

An
Coimisiún
Pleanála

Direction
CD-021629-25
ACP-323283-25

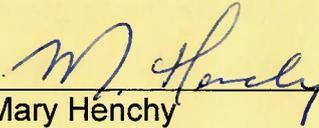
The submissions on this file and the Inspector's report were considered at a meeting held on 23/12/2025.

The Commission decided 2:1 to refuse permission for the following reasons and considerations.

Planning

Commissioner:

Date: 24/12/2025



Mary Hénchy

DRAFT WORDING FOR ORDER

Reasons and Considerations

In considering the development as proposed, the Commission had regard to:

- (a) the development description which is for retention permission for the temporary change of use of eleven apartments to its current use as accommodation for protected persons to include two ground floor apartments, three first floor apartments and six second floor apartment and associated common areas;

- (b) the National Standards, Department of Justice and Equality, which apply to living conditions and services provided to residents within the accommodation centre, submitted with the application;
- (c) the drawings submitted with the application that show unit 8 containing a staff room, office, hall, and bathroom, and the remaining units being in separate locations within the larger apartment scheme;
- (d) the report submitted by the applicant that included a table of accommodation, this identified unit 8 as a single storey apartment / staff office;
- (e) the Operational Management Plan for Mill Court Apartments, Gort, that included details of site management, service supports to residents of the units, facilities, maintenance, security, details of stakeholder engagement; and
- (f) the Planning history of this site, with permission for a total of seventeen residential units and retail at ground floor (planning authority register reference 004518), one of the apartments has since received permission for change of use to office (planning authority register reference 052876).

From the information submitted, the use proposed appears to be akin to an accommodation centre providing not just accommodation but also services and supports to residents. It is not clear if the services and supports for the residents of the protected persons accommodation are to be provided on site, as there is conflicting information regarding the use of unit 8. Neither has the applicant demonstrated, to the satisfaction of the Commission, how the development will operate in tandem with the remaining apartments so as to protect the residential amenity of all residents, noting that, in the details provided, the common areas appear to fall under the management of the accommodation centre, the subject of this application, common areas that in accordance with the parent permission are shared by all residents. Insufficient information, and a lack of clarity, has been provided by the applicant regarding how the proposed use would operate in tandem with the apartment scheme.

In the absence of clarity on these matters the Commission was not satisfied that the proposed development protected the amenity of all residents of the Mill Court Apartment Scheme and therefore considered the proposed development would be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Commission considered the applicant had not provided sufficient detail and lacked clarity with regard to how the use proposed would operate in tandem with the remaining residential units.