



An
Bord
Pleanála

Board Direction
ABP-309565-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27/07/2021.

The Board decided, as set out in the following Order, that

Board Order as follows:-

WHEREAS a question has arisen as to whether the change of use of house to registered Children's Residential Home at Knockadreet, Roundwood, Co. Wicklow is or is not development or is or is not exempted development:

AND WHEREAS Elaine Currie requested a declaration on this question from Wicklow County Council and the Council issued a declaration on the 5th day of February, 2021 stating that the matter was development and was not exempted development:

AND WHEREAS referred this declaration for review to An Bord Pleanála on the 1st day of March, 2021:

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

- (a) Section 3(1) of the Planning and Development Act, 2000,
- (b) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (c) Schedule 2 Part 1 Class 14(f) the Planning and Development Regulations, 2001, as amended, and
- (d) the nature and scale of the proposed use as a registered Children's Residential Home,

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The change of use of the existing dwelling from use as a private residence to use as a registered Children's Residential Home constitutes a material change of use, and is therefore development, as defined in section 3 of the Planning and Development Act 2000, as amended.
- (b) This change of use comes within the scope of Class 14 (f) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended, and would therefore, constitute exempted development, and,
- (c) None of the restrictions on exemption set out in article 9(1) of these Regulations apply in this instance.

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 house to registered Children's Residential Home at Knockadreet, Roundwood, Co. Wicklow is development and is exempted development.

Board Member: *Terry Prendergast*

Date: 28/07/2021

Terry Prendergast

Note: The Board took into consideration the grant of permission for an extension to the property by the planning authority (PA Ref. Ref 17/857).

Please issue Direction with Order.

