

An
Coimisiún
Pleanála

Direction
ACP-324002-26

The submissions on this file and the Inspector's report were considered at a meeting held on 08/04/2026.

The Commission decided, generally as recommended by the Inspector, as set out in hereunder:

WHEREAS a question has arisen as to Whether the erection of a two-storey portacabin structure within the attending grounds of the existing Sallynoggin Holy Child Community School for the provision of a new primary school is or is not development and is or is not exempted development as per Class 20D, Schedule 2, Part 1 of the Planning and Development Regulations, 2001, as amended wherein the new structure is to be used for the purpose of facilitating the delivery of a new primary school education as opposed to the continued delivery of the existing secondary school education at Sallynoggin Killiney Educate Together National School, Sallynoggin, Co. Dublin:

AND WHEREAS Dun Laoghaire-Rathdown County Council referred this for review to An Coimisiun Pleanála on the 23rd day of December, 2025:

AND WHEREAS An Coimisiun Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended
- (b) Articles 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended, and,
- (c) Schedule 2, Part 1 of the Planning and Development Regulations, 2001, as amended,
- (d) the provisions of Class 20(D) of the Planning and Development Regulations, 2001, as amended

- (e) Circular Letter PL04/2021 Planning and Development Act 2000 (Exempted Development) Regulations 2021 - S.I. 114 and 115 of 2021- issued by Department of Housing, Local Government and Planning (18th March 2021)
- (f) The submissions received by the Coimisiún and the report of the Inspector:

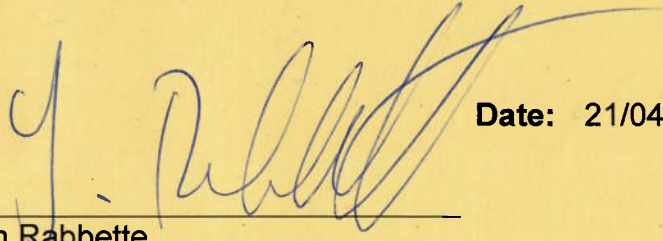
AND WHEREAS An Coimisiun Pleanála has concluded that:

- (a) Works that entail the erection of a two-storey portacabin for the provision of a new primary school (Sallynoggin Killiney Educate Together Primary School) are “works” and so constitute development, under Section 3(1) of the Planning and Development Act, 2000 to 2017
- (b) This development would not come within the scope of Section 4(1)(h) of the Planning and Development Act 2000, as amended, not being works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;
- (c) The subject development would comprise development which is not exempted development under Class 20D of the Planning and Development Regulations, 2001, as amended, as the subject modular structures are enabling the provision of a new educational use on the site (Sallynoggin EDNS) as opposed to facilitating the continued education use of the lands by Holy Child Community School.

NOW THEREFORE An Coimisiun Pleanála, in exercise of the powers conferred on it by section 5 of the 2000 Act, hereby decides that the erection of a two-storey portacabin structure within the attending grounds of the existing Sallynoggin Holy Child Community School for the provision of a new primary school is development is not exempted development as per Class 20D, Schedule 2, Part 1 of the Planning and Development Regulations, 2001, as amended wherein the new structure is to be used for the purpose of facilitating the delivery of a new primary school education as opposed to the continued delivery of the existing secondary school education at Sallynoggin Killiney Educate Together National School, Sallynoggin, Co. Dublin.

Planning

Commissioner:

A handwritten signature in blue ink, appearing to read 'T. Rabbette', is written over a horizontal line. The signature is stylized and cursive.

Date: 21/04/2026

Tom Rabbette