

Planning Enforcement  
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An Coimisiún Pleanála  
64 Marlborough Street,  
Dublin 1,  
D01 V902

AN COIMISIÚN PLEA  
LDG- 056 072  
ACP- \_\_\_\_\_  
23 DEC 2025  
Fee: €110 *pm*  
Time: 9:15 *pm*

Date: 22<sup>nd</sup> December 2025

**Re. Section 5(4) Referral by a planning authority of a question as to what is or is not development or exempted development**

Dear Sirs,

The details of a referral under Section 5(4) of the Planning and Development Act 2000 (as amended) by the Planning Authority of Dun Laoghaire Rathdown is set out below.

Payment of the appropriate fee of € 110 is attached.

**Question:**

Whether the erection of a 2 story portacabin structure within the attending grounds of the existing Sallynoggin Holy Cross Community School, for the provision of a new Sallynoggin Killiney Educate Together Primary School constitutes exempt development as per Class 20D, Schedule 2, Part 1, of the Planning and Development Regulations 2001 as amended, in the context of condition and limitation 1 to 5 of said Class 20D being in compliance, and 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,

**Background:**

In July 2025 Planning Enforcement received complaints that there was a portacabin installed on the site of Holy Child Community School in 2022 to provide temporary accommodation at the time of complaint a first storey extension was being added.

Upon investigation it was apparent that this structure established a new primary school, Sallynoggin Killiney Educate Together Primary School, independent of Holy Child Community School for which no planning permission had been obtained.

Sallynoggin Killiney Educate Together is under separate patronage to that of Holy Child Community School. The new portacabin school is accessed via an entrance into Holy Child Community School from Pearse Street, Sallynoggin. There is a double gate access onto Glenageary Avenue to the rear of the portacabin building which does not appear to be utilised.

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The portion of land on which the portacabin school is positioned has been fenced off from the rest of the lands. This was previously a grass area before the initial single storey portacabins were placed there in 2022. A photograph taken at the time of site inspection and google imagery illustrating same is attached.

**Conclusion:**

The Planning Authority of Dun Laoghaire Rathdown requests that An Coimisiún Pleanála reviews the information contained herein and considers whether the provision of a new structure 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, is or is not development and, if development is it exempted development or not exempted development under the provisions of the primary legislation, the Planning and Development Act 2000, as amended and or the Planning and Development Regulations 2001, as amended.

Should further information be required please contact the undersigned

Yours faithfully,



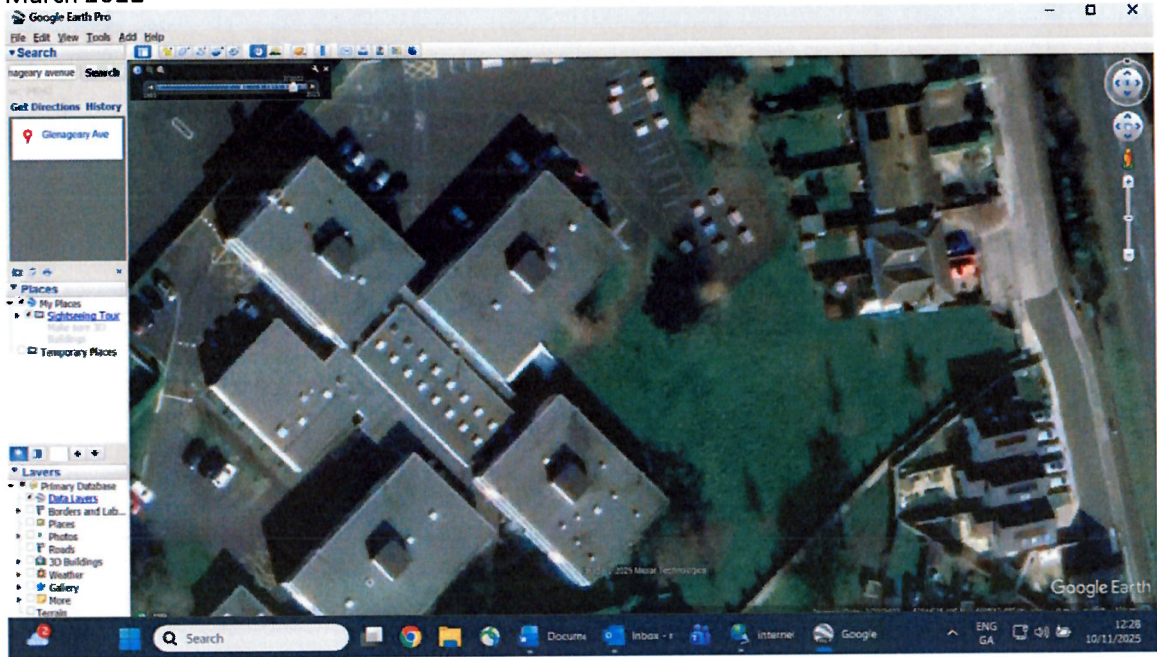
Orla Jackson  
Administrative Officer  
Planning Enforcement





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March 2022



May 2025

