dwellings located within the Initial Eligible Area and as may be the case through bi-annual review through the Review Contour as described in Paragraph

2.2 The financial assistance provided under the scheme applies to bedrooms and properties may qualify only once under this scheme.

2.2 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 to ensure that the dwelling receives insulation under RNIS and HSIP instead of this scheme.

Part 3 – Eligibility

3.1 Eligible Dwellings under this scheme are determined as follows:

- a. The property is used as and where a planning application was lodged after 09th December 2019, the date being the adoption of Variation No. 1 to the Fingal Development Plan 2017 – 2023 incorporating policies relating to development within Aircraft Noise Zones.
- b. Has not benefitted from noise insulation previously under this scheme;
- c. Has not benefitted from noise insulation under either the RNIS or HSIP schemes previously;
- d. Is located within the Initial Eligibility Area contour.

3.2 From the 31 March 2027 and every two years thereafter, where the extents of the Review Contour is found to exceed the extents of the Initial Eligibility Area, any dwellings fulfilling the provisions of Paragraph 3.1(a)-(c) inclusive shall be considered Eligible Dwellings under the scheme.

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 will may benefit from a selection of insulation measures as specified in Paragraphs 4.2 to 4.8 below as is determined.

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 specification of the sound insulation measures provided under this scheme shall generally comply with the specification of the measures in place under the RNIS scheme, as is summarised below.

4.4 Where secondary acoustic glazing is to be installed, this shall generally 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.

Thickness of Glazing of the Inner Window	Minimum Horizontal Distance
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 each building 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 200mm of fibrous acoustic insulation will be placed between ceiling joists, the insulation is to have a minimum density of 80kg/m³. 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 Ceiling overboarding shall comprise of a continuous layer of mass to provide at least 12kg/m² added above joists in attic, for example 22mm plywood (or similar approved). In the event that this is not possible due to inaccessibility or other practical reasons, loft insulation or loft boards cannot be installed, ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12 kg/m², i.e. 15mm SoundBloc (or similar approved).

Part 5 – Procedure

5.1. The procedure set out in this Part is based on the procedure in place in the discharge of the Airport's obligations under Condition 7 of the North Runway Consent, as is employed as part of the RNIS.

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

Step 2 – Notification of Eligibility - The Owner of the Eligible Dwelling shall be notified of their eligibility under the scheme within three 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 Survey (and secure the necessary agreement to this from the owner of the eligible dwelling) within three 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 rooms 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 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, presenting 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 is 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 three 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. The Airport shall procure so that the Approved Contractor uses reasonable endeavours to protect landscaping and garden areas and all other property within each eligible dwelling and takes all reasonably necessary precautions to protect the existing structures, finishes, fittings and all other property within each eligible dwelling from weather and any other damage caused by or during the works. The Airport shall procure so that the Approved Contractor uses reasonable endeavours to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations. 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 Approved Contractor will provide a specification for the works. The property owner must provide a written quotation from their competent contractor for approval by the Airport. Following approval, the property owner shall be responsible for managing the works and making payments to their contractor. 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.

Joe Mahon
Aircraft Noise Competent Authority
County Hall,
Swords,
Co. Dublin,
K67 X8Y2

12 October 2021
[By Email & Express Post]

Re: Notice of proposed noise mitigation measures and operating restrictions pursuant to Section 34C(8) of the Planning and Development Act 2000 (the Act of 2000), as amended, that ANCA proposes to direct the planning authority to include in the planning authority's decision, if any, to grant permission pursuant to planning application F20A/0668 for a proposed relevant action (Section 34C of the Act of 2000) to amend/replace operating restrictions set out in conditions no. 3(d) & no. 5 of the North Runway Planning Permission (FCC Ref: No: F04A/1755, ABP Ref. No.: PL06F.217429) as well as proposing new noise mitigation measures

Dear Joe,

Tom Phillips + Associates (TPA) continues to act on behalf of daa plc (the Applicant) in relation to the above referenced proposal as part of a multi-disciplinary project team including AECOM, Bickerdike Allen Partners (BAP), Ricondo, Mott MacDonald, InterVISTAS and Anderson Acoustics.

Thank you for your recent correspondence dated 17th September 2021 setting out ANCA's proposed draft regulatory decision under Section 34C(10) of *the Act of 2000*, arising from the Applicant's application under that section (the Relevant Action application).

In addition to ANCA's proposed draft regulatory decision, we note that the *Noise Abatement Objective for Dublin Airport, Date 17th September 2021* and *Noise Abatement Objective Report for Dublin Airport, Date 17th September 2021* have also been provided.

The Applicant has long been advocating for the implementation of EU Regulation 598 of 2014, which has been brought into effect by way of the Aircraft Noise (Dublin Airport) Regulation Act 2019 (the "2019 Act") and which now brings Ireland in step with European regulations on aircraft noise. In that regard, the development of a Noise Abatement Objective for Dublin Airport, in line with the aircraft

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noise regulation process set out in the 2019 Act and the application of the Balanced Approach thereunder is a significant milestone now achieved. The Applicant intends to provide feedback on the draft NAO through the public consultation process as provided for in the 2019 Act.

In terms of the proposed regulatory decision, the Applicant has reviewed ANCA's correspondence and notes that whilst there are points of commonality, there are some significant points where ANCA has opted not to approve the approach as advocated for by the Applicant. Whilst it is considered that the Relevant Action application as submitted to the planning authority provides for an outcome that equally achieves the 'Balanced Approach' pursuant to Section 9(2) of the 2019 Act, it is disappointing that ANCA's proposed approach introduces an 8-hour quota count restriction which is not the case at European airports where similar quota count schemes are in place and are more in line with the 6.5-hour period proposed by the Applicant.

However, notwithstanding the above the applicant does not wish to put forward any counter proposals at this juncture.

The Applicant does wish to make the following observations and requests for clarification in relation to the above referenced material:

Condition 1

The existing operating restriction, Condition 5, of 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 night quota scheme operating restriction as follows:

The airport shall be subject to a Night Quota Scheme (NQS) with an annual limit of 16,260 between the night-time hours of 2300hrs and 0700hrs (local time) with noise related limits on 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 Dublin Airport by means of a noise-related limit on aircraft operations.

daa Submission

The Applicant welcomes the proposed revocation of Condition 5 and its replacement with a noise-based limit in the form of a Night Quota Scheme (NQS). The Applicant agrees that the replacement of Condition 5 with an NQS will ensure effective implementation of the Noise Abatement Objective. However, as referenced in the Relevant Action application, the Applicant is of the view that a restriction on the full eight-hour period of night is not the most appropriate means to achieve this.



As stated in the Relevant Action application, demand for night flights between 23:00 and 07:00 is driven mainly by short haul services operated by aircraft based at Dublin. In order to achieve the high levels of aircraft utilisation necessary for airline competitiveness, Dublin-based aircraft such as those operated by Aer Lingus and Ryanair tend to operate with first departure between 06:00 and 07:00 and last arrival after 23:00. Other 23:00 to 07:00 period flights are long haul arrivals in the early morning, and a small number of cargo flights mainly operated by the time-critical package delivery integrators (e.g., FedEx, DHL, TNT and UPS).

The one-hour time difference between Ireland and mainland Europe means that flights need to leave early (before 07:00) to arrive in time for business passengers to have a full working day at their destination.

The geographical position of Dublin Airport means that there are longer distances to many European destinations than from other European hubs. This means that Dublin Airport requires longer operating days than competing European hubs. Similarly, Dublin Airport's shorter flight time to North America compared to the rest of Europe means that transatlantic flights arrive earlier in Dublin than at other European airports.

Dublin Airport is also unusual in that the operating restrictions of the North Runway Planning Permission (Conditions 3d and 5) include a peak hour of demand for departures at the airport, being 06:00-07:00.

The Relevant Action application proposed an NQS for the period 23:30 hrs to 06:00 hrs (known as the Night Quota Period) which is consistent with airports operating similar QC based systems.

The eight-hour NQS as proposed by ANCA is not in accordance with NQS in other airports. Whilst it is recognised that the NQS aligns to the eight-hour night period as defined in WHO guidance and EU policy, to our knowledge there are no examples where such a restriction is imposed at any other airports in Europe. Other airports and jurisdictions do define their night over an eight-hour period, but operating restrictions (where they exist) are imposed on subsets of the night-period. The Applicant considers that there is little or no precedent for having restrictions apply across the full eight-hour night period. The Applicant is of the opinion that the 6.5-hour NQS as proposed in the relevant action is the most appropriate balance for such an NQS.

In terms of the proposed noise related limits on aircraft permitted to operate at night, the Applicant also considers that the period of these proposed restrictions is not in accordance with similar restrictions at other airports, where these types of restrictions are typically implemented over a subset of the eight-hour night period. The applications of such restrictions throughout the full eight-hour night period may disproportionately affect certain operators and may unfairly limit their ability to operate a service at Dublin Airport.

We have some observations with regards to the Noise Quota Scheme (NQS) implementation phase as set out in Schedule A. Please see details of these in the below Observations on Schedule A and B.



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 Permission (FCC Reg. Ref: F04A/1755; ABP Ref: PL06F.217429) reading: 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 0000 hours and 0600 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.

daa submission

The Applicant notes that ANCA has undertaken an independent cost effectiveness assessment and taking into account the noise insulation proposals discussed in Condition 3, ANCA has not identified any material reason why an alternative to the proposals for revising Condition 3(d) should be further considered. The Applicant notes and accepts the proposed amendments to Condition 3(d).

The Applicant would however seek one clarification in respect of the proposed Condition 2. The Applicant had requested that any condition make clear that time period during which Runway 10L-28R could not be used, should be 0000 to 0559, in order that Runway 10L-28R could be used starting at 0600. Can ANCA please confirm that Runway 10L-28R could be used from 0600 and that the draft proposed restriction would not apply in any of the 0600 hour. This will allow for more efficient scheduling for runway use.

Condition 3

A voluntary residential sound insulation 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_{night} contour and experience a 'very significant' effect. Dwellings exposed to levels at or above 55dB L_{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 09th December 2019, the date being the adoption of Variation No.1 to the Fingal Development Plan 2017-2023 incorporating policies relating to development within Aircraft Noise Zones.

daa submission

The Applicant notes that ANCA agrees with the proposal for a noise insulation grant scheme based on 55 L_{night} threshold and the Applicant accepts that the eligibility for the scheme will be reviewed every two years commencing in 2027.



The Applicant also notes ANCA comments on the proposed eligibility based on ‘very significant’ effects. The Applicant has no objection to the year of eligibility for this being set at 2025.

The Applicant has reviewed the Initial Eligibility Area requirements as presented in Schedule B, Part 1 Definitions and is in the process of preparing a combined contour for the purposes of illustrating the likely extent of eligibility for the scheme based on these criteria. The contour is being prepared and will be adjusted to accommodate local land boundaries that would be bisected by the contour. The combined eligibility contour will be issued to ANCA prior to the 17th October.

We have some observations with regards to the implementation phase of the scheme as set out in Schedule B. Please see details of these in the below Observations to Schedule A and B.

Observations to Schedule A and B

Schedule A, Part 1 Definitions:

‘Noise Classification Level (NCL)’

The Applicant wishes to request clarification of the Noise Classification level definition presented.

The definition of Noise Classification Level (NCL) in *Schedule A* states the following:

$$\text{NCL(Take-Off)} = \text{EPNLdB(Flyover)}$$

$$\text{NCL(Landing)} = \text{EPNL(Lateral)} + \text{EPNL(Approach)} / 2 - 9 \text{ dB}$$

Could ANCA please clarify if this should read:

$$\text{NCL(Take-Off)} = \text{EPNL(Flyover)} + \text{EPNL(Lateral)} / 2$$

$$\text{NCL(Landing)} = \text{EPNL(Lateral)} - 9 \text{ dB}$$

Part 2 – Noise Quota Scheme and Part 3- Night Quota Scheme Reporting Requirements:

The Applicant is cognisant that under the 2019 Act, Operating Restrictions can only take effect after the notification period in Article 8 of EU Regulation 598 of 2014 is complied with. The Applicant expects that ANCA will take account of these obligations in setting a commencement date for any Operating Restrictions, reflecting the need to comply with such obligations, and the need for restrictions to be applied from the commencement of a scheduling period.

This would also allow the airport and airlines prepare for the introduction of any operating restrictions for that season as opposed to the beginning of the calendar year and would also allow the slot coordination process take account of such restrictions more effectively.

This issue would equally apply to the introduction of the annual quota count i.e that this is introduced at the beginning of a season and not the beginning of a calendar year. Starting this at the beginning of an IATA season (or close to the beginning, e.g. April 1st) as opposed to a calendar year would be in line with other airports which have a similar scheme. It will also ensure it is aligned with the seasonal slot coordination process, of which the night quota count will become a part of, and removes the complexity of managing this over three seasons each year. In accordance with Part 3.1, the Airport would submit quarterly reports to the planning authority on the implementation of the Night Quota Scheme thereafter.



Schedule B

'Part 1.1'

In terms of implementation of the scheme the Applicant wishes to make the following observations.

'Part 2, Paragraph 2.1', should the term 'bi-annual review' be 'biennial review' to correspond with the requirements of Condition 3.

- 'Part 3.1' states that **eligible dwellings under this scheme are** determined as follows:
 - a. *'The property is used as and where a planning application was lodged **after** 09th December 2019'.* (our emphasis)

Whereas Condition 3 of the ANCA Notice states:

*'This scheme **shall not** apply to properties.....where a planning application was lodged **after** 09th December 2019'.* (our emphasis)

Can ANCA please clarify Part 3.1a and confirm that the intention is that the scheme does not apply to properties where the planning application was lodged after 09th December 2019.

'Part 5.1'

- 'Step 2 – Notification of Eligibility' requires the Applicant to notify property owners of their eligibility under the scheme within three months of their eligibility being determined under Step 1. If this period is intended to include the time required to obtain all Eligible Dwelling property owner details, including Land Registry Ireland searches and the preparation of all property owner correspondence, the Applicant is concerned that this timeline is unworkable. The Applicant would suggest that a six-month timeline would be more appropriate.
- 'Step 4 – Undertake Building Survey', requires the Applicant to have the Eligible Dwelling inspected by the Competent Surveyor within three months of eligibility being determined. Based on the Applicant's experience of the Residential Noise Insulation Scheme (RNIS), it will not be possible to gain all owners agreement to survey within three months of notifying of eligibility. During implementation of the RNIS, several information meetings were held with eligible homeowners which afforded the opportunity to explain the insulation scheme, show typical product samples and answer any technical questions homeowners had relating to their individual dwellings. The Applicant requests this timeline be six months in order to undertake similar engagement with eligible homeowners, so they are fully informed. In addition, please can ANCA clarify 'Dimensions of all rooms...' applies to bedrooms only?
- 'Step 7 – Acceptance' requires the Applicant to use reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within three months of the owner's agreement to the same. The Applicant has reviewed this timeline against the possible requirement to provide sound insulation measures for a significant number of dwellings and considers it unachievable.

The Applicant received extensive feedback from participants in the RNIS, both before and after approval of that Scheme, regarding the importance of aesthetics in replacement of external windows and doors. As the proposed scheme relates to bedrooms, most if not all

households (particularly single-storey dwellings) may seek to replace the remaining windows at their own expense during the installation works.

In this regard, the Applicant suggests that the proposed scheme allows for the eligible participating household to engage their own suitably qualified contractor (or select from a list of contractors that have been selected and vetted by the Applicant) to undertake the works contained in the Statement of Need.

On completion of works, the Applicant would then undertake an inspection of the insulation measures in bedrooms and will pay the grant amount to the participating homeowner provided that the completed works meet the required standard and specification. By employing this approach, the participating homeowner is given the flexibility to undertake the works at a cost and time which is suitable to their individual circumstances, whilst availing of the grant.

The Applicant believes that this approach will also allow for works to be delivered to all eligible participating dwellings in a shorter timeframe than that which could be achieved by the Applicant, whilst simultaneously ensuring the standards as specified in the Statement of Need are achieved, thus delivering the aim of the proposed scheme.

Should Step 7 be revised by ANCA as per this suggestion, then Step 8, Part 5.2 and 5.3 would no longer be relevant.

We look forward to ANCA's consideration of the above observations, and as no counterproposals have been made, the Applicant trusts ANCA will be in a position to issue a draft regulatory decision without undue delay. Should you have any queries in relation to the above please feel free to contact the undersigned.

Yours sincerely



Gavin Lawlor
Director

Tom Phillips + Associates

cc. Fingal Planning Department, Martin Doherty daa plc

Residential Sound Insulation Grant Scheme (RSIGS); Relevant Action proposed eligibility areas

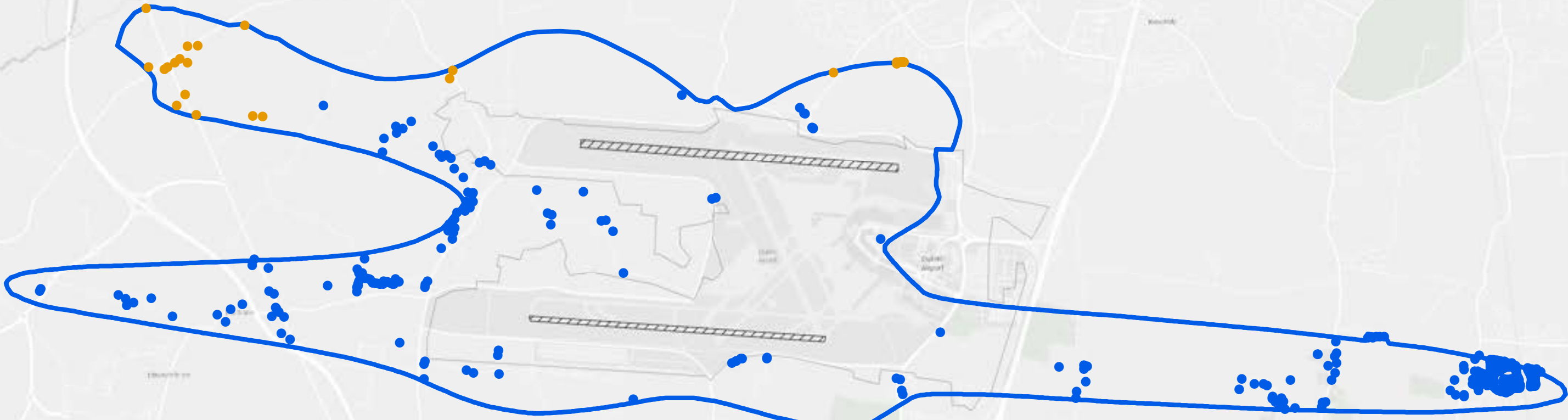
Criteria 1 Dwellings: The dwellings within the area enclosed by the 55 dB L_{night} contour based on 2025 Scenario 02 noise exposure data provided by the Applicant to ANCA on 18 June 2021; and

Criteria 2 Dwellings: The dwellings within the area exposed to 50 dB L_{night} , as a result of Relevant Action and an increase in noise exposure of at least 9 dB compared to the situation in 2025 by comparing 2025 Scenario 02 to 2025 Scenario 01 as provided by the Applicant to ANCA on 18 June 2021.

Where the eligibility contour bisects a local land boundary, the contour has been amended to reflect this.

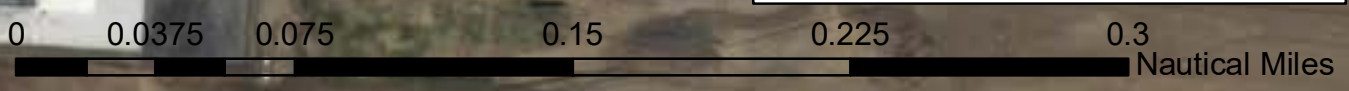
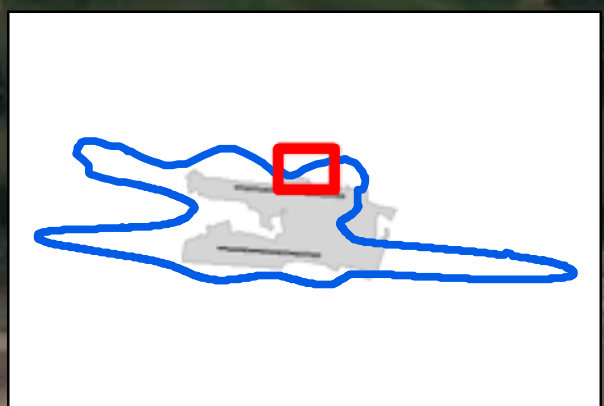
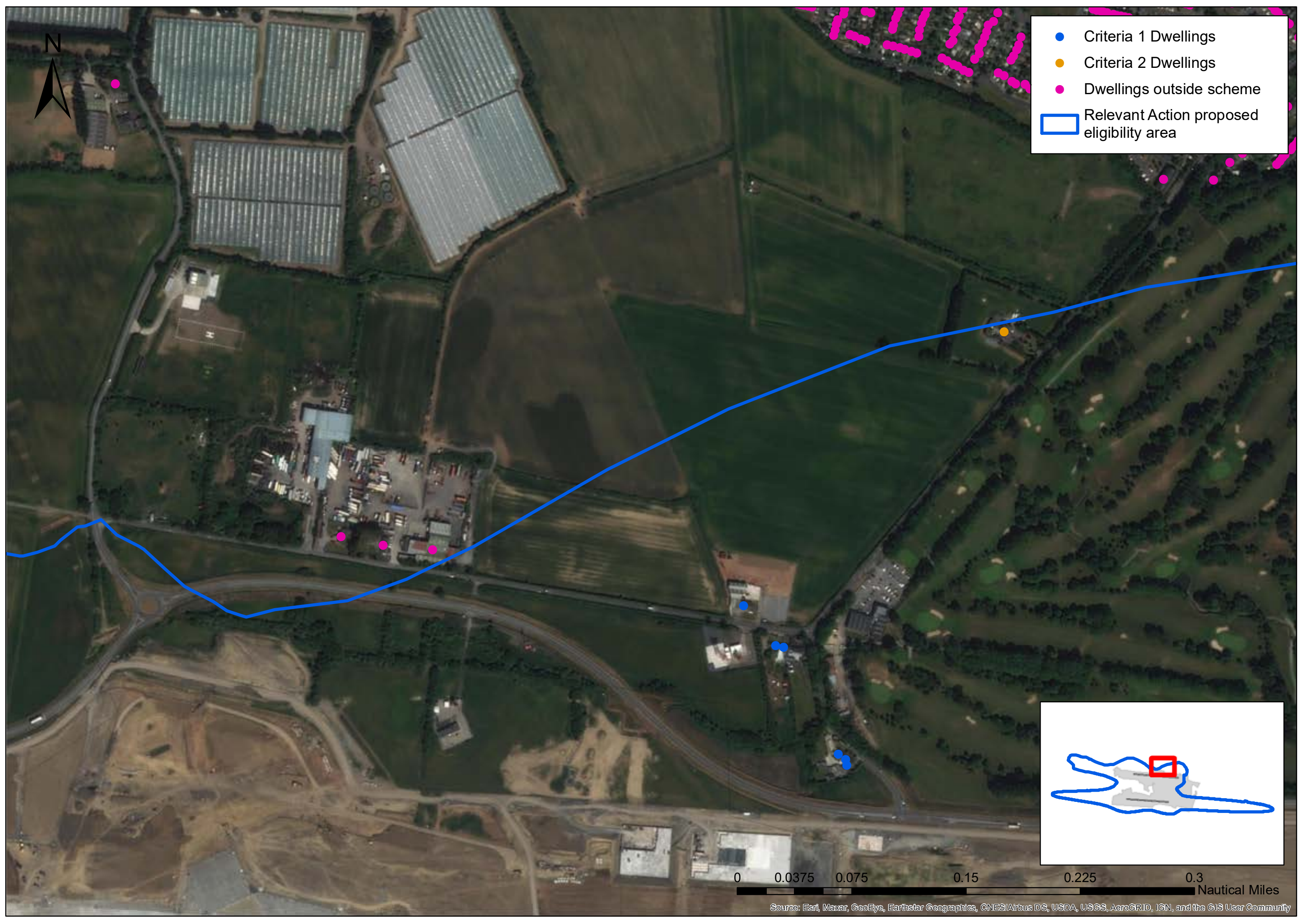


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Relevant Action proposed eligibility area





- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



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- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



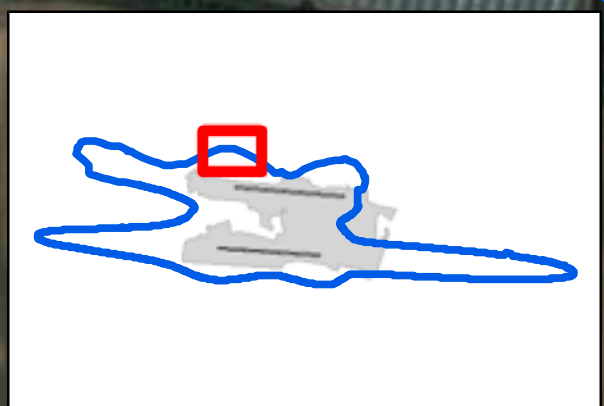
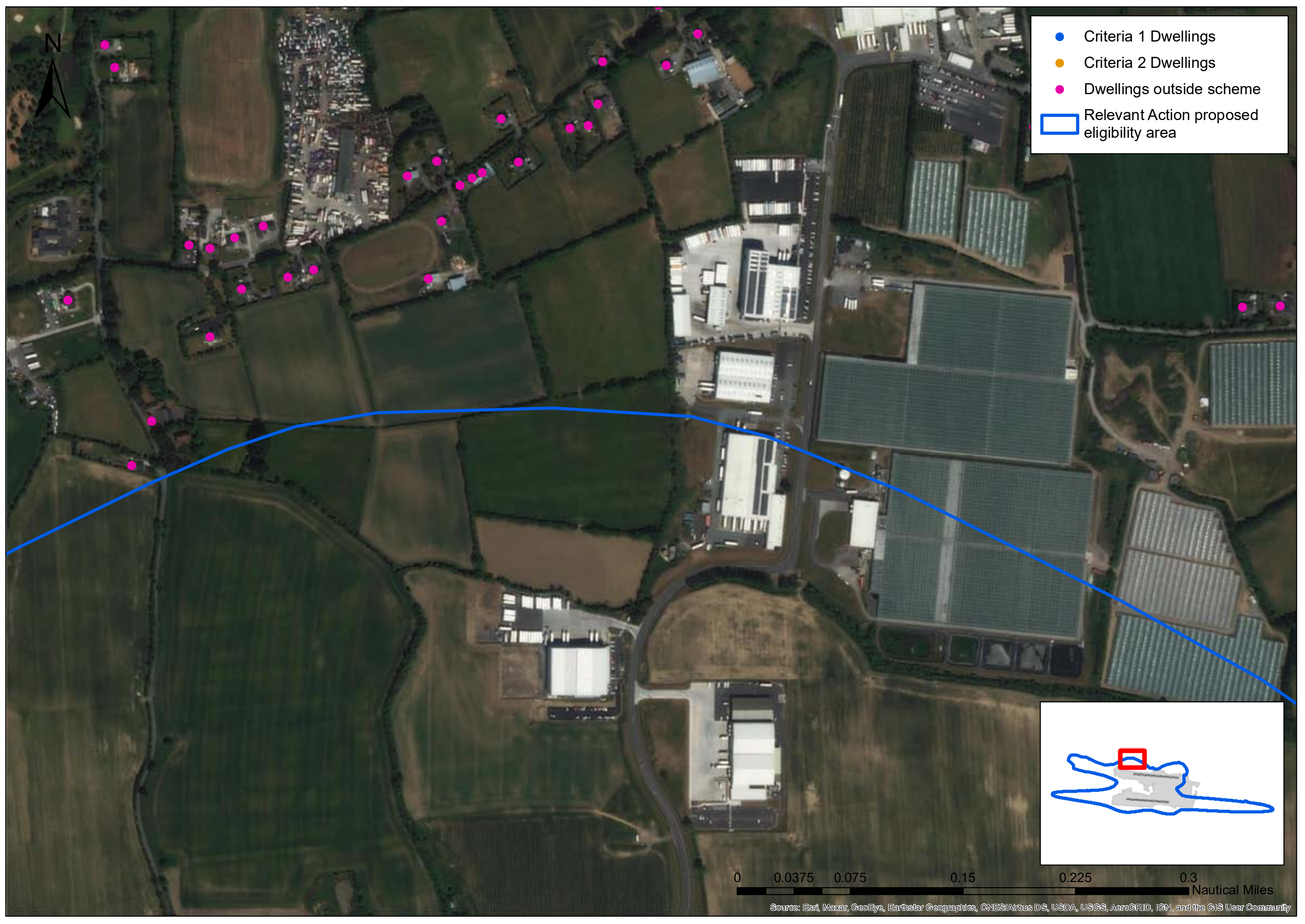
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Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

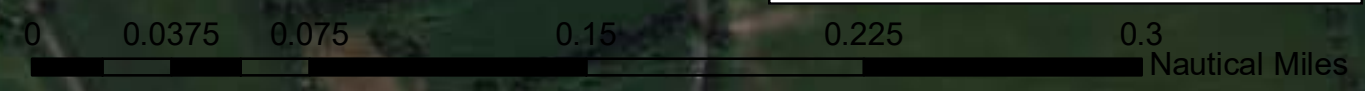
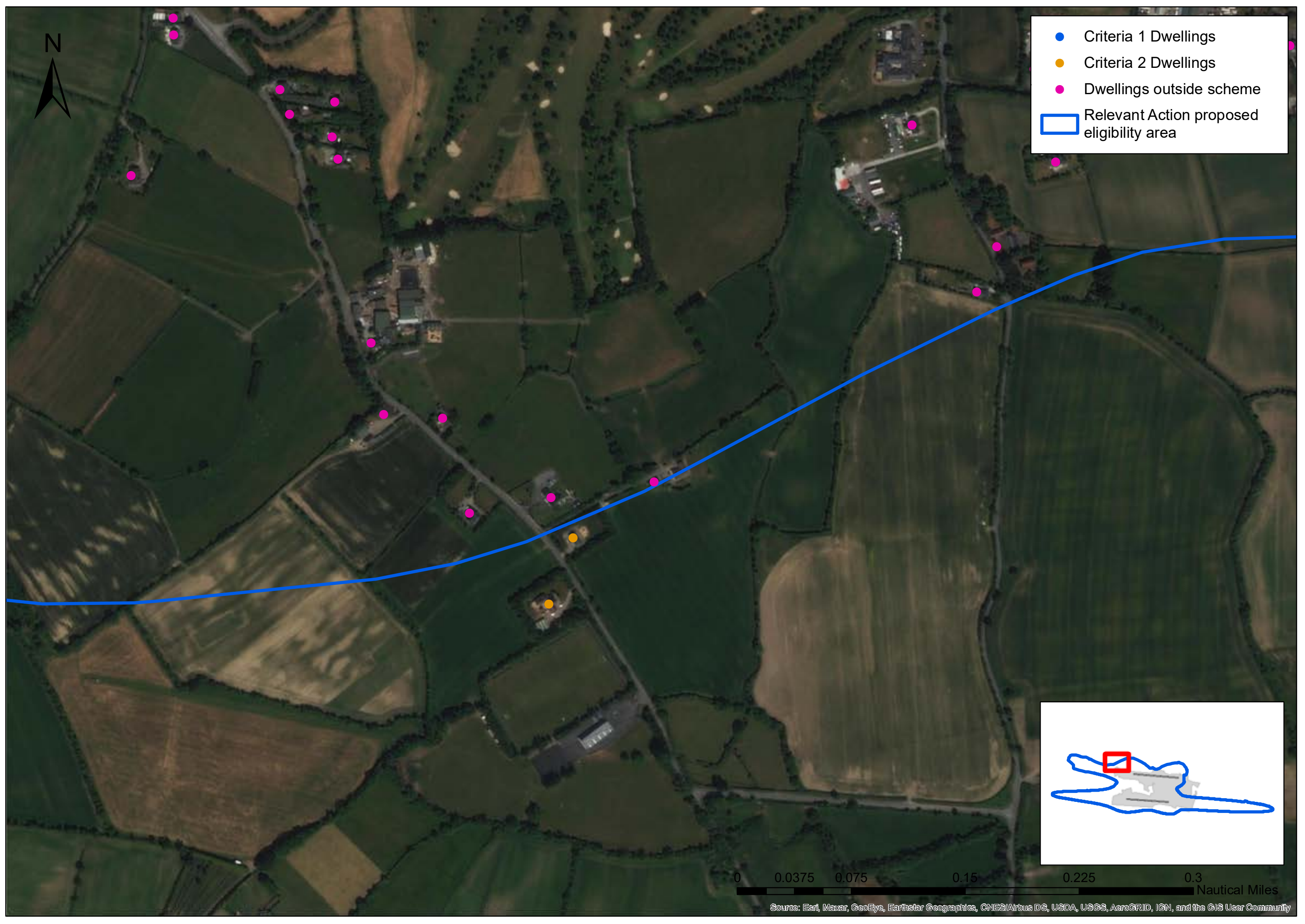


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Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

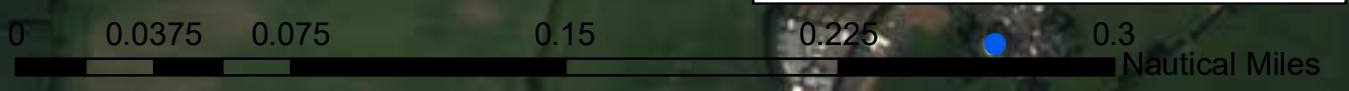
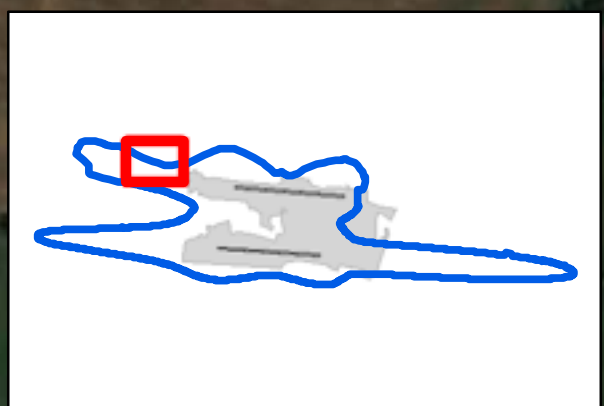
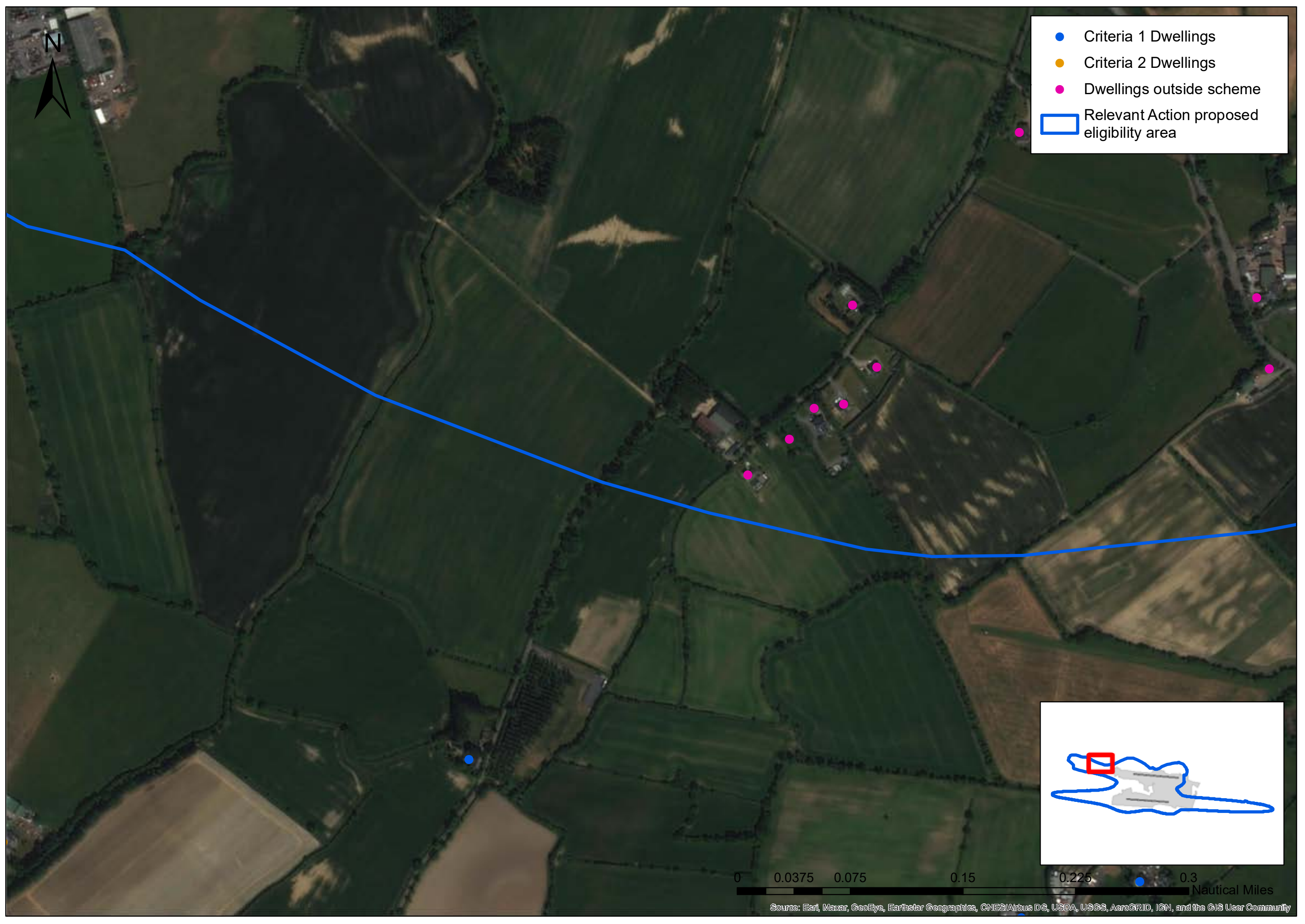


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area





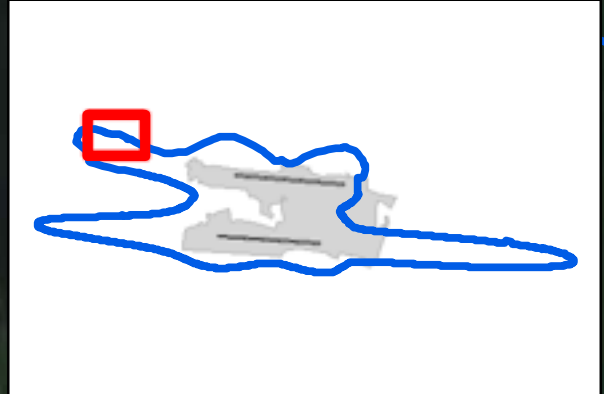
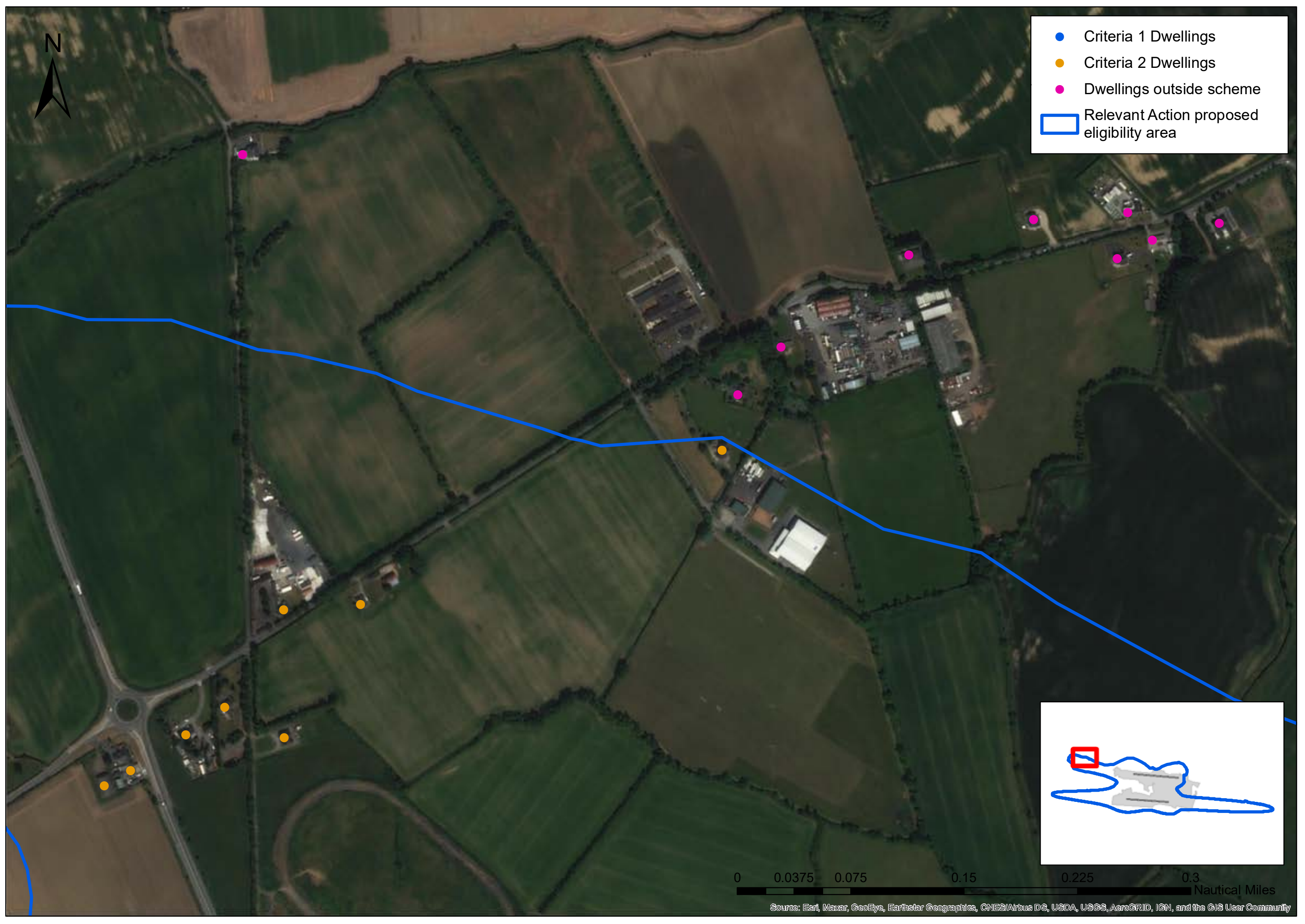
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

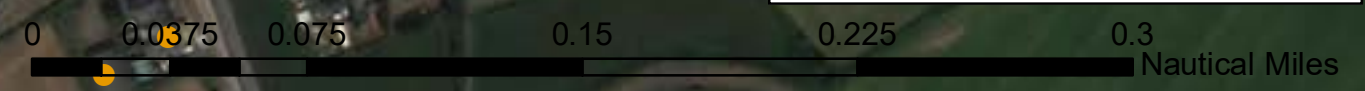
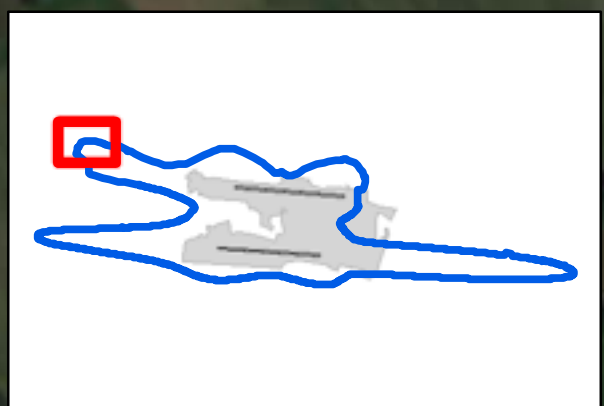


0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

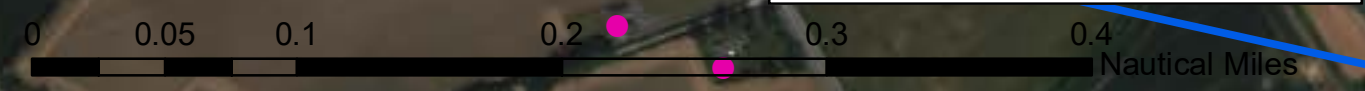
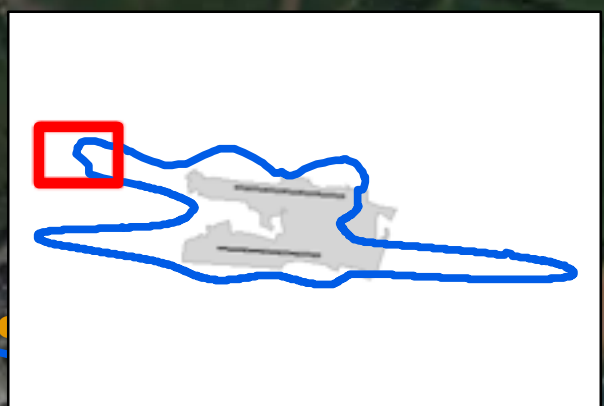
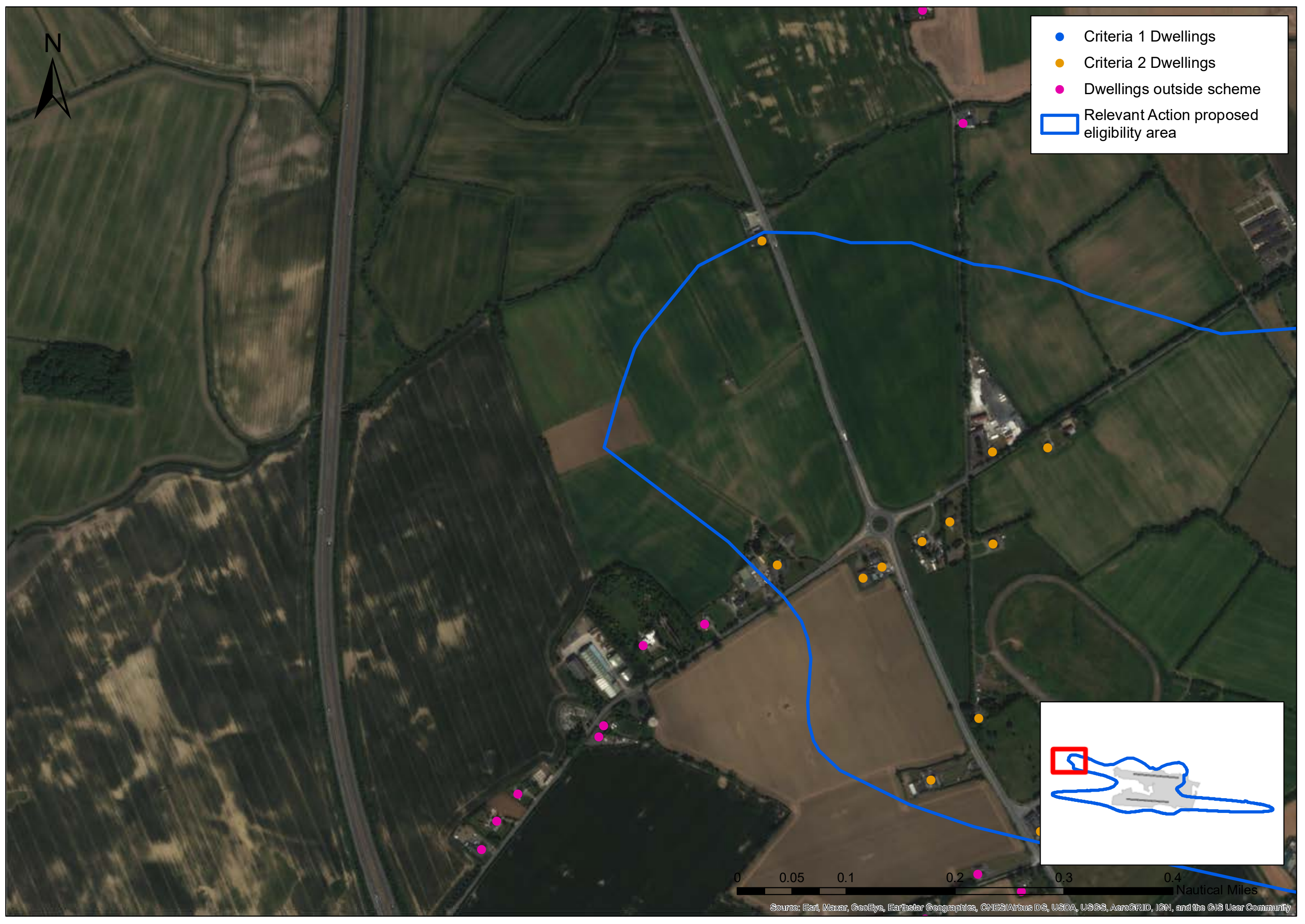


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



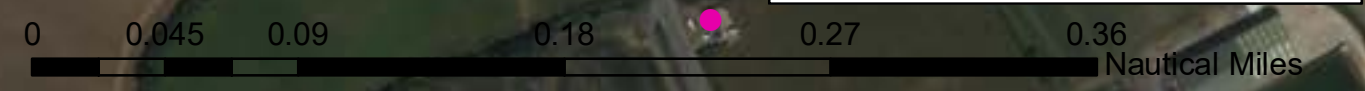


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



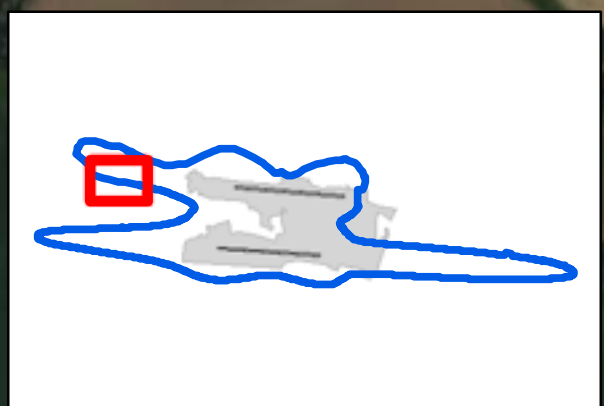
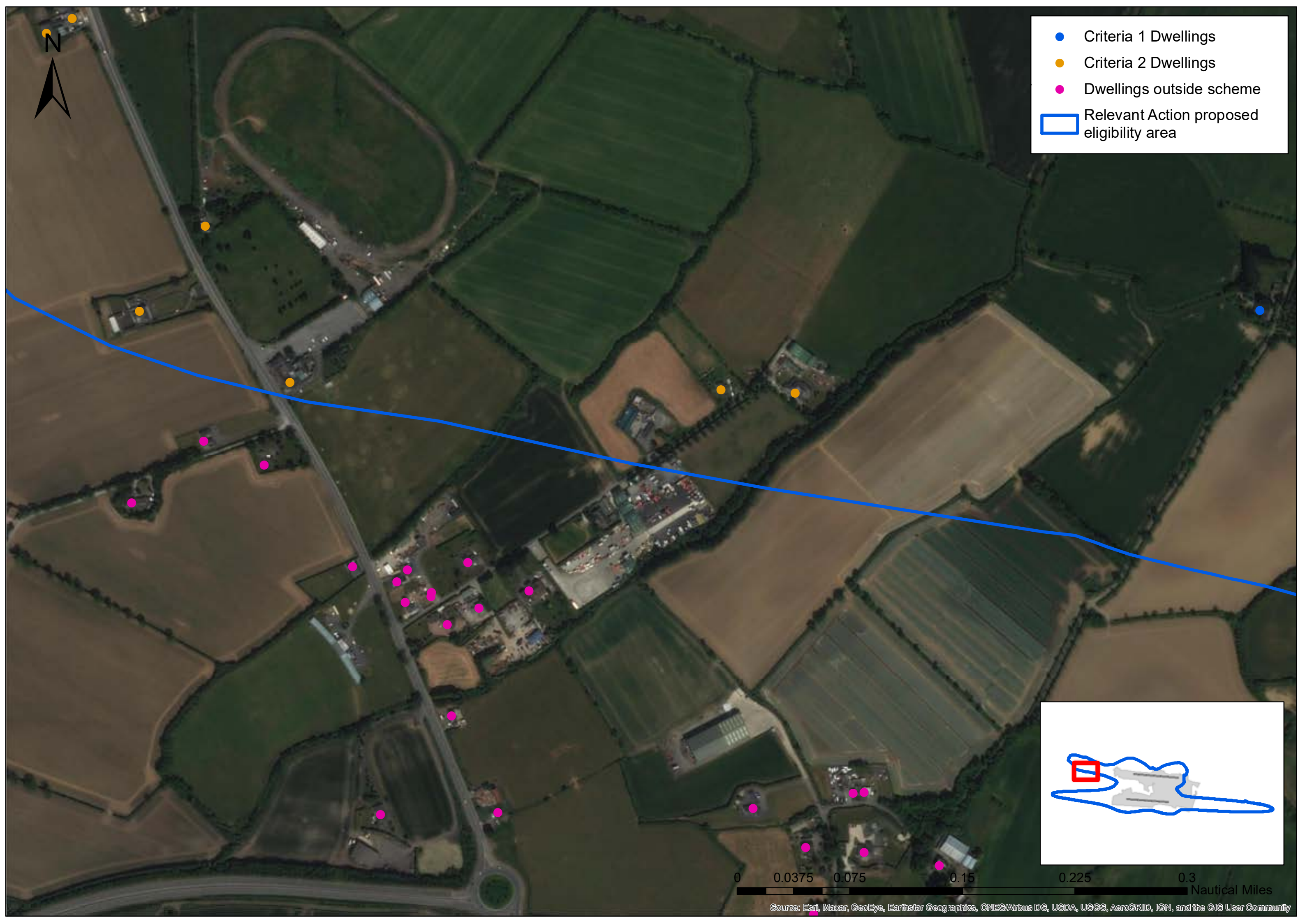


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area





- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

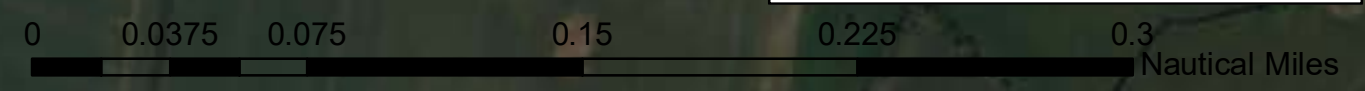


0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

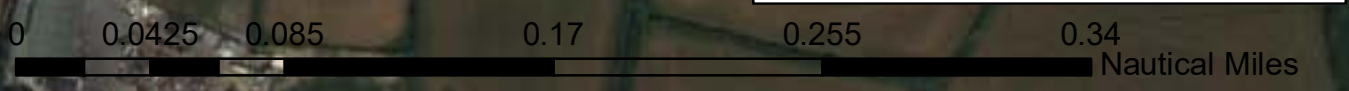


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



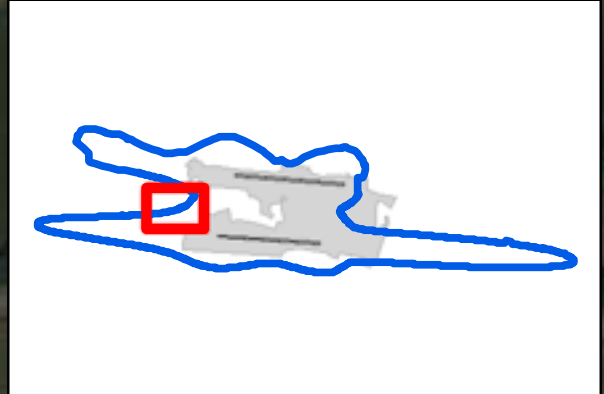


- Criteria 1 Dwellings
- Criteria 2 Dwellings
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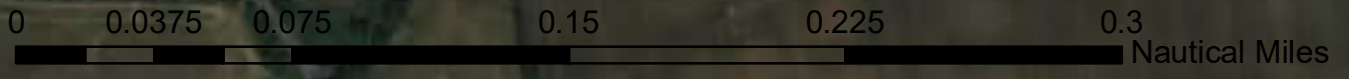
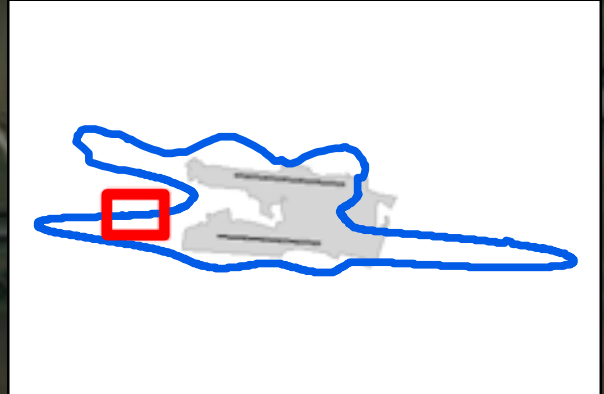
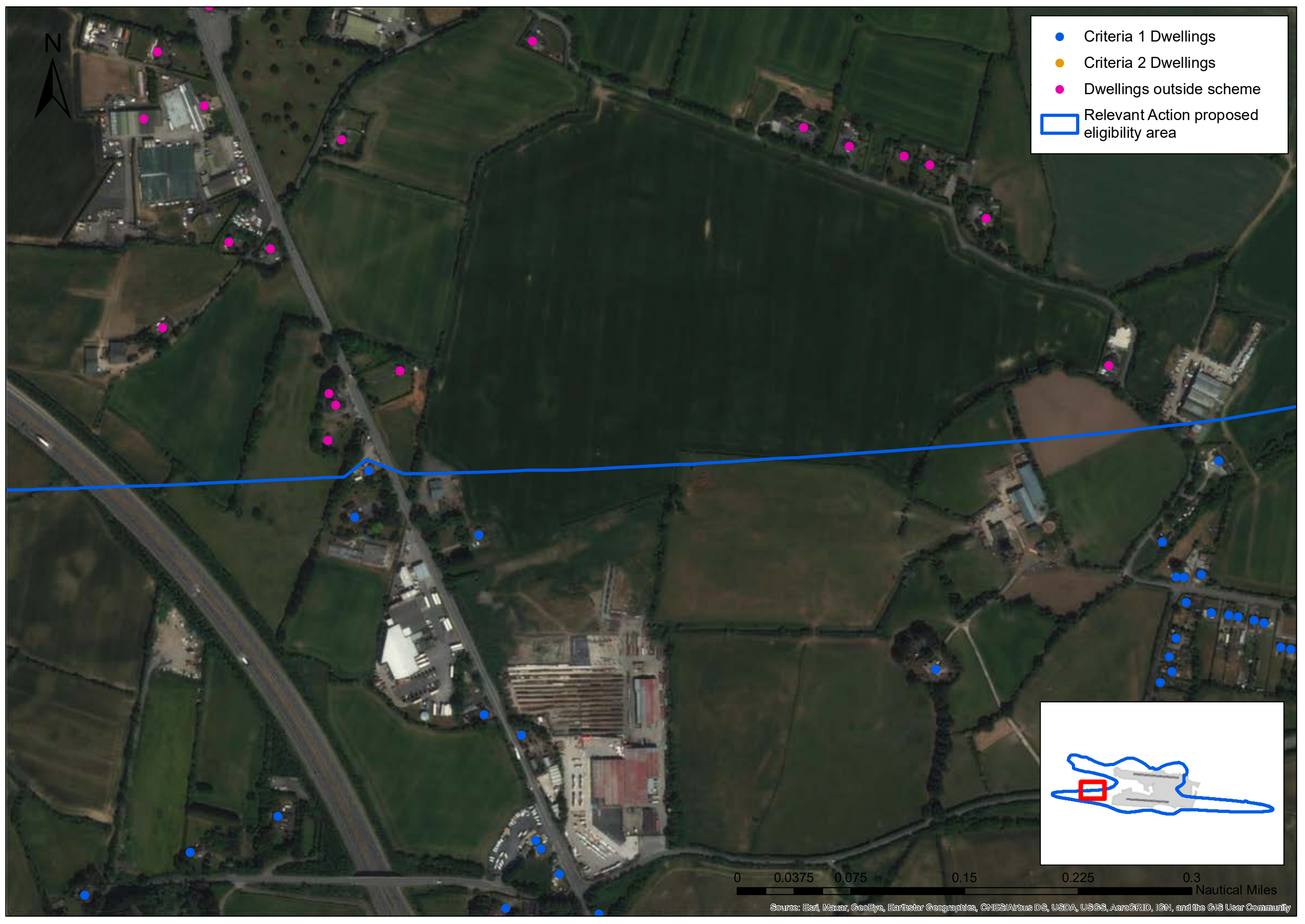
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
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0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

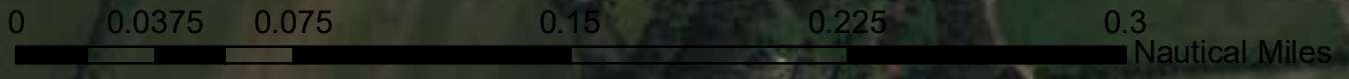
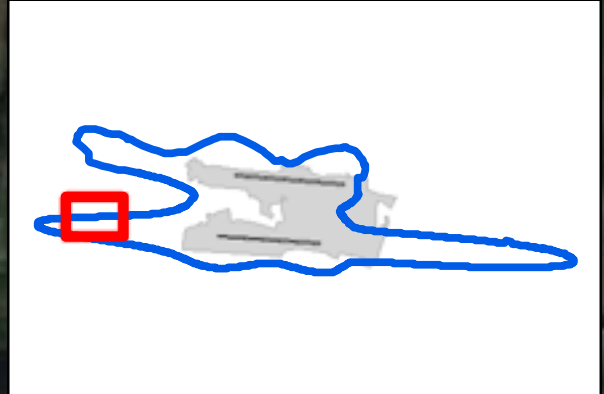


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
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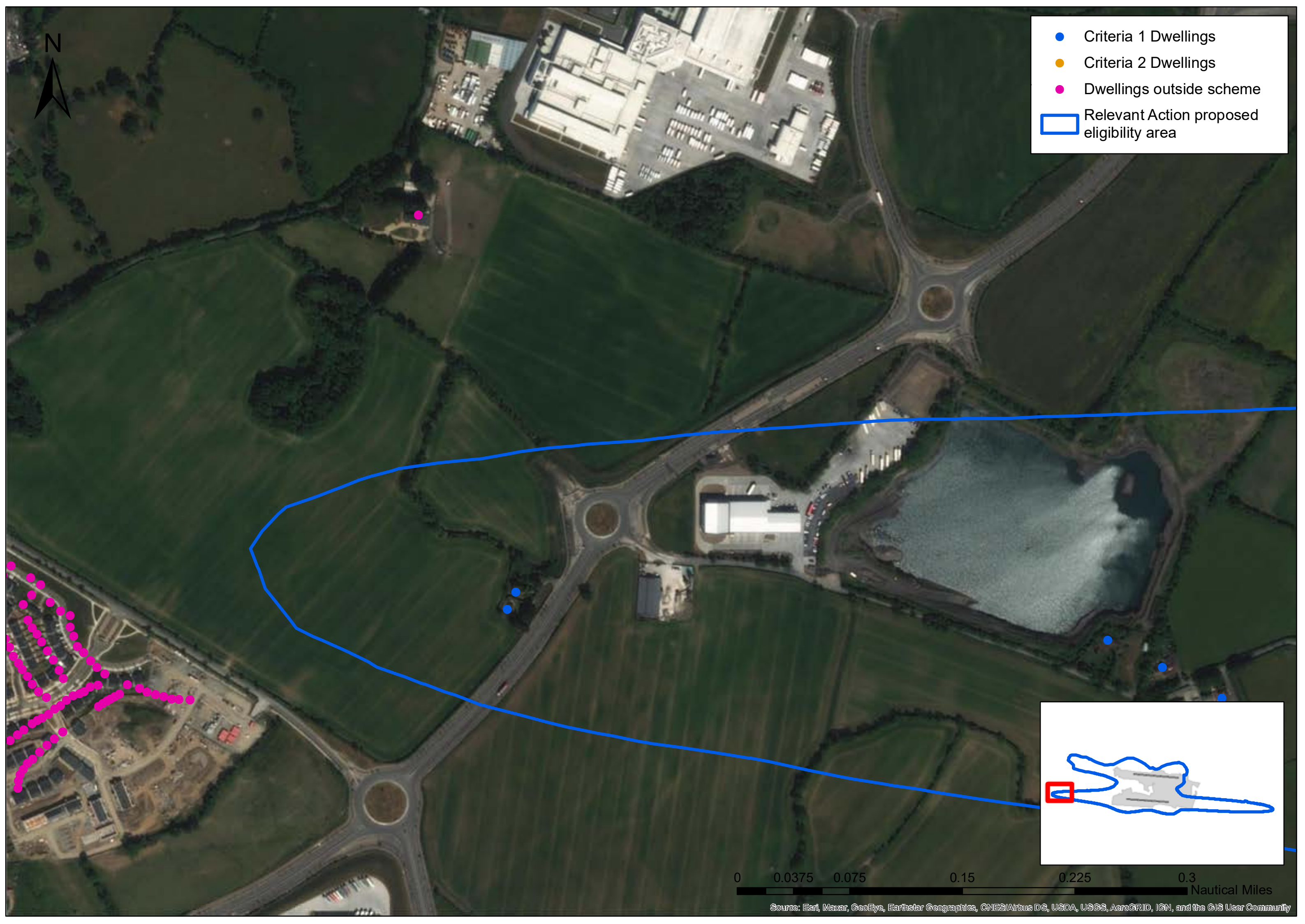
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



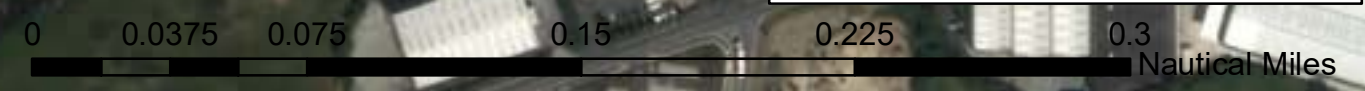
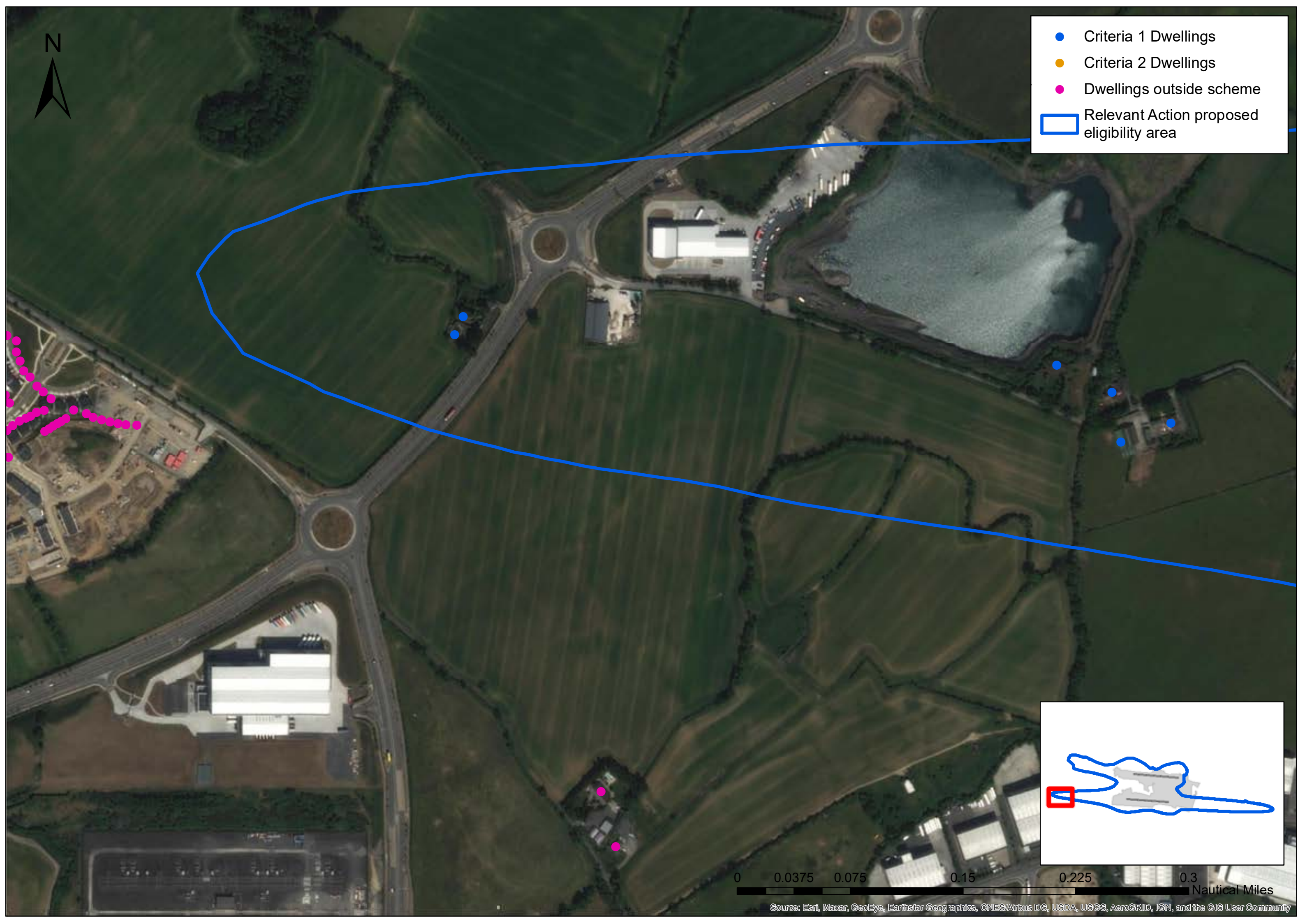
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

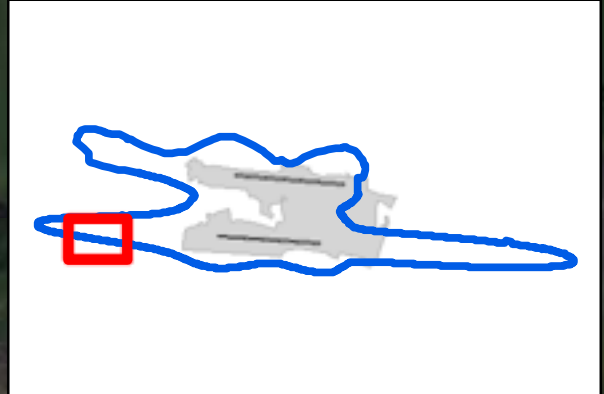


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



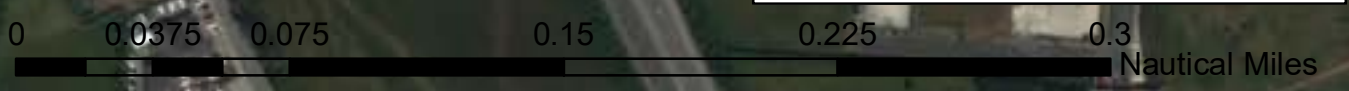
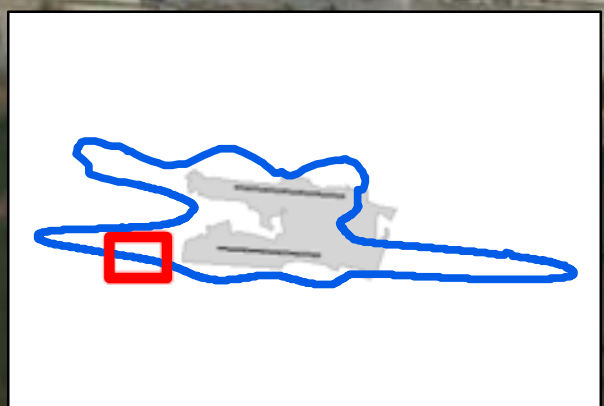
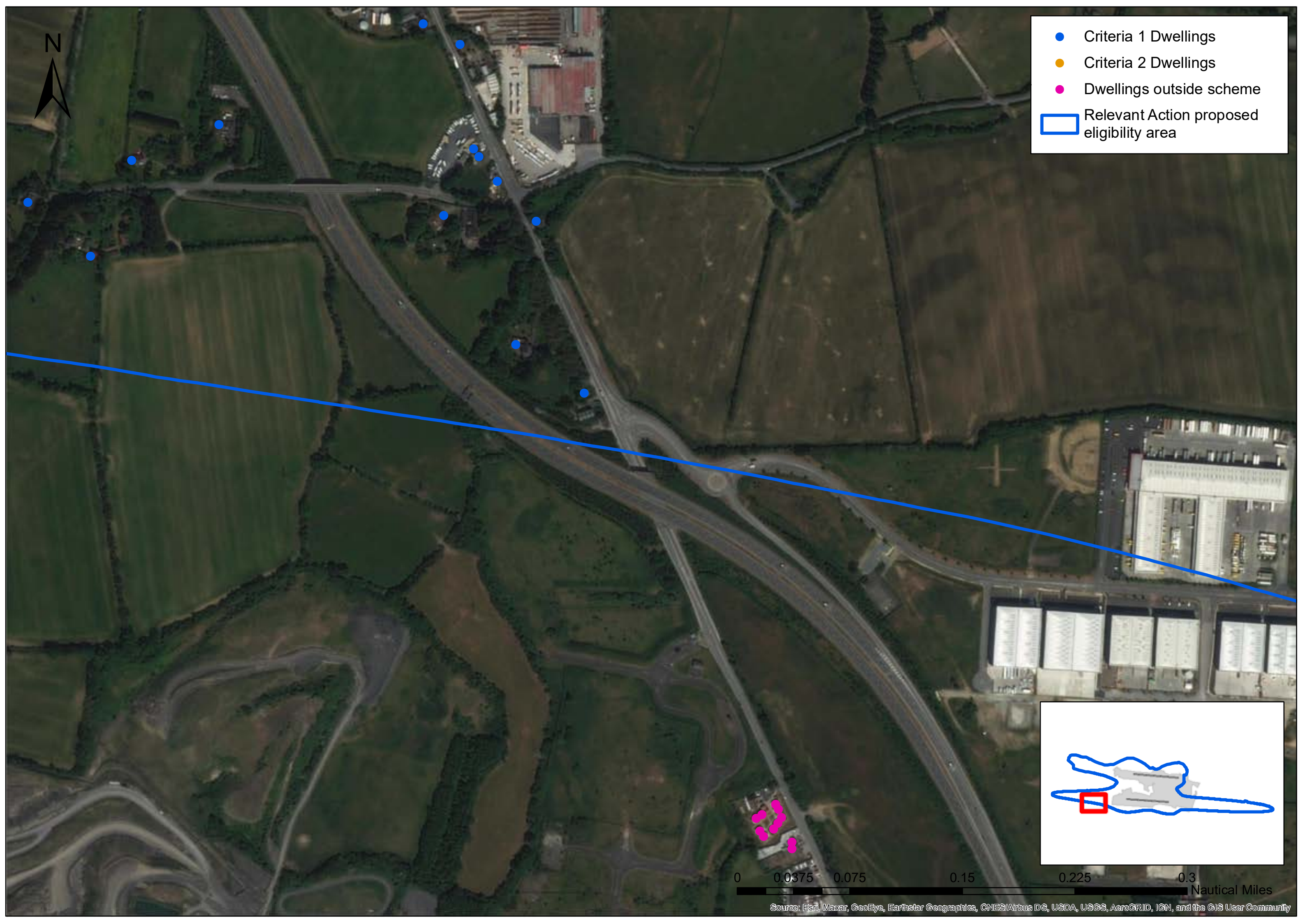


- Criteria 1 Dwellings
- Criteria 2 Dwellings
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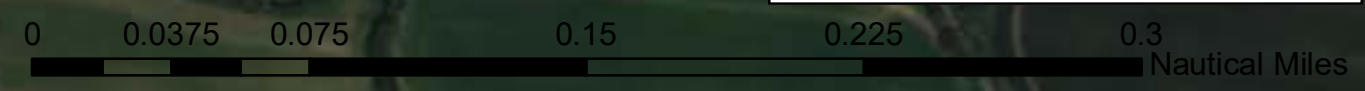
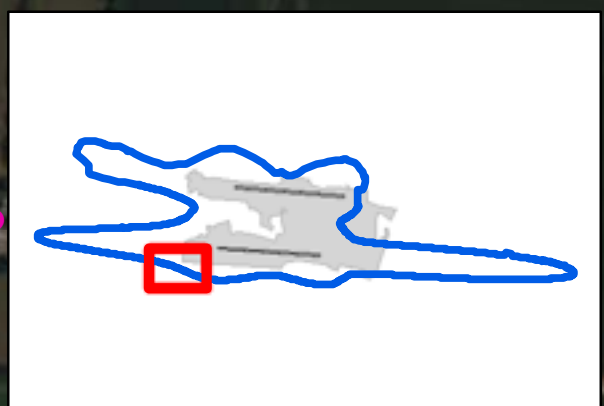


- Criteria 1 Dwellings
- Criteria 2 Dwellings
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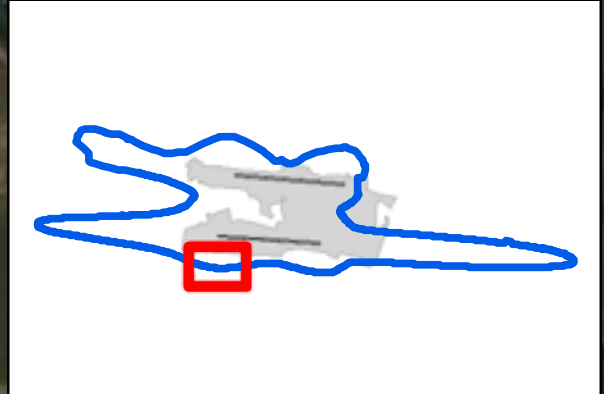
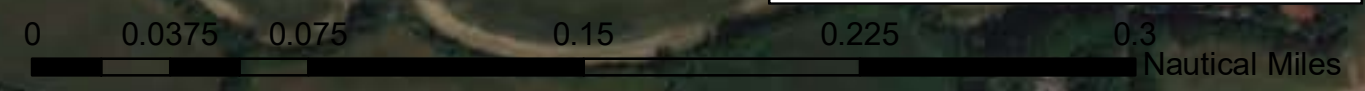


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



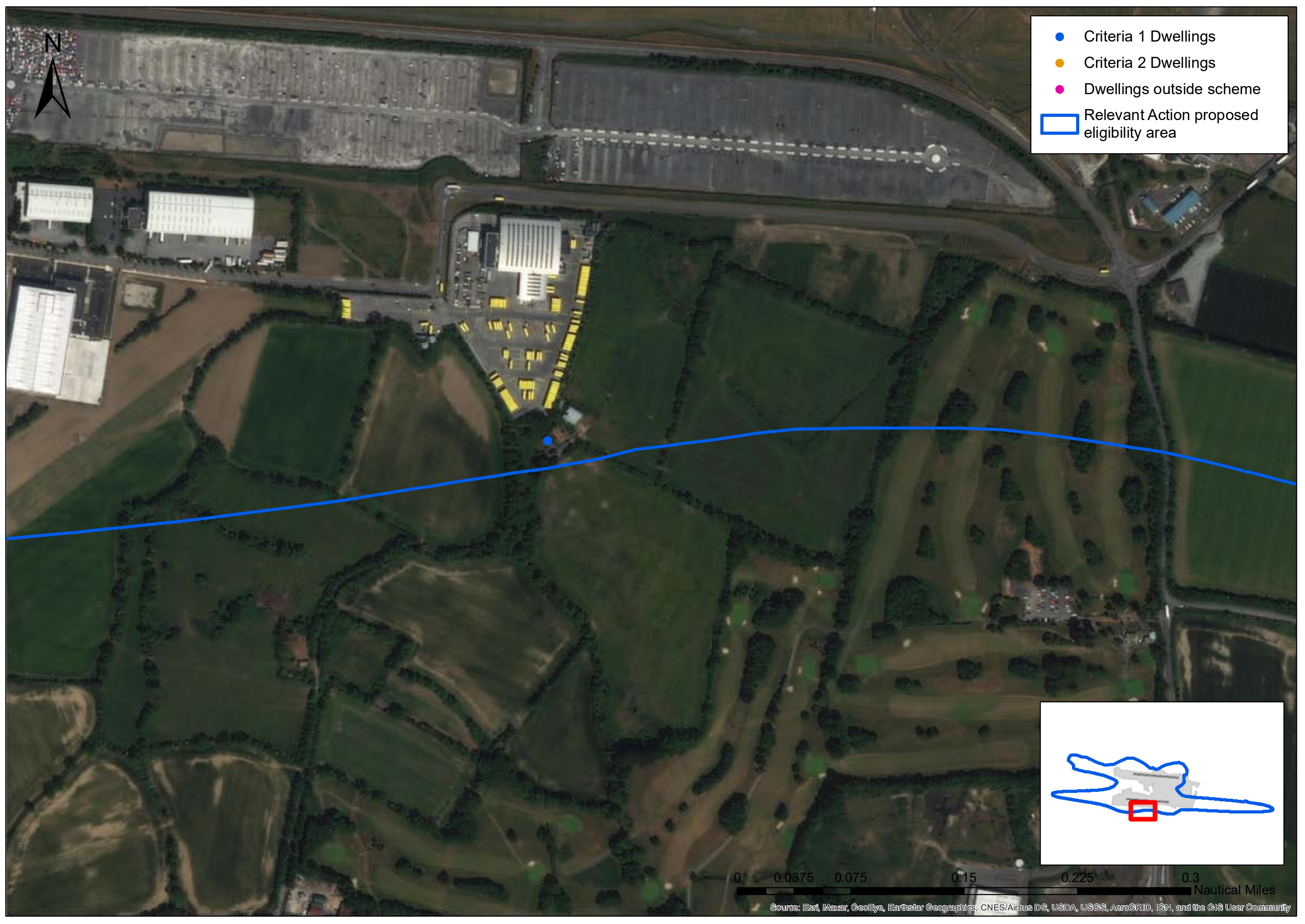


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



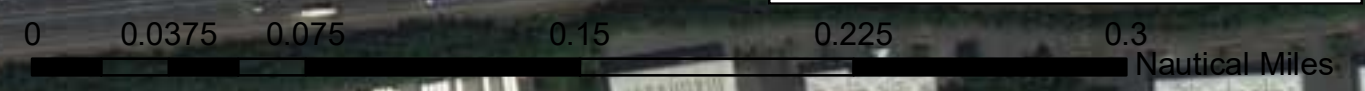
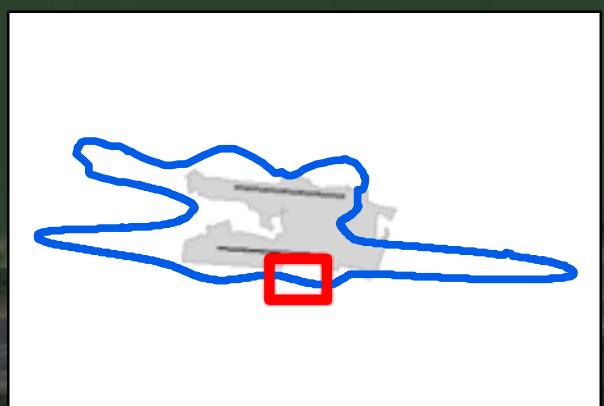
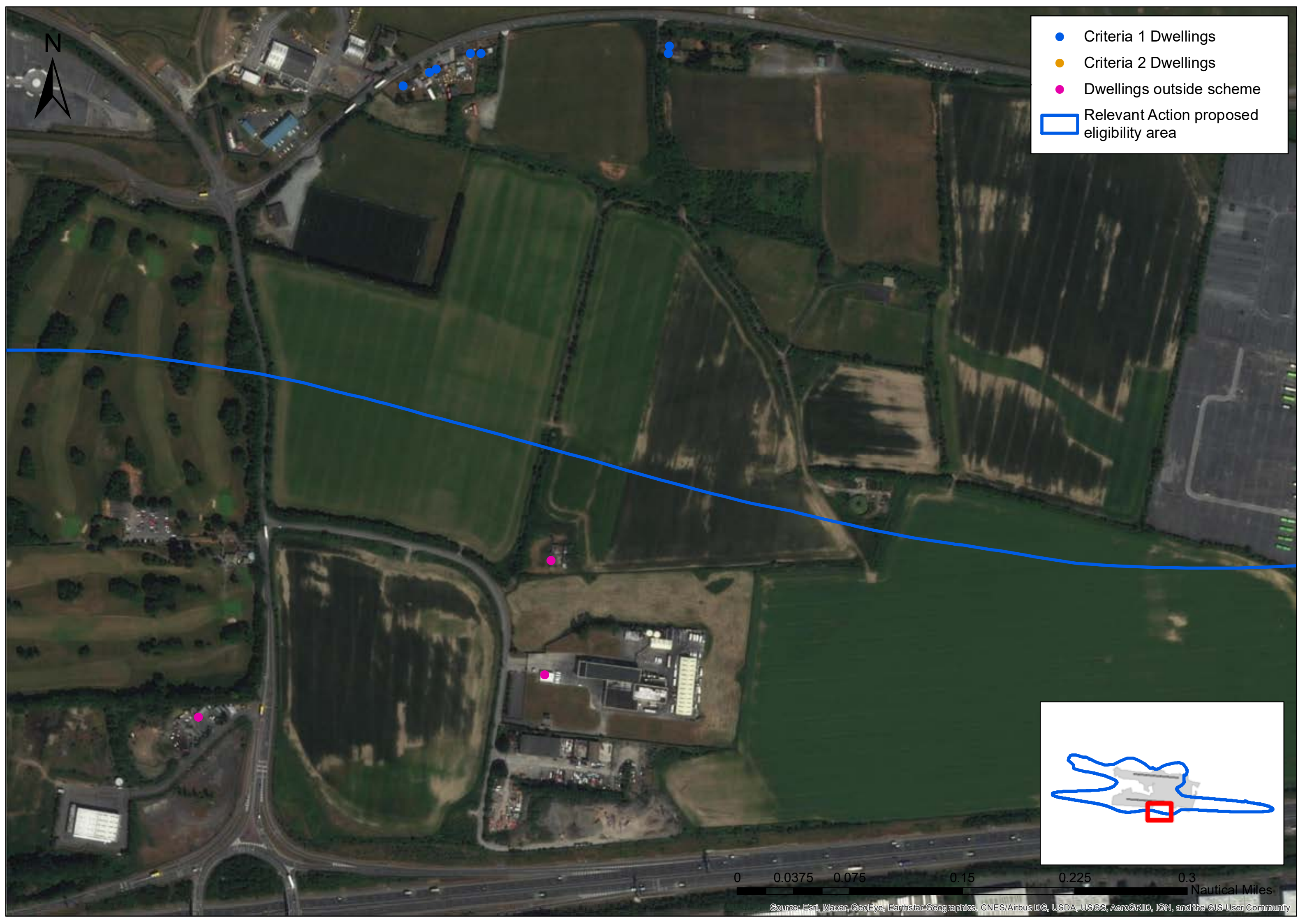


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



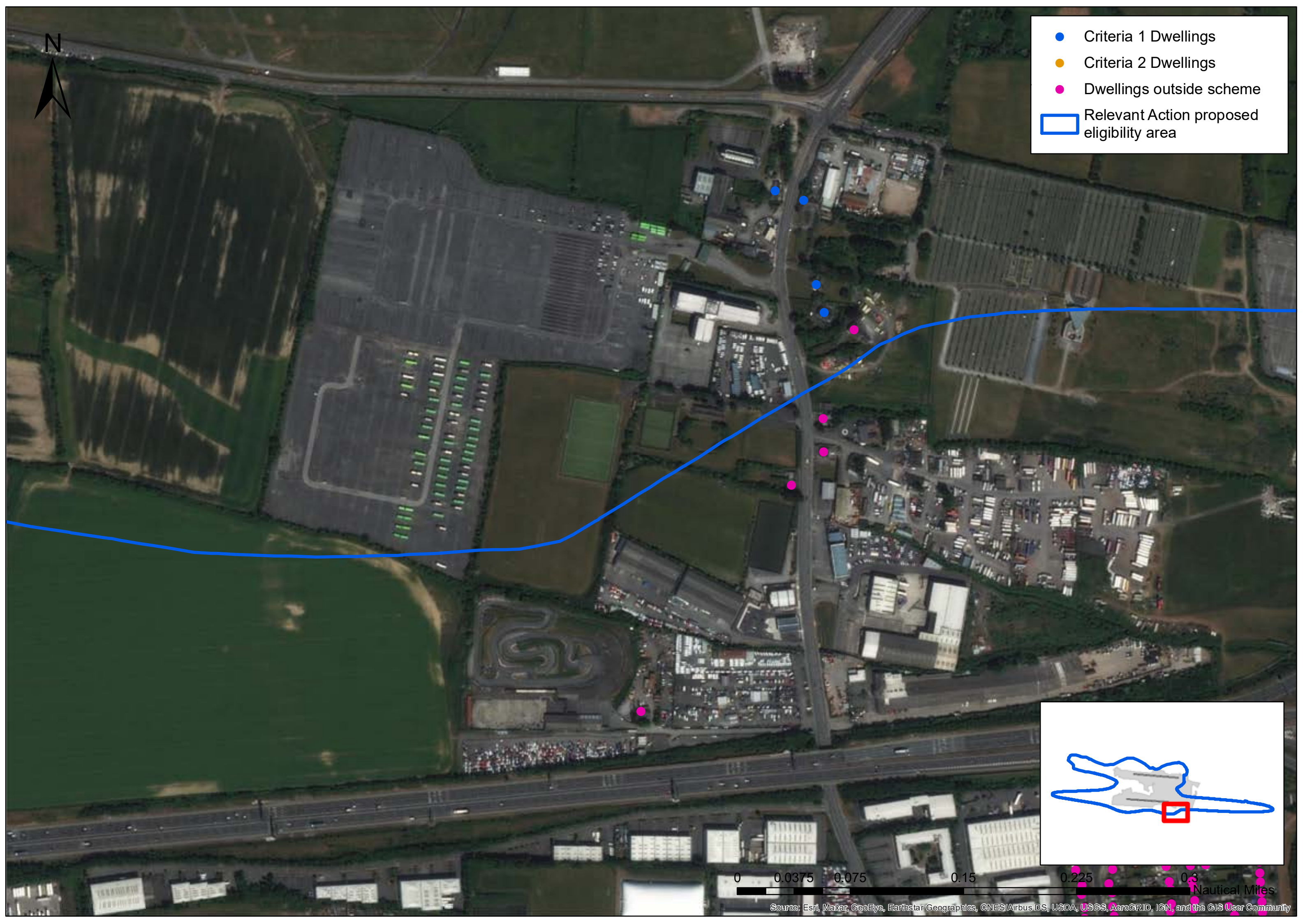


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



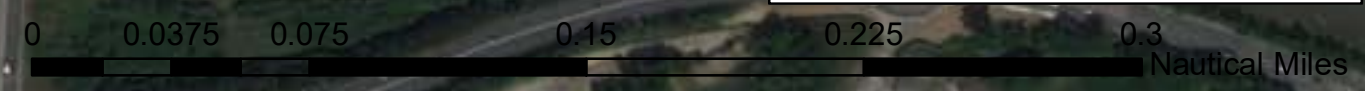
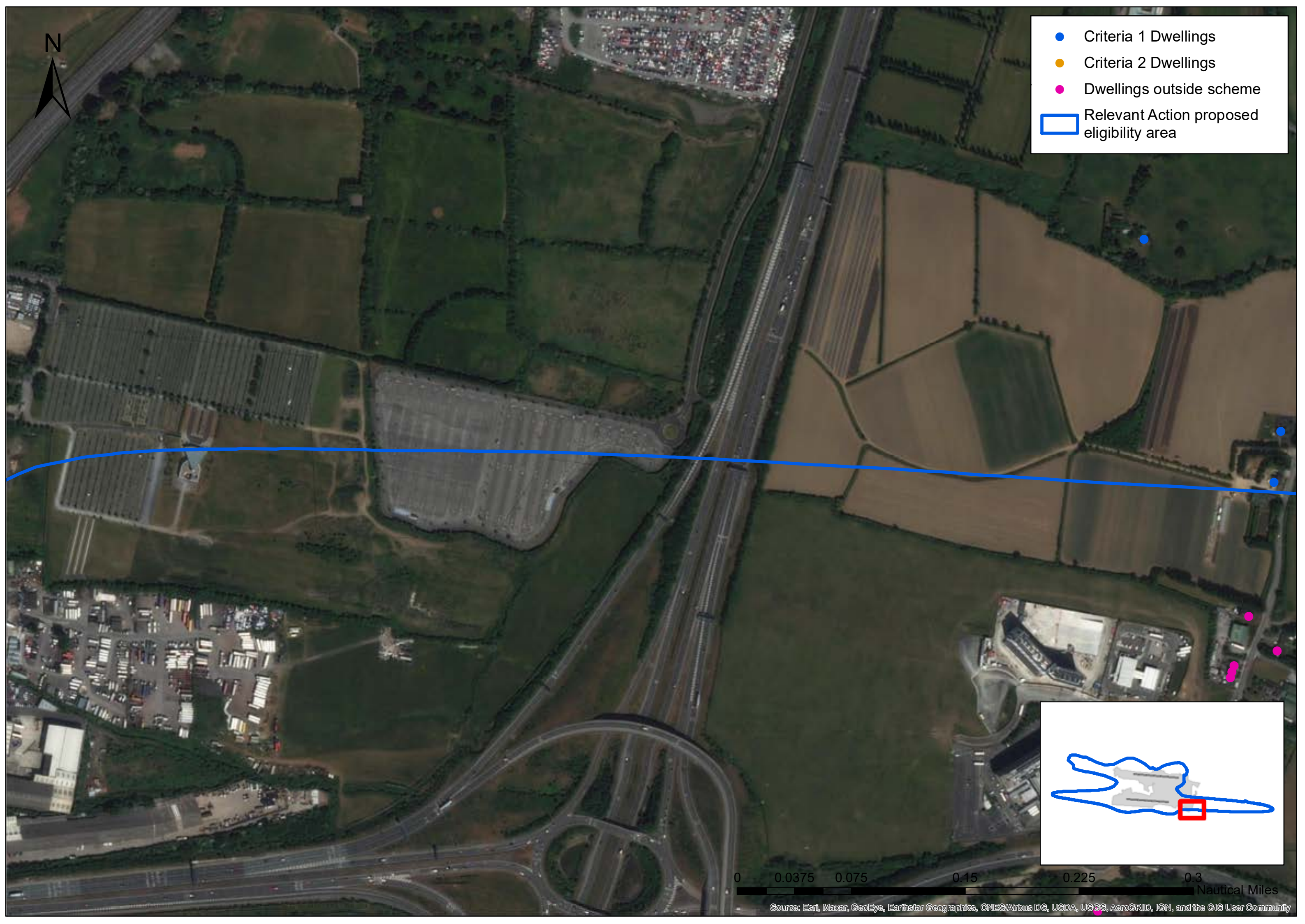


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



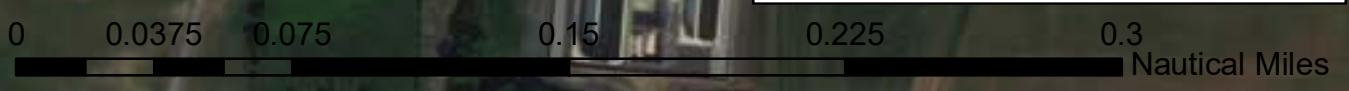


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



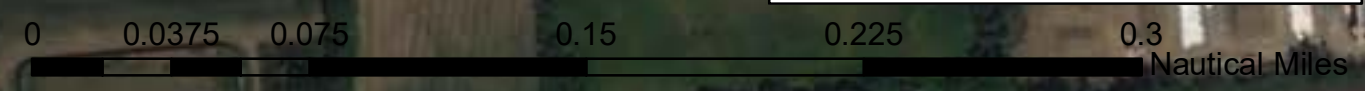
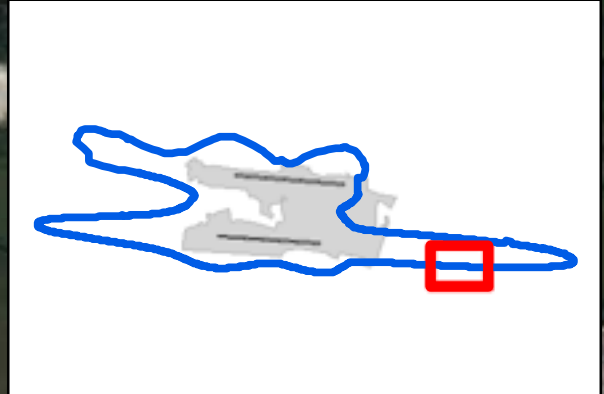


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
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- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area





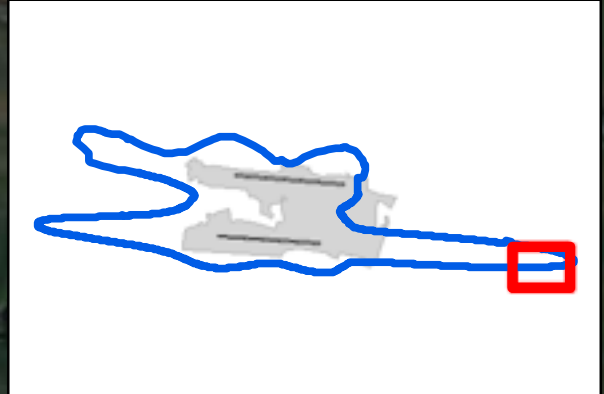
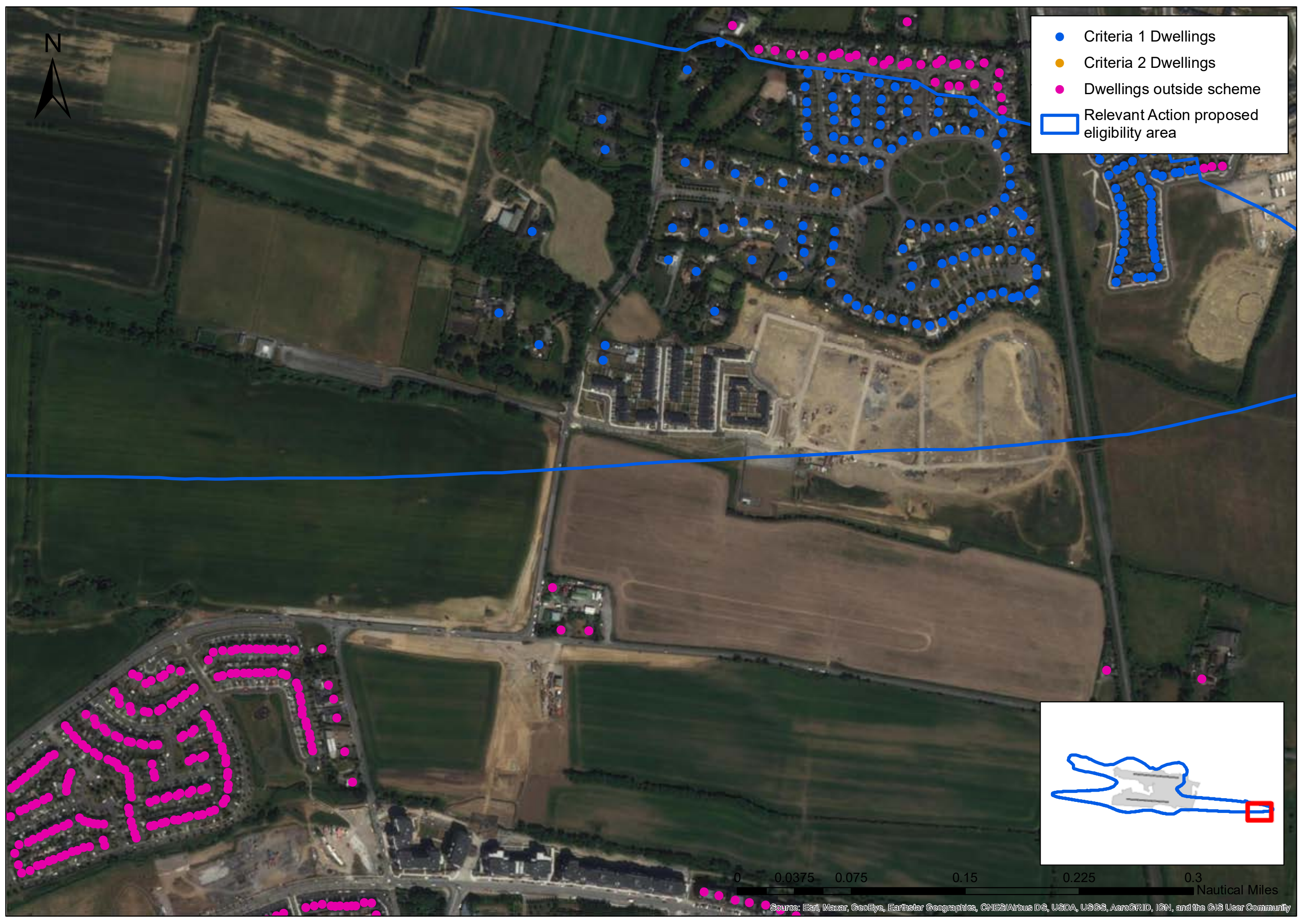
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

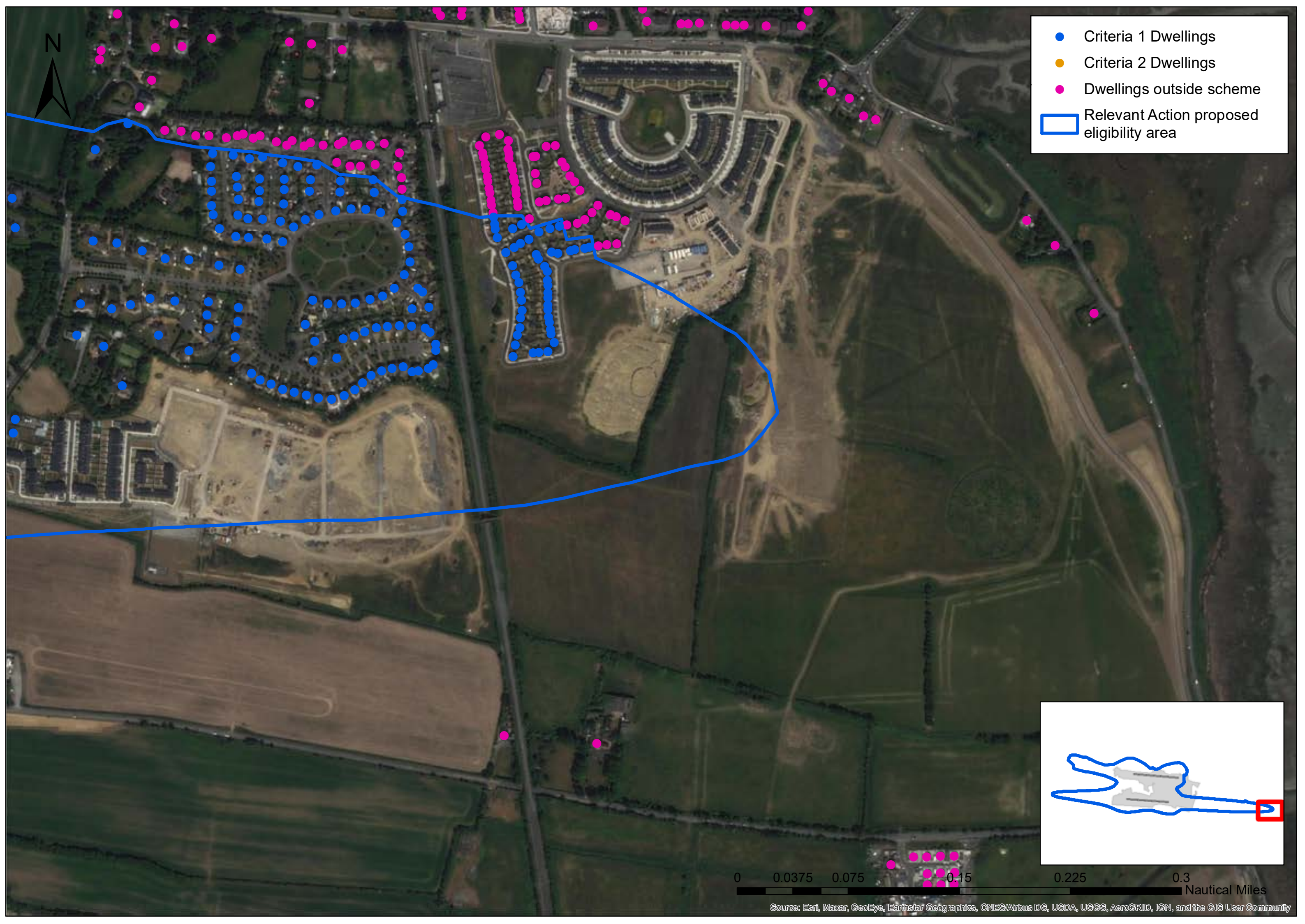


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area





- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

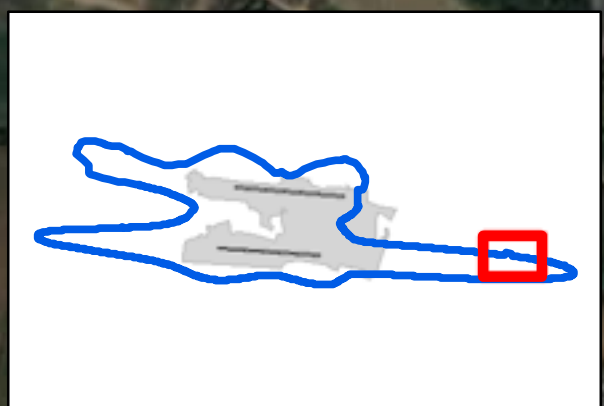


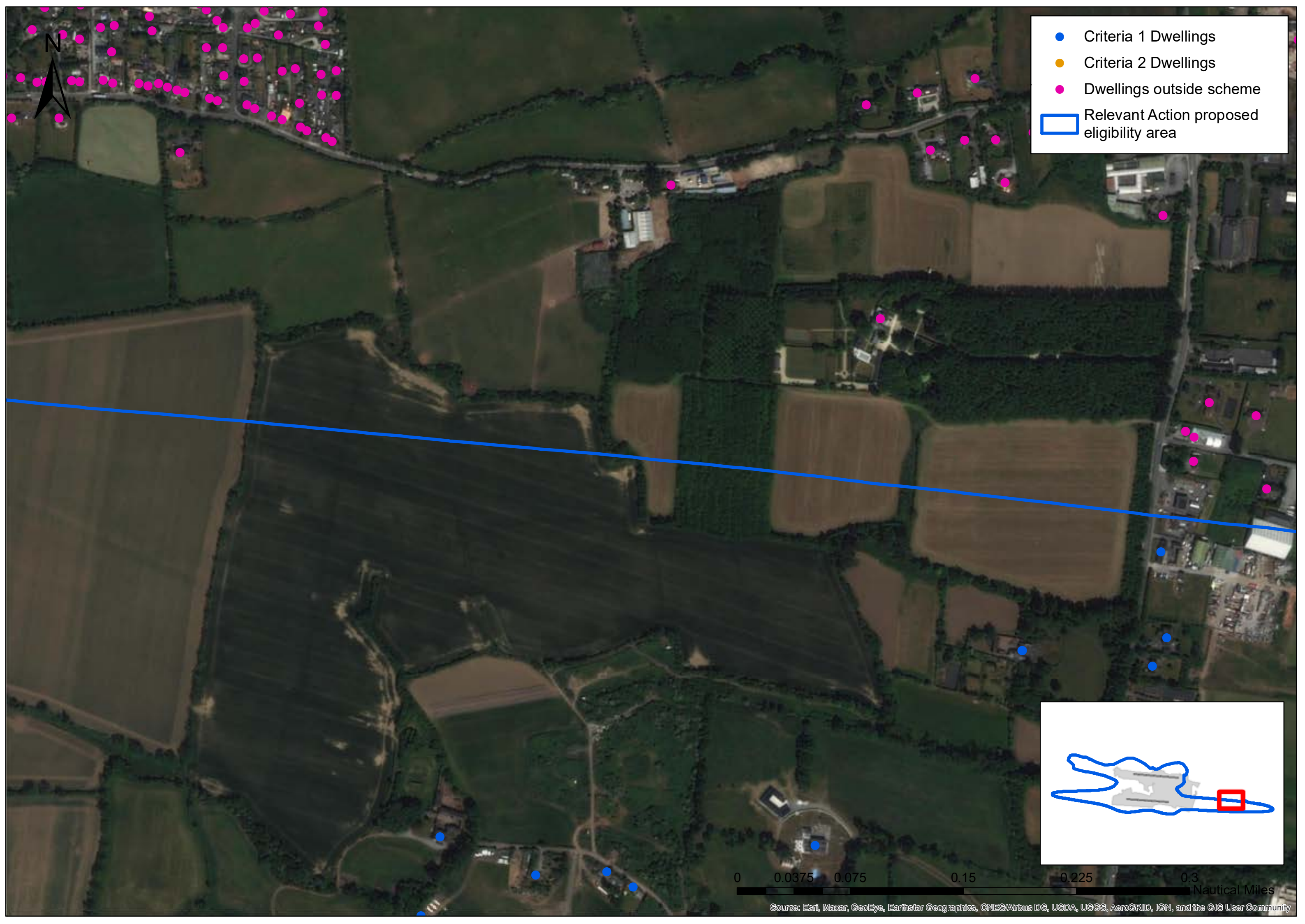
0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

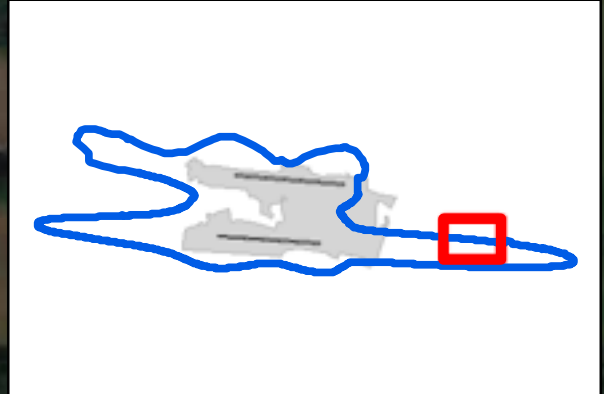


- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area





- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

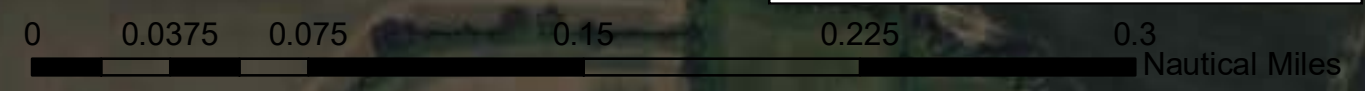
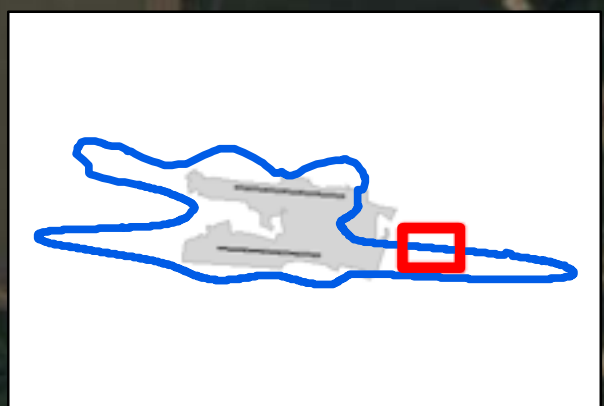


0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



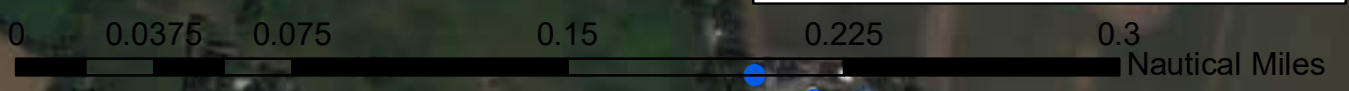
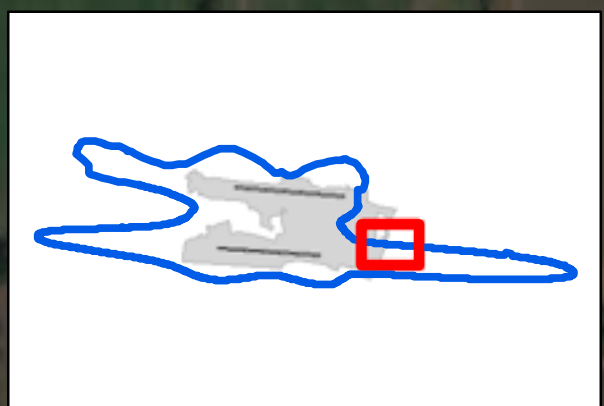
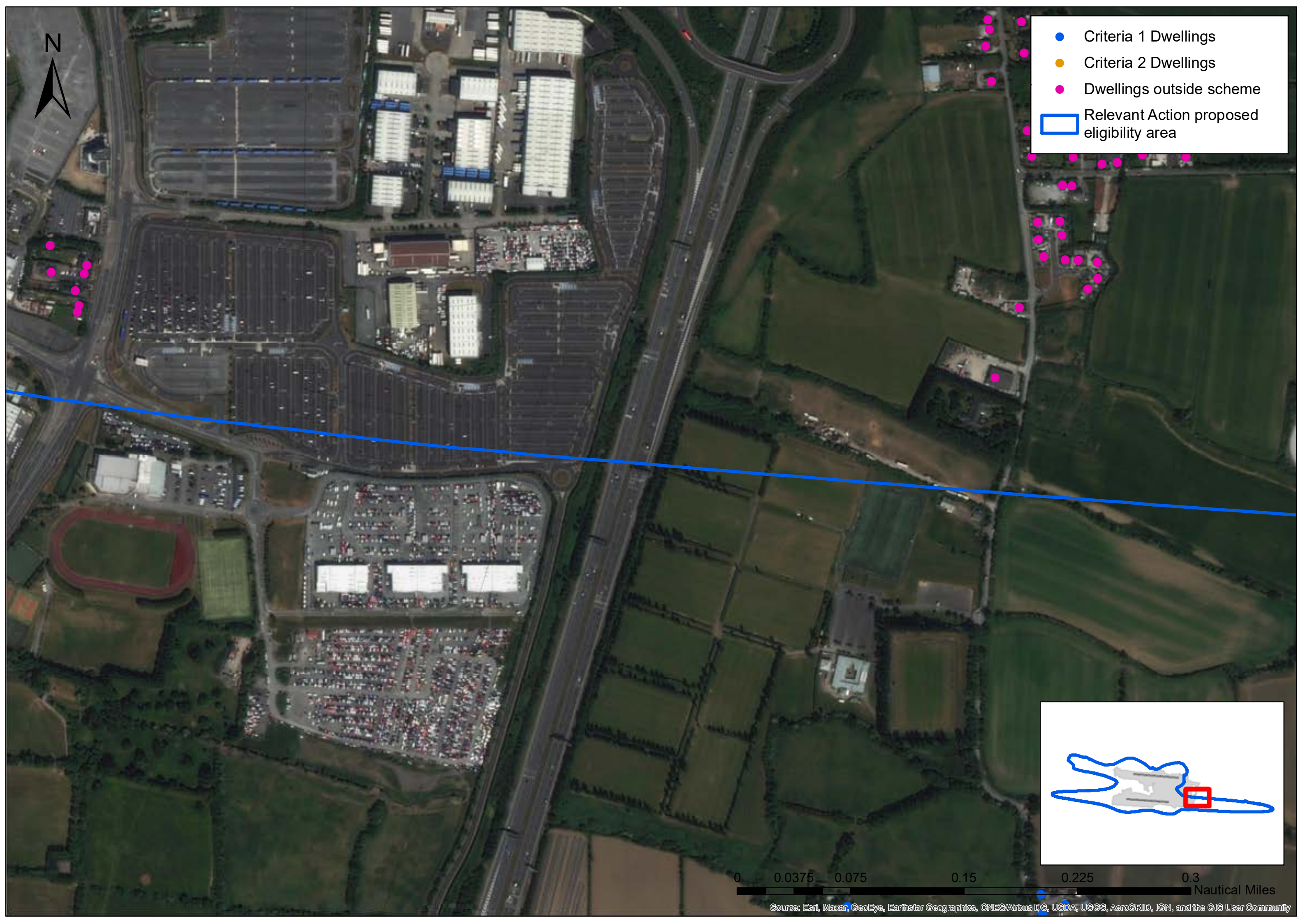
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



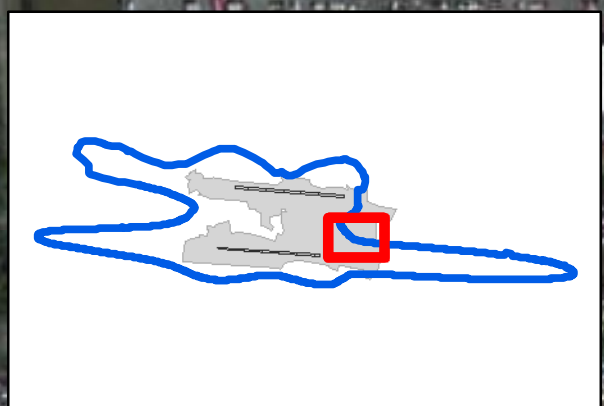
- Criteria 1 Dwellings
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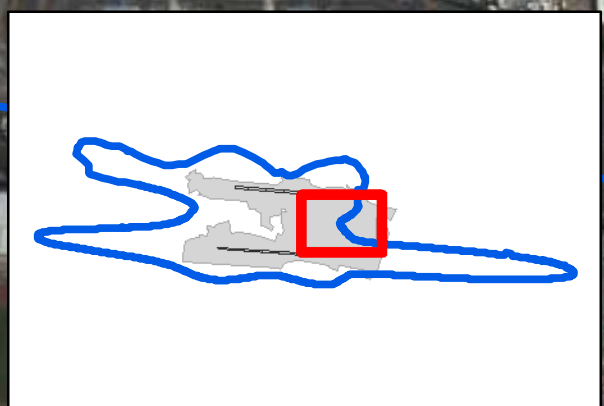
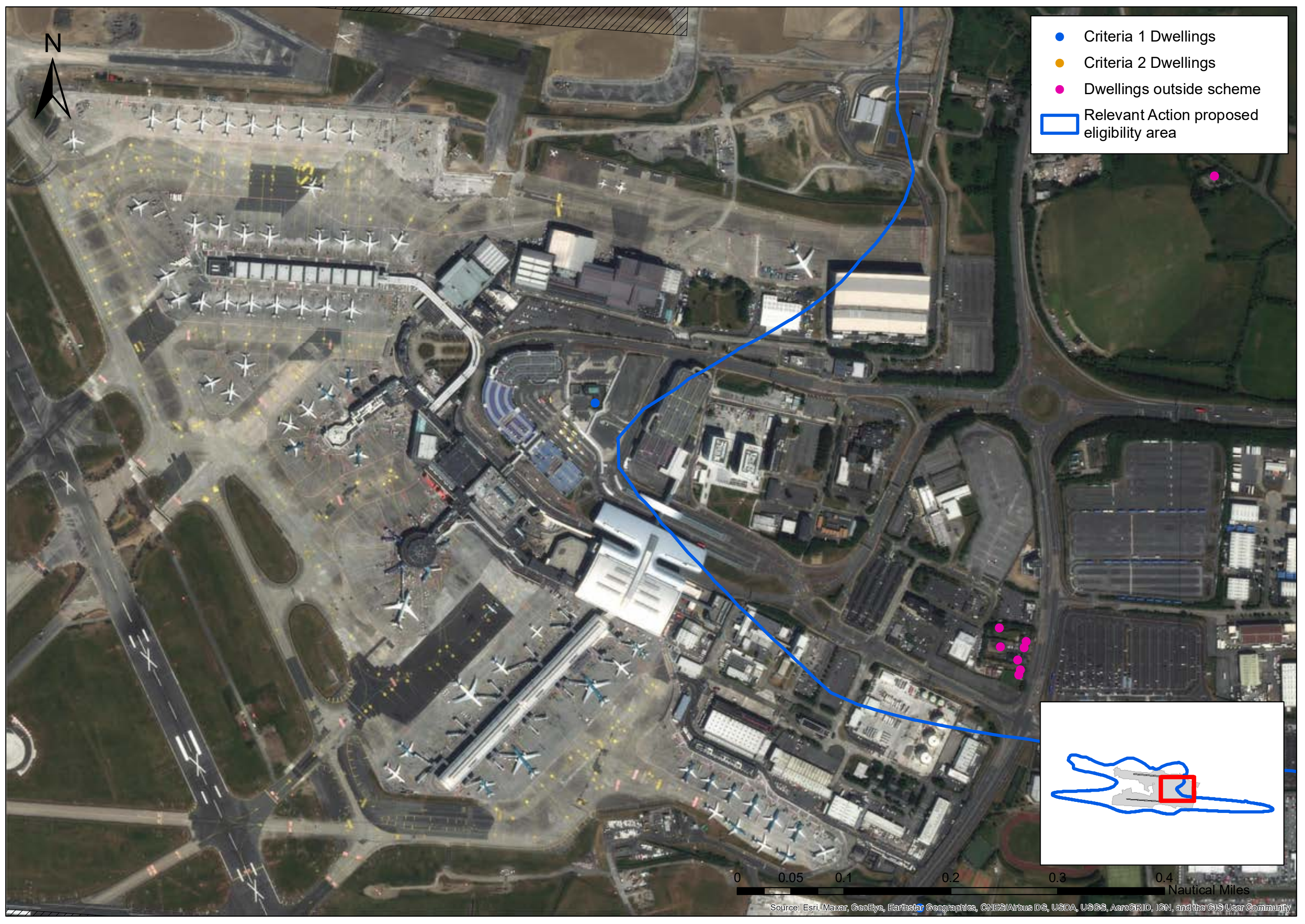
- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area



0 0.035 0.07 0.14 0.21 0.28 Nautical Miles



- Criteria 1 Dwellings
- Criteria 2 Dwellings
- Dwellings outside scheme
- Relevant Action proposed eligibility area

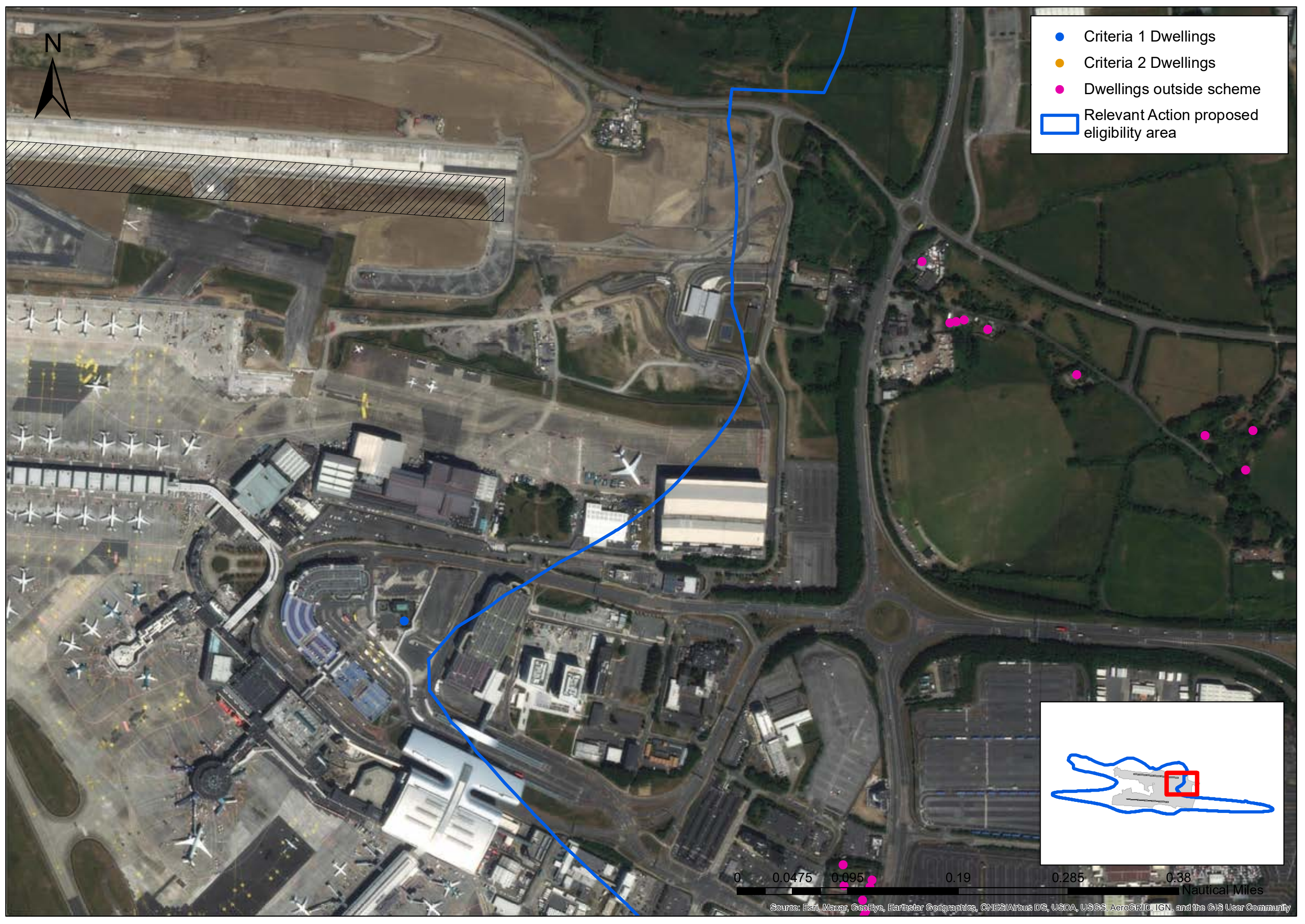


0 0.05 0.1 0.2 0.3 0.4 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



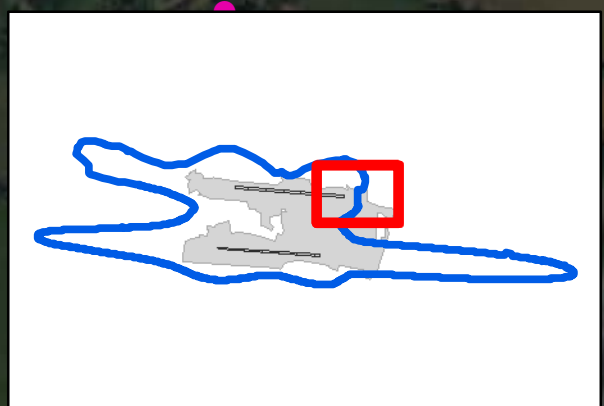
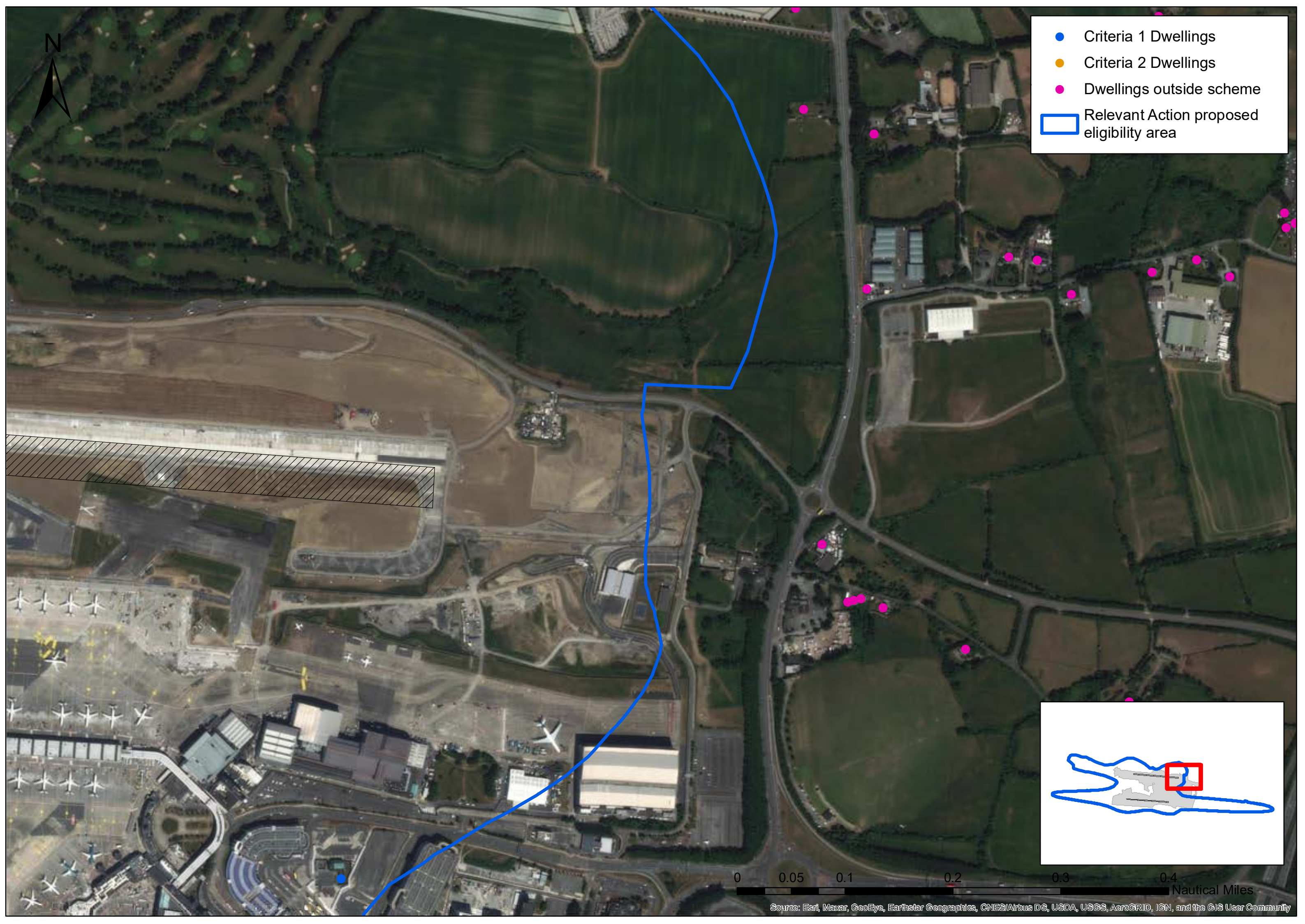
- Criteria 1 Dwellings
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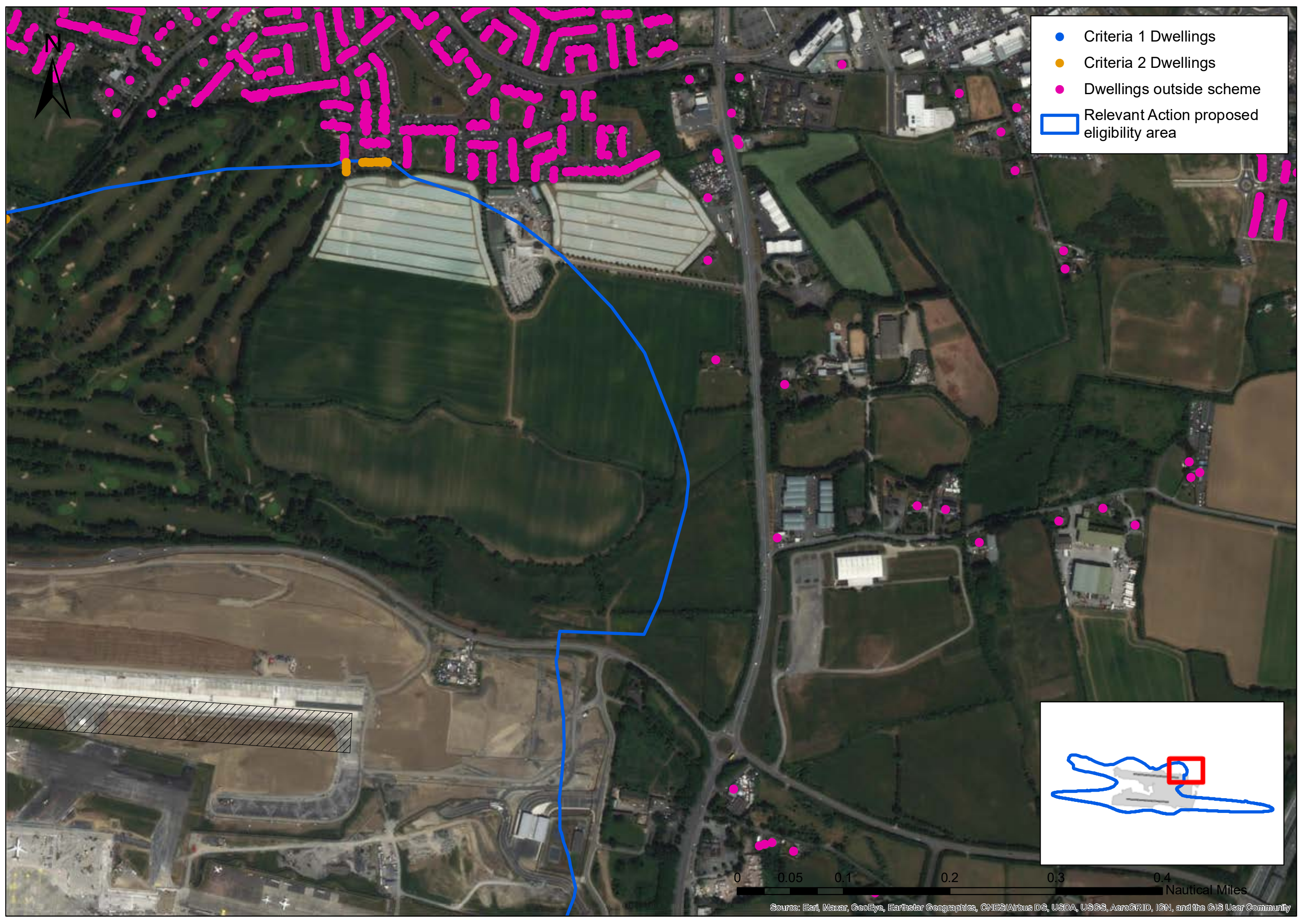


- Criteria 1 Dwellings
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0 0.05 0.1 0.2 0.3 0.4 Nautical Miles

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- Criteria 2 Dwellings
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0 0.05 0.1 0.2 0.3 0.4 Nautical Miles



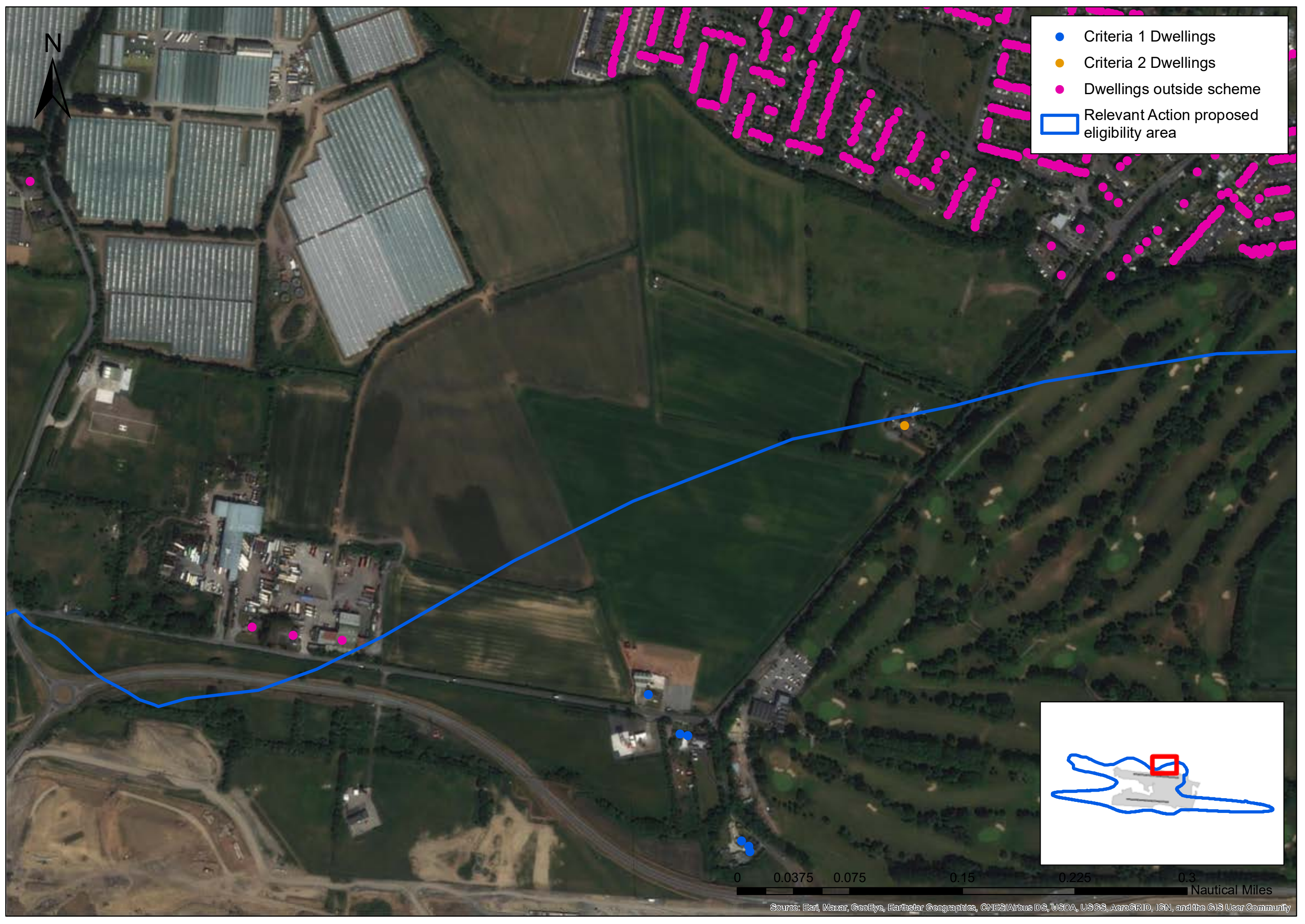
- Criteria 1 Dwellings
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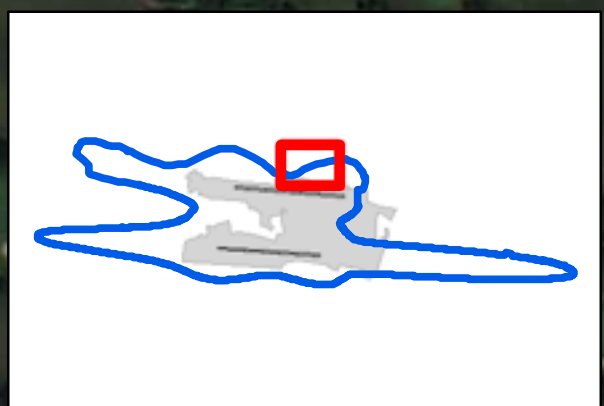
0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





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0 0.0375 0.075 0.15 0.225 0.3 Nautical Miles

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