

Sunvalley Montessori School



Teacher: Ann Daly, BA. Montessori Education
St. Nicholas Montessori College of Ireland

Tel: 086 - 2723040

Email: sunvalleymontessorischool@gmail.com

11th October 2021.

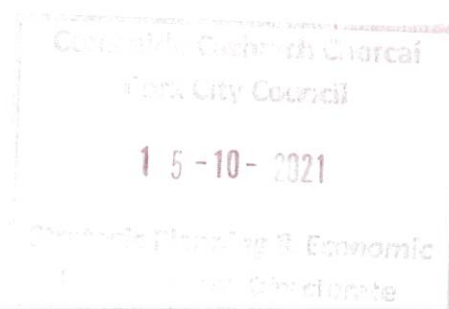
Attn Kerry Bergin,
Assistant Staff Officer,
Community, Culture and Placemaking,
Cork City Council.
Kerry,

Thank you for your letter of the 7th October requesting further information for a Section 5 Declaration.

Sunvalley Montessori school is a sessional preschool, and we operate each day from 9am-12.15pm on Monday to Friday. We follow the same calendar as the Primary School. We operated out of two classrooms – Room 101 and Room 102 on the ground floor corridor. The children who attend our service are from 3 years to 5.5 years and usually attend for 2 Years under the ECCE free preschool scheme. Under Tusla regulations we are allowed 18 Children per classroom and 2 staff.

There are no structural works required as the classrooms are self-contained.

I am also including the maps that were drawn up as part of our Tusla registration process.



If you require anything further please do not hesitate to contact me.

Thank you for your assistance with this.

Regards and thank you,

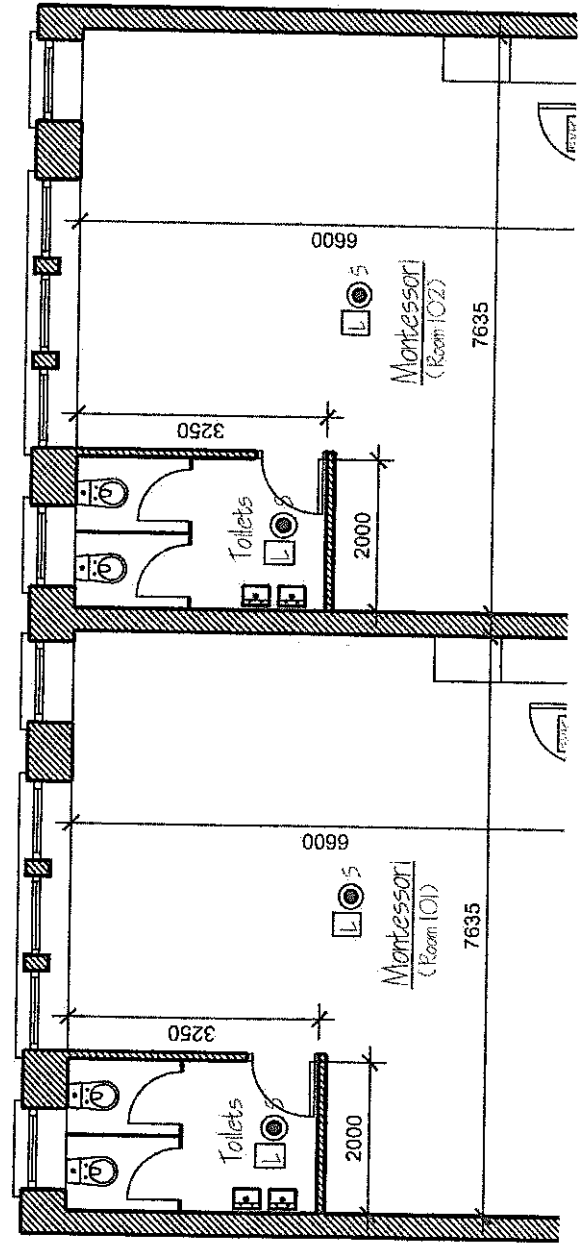


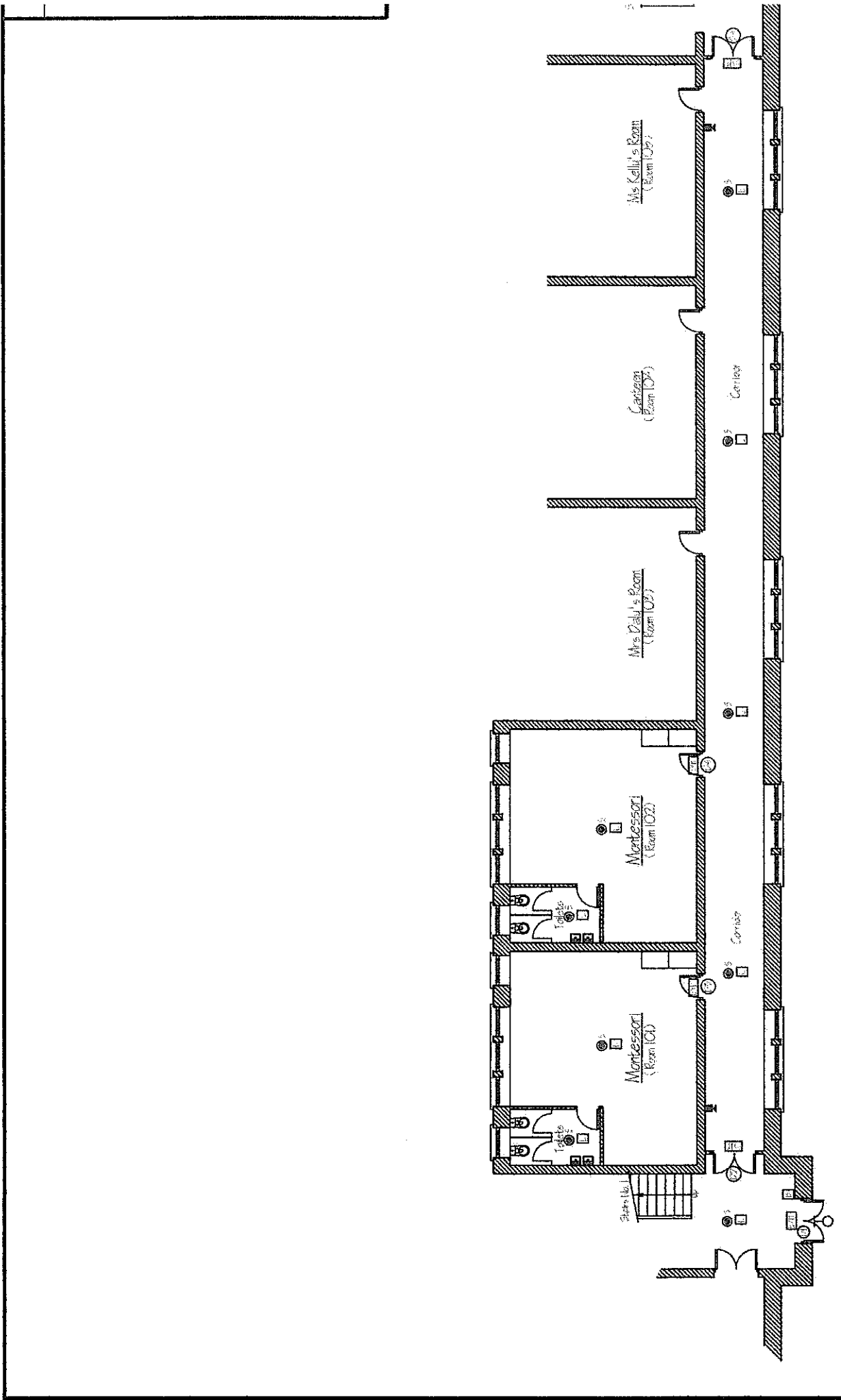
Ann



LEGEND

- SMOKE DETECTOR
- ⊙ HEAT DETECTOR
- ⊞ EXIT SIGN
- ALARM SOUNDER
- ⊞ EMERGENCY LIGHT
- ⊞ BREAK GLASS UNIT
- ⊞ FIRE ALARM PANEL
- ⊞ HALF HOUR FIRE DOOR
- ⊞ EXTERNAL EMERGENCY LIGHT
- ⊞ DENOTES DOOR NUMBER





Floor Plan of Montessori



Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Ann Daly
Knockyvoorke
Donoughmore
Co. Cork

07th October 2021

RE: R692/21 – Section 5 Declaration
Property: Sunvalley Montessori School c/o North Monastery Primary School
North Monastery Road, Cork

Dear Sir/Madam,

With reference to your request for a section 5 Declaration at the above named property, I am advised to request further information in relation to

- Nature of Facility - full-time/sessional etc Floor plan showing where the relevant classrooms are (the classrooms subject to this S5 referral) The room numbers of the classrooms to be used.
- Hours/Days of operation
- Number of and ages of children to use facility.
- Confirmation if there will be structural works and if there will be an increase in floor space.

Yours faithfully,

Kerry Bergin
Assistant Staff Officer
Community, Culture and Placemaking
Cork City Council



We are Cork.

Sunvalley Montessori School



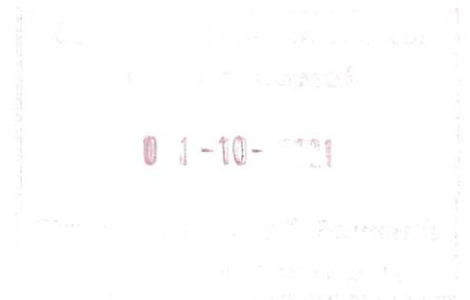
Teacher: Ann Daly, BA. Montessori Education
St. Nicholas Montessori College of Ireland

Tel: 086 - 2723040

Email: sunvalleymontessorischool@gmail.com

29th September 2021.

The Development Management Section,
Community, Culture & Placemaking Directorate,
Cork City Council,
City Hall,
Anglesea Street,
Cork.



Please find enclosed Section 5 Declaration Application Form.

I would appreciate if you could review the application as I need this Section 5 to progress my re-registration with Tusla.

If you would like to discuss anything with me, please feel free to contact me.

Regards and thank you.



Ann.

~~XXXXXXXXXX~~

3. Are you aware of any enforcement proceedings connected to this site?

If so please supply details:

N/A

4. Is this a Protected Structure or within the curtilage of a Protected Structure?

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? N/A

5. Was there previous relevant planning application/s on this site?

If so please supply details:

6. 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 meters (sq. M)

(a) Floor area of existing/proposed structure/s	103 sqm.
(b) If a domestic extension, 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. (sq m)
(c) If concerning a change of use of land and / or building(s), please state the following:	
Existing/ previous use (please circle)	Proposed/existing use (please circle)
Classroom	Classroom

8. LEGAL INTEREST

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Other <input checked="" type="checkbox"/>
Where legal interest is 'Other', please state your interest in the land/structure in question	Tenant / Renter	
If you are not the legal owner, please state the name and address of the owner if available	North Mon Primary School North Monastery Rd., Co. CK	

9. I / We confirm that the information contained in the application is true and accurate:

Signature: _____

Date: _____

- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- 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 is sought.
- Any person issued with a declaration may on payment to An Bord Pleanála refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
- In the event that no declaration 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 was due to be issued by the Planning Authority.

The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration 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.

DATA PROTECTION

"Cork City Council is committed to fulfilling its obligations imposed by the Data Protection Acts 1988 to 2018 and the GDPR. Our privacy statement and data protections policy is available at <https://www.corkcity.ie/en/council-services/public-info/gdpr/>.

We request that you read these as they contain important information about how we process personal data.



Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Ann Daly
Knockyvoorke
Donoughmore
Co. Cork

2nd December 2021

RE: R692/21 – Section 5 Declaration
Property: Sunvalley Montessori School c/o North Monastery Primary School
North Monastery Road, Cork

Dear Sir/Madam,

With reference to your request for a section 5 Declaration at the above named property, I wish to advise and having regard to —

- Sections 2, 3 and 4 of the Planning and Development Act 2000 (as amended), and
- Articles 6, 9 and 10 of the Planning and Development Regulations 2001 (as amended),

the planning authority considers that —

It is considered that proposed use of an existing classroom within a primary school (North Mon Primary) as a pre-school classroom **Is Not Development** and therefore is **Not Exempted Development**. No planning permission is required prior to the commencement of this use.

Yours faithfully,

Áine O'Leary
Assistant Staff Officer
Community, Culture and Placemaking
Cork City Council



We are Cork.

PLANNER'S REPORT Ref. R 692/121		Cork City Council Culture, Community and Placemaking
Application type	Section 5 Declaration	
Description	<i>Is the use of an existing classroom within a primary school (North Mon Primary) as a pre-school classroom, development and if so is it an exempted development?</i>	
Location	Sunvalley Montessori School, North Mon Primary School, North Monastery Road	
Applicant	Ann Daly	
Date	15/12/2021	
Recommendation	<i>Is Not Development and Is Not Exempted Development</i>	

In this report 'the Act' means the Planning and Development Act 2000 (as amended) and 'the Regulations' means the Planning and Development Regulations 2001 (as amended), unless otherwise indicated.

1. Requirements for a Section 5 Declaration

Section 5(1) of the Planning and Development Act 2000 as amended states,

5.—(1) If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the planning authority any information necessary to enable the authority to make its decision on the matter.

The requirements for making a section 5 declaration are set out in the Act.

2. The Question before the Planning Authority

In framing the question to the planning authority, the applicant states in Q2 of the application form:

Is the use of an existing classroom within a primary school (North Mon Primary) as a pre-school classroom, development and if so is it an exempted development?

3. Site Description

The subject site is located in the North Monastery education campus located on the western side of Blackpool village between Fair Hill and the North Monastery Road. It is contained within an existing school building, stated to form part of the primary school on this site.

4. Planning History

There is no recent planning history associated with this part of the North Monastery campus.

5. Legislative Provisions

5.1 The Act

Section 2(1),

"works" includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Precedent cases:

RL 3443: An Bord Pleanála.

Differing opinions between the inspector and the Board. The Board concluded that the use of a previous school building as an after school and Montessori facility at this property is not development.

6. ASSESSMENT

It should be stated at the outset that the purpose of this report is not to determine the acceptability or otherwise of the proposal at this location in respect to the proper planning and sustainable development of the area, but rather whether or not the matter in question constitutes development, and if so falls within the scope of exempted development.

6.1 Development

The first issue for consideration is whether or not the matter at hand is 'development'.

'Development' as defined in the Act (3)(1) comprises two possible chief components: *'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'*. In order to ascertain whether or not the subject use is considered to be development as so defined, consideration must first be given to whether any works on, in, over or under land have or will be carried out, and secondly to whether any material change in the use of any structures or other land have or will take place.

'Works' is defined in section 2(1) of the Act as *'the carrying out of any works on, in, over, or under land' including 'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal, and in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.'*

The applicant has submitted that no work are proposed. The key question is therefore whether or not a material change of use is proposed. The following details have been provided regarding the nature of the use:

Opening hours will be 9am – 12:15 Monday to Friday to match same calendar as the primary school. Children will be 3 to 5.5 years of age. There will be up to 18 no. students and 2 staff per classroom (total being 36 children and 4 no. staff).

The Montessori will be run in two classrooms which are no longer used as part of the school. Given the small class numbers proposed I consider that it is likely that the use will result in less children using the space than when the rooms were used for primary school classed.

I consider that there will be no material change of use from the established primary school use of the building. Accordingly this report concludes that no development will occur and no planning permission is required.

6.2 Exempted development

As the proposed use of the school as a Montessori is not considered to be development it is therefore not exempted development.

7. ENVIRONMENTAL ASSESSMENT

7.1 Screening for Environmental Impact Assessment

Having regard to the contents of Article 103 (as amended by Article 14 of the Planning and Development (Amendment) (No 3) Regulations 2011) and Schedule 7 of the Planning and Development Regulations 2001 (as amended) it is considered that the proposed development by reason of its nature, scale and

Sunvalley Montessori School



Teacher: Ann Daly, BA. Montessori Education
St. Nicholas Montessori College of Ireland

Tel: 086 - 2723040

Email: sunvalleymontessorischool@gmail.com

19th November 2021.

Aine O Leary,
Planning Department,
Cork City Council.
City Hall,
Cork.

Aine,

Please find enclosed plans and map as supplied by architect.

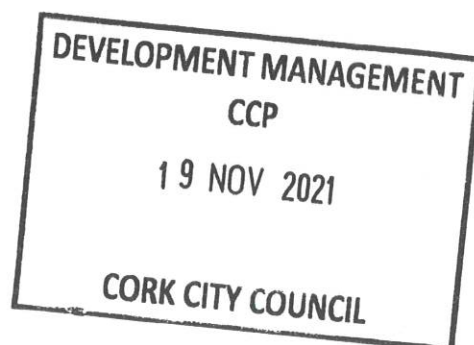
If you require anything else please let me know and I will get it to you as soon as possible.

Thank you so much.

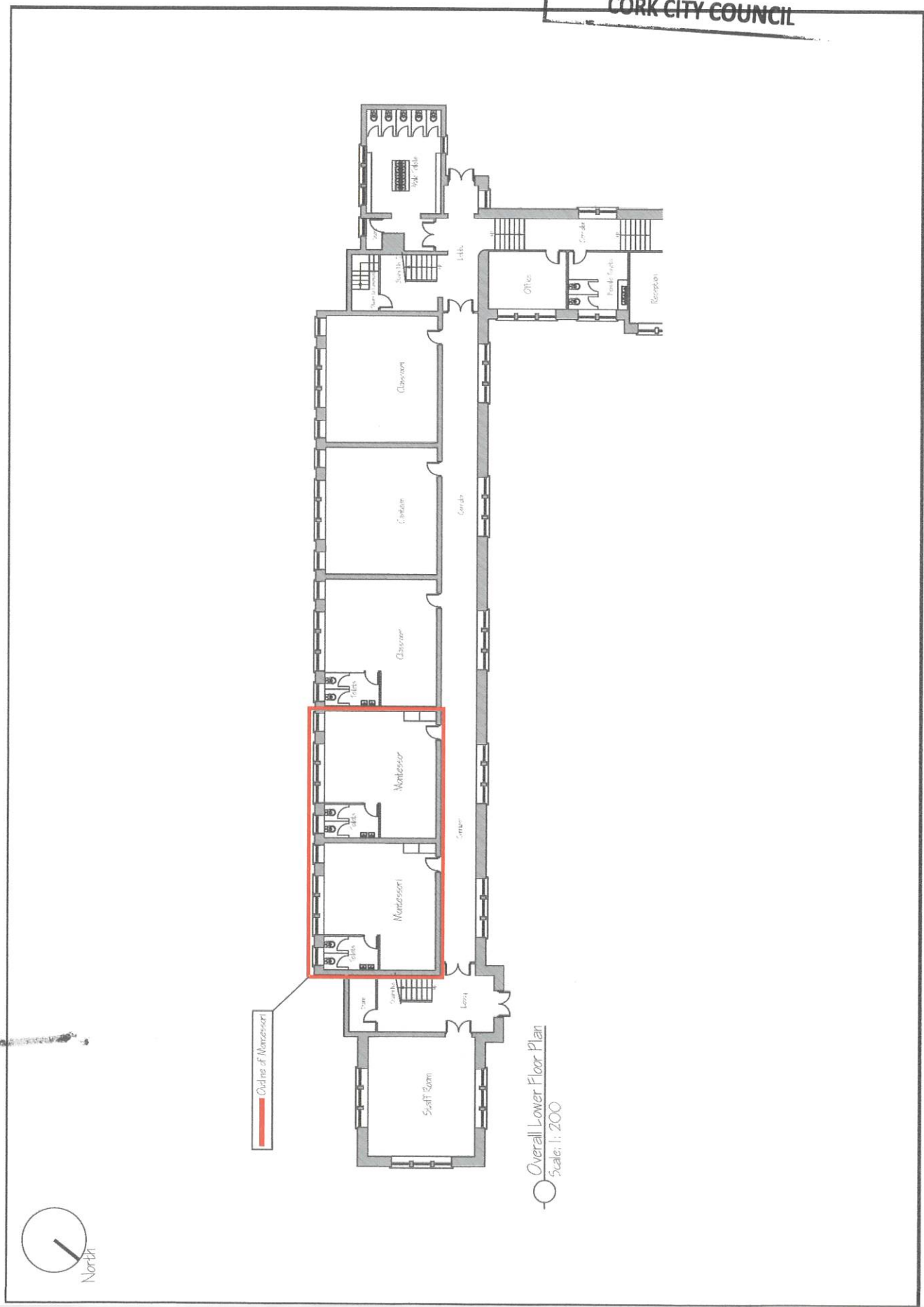


Ann.

~~XXXXXXXXXX~~



19 NOV 2021



Outline of Messroom

Overall Lower Floor Plan
Scale: 1:200

Location Map of North Monastery Scale 1: 1000



CENTRE COORDINATES:
ITM 568897 572907

PUBLISHED:
29/09/2021

ORDER NO.:
59223113_1

MAP SERIES:
1:1,000

MAP SHEETS:
0382-04

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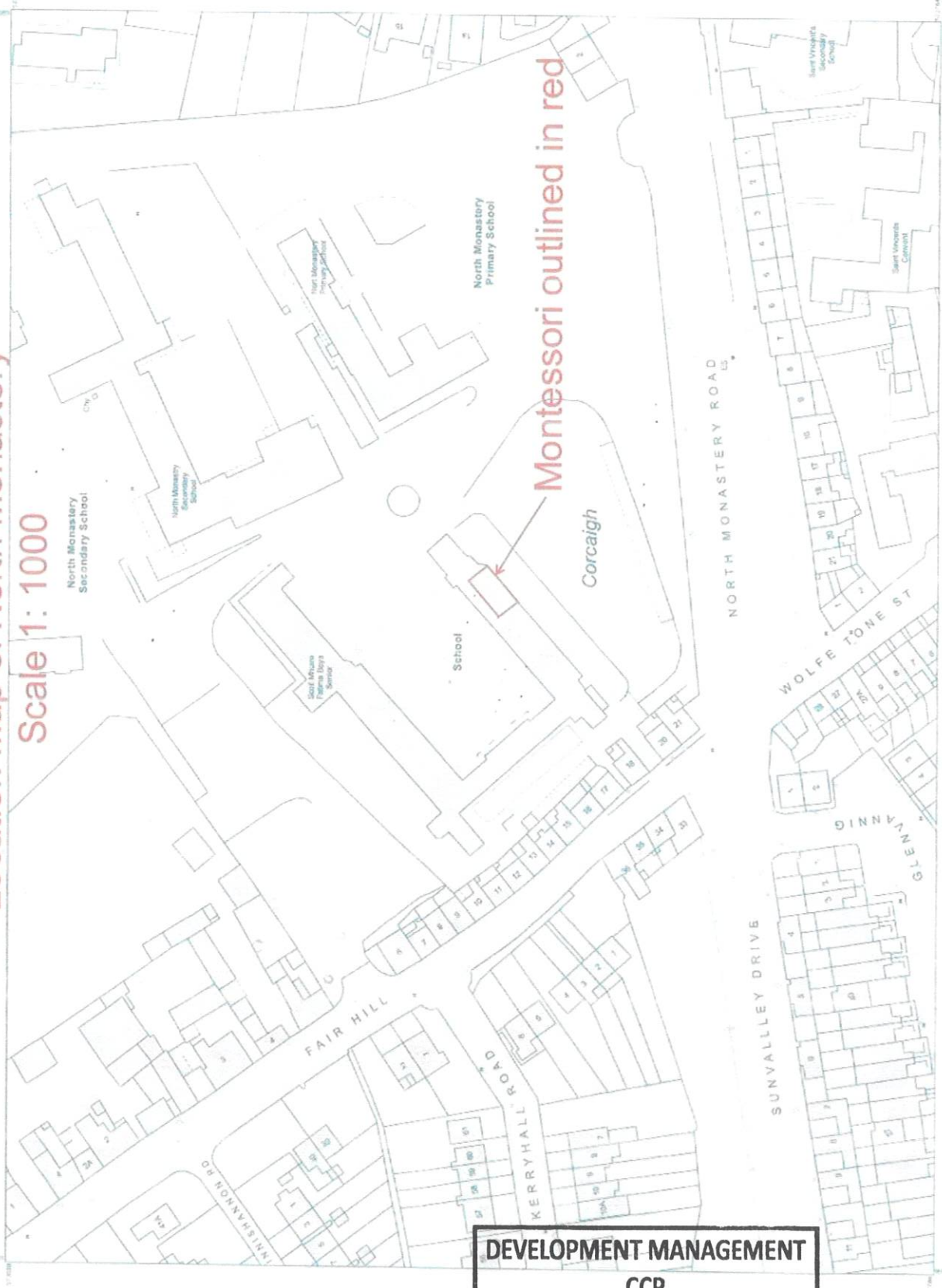
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OUTPUT SCALE: 1:1,000

DEVELOPMENT MANAGEMENT
CCP
19 NOV 2021



CORK CITY COUNCIL
CITY HALL
CORK

19/11/2021 13:25:25

Receipt No. : PLAN3/0/7823441
***** REPRINT *****

R698 21
Karen Reidy

EXEMPTION CERTS - FEES 58800	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
R698 21	

Total : 80.00 EUR

Tendered :
Cheque 80.00
523927

Change : 0.00

Issued By : Eoghan Fahy
From : Planning Dept. 3
Vat reg No.0005426M



CORK CITY COUNCIL
CITY HALL
CORK

19/11/2021 13:25:25

Receipt No. : PLAN3/0/7823441
***** REPRINT *****

R698 21
Karen Reidy

EXEMPTION CERTS - FEES 58800	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
R698 21	

Total : 80.00 EUR

Tendered :
Cheque 80.00
523927

Change : 0.00

Issued By : Eoghan Fahy
From : Planning Dept. 3
Vat reg No.0005426M

PLANNING DEPARTMENT

CASHDESK RECEIPT CHECKLIST

Name: Karen Reidy

Amount: €80 TP No.: R698/21

Description/ Address: 2 Glandore

Business Unit	Description
I4110	Copies of Planning Permission <ul style="list-style-type: none">• Copies of Planning Decisions• Copies of Final Grant• General copying• Archive Retrieval• Microfiche
TI4110 (<i>Transitions Area</i>)	

I4114	• Application Fees
TI4114 (<i>Transitions Area</i>)	

I4116	• Section 5 applications (Exemption Certs) <ul style="list-style-type: none">• Extension of Duration Applications• Planning Searches
TI4116 (<i>Transitions Area</i>)	

I4117	• Submissions/Objections on Planning Applications
TI4117 (<i>Transitions Area</i>)	

I4118	• Recouped Enforcement Expenses
TI4118 (<i>Transitions Area</i>)	
I4121	• Section 254 Licence fees (Fingerpost signs)
TI4121 (<i>Transitions Area</i>)	
I4122	• SHD Fees (Strategic Housing Developments)
TI4122 (<i>Transitions Area</i>)	
I4124	• Planning Bond Letters
TI4124 (<i>Transitions Area</i>)	
I4100	• Outdoor Event Licences
TI4100 (<i>Transitions Area</i>)	

Planning Contributions

TP NO. : _____ JDE Account NO.: _____

Amount: _____

Signed: [Signature] Date: 16/11/2021