



An  
Bord  
Pleanála

## Board Order ABP-321373-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Cavan County Council**

**Planning Register Reference Number: 384**

**WHEREAS** a question has arisen as to whether the use of a Guesthouse at Dun a Ri House Hotel, Kingscourt, County Cavan, A82 ND30, to provide accommodation for persons seeking international protection, constitutes exempted development or does not constitute exempt development.

**AND WHEREAS** Brimwood Unlimited Company requested a declaration on this question to Cavan County Council and the Council did not issue a declaration,

**AND WHEREAS** Cavan County Council referred this for declaration to An Bord Pleanála on the 29<sup>th</sup> day of November 2024,

**AND WHEREAS** the Board considered that the question should be rephrased as whether the use of a Guesthouse at Dun a Rí House Hotel, Kingscourt, County Cavan, to provide accommodation for persons seeking international protection, is or is not development or is or is not exempted development.

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

- (a) Section 2(1), section 3(1) and 4(1) of the Planning and Development Act, 2000, as amended,
- (b) Article 6(1), Article 9(1) and Article 10 of the Planning and Development Regulations, 2001, as amended,
- (c) Class 14 and Class 20F of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, as amended,
- (d) Class 6 of Part 4 of Schedule 2 to the Planning and Development Regulations, 2001, as amended, and
- (e) the planning history of the site.

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

- (a) the change of use of a guesthouse at Dun a Rí House Hotel, Kingscourt, County Cavan, to provide accommodation for persons seeking international protection constitutes a material change of use and therefore is development as defined under Section 3(1)(a) of the Planning and Development Act 2000 (as amended).
- (b) the change of use of a guesthouse at Dun a Rí House Hotel to provide accommodation for persons seeking international protection is exempted development as it comes within the scope of Class 14 – Part 1 of Schedule 2 – ‘Exempted Development - General’ inserted by The Planning and Development (Amendment) (Number 4) Regulations 2015 (S.I No 582/2015).

**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 change of use of a guesthouse at Dun a Ri House Hotel to provide accommodation for persons seeking international protection is development and is exempted development.

*Mary Gurrie*

**Mary Gurrie**

**Member of An Bord Pleanála**

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

**Dated this 14 day of April 2025**