

An
Bord
Pleanála

**Board Direction
ABP-308257-20**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 11/04/2022.

WHEREAS a question has arisen as to whether the proposed use of the dwelling at No. 1 Stratton Pines, Bishopstown, Cork as a residential care unit for persons with an intellectual or physical disability or mental illness and persons providing care for such persons is or is not development or is or is not exempted development;

AND WHEREAS Cuan Mhuire CLG care of RDF Architects & Planning, Unit 19, Charleville Town Centre, Charleville, County Cork requested a declaration on this question from Cork City Council and the Council issued a declaration on the 1st day of September, 2020 stating that the matter was development and was not exempted development;

AND WHEREAS Cuan Mhuire CLG referred this declaration for review to An Bord Pleanála on the 18th day of September, 2020;

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) article 6(1), 9(1) and Classes 1 and 14(f) of Part 1, Schedule 2 of the Planning and Development Regulations, 2001, as amended,

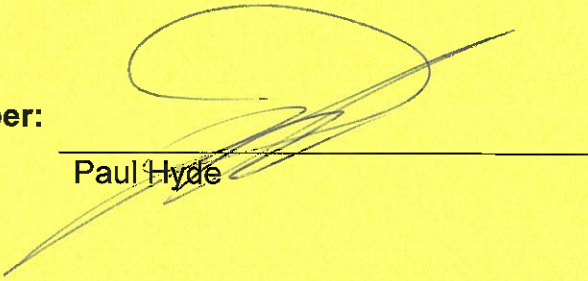
- (c) the planning history of the site, and
- (d) the pattern of development in the area;

AND WHEREAS An Bord Pleanála has concluded that:

The change of use of No. 1 Stratton Pines, Bishopstown, Cork from a single dwelling to a residential care unit for persons with intellectual, physical disability or mental illness and persons providing care is development and is exempted development as it falls within the scope of Class 14(f) of the Regulations, 2001;

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the change of use of the dwelling at No. 1 Stratton Pines, Bishopstown, County Offaly as a residence for persons with intellectual or physical disability or mental illness and persons providing care for such persons is development and is exempted development.

Board Member:



Paul Hyde

Date: 11/04/2022