



Comhairle Cathrach
to Coriúir Limerígh
Limerick City
& County Council



Limerick City and County Council

Planning Department

Section 5 Application

DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

Applicant's Name:

Coitríona Lynch

Applicant's Address:

Coolmine TC

Tait House

Roxboro Road

Telephone No.

Limerick (V9H, XF67)

Name of Agent (if any):

Address:

Telephone No.

Address for Correspondence:

Same as above

Location of Proposed development (Please include **EIRCODE**):

Tait House
Roxborough Road
Dimerich V94 XFB7

Description of Proposed development:

We are currently seeking registration
approval with Tusla child and family Agency for
operation of an Early Years full day service -
See letter attached

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

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

Applicant's interest in site:

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

fire Safety Cert
Site map location
Drawings of building

Have any previous extensions/structures been erected at this location YES/NO

If Yes please provide floor areas of all existing structures:

Signature of Applicant (or Agent) Caitriona Lynch

Caitriona Lynch
Tait House, Roxboro road,
Limerick V94 NXT8
13/08/26

The Planning Authority
Limerick City and County Council,
Door Doyle, Limerick V94 XF67

**Limerick City & County
Council**

13 AUG 2021

Planning

Re: Request for Section 5 Declaration of exemption-Early Years full day service- Ref. 525/92

Dear Sir/Madam,

We are currently seeking registration/approval with Tusla – The Child and Family Agency for the operation of an Early Years Full Day Service at the premises.

As part of the Tusla requirements, we have been asked to obtain written confirmation from the Local Authority that the existing planning permission permits the premises to operate as an Early Years Full Day Service.

We would therefore be grateful if the Planning Department could confirm in writing that the proposed/current use of the premises as an Early Years Full Day Service is covered by the existing Planning Permission Ref. 525/92, and that no further planning permission is required in respect of the operation of the service.

In addition, we have recently received a new Fire Safety Certificate for the premises, details of which are enclosed.

Tusla have also requested written confirmation from the Local Authority that, under the current Fire Safety Certificate, the premises can operate as an Early Years Full Day Service.

We would therefore be grateful if the relevant department could confirm in writing that the current Fire Safety Certificate covers the proposed/current operation of the premises as an Early Years Full Day Service.

For clarity, we are not seeking a new planning permission for the premises. Planning Permission Ref. 525/92 is already in place. We are seeking written confirmation of the suitability of the existing planning permission and current Fire Safety Certificate for the Early Years Full Day Service, as requested by Tusla.

I have enclosed:
Fire safety certificate
Site Location Map
Drawings of service

We would appreciate if both confirmations could be provided in writing for submission to Tusla as part of the registration process.

Please let us know if you require any further information or documentation from us.

Yours faithfully

Caitriona Lynch,
Early Years Team Lead
Coolmine Therapeutic Community
Caitriona.lynch@coolminetc.ie
086 136 7596



Abbey Fire Safety Consultants

11 The Crescent, O'Connell St.,

Limerick - V94 V2VW

087 2068470

20/07/2026

Premises: 'Coolmine Creche'

Location: Tait House, Southill, Limerick

Client: Coolmine

To Whom it Concerns:

Compliance with Part B (Fire Safety) of the Building Regulations, as applicable to the building, having regard to its age and subsequent fire safety improvements.

1. Based on the available planning records and information provided, it is my opinion that the building did not require an original Fire Safety Certificate, having been developed during the transitional period immediately prior to the introduction of the Fire Safety Certificate provisions under the Building Control Regulations 1991. Planning permission was granted by Limerick County Council under Planning Reference 525/92, with the application received on 27 April 1992 and the decision to grant permission dated 29 May 1992. A copy of the Notification of Decision to Grant Permission is included in Appendix 1.
2. I can confirm that I inspected Coolmine Creche, Tait House, Southill, Limerick and based on a visual inspection it is my opinion that the premises is designed and constructed in substantial conformity with the building regulations made pursuant to the Building Control Act, 1990.
3. Based on my inspection, it is my opinion that reasonable fire safety management measures have been implemented in accordance with the duties imposed by Section 18(2) of the Fire Services Act 1981.
4. I can confirm that the building is protected by an L1 Fire Detection & Alarm installed, commissioned and maintained in accordance with I.S. 3218.
5. I can confirm that the building is protected by Emergency Lighting maintained to I.S. 3217.
6. The building is protected with First Aid Fire Fighting Equipment (Extinguishers) in compliance with I.S. 290 & I.S.291.

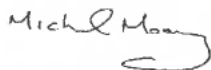
7. I can confirm all electrical installation have been periodically inspected and tested by a Registered Electrical Contractor.
8. The building is well managed for fire safety – Ongoing fire safety management should be carried out going forward.
9. The building provides adequate means of escape having regard to the current occupancy, travel distances, exit arrangements and fire safety management observed during the inspection.

This opinion is based upon a visual inspection of the accessible areas of the premises together with documentation made available at the time of inspection. No intrusive investigations or opening-up works were undertaken

Take Note: This opinion does not in any way warrant, represent or take into account any of the following matters:

- a) The accuracy of dimensions in general
- b) Matters in respect of private rights or obligations
- c) Matters of financial contribution and bonds
- d) Development of the property, which may occur after the date of inspection

Signed:



Michael Mooney, BEng (Hons), CEng MIEI, MSc Fire Safety Engineering

Dated of Issue: 20/07/2026

Definitions:

"Building Control Act" means the Building Control Act 1990 and any statutory modification or re-enactment thereof current at the date of the Commencement Notice aforesaid. **"Building Regulations"** means regulations made under the Building Control Act 1990.

"Substantial Conformity" means that in my opinion the design of the Relevant Development and such construction as is evident by visual inspection, are in accordance with The Building Regulations Part B, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceeding as provided for in the Building Control Act.

"Visual Inspection" means the inspection of the Relevant Development as existed on the said date of inspection. No opening up was carried out, the inspection was therefore superficial only and took no account of works covered up, inaccessible or otherwise obscured from view.

Appendix 1 – Planning Permission (Ref. 525/92)

**LOCAL GOVERNMENT (PLANNING & DEVELOPMENT)
ACTS, 1963 TO 1990**

**NOTIFICATION OF DECISION TO GRANT A
PERMISSION/AN APPROVAL (WITHOUT CONDITIONS)
UNDER SECTION 26/27 OF THE ACT OF 1963**

COUNCIL OF THE COUNTY OF LIMERICK

44329

Reference Number in Planning Register : 525/92

Application Received : 27th April, 1992.

Cael Scóil Sheoirse Clancy,
C/O Phyllis Ní Cheallaigh,
1 Washington Terrace,
Sraid Nua,
Luimneach.

In pursuance of the powers conferred upon them by the above-mentioned Acts, the Limerick County Council have by Order dated 29th May, 1992, decided to grant a permission/approval for the development of land/the retention of an existing structure, namely:- Construction of two classrooms and toilets at Southill House, Rathard.

If there is no appeal against the said decision, a grant of permission/approval in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála. (See Footnote).

It should be noted that until a grant of permission/approval has been issued, the development/intention in question is NOT AUTHORISED.

SIGNED ON BEHALF OF THE SAID COUNCIL :  J. R. Ryan
(for) COUNTY SECRETARY.

DATE : 29th May, 1992.

NOTE: An appeal against a decision of a planning authority under the provisions of the Local Government (Planning & Development) Acts, 1963 to 1990 may be made to An Bord Pleanála. The applicant for permission may appeal within one month beginning on the day of receipt by him of the decision. Any other person may appeal to the Board within 3 weeks beginning on the date of the decision. Appeals should be addressed to An Bord Pleanála, Floor 3, Blocks V1 & V11, Irish Life Centre, Lower Abbey Street, Dublin 1, and must be accompanied by the appropriate fee. The fee payable in the case of a commercial development by the person who made the application is £200 and in all other cases is £100. Objections will be regarded as invalid unless the fee is paid within the appeal period. Submissions or observations made to the Board by third parties in relation to an appeal must be accompanied by a fee of £30.

Appendix 2 – Fire Risk Assessment Action Plan

Fire Risk Assessment Report dated 03/06/2026				
Item	Recommendation	Priority	Timescale	Status
1.	Fixed electrical inspection is required.	1	A	Fixed electrical inspection carried out by Rob Browne Electrical on the 29 th June 2026 – Cert Number 246711
2.	Emergency luminaires are provided over all final exits – these lights are outdated and need to be replaced with modern lighting.	1	A	New emergency lights installed by Rob Browne Electrical.
3.	Service contract required for emergency lighting in the premises. The assessor was informed Monitor is quoting for the replacement of lights and the managing and inspection of the emergency lighting system.	1	A	Rob Browne Electrical has the servicing contract for the emergency lighting.
4.	Fire action notices required at all final exits.	1	A	Signs fitted at all exits.
5.	Fire alarm system is installed – It is recommended a detector head is installed in the corridor.	2	B	New detectors installed by Rob Browne Electrical.
6.	There is no service contract plan in place for the fire detection and alarm system – the assessor was informed Monitor are currently quoting for this work.	1	A	Rob Browne Electrical has the servicing contract for the fire detection and alarm system

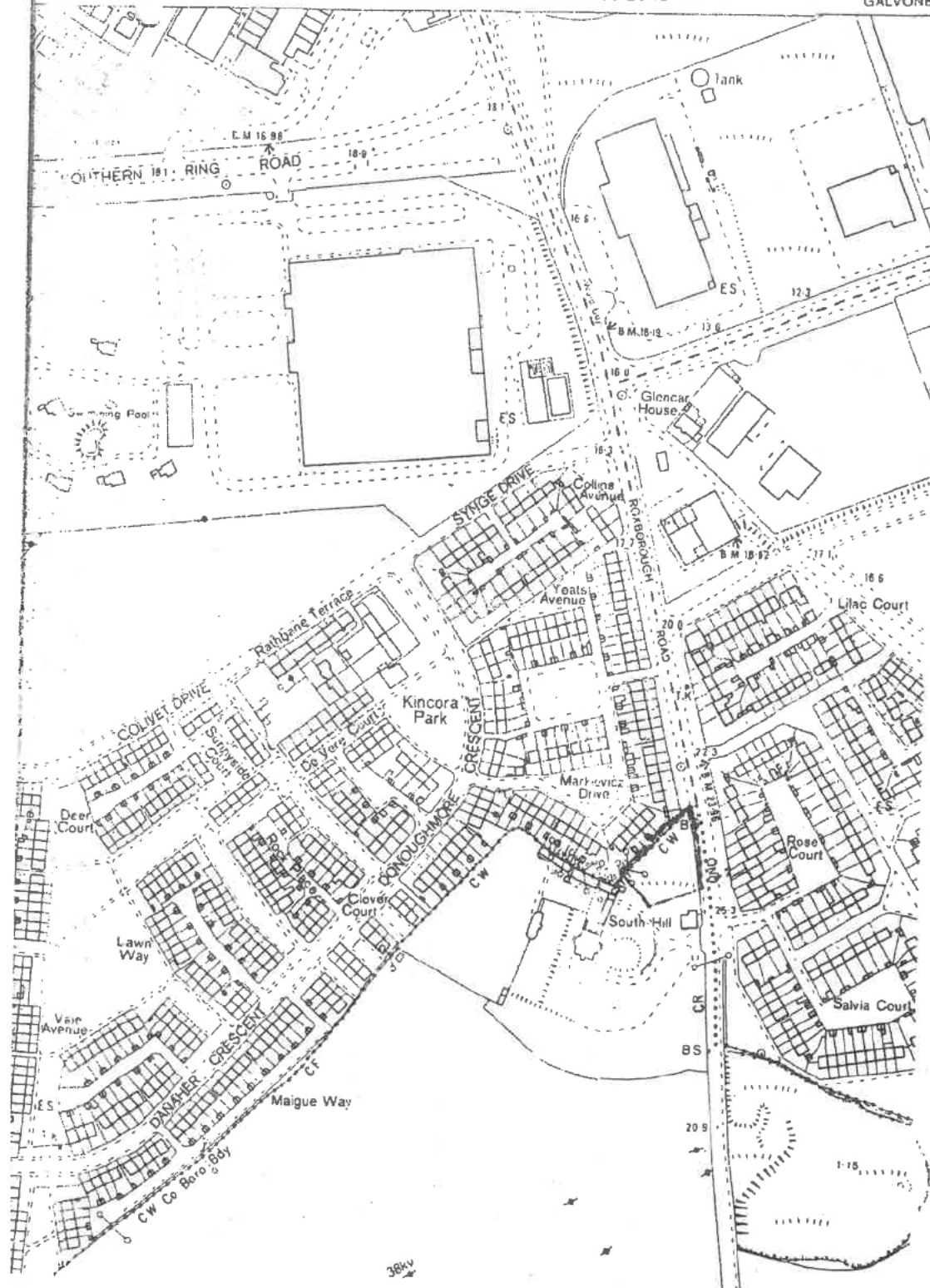
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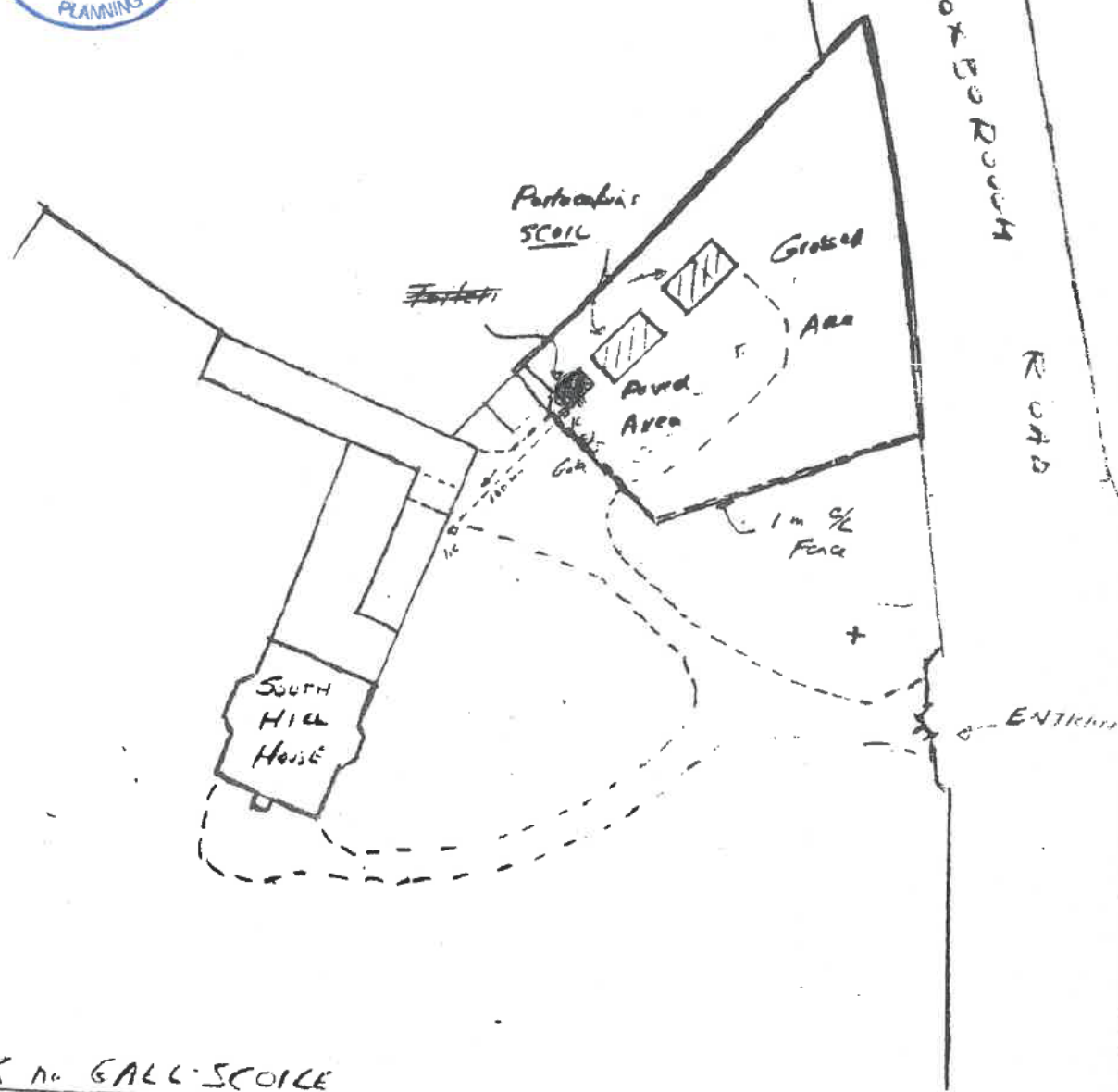
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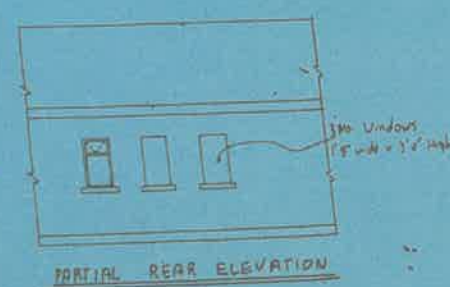
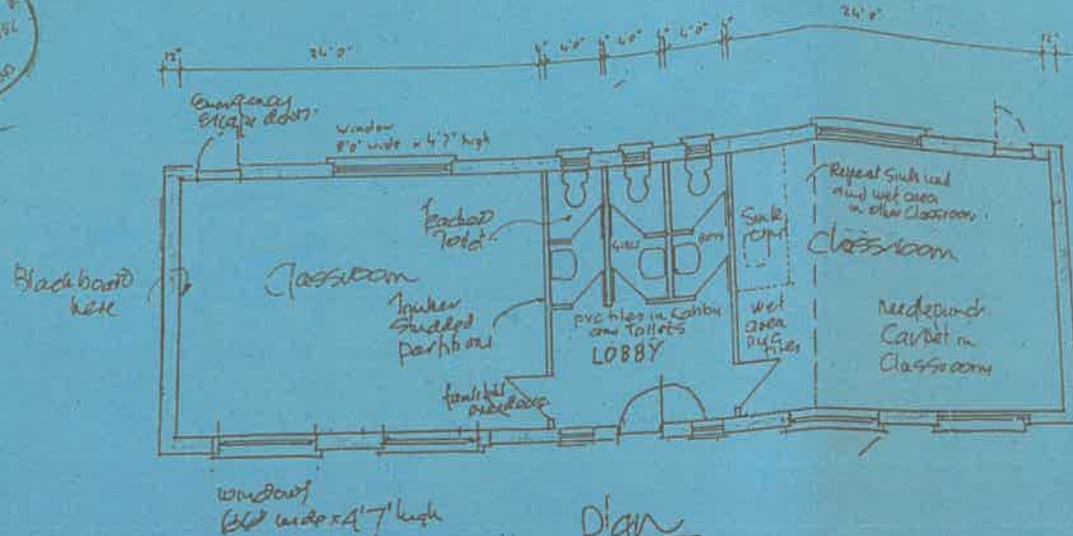
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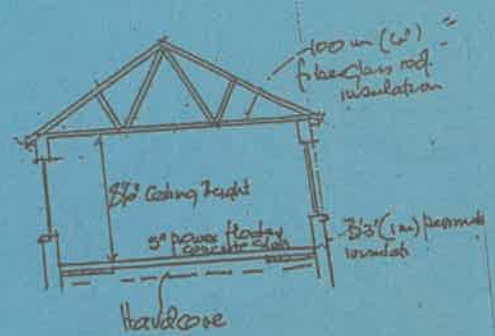
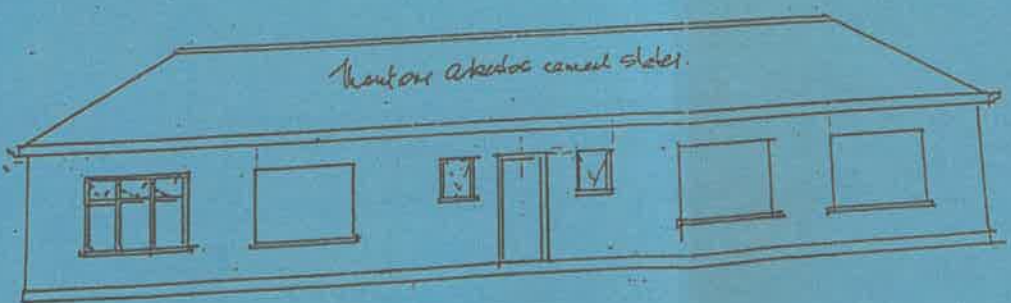
Fence

Roxboro



WALLS:
100 mm concrete block outer leaf
90 mm cavity with 40 mm insulation
100 mm concrete block inner leaf

Size of window to be discussed
also height of room above finishing floor slab
Type of roof construction flat roof or pitched roof trusses?



NOTE:
Exact overall dimensions to be agreed on site

Front Elevation

Scale
1" = 8 feet

Terence McMahon CONSULTING ENGINEER.		3 QUINLAN STREET THE CRESCENT LIMERICK Tel 061 319211 Fax 061 314027	
DRWG. NO.	92-76-1	Rev.	April 92

Report on application under Section 5 of the Planning and Development Act 2000 (as amended) – Following Receipt of Further Information

File Reference number	EC-149-26
Applicant	Catriona Lynch
Location	Coolmine Therapeutic Community Enterprise, Tait House, Roxboro Road, Limerick, V94NXT8

Previous Assessment:

The initial application relates to the proposed additional use of part of Coolmine Therapeutic Community Enterprise as a Early Years Full Day Service. The service operates out of Tait House on Roxboro Road, Limerick. Tait House is listed on the Record of Protected Structures as Southhill House (RPS 1637). To determine whether the proposed use would result in an intensification of the existing use, such as to constitute a material change of use within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended), further information was required.

In this regard, where such intensification would give rise to a material change of use, the proposal would constitute development and would fall to be assessed having regard to the provisions relating to exempted development, including Article 9 of the Planning and Development Regulations 2001 (as amended).

Accordingly, the applicant was requested to provide the following further information:

1. Submit a site layout plan, floor plans and drawings clearly identifying the specific building to which this Section 5 referral relates, the existing authorised use of that building, and the planning permission(s) under which that use was established.
2. Confirm whether any internal or external works, alterations, refurbishment works, repairs, signage, fencing, playground facilities, hardstanding, parking alterations, or other ancillary works have been undertaken or are proposed in connection with the operation of the Early Years Full Day Service. Where works are proposed, submit full plans and particulars. (i.e details of dividers etc)
3. Submit details of current student/staff numbers of the school, the proposed increase in student/staff numbers and hours of operation having regard to the proposed change of use to an early years facility. Please also provide the proposed hours of operation of the existing school and the proposed pre-school facility.
4. The applicant is advised that under Article 9(1)(a)(iii), the proposed pre-school facility shall not be exempted development for the purposes of the Act where it would endanger public safety by reason of traffic hazard or obstruction of road users. In this regard, please submit

details of proposed traffic management arrangements including pick-up/drop-off and carparking arrangements for the overall development (existing and proposed).

5. Given that the site contains a Protected Structure (RPS No. 1637) and structures within its curtilage, submit details demonstrating whether any proposed works would materially affect, or would not materially affect, the character of the Protected Structure or any attendant structure within its curtilage

Submitted Documents:

1. The applicant has provided a written response via email confirming the planning history of the premises, as per Planning Permission Ref. 92/525, providing details relating to existing and proposed child and staff numbers, hours of operation, traffic management and clarification that no internal or external alterations are proposed to the Protected Structure, Tait House,

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?

As was previously identified, within the meaning of a 'school' given under the Education Act 1998, the proposal is a continuation of the same type of use and no 'works', under the meaning given by Section 2(1) of the Planning and Development Act 2000 (as amended), are proposed. Having regard to the submitted documents it is not considered that the intensification of the existing use of Coolmine Therapeutic Community Enterprise as an Early Years Full Day Service constitutes a material change of use within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended). This is due to the educational/childcare nature of the previous and proposed use, confirmation that no internal or external alterations are proposed, the fact that the premises previously accommodated approximately 30 children and 2 teachers and the proposed service will accommodate a maximum of 11 children and approximately 3-4 staff members, and confirmation that existing parking arrangements are considered sufficient to accommodate the proposed demand. Accordingly, the proposal does not constitute development within the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended).

Is the proposal exempted development?

The proposal is not considered development under the meaning of Section 3(1) of the Planning and Development Act 2000 (as amended). As the proposal is not considered to constitute development, the question of exempted development does not arise.

Article 9 Restriction

The proposal, which is not deemed to constitute development, cannot be considered under Article 9 of the Planning and Development Regulations 2001 (as amended).

Appropriate Assessment

An AA Screening examination was carried out by Limerick City & County Council (see appendix 1 in previous report). Overall, it is considered that the proposal 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 necessary (See appendix 1 for AA Screening Form).

Environmental Impact Assessment

An EIA Screening examination was carried out by Limerick City and County Council (see Appendix 2 in previous report). Based on a preliminary examination of the proposal there is no real likelihood of significant effects on the environment and EIA is not required.

Conclusion/Recommendation

The proposal, comprising the proposed additional use of part of the existing Coolmine Therapeutic Community Enterprise building (granted under planning Ref. 92/525), as an Early Years Full Day Service does not constitute development within the meaning of the Planning and Development Act 2000 (as amended). Accordingly, the provisions relating to exempted development do not arise.

Regard has been had to –

- (a) Sections 2, 3, and 4 of the Planning and Development Act 2000 (as amended);
- (b) The definition of “school” in Section 2 of the Education Act 1998 (as amended);
- (c) Article 5, 6 and 9 of the Planning and Development Regulations 2001 (as amended);
- (d) The plans and particulars submitted with the application received on the 13th of August, 2026.
- (e) The further information received by the Planning Authority on 25th August 2026.

It is therefore considered that the proposal does not constitute under Section 3(1) of the Planning and Development Act 2000 (as amended) and a declaration in respect of exempted development does not arise.

Student Planner	Úna Walsh	Date: 07/09/2026
Signature:		
Senior Executive Planner	Gráinne O' Keeffe	Date: 08/09/2026
Signature		



Comhairle Cathrach
& Contae Luimnigh
Limerick City
& County Council

An Roinn Pleanála
Comhairle Cathrach agus Contae Luimnigh
Bóthar Thuar an Daill
Tuair an Daill
Luimneach
V94 WV78

Planning Department
Limerick City & County Council
Dooradoyle Road
Dooradoyle
Limerick
V94 WV78

t: 061 556 000

DEVELOPMENT MANAGEMENT, PLANNING

REG POST:

Caitriona Lynch
Coolmine TC,
Tait House,
Roxboro Road,
Limerick.
V94XF67

EC/149/26

10 September 2026

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,

(for) Senior Planner,
Development Management

LIMERICK CITY & COUNTY COUNCIL

APPROVED OFFICER'S ORDER

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

No. AOO/DC/2026/1132

File Ref No. EC/149/26

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

RE: **The operation of an Early Years Day Service at the premises at Tait House, Roxboro Road, Limerick.**

ORDER: Whereas by Director General's Order No. DG/2026/058 dated 25th May 2026, 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 Grainne O'Keeffe, Senior Executive Planner the functions as defined in the Local Government Acts, 1925 to 2024.

g Now therefore pursuant to the delegation of the functions aforesaid, I, Grainne O'Keeffe, Senior Executive Planner, having considered the report and recommendation of Una Walsh, Student Planner dated 07/09/2026, hereby order that a Declaration under Section 5 of the Planning and Development Act 2000 (as amended) be issued to Caitriona Lynch, c/o Coolmine TC, Tait House, Roxboro Road, Limerick to state that the works as described above is

NOT Development.

Signed



SENIOR EXECUTIVE PLANNER, DEVELOPMENT MANAGEMENT,
PLANNING

Date





Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

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t: 061 556 000

SECTION 5 – DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

DECLARATION NO.

EC/149/26

Name and Address of Applicant: Caitriona Lynch, Coolmine TC, Tait House, Roxboro Road, Limerick

Agent: N/A

Whether the operation of an Early Years Day Service at the premises at Tait House, Roxboro Road, 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 13th day of August 2026 and further information received 25th day of August 2026.

AND WHEREAS the Planning Authority has concluded that the operation of an Early Years Day Service at the premises at Tait House, Roxboro Road, Limerick **DOES NOT** come within the scope of exempted development under Section 3(1) of the Planning and Development Act 2000 (as amended) and a declaration in respect of exempted development does not arise. 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

Date:

10/09/2026

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