



An
Coimisiún
Pleanála

Direction
CD-021942-26
ABP-321968-25

The submissions on this file and the Inspector's report were considered at a meeting held on 18/02/2026.

The Commission decided this referral generally in accordance with the Inspector's recommendation, in accordance with the following draft order.

Planning

Commissioner:

Eamonn James Kelly

Eamonn James Kelly

Date: 18/02/2026

DRAFT WORDING FOR ORDER

WHEREAS a question has arisen as to whether the use of the premises at 32 Sandhills, Hacketstown Road, Carlow as a residence for International Protection Applicants is or is not development or is or is not exempted development,

AND WHEREAS Dídean Dóchas Éireann Teoranta requested a declaration on this question from Carlow County Council and the Council did not issue a declaration,

AND WHEREAS Carlow County Council referred the matter to An Coimisiún Pleanála for consideration on the 25th day of February, 2025,

AND WHEREAS in considering the referral the Commission had regard to:

- (a) Section 2(1), 3(1), 4(1)(a), and 4(2) 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) relevant case law,
- (d) previous referrals to the Commission, including case reference number ABP-307077-20,
- (e) the planning history of the site,
- (f) the documentation on the file, including the submission on behalf of the requestor,
- (g) the pattern of development in the area, and
- (h) the report and recommendation of the Inspector,

AND WHEREAS An Coimisiún Pleanála has concluded that on the facts of this particular case:

- (a) the permitted use of the house and the current use of the premises as residential accommodation for persons seeking international protection, and not as a facility for the reception and care of protected persons, does not constitute a change of use from the permitted use and, therefore, does not constitute development, and
- (b) the use of the buildings as residential accommodation for persons seeking international protection, does not raise planning considerations that are materially different to planning considerations relating to the permitted use,

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by Section 5(4) of the Planning and Development Act 2000, as amended, hereby decides that the use of the premises at 32 Sandhills, Hacketstown Road, Carlow as a residence for International Protection Applicants is not development.