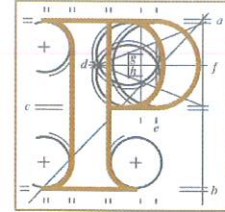


**Our Case Number:** ABP-308257-20

**Planning Authority Reference Number:** R572/20



An  
Bord  
Pleanála

Cork City Council  
Anglesea Road  
Cork  
T12 T997

**Date:** 19 APR 2022

**Re:** 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.

Dear Sir / Madam,

An order has been made by An Bord Pleanála determining the above-mentioned referral under the Planning and Development Acts 2000 to 2021. A copy of the order is enclosed.

In accordance with section 146(5) of the Planning and Development Act 2000, as amended, the Board will make available for inspection and purchase at its offices the documents relating to any matter falling to be determined by it, within 3 days following the making of its decision. The documents referred to shall be made available for a period of 5 years, beginning on the day that they are required to be made available. In addition, the Board will also make available the Inspector's Report, the Board Direction and Board Order in respect of the matter on the Board's website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The Public Access Service for the purpose of inspection/purchase of file documentation is available on weekdays from 9.15am to 5.30pm (including lunchtime) except on public holidays and other days on which the office of the Board is closed.

Yours sincerely,

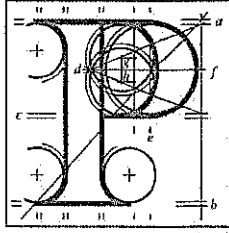
  
Erica Kearns  
Executive Officer

RL100PAN



Teil	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:bord@pleanala.ie">bord@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902



An  
Bord  
Pleanála

Board Order  
ABP-308257-20

---

**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 1<sup>st</sup> 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 18<sup>th</sup> 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 –

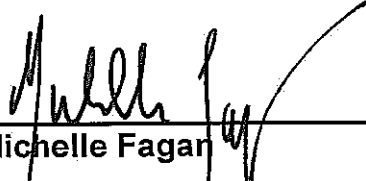
- (a) sections 2(1), 3(1) and 4(1)(h) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1), Class 1 and Class 14(f) of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (c) Article 9(1) of the Planning and Development Regulations, 2001, as amended,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

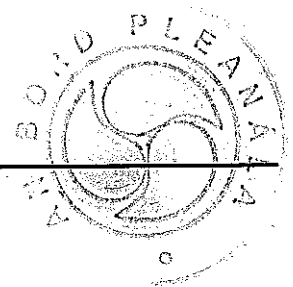
**AND WHEREAS** An Bord Pleanála has concluded that the change of use of Number 1 Stratton Pines, Bishopstown, Cork from a single dwelling to a residential care unit for persons with intellectual, physical disability or mental illness and persons providing care is development and is exempted development 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.

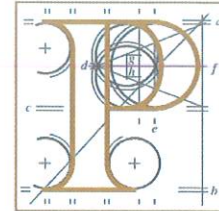
  
Michelle Fagan  
Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.



Dated this 14<sup>th</sup> day of April 2022

**Our Case Number:** ABP-308257-20

**Planning Authority Reference Number:** R572/20



**An  
Bord  
Pleanála**

Cork City Council  
c/o John A Murphy  
Anglesea Road  
Cork  
Co. Cork  
T12 T997



**Date:** 30 March 2021

**Re:** Is the change of use from a single dwelling to a facility for those recovering from addictions at No 1 Stratton Pines, Bishopstown, Co. Cork a development and if so is it exempted development?  
1 Stratton Pines, Bishopstown, Co. Cork

Dear Sir / Madam,

I have been asked by the Board to refer to the above-mentioned appeal and, in particular, to the Board's notice to you under section 126 of the Planning and Development Act 2000, in which it was indicated that the Board intended to determine this appeal before 30th March, 2021.

I regret to inform you that, the Board will not now be in a position to determine the appeal before that date. In view of the delay involved in bringing this case to determination, priority consideration is being given to the case.

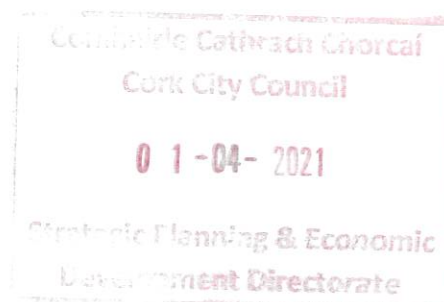
The Board hopes to receive the Inspector's report and recommendation on the appeal in the near future. Generally, as soon as the report and recommendation on the case has been received the appeal file is sent to the Board for formal consideration. Most cases are decided within a short period of their being formally considered for the first time at Board level.

The delay involved is regretted.

Yours faithfully,

Sorcha Skelly  
Executive Officer  
Direct Line: 01-8737164

BP91



Teil  
Glao Áitiúil  
Facs  
Láithreán Gréasáin  
Ríomhphost

Tel (01) 858 8100  
LoCall 1890 275 175  
Fax (01) 872 2684  
Website www.pleanala.ie  
Email bord@pleanala.ie

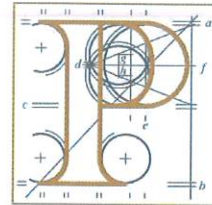
64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902



**Our Case Number:** ABP-308257-20

**Planning Authority Reference Number:** R572/20



**An  
Bord  
Pleanála**

Cork City Council  
c/o John A Murphy  
Anglesea Road  
Cork  
Co. Cork  
T12 T997



**Date:** 01 February 2021

**Re:** Is the change of use from a single dwelling to a facility for those recovering from addictions at No 1 Stratton Pines, Bishopstown, Co. Cork a development and if so is it exempted development?  
1 Stratton Pines, Bishopstown, Co. Cork

Dear Sir / Madam,

I have been asked by An Bord Pleanála to refer to the above appeal.

It is a statutory objective of the Board to ensure that every appeal received is determined within eighteen weeks beginning on the date of receipt of that appeal. This is in accordance with section 126(2)(a) of the Planning and Development Act, 2000, (as amended). Where it appears to the Board that it would not be possible or appropriate to determine a particular appeal within this period, a notice must be sent to the parties in accordance with section 126(3)(a) of the Act.

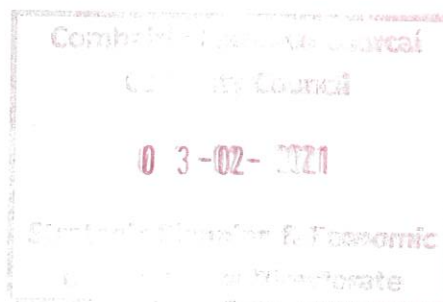
The Board hereby serves notice under section 126(3)(a) that it will not be possible to determine the case within the statutory objective period due to the necessity for further consideration of the case. The Board now intends to determine the above appeal before **30th March, 2021**.

The Board will take all such steps as are open to it to ensure that the appeal is determined before that date.

Yours faithfully,

Sorcha Skelly  
Executive Officer  
Direct Line: 01-8737164

BP90 Registered Post



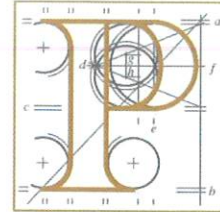
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D01 V902

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Dublin 1  
D01 V902

**Our Case Number:** ABP-308257-20

**Planning Authority Reference Number:** R572/20

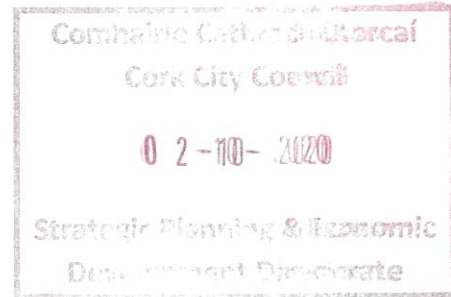


An  
Bord  
Pleanála

Cork City Council  
c/o John A Murphy  
Anglesea Road  
Cork  
Co. Cork  
T12 T997

**Date:** 30 September 2020

**Re:**



Dear Sir / Madam,

Enclosed is a copy of a referral under the Planning and Development Act, 2000, (as amended).

In order to comply with section 128 of the Planning and Development Act, 2000, (as amended), please forward, within a period of 2 weeks beginning on the day on which a copy of the referral is sent to you, copies of any information in your possession which is relevant to the referral, including

- (i) details of previous decisions affecting the site;
- (ii) any correspondence that has taken place between the person(s) issued with a declaration under subsection (2)(a) of section 5 of the 2000 Act, (as amended), and the planning authority.
- (iii) the name and address of the owner of the land in question and the name of the occupier of the said land, if different;
- (iv) where no declaration was issued by you, indicate the date that the referral was due to be issued in accordance with subsection (2) of section 5 of the 2000 Act, (as amended)

In accordance with section 129 of the 2000 Act, (as amended), you may make submissions or observations in writing to the Board in relation to the referral within a period of 4 weeks beginning on the date of this letter.

Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the referral without further notice to you.

Please quote the above referral number in any further correspondence.

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Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde Baile Átha Cliath 1 D01 V902	64 Marlborough Street Dublin 1 D01 V902
---	---

Yours faithfully,

*pp. Shauna Kelly*

Shauna Kelly  
Administrative Assistant  
Direct Line: 01-8737191

BPRL07

**Teil**  
**Glaó Áitiúil**  
**Facs**  
**Láithreán Gréasáin**  
**Ríomhphost**

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**LoCall**  
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1890 275 175  
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[www.pleanala.ie](http://www.pleanala.ie)  
[bord@pleanala.ie](mailto:bord@pleanala.ie)

64 Sráid Maoilbhríde  
Baile Átha Cliath 1  
D01 V902

64 Marlborough Street  
Dublin 1  
D01 V902





RDF ARCHITECTS & PLANNING

## OCFPM/RDF Architects

DUBLIN - CORK - LONDON

Head Office: Unit 19, Charleville Town Centre,

Charleville, Co. Cork

Tel: 00353(0)63 30917

Web: www.ocfpm.com

E-mail: info@ocfpm.com

An Bord Pleanála  
64 Marlborough Street,  
Dublin 1

16<sup>th</sup> September 2020

Cork City Council Section 5 Ref: R572/20

**Applicant:** Cuan Mhuire CLG

**Address:** 1 Stratton Pines, Bishopstown, Cork

**AN BORD PLEANÁLA**  
LDG- 030869-20  
ABP-  
18 SEP 2020  
Fee: €1500 Type: CH2  
Time: By: Reg Past

Dear Sir/ Madam,

I spoke with an ABP representative with regards to the fee for this Section 5 appeal. The applicant in this appeal is a registered charity and an Approved Housing Body however I could not get clarification on the correct fee for same. I was advised to pay the higher class A3 of €1500.00 and considering the applicant is a registered charity and an Approved Housing Body, ABP would review the fee and reimburse a percentage if possible.

If you require any additional information, please do not hesitate in contacting me.

Yours sincerely,

**Caroline Ahern**

Arch. Tech.

RDF Architects & Planning

OCFPM Ltd. Unit 19 Charleville Town Centre, Charleville, Co. Cork

cahern@ocfpm.com



*The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2*

If we review the floor plans and details lodged with the section 5 application, the following is clear:

The existing property is clearly in use as and established as a "house". This does not seem to be disputed.

The proposed plans have:

- 3 no bedrooms with 6 No beds for residents
- 1 No Single Bedroom for carer
- Kitchen and dining room with living room
- Meeting room for when residents have visitors/guests.

Therefore, the requirements around quantity of beds and carers does not seem to be an issue. For the interest of clarity, I have reattached the proposed plans.

The decision of the council seems to be on the basis that this is a transitional recovery facility providing counselling services.

Therefore, there seems to be 2 aspects of concern by the council.

- (i) They do not seem to see people suffering from addictions as fulfilling the mental health category.
- (ii) There seems to be an issue with the provision of alleged counselling services.

The primary use for this house is to provide short term residence for people who have satisfactorily completed an addiction treatment programme and are homeless. Therefore, at the time of access to this facility an addiction recovery program has been completed and therefore there is no risk of alcohol consumption. It is a "dry" facility.

#### Mental Health:

I would refer to the below research and findings that needs to be taken on board.

WHO – World Health Organisation

Mental disorders comprise a broad range of problems, with different symptoms. However, they are generally characterized by some combination of abnormal thoughts, emotions, behaviour and relationships with others. Examples are schizophrenia, depression, intellectual disabilities, and disorders due to drug abuse.

The National Institute of Health defines addiction as:

*"a chronic relapsing disorder characterised by compulsive drug seeking, continued use despite harmful consequences, and long-lasting changes in the brain. It is considered both a complex brain disorder and a mental illness. Addiction is the most severe form of a full spectrum of substance use disorders, and is a medical illness caused by repeated misuse of a substance or substances."*

The American Psychiatric Association (2020) describes addiction as:

*"a complex condition, a brain disease that is manifested by compulsive substance use despite harmful consequences. People with addiction (severe substance use disorder) have an intense focus on using a certain substance(s), such as alcohol or drugs, to the point that it takes over their life. They keep using alcohol or a drug even when they know it will cause problems."*

*on using a certain substance(s), such as alcohol or drugs, to the point that it takes over their life. They keep using alcohol or a drug even when they know it will cause problems.”*

William L. White – a senior research consultant postulates in his article ‘A Disease Concept for the 21st Century’ that *“addiction is not caused solely by genetic or biological factors but by multiple interacting factors, a status that places it squarely within the rubric of other chronic diseases.”*

Both alcohol use disorder and drug use disorder are included in the DSM 5 (Diagnostic and Statistical Manual of Mental Health Disorders, 5th edn American Psychiatric Association)

We contend that those for whom this house is intended are suffering from a mental illness i.e. addiction. For this to be considered otherwise would have serious and long-lasting effects in the addressing and provision of services for persons suffering from addiction worldwide.

#### Counselling Services:

There are no plans for this property to provide counselling services. Supports of various sorts would be available 24/7 for residents that need them offsite. The carer in these facilities is a case worker and can have various different qualifications so services and supports required can often be accessed remote through the HSE and other parties.

The ultimate goal here is to get persons back to independent living. The thought of persons that are resident in properties as per class 14(f) must be deprived of counselling supports and other supports (including offsite), as a condition for having a property for persons living with mental illness is absolutely absurd. This would have serious implications for persons suffering from mental illnesses and living in such facilities countrywide. It also raises serious human rights questions where persons would have to be deprived of supports and care as a condition to living in such facilities.


Based on the above there is absolutely no doubt that the residents proposed fulfill the definition set out under class 14(f) as a mental illness, and that the intent of such properties would also facilitate them accessing support services as may be required.

Please acknowledge receipt of this appeal at your earliest convenience.

Yours sincerely,

**Caroline Ahern**

Architectural Technician.

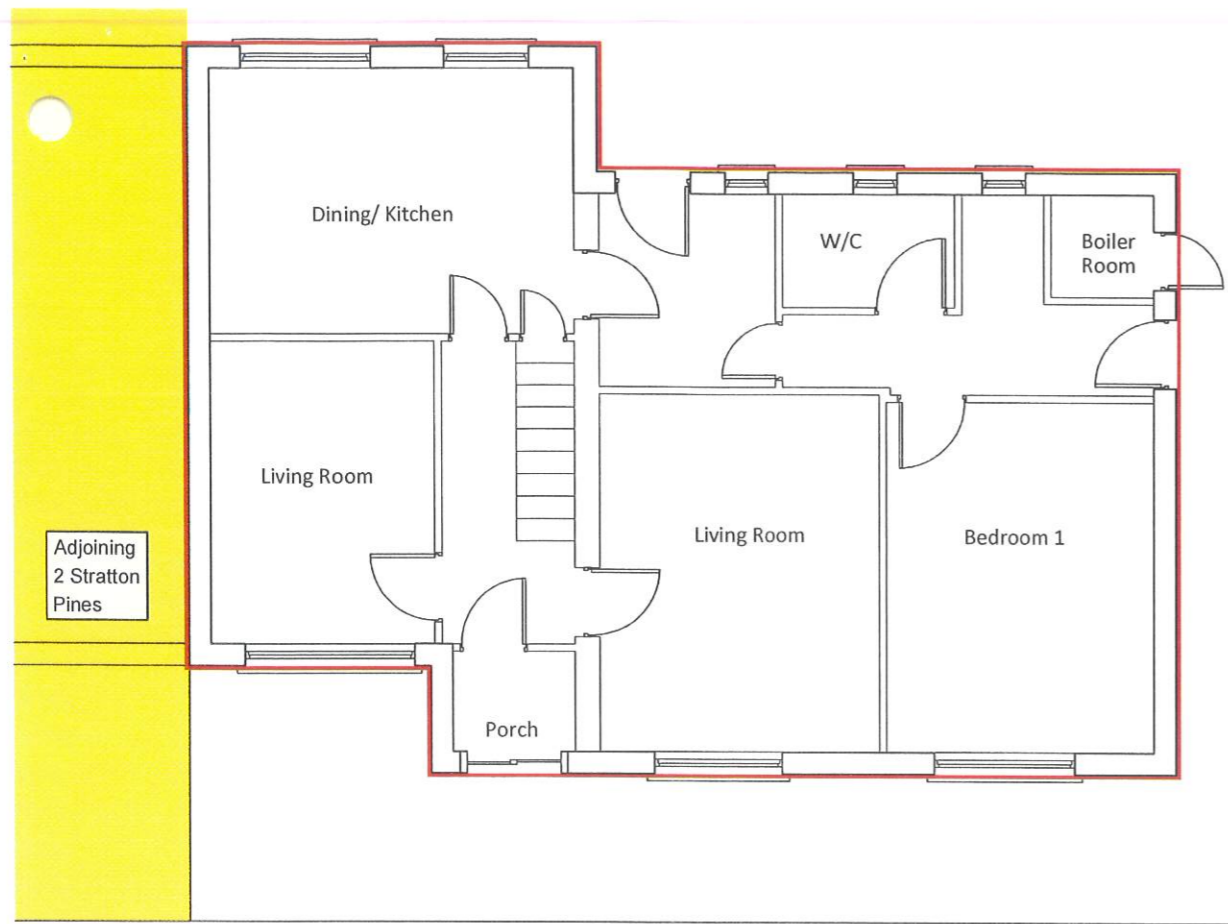


RDF Architects & Planning

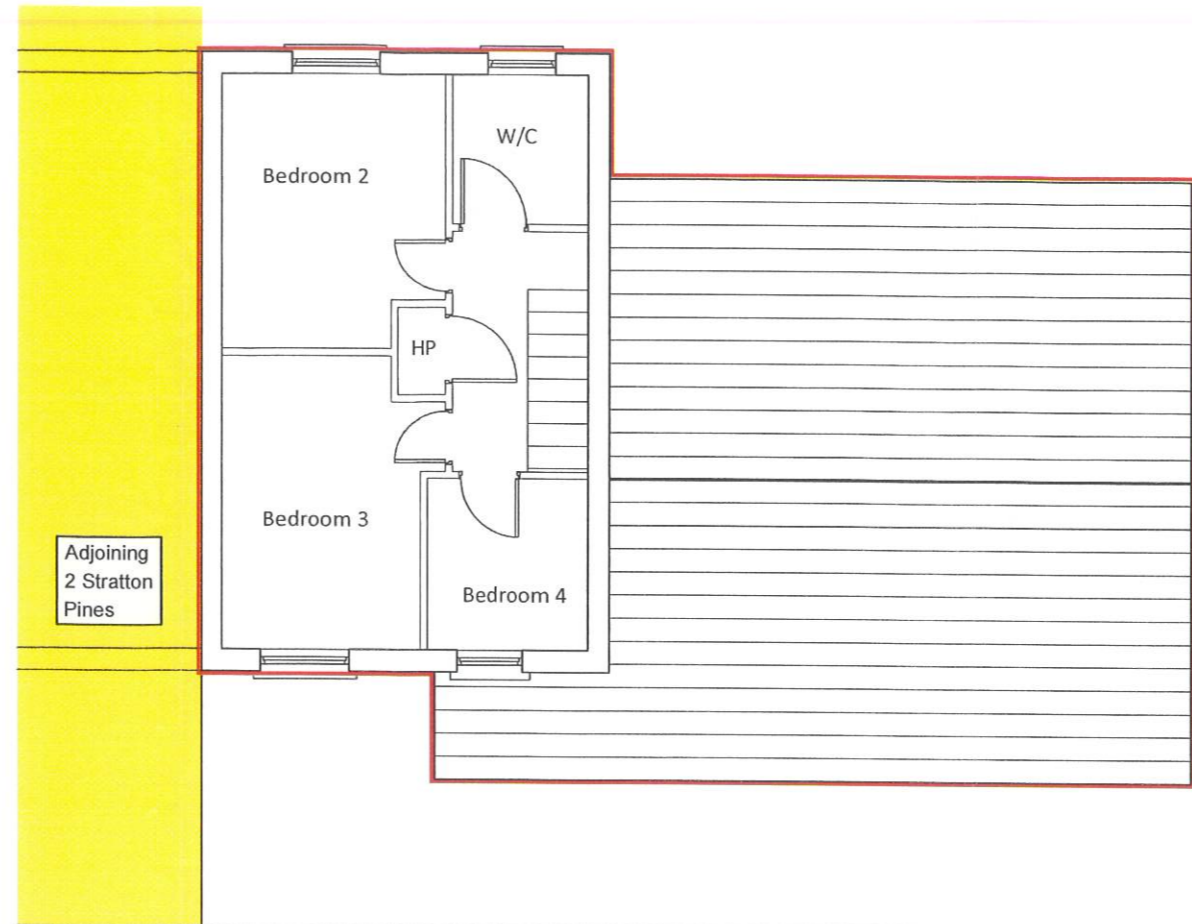
OCFPM Ltd. Unit 19 Charleville Town Centre, Charleville, Co. Cork

cahern@ocfpm.com





Stratton Pines

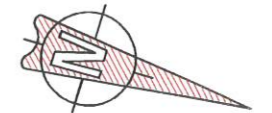


Stratton Pines

Area not part of Application

**SITE AREA**  
= 0.012 Ha

Proposed Application  
Site 1 Stratton Pines  
Bounded in Red



**01** Existing Ground Floor Plan  
200

**02** Existing First Floor Plan  
200



**03** Existing Front Elevation  
200

**CM 2436 - S - 200**

**Notes**  
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ISSUE	DATE	DRN	CHK	NOTES

**Title**  
Existing Floor Plans & Elevation

**Date**  
17.06.20

**Scale**  
1:100 @ A3

**Client**  
Cuan Mhuire

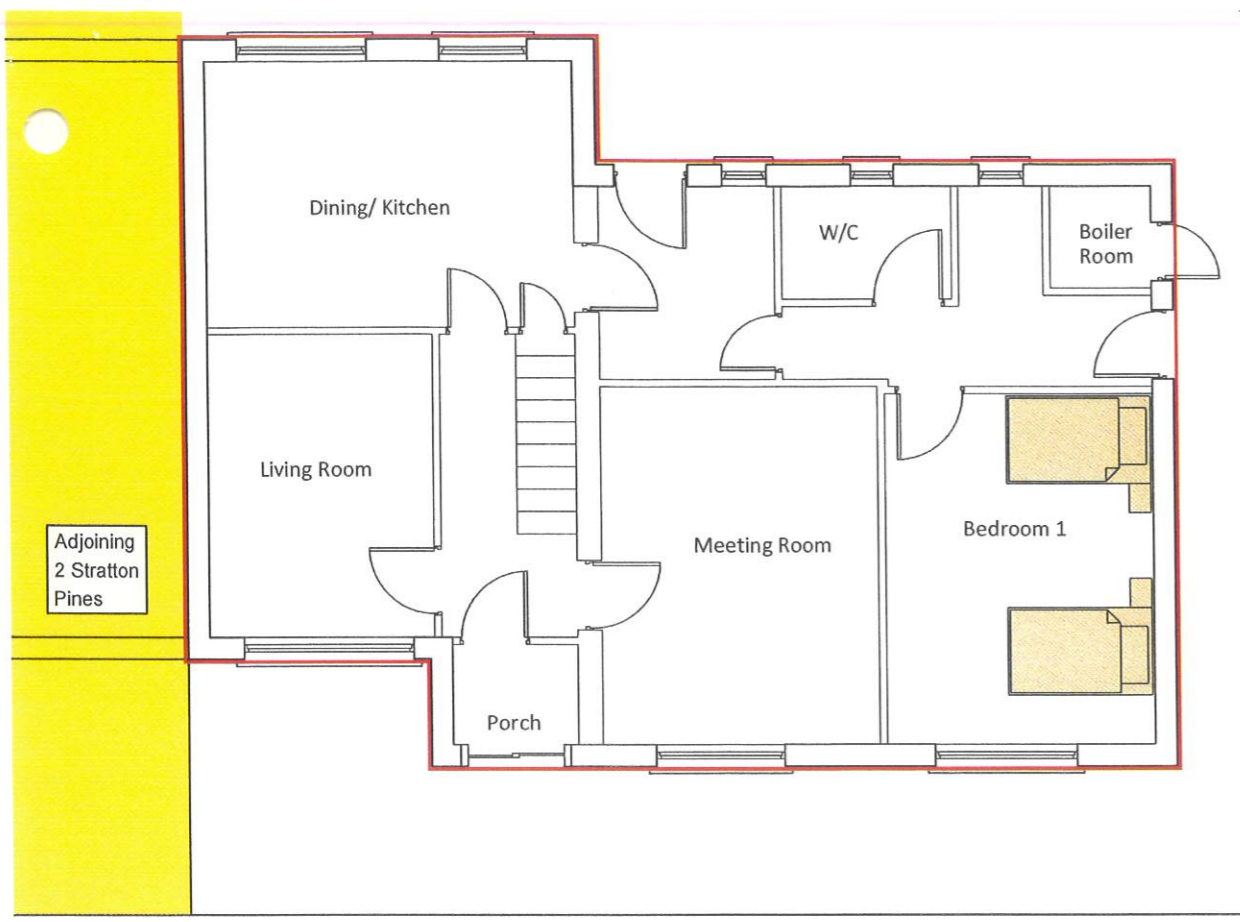
**Drawn By**  
LRC  
O'Carroll Fitzgerald Project & Commercial Management Ltd.

**Drawing No.** CM 2436 - S - 200 **ISSUE**

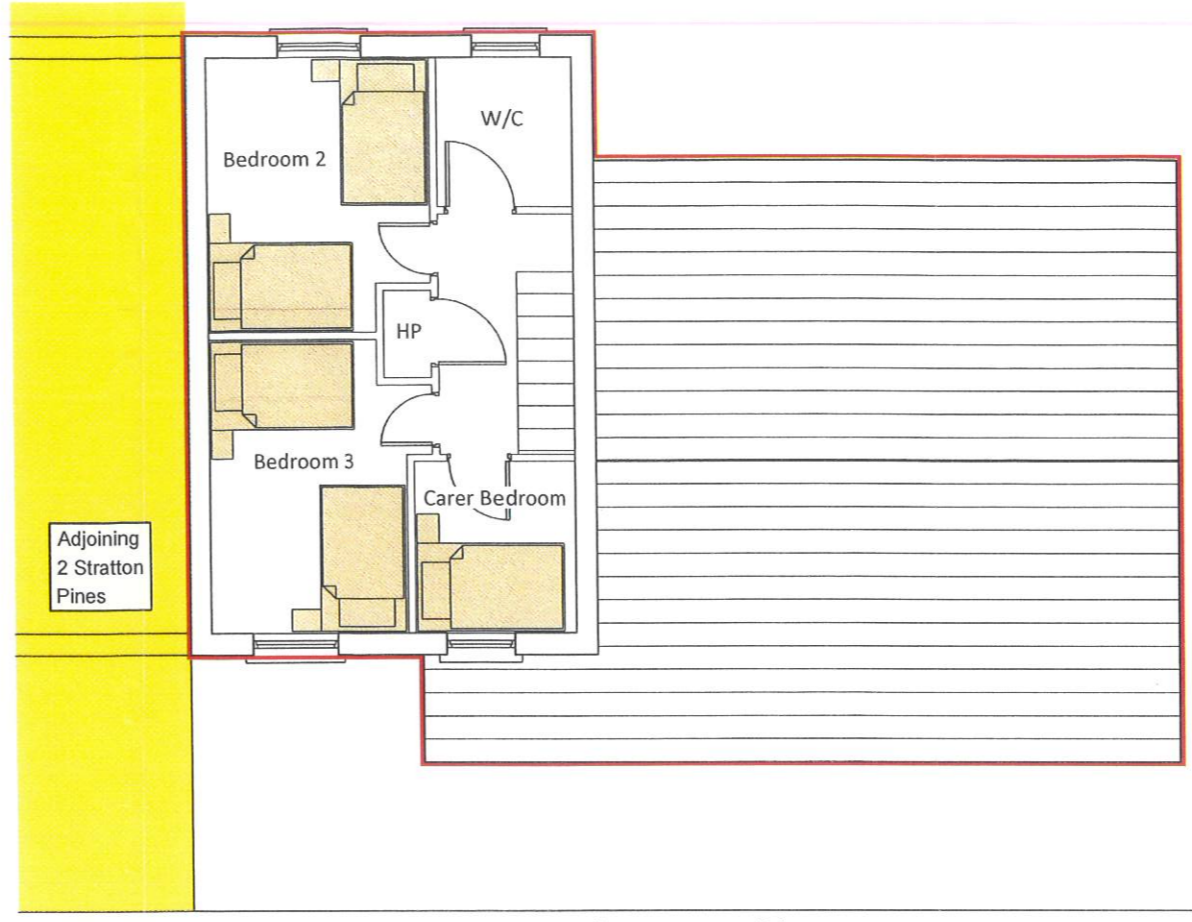
**RDF Architects & Planning Ltd.**  
Unit 19, Charleville Town Centre  
Charleville, Co. Cork  
Tel 063 30917  
E-mail: info@ocfpm.com  
Web Site: www.OCFPM.com

**Project**  
1 Stratton Pines, Bishopstown, Cork.





Stratton Pines

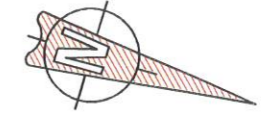


Stratton Pines

Area not part of Application

**SITE AREA**  
= 0.012 Ha

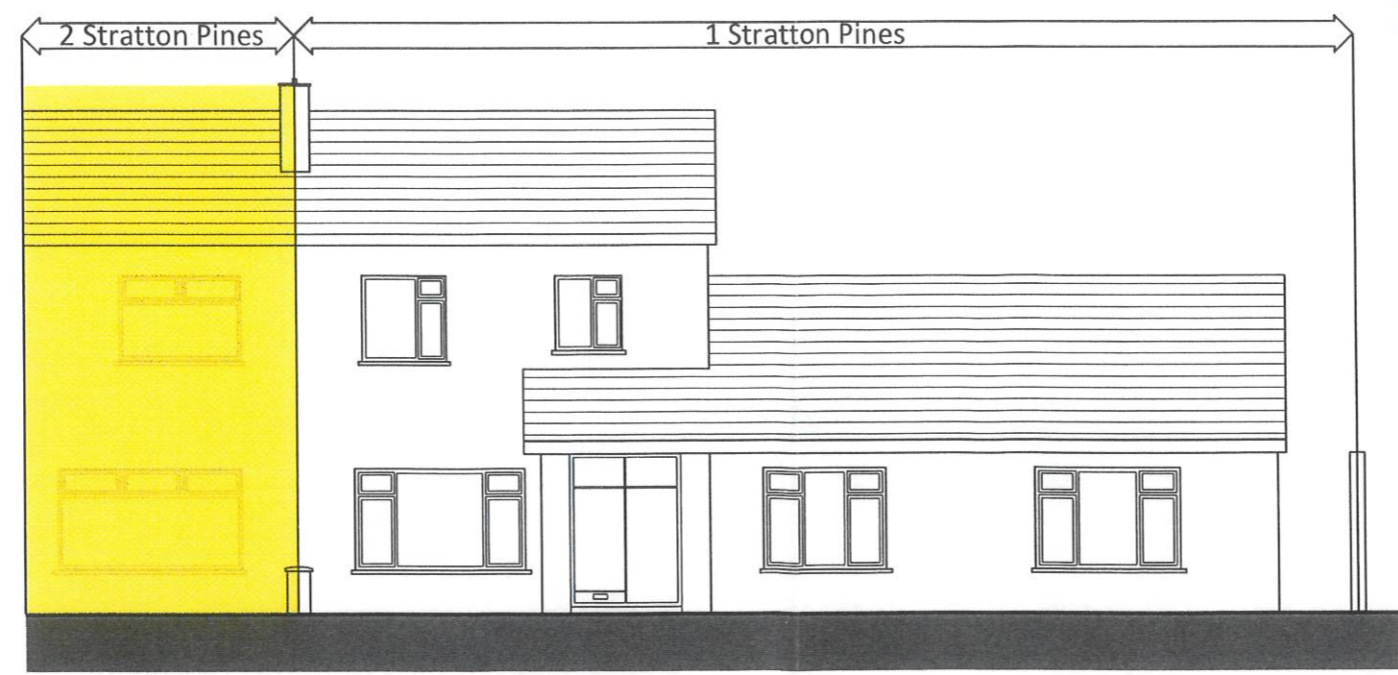
Proposed Application  
Site 1 Stratton Pines  
Bounded in Red



**01** Proposed Ground Floor Plan  
210

**02** Proposed First Floor Plan  
210

**AN BORD PLEANÁLA**  
18 SEP 2020  
LTR DATED \_\_\_\_\_ FROM \_\_\_\_\_  
LDG- \_\_\_\_\_  
ABP- \_\_\_\_\_



**03** Proposed Front Elevation  
210

**CM 2436 - S - 210**

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ISSUE	DATE	DRN	CHK	NOTES

Title: **Proposed Floor Plans & Elevation**

Date: 17.06.20

Scale: 1:100 @ A3

Client: Cuan Mhuire

Drawn By: LRC  
O'Carroll Fitzgerald Project & Commercial Management Ltd.

Drawing No. **CM 2436 - S - 210** ISSUE

**RDF Architects & Planning Ltd.**  
Unit 19, Charleville Town Centre  
Charleville, Co. Cork

Tel 063 30917  
E-mail: info@ocfpm.com  
Web Site: www.OCFPM.com

Project: 1 Stratton Pines, Bishopstown, Cork.



# Comhairle Cathrach Chorcaí

## Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Caroline Ahern  
Unit 19, Charleville Town Centre  
Charleville  
Co. Cork

01/09/2020

**RE: Section 5 Declaration R572/20 Stratton Pines, Bishopstown, Cork**

A Chara,

With reference to your request for a Section 5 Declaration at the above named property, I wish to advise and having regard particularly to:

- (a) Section 3 of the Planning and Development Acts, 2000 – 2011
- (b) Schedule 2, Part 1, Exempted Development, Change of Use Class 14 (f) of the Planning and Development Act 2001 (as amended);
- (c) the nature of the proposed use and users of the facility

it is concluded that:

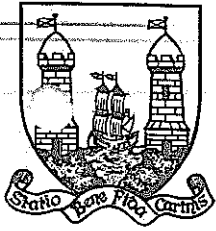
- the proposed from use as a house to use a facility for those recovering from addictions does not fall under the Class 14 (f) of Schedule 2 Part 1 of the Planning and Development Act 2001 (as amended) as the facility would operate as a transitional recovery facility providing counselling services rather than providing primarily residential care for persons with an intellectual or physical disability or mental illness; and that
- the proposed change of use is therefore ‘development’ and ‘is not exempted development’.

Is misa le meas,

**Kerry Bergin**  
Community, Culture and Placemaking Directorate  
Cork City Council



**We are Cork.**



# Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Caroline Ahern  
Unit 19, Charleville Town Centre  
Charleville  
Co. Cork

21/05/2020

**RE: Section 5 Declaration R572/20 Stratton Pines,  
Bishopstown, Cork**

A Chara,

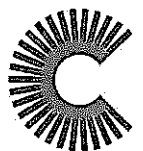
With reference to your request for a Section 5 Declaration at the above named property, I wish to advise that Further Information is sought as follows:

### **Request for Further Information**

1. Please fully clarify the nature of the facility proposed noting the limitations of the exemptions in terms of users and use as outlined under Class 14(f), Schedule 2, Part 1 of the Planning and Development Regulations, 2001. Please outline the nature users to be catered for, all treatments facilitated on site/full nature of the care to be given in this context.
2. Please submit existing and proposed floorplans clearly marking existing room uses and proposed used on ground and first floor.
3. Please clarify the number of carers on site at any one time – will carers be fully resident also and present at all times?
4. Please clarify the maximum number of residents on site at any one time and the likely length of stay of users.
5. Please confirm the name of the applicant and confirm ownership of the site – Note Q.7 on form was not answered in this regard.

Is misa le meas,

**Kerry Bergin**  
Community, Culture and Placemaking Directorate  
Cork City Council



**We are Cork.**





**OCFPM/RDF Architects**  
DUBLIN - CORK - LONDON

Head Office: Unit 19, Charleville Town Centre,  
Charleville, Co. Cork  
Tel: 00353(0)63 30917  
Web: www.ocfpm.com  
E-mail: info@ocfpm.com

The Development Management Section,  
Community,  
Culture & Placemaking Directorate,  
Cork City Council,  
City Hall,  
Anglesea Street,  
Cork.



26<sup>th</sup> June 2020

Ref: R572/20

Location: Stratton Pines, Bishopstown, Co. Cork

Dear Kerry,

In response to your letter dated 21/05/20, ref. no. R572/20 for further information, please note the following:

**1. Clarification on the nature of the facility in relation to Class 14(f), users to be catered for, all treatments/ care given...**

*The Planning and Development Regulations 2001 – 2019 – Schedule 2 Part 1 Class 14 (f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.*

*The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.*

Cuan Mhuire is Ireland's largest provider of Addiction Treatment Services. As part of its continuum of care to those who seek its help it operates a number of Supported Housing projects nationwide to cater for those who have satisfactorily completed a treatment programme and are homeless. Our current supportive housing capacity is insufficient to meet the needs of those who do not have any or suitable post treatment accommodation. It is widely accepted within the field of addiction that the lack of suitable post treatment accommodation is absolutely detrimental to outcomes. Cuan Mhuire has been acutely aware of this fact and as a consequence has developed a network of 120 Supportive Housing beds nationwide.

Given the extent of both substance misuse and homelessness issues in Ireland in 2020 and the undeniable link between both, Cuan Mhuire proposes to accommodate six female service users at the Bishopstown site having completed their primary treatment.

The weeks and months following discharge from primary treatment are a pivotal time in the service user's journey. In this facility counselling support and other support would be available 24/7 while the service user's re-integration into independent living is facilitated, prioritized, and supported.

The treatment the residents (who are suffering with intellectual/ mental illness) will receive, can be classed in accordance with *The Planning and Development Regulations 2001 – 2019 – Schedule 2 Part 1 Class 14*. There are other similar Cuan Mhuire projects around Ireland which have been exempted under other classes of exemption and help set a precedent for this application.

**2. Submit floorplans outlining the existing & proposed uses for both ground & first floor...**

Please see floor plans enclosed with this response.

**3. Clarification on the number of carers on site...**

There will be 1 full time carer on site at all times and they will be a full time resident.

**4. Clarification on the maximum number of residents on site and their likely length of stay...**

There are 4 number of bedrooms in the residential dwelling which will provide accommodation for 6 number of Cuan Mhuire residents and 1 carer. This is the recovery to independent living stage of the Cuan Mhuire service and this typically lasts from 3 to 18months depending on the individual's needs. Once Cuan Mhuire feel that the individual has recovered and is comfortable with independent living they can move off site.

Cuan Mhuire have strict control over access on-site and visiting times are permitted to weekends only for residents of the residential dwelling.

Based on the average time for independent recovery it would be envisaged that 24 – 38 residents could be facilitated as an annual turnover for the proposed residential dwelling.

The above is in compliance with, *The Planning and Development Regulations 2001 – 2019 – Schedule 2 Part 1 Class 14*, (which allows a maximum of 6 residence and up to 2 carers).

**5. Confirm name of applicant and confirm ownership of the site...**


The name of the applicant and the owner is Cuan Mhuire CLG.

Please acknowledge receipt of this application at your earliest convenience. If further information is required, please do not hesitate in contacting me.

Yours sincerely,

**Caroline Ahern**

Architectural Technician.



---

RDF Architects & Planning

OCFPM Ltd. Unit 19 Charleville Town Centre, Charleville, Co. Cork

cahern@ocfpm.com

**COMHAIRLE CATHRACH CHORCAÍ**  
**CORK CITY COUNCIL**

Community, Culture & Placemaking Directorate,  
Cork City Council, City Hall, Anglesea Street, Cork.

R-Phost/É-Mail [planning@corkcity.ie](mailto:planning@corkcity.ie)

Fón/Tel: 021-4924564/4321

Líonra/Web: [www.corkcity.ie](http://www.corkcity.ie)

**SECTION 5 DECLARATION APPLICATION FORM**  
under Section 5 of the Planning & Development Acts 2000 (as amended)

**1. POSTAL ADDRESS OF LAND OR STRUCTURE FOR WHICH DECLARATION IS SOUGHT**

1 Stratton Pines, Bishopstown, Cork

**2. QUESTION/ DECLARATION DETAILS**

**PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:**

Sample Question: *Is the construction of a shed at No 1 Wall St, Cork development and if so, is it exempted development?*

*Note: only works listed and described under this section will be assessed under the section 5 declaration.*

Is the change of use from a single dwelling to a facility for those recovering from addictions at No.1 Stratton Pines, Bishopstown, Co. Cork a development, and if so, is it exempted development?

**ADDITIONAL DETAILS REGARDING QUESTION/ WORKS/ DEVELOPMENT:**

*(Use additional sheets if required).*

The proposal for this property is to convert the existing dwelling to a facility for the care of persons with an intellectual or mental illness.

*The Planning and Development Regulations 2001 – 2019 – Schedule 2 Part 1 Class 14 (f) from use as a house, to use as a residence for persons with an intellectual or physical disability or mental illness and persons providing care for such persons.*

*The number of persons with an intellectual or physical disability or a mental illness living in any such residence shall not exceed 6 and the number of resident carers shall not exceed 2.*

OCFPM are of the opinion that this change of use would be deemed an Exempted Development, as the proposal is to provide a dwelling for independent living for no more 6 people, who have completed the Cuan Mhuire recovery program.



3. Are you aware of any enforcement proceedings connected to this site?

If so please supply details:

N/A

4. Is this a Protected Structure or within the curtilage of a Protected Structure?  No

If yes, has a Declaration under Section 57 of the Planning & Development Act 2000 been requested or issued for the property by the Planning Authority?

5. Was there previous relevant planning application/s on this site?  No

If so please supply details:

**6. APPLICATION DETAILS**

Answer the following if applicable. Note: Floor areas are measured from the inside of the external walls and should be indicated in square meters (sq. M)

(a) Floor area of existing/proposed structure/s	121 Sq. m.
(b) If a domestic extension, have any previous extensions/structures been erected at this location after 1 <sup>st</sup> October, 1964, (including those for which planning permission has been obtained)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide floor areas. (sq m) _____
(c) If concerning a change of use of land and / or building(s), please state the following:	
<b>Existing/ previous use (please circle)</b>	<b>Proposed/existing use (please circle)</b>
Existing - Domestic Dwelling	Proposed - Dwelling for independent living

**7.**

<b>Name of applicant (principal, not agent):</b>	
<b>Applicants Address</b>	Cuan Mhuire, Athy, Co. Kildare
<b>Person/Agent acting on behalf of the Applicant (if any):</b>	Name: Caroline Ahern
	Address: Unit 19, Charleville Town Centre, Charleville, Co. Cork.
	Telephone: 086 7814252
	Fax:
	E-mail address: cahern@ocfpm.com
<b>Should all correspondence be sent to the above address?</b> (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**5. LEGAL INTEREST**

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner <input checked="" type="checkbox"/>	B. Other <input type="checkbox"/>
Where legal interest is 'Other', please state your interest in the land/structure in question		
If you are not the legal owner, please state the name and address of the owner if available		

6. I / We confirm that the information contained in the application is true and accurate:

Signature: Pauline Adams

Date: 25/03/20

**ADVISORY NOTES:**

The application must be accompanied by the required fee of €80

The application should be accompanied by a site location map which is based on the Ordnance Survey map for the area, is a scale not less than 1:1000 and it shall clearly identify the site in question.

Sufficient information should be submitted to enable the Planning Authority to make a decision. If applicable, any plans submitted should be to scale and based on an accurate survey of the lands/structure in question.

*The application should be sent to the following address:*

**The Development Management Section, Community, Culture & Placemaking Directorate,  
Cork City Council, City Hall, Anglesea Street, Cork.**

- The Planning Authority may require further information to be submitted to enable the authority to issue the declaration.
- The Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.
- Any person issued with a declaration may on payment to An Bord Pleanála refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.
- In the event that no declaration is issued by the Planning Authority, any person who made a request may on payment to the Board of such a fee as may be prescribed, refer the question for decision to the Board within 4 weeks of the date that a declaration was due to be issued by the Planning Authority.

*The application form and advisory notes are non-statutory documents prepared by Cork City Council for the purpose of advising as to the type information is normally required to enable the Planning Authority to issue a declaration under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Act 2000 as amended, or Planning and Development Regulations 2001 as amended.*

**DATA PROTECTION:** The use of the personal details of planning applicants, including for marketing purposes, may be unlawful under the Data Protection Act 1988-2003 and may result in action by the Data Protection Commissioner against the sender, including prosecution.



# Land Registry Compliant Map



**CENTRE COORDINATES:**  
ITM 564250,569572

**PUBLISHED:** 26/02/2020 **ORDER NO.:** 50110212\_1

**MAP SERIES:** 1:1,000 **MAP SHEETS:** 6427-01

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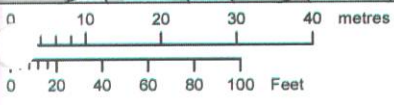
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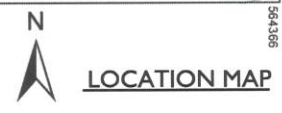
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1 Stratton Pines, Bishopstown, Cork bounded by the red line



**OUTPUT SCALE:** 1:1,000

**CAPTURE RESOLUTION:**  
The map objects are only accurate to the resolution at which they were captured. Output scale is not indicative of data capture scale. Further information is available at: [http://www.osi.ie/search 'Capture Resolution'](http://www.osi.ie/search/Capture%20Resolution)



**LEGEND:**  
<http://www.osi.ie>;  
search 'Large Scale Legend'



RDF ARCHITECTS & PLANNING



## OCFPM/RDF Architects

DUBLIN - CORK - LONDON

Head Office: Unit 19, Charleville Town Centre,

Charleville, Co. Cork

Tel: 00353(0)63 30917

Web: [www.ocfpm.com](http://www.ocfpm.com)

E-mail: [info@ocfpm.com](mailto:info@ocfpm.com)

The Development Management Section,  
Community,  
Culture & Placemaking Directorate,  
Cork City Council,  
City Hall,  
Anglesea Street,  
Cork.

Comhairle Cathrach Chorcaí  
Cork City Council

31 MAR 2020

Strategic Planning & Economic  
Development Directorate

25<sup>th</sup> March 2020

Dear Sir/ Madam,

Please find enclosed an application for Section 5, Exempted Development at the following address:

- 1 Stratton Pines, Bishopstown, Cork.

Accompanying Documents:

- 1) 2 Copies of the Application Form for Section 5.
- 2) Application Fee.
- 3) 2 Copies of Site Location Map.

Please acknowledge receipt of this application at your earliest convenience.

Yours sincerely,

**Caroline Ahern**

Architectural Technician.

RDF Architects & Planning

OCFPM Ltd. Unit 19 Charleville Town Centre, Charleville, Co. Cork

[cahern@ocfpm.com](mailto:cahern@ocfpm.com)

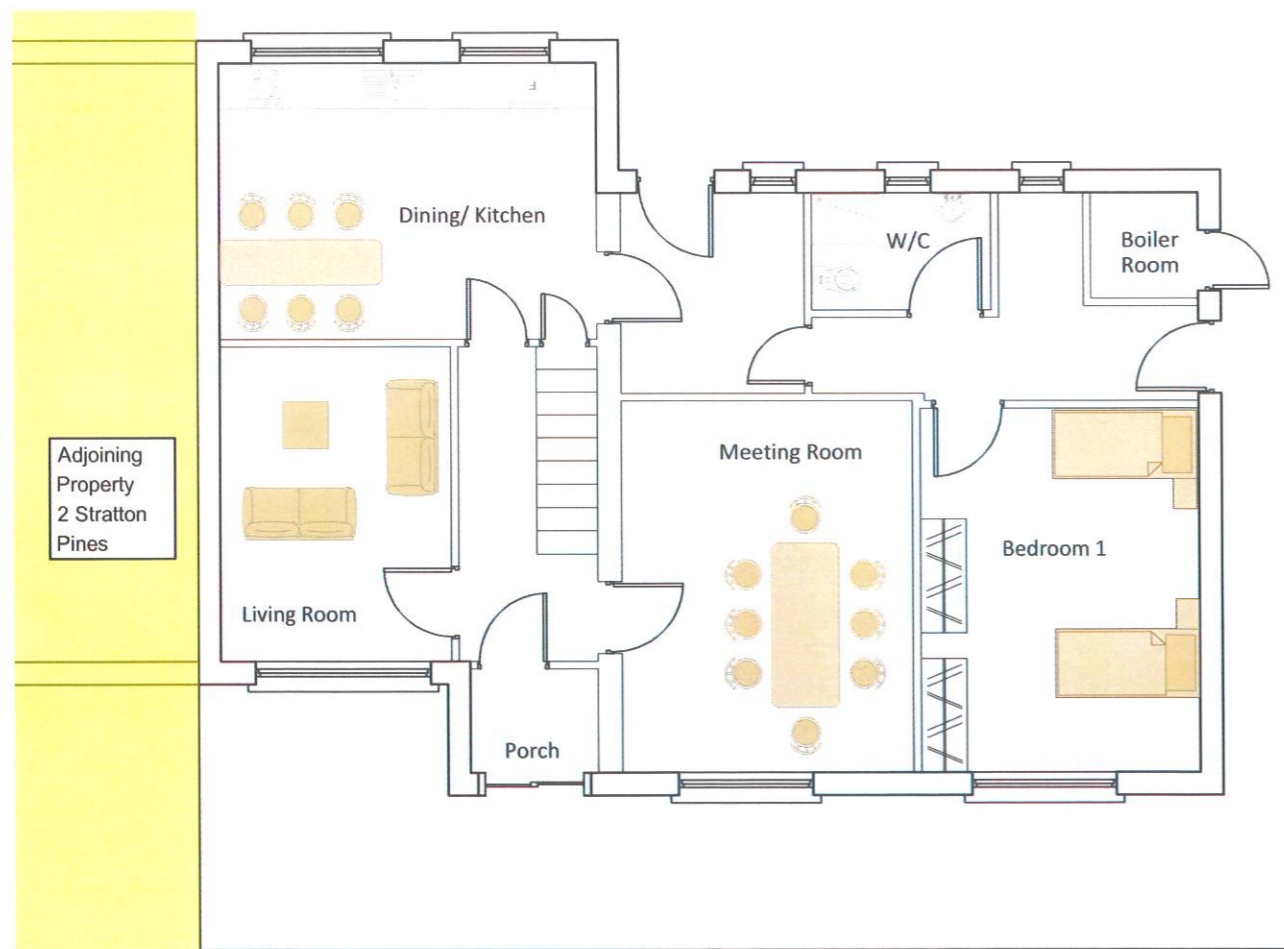




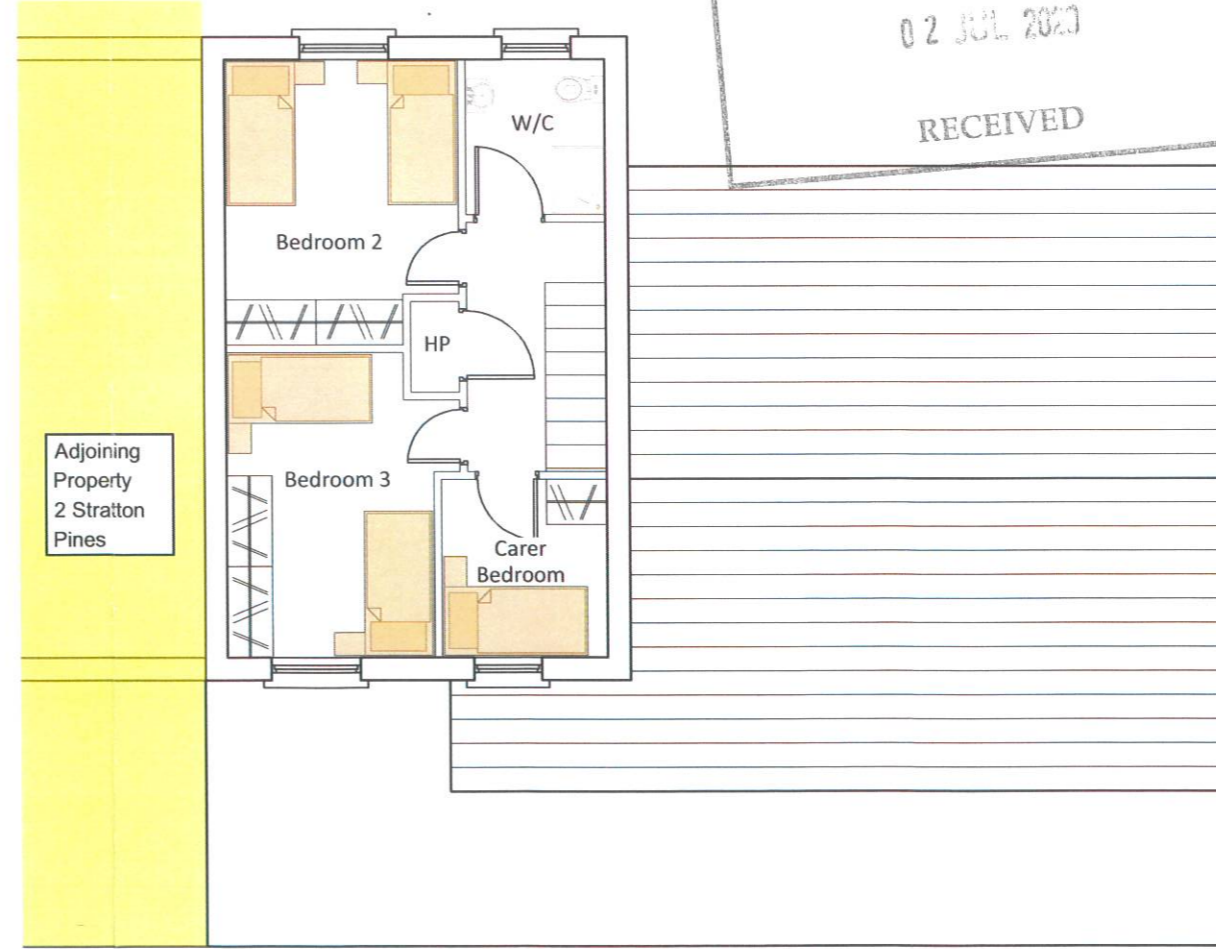
**03** Proposed Front (East) Elevation  
210



**04** Proposed Rear (West) Elevation  
210



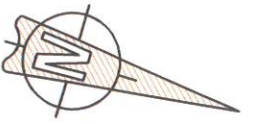
**01** Proposed Ground Floor Plan  
210



**02** Proposed First Floor Plan  
210

Community Culture & Placemaking  
02 JUL 2023  
RECEIVED

Area not part of Application



**CM 2436 - S5 - 210**

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ISSUE	DATE	DRN	CHK	NOTES

Title: **Proposed Floor Plans & Elevations**

Date: 17.06.20

Scale: 1:100 @ A3

Client: Cuan Mhuire

Drawn By: LRC  
O'Carroll Fitzgerald Project & Commercial Management Ltd.

Drawing No. **CM 2436 - S5 - 210** ISSUE

**RDF Architects & Planning Ltd.**  
Unit 19, Charleville Town Centre  
Charleville, Co. Cork

Tel 063 30917  
E-mail: info@ocfpm.com  
Web Site: www.OCFPM.com

Project: 1 Stratton Pines, Bishopstown, Cork.

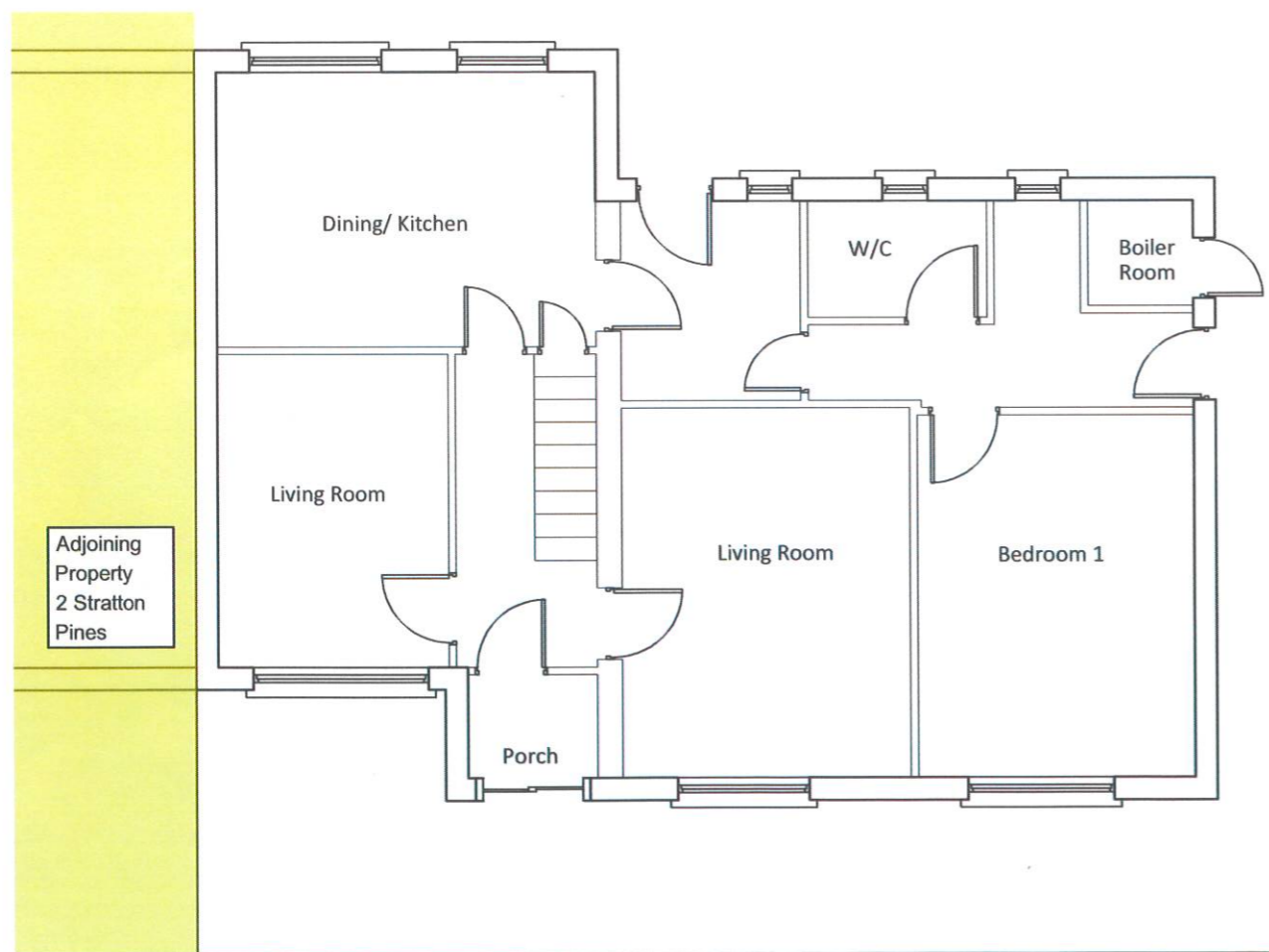




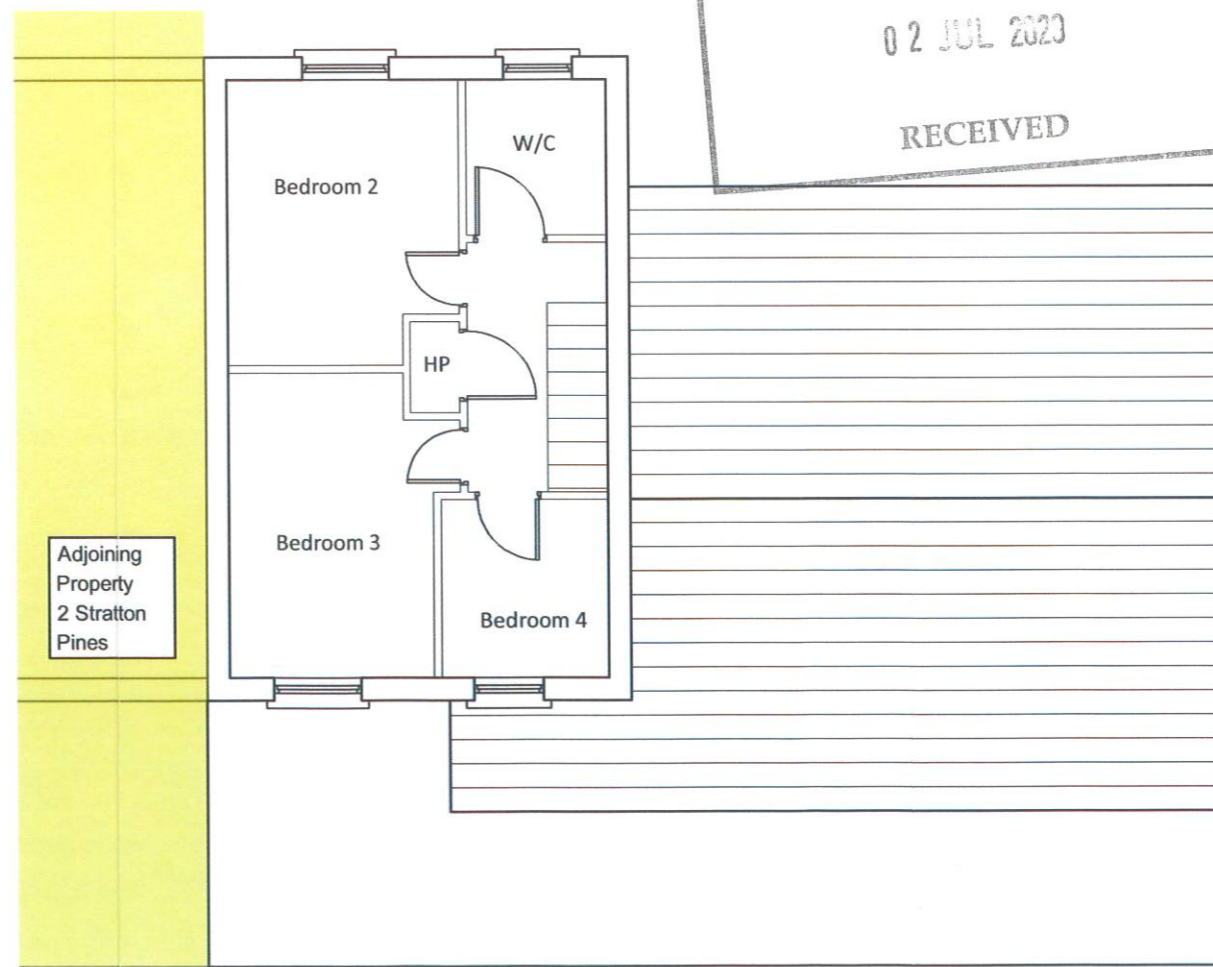
**03 Existing Front (East) Elevation**  
200



**04 Existing Rear (West) Elevation**  
200



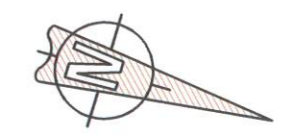
**01 Existing Ground Floor Plan**  
200



**02 Existing First Floor Plan**  
200

Community Culture & Placemaking  
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Area not part of Application



**CM 2436 - S5 - 200**

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ISSUE	DATE	DRN	CHK	NOTES

Title: **Existing Floor Plans & Elevations**

Date: 17.06.20

Scale: 1:100 @ A3

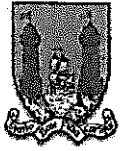
Client: Cuan Mhuire

Drawn By: LRC  
O'Carroll Fitzgerald Project & Commercial Management Ltd.

Drawing No. **CM 2436 - S5 - 200** ISSUE

**RDF Architects & Planning Ltd.**  
Unit 19, Charleville Town Centre  
Charleville, Co. Cork  
Tel 063 30917  
E-mail: info@ocfpm.com  
Web Site: www.OCFPM.com

Project: **1 Stratton Pines, Bishopstown, Cork.**



CORK CITY COUNCIL  
CITY HALL  
CORK

16/04/2020 14:16:09

Receipt No. : PLAN3/0/7820554  
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R 572 20  
O Carroll Fitzgerald Project

EXEMPTION CERTS - FEES 58800	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
R 572 20	

Total : 80.00 EUR

Tendered :  
Cheque 80.00  
001344

Change : 0.00

Issued By : Eoghan Fahy  
From : Planning Dept. 3  
Vat reg No.0005426M



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CORK

16/04/2020 14:16:09

Receipt No. : PLAN3/0/7820554  
\*\*\*\*\* REPRINT \*\*\*\*\*

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