

An
Coimisiún
Pleanála

Commission Order
ACP-322888-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0541E

Appeal by Brian Nolan of 6 Brookfield, Back Road, Malahide, County Dublin and by Zoe and Ronan Palmer of 43 Ashwood Hall, Malahide, County Dublin against the decision made on the 19th day of June, 2025 by Fingal County Council to grant subject to conditions a permission to the Department of Education care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Provision of a new two-storey, 16 number classroom primary school, including a multi-purpose hall (totalling circa 3,610 square metres) and all ancillary teacher and pupil facilities. A new vehicular, pedestrian and cycle access is proposed to the west of the site, connecting to Brookfield Housing Estate. The proposed development will also include the provision of two number external ballcourts, hard and soft landscaping, including play areas, cycle and scooter parking, car and bus set-down areas, car parking facilities, including universal access and EV parking facilities, one number ESB substation and associated switch room, external store, refuse store, signage, boundary treatments, site lighting, piped infrastructure and ducting, plant, SUDS, PV panels, one number attenuation tank, three number flagpoles, changes in level and all associated site development and

excavation works above and below ground, all on a circa 1.8-hectare site on lands at Broomfield, Malahide, County Dublin. The site is accessed via the Brookfield Housing Estate to the west, which is accessible via Back Road, to the north, as revised by the further public notices received by the planning authority on the 23rd day of May, 2025.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to the provisions of the Fingal Development Plan 2023-2029, and, in particular, the C1 zoning objective and Local Objective 52 pertaining to the site, the policy framework relating to educational facilities, the nature, scale, design and layout of the proposed development, the location of the site, and the pattern of development in the surrounding vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would provide for a new primary school at this location, close to the communities it serves, with an emphasis on contemporary design, landscaping and vehicular movement whilst encouraging the multiple usage of school buildings, would not seriously injure the visual or residential amenities of the area, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 14th day of May, 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate standard of development.

3. Building noise insulation shall be provided to an appropriate standard having regard to the location of the site within Dublin Airport Noise Zone C.

Reason: In the interest of proper planning and sustainable development and to ensure compliance with Objective DMSO105 of the Fingal Development Plan 2023-2029.

4. Prior to commencement of development, final details and layout of all works proposed for the area surrounding the entrance to the proposed development, including all road surfaces, ramps, road markings, signage and bollards, designed to align with the National Transport Authority's 'Safe Routes to School Design Guide', shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of traffic safety.

5. The proposed development shall be carried out and operated in accordance with the provisions of the School Travel Plan received by the planning authority on the 17th day of June 2024. The specific initiatives outlined in section 4 of the plan shall be implemented in full upon first occupation of the development. The developer shall undertake an annual monitoring exercise to the satisfaction of the planning authority for the first nine years following first occupation and shall submit the results to the planning authority for consideration and placement on the public file.

Reason: To achieve a reasonable modal split in transport and travel patterns in the interest of sustainable development.

6. Road safety audits for the proposed access road prepared in accordance with current Transport Infrastructure Ireland guidelines, shall be submitted to, and agreed in writing with, the planning authority. Where the audit identifies the need for design changes, revised design details shall be submitted to, and agreed in writing with, the planning authority. The developer shall carry out all necessary works in accordance with the agreed revised design.

Reason: In the interest of traffic safety.

7. Prior to commencement of development, the developer shall enter into a connection agreement(s) with Uisce Éireann to provide for service connection(s) to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

8. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

9. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of amenity and public safety.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of visual amenity.

11. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

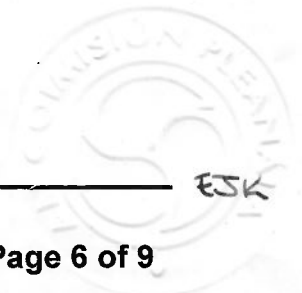
Reason: To safeguard the amenity of property in the vicinity.

12. Prior to commencement of development, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the proposed development, including management of construction traffic, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

13. A detailed construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site.

Reason: In the interest of sustainable transport and safety.



14. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

15. All areas that are proposed to be taken in charge by the planning authority shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking in Charge Standards.

Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.

16. Prior to commencement of development, the developer, or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021), including a demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP shall be submitted to the planning authority for written agreement prior to commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

17. Prior to commencement of development, a revised landscape plan shall be submitted to, and agreed in writing with, the planning authority to include the following:
- (a) Boundary treatment proposals along the entrance road as well as contours.
 - (b) The proposed grass margin with street tree planting along the northern side of the cycleway on the entrance road shall be level to allow safe access and use of grass maintenance machinery.
 - (c) Proposed lamp standards, mini pillars and signage located in grass margins shall be located on a concrete surround (300 millimetres) and not directly in the grassed area.
 - (d) The grass margins shall be maintained on a minimum of a three-week maintenance rota.

Reason: In the interest of visual amenity.

18. Prior to commencement of development, a site meeting shall be arranged between the Parks and Green Infrastructure Division of the planning authority and the appointed arboricultural consultant to agree tree protection measures and tree works to the trees and hedgerows shown for retention.

Reason: In the interest of landscaping and tree protection.

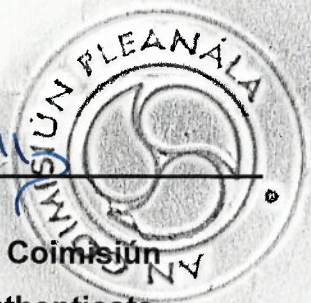
19. (a) All ground reduction shall be subject to a programme of archaeological monitoring, under licence, by a suitably qualified archaeologist. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.
- (b) Where archaeological material is shown to be present, avoidance, preservation in situ, or preservation by record (excavation) shall be required. Works shall be halted pending receipt of advice from the National Monuments Service, Department of Housing, Local Government and Heritage who will advise the developer with regard to these matters.
- (c) On completion of monitoring of groundworks, and any excavations arising, the archaeologist shall submit written reports, placing the results in the context with the surrounding archaeological investigations, to the planning authority and the Department of Housing, Local Government and Heritage for consideration.

Reason: In the interest of archaeological heritage.

Eamonn James Kelly

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**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *22nd* day of *October*, 2025.