

Planning and Development Acts 2000 to 2020

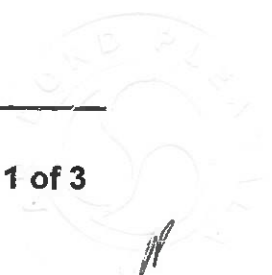
Planning Authority: Wicklow County Council

Planning Register Reference Number: EX 03/2021

WHEREAS a question has arisen as to whether the change of use of a dwelling house to a registered children's residential home at Knockadreet, Roundwood, County Wicklow is or is not development or is or is not exempted development;

AND WHEREAS Elaine Currie Director of Attuned Programmes Ireland Limited trading as FutureScape care of William Doran of 7 Saint Mary's Road, Ballsbridge, Dublin requested a declaration on this said question from Wicklow County Council and the said Council issued a declaration on the 5th day of February, 2021 stating that the said matter is development and is not exempted development;

AND WHEREAS Elaine Currie Director of Attuned Programmes Ireland Limited trading as FutureScape referred the 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, as amended,
- (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) of the Planning and Development Regulations, 2001, as amended,
- (d) the nature and scale of the proposed use as a registered Children's Residential Home,
- (e) the submissions on file, and
- (f) the report of the Inspector;

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) the 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 development comprising the use of a dwelling house to provide residential care at Knockadreet, Roundwood, County Wicklow is development and is 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.

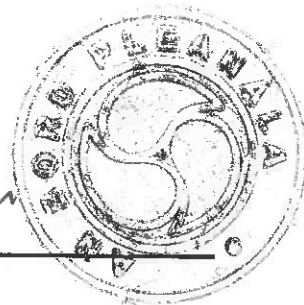
Terry Prendergast

Terry Prendergast

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *28th* day of *July* 2021