

An
Coimisiún
Pleanála

Direction
ACP-323023-25

The submissions on this file and the Inspector's report were considered at a meeting held on 17/07/2026.

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 the East End Hotel to facilitate temporary accommodation of Internal Protection Applicants (Protected Persons) at East End Hotel, Portarlinton, County Laois is or is not development and is or is not exempted development:

AND WHEREAS Nera Accommodation Limited requested a declaration on this question from Laois County Council and the Council did not issue a declaration:

AND WHEREAS Laois County Council referred this declaration for review to An Coimisiún Pleanála on the 14th day of July, 2025:

AND WHEREAS An Coimisiún Pleanála, in considering this referral, has 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(1)(a) of the Planning and Development, Act, 2000, as amended,
- (d) Section 4(2) of the Planning and Development, Act, 2000, as amended,
- (e) Section 4(3) of the Planning and Development, Act, 2000, as amended,
- (f) Section 57(1) of the Planning and Development, Act, 2000, as amended,
- (g) Article 5, Article 6(1) and Article 9(1) of the Planning and Development Regulations, 2001, as amended,
- (h) Class 14 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (i) the planning history of the site,
- (j) relevant case law,
- (k) the documentation on file from the referrer, in this case Laois County Council, the requestor, in this case Nera Accommodation Limited, and
- (l) the pattern of development in the area:

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) the change of use of the East End Hotel to provide temporary accommodation to International Protection Applicants (Protected Persons) constitutes development as defined under Section 3(1)(a) of the Planning and Development Act, 2000, as amended,
- (b) the change of use of the East End Hotel to provide temporary accommodation to International Protection Applicants (Protected Persons) is development and is exempted development as it comes within the scope of Class 14 of Part 1 of

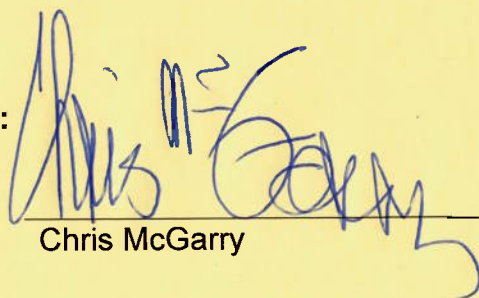
Schedule 2 "Exempted Development – General" inserted by the Planning and Development (Amendment) (No. 4) Regulations 2015 (S.I. No 582/2015),

- (c) notwithstanding the wording of the question as submitted to the local authority (whether or not for the specific purpose of the change of use, constitutes development), the documentation submitted voluntarily with the initial referral to Laois County Council clearly show works undertaken at the building, a the Protected Structure. These works constitute development within the meaning of Section 3 of the Planning and Development Act, 2000, as amended,
- (d) the change of use will avail of the benefit of these works and it has not been satisfactorily demonstrated in the level of detail provided by the referrer that the carrying out of the said works does not materially affect the character of the Protected Structure, or any element of the structure which contributes to its special architectural, historical, archaeological, artistic, scientific, social or technical interest and these works cannot therefore, be determined as being not exempt development under Section 57 of the Planning and Development Act, 2000, as amended:

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 East End Hotel to facilitate temporary accommodation of Internal Protection Applicants (Protected Persons) at East End Hotel, Portarlinton, County Laois is development and is not exempted development.

Planning

Commissioner:


Chris McGarry

Date: 20/07/2026