

Comhairle Contae Chorcaí Cork County Council

Little Treasures Pre-School,
C/O A. O'Leary Architectural Design Services,
Caherbarnagh,
Rathmore,
Co. Kerry,
P51 Y159

15th February, 2023

REF: D/202/23
LOCATION: Little Treasures Pre-School, Station Road, Liscahane, Millstreet, Co. Cork.

**RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE
PLANNING & DEVELOPMENT ACT 2000 - 2010.**

Dear Sir/Madam,

On the basis of the information submitted by you on 27th January, 2023 the Planning Authority, having considered the question to amend Condition No. 3 of P.A Reg No. 97/2647 to accommodate 22 No. Children at **Little Treasures Pre-School, Station Road, Liscahane, Millstreet, Co. Cork** has declared that Condition No. 3 will not be enforced and the accommodation of 22 No. children is acceptable and is exempted development.

Reason for Decision

The Planning Authority in considering this referral noted that a request was submitted to the Planning Authority by the previous owner, Oonagh Twomey, in August 1997 requesting that Condition No. 3 not be enforced by Cork County Council. A letter was issued from Cork County Council on 16th September 1997 stating that Condition No. 3 would not be enforced.

This exemption does NOT itself empower a person to carry out a development unless that person is legally entitled to do so.

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,


**KEVIN O'REGAN,
SENIOR EXECUTIVE OFFICER,
PLANNING DEPARTMENT.**

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.
Fón: (021) 4276891 • Faics: (021) 4276321
R-phost: planninginfo@corkcoco.ie
Suíomh Gréasáin: www.corkcoco.ie
Planning & Development,
County Hall,
Carrigrohane Road, Cork T12 R2NC.
Tel (021) 4276891 • Fax (021) 4276321
Email: planninginfo@corkcoco.ie
Web: www.corkcoco.ie



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Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000

<i>Ref No.</i>	D/202/23
<i>Applicant</i>	Rena Cooper (Little Treasures Pre-school)
<i>Description</i>	Amendment to condition no. 3 of 97/2647
<i>Location</i>	Liscahane, Millstreet

Planning permission was granted in August 1997 (97/2647) for alterations and a change of use of wool shop to playschool and construction of first floor flat on the site at Station Road for Oonagh Twomey.

Condition no. 3 of 97/2647 stated;

There shall be a maximum number of 10 children on the premises at any one time and all the children attending the proposed pre-school shall be under the age of 6 years.	In the interests of residential amenity and public health.
--	--

This application seeks a declaration of exempted development relating to condition no. 3 and requesting that the number of children be increased to 22.

It is noted that a request was submitted to the Planning Authority by the previous owner, Oonagh Twomey, in August 1997 requesting that condition no. 3 not be enforced by Cork County Council. A letter was issued from Cork County Council on 16th September 1997 stating that condition no.3 would not be enforced (see letter attached).

On this basis it is taken that condition no. 3 is not applicable and the accommodation of 22 no. children is acceptable.

Carol Stack,
Area planner.
 13/2/23

copy

Ce Chaire Chontae Chorcaí



Ms. Conagh Twomey,
The Bridge,
Millstreet,
Co. Cork.

Cork County Council
County Hall
Cork
Telephone: 021-276891
Fax: 021-276321

16th September, 1997.

Re: Planning Reg. No. W/97/2647:
Alterations and Change of Wool Shop to Playschool and
construction of First Floor Flat at Station Road, Liscahane,
Millstreet.

Dear Madam,

I refer to your letter received by this Department on 4th
September, 1996, in connection with the above.

With reference to the Conditions attached to this planning
permission, please note that Condition No. 4 of the Environmental
Health Officer's Schedule of Conditions takes precedence over
Condition No. 3 of the Schedule of Conditions attached to the
Notification of Decision to Grant Permission (with conditions)
dated 28th August, 1997, i.e. Cork County Council will not
enforce Condition No. 3.

Yours faithfully,

P. R.
STAFF OFFICER.

(Gaerige agat? ... Lubbair)

ENVIRONMENTAL HEALTH STANDARDS FOR
PREMISES USED TO PROVIDE DAY CARE
SERVICES FOR CHILDREN

19

1. The premises shall be sound and stable structure, be suitable for use with suitable and adequate provision for rest, play and safety.
2. (a) The premises and fittings shall be kept in a proper state of repair and in a clean hygienic condition and shall have adequate resistance to the transmission of heat and moisture and be protected from infestation.
(b) Internal surfaces shall be durable, washable where necessary, and not cause or be likely to cause a hazard.
(c) Furniture and work/play surfaces shall be suitable, safe, in a proper state of repair and non-toxic and all reasonable precautions shall be taken by the proprietor that they are not a source of transmission of infection.
3. (a) Where access to the premises demands the use of steps or stairs, adequate precautions shall be provided to ensure safety. Safety precautions shall include where necessary the provision of:-
 - (i) Child proof locks on external doors.
 - (ii) The inward opening of external doors.
 - (iii) Child proof latches or chains on openable windows.
 - (iv) Handrails on stairs and steps.
 - (v) Suitable and adequate gates at the top and bottom of stairs.
 - (vi) Fixed guards on open grates, solid fuel cookers, electric and gas fires and oil heaters (the latter should be firmly fixed to the floor)
(b) Garden and external play areas associated with the premises shall be so fenced, doors and gates so secured that a child cannot get out on to the street, roadway or other area of danger.
(c) Dangerous ponds, pits and any other hazards shall be absent from the garden or external play area or be so fenced as to prevent access to children.
4. (a) The total accommodation in the premises shall be for not more than 30 children.

3 SCHEDULE

Reference No. in Planning Register: 97/2647

Column 1 - Conditions	Column 2 - Reason
(1) Use of the premises as a playschool shall cease on the expiration of the period of 5 years beginning on the date of the grant of permission.	To enable the effect of the use on the amenities of the area to be reviewed having regard to the conditions then pertaining.
(2) Days of operation shall be restricted to Mondays to Friday and hours of operation shall be restricted to between the hours of 8.30 am and 6.30 pm.	To safeguard the amenities of the nearby residential properties.
(3) There shall be a maximum number of 10 children on the premises at any one time and all the children attending the proposed pre-school shall be under the age of 6 years.	In the interests of residential amenity and public health.

Comhairle Chontae Chorcaí



Ms. Donagh Twomey,
The Bridge,
Millstreet,
Co. Cork.

Cork County Council
County Hall
Cork
Telephone: 021-276881
Fax: 021-276321

24th September, 1997.

Re: Planning Reg. No. N/97/2647:
Alterations and Change of Wool Shop to Montessori School and
Construction of First Floor Flat at Station Road, Fiscahane,
Millstreet.

Dear Madam,

I refer to your letter dated 21st September, 1997, in the above
connection.

I wish to advise that, taking into account the circumstances
outlined therein, the Planning Authority will not insist on
compliance with Condition No. 1.

Yours faithfully,


STAFF OFFICER,
PLANNING DEPARTMENT.

A. O'LEARY
ARCHITECTURAL DESIGN SERVICES LTD

MOBILE: 087 643 5182
EMAIL: OLEARYAENEAS@YAHOO.CO.UK

CAHERBARNAGH,
RATHMORE,
CO. CORK,
P51 Y1F9.

Cork County Council,
Planning Office,
County Hall,
Carrigrohane Road,
Cork.

26th January 2023

Re: Application for Section 5 Declaration of Exemption at Little Treasures Pre-School, Station Road, Liscahane, Millstreet, County Cork for Rena Cooper.

Dear Sir/Madam,

Please find enclosed in support of the above application the following information:
Planning Fee of €80.00
Four copies of fully completed Application for Section 5 Declaration of Exception
One copy of Additional Contact Information
Four copies of Floor Area Certificate supplied by AE Solutions

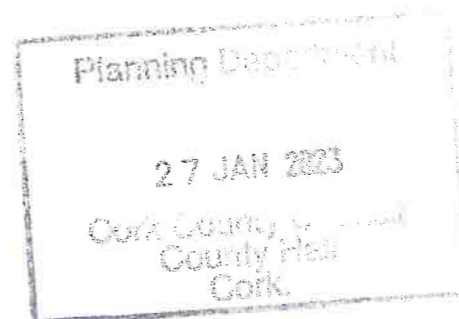
Four copies of the following drawings:

<u>Drawing No.</u>	<u>Drawing Title:</u>	<u>Scale</u>
23-RC-01	Site Location Map (6" MAP) (Site hatched in red)	1:10560
23-RC-02	Site Location Map (Site outlined in red)	1:1000
23-RC-03	Site Layout Plan (Site outlined in red)	1:500
	Ground & First Floor Plan, Side Elevation Front & Rear Elevation & Typical Section	

Little Treasures Pre-School at Station Road, Liscahane, Millstreet, Co Cork has been in operation since 1998. Rena Cooper wishes to apply for a Section 5 Declaration of Exemption to facilitate the increase in demand for her services in the local community from a capacity of 10 children to 22 children, the number now in attendance at the premises. See enclosed Floor Area Certificate which shows the floor area of the building can accommodate the additional children, as required by Tusla.

We trust this information meets with your satisfaction and will allow you determine the application in due course.


Aeneas O'Leary
ARCHITECTURAL DESIGN SERVICES LTD





**CORK COUNTY COUNCIL APPLICATION
FOR SECTION 5 DECLARATION OF EXEMPTION**

APPLICANT CHECKLIST

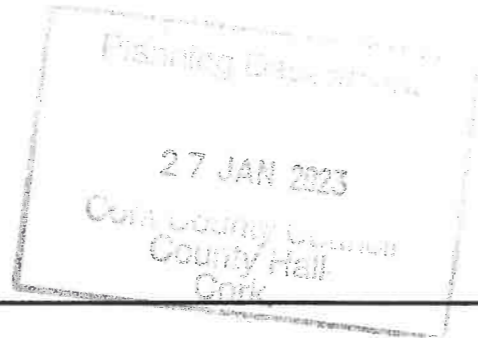
(Please tick ✓)

- 4 No. Copies of Application Form:
- 1 No. Copy of Contact Details:
- 4 No. Copies 6" O.S. Maps:
- 4 No. Copies 25" O.S. Maps:
- 4 No. Copies of Site Layout Plan:
- 4 No. Copies Scaled Drawings of Development:
- €80 Application Fee:

FOR OFFICE USE ONLY

Receipt No.	PL20002213
Cash/Cheque/ Credit Card	CHEQUE
Date	27/1/23
Declaration Ref. No.	D/202/23

DATE STAMP HERE



You should make sure that you are satisfied that any information/documentation that you submit is appropriate to be viewed by the public. Please do not submit any information that you do not want 3rd parties to view.

In the case of a Declaration of Exemption for Land Reclamation, the following additional information is required:

- A copy of the details submitted to the Council's Environment Department (Inniscarra) for a Waste Licence Permit
- Correspondence from Teagasc (detailing how the land reclamation would benefit the land in question for agricultural purposes)
- Details of existing and proposed levels
- Details of fill material and duration of fill.

DATA PROTECTION

The planning process is an open and public one. In that context, all applications for Declarations of Exemption are made available for public inspection.

Personal information collected by Cork County Council is done so in order for us to process your application for a Section 5 Declaration of Exemption. Legally we can process this information as it is necessary for us to comply with our statutory/legal obligations. The protection of our personal data is a key priority for the Council and your data will be processed in line with our Privacy policy which is available at <http://www.corkcoco.ie/Privacy-Policy> or hardcopy from our offices at County Hall, Carrigrohane Road, Cork, Ireland. Should you have any questions about our privacy policy or the information we hold about you, please contact us by email to dpo@corkcoco.ie or write to us at Data Protection Officer, Cork County Council, County Hall, Carrigrohane Road, Cork, Ireland.

1. NAME OF APPLICANT: (ADDRESS TO BE SUPPLIED AT QUESTION A – CONTACT DETAILS)

Rena Cooper

2. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION OF EXEMPTION IS SOUGHT:

Little Treasures Pre-School
Station Road
Liscahane
Millstreet
Co Cork
P51 HH27

3. QUESTION/DECLARATION DETAILS:

Please state the specific question for which a Declaration of Exemption is sought

Note: Only works listed and described under this section will be assessed under the Section 5 Declaration of Exemption

The existing premises has been used as a playschool since 1998 and planning was granted under Planning Register 97/2647. The permission was granted to convert existing wool shop to a playschool. Condition 3 of the permission conditioned that the number of children shall not exceed 10 children. Over the years demand for childcare has increased. Ms Cooper has 22 children enrolled and attending the playschool between 09:00 and 12:00. Ms Copper is seeking an exemption to allow 22 children attend the playschool. The premises meets the floor area required for 22 children as confirmed in Floor Area Certificate enclosed. The premises has not changed since opening in 1998.

Planning Department
27 JAN 2023
Cork County Council County Hall Cork.

4. APPLICATION DETAILS:

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square metres (m²)

(a) Floor area of existing/proposed structure(s):	74 m ²
(b) If a domestic extension is proposed, have any previous extensions/structures been erected at this location after 1 st October, 1964 (including those for which planning permission has been obtained):	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide floor areas (m ²) and previous planning reference(s) where applicable:
(c) If a change of use of land and/or building(s) is proposed, please state the following: Existing/previous use N/A	Proposed use N/A
(d) Are you aware of any enforcement proceedings connected to this site?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please state relevant reference number(s):

5. LEGAL INTEREST OF APPLICANT IN THE LAND/STRUCTURE:

Please tick appropriate box to show applicant's legal interest in the land or structure:	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
Where legal interest is "Other", please state your interest in the land/structure:		
If you are not the legal owner, please state the name of the owner/s (address to be supplied at Question C in Contact Details):		

Planning Department
 27 JAN 2023
 Cork County Council
 County Hall
 Cork

6. PROTECTED STRUCTURE DETAILS / ARCHITECTURAL CONSERVATION AREA:

Is this a Protected Structure/Proposed Protected Structure or within the curtilage of a Protected Structure: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If yes, please state relevant reference No. _____
Is this site located within an Architectural Conservation Area (ACA), as designated in the County Development Plan? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

7. APPROPRIATE ASSESSMENT:

Would the proposed development require an appropriate assessment because it would be likely to have a significant effect on the integrity of a European site (SAC, SPA etc)? Yes No

8. DATA PROTECTION DECLARATION:

In order for the Planning Authority to process the personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <http://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

Processing of your Declaration of Exemption application by the Planning Authority

I give permission for my personal information to be processed for the purpose stated above

Signed (By Applicant Only)	<i>Rena Cooper</i>
Date	26th January 2023

GDPR Special Categories of data / Sensitive Personal data - Explicit Consent

Where Special Categories of personal data / sensitive personal data are provided as part of / in support of a declaration application, **explicit consent** to the processing of the special categories of data must be given by the person to whom the data refers, namely the Data Subject.

Special Categories of data / Sensitive Personal data include:

- Race
- Ethnic origin
- Political opinions
- Religion
- Philosophical beliefs
- Trade union membership
- Genetic data
- Biometric data
- Health data
- Concerning a natural person's sex life
- Sexual orientation

In order for the Planning Authority to process the sensitive personal data you have provided, your consent is required. By ticking the box below, you consent to the Planning Authority processing the personal data provided by you in line with the terms of Cork County Council's Privacy Policy available at <https://www.corkcoco.ie/privacy-statement-cork-county-council> or in hardcopy from any Council office; and to having your information processed for the following purposes:

Sensitive personal data being submitted in support of Declaration of Exemption Application

I give permission for my sensitive personal data submitted to the Planning Authority to be processed for the purpose stated above.

Signed	<i>Rena Cooper</i>	<i>27 JAN 2023</i>
Date	26th January 2023	<i>Cork County Council County Hall</i>

You have the right to withdraw your consent by contacting the Planning Department, Ground Floor, County Hall, Carrigrohane Road, Cork. Tel: (021) 4276891 Email: planninginfo@corkcoco.ie or by contacting the Planning Department, Norton House, Cork Road, Skibbereen, Co. Cork. Tel: (028) 40340 Email: westcorkplanninginfo@corkcoco.ie However if consent to the use of personal data is withdrawn during the declaration of exemption decision-making process this information cannot be considered as part of the decision making process. Once a decision has been made, an applicant is not entitled to withdraw consent, as the right of erasure does not apply to a situation where processing is required for compliance with a legal obligation or for the performance of a task carried out in the public interest.

Please note that all information / supporting documentation submitted will be available publicly to view at the Planning Authority offices.


ADVISORY NOTES:

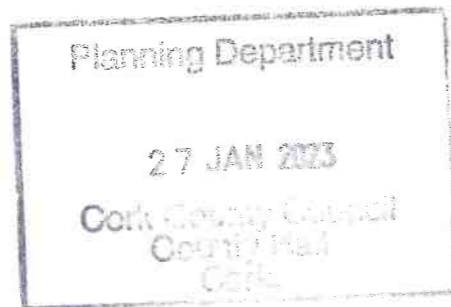
The application must be accompanied by the required fee of €80
The application must be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.
Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.
The application should be sent to the following address:
The Planning Department, Cork County Council, Floor 2, Co. Hall, Carrigrohane Road, Cork, T12 R2NC; or for applications related to the Western Division, The Planning Department, Cork County Council, Norton House, Cork Road, Skibbereen, Co. Cork, P81 AT28.

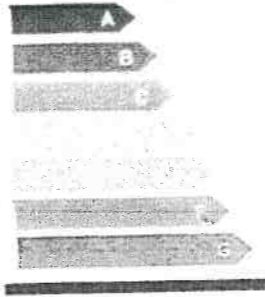
- The Planning Authority may require further information to be submitted to enable the authority to issue a decision on the Declaration of Exemption application.
- The Planning Authority may request other person(s), other than the applicant; to submit information on the question which has arisen and on which the Declaration of Exemption is sought.
- Any person issued with a Declaration of Exemption may on payment to An Bord Pleanála refer a Declaration of Exemption for review by the Board within 4 weeks of the date of the issuing of the Declaration of Exemption decision.
- In the event that no Declaration of Exemption is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a Declaration of Exemption was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork County Council for the purpose of advising the type of information which is normally required to enable the Planning Authority to issue a Declaration of Exemption under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations, 2001, as amended.

9. I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct, accurate and fully compliant with the Planning and Development Acts 2000, as amended and the Regulations made thereunder:

Signed (Applicant or Agent as appropriate)	
Date	26th January 2023





Date: 11/09/16

Client: Rena Cooper

Service: Floor area measurement

REF: Little Treasures, Station Rd, Millstreet, Co Cork.

Total Floor area of this premises is 74m².

Regards,

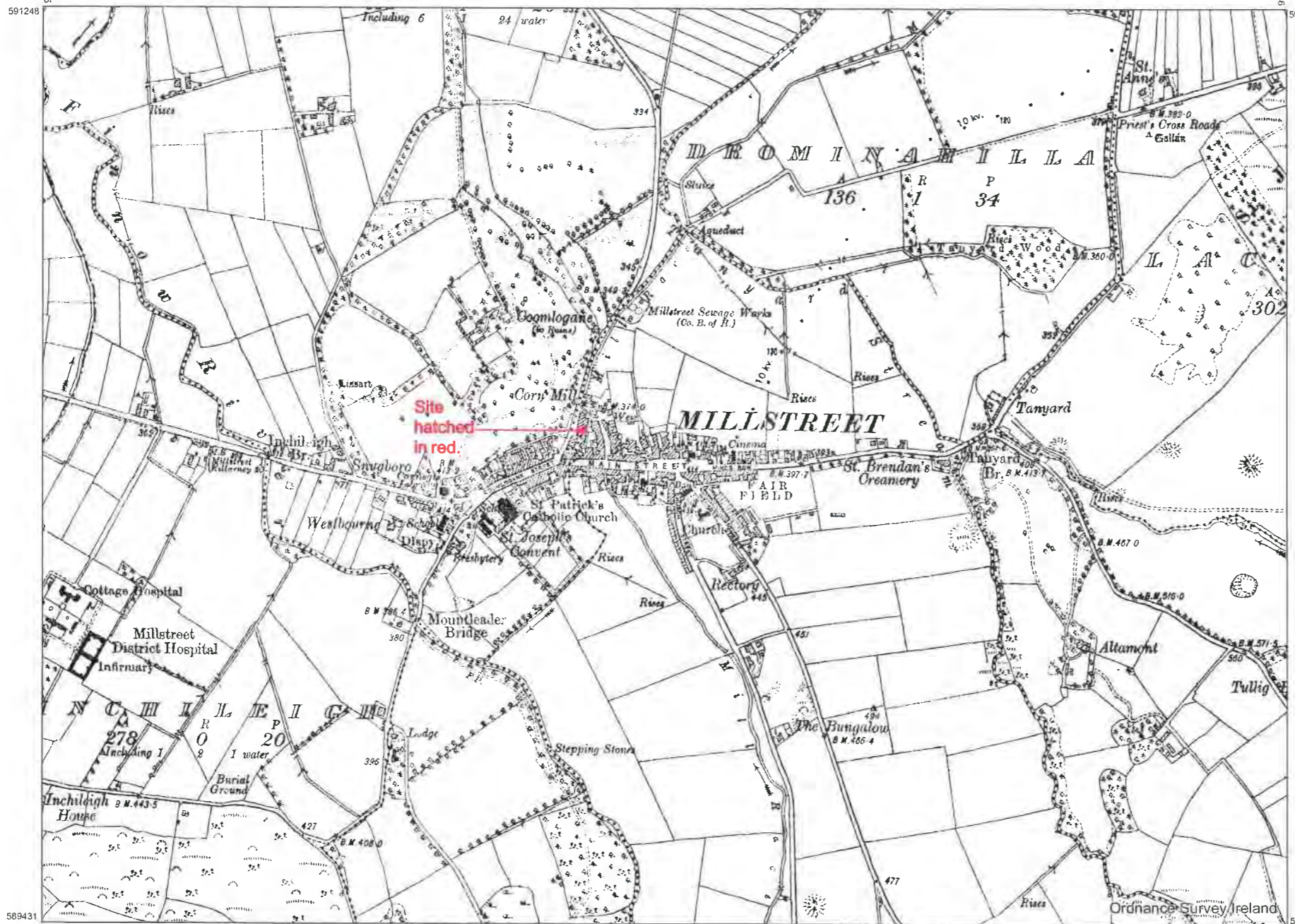
Matthew Dilworth

BER assessor 102070

BSC Construction Mgmt



Site Location Map



CENTRE COORDINATES:
ITM 527256,590340

PUBLISHED: 09/11/2020
ORDER NO.: 50153941_1

MAP SERIES: 6 Inch Raster
MAP SHEETS: CK039

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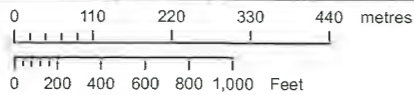
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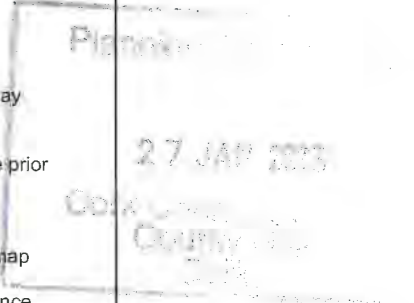
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A O'LEARY
ARCHITECTURAL DESIGN SERVICES Ltd.
HOLLYMOUNT, RATHMORE, CO. KERRY.
TEL.: 064-77-61562 / MOB.: 087 - 6435182
E-MAIL: olearyaeneas@yahoo.co.uk

Site Area : 0.04 Acres = 0.15 Hectares

CLIENT: Rena Cooper, Little Treasures Playschool, Station Road, Lisachane, Millstreet, Co.Cork.	SCALE: 1:10560 DATE: Jan 23
TITLE: Site Location Map (6" map)	DWG. NO.: 23 - RC - 01 Drawn by: AoL



Land Registry Compliant Map



CENTRE COORDINATES:
ITM 527056,590365

PUBLISHED: 23/01/2023
ORDER NO.: 50312975_1

MAP SERIES: 1:1,000
MAP SHEETS: 6091-04

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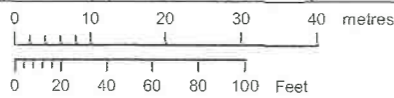
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27 JAN 2023
Cork County Council
County Hall
Cork.

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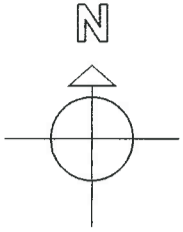
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A O'LEARY
ARCHITECTURAL DESIGN SERVICES Ltd.
HOLLYMOUNT, RATHMORE, CO. KERRY.
TEL.: 064-77-61562 / Mob: 087 - 6435182
E-MAIL: olearyaneses@yahoo.co.uk

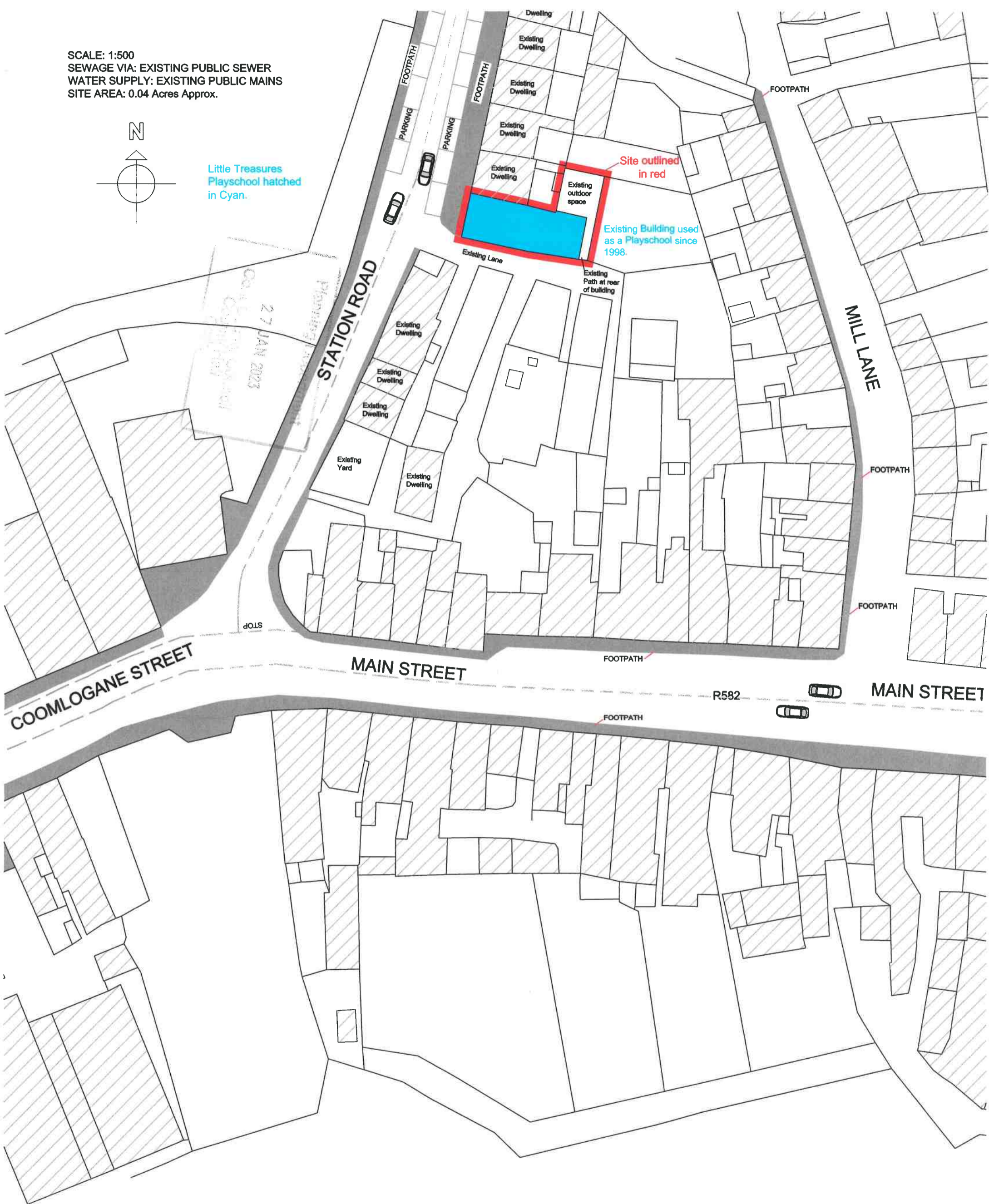
Site Area: 0.04 acres or 0.015 hectares

CLIENT: Rena Cooper, Little Treasures Playschool, Station Road, Liscahane, Millstreet, Co.Cork.	SCALE: 1:1000 DATE: Jan 2023
TITLE: Site Location map	DWG. NO.: 23 - RC - 02 Drawn by: AoL

SCALE: 1:500
 SEWAGE VIA: EXISTING PUBLIC SEWER
 WATER SUPPLY: EXISTING PUBLIC MAINS
 SITE AREA: 0.04 Acres Approx.



Little Treasures
 Playschool hatched
 in Cyan.



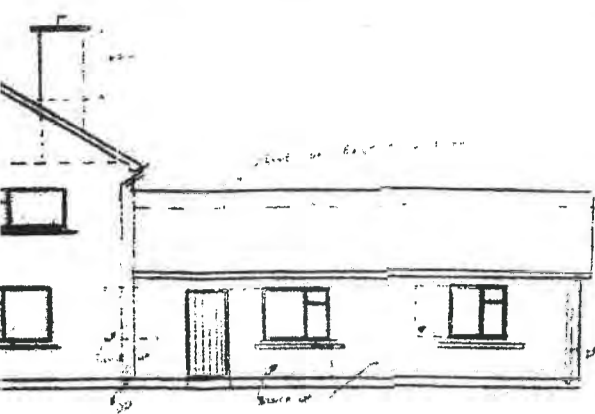
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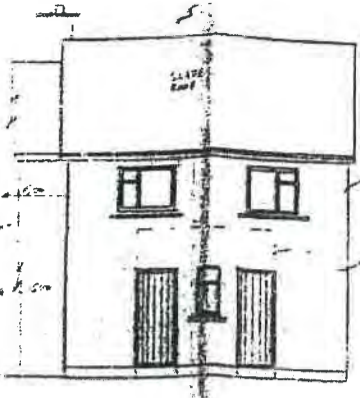
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 ARCHITECTURAL DESIGN SERVICES Ltd.
 HOLLYMOUNT, RATHMORE, CO. KERRY.
 TEL.: 064-77-61562 / Mob: 087-6435182
 E-MAIL: olearyaenas@yahoo.co.uk

Site Area: 0.04 acres or 0.015 hectares

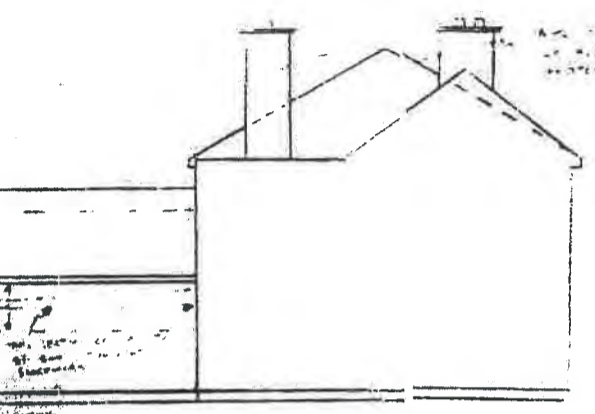
CLIENT: Rena Cooper, Little Treasures Playschool, Station Road, Lisshane, Millstreet, Co.Cork.	SCALE: 1:500 DATE: Jan 2023
TITLE: Site Layout Plan	DWG. NO.: 23 - RC - 03 Drawn by: AoL



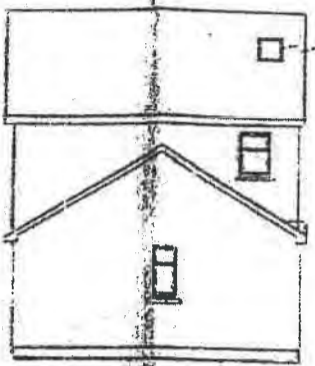
SIDE ELEVATION



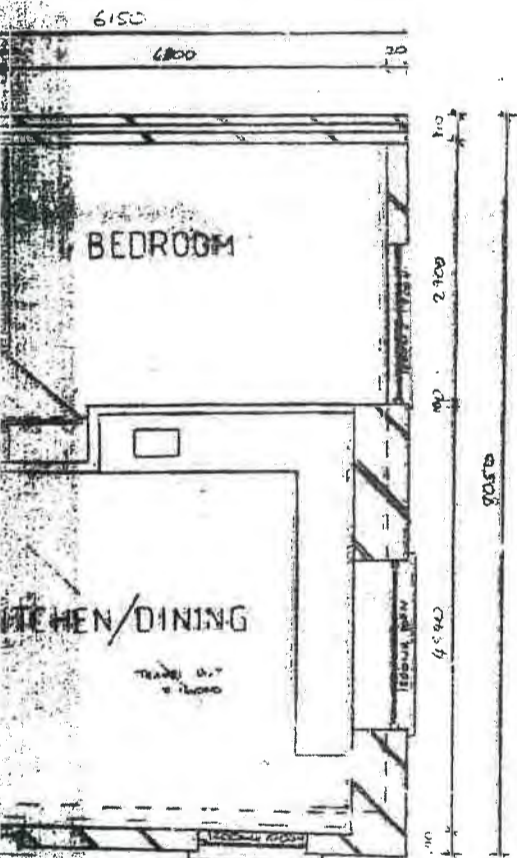
FRONT ELEVATION



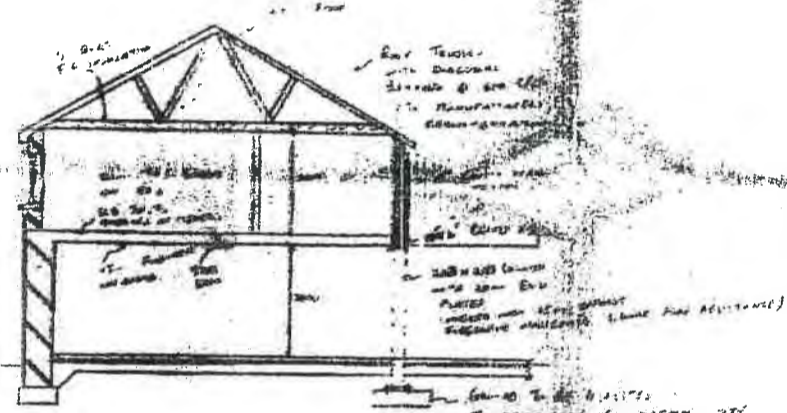
SIDE ELEVATION



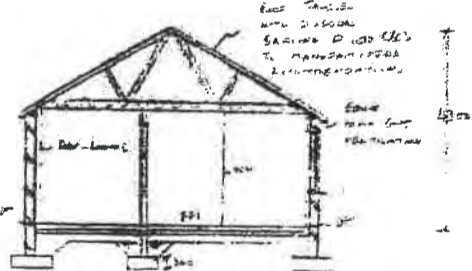
REAR ELEVATION



1ST FLOOR PLAN



TYPICAL SECTION



TYPICAL SECTION

NOTES

- 1) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE BUILDING REGULATIONS (1991)
- 2) ALL STRUCTURAL TIMBERS TO BE STAMPED SC'S (S&S)
- 3) WINDOW CILLS TO BE HUNG IN DPC WITH 25mm INSULATION BEHIND
- 4) ALL DRAININGS TO BE CHECKED ON SITE
- 5) ALL EXTERNAL WALLS TO BE FINISHED WITH 12.5mm PLASTERBOARD OVER 100mm BATTENS WITH 50mm MINERAL WOOL INSULATION BEHIND ON DPM (SLOPE TO BE SHOWN)
- 6) ROOF TRUSSES TO BE ON 200mm BATTENS ON TYPE IF FELT AND ROOF TRUSSES
- 7) ALL INTERNAL GABLE WALLS TO BE PLASTERED & SKIMMED
- 8) FINISH FLOOR TO BE LEVELLED AS REQUIRED & 25mm INSULATION & 100mm SLABS (NEW APPROVED) FINISH OVER
- 9) ALL TO BE SHOWN (CONNECTIONS TO FULL 50-200)
- 10) EXTERNAL FINISH TO BE SHOWN (S&S) / PLASTER
- 11) GROUND FLOOR LEVELS TO BE OF 150mm LAPING ROOFING MINIMUM (TYPE & SEEN)
- 12) ALL WINDOWS TO BE UNITS TO BE DPC
- 13) SILL & FLOOR TO BE SPACED TO BE VENTILATION



FOR PLANNING REV A

GERARD McWHIRN BE COND MIER
 ANNA-MARIE MACDOON CO COND
 (COND) 14/03/97

CLIENT: DONAL TUDOR

DRAWN: PLAN & ELEVATION

SCALE: 1:100

DATE: JUNE 97

