



Clever Clogs

Montessori School

AN BORD PLEANÁLA	
LDG-	<u>056030-22</u>
ABP-	_____
09 AUG 2022	
Fee: €	<u>220</u> Type: <u>PMO</u>
Time: _____	By: <u>Reg-fer.</u>

4th August 2022

Ref: ED22/0026

To whom it may concern

Please find enclosed a Planning Appeal Form, supporting documentation and a postal order for €220.

I have enclosed the following documentation:

1. Planning Appeal Form
2. Document outlining my grounds for appeal
3. A service profile for the Montessori school
4. A draft copy of the Fit for Purpose Inspection, as carried out by Olivia Quill, Early Years Inspector
5. A Tusla document: A guide to Fire and Planning Requirements for Early Years Services Re-Registration and Change in Circumstances Process – August 2019
I have highlighted statements that are applicable
6. A document entitled, Childcare Facilities: Guidelines for Planning Authorities.
I have highlighted paragraphs I feel are applicable to our appeal.
7. Part V of the Child Care (Pre-School Services) Regulations 1996
8. A copy of the floor plans for Perrystown Community Centre
9. Fire Safety Certificate for the building
10. Most recent Inspection by the Assistant Chief Fire Officer
11. A copy of our current Insurance cover note

If you require any further information I can be contacted by phone or email (see below)

Regards

Linda Kiernan

Prop. Linda Kiernan

Tel: 086 8488317

Email: cleverclogslinda@hotmail.com

cleverclogsruth@hotmail.com

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Linda Kiernan
4, The Walk
Oldtown Mill
Celbridge
Co. Kildare

29-Jul-2022

Our Ref: ED22/0026
Re: Perrystown Community Centre, Limekiln Road, Perrystown,
Dublin 12, D12A26Y
Proposal: Use of an upstairs room for a sessional Montessori class. No
development of property is needed.

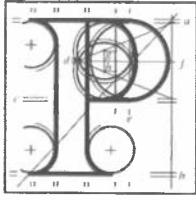
Dear Sir/ Madam,

I wish to inform you that the proposed development as outlined at the above location is, by Chief Executive's Order PR/0968 dated 26-Jul-2022, DECLARED NOT EXEMPT under the Planning and Development Regulations, 2001 (as amended) and therefore **DOES** require planning permission.

A copy of the planner's report is enclosed for your information. *not received*

Yours faithfully,

Pamela Hughes
for Senior Planner



An
Bord
Pleanála

Planning Appeal Form

Your details

1. Appellant's details (person making the appeal)

Your full details:

(a) Name

Click or tap here to enter text.

Linda Kiernan

(b) Address

Click or tap here to enter text.

4 The Walk, Oldtown Mill,
Celbridge Co. Kildare.

Agent's details

2. Agent's details (if applicable)

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Click or tap here to enter text.

N/A

(b) Agent's address

Click or tap here to enter text.

N/A

Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

(a) **Planning authority**

(for example: Ballytown City Council)

Click or tap here to enter text.

South Dublin County Council

(b) **Planning authority register reference number**

(for example: 18/0123)

Click or tap here to enter text.

ED22/0026.

(c) **Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Click or tap here to enter text.

Perrystown Community Centre Lusk Road
Dublin R D12 A26Y

Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

See attached .

Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

Yes, I wish to request an oral hearing

No, I do not wish to request an oral hearing

NALA has awarded this document its Plain English Mark

Last updated: April 2019.

Planning Appeal Form
April 2019



Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

Fee Please Phone for Payment. 085 1595060.

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

The grounds for my appeal are as follows:

1. Perrystown Community Centre currently has full planning permission to operate as a multi-purpose community centre catering for all age groups.
2. There is ample free, off road parking available
3. No development or material alterations to the existing premises is needed.
4. Change of use for the room cannot be applied for as, the room in question, is used by Clever Clogs on a part time basis, , and is required by the community centre for different functions in the afternoons and evenings. Changing the use of the room would deem it unusable for other uses by the centre.
5. Perrystown Community Centre is one of 29 centres owned by South Dublin County Council, and is managed by an Independent Board of Directors, of whom I have liaised with throughout this process.
6. The board ensures full compliance on all aspects of compliance as required by law, ensuring that the premises are sound, stable, safe and secure.
7. The centre has been audited by the Dept of Education, Dublin Fire Brigade Chief Officer, South Dublin Buildings Control Officer, and An Gardai.
8. Compliance checks in relation to fire safety, firefighting equipment, lighting, gas supply, and general upkeep of the centre are carried out on a regular basis, and all compliance certs and records are available to view in the centre.
9. The building currently caters for young adolescents from Cheever's Town House with educational and occupational activity.
- 10. A Fit for Purpose Inspection, was carried out in April 2022 by Ms Olivia Quill, Tusla Inspectorate, draft report included. To date, we have addressed the non-compliances noted in the report and submitted evidence of same. We are currently waiting for the final report to be issued, stating that Perrystown Community Centre is deemed fit for purpose and meets all regulatory requirements under the Childcare Act 2016.**
11. As part of the Fit for Purpose Inspection, both myself and a representative from Tusla were in contact with the Chief Fire Officer, Sean McEleney, to ensure the building met with all fire safety standards and regulations.
12. We are registered with Tusla and have private insurance for our service.

Clever Clogs Montessori has been in operation for 23 years. In April 2021 we were evicted from our long term location in St Damian's National School as the school was mandated by the Dept. of Education to open an ASD unit and ours was the only available classroom to use. We were lucky enough to secure a room to rent in Perrystown Community Centre, from where we have operated our service for the last school year, September 2021- June 2022.

We continue to work closely with the board of management to ensure that all compliance checks and health and safety records are maintained in line with the Childcare Regulations and the Early Years Inspectorate, Tusla.

As part of our re-registration with Tusla, which is due on/before January 2023, we need something in writing from South Dublin County Council, stating that the Perrystown Community Centre currently has planning permission to operate as a multi-function centre, and that this includes a sessional childcare service. I have highlighted sessional service, as some of the regulations differ from those needed for full and part time childcare. Tusla have inspected the premises and the room we use in the mornings, and are satisfied that we meet all criteria in line with the regulations and that the premises are sound, stable, safe and secure.

As you may or may not be aware, there are a lot of difficulties facing ECCE sessional services in recent years, resulting in many services closing down. Parents are finding it very difficult to secure ECCE places for their children within their own locality. We currently have 20 children enrolled to start in Clever Clogs on 5th September 2022, and have a long waiting list for 2023. We have built up a great reputation in the area over the past 23 years, and have always offered a safe, nurturing and much needed service in the locality.

Clever Clogs is committed to providing the best quality of care to the children, ensuring that all their physical, emotional, social, language and intellectual needs are met in a safe, warm and welcoming atmosphere.

As per our Safety Statement: Clever Clogs Montessori will ensure that it takes all reasonable precautions in relation to the health and safety of employees working in the service and for all children in attendance. It is our aim to comply with all legislation in force in the area of safety and hygiene including:

- Childcare (Preschool Services) (No 2) (Amendment) Regulations, 2016
- Fire Services Act 1981 & 2003
- Safety; Health and Welfare at Work Act, 2005
- Building Regulations 1997 – 2006



Clever Clogs

Montessori School

Clever Clogs Montessori opened in September 1999. We moved to Perrystown Community Centre in September 2021

Address of Service:	Perrystown Community Centre, Limekiln Lane Perrystown D12
Type of Service:	Sessional service offering the free ECCE scheme
Hours of Service:	9:30am to 12:30 pm Monday to Friday We are open for 38 weeks of the year in line with local schools
No. of Children Catered for:	22
Parking Facilities:	Ample Free parking available on site for staff and parents
Outdoor space:	Access to enclosed public playground on site. Daily Risk Assessments are carried out.
Indoor Space:	Main Room: Large room on 1 st floor with security key pad system in operation. Room meets with space requirements as stated in the Childcare Regulations 2016 <i>Clear floor space per child: 2.00 m2, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.</i> Access to large indoor hall
Insurance:	We are covered by Arachas Insurance
We are Registered with:	Tusla, Pobal, South Dublin County Childcare Committee, DCEDIY, Early Childhood Ireland

Prop. Linda Kiernan

Tel: 086 8488317

Email: cleverclogslinda@hotmail.com

cleverclogsruth@hotmail.com

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT
Inspection Due to a Proposed Change of Circumstances



Tusla I.D: TU2015DS084

Name of Service: Clever Clogs Montessori School

Address of Service: St. Damians National School
 Beechfield Close
 Walkinstown
 Dublin 12

Email Address: cleverclogslinda@hotmail.com

Name of Registered Provider: Linda Kiernan

Type of Proposed Service:	Sessional	X	Part-Time		Drop-In	
	Full Day Care		Childminding		Temporary	

Proposed change: Change of address

Proposed Number of Children:

Registered change:

Date of Inspection: 2 5 0 4 2 0 2 2

Inspection undertaken by: Olivia Quill

Title: Early Years Inspector

Tusla Early Years Inspectorate Address: Early Years Inspectorate
 Tusla Child and Family Agency
 Loughlinstown Health Centre
 Loughlinstown Drive
 Loughlinstown
 County Dublin

Rationale for Inspection:

Proposed Change of Circumstance

Change of service address to Perrystown Community Centre, Limekiln Lane, Roebuck, Dublin 12.

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT

Inspection Due to a Proposed Change of Circumstances



Note: For Office use only, to be completed by Registration Office

Registration Status:	
Date of Registration	

Authority to Inspect

The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(D) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).

Description of Service	<p>Clever Clogs Montessori School was previously located at St. Damians National School Beechfield Close, Walkinstown, Dublin 12. The early years service is registered with Tusla Early Years Inspectorate as providing a sessional service and as accommodating a maximum of 22 pre-school children.</p> <p>The service proposes to move to a new premises which is in Perrystown Community Centre, in Dublin Southwest. The service proposes to provide sessional care through a Montessori and a play-based curriculum. The sessional service will be facilitated Monday to Friday from 09:30 to 12:30.</p>
Premises	<p>The early years service proposes to operate from Perrystown Community Centre which is used by various organisations. The service proposes to operate from one room on the first floor of the premises. Sanitary accommodation is provided in the hallway adjacent to the care room. The service will have use of a second room on the first floor and a large hall on the ground floor. A public playground is available at the side of the premises.</p>
Staffing	<p>The registered provider is the owner of the service. The registered provider will not work directly with the children. Two staff members have been employed to provide the programme of care and education in the service. Both adults hold a major award at Level 6 on the National Framework of Qualifications in Early Childhood Care and Education.</p>
Methodology	<p>The inspection was an announced inspection to assess compliance with the Childcare Act 1991 (Early Years Services) Regulations 2016 and Childcare Act 1991 (Early Years Services) (Amendment) Regulations 2016. The Inspection focused on regulations under two themes: Governance, and Safety.</p> <p>The findings on inspection based on information obtained through examination of documentation, direct observation, and discussion with relevant staff are documented in the Inspection report and presented to the Registration Panel for consideration of a decision in relation to the service receiving continued registration. The Inspectorate reserves the right to edit responses received for reasons including clarity; completeness; and, compliance with administrative and legal processes. The contents of the report are compiled by the inspectorate body.</p>

	<p>Child and Family Agency Act 2013</p> <p>Child Care Act 1991 (Early Years Services) Regulations 2016</p>	<p>Version 04</p> <p>Implemented- Jan 2022</p> <p>EYIPRIRPCOCS01-2017</p>	<p>2 of 8</p>
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TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT
Inspection Due to a Proposed Change of Circumstances



Acknowledgements	The inspector wishes to acknowledge the cooperation of the registered provider and staff who were present on the day of the inspection.
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Part III - Management and Staff	
Regulation 9 – Management and Recruitment	
<i>(1) A registered provider shall ensure that—</i>	
<i>(a) the service has a designated person in charge and a named person who is able to deputise as required.</i>	
Requirement met:	The requirement has been met. (1) (a) The registered provider was the person in charge and a named person was available during the inspection.

Part III - Management and Staff	
Regulation 11 -Staffing Levels	
<i>(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.</i>	
<i>(8) Without prejudice to paragraphs (2) to (7)—</i>	
<i>(b) a childminder shall ensure that a second person familiar with the operation of the service and in a position to provide assistance to the childminder in operating the service is, at all times, within close distance of the service and available to attend the service to assist the childminder in the event of an emergency, and</i>	
<i>(c) a registered provider of a sessional pre-school shall ensure that, where the person in charge operates the service single-handedly, a second person familiar with the operation of the service and in a position to provide assistance to the person in charge in operating the service is, at all times, within close distance of the service and available to attend the service to assist the person in charge in the event of an emergency.</i>	
Requirement met:	The requirement has been met. (1) The registered provider will ensure that at all times an adequate number of adults will be available to work directly with the children attending the pre-school service. Two adults are employed to care for the twenty-two children that are proposed to attend the service. (8) (b) Not applicable as the service is not a childminding service. (c) Not applicable as the service is not operated single-handedly.

Part V - Care of Child in Pre-school Service

Regulation 20 - Facilities for Rest and Play

- (1) Subject to this Regulation, a registered provider shall ensure that—
- (a) having regard to the number of pre-school children attending the service, their respective ages and the amount of time they spend on the premises, there are adequate and suitable facilities for each child to play indoors and, where required by these Regulations, outdoors, during the day, and
 - (b) there are adequate and suitable facilities for a pre-school child to rest during the day, and in the case of an overnight pre-school service, during the day and the night.
- (2) A registered provider—
- (b) of a full day care service, a part-time day care service, a sessional preschool service or a childminding service that moves premises on or after 30 June 2016, shall ensure that a suitable, safe and secure outdoor space to which the preschool children attending the service have access on a daily basis is provided on the premises.
- (3) A registered provider of a full day care service, a part-time day care service or a childminding service, other than such a service to which paragraph (2) applies, shall ensure that—
- (a) a suitable, safe and secure outdoor space to which the pre-school children attending the service have access on a daily basis is provided on the premises or
 - (b) where no such space is provided, the preschool children attending the service have access on a daily basis to an outdoor service
- (4) Where outdoor space to which the pre-school children attending the service have access is provided on the premises of a sessional pre-school service other than such a service to which paragraph (2) applies, a temporary pre-school service or a pre-school service in a drop-in centre, the registered provider shall ensure that such outdoor space is suitable, safe and secure.

Requirement met:

The requirements have been partially met.

(1)(a)

The registered provider ensured that adequate and suitable facilities were available for each child to play in the indoor and outdoor environment as follows:

The care room provided an area where the children will be able to freely move and play. Low level chairs, tables, shelving units and furnishings will support the children's independence through the placement of materials and equipment in accessible positions. The materials and equipment were suitable for the number and the age range of the children that will be in attendance.

The outdoor area provided was a public playground located to the side of the premises.

(b)

An adequate and suitable area was available for use by the pre-school child to rest and relax during the day. The furnishings provided included: a tent with soft matting, cushions, a large mat and two soft seats.

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT
Inspection Due to a Proposed Change of Circumstances



	<p>(3)(a) &(b) Not applicable, as an outdoor area is available on the premises.</p> <p>(4) Not applicable, as an outdoor area is available on the premises.</p>
Requirement not met:	<p>(2) & (3)(a) The outdoor space available for the preschool children attending the proposed service was not safely secured. Two separate gates leading to the playground were closed but the bolts were at a level accessible to the children posing a risk of a child leaving the area unsupervised and unauthorised access.</p>
Response from Provider:	<p>Bolts Checked .</p>
Summary Comment:	<p>The bolts to close/secure the gates are located on the outside and are therefore inaccessible by the children .</p>

<p>Regulation 23 - Safeguarding health, safety and welfare of child</p> <p>A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.</p>	
Requirement Met:	<p>The requirements have been partially met.</p> <p>The inspector observed the following measures which will safeguard the children.</p> <ul style="list-style-type: none"> • All windows had fire safe window restrictors fitted. • Blinds did not have any cords that could be accessed by children. • There was no heavy furniture that could tip over. • Pedal operated bins were available for the safe disposal of waste. • All toys and play equipment were safe for the age group using them and in good condition.
Requirement not met:	<p>1. A large mirror covered part of the wall in the pre-school room posing a potential injury risk. <i>Mirror has been obstructed by shelving .</i></p> <p>2. In the outdoor playground the sandpit was not covered posing a potential risk of contamination by animal faeces particularly birds, cats and rodents. <i>Daily Risk Ax and Monthly clearing implemented</i></p> <p>3. The fire assembly point was not clearly identified and visible. <i>Fire assembly sign put up & is visible</i></p>

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT
Inspection Due to a Proposed Change of Circumstances



Response from Provider:	<i>all Requirements dealt with.</i>
Summary Comment:	

Part VI - Safety	
Regulation 25 – First Aid	
<p>(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.</p> <p>(2) A registered provider shall ensure that a suitably equipped first aid box for children—</p> <p>(a) is safely stored in an easily accessible and conspicuous position on the premises, and is available to the children attending the pre-school service at all times</p>	
Requirement met:	<p>The requirement has been met.</p> <p>(1) The registered provider ensured two adults trained in first aid for children were available in the service. Email evidence was provided to confirm one adult would complete a First Aid Responder (FAR) course on 4 June 2022.</p> <p>(2)(a) A suitably equipped first aid box was available in an accessible and clearly identifiable position in the service.</p> <p>(b) A first aid box was available in the service for use by the adults in the event of an emergency.</p>

Part VI - Safety	
Regulation 26 – Fire Safety Measures	
<p>(1) A registered provider shall ensure that a record in writing is kept of—</p> <p>(a) any fire drill that takes place in the premises, and</p> <p>(b) the number, type and maintenance record of fire fighting equipment and smoke alarms in the premises.</p> <p>(4) A notice of the procedures to be followed in the event of fire shall be displayed in a conspicuous position in the premises.</p>	
Requirement met:	<p>The requirement has been partially met.</p> <p>(1)(a) The registered provider demonstrated the fire drill record that would be used for the monthly fire drills to ensure the safe evacuation of the children and adults the service in the event of a fire.</p>

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT
Inspection Due to a Proposed Change of Circumstances



	<p>(b) The registered provider maintained up to date service records for the firefighting equipment in the service. The fire fighting equipment was serviced on the 29 June 2021.</p> <p>(4) The notice of the procedure to be followed in the event of fire was not displayed in the premises.</p>
Requirement not met:	<p>(b) A maintenance record for the smoke alarm was not available.</p> <p><i>Record was sent to Inspector following the visit</i></p>
Response from Provider:	
Summary Comment:	

Part VI – Safety

Regulation 28 – Insurance

A registered provider shall ensure that the pre-school service is adequately insured.

Requirement met:

The requirement has been met.

The registered provider demonstrated that up to date insurance was available for the proposed number of children attending the sessional service.

Part VII – Premises and Space Requirements

Regulation 29 – Premises

A registered provider shall ensure that the premises of the service are—

- (a) of sound and stable structure,
- (b) safe and secure,
- (c) kept adequately lit, heated and ventilated,
- (d) cleaned, maintained and repaired, as required, and
- (e) equipped with adequate and suitable sanitary facilities.

Requirement met:

The requirement has been partially met.

(a) On visual inspection the service appears to be of sound and stable structure.

(c) The pre-school room has six large windows which provided adequate levels of natural light. This could be supplemented as needed with flush mounted ceiling lighting. The windows had fire safe window restrictors fitted but could be opened to provide natural ventilation. The room was heated by means of two wall mounted

TUSLA PRE- REGISTRATION REGULATORY INSPECTION REPORT
Inspection Due to a Proposed Change of Circumstances



	<p>radiators which were thermostically controlled. The room temperature was recorded at 20.5°C.</p> <p>(d) The inspector observed the room to be clean and well maintained. A cleaning schedule indicating what areas of the premises will be cleaned was provided.</p> <p>(e) Two toilets and two wash hand basins both located in the hallway outside of the pre-school room are available to accommodate up to 22 pre-school children in the room. A separate toilet and wash hand basin is allocated to adults working in the service. Openable windows are available in the toilet area for ventilation purposes. Liquid soap, disposable paper towels and pedal operated bins are provided.</p>
Requirement not met:	<p>(b) The main door into the pre-school room was a fire door and it was not safely secured posing a risk that an unauthorised person could gain access and that a child could leave the area unsupervised.</p> <p>(e) In the sanitary area the two wash hand basins provided did not have a supply of thermostatically controlled hot water.</p>
Response from Provider:	A keypad system has been installed on the
Summary Comment:	classroom door.

A water heater was installed in the sanitary area.

Part VII – Premises and Space Requirements

Regulation 30 – Minimum Space Requirements

(1) Subject to paragraphs (2) to (6), a registered provider shall ensure that adequate clear floor space is available in the premises for the work, play and movement of children attending the pre-school service.

Requirement met:	<p>The requirement has been met</p> <p>(1)</p> <p>The registered provider ensured adequate clear floor space was available in the premises for the children attending the service to freely move, play and work. The total available space available for the children measured approximately 42.9 m2.</p>
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An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

A Guide to Fire and Planning Requirements for Early Years Services Re-Registration and Change of Circumstances Process - August 2019

The suitability and safety of premises for use as a care and learning settings is a key concern in the assessment of quality provision for early years' children. Part 12, Section 58 G places onus on providers to ensure they take all reasonable measures to safeguard the health, safety and welfare of children. The majority of Early Years settings fall in to the category of purpose group under the Building Control legislation that requires providers to ensure that comply with specific provisions under fire building design and compliance regulations. Requirements of detection, containment and safe evacuation of children and staff in the event of fire must be considered. The statutory authority for the interpretation and determination of the certification requirements for any service new or existing is the local authority fire services who work under the auspices of the Department of Housing, Planning and Local Government. (DHPLG)

As most Early Years Services are commercial entities they are also subject to planning restrictions and permissions, these provisions exist to ensure that early years' services are operating in safe and suitable locations in fit for purpose premises and surrounding environs.

As with fire compliance requirements the only agency which can determine the planning requirements of any early years' services is the local authority planning departments.

* Registrations are granted where Tusla are satisfied that the premises, its operation and location of an Early Years' Service poses no unmanaged risk to children.

*We are Fully compliant
Fit for Purpose Inspection
by Tusla in April 2022*

Re-Registration Process for Early Years Settings

Since 2016 upon the introduction of registration for early years' settings, Part 12, Article 58(D)(4) permits services are permitted to be registered for a period of 3 years and upon its expiry providers are required to reapply for registration. For providers who were operational at the introduction of this legislation in 2016 they under transitional clauses were deemed registered until the end of 2019 whereupon they will be required to reregister. All new registration applications are subject to satisfaction of fire and planning requirements and in order to assist existing providers to meet the requirements of fire and planning for re-registration we have in consultation with the Chief Fire Officers Association of Ireland have put together the following guidance to fire and planning requirements for registration purposes.

It is imperative that providers who already have fire certification ensure that that certification is supported by certificates of completion where applicable or letters of confirmation from a competent person that fire safety building design works have been completed in accordance with

the application submitted. It is incumbent on providers to be aware of their responsibilities where material alterations have been made to a premises or where a change of use has occurred since commencement as an Early Years Provision and to ensure that the required building control documentation have been updated accordingly.

For ease we have categorised requirements on the table overleaf. It should be noted from the outset that providers are reminded that where planning and fire certification was in existence at initial registration in 2016 they may still be valid for re-registration purposes, however in the event that there were any material changes made to the premises since 2016 updated planning and fire certification will be required.

Definitions

Fire Risk Assessment: Sets out a specific methodology used for conducting a fire risk assessment such as PAS 79 as used in the UK, it focuses on making sure that all the required information and content that pertains to both a fire risk assessment and the findings as they pertain to fire Safety legislation are recorded. A risk assessment should assess compliance with the 1999 Fire Safety in Preschools code.

Competent Person: A competent person is defined by the HSA legislation: *“a person is deemed to be a competent person where, having regard to the task he or she is required to perform and taking account of the size and/or complexity of the building or works, the person possesses sufficient training, experience and knowledge appropriate to the nature of the work to be undertaken”.*

With regards to building control regulations, any works to a preschool or early years’ facility in respect of Fire Safety Assessment competent persons are

(a) **Architects** that are on the register maintained by the RIAI under Part 3 of the Building Control Act 2007; or

(b) **Building Surveyors** that are on the register maintained by the SCSI under Part 5 of the Building Control Act 2007; or

(c) **Chartered Engineers** on the register maintained by Engineers Ireland under section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969.

Material Alteration: Is an **alteration** to a premises which occurs after the granting of fire certificate. In such an instance a new fire cert or an alteration to an existing fire cert may need to be made.

Change of Use: Means a **change** in the purpose for which, or the circumstances in which a premises is used following its first granted permission of use. These changes usually require further planning permission and fire certification.

Fire Safety in Pre-Schools 1999: This document sets out the requirements for Early Years settings to meet in respect of the fire safety. It sets out specifically the responsibilities of providers as purveyed by the Fire Services Act 1981. This guidance document is currently being updated and will be republished. It remains relevant.

Table 1: Early Years Re-Registration Fire Safety Certification Requirements by Category

Category	Requirement 1	Requirement 2	If not available	Note
Service opened since March 1 st , 2014	Fire Safety Certificate	Compliance on Completion Certificate which includes a statement that all works were carried out in accordance with the planning application and any conditions imposed by the council were met, and the premises is built in accordance with the building regulations.	If these documents are not available at time of application a Risk Assessment* to be carried out by a competent person** and any immediate risks addressed, Consultation with relevant authority to seek regularisation.	These should be obtained at time of commencement of operation. However, the provider will have no more than 6 months following the completion of Fire Risk Assessment (FRA) The FRA report must be submitted with application for registration. Confirmation of agreed course of action with local authority.
Service Opened between July 1 st 1992 –1 st March 2014	Fire Safety Certificate	Confirmation from competent person that all works were carried out in accordance with the planning application and the terms of the fire safety authority have been complied with.	If these documents are not available at time of application a Risk Assessment to be carried out by a competent person* and any immediate risks addressed. Then two options are available Option 1: Consult with the local authority Option 2: Report from competent person that the premises complies with the	The Risk Assessment Report must be submitted with application for registration. Any immediate risks identified by the report must be addressed. On application provider must advise with the Registration Office which option they will be availing of. Providers will have no more than 6 months from the date of submission to have any non-urgent outstanding works or matters of

Service Opened Pre July 1 st , 1992	Fire Risk Assessment	Report from competent person that the premises complies with the requirements of "Fire Safety in Pre-School Settings 1999 and a fire risk assessment.	N/A	compliance with the code of practice for Fire Safety in Pre School Settings completed. The Risk Assessment Report must be submitted with application for registration. Any immediate risks identified by the report must be addressed. Providers will have no more than 6 months from the date of submission to have any non-urgent outstanding matters of compliance with the code of practice for Fire Safety in Pre School Settings completed.
Services open post 1992- to March 1 st , 2014 with Pre-Existing Historic Fire Safety Certification where a change of use or material alteration*** of the premises has occurred including addition of extensions of >25m2	Fire Safety Certificate and report from competent person that all works were carried out in accordance with the planning application and any conditions imposed by the council were met.	Updated fire Certificate and report from competent person that all works were carried out in accordance with the Fire Safety Certificate application and any conditions imposed by the council were met. Commencement notice	In respect of the material alteration or change of use a Risk Assessment must be carried out and any works of immediate concern must be carried out. Compliance with Fire Safety in Preschool 1991 report.	Providers will have no more than 6 months from the date of submission to have any non-urgent outstanding works completed.
Services open since March 1 st 2014 with Pre-Existing Historic Fire Safety Certification where a change	Fire Safety Certificate and report from competent person that all works were carried out in accordance	Updated fire Certificate and Certificate of Compliance on completion. Commencement notice.	In respect of the material alteration or change of use a Risk Assessment must be carried out and any works of	Providers will have no more than 6 months following the completion of Fire Risk Assessment to implement

<p>of use or material alteration*** of the premises has occurred including addition of an extension of >25m2</p>	<p>with the planning application and any conditions imposed by the council were met.</p>		<p>immediate concern must be carried out. Consult with the relevant Local authority to agree regularisation options. Compliance with Fire Safety in Pre-Schools 1999 report.</p>	<p>the agreement reached with the local authority for regularisation.</p>
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Planning Permissions

The purpose of planning permission is to ensure that the proposed location, fabrication and use of any existing or proposed premises is safe for its users, fit for purpose and would pose no discernible risk as a result of its operation. Planning permission is also required for changes of use or material alterations to existing premises within certain parameters.

In Ireland certain developments and or certain alteration works are deemed exempted from permissions. There are many misnomers and misunderstandings that circulate concerning what in the Early Years Sector requires planning permission. This is not a guide to planning and as such we advise that all matters concerning planning concerning an early years setting of any kind are referred to the local area county council.

In Ireland the sole authority on the matter of planning permissions is the local authority. From the perspective of registration our only concern is the safety of children, and as with fire safety the location and safety of premises is of concern to us. *Passed by Tusla*

Many providers have quoted the existence of the "Seven Year Rule" when making application for registration for premises which are currently used as an Early Years' Service. This rule applies to what the legislation considers unauthorised developments i.e. services historically operating either without planning, contrary to granted planning, or operating a service which has undergone a change of use or a material alteration without the correct authority to do so. The "Seven Year Rule" refers to the concept that the planning authorities are barred by statute from taking enforcement against unauthorised developments. This is not however to imply that the development will by default accrue planning permission. The development will be considered an unauthorised development until such time as it is regularised. This would in essence prevent the sale of the service as a going concern or the transfer of ownership to another party.

Local authorities do not routinely provide evidence or confirmation of unauthorised developments nor do they provide letters of comfort regarding planning enforcement. Tusla do not give sanction for any service to operate at any given location but will recognise the operation of services who have been in existence for seven or more years. However, in the event that there are any emergent concerns regarding the safety of the children arising out of any matter concerning the use, location or structure of any early years Tusla will engage the assistance of the relevant local authority in order to seek assurance that children are safe. Tusla take no responsibility or liability for planning matters in services who rely on the "Seven Year Rule" to remain operational.

As mentioned earlier the majority of Early Years Services are considered to be commercial entities and therefore subject to appropriate planning permissions.

Please see table 2 for assistance in respect of planning requirements for the re-registration of an Early Years' Service.

Table 2: Planning Permission Requirements

Category	Requirement 1	Requirement 2	If Not Available	Note
Service operational not more than seven years (Since 2012)	<p>Planning Permission</p> <p><i>In place for Community Centre</i></p>	Confirmation from competent person that any conditions have been complied with.	Application made for planning retention with relevant local authority	Provider must produce evidence from local authority that application for retention planning has been made. Once permission approved provider must submit copy of planning to the Early Years Inspectorate Office. Where conditions were applied the provider must supply confirmation from competent person that they complied with.
Childminder in own home	No planning permission required			
Childminder in own home with demountable building in garden operational not more than seven years	Planning Permission Required or confirmation of exemption from local authority	Confirmation from competent person that any conditions if applied have been complied with.	Application made for planning retention with relevant local authority	Provider must produce evidence from local authority that application for retention planning has been made. Once permission approved provider must submit copy of planning to the Early Years Inspectorate Office. Where conditions were applied the provider must supply confirmation from competent person that they complied with.

<p>Service operational seven years or more (Pre-2012)</p>	<p>Planning Permission</p>	<p>Confirmation from competent person that any conditions if applied have been complied with.</p>	<p>Sworn affidavit that the service has been operational for seven or more years continuously in the location to which the application applies.</p>	<p>The period must be continuous for seven or more years without interruption of service. (holiday periods excluded)</p>
<p>Service operational seven years or more (Pre-2012) with periods of intermittent closure (Holiday Periods Excluded) during the previous seven years.</p>	<p>Planning Permission</p>	<p>Confirmation from competent person that any conditions if applied have been complied with.</p>	<p>Application for Planning Retention with relevant local authority</p>	<p>Provider must produce evidence from local authority that application for retention planning has been made. Once permission approved provider must submit copy of planning to the Early Years Inspectorate Office. Where conditions were applied the provider must supply confirmation from competent person that they complied with.</p>

Childcare Facilities

Guidelines for Planning Authorities

June, 2001

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Contents

Definitions	1
1.0 Context	3
1.1 Background	3
1.2 Government Policy	3
1.3 Aim	3
1.4 Ministerial Guidelines	3
2.0 Development Plans, Local and Action Area Plans	4
2.1 Planning and Development Act, 2000	4
2.2 Policies	4
2.3 Objectives	5
2.4 Appropriate Locations for Childcare Facilities	5
2.5 Local or Action Area Plans	6
3.0 Development Control and related standards for Childcare Facilities	8
3.1 Land Use Zoning	8
3.2 Development Control	8
3.3 Specific Locations	9
3.3.1 New and Existing Residential Areas	9
3.3.2 Industrial Estates/Employment Areas	9
3.3.3 City/Town Centres, District Centres and Neighbourhood Centres	10
3.3.4 Educational Establishments	10
3.3.5 Public Transport Nodes	11
3.4 Possible Conditions to Planning Permission	11
3.4.1 Residential Content	11
3.4.2 Temporary Permission	11
3.5 Drop-In Childcare Facilities in Shopping Centres	12
3.6 Access	12

Appendix 1	General Standards	13
Appendix 2	Application of the Standard of One Childcare Facility per 75 Dwellings in New Housing Areas	14
Appendix 3	Information which should be Supplied by an Applicant for Planning Permission for a Childcare Facility	15
Appendix 4	List of Relevant Publications	16

Definitions

Childcare: In these Guidelines, "childcare" is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children. Thus services such as pre-schools, naíonraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups are encompassed by these Guidelines. Conversely childminding, schools, (primary, secondary and special) and residential centres for children are not covered by these Guidelines.

Childminding: The provision of childcare for no more than 6 children (including the child-minder's own children) in the child-minder's own home. The provision of child-minding services is not covered by these Guidelines.

Sessional service: The provision of a service which offers a planned programme to pre-school children of up to 3.5 hours per session by trained personnel. Sessional services include playgroups and Montessori groups and similar services.

Full day-care: The provision of a structured day-care service for children for more than 3.5 hours per day, supervised by competent personnel. Full day-care includes crèches and nurseries.

After school care: Extended day-care for school-going children, usually Monday to Friday.

Sessional and full day-care are governed by the provisions of the Child Care (Pre-School Services) Regulations, 1996. After-school care does not come under the provisions of the Child Care (Pre-School Services) Regulations, 1996 and is regulated by fire safety and environmental health regulations and the Safety, Health and Welfare at Work Act, 1989.

1.0 Context

1.1 Background

With the growing demand for childcare provision, there is a recognition that such provision must be of a suitably high quality. Quality childcare can benefit children, their parents, employers and communities in general. The change, which has taken place in the traditional roles and structures of Irish society, coupled with the rapid rate of growth in the economy, has led to an unprecedented demand for childcare services in particular within the local community.

Access to quality childcare services contributes to the social, emotional and educational development of children. There are clear economic benefits from the provision of childcare. The lack of accessible, affordable and appropriate childcare facilities makes it difficult for many parents/guardians to access employment and employment related opportunities. Childcare is also a potential area of employment in its own right and needs to be recognised and supported to ensure that it can achieve its potential in this regard.

1.2 Government Policy

Government policy on childcare is to increase the number of childcare places and facilities available and to improve the quality of childcare services for the community.

1.3 Aim

These Guidelines for Planning Authorities on Childcare Facilities provide a framework to guide both local authorities in preparing development plans and assessing applications for planning permission, and developers and childcare providers in formulating development proposals. Planning permission for premises for childcare had been identified as an area of concern for childcare service development. These Guidelines are intended to ensure a consistency of approach throughout the country to the treatment of applications for planning permission for childcare facilities.

1.4 Ministerial Guidelines

These *Guidelines for Planning Authorities on Childcare Facilities* are being issued as Ministerial guidelines under Section 28 of the Planning and Development Act, 2000. Section 28 provides that planning authorities and An Bord Pleanála shall have regard to Ministerial guidelines in the performance of their functions. **It should, however, be noted that these Guidelines relate solely to the land use planning aspects of childcare provision.**

2.0 *Development Plans, Local and Action Area Plans*

2.1 **Planning and Development Act, 2000**

Section 10 of the Planning and Development Act, 2000, which deals with the content of development plans, came into effect on 1 January 2001. Section 10(1) sets out the content of development plans. Section 10(2) sets out a number of objectives which are consistent with proper planning and sustainable development and which a planning authority is obliged to include in a development plan. A particular objective of relevance to these guidelines is at Section 10(2), paragraph (l) - *"the provision, or the facilitation of the provision, of services for the community including, in particular, schools, crèches and other education and childcare facilities"*.

2.2 **Policies**

Planning authorities should, in their Development Plans, encourage the development of a broad range of childcare facilities, i.e. part-time, full day-care, after-school care, etc., including those based in residential areas, in employment areas and in areas close to where users of such facilities live.

Planning authorities should ensure that Development Plans and Local Area Plans include policies in relation to the provision of childcare facilities. Such policies should focus on the following:

- Promoting awareness of the necessity to provide quality childcare in a variety of locations.
- The role of childcare provision in addressing disadvantage/social exclusion and promoting equality.
- The identification of appropriate locations for the provision of childcare facilities including city centres, district centres, neighbourhood centres, residential areas, places of employment, and educational institutions and convenience to public transport nodes as a key element in the development of sustainable communities.
- The role childcare can play in fostering economic development, particularly at the local level.
- The active promotion of consultation and participation with local development partnerships/groups, Health Boards, the County Childcare Committees and the County Development Boards in the provision and monitoring of a County Childcare Strategy.

2.3 Objectives

The Planning and Development Act, 2000, makes it a mandatory requirement on planning authorities to include in their **Development Plan objectives on the provision of services for the community, including crèches and other childcare facilities.** Planning authorities should include in their Development Plan specific objectives for the provision of childcare facilities, having regard to existing childcare provision in the area. Objectives to be included in Development Plans and Local Area Plans should focus on the following:

- **To update and develop baseline data on the quality of existing and prospective childcare needs in association with the County Childcare Committees.**
- **To promote childcare facilities in the following locations as a key element in the provision of sustainable communities:**
 - Residential areas
 - Places of employment
 - Educational establishments
 - City and town centres, neighbourhood and district centres
 - Convenient to public transport nodes
- To establish a system of monitoring the achievement of the above objectives.

The Objectives Section of the Development Plan should include childcare facilities within appropriate zones as a specific use. It is not sufficient to include objectives for childcare in a general category for buildings for health/education/community. Development control criteria including appropriate locations in developing and built up areas should be detailed (see Chapter 3 below).

2.4 **Appropriate Locations for Childcare Facilities**

Appropriate locations for childcare facilities would include:

- **New communities/Larger new housing developments.** Planning authorities should require the provision of at least one childcare facility for new housing areas unless there are significant reasons to the contrary for example, development consisting of single bed apartments or where there are adequate childcare facilities in adjoining developments. For new housing areas, an average of one childcare facility for each 75 dwellings would be appropriate. *(See also paragraph 3.3.1 and Appendix 2 below).* The threshold for provision should be established having regard to the existing geographical

distribution of childcare facilities and the emerging demographic profile of areas. Authorities could consider requiring the provision of larger units catering for up to 30/40 children in areas of major residential development on the basis that such a large facility might be able to offer a variety of services – sessional/drop in/after-school, etc.

- **The vicinity of concentrations of work places, such as industrial estates, business parks and any other locations where there are significant numbers working.** The site location and layout of facilities should optimise the opportunities for safe and efficient journeys to/from the workplace of parents/guardians. This may be achieved by locating the facility close to the entrance to the business park/industrial estate so that all parents/guardians would automatically pass it on their way to work and would not have to detour past their workplace in order to drop off children. Regard would need to be had to the traffic conditions in the vicinity of the proposed childcare facility. Care should be taken to ensure that any proposed childcare facility is located as far away as possible from premises where the process carried on or the machinery/equipment in use or emissions involved could be injurious to the health and safety of the children.
- **In the vicinity of schools.** This would facilitate parents to make one trip in dropping off school-going children and children attending childcare facilities. This could also facilitate the provision of after-school childcare services, thereby taking a sustainable approach to use of built facilities and transportation.
- **Neighbourhood, District and Town Centres.** In existing built-up areas, many of the smaller neighbourhood centres are under competitive pressure from larger commercial centres. Those which contain vacant units are under pressure to convert to residential use. The Development Plan should have as an objective to safeguard the retention of this resource as appropriate locations for small-scale mixed-use development, in particular childcare facilities.
- **Adjacent to public transport corridors, park-and-ride facilities, pedestrian routes and dedicated cycle ways.**

2.5 Local or Action Area Plans

Local or Action Area Plans have an important role in setting a framework for the provision of the full range of desirable community facilities including childcare facilities. Planning authorities should avail of the opportunity in the making of their Area Plans to include the identification of locations appropriate for the provision of the full range of childcare facilities. Particular

regard should be had to the difficulties which exist in accessing quality childcare. These would include the high cost of quality childcare and the lack of childcare facilities. In rural areas, issues such as isolation and transportation problems also present difficulties in accessing childcare. Local and Action Area Plans should address these issues and respond to the differing needs of local areas in relation to the provision of childcare.

3.0¹ *Development Control and related standards for Childcare Facilities*

3.1 Land Use Zoning

Through land use zoning, the planning authority directs development into the most suitable locations in its administrative area. In this way it achieves compatibility between uses, leading to sustainable patterns of development. Childcare facilities should be an important consideration in this process and should be identified and accommodated in the majority of land use zones.



3.2 **Development Control**

We meet all highlighted criteria

The following criteria should be applied in the assessment of the suitability of childcare facilities irrespective of location:

- **Have regard to the Child Care (Pre-School Services) Regulations, 1996, in relation to the planning implications of these Regulations.**
- **Suitability of the site for the type and size of facility proposed.**
- **Availability of outdoor play area and details of management of same.**
- **Convenient to public transport nodes.**
- **Safe access and convenient parking for customers and staff.**
- **Local traffic conditions.**
- Number of such facilities in the area.
- **Intended hours of operation** (in certain residential areas, 24 hour operations could be problematic).

¹ Part VII of the Child Care Act, 1991 provides for the notification to and inspection by health boards of pre-school services. The Child Care (Pre-School Services) Regulations, 1996, which give effect to the provisions of Part VII came into operation on 31 December, 1996. The Regulations apply to pre-schools, day nurseries, crèches, childminders looking after more than three children and other similar services which cater for children under six years of age. The Regulations cover full day care, sessional services and drop-in centres.

3.3 SPECIFIC LOCATIONS

3.3.1 New and Existing Residential Areas

Full Day Care Facilities - Suitable Sites

1. Detached houses/sites or substantial semi-detached properties with space for off-street parking and/or suitable drop-off and collection points for customers and also space for an outdoor play area. In relation to new housing areas, a standard of one childcare facility providing for a minimum 20 childcare places per approximately 75 dwellings may be appropriate. This is a guideline standard and will depend on the particular circumstances of each individual site. Consideration of childcare facilities provision should be raised as early as possible in pre-planning discussions for larger housing developments.
[See Appendix 2 for a discussion of the criteria to be used to arrive at the base figure.]
2. Neighbourhood centres within a residential area provided that the premises can accommodate open space (or have easy access to a safe outdoor play area). In addition, the unit should be able to avail of ancillary parking associated with neighbourhood shops for the purposes of drop-off and collection, or be close to a public transport node.
3. Premises/sites on primary traffic routes close to public transport nodes and which can provide safe pull in/parking areas for customers and staff.

Applications for full day-care facilities in premises other than those listed above (e.g. terraced houses or houses located on a cul-de-sac) should be treated on their merits having regard to the principles outlined above in relation to parking/drop-off points, layout and design of the housing area and the effect on the amenities of adjoining properties.

Sessional Childcare Facilities

In relation to sessional/after-school care, the provision of such facilities may be considered in any residential area as ancillary to the main residential use subject to the criteria outlined in the relevant indents under Development Control above (at 3.2).

3.3.2 Industrial Estates/Employment Areas

In general, childcare facilities should be located in light industrial zones/technology and business parks.

-
1. Where feasible, the premises should be located on a site which is convenient to the entrance to the industrial estate to facilitate easy access. This location will also obviate the necessity to walk/drive through active industrial areas; it will facilitate easier access to public transport nodes. In addition, the premises should be served by off-street parking.
 2. The premises should be provided with outdoor play space or have safe and easy access to a safe outdoor play area.

Unsuitable sites/premises in relation to this category are locations in general industrial estates/mining areas where the process carried on or the machinery/equipment in use or emissions could be injurious to the health and safety of the children.

3.3.3 City/Town Centres, District Centres and Neighbourhood Centres

Neighbourhood and District Centres

In the existing built up areas, many of the smaller neighbourhood centres are under pressure from larger retail centres. Those that contain vacant units are often under pressure to convert to residential use. These units are a resource and ideally suited in their location in the heart of residential areas to accommodate childcare facilities.

City/Town Centres

Premises opening directly onto the more heavily trafficked retail centres of towns and cities will not generally be suitable locations. Smaller, quieter streets adjoining these will often prove more suitable.

The premises should be capable of providing outdoor play space or have safe or easy access to a safe outdoor play area/park.

The premises should be so located that it is within easy reach of public transport nodes and has car parking facilities/turning area which will accommodate staff and customers respectively.

3.3.4 Educational Establishments

Third level colleges

In general, third level colleges should provide at least one child care facility to cater for staff and students. The size of the facility will be calculated on the basis of the existing and potential needs of staff and students and in the light of the availability or otherwise of other suitable child care facilities in the locality.

The location of the premises within the college will be a matter for each individual college. However, it is important in determining the most suitable location to take into account the nature and use of the premises surrounding the campus. If the college is located in a residential area, a central location within the college complex would be preferable to a site on the boundary.

Those responsible for the choice of location should take into account the nature of the campus, whether it is on a restricted city centre site or spacious suburban location, in a commercial area or a more residential area.

Primary and Second Level Schools

In order to reduce the number of trips made by parents and guardians, the location of childcare facilities and schools in close proximity to each other would be desirable.

The use of school premises to cater for after school care is recommended and school authorities are encouraged to examine how they can help address this demand.

3.3.5 Public Transport Nodes

In each of the above cases, closeness to public transport nodes may be a deciding factor, as it will promote sustainable modes of transport.

3.4 Possible Conditions to Planning Permission

3.4.1 Residential Content

In certain circumstances, it may be appropriate to attach a condition that would require some residential content be maintained in the premises. This would apply to planning permissions for change of use to childcare facilities in existing residential areas. It is not necessary that the owner-occupier be the resident. The reason for this condition is that the presence of totally commercial premises would detract from the amenity of the residential community. This condition would not be appropriate in certain, heavily trafficked through roads.

3.4.2 Temporary Permission

The use of temporary permissions should be avoided if at all possible. The circumstances in which a temporary permission is granted should be exceptional and will normally be such that, in the absence of the "probation" period afforded by a temporary permission, the planning authority would have issued a refusal.

If a temporary permission is granted, the permission should be for a period of not less than 5 years. The granting of a temporary permission should occur only once in relation to any individual premises and on the expiry of the temporary permission, a permission or refusal should issue.

3.5 Drop-in Childcare Facilities in Shopping Centres

In considering applications for shopping centres, planning authorities should take account of the need for drop-in childcare facilities for shoppers. Planning authorities should, as a separate issue, consider the possible childcare requirements of the staff of the shopping centre. All large-scale centres should be provided with childcare facilities, consisting of both changing/feeding facilities, and supervised self-contained play areas for young children. Preferably, such facilities should be required to be located at ground floor level.

3.6

Access

Access for the disabled and the elderly to all childcare facilities should be encouraged and facilitated.

The centre has full access for all.
Ramp at front entrance
Automatic opening doors.
Elevator to reach 1st floor.

APPENDIX 1 GENERAL STANDARDS

Applicants should note that the following standards should be applied in all applications for full day-care childcare facilities, since the planning authority will have regard to them.

1. Minimum floor space per child: 2.32 m², exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

It might be noted that the Explanatory Guide to the Child Care (Pre-School Services) Regulations, 1996, recommends as follows:

AGE OF CHILD	FLOOR AREA PER CHILD
0 – 1	3.70 m ²
1 – 2	2.80 m ²
2 – 6	2.32 m ²

These recommendations relate to clear floor space per child. Extraneous areas such as kitchens, toilets, sleeping and other ancillary areas are deemed to be separate.

2. Adequate and suitable facilities for a pre-school child to play indoors and outdoors during the day are provided, having regard to the number of pre-school children attending the service, their age and the amount of time they spend in the premises.
3. The care of babies should be confined to the ground floor only.

In relation to drop-in and sessional services, for pre-school children the Explanatory Guide to the Child Care (Pre-School Services) Regulations, 1996 recommends the following:

- Clear floor space per child: 2.00 m², exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

In relation to drop-in services for other children and after-school care, the following indicative standard is suggested (but should be considered having regard to all relevant circumstances of the application, including the need for such services in the area and the likely number of hours each child will spend in the facility on an average day):

- Clear floor space per child: 2.00 m², exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

**APPENDIX 2 APPLICATION OF THE STANDARD OF ONE
CHILDCARE FACILITY PER 75 DWELLINGS IN
NEW HOUSING AREAS (Paragraphs 2.4 and 3.3.1
above refer)**

As indicated in Paragraph 2.4, in new communities/new housing areas, planning authorities should require the provision of at least one childcare facility for new housing areas and other areas of residential development unless there are significant reasons to the contrary. For housing, a benchmark provision of one childcare facility per 75 dwellings is recommended.

The threshold for provision should be established having had regard to the existing geographical distribution of childcare facilities and the emerging demographic profile of areas.

Any modification to the indicative standard of one childcare facility per 75 dwellings should have regard to:

1. The make-up of the proposed residential area, i.e. an estimate of the mix of community the housing area seeks to accommodate.

(If an assumption is made that 50% approximately of the housing area will require childcare then in a new housing area of 75 dwellings, approximately 35 will need childcare. One facility providing a minimum of 20 childcare places is therefore considered to be a reasonable starting point on this assumption. Other assumptions may lead to an increase or decrease in this requirement.)

2. The results of any childcare needs analysis carried out as part of a county childcare strategy or carried out as part of a local or action area plan or as part of the development plan in consultation with county childcare committees, which will have identified areas already well-served or alternatively, gap areas where there is underprovision, will also contribute to refining the base figure.

**APPENDIX 3 INFORMATION WHICH SHOULD BE SUPPLIED
BY AN APPLICANT FOR PLANNING
PERMISSION FOR A CHILDCARE FACILITY**

Generally, the more information the applicant can submit with a planning application the better. It will avoid requests for additional information.

It is always advisable for the applicant to consult with the Planning Department and the Fire Officer of the relevant local authority, and the Health Board for the area, prior to submitting an application for planning permission for a childcare facility.

The information which should be submitted (as a minimum) is as follows:

1. Nature of the facility:
 - Full day care
 - Sessional
 - Drop In
 - After School Care
2. Numbers of children being catered for.
3. Parking provision for both customers and staff.
4. Proposed hours of operation.
5. Open space provision and measures for management of same.

APPENDIX 4 LIST OF RELEVANT PUBLICATIONS

Department of the Environment and Local Government (1999) "*Guidelines for Planning Authorities on Residential Density*".

Child Care (Pre-School Services) Regulations, 1996 (S.I. No. 398 of 1996) and Child Care (Pre-School Services)(Amendment) Regulations, 1997 (S.I. No. 268 of 1997).

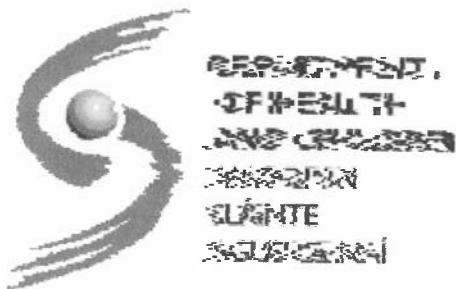
Department of Health and Children (1998) "*Child Care (Pre-School Services) Regulations, 1996 and Child Care (Pre-School Services)(Amendment) Regulations, 1997 and Explanatory Guide to Requirements and Procedures for Notification and Inspection*".

Planning and Development Act, 2000 (No. 30 of 2000), Stationery Office, Dublin.

**Child Care (Pre-School Services)
Regulations 1996 and
Child Care (Pre-School Services)
(Amendment) Regulations, 1997**

and

**Explanatory Guide to Requirements and
Procedures for Notification and
Inspection**



(ii) notify the person in writing of its decision and of the reasons for it.

This article is aimed at preventing over-crowding in pre-school services. In the overall interests of safety and a quality service the maximum number of places for the different categories of pre-school services may be fixed by health boards.

PART V

Article 18 Premises and Facilities

A person carrying on a pre-school service shall ensure that –

- (a) the premises are of sound and stable structure and are suitable for the purposes of providing a pre-school service,*
- (b) adequate space per child is provided in the premises,*
- (c) the premises, fixtures and fittings are kept in a proper state of repair and in a clean and hygienic condition and are protected from infestation, and*
- (d) furniture and work or play surfaces are suitable, in a proper state of repair and non-toxic, and that all reasonable precautions are taken to ensure that they are not a source of infection.*

all requirements met

The recommended areas in regard to "adequate space" are as follows:

(i) Childminders

Implementation of the Regulations is a matter for the judgement of Inspectors in line with the Code of Practice.

(ii) Sessional Services

Age of child	Floor area per child
0-6 years	2.00 sq metres

Land Use, Planning and Transportation Department
An Rannóg Talamhúsáide, Pleanála agus Iompair

Telephone: 01 4149000 Fax: 01 4149104

Email: planning.dept@sdublincoco.ie

BUILDING CONTROL ACT 1990 - 2007
FIRE SAFETY CERTIFICATE

Notification of Decision to Grant Fire Safety Certificate

Decision Order No. FSC/026/07 **Decision Date:** 24-Jan-2007

Register Reference: 06/6264F

Date: 27-Jan-2022

Forrest Hill Architects
Station Mews
Lindsay Grove
Crossguns Bridge
Dublin 9.

<i>Applicant:</i>	Perrystown / Manor Estate Community Cent Limekiln Lane, Perrystown, Dublin 12.
<i>Development:</i>	New two storey extension to an existing community hall.
<i>Location:</i>	Perrystown / Manor Estate Community Centre, Limekiln Lane, Perrystown, Dublin 12.
<i>Application Received Date:</i>	06-Sep-2006

South Dublin County Council being the Building Control Authority for the County of South Dublin, by order dated as above, pursuant to Section 6 of the Building Control Act 1990 - 2007 and in accordance with the Building Control Regulations 1997 - 2009 hereby certifies that the building or works to which this application relates will, if constructed in accordance with the plans, calculations, specifications and other particulars submitted, comply with the requirements of Part B of the Second Schedule to the Building Regulations, 1997 to 2009.

In considering the application, no assessment has been made as to whether the building or works will comply with the other requirements of the Second Schedule to the Building Regulations, 1997 to 2009.

Land Use, Planning and Transportation Department
An Rannóg Talamhúsáide, Pleanála agus Iompair

Telephone: 01 4149000 Fax: 01 4149104

Email: planning.dept@sdublincoco.ie

Ref.: FSC/026/07

**Perrystown / Manor Estate Community Centre, Limekiln Lane, Perrystown, Dublin
12.**

Signed on behalf of South Dublin County Council.

Dated: 24/01/07

Anita McCabe

for Senior Executive Officer

NOTE: An appeal to An Bord Pleanála, 64 Marlborough Street, Dublin 1, may be made within a period of one month beginning on the day of the Council's decision. The appeal must be made in writing and accompanied by a fee of €250. Details of the appeals procedure may be obtained from An Bord Pleanála and the relevant statutory instruments from the Government Publications Sales Offices, Molesworth Street, Dublin 2.



Comhairle Cathrach
Bhaile Atha Cliath
Dublin City Council



Briogaid Dóiteáin Bhaile Atha Cliath
Dublin Fire Brigade

*C.P.M.
Sub 20
S. O'Brien*

Our ref: Premises No: 3071 / SMCE / KC

23/09/2021

PRIVATE & CONFIDENTIAL

PERRYSTOWN MANOR COMMUNITY CENTRE
LIMEKILN LANE
DUBLIN 12

RE: INSPECTION: All Areas PERRYSTOWN MANOR COMMUNITY CENTRE
LIMEKILN LANE DUBLIN 12

Dear Sir / Madam,

I refer to an inspection of the above premises by a Fire Prevention Officer on 23/09/2021 and thank you for your assistance and cooperation.

You are reminded of your responsibilities under Section 18(2) of the Fire Services Acts, 1981 and 2003.

For your information, Section 18(2) of the Fire Services Acts, 1981 and 2003 is quoted as follows: -


"It shall be the duty of every person having control over premises to which this section applies to -

- (a) take all reasonable measures to guard against the outbreak of fire on such premises,
- (b) provide reasonable fire safety measures for such premises and prepare and provide appropriate fire safety procedures for ensuring the safety of persons on such premises,
- (c) ensure that the fire safety measures and procedures referred to in paragraph (b) are applied at all times, and
- (d) ensure, as far as is reasonably practicable, the safety of persons on the premises in the event of an outbreak of fire whether such outbreak has occurred or not."

Please note that the Fire Authority may conduct a follow up inspection of your premises at a future date.

Should you require further clarification, you should contact Fire Brigade Headquarters and quote the reference above.

Yours faithfully,


MARY O'BRIEN
ASSISTANT CHIEF FIRE OFFICER

COVER NOTE**Early Childhood Ireland
SPECIAL INSURANCE SCHEME****UNDERWRITTEN BY Allianz Plc****POLICY NO. : DNRES5882771**

NAME : Clever Clogs Montessori School

Membership NO. **102317**ADDRESS : **Perrystown Community Centre, Linekiln Lane, Roebuck, Dublin 12**BUSINESS DESCRIPTION: **Sessional**

This is to certify that the above Person/Group is included under the Special Insurance Scheme from **08/09/2021 to 28/02/2022**

COVER

Contents/Equipment (Incorporating Fire & Theft)	Sum Insured €25000 (Subject to Average)
Public Liability	Limit of Indemnity €13000000
Fire Brigade Charges	Sum Insured €25000
Money	As Per Policy
Personal Accident	As Per Policy
Employers Liability	Limit of Indemnity €13000000
Legal Expenses	As Per Policy

In respect of ratios of children to childminders, you must comply with the provisions of Statutory Instrument 221 of Child Care Act 1991 (Early Years Services) Regulations 2016 and/or Statutory instrument 575 of 2018 Child Care Act 1991 (Early years Services) (Registration of School Age Services) Regulations 2018 or any subsequent amendment to the legislation issued by the relevant authorities. The public liability section includes cover for organised outings.

MAXIMUM NUMBER OF CHILDREN AT ANY ONE TIME : 22**No of additional Sessions : 0**

Signed


 ARACHAS CORPORATE BROKERS LIMITED

Date : 08/09/2021

