

4. Development Details:

Please provide details of the proposed development for which an exemption under Section 5 of the Planning and Development Act is applied for.

(Note: only works and uses listed and described under this section will be assessed under this Section 5 Application. Use additional sheets if required.)

The Section 5 application involves the change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants.
The Works are to be considered under Class 14(H) of the Planning and Development Regulations (SI.582 of 2015) and deemed exempted development in accordance with Section 5 of the Planning and Development Act, subject to approval.
Proposed floor area of proposed works/uses: 2161 sqm

5. Legal Interest of Applicant in the Land or Structure:

<i>Please tick appropriate box to show applicant's legal interest in the land or structure</i>	A. Owner <input checked="" type="checkbox"/>	B. Occupier <input type="checkbox"/>
	C. Other <input type="checkbox"/>	<input type="checkbox"/>
<i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>		
<i>If you are not the legal owner, please state the name and address of the owner</i>	Name: Address:	

Signature of Applicant(s)

Paul Beves

Date:

15/2/25

Note: If the proposed development consists of works to a (Proposed) Protected Structure and/or any structure within the curtilage of a (Proposed) Protected Structure, an application for a Section 57 Declaration may be more appropriate.



**BRIAN O'KENNEDY
& ASSOCIATES LTD**
Consulting Engineers & Architects

Shannon House,
Church Road,
Douglas,
Cork, T12PW40

Tel: 021-4899854
Email: info@bok.ie
Web: www.bok.ie

Our Ref: BOK/KOB/

Your Ref:

Date: 11th February 2025

Planning Section,
Tipperary County Council,
Civic Offices,
Limerick Road,
Nenagh,
Co. Tipperary.



**Re: Kilcoran Lodge Hotel, Cahir, Co. Tipperary – E21 H680
Section 5 Declaration Application.**

Dear Sir/Madam,

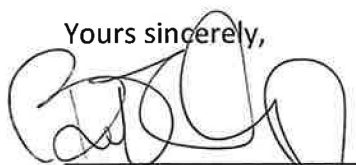
I refer to the above. Please find enclosed Section 5 Declaration Application in respect of the above property. We enclose the application fee amount of €80 along with the following:

- One copy of the application form.
- Two copies of the site location map.
- Two copies of floor plans and elevations.
- Two copies of site layout plan.

This Section 5 Application involves the change of use of an existing hotel into a direct provision accommodation centre to provide accommodation to international applicants.

I trust all is in order.

Yours sincerely,


Brian O'Kennedy CEng MIEI
Chartered Engineer

Receipt No
189628
€80 chg
13/2/25



Tipperary County Council
Civic Offices
Clonmel
Co Tipperary

13/02/2025 12:47:46

Receipt No. : CLONMEL/0/189628

BRIAN O'KENNEDY & ASSOCIATES LTD
SHANNON HOUSE
CHURCH ROAD
DOUGLAS
CO CORK

SECTION5 EXEMPTION DECLARATION	80.00
GOODS	80.00
VAT Exempt/Non-vatable	
NAROCLIK LTD	

Total : 80.00 EUR

Tendered :
Cheque 80.00

Change : 0.00

Issued By : HELEN PROUT
From : CLONMEL TOWN RECEIPTS DESK
Vat reg No.3259712MH

PLACE Map



Taitle
Éireann

CENTRE
COORDINATES:
ITM 598117,621485

PUBLISHED:
04/02/2025
ORDER NO.:
50446421_1

MAP SERIES:
1:2,500
1:2,500
MAP SHEETS:
5424-C
5424-D

COMPILED AND PUBLISHED BY:

Taitle Éireann,
Phoenix Park,
Dublin 8,
Ireland.
D08F6E4

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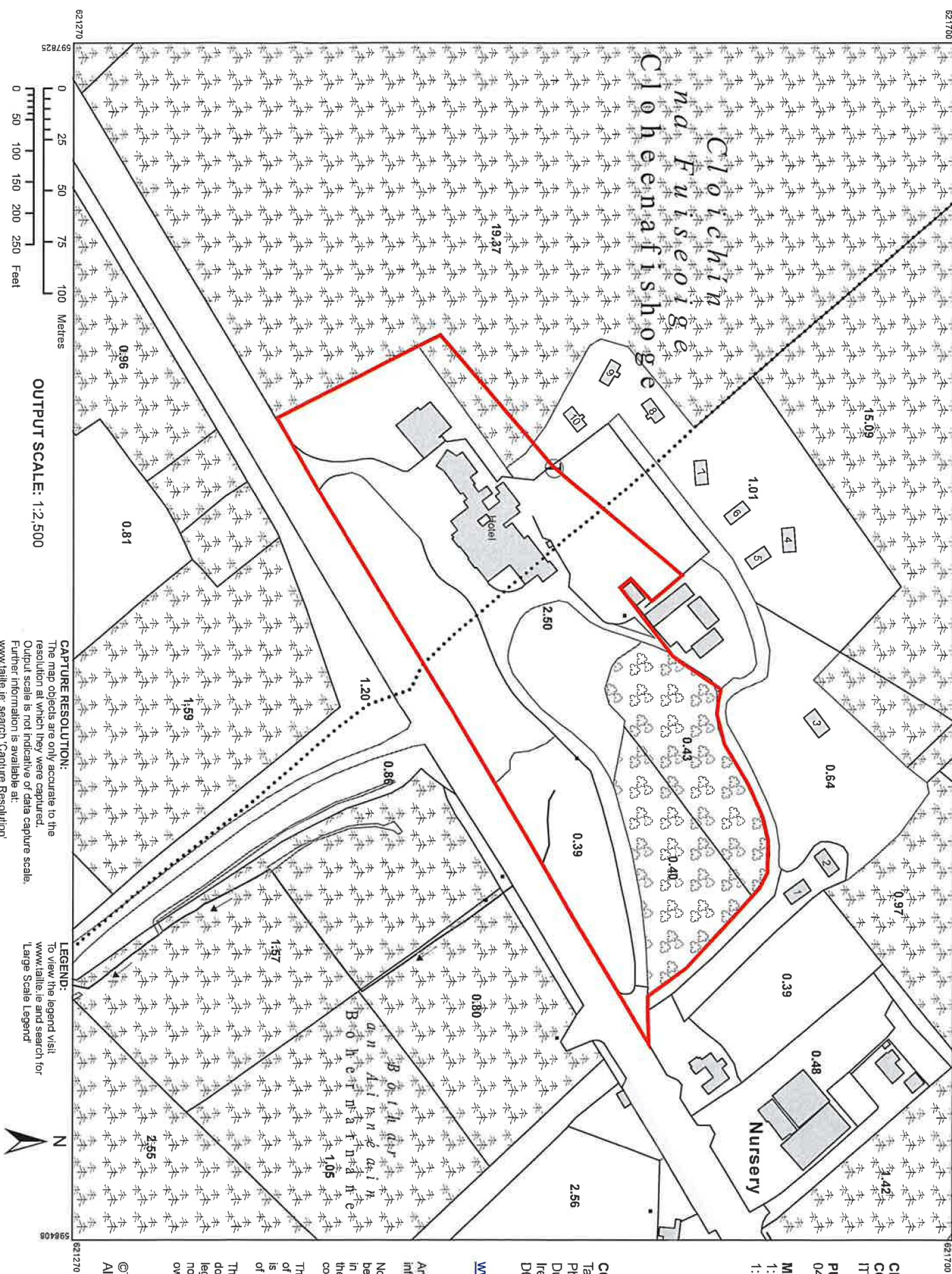
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PLACE Map



**Tailte
Éireann**

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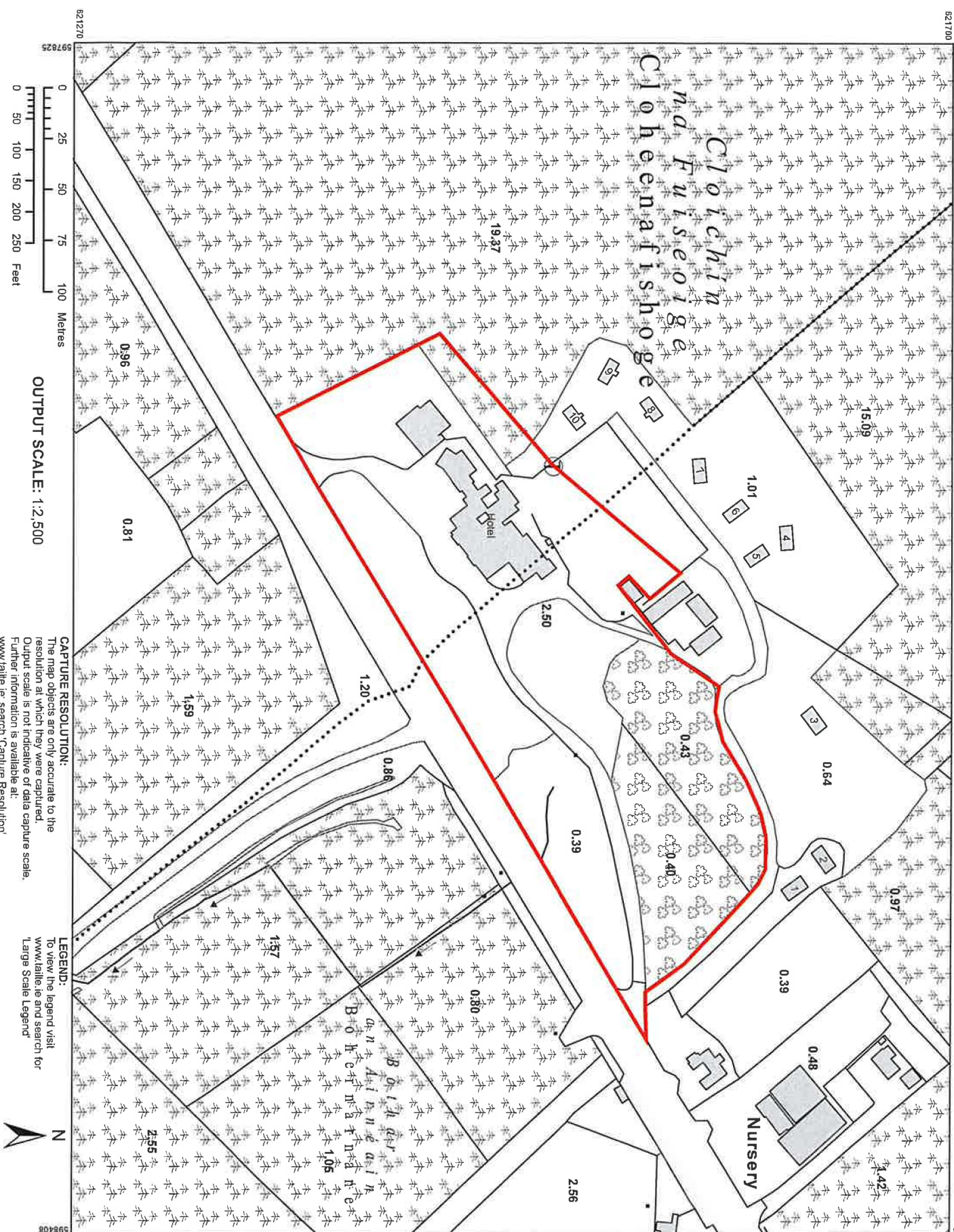
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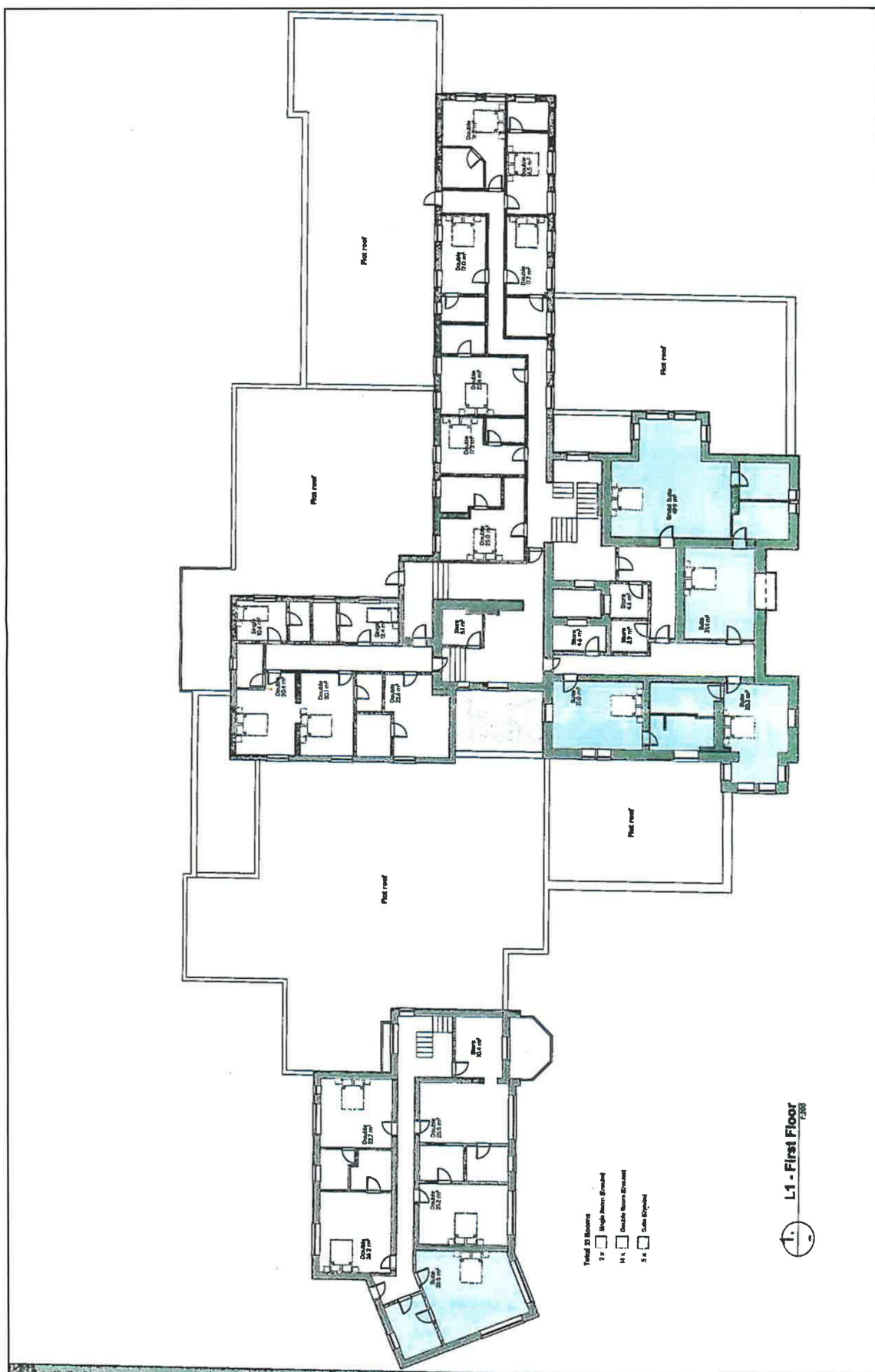
CAPTURE RESOLUTION:

The map objects are only accurate to the
resolution at which they were captured.
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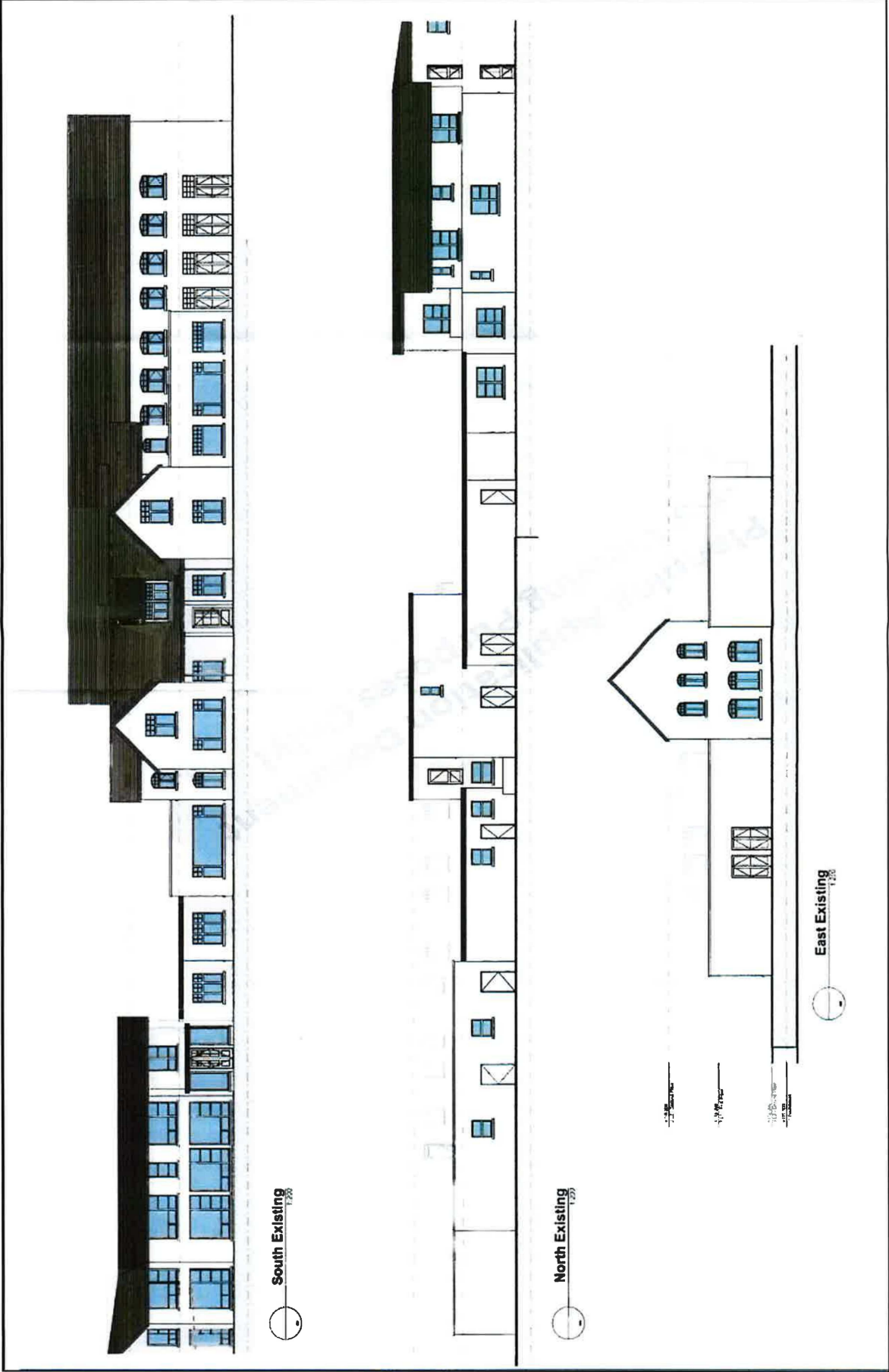
www.tailte.ie, search 'Capture Resolution'

LEGEND:

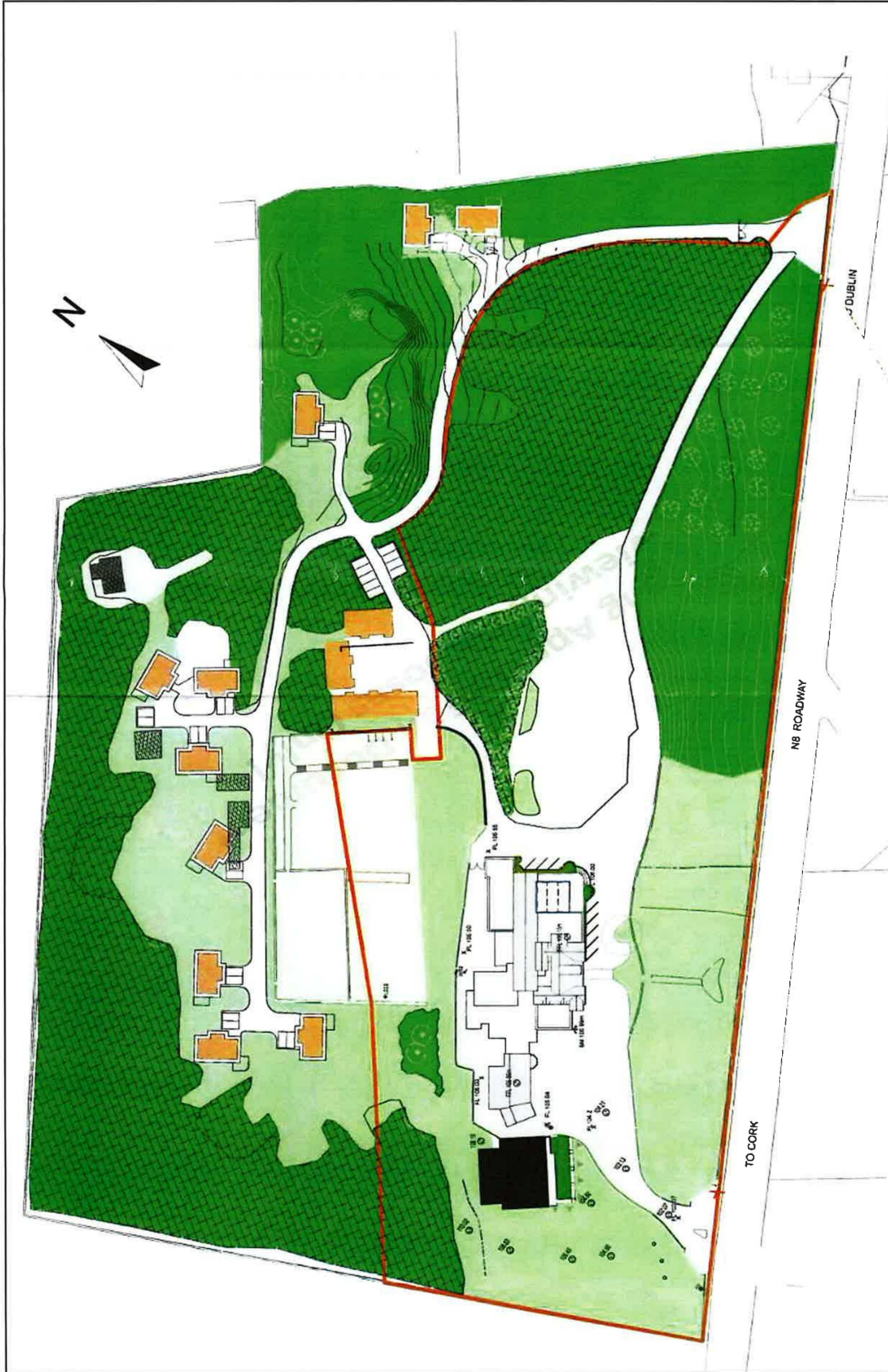
To view the legend visit
www.tailte.ie and search for
'Large Scale Legend'



First Floor Plan



External Elevations



Site Layout Plan



Comhairle Contae Thiobraid Árann
Tipperary County Council

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
Cluain Meala,
Co. Thiobraid Árann
Tipperary County Council,
Civic Offices, Clonmel,
Co. Tipperary
E91 N512

Comhairle Contae
Thiobraid Árann,
Oifigí Cathartha,
An tAonach,
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e customerservice
@tipperarycoco.ie
tipperarycoco.ie

Date: 14th February, 2025 Our Ref: S5/25/11 Civic Offices, Clonmel

Naroclik Ltd
c/o Brian O'Kennedy & Assoc. Ltd
Shannon House
Church Road
Douglas
Cork
T12PW40

Re: Application for a Section 5 Declaration – change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants at Kilcoran Lodge Hotel, Cahir, Co. Tipperary E21 H680

Dear Sir/Madam,

I acknowledge receipt of your application for a Section 5 Declaration received on 13th February, 2025, in connection with the above.

I wish to advise that you will be notified of a decision on your application in due course.

Yours sincerely,



For Director of Services

TIPPERARY COUNTY COUNCIL

Application for Declaration under Section 5

Planning & Development Act 2000, as amended
Planning & Development Regulations 2001, as amended

Planning Reference:	S5/25/11
Applicant:	Naroclik Ltd
Development Address:	Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary
Proposed Development:	The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants.

1. GENERAL

On 13th February 2025 a request was made for a declaration under Section 5 of the Planning and Development Act, 2000 as amended by Brian O' Kennedy & Associated Ltd on behalf of Naroclik Ltd as to whether or not the following works constituted development and if so, whether same was exempted development:

The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants.

The application has advised the query subject to this application was being posed specifically under Class 14(h) of the above cited Regulations.

The application as submitted includes;

- Section 5 application Form
- Cover Letter
- Site Location Map
- Site Layout Plan
- Floor Plans
- Elevation Drawings

The submitted application form and cover letter do not refer to any works and pertain to a material change of use only.

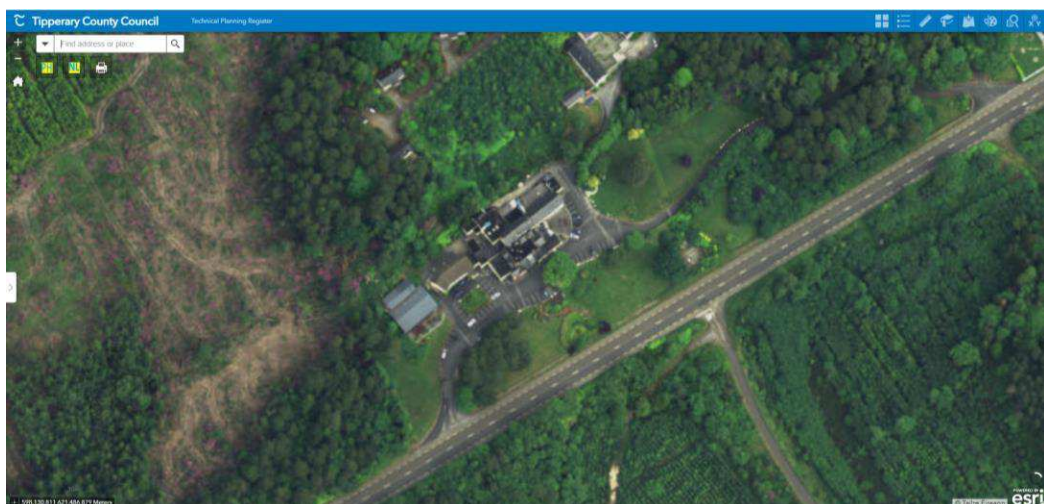


Figure 1 Site Location

2. STATUTORY PROVISIONS

The following statutory provisions are relevant to this referral case;

Planning & Development Act 2000, as amended

Section 2(1) of the Planning and Development Act, 2000, as amended, states as follows;

“In this Act, except where the context otherwise requires – “development” has the meaning assigned to it by Section 3 and development shall be construed accordingly.”

And,

“works” includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure”.

Section 3 (1) of the Planning and Development Act 2000, as amended, states as follows:-

“In this Act, ‘development’ means, except where the context otherwise requires, the carrying out of works on, in, over or under land or the making of any material change in the use of any structures or other land.”

Section 4 provides for Exempted Development and Section 4(1) sets out works which shall be exempted development for the purposes of the Planning and Development Act 2000, as amended. Section 4(2)(a) of the same Act states that ‘the Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act.

Section 4 (4) of the Planning and Development Act 2000, as amended, states as follows:-

Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

Planning & Development Regulations, 2001, as amended

Article 5 defines

“protected person”, for the purposes of Schedule 2, means—

- (a) a person who has made an application to the Minister for Justice and Equality under the Refugee Act of 1996 or the Subsidiary Protection Regulations 2013 (S.I. No. 426 of 2013),
- (b) a person who falls to be considered or has been considered under section 3 of the Immigration Act of 1999, or
- (c) a programme refugee within the meaning of section 24 of the Refugee Act of 1996;

Article 6(1) states;

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Class 14(h) and (i) of Part 1 of Schedule 2 and relevant and are set out below;

Column 1 Description of Development	Column 2 Conditions and limitations
<p>Class 14 <i>Development consisting of a change of use—</i> <i>(h) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (i) of the said premises or institution, or part thereof, to use as accommodation for protected persons,</i></p> <p><i>(i) from use as a hotel, motel, hostel, guesthouse, holiday accommodation, convent, monastery, Defence Forces barracks or other premises or residential institution providing overnight accommodation, or part thereof, or from the change of use specified in paragraph (h) of the said premises or institution, or part thereof, to use as an emergency reception and orientation centre for protected persons, and</i></p>	
<p>CLASS 20F</p> <p><i>Temporary use by or on behalf of the Minister for Children, Equality, Disability, Integration and Youth to accommodate or support displaced persons or persons seeking international protection of any structure or part of a structure used as a school, college, university, training centre, social centre, community centre, non-residential club, art gallery, museum, library, reading room, sports club or stadium, gymnasium, hotel, convention centre, conference centre, shop, office, Defence Forces barracks, light industrial building, airport operational building, wholesale warehouse or repository, local authority administrative office, play centre, medical and other health and social care accommodation, event and exhibition space or any structure or part of structure normally used for public worship or religious instruction.</i></p>	<ol style="list-style-type: none"> 1. The temporary use shall only be for the purposes of accommodating displaced persons or for the purposes of accommodating persons seeking international protection. 2. Subject to paragraph 4 of this class, the use for the purposes of accommodating displaced persons shall be discontinued when the temporary protection introduced by the Council Implementing Decision (EU) 2022/382 of 4 March 2022¹ comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001². 3. The use for the purposes of accommodating persons seeking international protection shall be discontinued not later than 31 December 2028. 4. Where the obligation to provide temporary protection is discontinued in accordance with paragraph 2 of this class, on a date that is earlier than 31 December 2028, the temporary use of any structure which has been used for the accommodation of displaced persons shall continue for the purposes of accommodating persons seeking

	<p>international protection in accordance with paragraph 3 of this class.</p> <p>5. The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.</p> <p>6. 'displaced persons', for the purpose of this class, means persons to whom temporary protection applies in accordance with Article 2 of Council Implementing Decision (EU) 2022/382 of 4 March 2022.</p>
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Article 9 states;

Development to which article 6 relates shall not be exempted development for the purposes of the Act—

(a) if the carrying out of such development would—

(i) contravene a condition attached to a permission under the Act or be inconsistent with any use specified in a permission under the Act,

Article 10 legislates for a change of use and article 10(1) states the following:

“Development which consists of a change of use within any one of the classes of use specified in Part 4 of Schedule 2, shall be exempted development for the purposes of the Act, provided that the development, if carried out would not-

(a) involve the carrying out of any works other than works which are exempted development,

(b) contravene a condition attached to a permission under the Act,

(c) be inconsistent with any use specified or included in such a permission, or

(d) be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.”

A hotel is not listed under any class set out under Part 4.

3. **ASSESSMENT**

a. Site Location

The site forms part of the Kilcoran Lodge Hotel which is situated on the R-693 Regional Road

b. Relevant Planning History

- P3/460 Grant of permission for extension of Kilcoran Lodge Hotel which is 6km south-west of Cahir
- P3/117111 Grant of permission for fitness and leisure complex and retention of use and developing existing swimming pool.
- P3/13632 Grant of permission for retention of two advertising signs and erection of one advertising sign.
- 02/723 Grant of permission for retention of a single storey leisure centre facility comprising of a swimming pool, gym, changing areas, plant room and other associated areas on the grounds.
- 05/1565 Grant of permission for development consisting of (a) the widening of the existing two vehicular main entrances, located on the N 8 roadway with the provision of new walls, railings and piers with lanterns, (b) new hotel advertising signage to entrance walls and signage poles.
- 07/1750 Grant of permission for extension to rear to accommodate staff rooms and alter parts of front elevation and erect draft lobbies and shelter and include all site works.

19/600323 Grant of permission for the construction of a 81sqm conservatory to the front elevation of the hotel and associated site works.

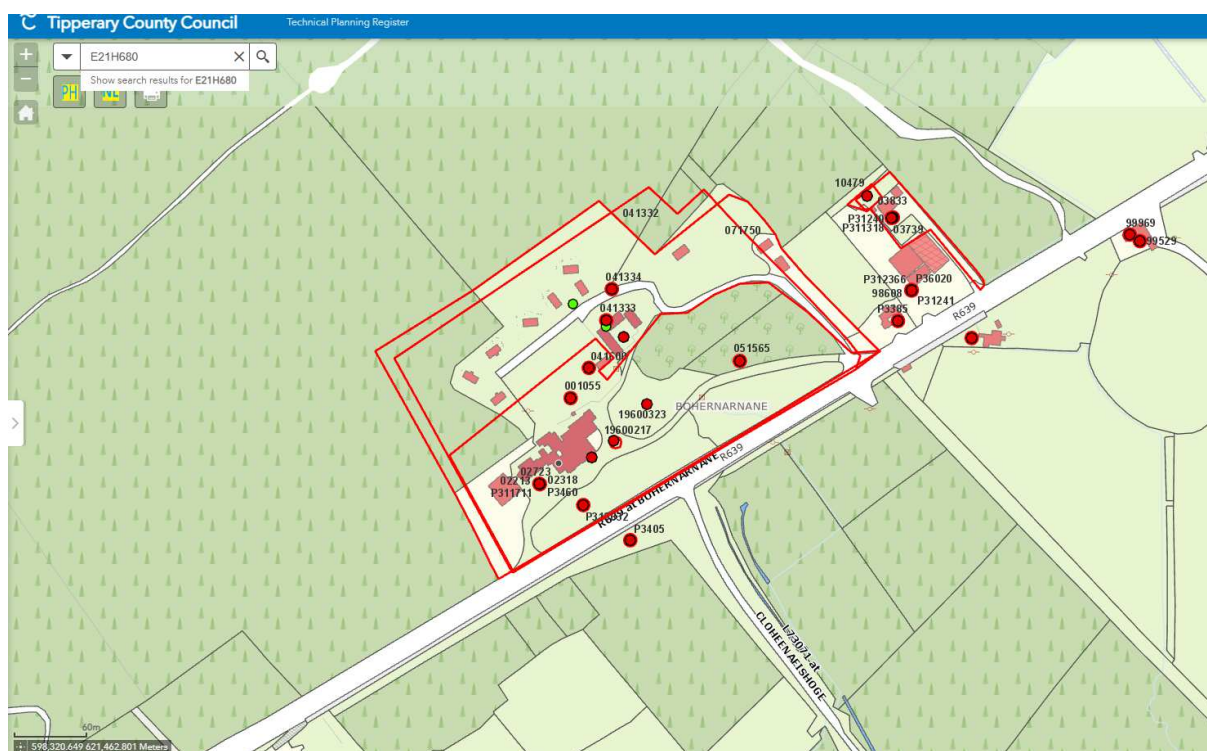


Figure 2 Planning Register

c. Assessment

A) “Is or is not Development”

As set out under the introduction section above the application for a Section 5 Declaration does not refer to works and is limited to a change of use only. In order for a change of use to be considered development, it must be a material change in the use as per the definition of development provided in Section 3(1)(a) of the Planning and Development Act 2000, as amended. I consider that the nature and characteristics of a facility accommodating displaced persons or persons seeking international protection are materially different to those of a hotel. Therefore I consider that the change of use of a hotel to a facility accommodating displaced persons or for the purposes of accommodating persons seeking international protection is a material change of use which constitutes “development” within the meaning of Section 3 of the Act.

B) “Is or is not Exempted Development”

In considering whether the exemption available under Class 14(h) can be availed of in this instance it is important to note that these exemptions provide for protected persons only whereas the applicant in their application refers to persons seeking international protection and has not referenced the exemption available under Class 20F. The applicants attention will be drawn to this in the determination of the Planning Authority.

“protected person”, for the purposes of Schedule 2, means—

- (a) a person who has made an application to the Minister for Justice and Equality under the Refugee Act of 1996 or the Subsidiary Protection Regulations 2013 (S.I. No. 426 of 2013),
- (b) a person who falls to be considered or has been considered under section 3 of the Immigration Act of 1999, or
- (c) a programme refugee within the meaning of section 24 of the Refugee Act of 1996;

It is considered that the use of the identified buildings for the purposes of accommodating for protected persons, does avail of the exemptions set out under Class 14(h) of Part 1 of Schedule 2 of the Regulations.

C) Restrictions under Article 9

Article 9 is not applicable in this instance.

D) Requirement for Appropriate Assessment and Environmental Impact Assessment

AA

This Section 5 relates to a change of use only and does not include for any works. See Screening Report attached.

EIA

The proposed change of use does not come within the definition of a 'project' for the purposes of EIA, that is, it does not comprise construction works, demolition or intervention in the natural surroundings. See Screening Report attached.

4. RECOMMENDATION

WHEREAS a question has arisen as to whether;

The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants

At Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary

is development and is or is not exempted development.

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to -

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 5, 6, 9 and 10 of the Planning and Development Regulations 2001, as amended,
- (c) Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) The details as submitted with the application

AND WHEREAS Tipperary County Council has concluded that –

The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants (as per definition of a **Protected Persons as defined under Article 5 of the Planning and Development Regulations 2001, as amended**)

At Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary

is development and is exempted development as it DOES fall under the exempted development provisions as set out under Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001.

Advice Note: This Section 5 Declaration refers to a material change of use only and does not include for any works.

District Planner:



Date: 03/03/2025



Senior Executive Planner:

Date: 7.3.2025

HABITATS DIRECTIVE APPROPRIATE ASSESSMENT (AA) SCREENING REPORT

STEP 1. Description of the project/proposal and local site characteristics:

(a) File Reference No:	S5/25/11
(b) Brief description of the project or plan:	The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants.
(c) Brief description of site characteristics:	Existing Hotel Complex
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	None
(e) Response to consultation:	None

STEP 2. Identification of relevant Natura 2000 sites using Source-Pathway-Receptor model and compilation of information on Qualifying Interests and conservation objectives.

European Site (code)	List of Qualifying Interest/Special Conservation Interest ¹	Distance from proposed development ² (km)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
002137 Lower River Suir	https://www.npws.ie/protected-sites/sac/002137	Within 10km	None	No
000646 Galtee Mountains SAC	https://www.npws.ie/protected-sites/sac/00646	Within 15km	None	No

STEP 3. Assessment of Likely Significant Effects

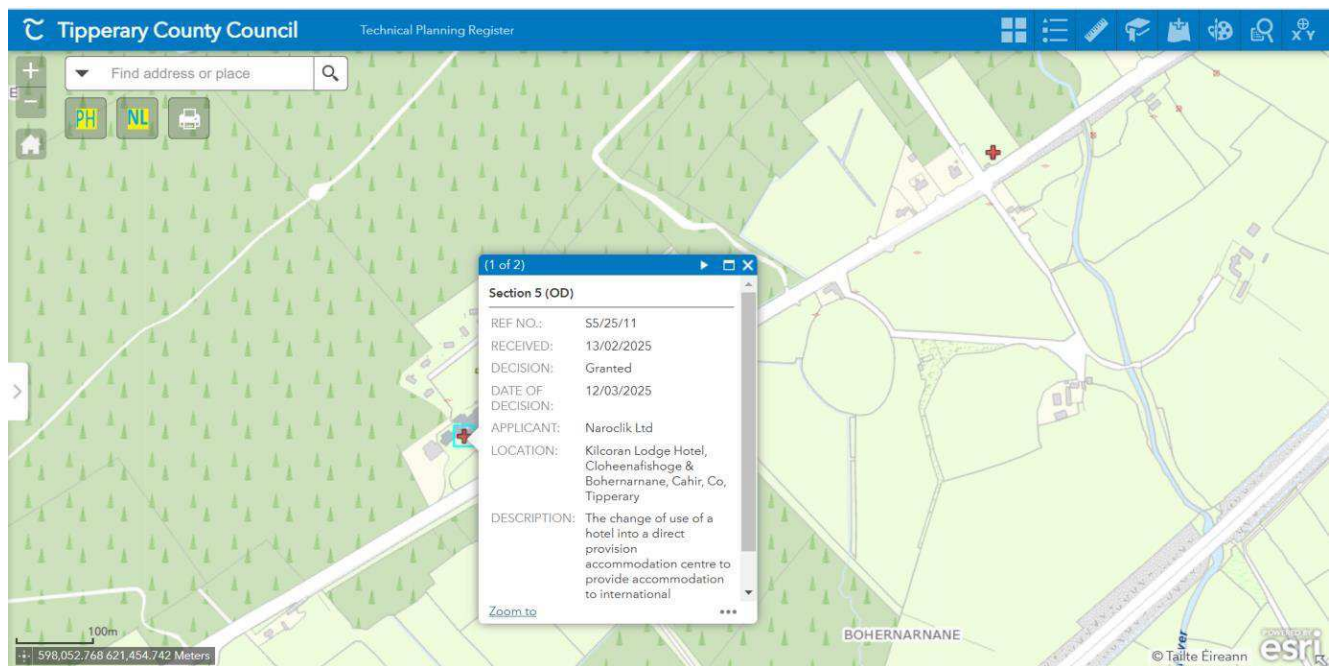
(a) Identify all potential direct and indirect impacts that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project under the following headings:

Impacts:	Possible Significance of Impacts: (duration/magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> Vegetation clearance Demolition Surface water runoff from soil excavation/infill/landscaping (including borrow pits) Dust, noise, vibration Lighting disturbance Impact on groundwater/dewatering Storage of excavated/construction materials Access to site Pests 	No works proposed. Proposal relates to a change of use only.

Operational phase e.g. <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures (e.g. collision risks) • Potential for accidents or incidents 	No works proposed. Proposal relates to a change of use only.	
In-combination/Other		
(b) Describe any likely changes to the European site:		
Examples of the type of changes to give consideration to include: <ul style="list-style-type: none"> • Reduction or fragmentation of habitat area • Disturbance to QI species • Habitat or species fragmentation • Reduction or fragmentation in species density • Changes in key indicators of conservation status value (water or air quality etc.) • Changes to areas of sensitivity or threats to QI • Interference with the key relationships that define the structure or ecological function of the site 	None	
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
STEP 4. Screening Determination Statement		
The assessment of significance of effects:		
Describe how the proposed development (alone or in-combination) is/is not likely to have significant effects on European site(s) in view of its conservation objectives.		
No works proposed. Proposal relates to a change of use only. Proposal is not likely to have significant effects on European site(s) in view of its conservation objectives.		
Conclusion:		
	Tick as Appropriate:	Recommendation:
(i) It is clear that there is no likelihood of significant effects on a European site.	<input checked="" type="checkbox"/>	The proposal can be screened out: Appropriate assessment not required.
(ii) It is uncertain whether the proposal will have a significant effect on a European site.	<input type="checkbox"/>	<input type="checkbox"/> Request further information to complete screening <input type="checkbox"/> Request NIS

		<input type="checkbox"/> Refuse planning permission
(iii) Significant effects are likely.	<input type="checkbox"/>	<input type="checkbox"/> Request NIS <input type="checkbox"/> Refuse planning permission

EIA Pre-Screening Establishing a development is a 'sub-threshold development'	
File Reference:	S5/25/11
Development Summary:	The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants.
Was a Screening Determination carried out under Section 176A-C?	<input type="checkbox"/> Yes, no further action required <input checked="" type="checkbox"/> No, Proceed to Part A
A. Schedule 5 Part 1 - Does the development comprise a project listed in Schedule 5, Part 1 , of the Planning and Development Regulations 2001 (as amended)? (Tick as appropriate)	
<input type="checkbox"/> Yes, specify class _____	EIA is mandatory No Screening required
<input checked="" type="checkbox"/> No	Proceed to Part B
B. Schedule 5 Part 2 - Does the development comprise a project listed in Schedule 5, Part 2 , of the Planning and Development Regulations 2001 (as amended) and does it meet/exceed the thresholds? (Tick as appropriate)	
<input checked="" type="checkbox"/> No, the development is not a project listed in Schedule 5, Part 2	No Screening required
<input type="checkbox"/> Yes the project is listed in Schedule 5, Part 2 and meets/exceeds the threshold, specify class (including threshold): _____	EIA is mandatory No Screening required
<input type="checkbox"/> Yes the project is of a type listed but is <i>sub-threshold</i> : _____	Proceed to Part C
C. If Yes , has Schedule 7A information/screening report been submitted?	
<input type="checkbox"/> Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
<input type="checkbox"/> No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required



Original

TIPPERARY COUNTY COUNCIL

DELEGATED EMPLOYEE'S ORDER

File Ref: **S5/25/11** **Delegated Employee's Order No:** _____

SUBJECT: Section 5 Declaration

I, Sharon Kennedy, Director of Services, Tipperary County Council, by virtue of the powers delegated to me in accordance with the provisions of Section 154 of the Local Government Act 2001, as amended by Schedule 1, Part 1 of the Local Government Reform Act 2014 under Chief Executive's Order No. 40781 dated 2nd January, 2025, hereby order that pursuant to the provisions of the Planning and Development Act 2000, as amended, that an application under Section 5 from Naroclik Ltd., C/O Brian O'Kennedy & Assoc Ltd., Shannon House, Church Road, Douglas, Cork, re: The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants at Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary is development and is exempted development.

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

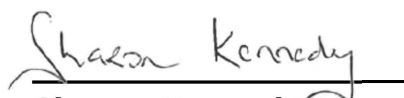
- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 5, 6, 9 and 10 of the Planning and Development Regulations 2001, as amended,
- (c) Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) The details as submitted with the application

AND WHEREAS Tipperary County Council has concluded that –

The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants (as per definition of a **Protected Persons as defined under Article 5 of the Planning and Development Regulations 2001, as amended**) at Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary, is development and is **exempted development** as it DOES fall under the exempted development provisions as set out under Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001.

Advice Note: This Section 5 Declaration refers to a material change of use only and does not include for any works.

Signed:



Sharon Kennedy

Director of Services

Planning and Development (including Town Centre First),

Emergency Services and Emergency Planning and

Tipperary/Cahir/Cashel Municipal District

Date: 10/03/2025



Comhairle Contae Thiobraid Árann
Tipperary County Council

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tipperarycoco.ie

Date: 10th March, 2025

Our Ref: S5/25/11

Civic Offices, Nenagh

Naroclik Ltd
C/O Brian O Kennedy & Associates Ltd
Shannon House
Church Road
Douglas
Cork

Re: Declaration under Section 5 of the Planning and Development Act 2000

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 13th February, 2025, in relation to the following proposed works:

The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants at Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary.

WHEREAS a question has arisen as to whether the proposed development is or is not exempted development:

AND WHEREAS Tipperary County Council, in considering this referral, had regard particularly to –

- (a) Sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended
- (b) Article 5, 6, 9 and 10 of the Planning and Development Regulations 2001, as amended,
- (c) Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) The details as submitted with the application

AND WHEREAS Tipperary County Council has concluded that –

The change of use of a hotel into a direct provision accommodation centre to provide accommodation to international applicants (as per definition of a **Protected Persons as defined under Article 5 of the Planning and Development Regulations 2001, as amended**) at Kilcoran Lodge Hotel, Cloheenafishoge & Bohernarnane, Cahir, Co, Tipperary, is development and is **exempted development** as it DOES fall under the exempted development provisions as set out under Class 14(h) of Part 1 of Schedule 2 of the Planning and Development Regulations 2001.

Advice Note: This Section 5 Declaration refers to a material change of use only and does not include for any works.

NOTE: Any person issued with a Declaration of a Planning Authority may refer the Declaration for review to An Bord Pleanala, 64 Marlborough Street, Dublin 1, within four (4) weeks of the date of issue of the Declaration and on payment of the prescribed fee.

Yours faithfully


for **Director of Services**