



An  
Bord  
Pleanála

## Board Order ABP-318709-23

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: EXD01050**

**WHEREAS** a question has arisen as to whether the proposed use of the premises for the purposes of accommodating persons seeking international protection located at the former Great Southern Hotel, Rosslare Harbour, County Wexford, is or is not development or is or is not exempted development:

**AND WHEREAS** Verona Murphy of Ramsgrange, New Ross, County Wexford on behalf of the People of Rosslare Harbour requested a declaration on the question from Wexford County Council and no declaration issued by the planning authority:

**AND WHEREAS** Wexford County Council has referred the question for decision to An Bord Pleanála on the 12<sup>th</sup> day of December, 2023 and reconfigured the question as follows –

whether the proposed use of the buildings/properties/structures located at Saint Martin's Road, Rosslare, former Great Southern Hotel, Rosslare Harbour, County Wexford, for the purposes of accommodating persons seeking international protection is development and, if so, is same exempted development:

**AND WHEREAS** An Bord Pleanála, in considering this referral, had regard particularly to -

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1) and 9(1) of the Planning and Development Regulations, 2001, as amended, including the relevant conditions and limitations,
- (c) Part 1 of Schedule 2 Classes 20F and 14 (h)-(i) of the Planning and Regulations 2001 as amended, and S.I number 376/2023,
- (d) the documentation on file, including submissions on behalf of the referrer Wexford County Council, and the requestor Verona Murphy,
- (e) the relevant precedent referrals and judgements,
- (f) the planning history,
- (g) the pattern of development in the area, and
- (h) the report of the Planning Inspector:

**AND WHEREAS** An Bord Pleanála has concluded that –

- (a) permission has been granted under planning register reference numbers 20220711 and 20210283 for a 90 bedroom nursing home at this site,
- (b) the plans and particulars lodged with the planning applications indicate clearly such works are for the change of use of the former hotel to use as a nursing home,

- (c) the commencement of these works for the nursing home, subsequent to a commencement notice validated by Wexford County Council on the 16<sup>th</sup> day of May 2023 and prior to any subsequent commencement notices served for a use unrelated to these permissions, has placed the future use of the buildings/properties/structures on site solely within the parameters of the nursing home permissions granted under planning register reference numbers 20220711 and 20210283,
- (d) the completion of such works to the buildings/properties/structures on site for any use other than a nursing home would be inconsistent with the use as permitted under planning register reference numbers 20220711 and 20210283, and would contravene condition number 1 of planning register reference numbers 20220711 and 20210283,
- (e) the completion of such works to the buildings/properties/structures on site for any use other than a nursing home would, therefore, (i) contravene a condition attached to a permission under the Planning and Development Act, 2000, as amended, and (ii) be inconsistent with a use specified in a permission under that Act, and be de-exempted under Article 9(1)(a)(i) of the Planning and Development Regulations, 2001, as amended, and pending the completion of these works and in the context of the above facts, there are no other exemptions available:

**NOW THEREFORE** An Bord Pleanála, in exercise of the powers conferred on it by section 5 (4) of the 2000 Act, hereby decides that the proposed use of the buildings/properties/structures located at Saint Martin's Road, Rosslare, former Great Southern Hotel, Rosslare Harbour, County Wexford for the purposes of accommodating persons seeking international protection, is development and is not exempted development.

Eamonn James Kelly

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this 17<sup>th</sup> day of February, 2025