



An
Coimisiún
Pleanála

Direction
ABP-322061-25

The submissions on this file and the Inspector's report were considered at a meeting held on 05/12/2025.

The Commission decided, as set out in the following Order, that

Commission Order as follows:-

WHEREAS a question has arisen as to whether the use of residential apartments to provide accommodation for persons seeking international protection at Coleman Court Apartments, Coleman Road, Cavan, County Cavan is or is not development or is or is not exempted development.

AND WHEREAS Rossblue Management Limited care of Hughes Planning and Development of 85 Merrion Square, Dublin requested a declaration on the question from Cavan County Council and no declaration issued by the planning authority:

AND WHEREAS Cavan County Council of Farnham Street, Cavan, County Cavan referred the question for decision to An Coimisiún Pleanála on the 12th day of March, 2025:

AND WHEREAS An Coimisiún Pleanála, in considering this referral, had regard particularly to –

(a) Section 2(1) of the Planning and Development Act, 2000, as amended,

- (b) Section 3(1) of the Planning and Development Act, 2000, as amended,
- (c) Section 4(2) of the Planning and Development Act, 2000, as amended,
- (d) Article 5 of the Planning and Development Regulations, 2001, as amended,
- (e) article 6(1) and article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (f) Parts 1 and 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (g) relevant case law,
- (h) previous referrals to the Commission, including appeal reference number ABP-307077-20,
- (i) the planning history of the site,
- (j) the documentation on the file, including submissions on behalf of the referrer Cavan County Council, and the requestor Ross Blue Management Limited, and
- (k) the pattern of development in the area,

AND WHEREAS An Coimisiún Pleanála has concluded that -

- (a) the use of the apartments and the 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 person 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 2000 Act, hereby decides that the use of residential

apartments to provide accommodation for persons seeking international protection at Coleman Court Apartments, Coleman Road, Cavan, County Cavan is not development.

Planning

Commissioner:

Date: 05/12/2025



Marie O'Connor