



Our ref. ANCA-F20A/0668-D01

24th February 2021

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

Copy to:

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

Re: Direction 01 by the Competent Authority in relation to planning application F20A/0668 under Section 9(10) of the Aircraft Noise (Dublin Airport) Regulation Act 2019 to provide information and assessments for the purposes of an Assessment of the Noise Situation at the Airport

Dear Mr. Lawlor,

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

The Application is currently undergoing the planning permission process for development at the airport under Section 34C of the Planning and Development Act 2000, as amended (Act of 2000). The Application was referred to ANCA on 23rd December 2020 in accordance with the provisions of Section 34C of the Act of 2000 and will be assessed by the Aircraft Noise Competent Authority (ANCA) under Regulation (EU) 598/2014 (the Aircraft Noise Regulation), the Aircraft Noise (Dublin Airport) Regulation Act 2019 (Act of 2019) and the Act of 2000. By Chief Executive Order ref. ANCA/002/2021, dated 10th February 2021, ANCA identified that a Noise Problem, within the meaning of Section 9(2) of the Act of 2019 and Section 34C (2) of the Act of 2000, would arise at Dublin Airport from the taking of the Relevant Action as proposed by application ref. F20A/0668 to the Planning Authority on 18th December 2020.

ANCA will now proceed to adopt a Noise Abatement Objective (NAO) and apply the Balanced Approach of the International Civil Aviation Organization in accordance with the provisions of the Aircraft Noise Regulation, the Act of 2019 and Section 34C of the Act of 2000.

For the purposes of the Assessment of the Noise Situation at the Airport, ANCA is exercising its power pursuant to Section 9(10) of the Act of 2019 to direct daa to give ANCA the information specified in this notice and, if necessary, to carry out such assessments as are necessary to generate that information.

Whereas the Planning Authority and ANCA have consulted with one another under Section 34C(2) of the Act of 2000 in relation to the Planning Authority's Request for Further Information and ANCA's Direction, ANCA's Direction (issued under Section 9(10) of the Act of 2019) is separate and distinct from the Planning Authority's Request for Further Information (issued under article 33 of the Planning and Development Regulations 2001 (as amended)), as confirmed in that consultation.



Appendix A to this letter outlines the specific information sought from daa at this point in the adoption of an NAO and application of the Balanced Approach process being undertaken by ANCA pursuant to the provisions of the Aircraft Noise Regulation, the Act of 2019 and Section 34C of the Act of 2000.

In developing this information request, ANCA has taken into account the regulatory framework including:

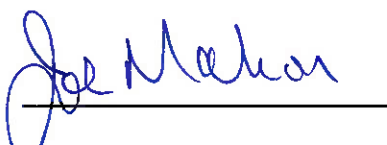
- Regulation (EU) 598/2014 – “noise-related operating restrictions within a Balanced Approach”;
- Aircraft Noise (Dublin Airport) Regulation Act 2019 – giving further effect to Regulation (EU) 598/2014;
- Directive 2002/49/EC – “Environmental Noise Directive”;
- Directive (EU) 996/2015 – “assessment of noise, CNOSSOS-EU”;
- European Communities (Environmental Noise) Regulations 2018, SI 549/2018 – “Environmental Noise Regulations”;
- Planning and Development Acts 2000 to 2019;
- Directive 2011/92/EU (as amended by Directive 2014/52/EU) – “Environmental Impact Assessment Directive”;
- Directive 92/43/EEC – “Habitats Directive”;
- The SEA Directive - Directive 2001/42/EC
- European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004;
- Directive 2009/147/EC – “Birds Directive”.
- European Communities (Birds and Natural Habitats) Regulations 2011.

This framework allows for an iterative approach whereby ANCA refines the information and assessments informing the adoption of the NAO and application of the Balanced Approach through directions pursuant to Section 9(10). The present Direction is non-exhaustive, and ANCA expressly reserves its right to issue further directions (whether to seek further information or assessments to clarify daa's response or otherwise) in order to obtain all of the information required to adopt the NAO and apply the Balanced Approach, as referred to above.

Section 9(10)(b) requires daa to comply with this Direction as soon as is practicable after it receives notice of the Direction. ANCA's view is that five months ending on 24th July 2021 would be practicable to comply with the entirety of the Direction. However, ANCA will accept responses to each point as and when they are ready. ANCA will consider each response as it is received, in an effort to expedite the decision-making process (subject to the requirement to have sufficient information to prepare draft regulatory decision and report), in advance of commencing public consultation.

Any information submitted will be made publicly available to the extent required for ANCA to comply with its legal obligations (whether in respect of public participation or otherwise). ANCA will assume without further inquiry that daa has ensured that the responses contain no defamatory material or personal data.

Yours sincerely,



Joe Mahon

Aircraft Noise Competent Authority