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### Crèches, Day Nurseries and Pre-School Playgroups

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The purpose of this Advice Note is to give general guidance to intending developers, their professional advisors and agents. It is designed to provide advice on the Planning criteria to be applied when an application for this form of development is being considered. It should be stressed that the note is not a specific statement of Departmental policy but rather one of advice and guidance.

Any legal views expressed in this note have no statutory force and should not be relied upon as an authoritative interpretation of the law.

A list of other current notes in this series can be obtained from Divisional Planning Offices or from the Planning Service Headquarters.

- 1** In recent years the Department has received an increasing number of planning applications for the provision of crèches, day nurseries and pre-school playgroups and this is a trend which would appear likely to continue. This note sets out the planning criteria which the Department will take into consideration when determining such proposals.
- 2** The Children and Young Persons Act (Northern Ireland) 1968 places a responsibility on Health and Social Services Boards to register all arrangements within their area where children are cared for outside of their own home by a person to whom they are not related for more than 2 hours a day or more than 2 days a week on a regular basis, whether this is in a private dwelling or in other premises. In relation to registration the Board will want to be satisfied that the standard of facilities provided are satisfactory and that the children are being given proper care.
- 3** Persons who wish to use their own homes for child minding will not normally require planning permission for such a use where the number of children is restricted to 3 or less. Other factors such as hours of operation, size of premises, potential traffic hazards, etc, may however have important implications in particular situations and in such cases a planning application may be necessary. Where the number of children exceeds 3 planning permission may be required depending on local land use circumstances. In either case therefore it is advisable to write to the relevant Divisional Planning Office seeking a determination as to whether the submission of a planning application is considered necessary.

#### Definitions

- 4** There is no specific definition given in planning legislation of the term "crèche", "day nursery" or "pre-school playgroup" however the following is a broad description which would cover the uses.

"A place where a number of children under 5 years of age are brought together for part or all of a working day on a regular basis and where provision is made for their care, recreation and in some cases meals".

A crèche or pre-school playgroup normally caters for children of 3 to 5 years and for part of a day only. Day nurseries often cover the complete age range under 5 years old and normally operate on a full day basis. Also, a number of existing facilities provide care for older children, i.e., over 5 years old, after school hours.

- 5 "Crèches, day nurseries and pre-school play-groups" fall within Class 15 of the Planning (Use Classes) Order (Northern Ireland) 1989 which covers the following.

Any use (not including a residential use):-

- a. for the provision of any medical or health services except the use of premises attached to the residence of the consultant or practitioner;
- b. as a crèche, day nursery or day center;
- c. for the provision of education;
- d. for the display for works of art (otherwise than for the sale or hire);
- e. as a museum;
- f. as a public library or reading room; or
- g. as a public hall or exhibition hall.

In any case, where differences can arise as between one use and another within Class 15, particularly in terms of their effects on the amenity of the surrounding area, the Department reserves the right to grant planning permission subject to a condition that no further change of use shall take place within the class without the express grant of planning permission.

### **Information to be included with Planning Applications**

- 6 In order to allow the Department to make a full assessment of the impact of the proposed development on the amenity of the immediate area, all future applicants will be required to provide information on the following: -
- the proposed number and age range of children to be catered for;
  - the proposed number of staff, the ratio of staff to children and the maximum number of staff on the premises at any given time;
  - hours and days of opening;
  - an indication of the internal floorspace arrangements and for external playspace provision (both soft and hard surfaces);
  - a block layout plan indicating proposed car parking provision, landscaping and screening proposals, the means of access and internal vehicle manoeuvring space.

### **Non-Residential Areas**

- 7 It is anticipated that there will be an increasing number of crèche, day nursery and pre-school playgroup facilities provided in or near existing work places. The Department considers that a location in an industrial area would be acceptable so long as the facility is ancillary to an existing industrial use. Developers would need to ensure that such a location is acceptable in terms of the environmental impacts of adjacent uses, traffic hazards and potential dangers from industrial plant or machinery.

In areas of predominantly commercial land uses or areas of mixed commercial and residential uses, the provision of a crèche, day nursery or pre-school playgroup would normally be acceptable subject to the consideration that such a use would not be allowed to break up an otherwise continuous shopping frontage. In some instances, it may be possible for the use to locate on the upper floors of a building thus overcoming this objection. In areas of mixed land use, the effects of the proposal on any residential properties will be considered in the same way as proposals in wholly residential areas.

### **Residential Areas**

- 8 To a limited extent, crèches, day nurseries and pre-school playgroups have operated for some time as part of the overall activities within existing community buildings such as church complexes and community centres. While such premises may often be acceptable to the Department, trends would indicate that such day care facilities are becoming increasingly specialised in nature and operated on a commercial basis.

The Department would therefore anticipate that a substantial proportion of future applications will be for specialised crèches, day nurseries and pre-school playgroups in properties located within residential areas. Such proposals are unlikely to be acceptable in terraced or semi-detached properties in residential areas where the predominant form of occupation is by single families. Detached dwellings may be more acceptable for this type of use, particularly if they are substantial villas set in reasonably large grounds with mature landscaping. In determining the suitability of premises for such purposes, the Department will consider the impact of any proposed development on the existing character and amenity of the area and the implications for road safety. In residential areas, the Department will not normally grant permission for the change of use of an entire dwelling but may give favourable consideration to proposals for the joint use of a property as a residence and crèche, day nursery playgroup.

- 9 In considering the impact of the proposal on a residential area, the Department will have particular regard to the scale of operation, potential nuisance and disturbance, and the visual impact of the proposal.

(1) **Scale of Operation**

One of the main determinants of the acceptability of a proposal will be its scale. Whilst a proposal involving a small number of children might be acceptable in a residential area, one catering for 30 children could have a serious detrimental effect on residential amenity. The Department will therefore wish to be satisfied that the scale of operation is appropriate both in relation to the specific site and the general neighbourhood.

(2) **Potential Nuisance and Disturbance**

The main source of disturbance is noise generated either by additional traffic attracted to the site, or by the outdoor playing of the children. In considering a proposal the Department will wish to be satisfied that traffic arrangements are satisfactory and adequate outdoor playspace is available. Such playspace should not be located in close proximity to habitable rooms of any adjacent residential properties. The Department will consider the impact that the proposed hours of operation may have on residential amenity.

(3) **Visual Impact**

Regard will be taken to the effect of the proposal on the visual amenity and character of the area. The impact on existing landscaping will be considered together with the need for the provision of new or additional landscape treatment on any proposed site. Proposals to provide car parking space in front gardens in residential areas are unlikely to be acceptable. Parking provision and outdoor play areas should normally be screened from the public road and from adjoining property. Careful consideration should be given to materials used on surfaces. As a general rule the hardsurfacing of gardens will be discouraged. Applications which involve the use of temporary structures such as portacabins will be considered only in the most exceptional circumstances, and if approved the permission will be for a strictly limited period of time. Again screening from the public road and adjacent properties would be important. Extensions to existing buildings will only be permitted where it is clear that the extension would not result in a significant impact on residential amenity

- 10 In Conservation Areas and Areas of Townscape Character the proposed conversion to a crèche, day nursery or pre-school playgroup will be considered in the light of planning policy for such an area. Where the proposal is considered acceptable in principle the detail of the proposed development must have special regard to the special architectural and historic character of the area.
- 11 The change of use of a building listed for its special architectural or historic interest to a crèche, day nursery or pre-school playgroup may be acceptable especially if such a use would help prolong its viable use or enhance its appearance. Alterations or extensions to such buildings will be strictly controlled and proposals which are unsympathetic to the character, structure or appearance of listed buildings will not be permitted.

### **Access Arrangements**

- 12 Proposals which involve development at locations such as a busy road junction or a dangerous bend or the formation of a new vehicular access on to a main traffic route or where access standards cannot be achieved will not receive favourable consideration. The Department will also require to be satisfied that the additional traffic generated by the proposal will not give rise to dangerous traffic conditions. If access or sightline requirements result in an unacceptable loss of amenity by the removal of existing landscaping applications are unlikely to receive favourable consideration. Replanting behind sightlines will normally be a condition of planning permission. Openings for vehicle access should be kept to a minimum and should not exceed 50% of the site frontage.

### **Car Parking Provision**

- 13 Off-street car parking should normally be provided to the following standards:-

*Staff parking*

- one space per 3 full-time members of staff;
- one space per 6 part-time members of staff;

*Visitor parking*

- one space per 10 children is considered to be adequate.

Whilst these set standards will be used as a guide each application will be considered on its merits. Where

possible, applicants should consider the provision of a lay-by facility along the frontage of the site. Provision must be made for vehicles to enter and leave the site in a forward gear.

### **Proliferation of Uses**

- 14 The Department is of the opinion that while in many areas the introduction of one or two specialist uses of this nature may be acceptable, a proliferation of such uses can collectively lead to a changed in the overall character of an area. In determining each individual application therefore, the Department will take into consideration the number and location of other non-residential and specialist residential uses and the cumulative effect of these uses on the immediate neighbourhood.

### **Imposition of Conditions**

- 15 Where promotion is granted for the provision of a crèche, day nursery or pre-school playgroup, the Department may impose conditions covering the following aspects: -
- the total number of children cared for on the site to ensure the business does not expand beyond the capacity of the site;
  - the days and hours of opening where necessary to minimise possible adverse effects of any proposal on residential amenity;
  - landscaping and screening where appropriate;
  - a time-limited permission may be granted where a trial period is considered appropriate.

### **Rural Areas**

- 16 Proposals for such uses in rural areas will be considered in the context of the Department's Planning Strategy for Rural Northern Ireland. The Department considers that towns and other smaller rural settlements acting as existing service centres for the surrounding population are the appropriate location for rural crèches, day nurseries and pre-school playgroups. Outside settlements, permission may be granted in a rural area to meet a defined local need. To be acceptable such a proposal would need to be: -
- part-use of an existing residential property; the total conversion of a dwelling would not be acceptable;
  - acceptable in terms of the visual impact on the landscape, including the impact of car parking and alterations to the access;
  - accessed to a road other than a Main Traffic Route.

This policy will also apply in a Green Belt or Countryside Policy Area.

### **Health and Social Services Board Requirements**

- 17 In determining all applications the Department shall have regard to the requirements for registration by the relevant Health and Social Services Board. These requirements include internal and external space standards, maximum number of children and staff to child ratios.

#### **Development Control Advice Notes are available from:**

The Planning Service  
Department of the Environment (NI)  
Clarence Court  
10-18 Adelaide Street  
BELFAST  
BT2 8GB

or [Divisional Planning Offices](#)