An tÚdarás Inniúil um Thorann Aerárthaí

Aircraft Noise Competent Authority

Regulatory Decision Report Appendix I



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An tÚdarás Inniúil um Thorann Aerárthaí
Aircraft Noise Competent Authority

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24 March 2026

RE: Notice of proposed noise mitigation measures pursuant to Section 34B(7) of the Planning and Development Act 2000 (the Act of 2000), 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 F23A/0781 for a proposed development pursuant to Section 34B of the Act of 2000.

Dear Aiden,

I refer to the application for planning permission ref. F23A/0781 (the Application) lodged by Coakley O'Neill Town Planning Ltd on behalf of the airport authority for Dublin Airport (daa) on 15 December 2023.

On 22 January 2026, ANCA determined that a noise problem would arise at Dublin Airport from the carrying out of the development as proposed in the Application and proceeded to amend the noise abatement objective and adopt the Balanced Approach of the International Civil Aviation Organization. A summary of that determination is as follows:

The Application, which includes an increase to the permitted passenger capacity, will lead to a corresponding rise in aircraft operations, as higher passenger numbers are accommodated through additional flights and/or a shift in the fleet mix towards bigger aircraft able to carry more passengers. Although, an increase in passenger numbers and flight movements does not necessarily result in a noise problem (as overall health impacts depend on a range of factors, including fleet mix, runway use, and operating procedures), a review of potential operating scenarios associated with the proposed development indicates higher levels of aircraft activity across all assessment periods and higher levels of population exposure to aircraft noise. The Application proposes an intensification of use (as expressed in passenger capacity) without

providing mitigation measures for any noise impact arising from the development or evidencing how existing measures are sufficient mitigation. Accordingly, the proposed development, the subject of the Application, has the potential to have a negative impact on the noise climate at Dublin Airport to an extent that creates a noise problem requiring consideration for the need for a noise-related action.

Having applied the Balanced Approach to the identified noise problem ANCA proposes to, in the context of Section 34B(9) of the Act of 2000, make a draft regulatory decision on the noise mitigation measures or operating restrictions (if any) that it proposes to direct the planning authority to include as conditions of the planning authority's decision (if any) to grant permission for the development in respect of planning application F23A/0781. These measures and the reasons for proposing them are:

Condition 1:

A sound insulation grant scheme for residential dwellings shall be provided as detailed in Schedule A. Initial eligibility to the scheme shall apply to residential dwellings forecast to be exposed to aircraft noise at or above 60 dB Lden within the first calendar year following a grant of permission for this development.

Eligibility to the scheme shall be reviewed every year thereafter with residential dwellings situated in the 60 dB Lden contour for the preceding calendar year being eligible under the scheme.

The scheme shall not apply to properties where works have been undertaken under any other existing noise insulation scheme or properties where a planning permission was granted after 09 December 2019, this being the date of adoption of the policies relating to development within Aircraft Noise Zones which are in Variation No 1 to the Fingal Development Plan 2017-2023 and retained in the Fingal Development Plan 2023 – 2029. This scheme shall be delivered in accordance with the requirements set out in Schedule A (encl.).

Reason:

To mitigate the impact of aircraft noise using recognised health-based indicators, including those related to annoyance and sleep disturbance, in the interest of residential amenity and the proper planning and sustainable development of the area.

In accordance with Section 34B(7)(b) of the Act of 2000, daa may, within the period 25 March 2026 to 22 April 2026 (being a period of not less than 4 weeks), make submissions or observations on the noise mitigation measures and on such reasons, including counterproposals, by notice in writing to ANCA and copied to the planning authority.

In accordance with Section 34B(8) of the Act of 2000, 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 34B of the Act of 2000.

Yours sincerely,



Ethna Felten
Aircraft Noise Competent Authority

Copied to:

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Enclosure: Schedule A to proposed Condition 1.

Schedule A

Part 1: Definitions

The following definitions shall apply with reference to the Scheme described in this schedule.

Term	Definition
Approved Contractor	A contractor procured and managed by the Applicant 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.
Habitable Room	A habitable room is a room, other than an attic or loft, within an Eligible Dwelling which is used for living or sleeping, built in compliance with the provisions of the building regulations and the Planning and Development Act.
Competent Surveyor	An appropriately qualified surveyor to inspect and determine relevant information in relation to the existing construction and elements of an Eligible Dwelling for the purposes of undertaking an Elemental Analysis as defined in Step 5 below.
Initial Eligibility Contour Area	The area of the 60 dB L_{den} noise contour forecast for the following calendar year, to be provided by the Applicant within 3 months of a grant of permission for this development, for the written agreement of ANCA prior to submission for approval to the Planning Authority.
Eligibility Contour Area	The area of the 60 dB L_{den} noise contour for the preceding calendar year, for written agreement of ANCA prior to submission for approval to the Planning Authority.
Eligible Dwelling	A habitable dwelling: built in compliance with the provisions of the building regulations and the Planning and Development Act within the Initial Eligibility Conour Area or Eligibility Contour Area But does not include a dwelling that: was constructed pursuant to a planning permission granted after 9 December 2019, being the date of adoption of the policies relating to development within Aircraft Noise Zones in Variation No 1 to the

	Fingal Development Plan 2017-2023 (and retained in the Fingal Development Plan 2023 – 2029); and has benefited from noise insulation previously under this scheme; and has benefited from noise insulation under any existing noise insulation schemes previously.
Initial Eligibility Report	A report prepared and published by the Applicant within 3 months of a grant of permission for this development in line with the requirements set out in Part 2.
Eligibility Report	A report prepared and published every year by the Applicant in line with the requirements set out in Part 2.
Index Linked	Index-linked by reference to changes in the Consumer Price Index (CPI) (maintained by the Central Statistics Office) in the period between the submission date of the Application and the date of the Statement of Need.
Relevant External Noise Level	The noise exposure level at the relevant Eligible Dwelling.
Statement of Need	The recommended measures identified from those available under the scheme as outlined in Part 4
Target Performance	An improvement of at least 5 dB, where feasible, in the sound insulation of the Eligible Dwelling. Where possible, the guidelines recommended in BS8233:2014 for internal ambient noise levels shall be targeted.

Part 1: Purpose of the Scheme:

The purpose of the scheme is to provide a package of noise insulation measures, assessed to achieve the Target Performance, up to a value limited to [€40,000] (Index Linked), exclusive of scheme administration costs.

Measures shall apply to all Habitable Rooms.

Where a dwelling is identified as an Eligible Dwelling under this scheme and is also eligible for insulation under the Residential Noise Insulation Scheme (RNIS), the Applicant shall ensure that the dwelling receives insulation under the RNIS.

Part 2: Determining Eligibility under the Scheme

2.2 Within 3 months of the grant of permission for this development, the Applicant shall prepare and publish an Initial Eligibility Report, including:

- The aircraft noise forecast for the following calendar year;
    - The forecast shall be based on the forecasting requirements set out in the guidance attached to the Noise Abatement Objective;
- The Initial Eligibility Contour Area as defined by the 60 dB L_{den} noise contour
- Records of dwellings that have received noise insulation measures under any existing noise insulation schemes previously;
- GIS compatible digital noise contour datasets;
- Key statistics with respect to;
    - aircraft movements
    - movements by aircraft type
    - passenger numbers
    - aircraft destinations
    - flight routings
    - runway use
- A list of Eligible Dwellings
- A programme and associated timeline for Steps 1 and 6 of the procedure as set out in Part 4 for the Eligible Dwellings identified within the Initial Eligibility Contour Area.

Using the Initial Eligibility Contour Area and having regard for the wider eligibility provisions set out in this part, the Applicant shall notify ANCA and the planning authority of the Eligible Dwellings.

2.3 By 31 March every year thereafter, the Applicant shall prepare and publish a revised Eligibility Report, including:

- The noise situation at the airport for the preceding calendar year;
    - The noise situation shall be based on the requirements set out guidance attached to the Noise Abatement Objective;
- The Eligibility Contour Area as defined by the 60 dB L_{den} noise contour;
- Records of dwellings that have received noise insulation measures under any existing noise insulation schemes previously;
- The status of noise insulation works for Eligible Dwellings under this scheme with reference to and against the steps set out in Part 4 of this Schedule;
- GIS compatible digital noise contour datasets;
- Key statistics with respect to;
    - aircraft movements
    - movements by aircraft type
    - passenger numbers
    - aircraft destinations
    - flight routings
    - runway use
- A list of Eligible Dwellings
- A programme and associated timeline for Steps 1 and 6 of the procedure as set out in Part 4 for the Eligible Dwellings identified within the Eligibility Contour Area;

Part 3: Measures Available under the Scheme

The owner of an Eligible Dwelling, subject to the procedure described in Part 4, shall be entitled to a selection of insulation measures to habitable rooms as specified as follows:

The insulation measures 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

The sound installation measures provided under this scheme shall otherwise comply with the specification of the measures in place under the RNIS scheme as summarised in Step 5 below.

Where secondary acoustic glazing is to be installed, this shall meet the following specification, namely, 6.4mm laminated glass with minimum 100mm gap from the primary glazing unit. However, where this is not possible, the secondary glazing should be provided to account for the below variations.

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

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.

Where a replacement primary acoustic glazing is to be provided, this shall achieve a minimum Rw of 43 dB tested and rated to BS EN ISO 140-3 and BS EN ISO 717.

Where ventilators (passive or mechanical) are to be provided, a ventilation strategy for the rooms within each Eligible Dwelling shall be determined in accordance with Part F of the Building Regulations. Mechanical ventilation shall comprise of a ventilator unit consisting of a controlled variable- speed inlet fan with sound attenuating duct and cover that is capable of supplying fresh air to the room directly from outside by means of the supply duct and cowl (or grille).

Where no loft insulation is present in an Eligible Dwelling 200mm of fibrous acoustic insulation may be placed between ceiling joists, the insulation is to have a minimum density of 80kg/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.

Any 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 loft Insulation or loft boards cannot be installed due to inaccessibility or other practical reasons, any ceiling overboarding shall comprise a dense plasterboard with a total minimum surface mass of 12 kg/m2 , i.e. 15mm SoundBloc (or similar approved).

Part 4: Procedure

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

Step 1 – Determine Eligibility – Eligible Dwelling as per Part 2 of this Schedule.

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

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

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

a. The existing sound insulation properties of each habitable room shall be established

b. The anticipated future internal noise levels within each habitable room having regard for the Relevant External Noise Level, presented in octave bands scaled from measurements taken around the Airport, and the existing noise insulation performance obtained from Step a.

c. A comparison shall be made between the anticipated internal noise level to the BS8233:2014 Targets for internal ambient noise;

d. An assessment will be undertaken to determine the required improvement in the noise insulation performance, having regard for the Target Performance.

e. Through an elemental analysis, the most effective combination of measures set out in Part 4 having regard for the Target Performance and the financial assistance grant shall be identified.

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

a. Describe the existing sound insulation performance for each room having regard for the Building Survey as described in Step 4

b. Identify the potential improvement in the existing sound insulation performance for each room 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 room by room 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 the meet Target Performance.

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

Step 7 – Acceptance - If the owner of the Eligible Dwelling confirms agreement in writing to (a) the scope of works as defined under the Statement of Need, (b) the engagement of the Approved Contractor and (c) access to the dwelling by the Approved Contractor for the purposes of undertaking the works within six weeks of the provision of the Statement of Need, the Applicant will use reasonable endeavours to procure that the Approved Contractor undertakes the scope of works within six months of the owner's agreement to the same. If the owner does not confirm agreement in writing within six weeks of the provision of the Statement of Need, the dwelling shall cease to be an Eligible Dwelling for that year. For the avoidance of doubt, the dwelling shall be an Eligible Dwelling for any subsequent year in which it falls within the Eligibility Contour Area.

Step 8 – Works – The scope of works as defined by the Statement of Need shall be undertaken by the Approved Contractor. The Applicant shall procure the Approved Contractor to ensure that the works are undertaken to the necessary standards and in compliance with the necessary regulations and that the Approved Contractor provides the owner with all appropriate certification and warranties relative to the works completed to the Eligible Dwelling.

END OF SECTION

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By email: (aircraftnoiseca@fingal.ie)

22 April 2026

Re: Notice of proposed noise mitigation measures pursuant to Section 34B(7) of the Planning and Development Act 2000 (the Act of 2000), respecting the Infrastructure Application (the 'IA'), (Fingal County Council Reg. Ref. F23A/0781)

Dear Ms Felten,

We write further to your correspondence, dated 24 of March, notifying daa of the Aircraft Noise Competent Authority's (**ANCA**'s) determination of 22 January *"...that a noise problem would arise at Dublin Airport from the carrying out of the development as proposed in the Application [the IA] and proceeded to amend the noise abatement objective and adopt the Balanced Approach of the International Civil Aviation Organization"* (hereafter, the **Notification**).

At the outset, we welcome the progress made by ANCA in advancing the noise assessment process, and towards the publication of a Draft Regulatory Decision (**Draft RD**). As you are aware, consideration of the IA was significantly delayed pending a final determination by An Coimisiún Pleanála (**ACP**), on the North Runway Relevant Action[1] (**NRRA**). This in turn constrained daa's ability to respond to ANCA's earlier request for further information. In this context, we acknowledge and appreciate the considerable effort undertaken by ANCA since receipt of that material, to progress the assessment to its current stage.

As detailed in the Notification, following application of the ICAO Balanced Approach, ANCA has determined that additional mitigation measures are required to mitigate the impact of aircraft noise, in the form of a bespoke IA *Sound Insulation Grant Scheme* (**IA SIGS**) for qualifying properties. By way of context, there are a suite of noise mitigation and buy-out schemes in draft or already in place at Dublin Airport, namely:

- The Voluntary Dwelling Purchase Scheme (**VDPS**), covering all dwellings predicted to fall within the contour of 69 dB L_{Aeq} 16 hours, and permitted under the North Runway parent permission (ACP Ref PL 06F.217429; F04A/1755);

[1] NRRA Planning Application Reference: ACP Ref. PL06F.314485; FCC Ref. F20A/0668

An Bord Stiúrthóirí I Board of Directors: Basil Geoghegan - Cathaoirleach/Chairman, Paula Cogan, Darren Kelly, Des Mullally, Kevin O'Connell, Ger Perdisatt, MarkJames Ryan, Risteard Sheridan.

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- The Residential Noise Insulation Scheme (**RNIS**), also forming part of the original North Runway parent permission (referenced above); and
- The draft Residential Sound Insulation Grant Scheme (**RSIGS**), part of the North Runway Relevant Action (NRRA) planning permission and currently subject of a draft decision (ACP Ref. PL06F.314485; FCC Ref. F20A/0668).

At a high level, daa confirms that it supports the introduction of a bespoke mitigation scheme for the IA, provided that such a scheme is demonstrably aligned with the ICAO Balanced Approach and is proportionate, fair, and evidence-based, in both its underlying assumptions and its operational terms. Notwithstanding, at this stage we have not had sight of the technical, health-based, or economic assessments underpinning the proposed scheme, and note that fuller evaluation and comment will only be possible once the noise report and analyses supporting the Draft RD are published.

daa acknowledges the opportunity to propose counterproposals as set out in the Notification, and we reserve our position in that regard. In parallel, daa is currently reviewing airport insulation schemes at comparable international airports in order to establish the proportionality, fairness and justification for the proposed 60 dB L_{den} threshold for mandatory insulation. We recognise that direct comparison between schemes is not always straightforward, as many schemes, like those in place or proposed at Dublin Airport, are made up of composite frameworks, comprising multiple tiers (with different levels of contribution towards mitigation depending on noise exposure level), different eligibility thresholds/criteria, and other complementary noise management measures in place. Furthermore, the ICAO Balanced Approach recognises that every airport has different circumstances, including the extent to which development has been undertaken in its vicinity. Notwithstanding these complexities, while L_{den} is the accepted metric for strategic noise assessment, including under the Environmental Noise Directive, the proposed 60 dB L_{den} trigger appears at face value more demanding than the thresholds typically applied at UK and European airports. It is not clear why this would be the case, which will be an important issue for daa to consider further on receipt and examination of the detailed assessments accompanying the Draft RD.

With this context in mind, we wish to raise a number of observations on the measures detailed in the Notification. These include the need for an update to the NAO to ensure insulated dwellings are not treated as 'adversely affected'; but most importantly, that historic land use planning measures and noise-related planning conditions need explicit recognition. These issues are considered in greater detail below, and addressing them would, in daa's view, ensure any scheme ultimately adopted is coherent, deliverable and consistent with the principles underpinning the ICAO Balanced Approach.

The remainder of this letter is structured under the following three headings:

1. Background
2. daa Observations; and
3. Summary.

1. Background

As noted above, the IA SIGS would supplement both the existing Dublin Airport insulation scheme already in place and potentially any scheme that may form part of the NRRA Decision. If all schemes are permitted/confirmed, it would provide a total of 3 home insulation schemes at Dublin Airport, with the proposed IA SIGS being most significant in geographical extent and overlapping the other schemes.

Table 1 below, sets out a high-level overview and status of each of these schemes, including the proposed IA SIGS (as set out in the Notification) and an estimate of the number of dwellings which may be eligible. The final Draft RD will require consideration of the interaction between the schemes, to ensure consistency, refine the numbers below and establish the appropriate reporting mechanisms to streamline the processes and avoid duplication.

Table 1: Overview of Noise Mitigation Schemes at Dublin Airport (in place or draft form)

Application	Scheme	Threshold	Insulation	No. Eligible Dwellings	Status
Original North Runway (ACP: 217429)	RNIS/HSIP	63 dB L_{Aeq}	Full Insulation	227	Underway
NRRA (ACP: 314485)	Draft RSIGS	55 dB L_{night}, 50 dB + 9 dB increase, and N80=1	€30k	956	Incomplete/Draft†
Infrastructure Application (FCC: F23A/0781)	Draft IA SIGS	60 dB L_{den}	€40k	1,700*	Under Review/ Notification
Total (all schemes)	All	-	-	2,883**	-

****Accounting for overlap across the schemes
*Estimate only, to be confirmed following detailed modelling and final confirmation of number of houses built after 2019.
† Awaiting final Decision from ACP on the NRRA

As detailed in Table 1, a contour associated with 60 dB L_{den} could potentially encompass up to an additional 1,700[2] dwellings based on our own understanding of newly qualifying eligible dwellings. However, we acknowledge that we do not have the background information required in order to verify this figure and to make appropriate adjustments. In addition, it is possible dwellings could qualify for both this scheme and the draft RSIGS scheme. Due to this potential overlap in entitlements, an estimated 800 properties would be upgraded from RSIGS to IA SIGS. This could result in a total of circa 2,500 IA SIGS eligible properties, at an estimated total cost of approximately €140 million[3]; and a total potential liability of much more, assuming uptake by all homeowners, in all eligibility contours.

The scale of the scheme could therefore be considerable and take some 15 years or more to deliver in practice, based on our experience of the rollout and completion of RNIS physical works and RSIGS survey work. daa reserves its position in relation to practical deliverability, phasing and implementation of the proposed scheme, pending review of the Draft RD and supporting materials when published, which could materially change the provisional calculations above.

[2] The information presented above uses the 2025 GeoDirectory dataset. It excludes dwellings permitted after December 2019 and those already included under the RNIS, HSIP, or draft RSIGS. It has not been adjusted to remove those dwellings which were the subject of planning conditions requiring noise mitigation measures (and granted before December 2019).
[3] The total cost allows for a grant value of up to €40,000 per property, plus contractor and consultancy costs, but exclusive of scheme administration costs.

2. Observations

Having regard to the context as set out in Section 1, we have a number of observations which we would respectfully request are given due attention, noting that we reserve our position as regards the making of further observations and or submissions and or counterproposals on publication of the Draft RD and associated assessments.

Observation 1: Requirement for Background Assessments

daa considers that a review of the background analysis undertaken by ANCA is necessary to enable a meaningful and informed review of the proposed measures for an eligibility scheme for dwellings forecast to be exposed to aircraft noise at or above 60 dB L_{den}. The availability of this analysis will allow daa to properly assess the assumptions, methodology and outcomes underpinning the proposed measures and to provide an informed response. daa therefore reserves its position pending publication of the Draft RD and accompanying Noise Report.

As contemplated by the Aircraft Noise (Dublin Airport) Regulation Act 2019 (the **Act**), the Notification constitutes a statement of intent in advance of the Draft RD only, rather than the Draft RD itself with accompanying reports. Acknowledging the limited level of detail available at this stage, daa has not yet had the opportunity to review the background assessments, assumptions or analyses informing ANCA's preliminary findings. daa recognises that these will be made available on publication of the Draft RD. In particular, daa looks forward to a meaningful review of the:

- Draft RD and related Noise Report
- Underlying assumptions including the health-based indicators relied upon by ANCA
- Noise modelling and assessment supporting the proposed 60 dB L_{den} threshold
- Historic planning permissions for the applicable dwellings falling within the proposed eligibility contour
- Cost-effectiveness justification for the insulation threshold applied, including any international benchmarking of comparable airports undertaken; and
- Noise Abatement Objective[4] (**NAO**) as may be amended, including details of the measurable criteria.

Access to this information will be critical to enable daa to provide an informed view on the Draft RD and whether the proposed mitigation measures are appropriate, proportionate, and evidence-based. Pending such review, any observations set out in this response letter are made without prejudice to a fuller and more detailed response on review of the documents at the Draft RD stage. For now, daa has only been able to form a high-level and preliminary view in relation to the requirement for the scheme, its proposed scope and scale, and the terms under which it is envisaged to operate.

Observation 2: Alignment of Noise Mitigation and NAO Measurement

While the Notification invites comment specifically on the proposed measures, these measures are intrinsically linked to any review and ongoing monitoring of the NAO. Given this interaction, it is important that any amendment of the NAO clarifies that a dwelling that has been mitigated

[4] ANCA's Noise Action Plan 2025 includes two relevant actions: *Noise Action No. 3:* Carry out a review of the Noise Abatement Objective for Dublin Airport to support sustainable community and airport development in accordance with relevant plans and policies; and, *Noise Action No. 4:* Undertake an encroachment analysis to ensure that plans and objectives remain relevant and effective to ensure that land use planning is an effective component of the ICAO balanced approach at Dublin Airport.

against aircraft noise, whether under a Dublin Airport Insulation Scheme and/or pursuant to a planning condition requiring noise mitigation, should not subsequently be treated as an unmitigated or adversely affected dwelling for the purposes of Noise Abatement Objective monitoring, assessment, or reporting.

Any amendment to the NAO should explicitly address the inherent conflict arising from the manner in which achievement of the NAO is currently measured. As the matter stands, no allowance is currently made for the effect of mitigation measures, even where dwellings have been assessed by the planning authority and found to be acceptable in residential amenity terms. If this issue is not addressed, an intrinsic disconnect would exist between the Draft RD and the NAO itself. In effect, the Draft RD would require insulation in order to meet the requirements of NAO, while simultaneously continuing to count insulated properties *against* achievement of the same objective. While we anticipate this dichotomy is likely to be under active consideration by ANCA, we must caution that allowing this position to persist, risks undermining procedural fairness, policy coherence and the overall credibility of the noise assessment process.

This approach would also have wider practical consequences, including adversely impacting FCC's ability to permit new dwellings within the NAO contours to address current housing shortages. Currently, and for the last 30+ years, FCC's Planning Department has determined that residential amenity standards can be achieved subject to mitigation and have zoned and permitted housing within NAO contours in line with that finding. At the same time, those same dwellings are treated as contributing to a breach of the NAO. This tension is difficult to reconcile and exposes a fundamental disconnect between the existing NAO, the proposed Draft RD and the principles underpinning the Regulation (EU) 598/2014 ICAO Balanced Approach, which requires that priority be given first to 'Land Use Planning and Management' (including noise insulation programmes), before considering operating restrictions.

In considering this regulatory issue in progressing the Draft RD, it goes without saying that consistency should also be achieved between the NAO and the relevant Development Plans of FCC, and of other planning authorities within whose administrative areas the NAO contours extend.

Observation 3: Land-Use Planning Measures have not been appropriately recognised in the proposed Eligibility Criteria, including (a) Noise-mitigation conditions; and (b) pre-2019 land use planning controls.

Land use planning and management measures are a central pillar of the ICAO Balanced Approach to aircraft noise management. In this regard, statutory land-use planning controls to limit noise exposure around Dublin Airport have been in place since at least 1999, including the application of noise related development restrictions and mitigation conditions by planning authorities. Recognising this, the proposed eligibility cut-off date (i.e. to align with December-2019) appears arbitrary and neglects the previous 30 years of land use planning undertaken by statutory authorities including Fingal County Council.

Background

The Notification raises a concern as regards alignment of the proposed measures with long term planning practice around Dublin Airport. In daa's view, the terms of the proposed IA SIGS should reflect the clear, consistent and legally binding land use planning and development management practices that have been in place to protect residential amenity in the vicinity of Dublin Airport since at least 1999 (nearly 30 years). This land use framework includes the following purposive measures:

- **Statutory Land-Use Planning Policy**
  Successive Development Plans adopted by Fingal County Council and adjoining planning authorities, have incorporated airport-specific noise zone policies for at least three decades. Airport noise zones support the ICAO Balanced Approach, prevent encroachment and aid land use planning. Fingal Development Plans adopted in 1999, 2005, 2011, 2017 and 2023; together with all Dublin Airport Local Area Plans (including those adopted in 2006 and 2020) have consistently included policies requiring appropriate mitigation in the airport environs. Airport safeguarding policies for Dublin Airport can be traced back as far as 1967[5].

- **EU and National Legislative Framework**
  Land Planning and Management is a priority measure of the ICAO Balanced Approach, as given effect by Regulation (EU) 598/2014. This framework requires that land use planning and management measures (including noise sensitive development controls and insulation programmes) are considered as a first order response to aircraft noise impacts.

  At National level, the Planning and Development Act 2000[6] (and its successor the Planning and Development Act 2024) has provided a statutory basis for safeguarding against inward noise intrusion. Planning authorities have been empowered to attach legally binding planning conditions requiring mitigation to reduce or prevent *"the intrusion of any noise or vibration which might give reasonable cause for annoyance to any person lawfully occupying any such structure or site".* Such conditions have been attached to permissions for new housing development in the vicinity of Dublin Airport for decades.

(a) Planning-led Noise Mitigation Conditions

Within this statutory planning framework, FCC proactively zoned residential land, adopted Airport Noise Zones (contours), adopted policies for noise sensitive development occurring within airport zones, and granted planning permission for residential development subject to noise-mitigation conditions. Prior to 2019, two distinct airport noise zones were utilised to safeguard residential amenity since the 2005 Development Plan, as follows:

- **Inner Airport Noise Zone:** where new residential development was resisted, corresponding approximately to the 63 dB $L_{Aeq,16h}$ noise contour; and

- **Outer Airport Noise Zone:** where residential development was only permitted subject to mandatory noise insulation condition, corresponding to the 57 dB $L_{Aeq,16hr}$ noise contour.

These policies can be found in:

- Fingal County Development Plan 2005-2011
- Dublin Airport Local Area Plan 2006
- Fingal County Development Plan 2011-2017
- Fingal County Development Plan 2017-2023 (prior to Variation no. 1)

[5] The Myles Wright Advisory Regional Plan and Final Report for The Dublin Region (page 38) provided for a restricted zone around Dublin Airport of approximately 3.5 miles radius. It recommended that *"restriction should be placed on the building of further dwellings, or other buildings within which quiet is highly desirable".* i.e. noise sensitive uses.

[6] s.34(4)(c)(ii)

As statutory planning consultee, daa engaged with these planning activities through safeguarding workshops, submissions to development plans, and, observations on planning applications within airport noise zones. This resulted in planning conditions being routinely attached mandating appropriate insulation within Aircraft Noise Zones.

We note the proposed scheme (as set out in Schedule A of the Notification) provides that a habitable dwelling must be *"built in compliance with the provisions of the building regulations and the Planning and Development Act".* Implicit in this requirement is that eligible dwellings must comply with the planning conditions of their planning permission, including conditions relating to implementation of noise mitigation measures.

(b) Cut-off for Eligibility

In light of the foregoing, daa also questions the basis for fixing the cut-off date at end-2019 (approximately 5 years ago), effectively disregarding decades of preceding planning control and making daa eligible for all property permitted within the designated Airport Noise Zones over the last 20 years. While the 2019 Variation amended the detail of the airport noise zone policy, it did not amend the substance of safeguarding policies and requirement for appropriate noise mitigation. Aligning the cut-off point with the 2019 Variation therefore fails to reflect the extensive planning framework and development management regime that operated over the preceding three decades. Theoretically, a 2019 cutoff date could have the practical effect of making daa responsible for a residential development under construction today (for example, where the development was permitted prior to 2019 and benefited from an extension of duration of the permission). Such a situation ignores the fact that there have been clear safeguarding policies in place since 1999, which were updated in 2005, and to which any residential development within the vicinity of Dublin Airport would have been subject when being assessed and permitted by the planning authority.

Over the last 20 years in particular daa, ACP, FCC, Meath County Council and Dublin City Council all exercised active safeguarding roles, ensuring residential development in the airport environs was carefully controlled and appropriately mitigated. Disregarding this longstanding body of policy and practice risks overstating unmanaged exposure and undervaluing the cumulative effect of planning-led mitigation.

In circumstances where residential encroachment over the past three decades has arisen through the exercise of statutory planning functions, and not as a consequence of decisions taken by daa, we strongly recommend that:

- the appropriateness of the 2019 cut-off point should be carefully considered.
- where inward noise mitigation has already been required and delivered through the planning system, there should be no further obligation on daa to provide insulation under the IA SIGS.

This approach would reflect established planning practice; uphold the principles of the ICAO Balanced Approach (particularly the primacy of land use planning) and would ensure proportionality and fairness in the administration of the scheme. It would also recognise that residential developments permitted within the vicinity of Dublin Airport over the last 20 years will generally be subject to planning conditions, including conditions requiring the provision of noise mitigation measures.

Observation 4: Technical Refinement of IA SIGS and Streamlining of Administrative Requirements

The proposed IA SIGS should ensure that the scheme operates in a manner that is fair, efficient, cost-effective, proportionate and time bound.

daa considers that the eligibility criteria for the proposed measures should ensure alignment with established planning practice and the principles of the ICAO Balanced Approach prioritising land use planning and management. Opportunities also exist to streamline administrative provisions, including the introduction of clearer review periods and appropriate sunset clauses, in order to provide certainty, manage long-term expectations and avoid unnecessary administrative burden.

3. Summary

At a high level, and in the absence of the background assessments, daa's view is that the proposed measures to advance a bespoke insulation scheme as set out in the Notification is appropriate in principle and consistent with the sequencing required under Regulation (EU) 598/2014. The central issue is therefore not whether insulation is appropriate, but how it is applied, and how the effect is recognised within the regulatory framework of achievement of the NAO. We therefore summarise our key issues, as including:

- Requirement for background assessments to provide an informed view on the 60 dB L_{den} threshold and/or in order to inform any counterproposals;
- Alignment of proposed mitigation measures and NAO measurement;
- Recognition of land-use planning measures in the proposed Eligibility Criteria, including (a) noise-mitigation conditions; and (b) pre-2019 land use planning controls; and
- Refinement of IA SIGS and in respect of implementation and administration (e.g. biennial reviews, how noise mitigation related conditions are treated, and overboarding).

As set out in the opening paragraphs, we also acknowledge the opportunity offered by the Notification to propose counterproposals. We reserve our position at this stage and confirm daa has no counterproposals currently, pending review of the Noise Report accompanying the Draft RD when published. As set out above, the proposed IA SIGS could extend eligibility to 2,500 dwellings (in total) but this could be carefully managed were the terms of the scheme to reflect land use planning practices and conditions in the eligibility criterion.

Lastly, we would like to thank ANCA for the Notification and the engagement to date across the IA project. We look forward to making a further, more detailed submission following publication of the Draft RD and supporting material. daa remains committed to constructive engagement with ANCA and other stakeholders, and to continuing to work collaboratively to ensure a robust, proportionate and evidence based regulatory framework is achieved for the management of aircraft noise at Dublin Airport.

Yours faithfully,

J Roche

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