

An
Coimisiún
Pleanála

Direction
ACP-324106-26

The submissions on this file and the Inspector's report were considered at a meeting held on 03/07/2026.

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

Commission Order as follows:-

WHEREAS a question has arisen as to Whether the change of use at ground, second, and third floors of the Cube building from office use to use to temporarily accommodate or support displaced persons or persons seeking international protection is development, and, if so, is it exempted development.:

AND WHEREAS Cherryinn Limited requested a declaration on this question from Cork City Council and the Council did not issue a declaration:

AND WHEREAS Cork City Council referred the question for review to An Coimisiún Pleanála on 24th of February 2026:

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

- (a) Section 2 (1) of the Planning & Development Act, 2000 (as amended),
- (b) Section 3 (1) of the Planning & Development Act, 2000 (as amended),

- (c) Section 4 (1)(h) of the Planning & Development Act, 2000 (as amended),
- (d) Article 6 (1) and article 9 (1) of the Planning & Development Regulations, 2001 (as amended),
- (e) Part 1 of Schedule 2 of the Planning and Development Regulations, as amended, and Class 20F thereof,
- (f) The planning history of the site,
- (g) the nature of the current use of the Cube building,
- (h) the pattern of development in the area,
- (i) the provisions of the Cork City Development Plan 2022-2028,
- (j) The submissions of Cherryinn Limited, Cork City Council, including the correspondence from the Department of Children, Equality, Disability, Integration and Youth, and the commentary noting that associated works to facilitate the proposed use will only affect the interior of the structure,

AND WHEREAS An Coimisiún Pleanála has concluded that –

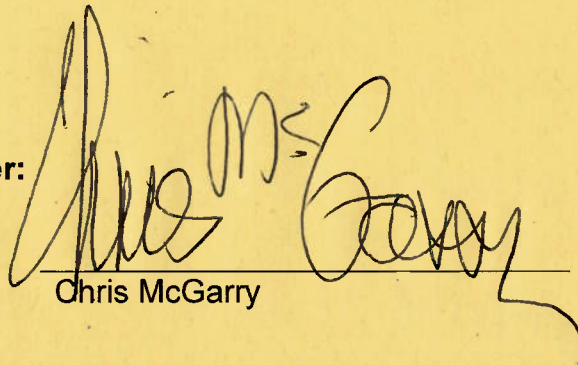
- (a) The temporary change of use of the ground, second and third floors of the Cube building from office use to accommodate or support displaced persons or persons seeking international protection and associated works constitutes **development** as defined in section 3 (1)(a) of the Planning and Development Act, 2000 (as amended).
- (b) The temporary change of use of the ground, second and third floors of the Cube building from office use to accommodate or support displaced persons or persons seeking international protection and associated works is **exempted development** as it comes within the scope of Class 20F of Schedule 2 Part 1 of the Planning and Development Regulations, 2001 (as amended) and section 4 (1)(h) 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 & Development Act, 2000 (as amended) hereby

• sides that the temporary change of use of the ground, second and third floors of the Cube building from office use to accommodate or support displaced persons or persons seeking international protection and associated works is development and is exempted development.

Planning

Commissioner:



Chris McGarry

Date: 03/07/2026