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20230129-06-0781

Fingal County Council,
Planning Department,
County Hall,
Swords,
Co. Dublin.

Sent by email to: planning@fingalcoco.ie

29th January 2024

Ref.: **F23A/0781**
App: **Dublin Airport Authority (DAA)**
For: **a) An increase in the capacity of the airport from the permitted combined capacity of Terminal 1 together with Terminal 2 of 32 million passengers per annum (32mppa) (as referenced by condition no. 3 of ABP Ref. No. PL06F.220670 (F06A/1248) and condition no. 2 under ABP Ref No. PL06F.22346 (F06A/1843)) to 40 million passengers per annum (40mppa). b) The increase to the capacity will include all attendant airport operations at Dublin Airport. The proposed increase in passenger numbers will supersede and replace condition no. 3 of ABP Ref. No. PL06F.220670 (F06A/1248) and condition no. 2 under ABP Ref. No. PL06F.223469 (F06A/1843). The provision of airport infrastructure to include the following Project Elements:**
Project Element 1: North Apron
Project Element 2: South Apron
Project Element 3: Terminal 1 Central Search
Project Element 4: New Apron 7
Project Element 5: Underpass beneath Runway 16/34
Project Element 6: Airfield Drainage Project Infrastructure
Project Element 7: Ground Transportation Centre
Project Element 8: Terminal 2 MSCP Extension
Project Element 9: Long-term Car Park (Red)
Project Element 10: Staff Car Park North
Project Element 11: Junction Improvements

Site: **Millhead,, Kilreesk, Kingstown, Dunbro, Barberstown, Pickardstown, Portmellick, Forest Great, Forest Little, Cloghran, Collinstown,, Corballis, Coultry, Commons Rock, Harristown, Siloge, Huntstown, Shanganhill, Sandyhill, Dardistown, Stockhole, and Toberbunny.**

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Directors: Stuart McCaul (Chair),
Trish O'Connell (Vice Chair), John Conroy (Treasurer), Olivia Rogers, Rónán O'Brien, Finbarr Murray

A Chara,

Thank you for referring the above application to An Taisce for comment. While we recognise the value of Dublin Airport for trade and tourism in an island nation such as Ireland, and its importance as a transportation hub, An Taisce is opposed to the proposed capacity expansion, including in passenger numbers, and the negative environmental and community impacts this will lead to. We submit that the economic growth justifications put forward are overly prioritised in comparison to environmental and social considerations, therefore demonstrating an imbalance in the weighting of these three pillars of sustainability. Furthermore, this airport expansion proposal comes at a time when all other sectors across the country must make significant and costly changes to adhere to ambitious, challenging and legally binding carbon budgets and sectoral emission ceilings. The aviation sector should not be exempt from rapid and deep emissions cuts.

1. Preliminary Considerations

Full compliance with the conditions of existing permissions on the subject site should be assessed and demonstrated as a preliminary matter.

2. Impact of Aviation Emissions

Aviation emissions constitute a major source of greenhouse gas (GHG) emissions from transport. As an area which is proving difficult to decarbonise, managing the growth in demand for air travel is essential to limit the negative impacts of short, medium and long-haul flights. Therefore, any proposed expansion to increase airport capacity to handle more flights and passengers represents a retrograde move which runs completely counter to Ireland's ambitious climate and emissions reduction objectives under the Climate Action and Low Carbon Development (Amendment) Act 2021 and the Paris Agreement. In particular, we would highlight the 'National Climate Objective' under Article 5 of the Climate Act 2021: *"The State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy".*

Additionally, we bring the Council's attention to Article 2 of the Paris Agreement, specifically the aims of *"Holding the increase in the global average temperature to well below 2 ºC above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5ºC above pre-industrial levels",* as well as to *"..foster climate resilience and low greenhouse gas emissions development..".* Expanding the capacity of Dublin Airport would seriously threaten the attainment of these vital objectives due to the associated increase in GHG emissions. In fact, findings from the 'Climate Trace' database, as unveiled at COP27, show that Dublin Airport was already the largest emitter of GHGs in Ireland in 2021. This trend continued into 2022 with figures from the database showing that the airport emitted 2.68 million tonnes of CO2 in that year.[1] As a result, this proposal to expand the airport and consequentially further increase emissions cannot be deemed acceptable in the face of the stringent cross-sectoral efforts required to reduce emissions.

The aviation sector is a significant contributor of both CO2 and non-CO2 emissions and has a high environmental impact due to the high altitudes at which aircraft operate. With Dublin airport being recognised as a key secondary hub within an EU-wide airport network, these emissions are set to increase via the proposed airport expansion. The NGO Transport & Environment has highlighted how these emissions have seen an increase as the aviation sector has grown from constituting 1.5% of all European emissions to 4.7% in 2019.[2] The sector is already witnessing a surge in growth after the reduction in flights taken during the Covid19 pandemic. In 2019, there were 233,000 Air Traffic Movements (ATMs) in Dublin Airport. This has

[1] www.climatetrace.org/explore/asset-3166430
This database is underpinned by a methodology involving satellite imagery, remote sensing, AI and collective data science.
[2] https://www.transportenvironment.org/challenges/planes/airplane-pollution/#:~:text=Airplanes%20burn%20fossil%20fuel%20which,altitude%20at%20which%20aircraft%20operate.

been forecasted to increase to 265,000 ATMs by 2030, according to Section 8.5.3 of the Fingal County Development Plan 2023-2029. The proposed airport expansion will cause these numbers to increase even further going into the 2030s and beyond.

Dublin Airport seeks to benefit from an increase in demand for flights by expanding its operations, passenger numbers and number of flights. Such ambitions are embedded within a context of economic growth and is bolstered by the policy aims of the Eastern and Midlands Regional Spatial and Economic Strategy (RSES), the Fingal County Development Plan 2023-2029, the Dublin Airport Local Area Plan 2020 and the National Aviation Policy for Ireland 2015. Problematically from a climate perspective, each of these policy documents supports the growth of movements and passengers at Dublin Airport which entails a large increase in associated emissions from the activities. Connectivity, trade and tourism markets are the key arguments for advocating the airport expansion throughout these documents. Yet the RSES and the Fingal County Development Plan also contain strong climate policy objectives, including on the need for emissions reduction. However, the stronger focus on economic growth neglects social and environmental considerations which raises doubts about the sustainability of the subject proposal.

Airport expansion is completely at odds with the regulation of Scope 3 emissions which are not accounted for in this application. Transport and Environment's Airport Tracker tool shows that 49.1% of flights from Dublin Airport are long-haul, representing a significant portion of the 2.59 million tonnes of CO2 total flight emissions of passengers already coming from the Airport[3]. Given the requirements of the precautionary principle throughout EU environmental laws such as the EIA Directive, this development is short-sighted as it will expand these emissions and thus intensify the environmental impact of the airport. The preliminary section 2 of this Directive states *"Pursuant to Article 191 of the Treaty on the Functioning of the European Union, Union policy on the environment is based on the precautionary principle and on the principles that preventive action be taken…Effects on the environment should be taken into account at the earliest possible stage in all the technical planning and decision-making processes".*[4] To adhere to this requirement for early consideration of environmental impacts, we submit the proposed development should be assessed in light of the figures provided by the Airport Tracker tool. It could also be used for scenario analysis by comparing the current total flight emissions of passengers from Dublin Airport, with 32mppa, with an airport which has approximately 40mppa and determine how emissions may increase[5]. Comparing the proposed expansion with an existing airport with similar characteristics to Dublin airport could therefore be very enlightening.

The international aviation emissions associated with this proposed increase in activity also contravenes the commitments for commercial semi-state (CSS) companies such as the Dublin Airport Authority (DAA) under the Climate Action Framework.[6] Commitment 1 of this framework requires governance of climate action objectives at board level, Commitment 2 requires emissions measurement and reduction targets, and Commitment 3 requires emissions valuations in investment appraisals. While the Environmental Impact Assessment Report (EIAR) asserts that these commitments do not apply to individual projects like the proposed airport expansion, we are of the view that investing in the expansion of Dublin Airport to accommodate more flights would indeed contravene these objectives. This proposal is clearly capital investment and expenditure and as such is within the ambit of these commitments. Such deflection of responsibility and lack of leadership for an authority which accommodates high-emitting aviation activities is unacceptable in the face of the climate emergency. This is especially significant given that the aviation sector is not subject to carbon budgeting requirements under the Climate Action and Low Carbon Development

[3] www.airporttracker.org (as developed by the International Council on Clean Transportation, the Overseas Development Institute & Transport and Environment).
[4] Directive 2011/92/EU of the European Parliament and of the Council. EIA Directive. 2011. https://eur-lex.europa.eu/eli/dir/2011/92/oj
[5] *The Airport Tracker: Uncovering aviation emissions.* Pickard & Gencsu. September 2021. https://odi.org/en/publications/the-airport-tracker-uncovering-aviation-emissions/
[6] NewERA. Climate Action Plan 2021 Action 55: Framework for the Commercial Semi-State Sector to address climate action objectives. National Treasury Management Agency. July 2022. https://www.ntma.ie/uploads/publication-articles/Climate-Action-Framework-for-CSS-Sector.pdf

(Amendment) Act 2021. Therefore, this CSS Climate Action Framework is a crucial alternative means to embed the aviation sector within climate action commitments.

Serious concerns also arise regarding the lack of quantification of the impact of non-CO2 emissions in the EIAR. The justification given is scientific uncertainty surrounding the means to aggregate the effects of non-CO2 impacts into a CO2-equivalence multiplier. However, the Global Warming Potential (GWP) measure exists for this purpose, yet it is not mentioned or used in the carbon accounting methodology of this EIA. This measure can be used in conjunction with CO2 equivalency measures to account for all the GHGs emitted from aviation activity. Without applying this measure, the EIAR completely neglects any accounting of non-CO2 emissions which are a significant source of pollution from aviation. Their detrimental effects have been recognised by a report undertaken by the European Union Aviation Safety Agency (EASA): "*the Effective Radiative Forcing (ERF) from the sum of non-CO2 impacts yields a net positive (warming) that accounts for more than half (66%) of aviation net forcing in 2018".*[7]

The only mention of non-CO2 impacts is highly misleading and shows a misunderstanding of climate science by stating in Section 13.3.33: "*non-CO2 impacts are generally short-lived and reversible, meaning they will dissipate after the aircraft passes. This is in contrast to emissions of CO2, which remain in the atmosphere causing warming for long time periods."* This is misleading as the impacts of short-lived pollutants will only be reduced by mitigation efforts if their sustained total flow level is reduced. The proposed airport expansion will instead increase the total flow of these emissions, which entails significant air quality and warming impacts due to non-CO2 climate forcing being double or triple that of CO2. The fact that non-CO2 emissions are omitted from the emissions accounting methodology of the application shows an inherent uncertainty and downplays the full climate impact of aviation emissions. The Council's consideration of this airport expansion proposal should recognise that uncertainty from the aviation sector surrounding non-CO2 impacts is a huge cause for concern. Pushing forward with a proposal that will increase high emitting air traffic movements would constitute an unacceptable level of uncertainty.

Section 13.3.49 of the EIAR uses the EPA's Transport Emissions Trajectory scenarios of 'With Existing Measures' and 'With Additional Measures' until 2040. The 'With Additional Measures' (WAM) is utilised as a comparable baseline proxy to show the supposed reductions in GHG emissions throughout the lifetime of the project. However, the EPA 2023 projections show that the WAM scenario substantially overshoots the trajectory required to meet the legally binding five-year carbon budgets up to 2030. The Climate Change Advisory Council (CCAC) assessed these budgets as being aligned with a trajectory which meets the Paris 1.5ºC target.[8] Therefore, the WAM scenario cannot be asserted to be a *"comparable baseline consistent with a trajectory towards net zero by 2050",* as required for the Institute of Environmental Management and Assessment (IEMA) significance test. Moreover, Ireland is already significantly off track for meeting the carbon budgets which means that all sectors, including aviation, need to take more action to reduce their emissions.[9]

While international aviation emissions are not included in the projections outlined above, the EIAR suggests that using domestic aviation emissions is still a sufficient display of climate impacts. This indicates a recurring issue of scale throughout the EIAR, in which airport-specific mitigation measures are provided in detail, whereas the burden of accounting for emissions from flights departing from Dublin airport is shifted elsewhere. Strikingly, Section 13.7.67 of the Climate chapter of the EIAR sums up the magnitude of such international aviation emissions: *"aviation emissions account for most of the overall emissions associated with the Proposed Development, accounting >96% in 2031"*. As a result, the suggestion in the EIAR that *"the impact from aviation emissions as a result of the IA are deemed to be minor adverse not significant"*, is highly dubious in light of its limited scope to airport-specific emissions. The premise of this conclusion is also

[7] Updated analysis of the non-CO2 climate impacts of aviation. EASA. September 2020
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2020:277:FIN
[8]Climate Change Advisory Council (CCAC). Carbon Budget Technical Report. October 2021
https://www.climatecouncil.ie/media/climatechangeadvisorycouncil/Technical%20report%20on%20carbon%20budgets%2025.10.2021.pdf
[9] https://www.epa.ie/news-releases/news-releases-2023/ireland-projected-to-fall-well-short-of-climate-targets-says-epa.php

questionable given that it excludes international aviation emissions from DAA responsibility and from the significance criteria utilised to compare the proposed development with Ireland's projected total National Emissions Trajectory. As a result, the EIAR is misleading and could be vulnerable to legal challenge.

The claimed basis of the *"minor adverse not significant"* conclusion of the EIAR stems from the IEMA methods and principle for determining the significance of GHG emissions: "*The crux of significance, therefore, is not whether a project emits GHG emissions, nor even the magnitude of GHG emissions alone, but whether it contributes to reducing GHG emissions relative to a comparable baseline consistent with a trajectory towards net zero by 2050."*[10] However, according to Section 13.7.2, the comparable baseline definitions used for each of the expansion's four lifetime emissions sources (Construction, Aviation, Airport Operations and Surface Access) show rising emissions inconsistent with a trajectory towards net zero by 2050. As a result, contrary to the conclusion of the EIAR, the project should be deemed 'significant' as per the IEMA definition which means that it totally contravenes low-carbon development objectives under the Climate Act 2021 and Paris Agreement.

It is also misleading for the GHG assessment to contextualise the proposed capacity expansion's additional GHG emissions against total national category emissions (National, Transport, Industry), *"to determine the significance of emissions in line with Table 13-2"* (as in Tables 13-21, 13-22, 13-24, 13-25, 13-27, 13-28, 13-30, and as stated in Section 13.7.10). As per IEMA, *"all new GHG emissions contribute to a negative environmental impact"* so it does not matter how small they may be contextualised relative to other emissions. Of consequence for climate action is whether emissions in a sector or project are going down quickly enough for alignment with the 1.5 ºC target or whether the project is enabling other sectors to reduce their emissions quickly enough to compensate for that project's impact. Neither of these hold true for this proposed expansion. Irrespective of how "small" the new GHG emissions are relative to total category emissions, the expansion's emissions across the four categories are "additional" and increasing. Therefore, the project should be deemed 'significant' as per the IEMA definition which is completely contrary to the EIAR finding.

Another issue is the complete lack of focus on demand management, which is urgently required to offset the increased amount of passengers that will outweigh any GHG savings from efficiency measures, projected as 2% GHG savings per year up to 30% by 2040. The contradiction inherent in the EIAR is demonstrated by a graph showing the projected emissions reductions from efficiency savings and using sustainable aviation fuels (SAF) from 2024-2046. While emissions will decrease from each of these savings, overall annual aviation emissions at the airport increases from circa 3.25 million tCO2e to circa 4.25 million tCO2e. This shows how increased demand for flights outweighs proposed efficiency and SAF mitigation measures by increasing overall emissions. As a result, as recognised by Transport & Environment, demand management is a crucial means to reduce aviation emissions.[11] This has not been properly considered within the EIAR and urgently needs to be adopted as a mitigation measure against rising GHG emissions in the aviation sector.

The importance of swift demand management is intensified by the fact that sustainable aviation fuels and lower-emitting aircraft are yet to be proven effective, let alone scaled-up. Projections for the widespread availability of these technologies indicate that they will arrive too late, if they are viable at all, meaning that reducing the demand for flights is one of the only effective solutions to reaching net zero by 2050. Given the significant scientific, technical and economic uncertainties around sustainable aviation fuels and lower-emissions aircraft, it is premature and inappropriate for the subject application to rely on these measures. It is clear that the DAA is seeking to expand supply rather than reducing demand, which runs counter to the scientific consensus that significant demand reductions are necessary for aviation to meet the goals of the

[10] IEMA (2022). Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance - 2nd Edition.
https://www.iema.net/resources/blog/2022/02/28/launch-of-the-updated-eia-guidance-on-assessing-ghg-emissions
[11] Roadmap to climate neutral aviation in Europe. March 2022. Transport and Environment.
https://www.transportenvironment.org/wp-content/uploads/2022/03/TE-aviation-decarbonisation-roadmap-FINAL.pdf

Paris agreement.[12,13] There are no available technological shortcuts to these necessary cutbacks for the aviation sector.

Finally, consideration needs to be given to the cumulative effects of the proposed expansion with the current North Runway application (Ref. ABP-314485-22) seeking to remove nighttime flight restrictions and the US pre-clearance facility expansion (Ref. ABP-317828-23), both of which have been appealed to An Bord Pleanála after being refused permission by Fingal County Council. All three of these applications must be assessed together in EIAR Chapter 20: Interactions & Cumulative Effects. Failing to do this will not give an accurate overview of the environmental impacts of the airport, particularly in a scenario where all three proposed developments are secured.

3. Inadequacy of Mitigation Measures

The climate section of the EIAR outlines in great detail the airport-specific mitigation measures to reduce emissions at the source. Emphasis is placed on ground-based site-specific operational efficiency improvements and decarbonisation measures, as well as increased use of sustainable aviation fuels. However, little attention is paid to the impact of emissions from international flights. The impact of GHG emissions is not spatially bound to the immediate surrounds of the airport site, and emissions combine cumulatively with Europe-wide and global aviation activity. Therefore, the proposed airport expansion undermines Ireland's overall GHG emissions targets under the Climate Act 2021 and the Paris Agreement.

In fact, the EIAR acknowledges that Scope 3 emissions from aviation are outside the scope of Ireland's Climate Action Plan and outside the control of the Dublin Airport Authority (DAA). This deflection of responsibility for aviation emissions is also contained within Section 5.1 Carbon Reduction Strategy of the Energy and Sustainability Report accompanying this application. Here the DAA states *"emissions from aviation and surface access journeys are considered outside of the direct control of DAA and are therefore controlled at a national and international level by policy, legislation and regulation"*. These indirect Scope 3 emissions emanating from an expanded airport need to be considered in the context of the urgency required to meet GHG reduction targets.

Focusing on Scope 1 and 2 emissions mitigation measures alone is inadequate if Scope 3 emissions continue to be neglected. Consequently, the airport expansion cannot be justified from a social and environmental standpoint due to the rise in emissions that will result from increased air movements arriving to and departing from the airport. While the DAA claims that it has no control over international aviation emissions and these fall under international policies and regulation, they can and should exercise agency in emissions mitigation by not seeking to expand the airport. Under section 13.3.7 it states, *"Aviation – The Applicant has limited influence over these emissions",* but this is patently false as the DAA could choose not to proceed with the application so that the inevitable increase in aviation emissions from the expansion would not occur. Therefore, the proposed expansion is *"a project with major adverse effects…locking in emissions and does not make a meaningful contribution to Ireland's trajectory towards net zero"* as per the 'Significant Adverse, Major Adverse' category in Table 13-2 designated by the Institute of Environmental Management and Assessment (IEMA).

There is an inherent assumption throughout this application that Scope 3 aviation emissions will be dealt with internationally via the market-based mechanisms of the EU ETS (Emissions Trading Scheme) and CORSIA (Carbon Reduction and Offsetting Scheme for International Aviation). Having a total reliance on market-based measures as the main GHG-limiting mechanisms for international aviation emissions raises efficacy concerns due to free emissions allowances afforded to airlines and perverse incentives stemming

[12] Sharmina, M., Edelenbosch, O.Y., Wilson, C., Freeman, R., Gernaat, D.E.H.J., Gilbert, P., Larkin, A., Littleton, E.W., Traut, M., Vuuren, D.P. van, Vaughan, N.E., Wood, F.R., Quéré, C.L., 2020. Decarbonising the critical sectors of aviation, shipping, road freight and industry to limit warming to 1.5–2°C. Climate Policy 0, 1–20. https://doi.org/10.1080/14693062.2020.1831430

[13] Quiggin, D. 2023. Net zero and the role of the aviation industry: How flying less frequently and less far can buy time for decarbonisation solutions. Environment and Society Centre. https://www.chathamhouse.org/sites/default/files/2023-11/2023-11-14-net-zero-aviation-quiggin_0.pdf

from carbon offsetting.[14] [15] For example, the baseline emissions cap established by the CORSIA scheme is 85% of 2019 emissions for 2023-2035, with no reduction in the cap. This is emphasised as an "ambitious target" within the EIAR, which is inadequate due to the baseline emissions cap remaining constant until 2035. Furthermore, multiple peer-reviewed journal articles question the alignment of this baseline cap with 1.5 ºC targets, as required by the IEMA. Therefore, with no certainty of an expanded EU ETS scheme and the elimination of allowances for aviation, the proposed airport expansion will increase overall emissions by accommodating more air traffic movements and will hinder Ireland's implementation of Article 2 of the Paris Agreement, *"pursuing efforts to limit the temperature increase to 1.5 ºC above pre-industrial levels, recognising that this would significantly reduce the risks and* [16]

Additionally, a Transport & Environment report shows how implementing CORSIA will not necessarily incentivise emissions reductions within the aviation sector.[17] They highlight how it may actually be cheaper for airlines to continue polluting by purchasing carbon offsets rather than accelerating moves to increase the share of sustainable aviation fuels in the conventional fuel mix. The costs of compliance with CORSIA are also set to be a minor share of airlines' overall costs, which represents a perverse incentive to continue business-as-usual aviation practices. Consequently, in the absence of an expanded EU ETS scheme to account for international flights and their emissions, this application relies on regulating emissions via an international scheme, the adequacy of which is questionable. Therefore, there is an implicit deflection of accountability for international aviation emissions which is a recurring issue with airport expansion plans such as the subject proposal. While the EC will review the sufficiency of CORSIA in 2025 to determine whether the ETS scheme should be expanded to include all flights departing from the EEA, there is no guarantee an expanded ETS will happen. In any case, the fact that the ETS has granted free CO2 permits to polluting airlines, €683 million to the top ten polluting airlines in 2021 alone, raises serious concerns about the scheme.[18]

The EIAR itself acknowledges that there is a lack of Irish and international policy and legal commitments for non-traded international aviation emissions which fall outside the scope of the ETS. Therefore, the application relies wholly on the expectation of the future strengthening of CORSIA or an expanded EU ETS. This displays an inherent uncertainty regarding the regulating and accounting of international aviation emissions and therefore uncertainty around the proposed mitigation measures. This lack of a clear pathway towards aviation decarbonisation has caused the European Investment Bank to indicate that they will stop financing airport capacity expansion and conventionally fuelled aircraft. Instead, they propose investment in airport-specific decarbonisation measures.[19] Therefore, Dublin Airport should focus on implementing such measures within its existing capacity, without further expansion.

An overreliance on sustainable aviation fuels (SAFs) as a mitigation measure throughout the EIAR is inadequate given the target of reaching 40mppa by 2031 (if the North Runway proposal is accepted) or 2034 (if the North Runway proposal is rejected). This is significant because the projected timeline for SAF blending with conventional jet fuels under the ReFuelEU Aviation Initiative is as follows: 2% minimum share by 2025, 6% by 2030, 20% by 2035 and 70% by 2050.[20] With the 40mppa target being reached by 2031 or 2034, the share of SAFs projected to be in the conventional fuel mix by those times is inadequate. This means that an increased amount of arriving and departing airplanes in the early operational phases of the expansion will use only a small share of SAF. Therefore, the application inappropriately relies on SAFs as a mitigation

[14] https://www.transportenvironment.org/challenges/planes/price-of-flying/#:~:text=Free%20allowances%20to%20airlines%20will,an%20emissions%20cap%20or%20price.#
[15] https://www.transportenvironment.org/discover/europes-dirtiest-airlines-received-millions-in-free-pollution-permits-in-2021/
[16] https://unfccc.int/sites/default/files/english_paris_agreement.pdf
[17] Briefing on the assessment of ICAO's offsetting scheme. March 2021. Transport and Environment. https://www.transportenvironment.org/wp-content/uploads/2021/07/2021_03_Briefing_Corsia_EU_assessement_2021.pdf
[18] https://www.transportenvironment.org/discover/europes-dirtiest-airlines-received-millions-in-free-pollution-permits-in-2021/
[19] European Investment Bank Group Climate Bank Roadmap 2021-2025. https://www.eib.org/en/publications/the-eib-group-climate-bank-roadmap
[20] https://www.consilium.europa.eu/en/press/press-releases/2023/10/09/refueleu-aviation-initiative-council-adopts-new-law-to-decarbonise-the-aviation-sector/

measure, despite its projected share in the conventional fuel mix being unsatisfactory by the time the expanded airport is operational. This will have significant GHG emission implications, in a time-period which is only less than 20 years prior to the net-zero 2050 target.

4. Ground Transport and Surface Access Concerns

An Taisce would also raise concerns regarding the capacity of Dublin Airport to deal with increased traffic congestion which will inevitably result from an airport capacity expansion, particularly given that this is already an issue. Indeed, Fingal County Council previously refused an application for permission to expand the US pre-clearance facility due to similar congestion concerns (Ref.F23A/0301). This proposal was considered inappropriate due to the lack of road infrastructure to "*cater for the comprehensive development of the airport and facilitate the on-going augmentation and reconfiguration of existing terminal facilities at Dublin Airport to ensure optimal use, subject to assessment of surface access constraints."* We urge the Council to ensure that the road network and traffic management issues, as outlined in reason of refusal no. 1 of Ref.F23A/0301, have been addressed appropriately in this application. Of particular interest should be Section 6.7.51 General Traffic of Chapter 6: Material Assets (Traffic & Transport) in the EIAR where the impact of the proposed development on traffic junctions is claimed to be "moderate, not significant". We would also highlight that the MetroLink proposal is yet to be determined, so it is premature to rely on the potential future operation of MetroLink as a sustainable transport measure in this proposal. The emissions impact of the significantly expanded car parking facilities, which will further increase reliance on private car journeys to the airport, must also be fully assessed in the EIAR, including in the context of the legal obligations imposed by the Climate Action and Low Carbon Development (Amendment) Act 2021.

5. Policy Compliance

We also highlight the non-compliance of this application with key climate objectives of the Fingal County Development Plan 2023-2029, including:

> Policy CAP1 – National Climate Action Policy: "*Support the implementation of national objectives on climate change including the national Climate Action Plan 2023 (CAP23), the National Adaptation Framework 2018 and the National Energy and Climate Plan for Ireland 2021–2030 and other relevant legislation, policy and agreements in relation to climate action*."
>
> Policy CAP2 – Mitigation and Adaptation: "*Prioritise measures to address climate change by way of both effective mitigation and adaptation responses in accordance with available guidance and best practice.*"

The applicant has entirely failed to resolve the inherent contradiction between airport capacity expansion and emissions mitigation in line with local and national climate action objectives and obligations.

Furthermore, a stated goal of both the County Development Plan and Section 5.1.8 of the Dublin Airport Local Area Plan 2020 is that *"Fingal County Council is committed to the goals of the Paris Agreement and will take them into account in all decisions in relation to the Airport,* ***including in considering the impact on the climate of emissions from aviation."*** [21] An increase in international aviation emissions from expanded passenger numbers at Dublin Airport completely conflicts with Ireland's obligations under the Paris Agreement, and as such the proposed development is in contravention of the County Development Plan. We strongly recommend that the subject application be considered in terms of its contribution to transboundary aviation emissions increases.

Another stated goal of Section 5.1.8 of the Local Area Plan 2020 is that *"all predictions of aviation demand offered to or undertaken by the Council will be evaluated and adjusted to be compliant with credible global aviation scenarios consistent with the goals of the Paris Agreement"*. In light of this objective, we submit

[21] Dublin Airport Local Area Plan 2020. Fingal County Council.
https://www.fingal.ie/media/3916

that Fingal County Council should assess this application using the Airport Tracker tool to determine how an increase to 40mppa will increase total aviation emissions for Dublin Airport, thereby threatening the goals of the Paris Agreement. As stated earlier, it is clear that the application does not consider demand management in its proposal to expand the airport. Instead, the number of air traffic movements will inevitably increase. The Council should assess the implications of a projected increase in aviation demand and the negative social and environmental impacts resulting from this.

Additionally, the proposed development contravenes the objective of Section 8.5.6 'Transitioning to a Low Carbon Economy' of the Fingal County Development Plan, which seeks to restrict increased employee car parking as an effort to reduce emissions on site. It also contradicts its own objective in EIAR Section 6.8.22 of Chapter 6: Material Assets (Traffic & Transport) which seeks *"further reductions in staff parking".* Instead, under Project Element 10, this application proposes to install 700 new staff car parking spaces which runs counter to these stated objectives. Furthermore, only 18 of these spaces will be serviced by EV charging points which is totally inadequate to meet local and national sustainable transportation goals. We consider the provision of only 18 EV charging spaces to be inadequate to meet Climate Action Objective CA06 of the Local Area Plan 2020: *"all planning applications including proposals for more than 20 car parking spaces shall demonstrate provision and installation of Electric Vehicle Charging Infrastructure."* The proposed development instead displays a lack of EV charging infrastructure proportional to the planned increase in car parking spaces.

6. Noise Considerations

The proposed airport expansion will likely exacerbate the impact of airplane noise on residents who are already expressing concerns about existing levels of noise. Therefore, it may not adhere to the management of noise objective outlined in National Policy Objective 65 of the National Planning Framework to *"promote the proactive management of noise where it is likely to have significant adverse impacts on health and quality of life."*[22] An Taisce would highlight the report conducted by the Aircraft Noise Competent Authority (ANCA) which shows that 5,672 noise complaints were filed in the first half of 2023, compared to 704 in the same period of the previous year[23]. Managing noise at the current airport capacity appears to be challenging, and it is unclear how it will be effectively mitigated if 8 million more passengers per year and their associated flights are catered for with the proposed capacity expansion. The issue of noise is not tackled adequately throughout the application, which raises concerns given the high frequency of noise complaints lodged with the DAA by residents in the vicinity of the airport. This may leave the subject proposal open to legal challenge.

Section 9.1.14 of Chapter 9 'Aircraft Noise & Vibration' in the EIAR relies on an assumption of replacing current aircraft with quieter models to tackle the issue of noise, *"the air noise impacts are therefore likely to reduce over time due to fleet renewal, as newer aircraft are typically quieter than those they replace".* This is uncertain and cannot be relied upon as a mitigation measure. Additionally, the airport expansion may contravene the Noise Abatement Objectives of the ANCA as outlined in Section 9.6.33, namely a 30%, 40% and 50% reduction in people *"highly sleep disturbed and highly annoyed"* in 2030, 2035 and 2040 respectively, compared to 2019. Given that the proposed development's 40mppa target will be reached by 2031 or 2034, the increased frequency of noise which will result from more aircraft may be irreconcilable with the aforementioned Noise Abatement Objectives. This highlights a conflict with the stated aims of the ANCA that impacts from noise should *"reduce over the medium to long-term, to improve the noise situation at Dublin Airport whilst allowing for sustainable growth".*[24]

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[22] Project Ireland 2040: National Planning Framework. Government of Ireland. 2020 https://www.npf.ie/wp-content/uploads/Project-Ireland-2040-NPF.pdf

[23] https://www.independent.ie/irish-news/noise-complaints-at-dublin-airport-increase-five-fold-in-first-half-of-this-year/a477145835.html

[24] *A review of the effectiveness of noise mitigation measures at Dublin Airport for the year 2022 on achieving the noise abatement objective*. Aircraft Noise Competent Authority. 27 July 2023. https://www.fingal.ie/sites/default/files/2023-08/Noise%20mitigation%20effectiveness%20review%20report%20for%202022.pdf

DAA is currently seeking permission to modify nighttime restrictions imposed in the conditions for the North Runway Planning Permission. Condition 3(d) restricts the use of the North Runway between 23:00 and 07:00 and Condition 5 restricts the number of nighttime aircraft movements in this timeframe to 65. Strikingly, the existing 65 flights per night limit is much higher than the roughly 20 flights per night (23:30-06:00) in Heathrow.[25] Seeking to amend these restrictions further, in combination with this proposed airport capacity expansion may not align with the Balanced Approach as set out by the International Civil Aviation Organisation (ICAO) to adhere with EU Regulation 598/2014[26]. The element of Land Use Planning and Management which requires the "*proactive management of noise through appropriate development policies and controls"* should be considered carefully by Fingal County Council.

Please acknowledge our submission and advise us of any decision made.

Is mise le meas,

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[25] https://www.heathrow.com/company/local-community/noise/operations/night-flights
[26] Guidance on the Balanced Approach to Aircraft Noise Management. ICAO. https://www.icao.int/environmental-protection/pages/noise.aspx