



Planning and Development Act 2000, as amended

Planning Authority: Sligo County Council

Planning Register Reference Number: ED544

WHEREAS a question has arisen as to whether the use of the Section 50 multi-unit building previously occupied by students during the academic year since 2007 for accommodating persons seeking international protection instead of students at Mulligan Court, Connaughton Road, Sligo is or is not development or is or is not exempted development,

AND WHEREAS John Molloy requested a declaration on this question from Sligo County Council and the Council did not issue a declaration,

AND WHEREAS Sligo County Council referred this declaration for review to An Coimisiún Pleanála on the 4th day of November, 2024,

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(1)(h) of the Planning and Development Act 2000, as amended,
- (d) Section 181 of the Planning and Development Act 2000, as amended, and SI 306/2022 European Union (Planning and Development) (Displaced Persons From Ukraine Temporary Protection) Regulations 2022,
- (e) Article 6(1), Article 9(1) and Article 10(1) of the Planning and Development Regulations 2001, as amended,
- (f) Class 14 and Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (g) the referral response, including legal opinion, submitted to the Commission on the 13th day of January, 2025 on behalf of Eastview Limited,
- (h) the planning history of the site,
- (i) the pattern of development in the area, and
- (j) the Inspector's report and recommendation,

AND WHEREAS An Coimisiún Pleanála has concluded that:

- (a) the permitted use of the 33 number apartments, which are the subject of this referral, is student accommodation, a development which has been implemented,

- (b) the use of the apartments for accommodating persons seeking international protection instead of students constitutes a material change of use, thus constitutes development pursuant to Section 3(1) of the Planning and Development Act 2000, as amended, and
- (c) having regard to the provisions of Section 4 of the Planning and Development Act 2000, as amended, the provisions of Article 6(1) and Part 1 of Schedule 2 of the Planning and Development Regulations, 2001, as amended, there are no provisions in the Act or Regulations made thereunder, or other relevant legislation, whereby such development would constitute exempted development.

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 Section 50 multi-unit building previously occupied by students during the academic year since 2007 for accommodating persons seeking international protection instead of students at Mulligan Court, Connaughton Road, Sligo is development and is not exempted development.



Tom Rabbette

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this 22nd day of MAY 2026.