An Coimisiún Pleanála

Commission Order

ACP-324408-26

Planning and Development Act 2000, as amended

Planning Authority: Sligo County Council

Planning Authority Reference Number: ED652

WHEREAS a question has arisen as to whether the use of the guesthouse permitted under planning register reference number PL.14167 to provide accommodation for international protection applicants at Eagle Heights B&B, Muckduff, Enniscrone, County Sligo is or is not development or is or is not exempted development,

AND WHEREAS Rupopado Limited requested a declaration on this question from Sligo County Council and the Council issued a declaration on the 2nd day of June, 2026 stating that the matter is development and is not exempted development,

AND WHEREAS Rupopado referred the question to An Coimisiún Pleanála for review on the 26th day of June, 2026,

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

(a) Sections 2(1), 3(1), 4(2) and 4(4) 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) Class 14 and Class 20F of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
(d) Part 1 and Part 4 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
(e) relevant case law,
(f) previous referrals to the Commission, including ACP-322840-25 and ABP-322072-25,
(g) the planning history of the site,
(h) the documentation on the file, including the submission on behalf of the requestor Rupopado Limited,
(i) the pattern of development in the area, and
(j) the report and recommendation of the Inspector,

AND WHEREAS An Coimisiún Pleanála has concluded that:

(a) the specific facts of the case, a review of the planning history of the site, including permission PL.14167 as granted by the planning authority, and on the basis that all aspects of the premises are otherwise developed in accordance with any and all relevant planning permissions (noting no reference on file or by the planning authority that this is not the case), the totality of evidence presented on file, it is considered that the subject premises is in the manner of, and displays the characteristics of, a guesthouse in terms of scale, form and layout, and

(b) the change of use of the subject premises, which is considered to operate in the manner of, and to display the characteristics of, a guesthouse to provide accommodation for persons seeking international protection would come within the scope of Class 14 of Part 1 of Scheule 2 – 'Exempted Development-General' inserted by the Planning and Development (Amendment) (Number 4) Regulations 2015 (S.I. No 582/20150).

NOW THEREFORE An Coimisiún Pleanála, in exercise of the powers conferred on it by section 5(3)(a) of the Planning and Development Act 2000, as amended, hereby decides that the use of the guesthouse permitted under planning register reference number PL.14167 to provide accommodation for international protection applicants at Eagle Heights B&B, Muckduff, Enniscrone, County Sligo is development and is exempted development.

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

Dated this 5th **day of** November **2026.**