



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name: Happy Faces Crèche, C/O Margaret Richardson.

Applicant's Address: Deel Manor, Cloonreask, Askeaton
Co Limerick

Telephone No. [REDACTED]

Name of Agent (if any): N/A

Address: [REDACTED]

Telephone No. [REDACTED]

Address for Correspondence:

AS ABOVE

Limerick City & County
Council

14 MAY 2025

Planning

Location of Proposed development (Please include EIRCODE):

Scoil Naomh Muire Eas Géitine,

Askeaton National School, Deel Manor, Cloonreask, Askeaton V94 HD30.

Description of Proposed development:

The applicant is applying to Tusla for aid in support of the Happy Faces Crèche.

The existing Happy Faces, crèche building is does not have the capacity in floor area, to accommodate the demand for Preschool numbers.

The national school, neighboring the crèche, are willing to provide a classroom, in support within the existing school building.

This is on a temporary basis due to the high demand for preschool places in the area due to demographic growth.

The classroom will be used for its intended purpose education.

There will be no change to the purpose of the building.

There is no material alteration works, or any construction works required. The school building is over 50 years in operation previous planning, reference 90/884, 00/689,14/10970.

Tusla require an exemption certificate as part of the application process.

Section of Exempted Development Regulations and/or section of the Act under which exemption is claimed:

Planning and Development Regulations 2001 to 2023 Class 20.

Is this a Protected Structure or within the curtilage of a Protected Structure. NO

Applicant's interest in site: Tenant, please see attached letter granting use.

List of plans, drawings, etc. submitted with this application:

1. Letter of permission from National School.

2. Site Location map, showing Crèche & National School

3. Classroom location within existing school structure.

4. Receipt €80.

Have any previous extensions/structures been erected at this location N/A.

If Yes please provide floor areas of all existing structures:

No material alteration-taking place.

Signature of Applicant (or Agent)



Limerick City & County
Council

14 MAY 2025

Planning

NOTES: Application must be accompanied by:

- (a) Fee of €80
- (b) Site location map
- (c) Site layout plan
- (d) Dimensioned plans and elevations of the structure and any existing structures.
- (e) Where the declaration is in respect of a farm building, a layout identifying the use of each existing building together with floor area of each building.

Application to be forwarded to:

**Planning Department,
Limerick City & County Council,
Dooradoyle,
Limerick,
V94 XF67**

**Enquiries:
Telephone: 061-556556
E-Mail: planning@limerick.ie**



Scoil Naomh Muire Eas Géitine

Askeaton, Co. Limerick

Phone: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

Web: [REDACTED]

Roll number: [REDACTED]

Charity Reg. No. : [REDACTED]

Scoil Naomh Muire Eas Géitine

Askeaton, Co. Limerick

Roll Number: [REDACTED]

Email: [REDACTED]

Phone: [REDACTED]

Date: 8th May 2025

To:

Planning Department,
Limerick County Council.

Subject: Permission for Planning Exemption Application – Happy Faces Crèche

Dear Sir/Madam,

This letter confirms that Scoil Naomh Muire Eas Géitine grants permission for Happy Faces Crèche to apply to Limerick County Council for a planning exemption certificate in relation to the operation of a pre-school service from a classroom within the school premises.

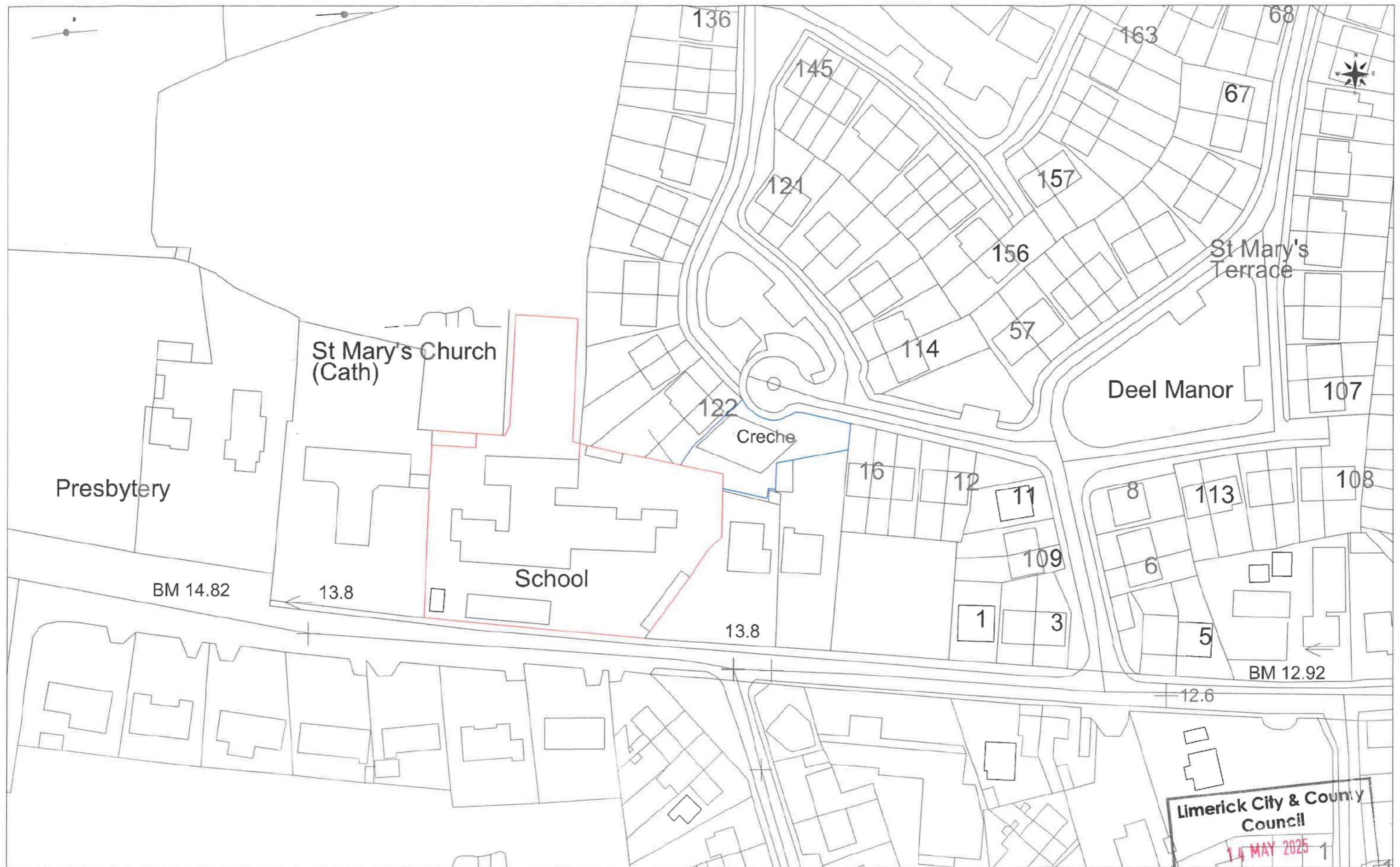
We understand that this certificate is required to support their application to Tusla, and acknowledge that the proposed use does not involve material alterations and that the classroom will continue to be used for educational purposes.

Please do not hesitate to contact us if further information is required.

Yours sincerely,
Brendan Hayes,

Principal,
Scoil Naomh Muire Eas Géitine.





Askeaton National School site location.
Happy Faces existing boundaries.

Site location of Happy Faces Creche & Askeaton National School at Deel Manor Askeaton Co. Limerick

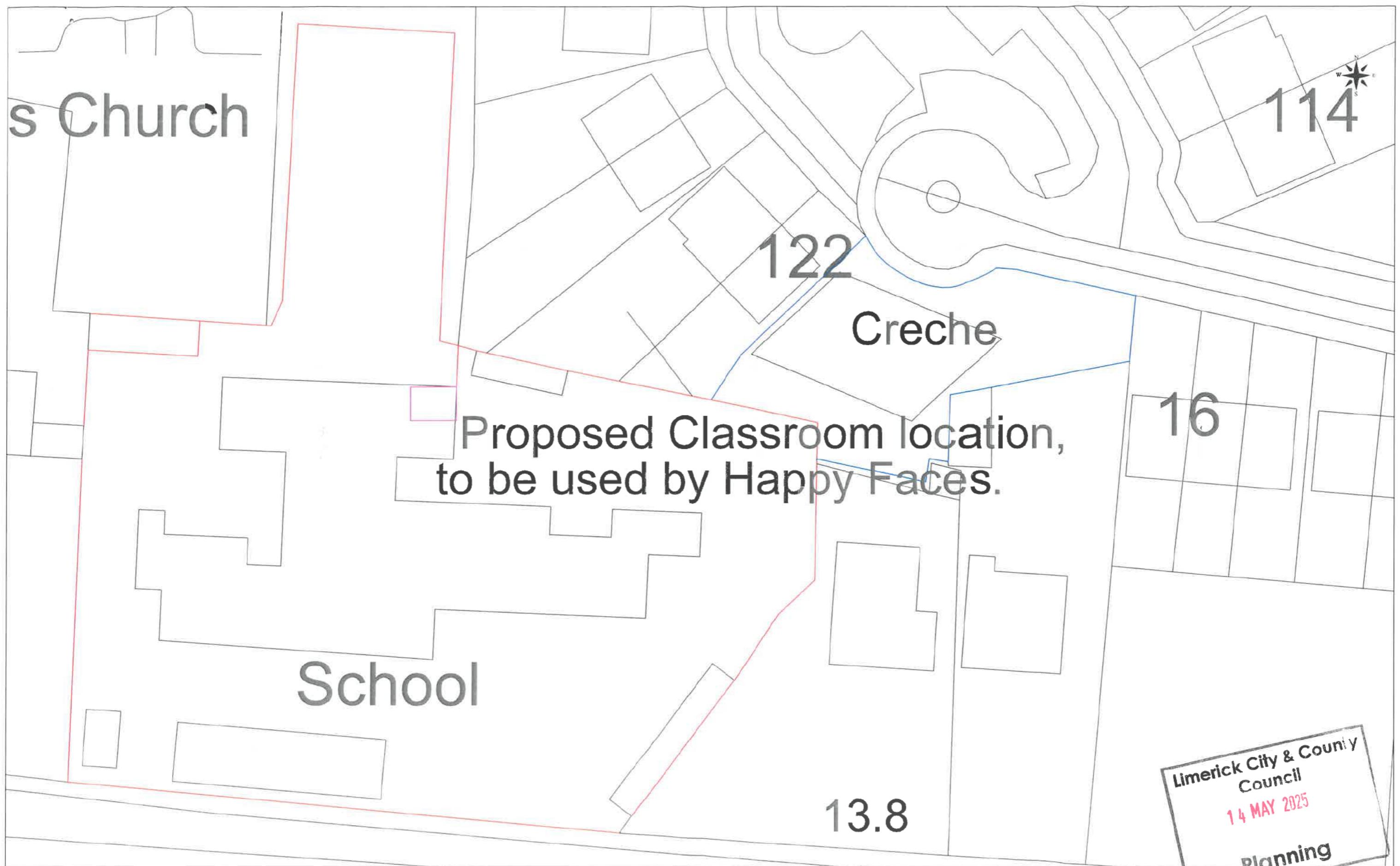
DRAWING TITLE: Proposed site location, National School Askeaton

PREPARED BY:
Derek Richardson, Bsc (Hons) Civil Eng.
Bsc Construction Eng, PG dip, Env Sc.
A Eng, MIEI.

DRAWING NO: Deel Manor 001
SCALE: 1:500 @ A3.
DRAWING: SHEET 2.

REV NO: 1.
DATE: 13th May 2025.

Planning



Askeaton National School site location.
Happy Faces existing boundaries.

Classroom location of Happy Faces Creche & Askeaton National School at Deel Manor Askeaton Co Limerick.

DRAWING TITLE:	Proposed classroom location, National School Askeaton. (note classroom in existing school, no alteration).		
PREPARED BY: Derek Richardson, Bsc (Hons) Civil Eng. Bsc Construction Eng, PG dip, Env Sc. A Eng, MIEI.	DRAWING NO: Deel Manor 002	SCALE: 1:200 @ A3.	REV NO: 1.



LIMERICK CITY & COUNTY COUNCIL
CASH OFFICE
CIVIC OFFICES
DOORADOYLE
CO LIMERICK

14/05/2025 11:33:54

Receipt No./
Uimhir Admhála : LA25/0/25177390

REPRINT*****

MARGARET RICHARDSON
HAPPY FACES CRECHE
DEEL MANOR
ASKEATON
CO LIMERICK

EXEMPTION CERTIFICATES	80.00
GOODS	80.00
VAT Exempt/Non-vatable	

Total/Iomlán 80.00 EUR

Tendered/Tairgthe
Credit / Debit Card 80.00
VISA
*****2889*****

Change/Sóiniseáil 0.00

Issued By/
Eisithe ag : John Harold
From/Ó : CASH OFFICE HQ
Vat reg No./Cláruimhir CBL: 3267368TH

Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

Reference no. EC/113/25

Name and Address of Applicant: Happy Faces Crèche, C/O margaert Richardson, Deel Manor, Cloonreak, Askeaton, Co. Limerick

Agent: N/A

Location: Scoil Naomh Muire Eas Géitine, Askeaton National School, Deel manor, Cloonreask, Askeaton, Co. Limerick, V94 HD30.

Description of Site and Surroundings:

The subject site is located in Askeaton village and relates to a classroom located to the rear of the national school. The crèche to which the application relates is located in a residential estate to the rear of the National School site.

Zoning:

Askeaton Local Area Plan – 2015 – 2021

Education and Community Facilities

Proposal:

The question being put before the planning authority is as follows:

- *Whether the temporary change of use of an existing school classroom for use as a preschool is or is not exempted development.*

This Section 5 declaration includes the following:

- Section 5 Declaration Application Form
- Cover Letter
- Site Layout Plan

Planning History:

14/1097 – erection of a portacabin classroom.

01/1191 – Construction of 2 no. temporary prefabricated classrooms including ancillary site works – Permission granted.

90/884 - Erection of extension to National School – Permission granted.

Enforcement History

No Planning Enforcement on site.

Relevant An Bord Pleanála referrals

ABP-315234-22 – Question posed as to whether the change of use of Ballaghmore Old National School, to a childcare facility at Ballaghmore Old National School, Ballaghmore, Borris-in-Ossory, Portlaoise, County Laois is or is not development or is or is not exempted development.

ABP decision: constitutes development that is not exempted development.

ABP RL3443 – Question posed is whether the use of a previous school building as an afterschool/ montessori facility (existing) is or is not development or is or is not exempted development at the Apres School Club, Adelaide and Lr. Eden Road, Glasthule, Co. Dublin
ABP decision: Is not development.

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘structure’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

‘school’ means an establishment which—

(a) provides primary education to its students and which may also provide early childhood education, or

(b) provides post-primary education to its students and which may also provide courses in adult, continuing or vocational education or vocational training,

Section 3(1) defines ‘development’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.

The cover letter submitted states that an existing classroom in Askeaton National School is proposed to be used on a temporary basis by Happy faces Crèche, located to the rear of the national school, to accommodate increased demand for pre-school places. The only change proposed is the defined use of the classroom to use as a pre-school facility. As no works are required, the question then is whether the proposal would be a material change of use as per Section 3(1) of the Planning and Development Act 2000 (as amended).

Is the proposal exempted development?

The interpretation of a ‘school’ has the meaning assigned to it by the Education Act 1998. Section 2 of Part 1 in the Act provides that “school” means an establishment which ‘provides primary education to its students and which may also provide early childhood education, or provides post-primary education to its students and which may also provide courses in adult, continuing or vocational education or vocational training.’ In this regard, I am satisfied that the use of an existing classroom in a primary school to accommodate a pre-school facility on a temporary basis is provided for within the definition. As such, I consider the proposed use as acceptable, and that the character of the existing land use is not substantially altered.

Having regard to the above, I would be of the opinion that a change of use has taken place within part of the building on the subject site but the change of use is not material in that the use relates to education. Therefore, no development, as defined under Section 3 (1) of the Planning and Development Act, 2000 (as amended), has taken place within the defined area of the subject building on the site. The question as to whether a material change of use is exempted development does not therefore arise.

Article 9 Restrictions

The applicant has not provided details of the proposed numbers, including teachers and students that will be attending the pre-school site on any given day as well as the proposed hours of operation. Having regard to the restrictions set out under article 9, specifically Article 9(1)(a)(iii) *endanger public safety by reason of traffic hazard or obstruction of road users*, it would be necessary to consider the current no. of students/staff attending the school and any proposed increase in students/staff associated with the change of use to adequately assess the proposal against article 9. Further information will be requested.

Appropriate Assessment

An AA Screening examination has been undertaken (see Appendix 1). Overall, it is considered that the development as proposed should not exercise a significant effect on the conservation status of any SAC or SPA as there are no source-pathway-receptors and the site does not directly encroach on any Natura 2000 European Sites. Therefore, an Appropriate Assessment is not required in this instance.

Environmental Impact Assessment

An EIA Screening examination has been undertaken (see Appendix 2). Overall, it is considered that there is no real likelihood of significant effects on the environment. Therefore, an Environmental Impact Assessment is not required.

Recommendation

I recommend Further Information be sought for the following:

1. Please submit details of the current student/staff numbers of the National School and the proposed increase in student/staff numbers having regard to the proposed change of use of a classroom to a pre-school facility. Please also provide the proposed hours of operation of the pre-school facility.

Eithne O'Brien

Eithne O'Brien
Assistant Planner

Date: 05/06/2025

Agreed by:

Jennifer Collins

Jennifer Collins
A/Senior Executive Planner

Date: 06/06/2025

Appendix 1: AA PN01 Screening Form

STEP 1: Description of the project/proposal and local site characteristics:	
(a) File Reference No:	EC/113/25
(b) Brief description of the project or plan:	A section 5 application requesting a declaration on whether the use of a classroom to use as a pre-school facility on a temporary basis is or is not exempted development.
(c) Brief description of site characteristics:	The subject site is located in Askeaton village and relates to a classroom located to the rear of the national school.
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	N/A
(e) Response to consultation:	N/A

STEP 2: Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptors)	Considered further in screening Y/N
004077-River Shannon and River Fergus Estuaries SPA	https://www.npws.ie/protected-sites/sac/004077	500m	None. No direct encroachment or hydrological connection. Having regard to the nature of the development proposed.	N
002165- Lower River Shannon SAC	https://www.npws.ie/protected-sites/sac/002165	2km	None. No direct encroachment or hydrological connection. Having regard to the nature	N

			of the development proposed.	
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STEP 3: Assessment of Likely Significant Effects	
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:	
Impacts:	Possible Significance of Impacts: (duration/Magnitude etc)
Construction phase e.g. <ul style="list-style-type: none">- Vegetation clearance- Demolition- Surface water runoff from soil excavation/infill/landscaping (including borrow pits)- Dust, noise, vibration- Lighting disturbance- Impact on groundwater/dewatering- Storage of excavated/construction materials- Access to site- Pests	None. No direct encroachment or hydrological connection. Having regard to the nature of the development proposed.
Operation phase e.g. <ul style="list-style-type: none">- Direct emission to air and water- Surface water runoff containing contaminant or sediment- Lighting disturbance- Noise/vibration- Changes to water/groundwater due to drainage or abstraction- Presence of people, vehicles and activities- Physical presence of structures (e.g. collision risk)- Potential for accidents or incidents	None. No direct encroachment or hydrological connection. Having regard to the nature of the development proposed.
In-combination/Other	N/A given the level of development in the area and the nature of the development proposed.

(b) Describe any likely changes to the European site: Examples of the type of changes to give consideration to include: <ul style="list-style-type: none">- Reduction or fragmentation of habitat area- Disturbance to QI species- Habitat or species fragmentation	None. No direct encroachment on the SAC/SPA and the works proposed are such that there is no foreseen risk of habitat loss or fragmentation or any effects on QI species directly or ex-situ.
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<ul style="list-style-type: none"> - Reduction or fragmentation in species density - Changes in key indicators of conservation status value (water or air quality etc) - Changes to areas of sensitivity or threats to QI - Interference with the key relationships that define the structure or ecological function of the site 	
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(c) (Are '*mitigation*' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

Yes No

STEP 4: Screening Determination Statement

The assessment of significance of effects:

Describe how the proposed development (alone or in-combination is/is not likely to have significant effects on European site (s) in view of its conservation objectives

No effects identified.

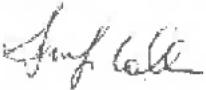
Conclusion: An appropriate assessment is not required.

	Tick as appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European Site	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate Assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European Site	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission
Signature and Date of Recommending Officer:		

	 Eithne O'Brien, Assistant Planner 05/05/25
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 06/06/2025

Appendix 2: EIA Screening- Establishing if Proposal is Sub-threshold

Establishing if the proposal is a 'sub-threshold development':		
Planning Register Reference:	EC/113/25	
Development Summary:	A section 5 application requesting a declaration on whether the use of a classroom to use as a pre-school facility on a temporary basis is or is not exempted development.	
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes. no further action required <input checked="" type="checkbox"/> No. Proceed to Part A	
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)		
<input type="checkbox"/> Yes. specify class: [insert here] _		EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No		Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)		
<input checked="" type="checkbox"/> No. the development is not a project listed in Schedule 5, Part 2		No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): [specify class & threshold here]		EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is sub-threshold : [insert here]		Proceed to Part C
c. If Yes , has Schedule 7A information/screening report been submitted?		
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant		Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant		Preliminary Examination required

Signature and Date of Recommending Officer:	 Eithne O'Brien, Assistant Planner 05/05/25
Signature and Date of the Decision Maker:	 Jennifer Collins, A/Senior Executive Planner 06/06/2025



Comhairle Cathrach
& Contae Luimnígh
Limerick City
& County Council

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnígh
Bothar Thuar an Daill
Tuar an Daill, Luimneach
V94 WV78

Planning and Place-Making
Limerick City and County Council
Dooradoyle Road
Dooradoyle, Limerick
V94 WV78

PLANNING & PLACE-MAKING

REG POST:

Happy Faces Crèche,
c/o Margaert Richardson,
Deel Manor,
Cloonreak,
Askeaton,
Co. Limerick

EC/113/25/JC/MOB

09 June 2025

RE: Declaration under Section 5

Dear Sir/Madam,

I refer to the above Section 5 Application you are hereby requested to submit following further information:

1. Please submit details of the current student/staff numbers of the National School and the proposed increase in student/staff numbers having regard to the proposed change of use of a classroom to a pre-school facility. Please also provide the proposed hours of operation of the pre-school facility.

Your application will not be further processed until confirmation of the above is received. A complete response should be submitted.

I hereby give you notice that the statutory period of three weeks during which the Planning Authority is required to give a decision will date from the receipt of a satisfactory response to the notice seeking further information.

Please quote your planning reference number on all correspondence EC/113/25.

Yours sincerely,

M. O'Brien.

**(for) Senior Planner,
Development Management**

Tuar an Daill, Luimneach
Dooradoyle, Limerick

customerservices@limerick.ie
www.limerick.ie
@LimerickCouncil
061 - 556 000



Scoil Naomh Muire Eas Géitine

Askeaton, Co. Limerick

Phone: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Planning Reference Number EC/113/25

Dear Senior Planner,

In response to your request for current and projected staffing numbers at Scoil Naomh Muire Eas Géitine, I wish to confirm the following:

1. Current staffing (2024/2025 academic year):
 - 13 Teachers
 - 9 Special Needs Assistants (SNAs)
 - Total: 22 staff
2. Projected staffing from September 2025:
 - 12 Teachers
 - 8 Special Needs Assistants (SNAs)
 - Total: 20 staff
3. Post-establishment of pre-school class:
 - Additional staffing: +3
 - Total: 20 existing staff + 3 additional = 23 staff

As outlined above, our overall staffing levels will decrease slightly in the coming academic year, with the loss of one teacher and one SNA. This reduction allows us to repurpose a now-vacant classroom for use as a pre-school facility, thereby continuing to utilise the space for its original educational purpose.

The pre-school will operate from 9:30 a.m. to 12:30 p.m., with a maximum of 19 children and a minimum of 3 staff. It will run over a 38-week period.

Should you require any further information or clarification, please feel free to contact me at principal@scoilnm.ie.

Your sincerely,

Brendan Hayes,

Principal.



Scoil Naomh Muire Eas Géitine

Askeaton, Co. Limerick

Phone: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Planning Reference Number EC/113/25

Dear Senior Planner,

In response to your request for current and projected staffing and pupils numbers at Scoil Naomh Muire Eas Géitine, I wish to confirm the following:

1. Current staffing (2024/2025 academic year):
 - 13 Teachers
 - 9 Special Needs Assistants (SNAs)
 - Total: 22 staff
2. Projected staffing from September 2025:
 - 12 Teachers
 - 8 Special Needs Assistants (SNAs)
 - Total: 20 staff
3. Post-establishment of pre-school class:
 - Additional staffing: +3
 - Total: 20 existing staff + 3 additional = 23 staff
4. Current pupil numbers (2024/2025):
 - 158 pupils
5. Projected pupil numbers from September 2025:
 - 145 pupils
 - 19 pre-school pupils from 9:30 to 12:30
 - Total: 164 children

As outlined above, our overall staffing levels will decrease slightly in the coming academic year, with the loss of one teacher and one SNA. This reduction allows us to repurpose a now-vacant classroom for use as a pre-school facility, thereby continuing to utilise the space for its original educational purpose.

The pre-school will operate from 9:30 a.m. to 12:30 p.m., with a maximum of 19 children and a minimum of 3 staff. It will run over a 38-week period.

Should you require any further information or clarification, please feel free to contact me at principal@scoilnm.ie.

Your sincerely,

Brendan Hayes,

Principal.

Report on application under Section 5 of the Planning and Development Act 2000 (as amended)

Reference no: EC/113/25

Name and Address of Applicant: Happy Faces Crèche, C/O margaert Richardson, Deel Manor, Cloonreak, Askeaton, Co. Limerick

Agent: N/A

Location: Scoil Naomh Muire Eas Géitine, Askeaton National School, Deel manor, Cloonreask, Askeaton, Co. Limerick, V94 HD30.

Description of Site and Surroundings:

The subject site is located in Askeaton village and relates to a classroom located to the rear of the national school. The crèche to which the application relates is located in a residential estate to the rear of the National School site.

Zoning:

Askeaton Local Area Plan – 2015 – 2021

Education and Community Facilities

Proposal:

The question being put before the planning authority is as follows:

- *Whether the temporary change of use of an existing school classroom for use as a preschool is or is not exempted development.*

This Section 5 declaration includes the following:

- Section 5 Declaration Application Form
- Cover Letter
- Site Layout Plan

Planning History:

14/1097 – erection of a portacabin classroom.

01/1191 – Construction of 2 no. temporary prefabricated classrooms including ancillary site works – Permission granted.

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Enforcement History

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Relevant An Bord Pleanála referrals

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ABP decision: constitutes development that is not exempted development.

ABP RL3443 – Question posed is whether the use of a previous school building as an afterschool/ montessori facility (existing) is or is not development or is or is not exempted development at the Apres School Club, Adelaide and Lr. Eden Road, Glasthule, Co. Dublin

ABP decision: Is not development.

Assessment

Consideration as to whether a development constitutes exempted development or not is governed by Sections 4 and 5 of the Planning and Development Act 2000 (as amended) and Articles 5, 6, 7, 8, 9, 10 and 11 of the Planning and Development Regulations 2001 (as amended).

Is the proposal development?

Section 2(1) in this Act, except where otherwise requires –

‘works’ includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal.

‘structure’ as any building, structure, excavation, or other thing constructed or made on, in or under any land, or part of a structure so defined, and –

(a) Where the context so admits, includes the land on, in or under which the structure is situated.

‘school’ means an establishment which—

(a) provides primary education to its students and which may also provide early childhood education, or

(b) provides post-primary education to its students and which may also provide courses in adult, continuing or vocational education or vocational training,

Section 3(1) defines ‘development’ as ‘the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land’.

The cover letter submitted states that an existing classroom in Askeaton National School is proposed to be used on a temporary basis by Happy faces Crèche, located to the rear of the national school, to accommodate increased demand for pre-school places. The only change proposed is the defined use of the classroom to use as a pre-school facility. As no works are required, the question then is whether the proposal would be a material change of use as per Section 3(1) of the Planning and Development Act 2000 (as amended).

Is the proposal exempted development?

The submitted cover letter states that the classroom will be used for its intended purpose, education, and having regard to the definition of ‘school’ outlined previously, which includes use for early childhood education, I am satisfied that the proposal would not constitute a material change of use as set out under Section 3(1) of the Planning and Development Act, 2000 (as amended) and is therefore not considered ‘development’.

Article 9 Restrictions

Following a request for further information, the applicant has provided the following:

- Details of current student/staff numbers and projected student/staff numbers.

The proposal will see a minor increase in the current staffing figures, 3 additional staff, and 8 additional pupils and the hours of operation of the pre-school facility and the school hours are staggered. Having regard to the same and the proposed hours of operation of the pre-school facility, as well as the fact that the classroom to be used would have accommodated a larger number of students in its use as a classroom associated with a primary school, I am satisfied that the proposal will not have a significant impact on existing traffic travelling to and from the site or on the current use of the existing building and would not *endanger public safety by reason of traffic hazard or obstruction of road user as set out under Article 9(1)(a)(iii)*. The proposed development is not restricted by any of the restriction in Article 9 of the Planning and Development Regulations 2001, as amended.

Recommendation:

The change of use of an existing classroom at Scoil Naomh Muire Eas Géitine School for educational use as a classroom associated with a pre-school facility, as detailed on the submitted application and plans submitted, is considered not to be works and not to be development.

Regard has been had to –

- (a) Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended),
- (b) The plans & particulars submitted with the application received on 14th May 2025 and further information receive on 12th June 2025.

It is therefore considered that the proposed change of use is not works and is not development under Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended).



Eithne O'Brien, Assistant Planner
Date: 18/06/2025


Agreed By:

Jennifer Collins, A/Senior Executive Planner
Date: 25/06/2025



Comhairle Cathrach
& Contae Luimnígh
Limerick City
& County Council

Pleanáil, agus Cruthú Áite
Comhairle Cathrach agus Contae Luimnígh
Bothar Thuar an Daill
Tuar an Daill, Luimneach
V94 WV78

Planning and Place-Making
Limerick City and County Council
Dooradoyle Road
Dooradoyle, Limerick
V94 WV78

PLANNING & PLACE-MAKING

REG POST:

**Happy Faces Crèche,
c/o Margaret Richardson,
Deel Manor,
Cloonreask,
Askeaton,
Co. Limerick**

EC/113/25

26 May 2025

Re: Declaration under Section 5

Dear Sir/Madam,

I refer to the above application for Section 5 Declaration on Development and Exempted Development.

Please find herewith a copy of Council's decision on same.

Yours faithfully,


Karen O'Brien
(for) Senior Planner,
Development Management

Tuar an Daill, Luimneach
Dooradoyle, Limerick

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LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2025/662

File Ref No. EC/113/25

SUBJECT: Declaration under Section 5.
Planning and Development Act 2000 as amended
Planning and Development Regulations 2001 as amended

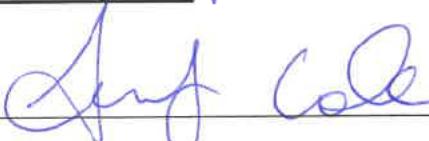
RE: **A change of use at Scoil Naomh Muire Eas Géitine, Askeaton National School, Deel Manor, Cloonreask, Askeaton, Co. Limerick,**

ORDER: Whereas by Director General's Order No. DG/2024/122 dated 27th November 2024, Dr. Pat Daly, Director General, Limerick City & County Council did, pursuant to the powers conferred on him by Section 154 of the Local Government Act, 2001, (as amended by the Local Government Reform Act, 2014 and the Local Government (Mayor of Limerick) and Miscellaneous Provisions Act, 2024), delegate unto Jennifer Collins, A/Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

Now therefore pursuant to the delegation of the functions aforesaid, I, Jennifer Collins, A/Senior Executive Planner, having considered the report and recommendation of Eithne O'Brien, Assistant Planner dated 18/06/2025, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Happy Faces Crèche, c/o Margaert Richardson, Deel Manor, Cloonreask, Askeaton, Co. Limerick to state that the works as described above is

NOT Development. *dc*

Signed



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING

Date

26/6/25

Certified to be a true copy of Approved Officer's Order, Planning & Development Order No. AOO/DC/2025/662 dated 26/6/25, pursuant to Section 151(7) of the Local Government Act 2001

Signed:



A/SENIOR EXECUTIVE PLANNER, PLANNING & PLACE-MAKING



SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/113/25

Name and Address of Applicant: Happy Faces Crèche, c/o Margaert Richardson, Deel Manor, Cloonreask, Askeaton, Co. Limerick

Agent: N/A

Whether the change of use at Scoil Naomh Muire Eas Géitine, Askeaton National School, Deel Manor, Cloonreask, Askeaton, Co. Limerick is or is not Development or is or is not Exempted Development. The works as described on the plans submitted with the application on the 14th of May 2025 and further information submitted on the 12th June 2025.

AND WHEREAS the Planning Authority has concluded that the change of use at Scoil Naomh Muire Eas Géitine, Askeaton National School, Deel Manor, Cloonreask, Askeaton, Co. Limerick is not works and is not development under Section 2, 3 and 4 of the Planning and Development Act 2000 (as amended). See Report attached.

NOW THEREFORE the Planning Authority in exercise of the powers conferred on it by Section 5(2) (a) of the Planning and Development Act 2000 (as amended) hereby decides that the said development as described above is **Not Development**.

Signed on behalf of the said Council

Karen Coulon

Date: 26/06/2025

NOTE: A Declaration on Development or Exemption issued by Limerick City & County Council may be referred to An Bord Pleanála on payment of €220 for review within 4 weeks after the issuing of the declaration.