



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP-322910-25**

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### Development

Material alterations to the external envelope of 50 bed Community Nursing Unit building permitted under Reg. Ref. 20/208, including façade changes, new boiler house, and all associated site works.

### Location

St. Vincent's Hospital, Ballycullenbeg, Mountmellick, Co. Laois

### Planning Authority

Laois County Council

### Planning Authority Reg. Ref.

2560203

### Applicant

Health Service Executive Midlands Area

### Type of Application

Retention Permission

### Planning Authority Decision

Grant

### Type of Appeal

Third Party

### Appellants

Hilary Murphy and Ann Dunne

**Observer**

None

**Date of Site Inspection**

5<sup>th</sup> September 2025

**Inspector**

John Duffy

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## Appendix 1 – Form 1: EIA Pre-Screening

## **1.0 Site Location and Description**

- 1.1. St. Vincent's Hospital is a long-established medical facility located approximately 1.5km to the south of Mountmellick town centre at Ballycullenbeg, Mountmellick, Co. Laois. The 57-bed facility provides care for adult residents with continuing care, dementia and palliative care needs. The subject site is bounded to the north by Irishtown Road, along which there is residential development. The campus is bounded to the west, south and east by greenfield lands.
- 1.2. A new 50 bed Community Nursing Unit located at the north-eastern part of the hospital campus is nearing completion.

## **2.0 Proposed Development**

- 2.1. Retention permission is sought for material alterations to the external envelope of the new 50 bed Community Nursing Unit building which was granted permission under Reg. Ref. 20208.
- 2.2. Amendments to Reg. Ref. 20208 include the following:
  - New internal private maintenance access road including pedestrian zone, connecting the car park to the west and linking to the services yard to the south-east of the site.
  - Replacement of existing non-compliant ramps to the rear of the Nursing Unit.
  - New Boiler House building.
  - Changes to façade as follows:
    - a. Connection between new path and street footpath
    - b. Raising of landscaping levels to north and east
    - c. Removal of 950mm step in north facade
    - d. Reduction in height of ensuite roof level
    - e. Omission of north balcony.
    - f. Addition of the coloured insert between the windows
    - g. Removal of parapet above corridor curtain wall elements
  - Details of signage (Condition 14 of Reg. Ref. 20208 refers).

- Proposed PV panels to roof.

2.3. The full and detailed extent of the development to be retained is set out in the public notices is set out as follows:

‘The development will consist of material alterations to the external envelope of the new 50 Bed unit building, including the removal of 950mm step in the north façade. The reduction in height of all ensembles roof parapet levels, omission of one number north balcony, addition of the coloured render inserts between windows at all levels. Removal of rendered parapet and replacement with metal balustrade above the glazed curtain wall elements to all facades. Alterations to the main entrance including reconfiguration of the curtain walling. Landscape amendments to the north main entrance including the reconfiguration of the north path, construction of a new external access stair, relocation of the service entrance gate together with new surface finishes to the existing piers to match the existing boundary wall. The addition of 13 no. bicycle stands. The omission of ten number windows in total to the north east and the north west elevation. The demolition of an existing shed and construction of a new Boiler House located at the south of the 50 Bed Unit, the demolition and removal of an existing chimney to the west of the existing boiler house, the demolition of an existing WC, ramp and blocking of existing external door to the south of the existing laundry building. The inclusion of PV panels on the roof. The relocation of the existing compactor and associated bins. The removal and replacement of existing non-compliant ramps to the rear (south) of the existing Nursing Unit and the construction of a new maintenance access road including alterations to the carparking layouts with reduction of seven number spaces including all associated site and landscape works.’

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The planning authority granted retention permission on 5<sup>th</sup> June 2025 for the proposal subject to two conditions as follows:

1. The proposed development shall be retained in accordance with the plans and particulars received by the Planning Authority on 14/04/2025 except as otherwise required by the conditions of this permission.

Reason: To ensure the proposed development accords with the permission and effective control is maintained.

2. Save for the changes authorised by this permission, the development shall comply with all relevant conditions of previous planning permission granted under PI Ref 20/208. This permission shall not extend the expiry date of that permission.

Reason: In the interest of the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Report**

- The Area Planner's report describes the subject site, details its planning history and sets out the main amendments to the development permitted under Reg. Ref. 20208.
- No alterations proposed to the servicing arrangements approved under Reg. Ref. 20208.
- No objections to the alterations are raised. In terms of third party concerns raised regarding glare and impact on visual amenities from the coloured panels to be retained, the report considers these add visual interest, enhance the permitted development and complement the existing development. It is considered that the proposal would not adversely impact on the amenities of adjoining properties through undue overlooking, undue overshadowing and/or an over dominant visual impact.

#### **3.2.2. Other Technical Reports**

- Housing: No objection.

### **3.3. Prescribed Bodies**

Details of the application were issued by the planning authority to Uisce Eireann and the Health Service Executive. No reports from these bodies were made in respect of the application.

### **3.4. Third Party Observations**

One third party submission was received in connection with the proposal. Issues raised are the same / similar to those set out in the grounds of appeal below.

## **4.0 Planning History**

ABP Ref. FS11.309670 / PA Ref. 292020 refers to a December 2021 decision in connection with conditions attached to a Fire Safety Certificate for the proposed Community Nursing Unit at St. Vincent's Hospital, Mountmellick, Co. Laois.

PA Reg. Ref. 20/208 refers to an October 2020 decision to grant permission for the construction of a new build 50 bed unit for the replacement of existing beds including support services, associated site works, reconfiguration / upgrade landscaping works and associated minor works at St. Vincent's Hospital, Ballycullenbeg, Mountmellick, Co. Laois.

PA Reg. Ref. 14/192 refers to a September 2014 decision to grant permission for re-roofing of part of main hospital building and for erection of signage on the overall hospital site.

## **5.0 Policy Context**

### **5.1. Development Plan**

Preparation of a new Local Area Plan (LAP) for Mountmellick is underway. The operative plan is the Laois County Development Plan 2021-2027.

Mountmellick is identified in Volume 2 of the County Development Plan as a Self-Sustaining Town in the settlement hierarchy.

The land-use zoning for the subject site is 'Community, Educational and Institutional' as depicted on Map 3.10 – Mountmellick, as set out in Volume 2 of the Laois County Development Plan 2021 – 2027.

Land use zoning objectives are indicated in **Table 13.2** (Volume 1) and the uses considered appropriate to each zone are given in the land use matrix in Table 13.3.

The Objective of the 'Community, Educational and Institutional' land-use zoning is 'To protect and provide for local neighbourhood, community, ecclesiastical, recreational and educational facilities.'

The purpose of this zone as stated in Table 13.2 is *to protect and improve existing community, educational and institutional facilities and to safeguard their future provision. The land use will provide for local civic, religious, community, educational and other facilities ancillary to neighbourhood uses and services.*

**Section 5.3.3** of the Development Plan relates to Health Care Facilities. Relevant Health Care Policy Objectives include the following:

**HCPO 1** Co-operate with the Health Service Executive and other statutory and voluntary agencies in the provision of appropriate health care facilities covering the full spectrum of such care from hospitals to the provision of community based care facilities subject to proper planning considerations and the principles of sustainable development.

**HCPO 2** Ensure that adequate lands and services are available for the improvement, establishment and expansion of health services and ensure that adequate services such as water supply or wastewater treatment are in place prior to development taking place.

**HCPO 3** Encourage the integration of healthcare facilities within new and existing communities and to discourage proposals that would cause unnecessary isolation or other access difficulties, particularly for the disabled, the elderly and children.

## 5.2. Natural Heritage Designations

The development to be retained is not located within or immediately adjacent to any European Site or designated Natural Heritage Area or proposed Natural Heritage



Area. The nearest European Site is the River Barrow and River Nore SAC (Site Code 002162) located c 150m to the north.

## **6.0 EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Please see Form 1 in Appendix 1 of this report.

## **7.0 The Appeal**

This is a third party appeal against Laois County Council's decision to grant retention permission for the development, made by Hilary Murphy of An Tigín, Irishtown, Mountmellick, Co. Laois and Ann Dunne of Brielle House, Irishtown, Mountmellick, Co. Laois.

### **7.1. Grounds of Appeal**

The grounds of appeal may be summarised as follows:

- The use of bright coloured render will have a significant negative visual impact on the local area.
- The colour is not in keeping with the character of surrounding buildings, where traditional colours and materials are used.
- The stark contrast could disrupt the visual harmony of the neighbourhood and create a jarring and out of place appearance.
- The bright colour may cause a detrimental effect on the residential environment, particularly with regard to glare which could affect residents' comfort and enjoyment of their homes.
- The brightness of the render could lead to a constant visual disturbance especially when sunlight reflects off the building.

- The bright render reflects onto the appellant's front windows causing an obstructive glare and a constant yellow shadow in the front rooms, making it difficult to relax.
- Choice of colour should be reconsidered to one which is more neutral that better complements the existing environment.

The appeal submission includes photographs of the front windows of houses on the northern side of the public road reflecting the road-facing elevation of the new facility.

## **7.2. Applicant Response**

No valid response to the appeal was received from the applicant.

## **7.3. Planning Authority Response**

None.

## **7.4. Observations**

None.

## **8.0 Assessment**

8.1. Having examined the application details and all other documentation on file, including the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider the substantive issues in this appeal to be considered as follows:

- Principle of development
- Impact on the visual and residential amenities of the area
- Water Framework Directive – Screening
- Planning Authority conditions
- Appropriate Assessment

## **8.2. Principle of development**

8.2.1. The proposal, comprising amendments to the permitted 50-bed Community Nursing Unit permitted under Reg. Ref. 20/208 and nearing completion is located on lands within the hospital campus and zoned for 'Community, Educational and Institutional' use. As such, the proposal is acceptable in principle.

8.2.2. I note the planning authority undertook an assessment of the development to be retained, as detailed in the public notices, and are satisfied that it accords with the proper planning and sustainable development of the area.

### **8.3. Impact on the visual and residential amenities of the area**

8.3.1. The grounds of appeal, in summary, raise concerns that the yellow coloured render inserted between the windows of the new 50-bed Community Nursing Unit impact negatively on the visual amenity of the area, could disrupt the visual harmony of the neighbourhood, and could lead to a constant visual disturbance especially when sunlight reflects off the building. In this regard, the appellants note that the bright render reflects onto the front windows of their houses (which are located opposite the new building), resulting in an obstructive glare and a yellow shadow in front rooms.

8.3.2. The report relating to the proposal prepared on behalf of the applicant and provided with the planning application details that yellow coloured render between window sections on the façades was chosen in order to reduce the austere look of the building and to make the building more inviting and more in keeping with its function as a nursing home. The elevation drawing (Drawing No. CNUM-STW-ZZ-XX-DR-A-PLA-201 P2) demonstrates that all elevations include the coloured render to some extent, with the north-western façade (facing the public road) having the greatest number of coloured rendered inserts. The code for the coloured render is given on the elevation drawing as NCS S 1060-Y30R.

8.3.3. I note the planning authority had no concerns relating to the coloured render and considers that it enhances the new Nursing Unit whilst complementing the existing development.

8.3.4. In my view the yellow coloured render which forms part of each elevation of the Community Nursing Unit is acceptable at this urban location and does not unduly

impact on the visual amenity of the area. The yellow render distinguishes the new building from existing buildings within the hospital campus and it is, in my opinion, quite successful in breaking up the bulk of the building. Further, in my view, the colour adds visual interest, enhances the new building and the overall hospital campus. I note that national and local planning policy is now appropriately focussed on compact development and densification of urban areas including in towns such as Mountmellick. This will inevitably involve the use of a wider palette for materials, finishes and colours compared to those which have been used heretofore. In this instance, my view is that the colour is warming and conducive to the surrounding urban landscape.

- 8.3.5. The north-western façade of the new Community Nursing Unit is located on the opposite side of the public road to the appellants' single storey dwellings at Irishtown, Mountmellick, Co. Laois. I accept that the coloured render on one of the elevations facing the road, located opposite the appellants' properties is noticeable, in that the yellow render is set between the windows in rectangular format, while the remaining parts of this elevation comprises neutral coloured render.
- 8.3.6. As noted by the appellants, the front windows of their properties reflect the roadside façade of the new building, given its location opposite, on the southern side of the public road. My impression of the coloured render as observed during the site inspection is that it has a matte finish, without shine. This roadside façade has a north-western orientation, and as such I would anticipate that the periods within which it is illuminated by direct sunlight would be quite infrequent, and probably more likely to occur for short periods during summer evenings. As such, significant negative impacts arising from and related to glare on nearby residential properties, including the appellants' dwellings are not foreseen.
- 8.3.7. Finally, I also note the approximate separation distances between the Community Nursing Unit and the front elevation of the appellants' houses, which are c 22m (in respect of 'An Tigín') and c 26m (in respect of Brielle House). Such separation distances would, in my opinion, substantially mitigate any potential undue impacts arising from the coloured render positioned on the north-western elevation of the Nursing Unit.

8.3.8. In conclusion and having regard to the foregoing, I consider that the yellow coloured render on the elevations of the new Community Nursing Unit would not seriously injure the visual and residential amenities of the area.

#### **8.4. Water Framework Directive – Screening**

8.4.1. The subject site is located with an established hospital campus within the settlement of Mountmellick, Co. Laois. The proposal comprises retention of material alterations to the external envelope of the 50-bed Community Nursing Unit, which was permitted under Planning Authority Reg. Ref. 20208.

8.4.2. I have assessed the proposal and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because there is no conceivable risk to any surface and groundwater water bodies either qualitatively or quantitatively. The reason for this is as follows:

- The nature of the works comprising a relatively small scale and nature of development.
- Location-distance from nearest waterbodies and the lack of direct hydrological connections from the site to any surface and transitional water bodies.
- Standard pollution controls implemented.

8.4.3. I conclude on the basis of objective information that the proposal would not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

#### **8.5. Planning Authority conditions**

- 8.5.1. The planning authority conditions as detailed in section 3.1 above are standard and appropriate to this case, given that it relates to amendments to a previous application which was permitted (PA Reg. Ref. 20208 refers). As such, should the Commission decide to grant retention permission I recommend inclusion of both conditions in the Order.

## 9.0 AA Screening

- 9.1. I have considered the proposal comprising retention of material alterations to the external envelope of the 50-bed Community Nursing Unit, which was permitted under Planning Authority Reg. Ref. 20208, in the light of the requirements of Sections 177S and 177U of the Planning and Development Act 2000, as amended.
- 9.2. The proposal is not located within or immediately adjacent to any European Site. The nearest European Site is the River Barrow and River Nore SAC (Site Code 002162) located c 150m to the north.

Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because it could not have any effect on a European Site.

The reasons for this conclusion are as follows:

- Relatively small scale and nature of the proposed development.
- Location-distance from nearest European Site and lack of connections.
- Absence of any meaningful direct and indirect pathways to any European Site.
- Taking into account the screening determination of the planning authority.

I conclude, on the basis of objective information, that the proposal would not have a likely significant effect on any European Site wither alone or in combination with any other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000 as amended) is not required.

## 10.0 Recommendation

10.1. I recommend that retention permission is granted for the proposal.

## 11.0 Reasons and Considerations

Having regard to the provisions of the Laois County Development Plan 2021-2027, the 'Community, Educational and Institutional' zoning of the site, its urban location, the planning history of the site, and the relatively small scale and nature of the proposed amendments to the permitted Community Nursing Unit on this long-established hospital campus, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area through the partial use of coloured render on the elevations of the unit, and would not negatively impact on residential amenities through glare. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>The proposed development shall be completed and retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The proposed development shall comply with the conditions of planning register reference number 20/208, except as otherwise may be required in order to comply with this Order.</p> <p><b>Reason:</b> In the interest of clarity.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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John Duffy  
Planning Inspector

14<sup>th</sup> October 2025



## Form 1 - EIA Pre-Screening

### No EIAR Submitted

<b>Case Reference</b>	ACP-322910-25
<b>Proposed Development Summary</b>	Retention permission sought for material alterations to the external envelope of 50 bed Community Nursing Unit building permitted under Reg. Ref. 20/208, including façade changes, new boiler house, and all associated site works.
<b>Development Address</b>	St. Vincent's Hospital, Ballycullenbeg, Mountmellick, Co. Laois
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></p>

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p><b>Yes</b> <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p><b>No</b> <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

**Inspector:** \_\_\_\_\_

**Date:** \_\_\_\_\_