



## Board Direction

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**Ref: 15.246845**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 2<sup>nd</sup>, November 2016.

The Board decided (by a majority of 2 :1) to grant permission in accordance with the following reasons, considerations and conditions.

### **REASONS AND CONSIDERATIONS**

Having regard to the nature and limited scale of the proposed development, the fact that the proposal involves the re-use of an existing dwelling for use as a residential based intervention and assessment centre for children and the need for such a facility as described by the applicant it is considered that, subject to compliance with the conditions as set out below, the proposed development would not seriously injure the visual, residential or other amenities of this rural area, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, would not materially contravene the provisions of the Louth County Development Plan 2015 - 2021 and would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board accepted the need for the proposed facility as presented by the applicant and considered that, in light of the nature and specific age group and needs of the children to be assessed the proposed development was acceptable in this rural area. The Board concurred with the Planning Authority in concluding that the proposed development falls within the 'exceptional circumstances' category in relation to the general presumption against nursing homes/analogous services in the open countryside. Accordingly, the Board concluded that the proposed development would not materially contravene the provisions of the Louth County Development Plan 2015 – 2021.

## CONDITIONS

- (1) Std. P and P and Reason
- (2) The Early Intervention and Assessment Centre for children shall cater only for children between 3 and 10 years of age inclusive and shall cater only for children undergoing assessment prior to placement with foster families or in an alternative facility to cater for the needs of the children in a longer term residential setting. The facility shall not be used as a long term residential care centre or for children of any other age.

**Reason:** In the interests of clarity in respect of the scope and nature of the facility as documented in submissions from the applicant.

- (3) The proposed change of use of the garage to residential is not permitted. The garage structure shall be used as a garage or for the purposes of storage only. It shall not be used for human habitation and shall not be converted to provide two independent residential units as shown on the plans and particulars submitted with application and appeal documentation.

**Reason:** In the interest of clarity.

- (4) A comprehensive landscaping plan for the site shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. This landscaping strategy shall be prepared by a suitably qualified landscape architect and shall provide for landscaping of general outdoor areas, both hard and soft landscaping for areas reserved as play areas, supplementary planting along site boundaries and measures to address the visual impact of the fire escape by means suitable screen planting. The agreed scheme shall provide for replacement planting in respect of any planting that fails in the first season. Landscaping shall be permanently retained as part of the development.

**Reason:** In the interest of visual amenity.

- (5) Per p.a. c. number 2 and Reason.
- (6) Std. Water Drain and Reason

(7) Std. Prop TS 4 and Reason.

(8) Std. CMP and Reason

(9) Std. S. 48 (unspecified and Reason)

Board Member: \_\_\_\_\_ Date: 2<sup>nd</sup>, November 2016  
Paddy Keogh

**Note:** The Board was not satisfied on the basis of the documentation submitted with the application to the planning authority and accompanying the appeal that the applicant had adequately demonstrated the need for the proposed conversion of the garage for use as two separate self-contained residential units with associated office space etc. detached from the proposed assessment centre. In this regard, the Board concurred with the Planning Inspector's analysis as set out at para. 8.4.3 of her report.

*[Please issue a copy of the Board Direction with the Board Order]*