



An
Coimisiún
Pleanála

Commission Order
ACP-324208-26

Planning and Development Act 2000, as amended

Planning Authority: Waterford City and County Council

Planning Authority Reference Number: IW/AR/D5/2026/07

WHEREAS a question has arisen as to whether the works carried out on the lower ground floor and ground floor which have been carried out to provide a care facility for IPAS refugees at Lismore House Hotel, 1-2 Main Street, Lismore, County Waterford (a Protected Structure) is or is not development or is or is not exempted development,

AND WHEREAS MCHT Limited requested a declaration on this question from Waterford City and County Council and the Council did not issue a declaration,

AND WHEREAS MCHT Limited referred this matter for review to An Coimisiún Pleanála on the 8th day of April 2026,

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

- (a) Section 2(1), 3(1), 4(1), 4(2) and 4(4) and 57 of the Planning and Development Act 2000, as amended,
- (b) Article 6(1) and Article 9(1) of the Planning and Development Regulations 2001, as amended,
- (c) Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) previous referrals made to the Commission, including reference number ACP-322857-25,
- (e) the documentation on the file, including the submission on behalf of the requestor MCHT Limited,
- (f) the planning history of the site,
- (g) the pattern of development in the area, and
- (h) the report and recommendation of the Inspector,

AND WHEREAS An Coimisiún Pleanála has concluded that

- (a) the works carried out to Lismore House Hotel to facilitate the accommodation facility for international protection applicants would constitute development under Section 3(1) of the Planning and Development Act 2000, as amended,
- (b) the works carried out do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures and would fall within the scope of the exemption provided by Section 4(1)(h) of the Planning and Development Act 2000, as amended,



- (c) the carrying out of the works to facilitate the provision of accommodation for international protection applicants does not materially affect the character of the Protected Structures and is exempted development, and would fall within the scope of Section 57 of the Planning and Development Act 2000, as amended, and
- (d) the temporary change of use from hotel to accommodation for international protection applicants would constitute exempt development and would fall within the scope of Class 14 and Class 20F of Schedule 2 of Part 1 of the Planning and Development Regulations 2001 (as amended).

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(b) of the Planning and Development Act 2000, as amended, hereby decides that the works carried out on the lower ground floor and ground floor which have been carried out to provide a care facility for IPAS refugees at Lismore House Hotel, 1-2 Main Street, Lismore, County Waterford (a Protected Structure) is development and is exempted development.



Chris McGarry

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

Dated this 23rd **day of** September **2026.**