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# **Childcare Facilities**

## **Guidelines for Planning Authorities**

**June, 2001**

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## Definitions

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

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

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

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

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

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



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## 1.0 Context

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### 1.1 Background

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

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

### 1.2 Government Policy

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

### 1.3 Aim

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

### 1.4 Ministerial Guidelines

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

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## 2.0 *Development Plans, Local and Action Area Plans*

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### 2.1 **Planning and Development Act, 2000**

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

### 2.2 **Policies**

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

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

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



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## 2.3 Objectives

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

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

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

## 2.4 Appropriate Locations for Childcare Facilities

Appropriate locations for childcare facilities would include:

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

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

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

## 2.5 Local or Action Area Plans

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

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

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## **3.0<sup>1</sup> Development Control and related standards for Childcare Facilities**

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### **3.1 Land Use Zoning**

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

### **3.2 Development Control**

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

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

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

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### 3.3 SPECIFIC LOCATIONS

#### 3.3.1 New and Existing Residential Areas

##### Full Day Care Facilities - Suitable Sites

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

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

##### Sessional Childcare Facilities

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

#### 3.3.2 Industrial Estates/Employment Areas

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

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

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

### **3.3.3 City/Town Centres, District Centres and Neighbourhood Centres**

#### *Neighbourhood and District Centres*

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

#### *City/Town Centres*

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

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

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

### **3.3.4 Educational Establishments**

#### *Third level colleges*

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

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

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

#### *Primary and Second Level Schools*

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

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

### **3.3.5 Public Transport Nodes**

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

## **3.4 Possible Conditions to Planning Permission**

### **3.4.1 Residential Content**

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

### **3.4.2 Temporary Permission**

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

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

### **3.5 Drop-in Childcare Facilities in Shopping Centres**

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

### **3.6 Access**

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



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## APPENDIX 1      GENERAL STANDARDS

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

1. Minimum floor space per child: 2.32 m<sup>2</sup>, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

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

<b>AGE OF CHILD</b>	<b>FLOOR AREA PER CHILD</b>
<b>0 – 1</b>	<b>3.70 m<sup>2</sup></b>
<b>1 – 2</b>	<b>2.80 m<sup>2</sup></b>
<b>2 – 6</b>	<b>2.32 m<sup>2</sup></b>

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

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

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

- Clear floor space per child: 2.00 m<sup>2</sup>, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

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

- Clear floor space per child: 2.00 m<sup>2</sup>, exclusive of kitchen, bathroom and hall, furniture or permanent fixtures.

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

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

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

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

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

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

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

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

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

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

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

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

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## **APPENDIX 4      LIST OF RELEVANT PUBLICATIONS**

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

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

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

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