

Planning and Development Acts 2000 to 2021

Planning Authority: Cork City Council

Planning Register Reference Number: R572/20

WHEREAS a question has arisen as to whether the change of use from a single dwelling to a facility for those recovering from addictions at Number 1 Stratton Pines, Bishopstown, County Cork is or is not development or is or is not exempted development:

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

AND WHEREAS Cuan Mhuire CLG care of RDF Architects and Planning of Unit 19 Charleville Town Centre, Charleville, County Cork referred the declaration for review to An Bord Pleanála on the 18th day of September, 2020:

AND WHEREAS having regard to the nature of the question and the documentation submitted as part of the referral, the Board considered that the referral question should be reformulated as follows:

“whether the proposed use of the dwelling at Number 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 An Bord Pleanála, in considering this referral, had regard particularly to –

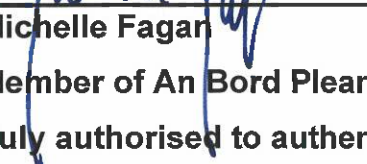
- (a) sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1), Class 1 and Class 14(f) of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (c) Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (d) the planning history of the site,
- (e) the pattern of development in the area, and
- (f) the report of the Inspector,

AND WHEREAS An Bord Pleanála has concluded that the change of use of Number 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, as amended:

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 whether the proposed use of the dwelling at Number 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 development and exempted development.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.



Michelle Fagan
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 14th day of April 2022