

File With _____

SECTION 131 FORM

Appeal NO: ABP 314485-22Defer Re O/H ☐Having considered the contents of the submission dated/received 02/04/2024
fromTippy Toes Playschool I recommend that section 131 of the Planning and Development Act, 2000
be not be invoked at this stage for the following reason(s): no new material issuesE.O.: Pate BDate: 18/04/2024

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached
submission

to: _____ Task No: _____

Allow 2/3/4weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORM

Appeal No: ABP 314485-22

M _____

Please treat correspondence received on 02/04/2024 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 233. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐Amendments/Comments Tippy Toes Playschool response to S.13112/03/24: 02/04/24

4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☐Plans Date Stamped ☐Date Stamped Filled in ☐EO: Pat BAA: Anthony McNallyDate: 18/04/2024Date: 25/04/2024

Alfie Staunton

From: Bord
Sent: Tuesday 2 April 2024 16:17
To: Appeals2
Subject: FW: PL06F.314485 - Tippy Toes Playschool
Attachments: ABP-314485-22-240402-TippyToesPlayschool.pdf

From: Rebecca Hemeryck <tippytoesplayschool@gmail.com>
Sent: Tuesday, April 2, 2024 4:10 PM
To: Bord <bord@pleanala.ie>
Subject: PL06F.314485 - Tippy Toes Playschool

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir/ Madam,

With regard to the above case, and in response to your letter dated 12th March 2024, please find attached our submission to the information lodged by Tom Philips & Associates on behalf of the DAA on the 4th March 2024.

Regards
Rebecca Hemeryck
086 816 7657

An Bord Pleanála
64 Marlborough St.
Dublin 1
D01 V902

Tippy Toes Playschool
Coolquay, The Ward,
Co. Dublin. D11 HY66.
2nd April 2024.

RE: Case Number ABP- 314485-22 Relevant Action Application Dublin Airport

Dear Sir/Madam,

Further to your correspondence to us on the above case we wish to make the following observations/submissions:

1. I own and operate a Pre-school and afterschool service at the above address, I have constantly been complaining about the noise intrusion from aircraft directly overhead, however we are being ignored by the DAA and Fingal County Council. The inclusion of our home and pre/afterschool service within the noise contour on the newly published map by the DAA finally shows acceptance by the DAA what we've told them all along about the noise nuisance and the negative impact this has on the children attending our pre-school and afterschool service, especially those with additional needs.
2. We are shocked to see that the noise contours have extended hugely into our community and that a very significant number of dwellings are now included within the noise eligibility contours. Firstly, we note that there was no notice of this fact in any of the planning notices for this application to date. Many of our neighbours who thought they were not affected by this application are now inside these contours but yet were never publicly notified until they attended a public meeting held by St Margarets /The Ward residents' group who explained this to all of us. None of the newspaper or site notices informed the public. Secondly, the people who now know they are within the contours have not been given the opportunity to make a submission/observation as they do not qualify because they did not make a submission previously as they thought they were unaffected. An Bord Pleanála did not give a public notice of this significant additional information. The above is totally unacceptable and unjust to the communities affected.
3. We note that the correspondence from Tom Phillips & Associates refers to the ANCA Regulatory Decision regarding eligibility to the noise insulation scheme and suggest that the change in contours is as a result of their assessing that the increased area is as a result of them considering this new area which contains dwellings to having "very significant" effects. We note that the DAA have never carried out significant test criteria within any of the EIAR they have submitted and therefore they have not met with the EIA directive. This is a fundamental flaw in the

assessment as the EIA directive is clear, all significant impact on environment must be identified, quantified and mitigation proposed. That has not happened to date. For areas under the North Runway this involves comparing the scenario with no flights from the North Runway to a scenario where there will be night flights. This has not been done.

4. Tom Phillips refers continuously to the regulatory decision by ANCA in his correspondence. However, what is not contained in his correspondence but is within the EIAR relating to these noise contours is that the proposal does NOT meet the Noise Abatement Objective of ANCA in future years. The proposed 2025 Scenario will fail the NAO when compared to 2019 when the total of the existing population, permitted developments and zoned developments are summed together. "2025 exceeds 2019 by 4,541 people (1533 v 6074).
5. Why have the noise contours grown. St Margarets The Ward residents carried out noise monitoring on the north runway flight path and found the noise levels to be far beyond those PREDICTED by DAA. Their noise predictions are not accurate and unfounded and they are trying to obtain permission by manipulating numbers. Why can they not submit actual noise results along the flight path which has been in operation since August 2022. The community could.
6. Reference is made to the noise zones on Fingal development plan. These noise zones must now be revised due to the proposed flight path over our area. Fingal County Council consider that there should be no residential development allowed in noise zone A as it is considered harmful to health or otherwise considered unacceptable due to the high levels of aircraft noise. However, the flight path now being operated by DAA is putting many existing residences in Noise Zone A and B which is just not acceptable from a health point of view.
7. The noise insulation grant as proposed is not fit for purpose and is totally insufficient to protect for night noise. Measurements of noise in bedrooms of housing already insulated indicate that the noise levels exceed the recommendation in Fingal Development Plan are not sufficient to protect human health.
8. In summary the DAA seem to be able to do what they wish with regard to planning laws whilst we the local community have to bear the burden of the nuisance cause by their arrogance. Their actions show that they do not respect planning legislation or decisions of An Bord Pleanála. This application must be refused.

Yours Sincerely,

Sign: Rebecca Henryson

Date: 02-04-2024

Address: Tippy Toes, Coolquay The Ward
Co. Dublin D18 YH66