



Leitrim County Council Planning Report

Reference No:	ED-26-31
Applicant:	Dromaprop Limited
Location:	Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim F91 AT22
Application Type:	Declaration under Section 5 of the Planning and Development Act 2000, as amended
Proposal:	Whether the change of use from hotel to accommodate or support displaced persons or persons seeking international protection, in accordance with S.I. No. 605 of 2022 – Planning and Development (Exempted Development) (No. 4) Regulations 2022, Class 20F as previously notified to the authority and similarly with Class 14(h) inserted by article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No.4) Regulations 2015, is or is not development and whether it is or is not exempted development.
Due Date:	03/06/2026

Introduction

This subject request for a declaration under Section 5 of the Planning and Development Act 2000, as amended, was received by the Planning Authority on the 7th of May 2026 and relates to whether the change of use from hotel to accommodate or support displaced persons or persons seeking international protection, in accordance with S.I. No. 605 of 2022 – Planning and Development (Exempted Development) (No. 4) Regulations 2022, and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023, Class 20F as previously notified to the authority and similarly with Class 14(h) inserted by article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No.4) Regulations 2015, at Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim F91 AT22 is or is not development and whether it is or is not exempted development.

Site Location and Context

The subject premises is located on Main Street, Dromahair, Co. Leitrim and comprises of a detached, seven-bay, two-storey double-pile hotel known as the 'Abbey Manor Hotel' which has been renovated in recent years and brought back into use following a long period of vacancy. The subject premises are located on lands zoned 'Town Centre', as prescribed in the Leitrim County Development Plan 2023-2029, with the rearmost portion of the site coinciding with an area of 'Constrained Land Use' on account of its identification as Flood Zone A extents from the Strategic Flood Risk Assessment (SFRA) of the Leitrim County Development Plan 2023-2029.

The hotel is accessed off Main Street (R-288 Regional Road) across a hard landscaping space and whose car park is accessed via a right of way alongside the now vacant and dilapidated hostel which adjoins. There is a soft landscaped garden area to the left of the building which extends approximately 30 metres in width with a random stone wall providing the boundary along the street frontage. The northwestern boundary comprises of a block wall along most of its length with a recently constructed paladin fence and gateway to the car parking area. The rear boundary along the River Bonet comprises of a paladin fence. The other lateral side boundary comprises of a wall along most of its length with a timber fence along the common boundary with the adjoining dwelling house.

The Abbey Manor hotel is a protected structure within the Leitrim County Development Plan 2023-2029, ref. RPS No. 59. The building is described in the Record of Protected Structures as:

“Detached seven-bay two-storey double-pile hotel with projecting entrance bay with pyramidal roof and gabled dormer lights. Pitched slate roof, currently being rebuilt. Rendered chimneystacks. Ransom coursed limestone with red brick dressings and rendered walls to side and rear and with cut stone relieving arches to ground floor windows. Timber casement windows with stone sills and brick surrounds. Upper windows have gables with carved bargeboards. Replacement glazed timber door with brick surround and fanlight. Carved stone head over doorway at south end of façade”.

The building is also included in the National Inventory of Architectural Heritage (NIAH), ref. No. 30806008. The description contained in the Record of Protected Structures is that from the NIAH. Its appraisal is as follows:

“This hotel is a prominent structure in the town of Dromahair. Its ornate design incorporates details such as the pyramidal roof to the entrance bay, gables and the use of contrasting limestone and brick dressings. It is an architecturally pleasing structure, which makes a positive contribution to the built heritage of the area”.

The building was considered to be of regional importance with the categories of special interest noted as technical and architectural.

The site area identified in the submitted Section 5 application documentation adjoins the River Bonet to the rear which is included in the Lough Gill Special Area of Conservation (SAC Site Code: 001976).

The nearest nationally designated site is Lough Gill proposed Natural Heritage Area (pNHA Site Code: 0001976) which is adjacent (River Bonet).

The subject site is not located within any landscapes designated for amenity value in the Leitrim County Development Plan 2023-2029.

Planning History

Whilst there are a number of previous applications pertaining to this site, having regard to the nature of the current application, it is only considered that the most recent is of relevance.

Applicant: Dromaprop Ltd.

Ref. No.: P24/60117

Date of Grant: 16th June 2025

Permission: Planning permission to retain the as constructed layout and changes to planning permission PL22/138. Including the following changes: (1) First Floor changes: 2-bedroom suite to 2no. 1 bedrooms and associated changes to access and internal layout, a bedroom to a kitchen, (2) Ground Floor changes: new corridor through 2-bedroom suite and change to access to suite, kitchen and bedroom in managers suite swapped, laundry room changed to computer room and new ESB Room, all associated changes. (3) Upper Basement Changes: new corridor through 3-bedroom suite and internal changes, staff toilet and store amalgamated into a laundry room, location of internal stairs, all associated changes. (4) Lower Basement Changes: open plan kitchen and dining area with toilets and upper sitting area and ESB room in lieu of 2no. 3-bedroom suites and laundry room and all associated changes. (5) All other minor internal changes, (6) Fenestration changes at basement levels to side and rear elevations. (7) Changes to retaining wall and ground level to side with ramps from car park (8) all ancillary site works at the Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim, F91 AT22.

Applicant: Dromaprop Ltd.
Ref. No.: P22/138
Date of Grant: 12th January 2023
Permission: Retention & Completion for:

1. Alterations to the Abbey Hotel including the original Protected Structure.
2. First Floor Level - Reconfigure existing bedroom layout to provide bedroom suite accommodation (228.16.sq.m) together with all associated alterations, these bedrooms are located in the later rear extension, not within the original protected structure. Retain & complete renovations, alterations and re-configuring of existing bedroom layouts (285.33.m²) contained within the protected structured.
3. Ground Floor Level - Retain & complete the conversion of public bar, rear lounge bar area and offices contained within the protected structure to bedroom suite accommodation. Retain & complete the conversion of the front lounge bar contained within the protected structure to a dining room/café. (323.00. m²) Retain & complete the conversion of existing function room to bedroom suite accommodation, games room and ancillary laundry (415.41. m²). Reconfigure the existing bedroom layout to bedroom suite accommodation. (114.64. m²) take down the existing glazed atrium and flat roof that links the original hotel with the later extension, together with all associated alterations, these works are located in the later rear extension, not within the original protected structure.
4. Upper Basement Plan - Conversion of existing night club, plant room, store, cold rooms and ancillary sanitary accommodation to bedroom suite accommodation (284.41. m²) together with all associated alterations. These works are located in the later rear extension, not within the original protected structure.
5. Lower Basement Plan - Conversion of existing night club, plant room, store and ancillary sanitary accommodation to bedroom suite accommodation and laundry room (281.21 m²) together with all associated alterations. These works are located in the later rear extension, not within the original protected structure.
6. Carry out/retain all associated elevational changes, including the re-slating of the roof of the protected structure, together with all associated site works including the provision of new retaining walls.

There will not be any increase in the floor area of the building.

The development as applied for consisted of 1 no. 4 bedroom suite, 11 no. 3 bedroom suites, 9 no. 2 bedroom suites, 4 no. 1 bedroom suites and a managers 1 bed suite accommodation. This totalled 25 no. bedroom suites including the manager's suite and providing a total of 60 no. bedrooms.

High Court Case

Leitrim County Council applied to the High Court seeking to obtain a section 160 injunction against the owners of the Abbey Manor Hotel, ref. [2024] IEHC 233. Following the commencement of works pursuant to the P22/138 grant of planning permission, Dromaprop Ltd. indicated that it proposed to change the use of the premises to provide temporary accommodation to persons seeking international protection or displaced persons. In order to give effect to the proposed change in use, the applicant's carried out certain works to the interior of the premises at variance from the permission granted, ref. P22/138. The relief sought by the Local Authority was an injunction under section 160 of the Planning & Development Act 2000, as amended, from carrying out unauthorised development at The Abbey Manor Hotel specifically the change in use from commercial tourist accommodation, as permitted by planning permission reg. ref. no. P22/138, to temporary use to accommodate displaced persons and/or persons seeking international protection and all associated works including to the layout of the premises relating to and/or to facilitate such a change in use. The Local Authority also sought an order pursuant to section 160(1)(i) of the Act, requiring the owners to carry out development at The Abbey Manor Hotel in conformity with planning permission reg. ref. no. P22/138 and, insofar as this has not been done to date, an order pursuant to section 160(2) of the Act requiring the owners to carry out remedial/restoration/alteration works so as to ensure the development complies with planning permission reg. ref. no. P22/138.

The application to the High Court was unsuccessful. The order of Mr. Justice Humphreys was as follows:

- (i) the proceedings be dismissed insofar as they seek to restrain or otherwise affect the proposed use of the property for the purposes set out in the exemptions at classes 14(h) and/or 20F of the Planning and Development Regulations 2001;
- (ii) the proceedings be adjourned to a Module II insofar as they seek relief in respect of any non-compliance with the existing planning permission that does not affect the lawfulness of putting in place that proposed use of the property; and
- (iii) the question of costs be adjourned pending Module II.

Mr. Justice Humphreys decided that the use of the building as a hotel had not been abandoned in planning terms prior to the P22/238 planning application; if contrary to that it had been abandoned, it was replaced by an equivalent hotel use on grant of permission by Leitrim County Council. As a result, the exemptions provided in class 14(h) and 20F of the Planning and Development Regulations 2001, as amended were available on the basis of an existing hotel use. Article 9 of the Regulations does not remove an exemption related to a change in use from accommodation of one type of person to accommodation of another type of person merely because of the existence of conditions that limit the type or duration of accommodation or type of persons accommodated that may be facilitated in the premises. The exemptions being availed of for change of use are not disapplied under Article 9(1)(a)(viii) because that provision only applies to an exemption for works. The proposed change of use was therefore decided as being exempted development and could proceed, and the proceedings were dismissed insofar as they seek to restrain the proposed use. The questions of unauthorised departures from the planning permission that do not affect the lawfulness of the new use including questions of materiality and discretion of the court under section 160, to the extent that it arises, were adjourned to a proposed Module II.

In paragraph 68 of his judgment, Mr. Justice Humphreys stated

“So to take stock at this point, the proposed use of the property is not unlawful and that can proceed without any further issues under the heading of planning. That doesn’t mean that the internal works are all lawful or that retention permission would not be required by the letter of the law”.

In paragraph 73 of his judgment, Mr. Justice Humphreys stated

“The proceedings most certainly can’t be withdrawn, dismissed or stayed merely by reason of an intention to seek retention permission (see s. 162(3) of the 2000 Act), but they can be adjourned to a second module, at which stage one could if necessary give appropriate consideration to progress in relation to the regularisation process on the very specific facts here”.

In paragraph 74 of his judgment, Mr. Justice Humphreys stated

“All that said, Dromaprop’s view that deviations are very minor is disputed. The council has produced a useful comparison document dated 22nd April 2024, which shows some differences of internal layout on all five floors. While an attempted summary of the evidence rather than itself evidential, the apparent changes are possibly more than the merely trivial. The council suggests that Dromaprop could apply for a permission regarding the works at all levels and also the change of use. I conclude that no permission for the change of use is required. From its opposite perspective, Dromaprop says it intends to apply for retention only in relation to the basement. But that leaves the apparent non-compliance in other floors unaddressed. So perhaps an application for permission for all of the non-conforming works at all levels is worth consideration. But I will leave that to the parties in the first instance”.

In paragraph 75 of his judgment, Mr. Justice Humphreys stated

“Any interrogation of a retention permission that takes place now would take place in the context of that finding and so on the basis that the use is a given”.

The finding referred to is that the use is lawful.

Relevant Legislation

Planning and Development Act 2000, as amended

Section 2 Interpretation

Section 2(1) of the Planning and Development Act, 2000 (as amended) provides an interpretation of 'works' as including 'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...'. An "alteration" includes '...the replacement of a door, window or roof... that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures...'.

Section 3 Development

Section 3(1) In this Act 'development' means, except where the context otherwise requires, the carrying out of any works on, in, or under land or the making of any material change in the use of any structures or other land.

Section 4 Exempted Development

Section 4(1) The following shall be exempted developments for the purposes of this Act—

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which 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;

S.4 (2) (a) The Minister may by regulations provide for any class of development to be exempted development for the purposes of this Act where he or she is of the opinion that—

(i) by reason of the size, nature or limited effect on its surroundings, of development belonging to that class, the carrying out of such development would not offend against principles of proper planning and sustainable development, or

(ii) the development is authorised, or is required to be authorised, by or under any enactment (whether the authorisation takes the form of the grant of a licence, consent, approval or any other type of authorisation) where the enactment concerned requires there to be consultation (howsoever described) with members of the public in relation to the proposed development prior to the granting of the authorisation (howsoever described).

(b) Regulations under paragraph (a) may be subject to conditions and be of general application or apply to such area or place as may be specified in the regulations.

(c) Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (a), provide, in the case of structures or other land used for a purpose of any specified class, for the use thereof for any other purpose being exempted development for the purposes of this Act.

Planning and Development Regulations 2001, as amended

Article 6(1) of the Planning and Development Regulations 2001, as amended, states that:

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.

Article 9(1) of the Planning and Development Regulations 2001, as amended, identifies restrictions on exemptions. Of relevance in this case would be the following:

(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

(iii) endanger public safety by reason of traffic hazard or obstruction or road users
(vi), interfere with the character of a landscape, or a view or prospect of special amenity value or special interest, the preservation of which is an objective of a development plan for the area in which the development is proposed or, pending the variation of a development plan or the making of a new development plan, in the draft variation of the development plan or the draft development plan.

Article 10(1) of the Planning and Development Regulations 2001, as amended, relates to changes of use as follows:

10 (1) 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.

Schedule 2 of Part 1 to the Regulations relates to ‘*Exempted Development – General*’ and sets out the classes of exempted development.

A category of exempted development is provided under Class 14(h) inserted by Article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No. 4) Regulations 2015 which allows for change of use:

- (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.

The provisions of Class 14(h) are not qualified by any conditions and limitations.

A further relevant exemption is Class 20F, inserted by article 2 of S.I. No. 605 Planning and Development (Amendment)(No. 4) Regulations 2022 and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023. Those regulations provide as follows:

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.

This qualified by the following conditions and limitations:

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 2022 comes to an end in accordance with Article 6 of the Council Directive 2001/55/EC of 20 July 2001.*

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 international protection in accordance with paragraph 3 of this class.*
5. *The relevant local authority must be notified of locations where change of use is taking place prior the commencement of development.*
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.*
7. *‘international protection’, for the purpose of this class, has the meaning given to it in section 2 (1) of the International Protection Act 2015 (No. 66 of 2015).*
8. *‘temporary protection’, for the purpose of this class, has the meaning given to it in Article 2 of Council Directive 2001/55/EC of 20 July 2001.’*

Class 14(h) applies to ‘*protected persons*’ which are what might be deemed ‘*ordinary*’ asylum seekers and applicants for subsidiary protection applying under the International Protection Act 2015. Class 20F applies both to those seeking protection under the 2015 Act, and to ‘*displaced persons*’ which is a limited category created by Article 2 of E.U. Directive 2022/382.

Assessment

Referral Question

Upon inspection of the submitted application documentation relating to this referral, it is considered that referral question is based simply on whether the change of use from hotel to accommodate or support displaced persons or persons seeking international protection, in accordance with S.I. No. 605 of 2022 – Planning and Development (Exempted Development) (No. 4) Regulations 2022, and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023, Class 20F as previously notified to the authority and similarly with Class 14(h) inserted by article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No.4) Regulations 2015, at Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim F91 AT22 is or is not development and whether it is or is not exempted development.

Is or is not development

In relation to whether the proposed works are development, regard is had to Section 3(1) of the Planning and Development Act 2000, as amended, which defines ‘development’ as comprising of two possible components: “*the carrying out of any works on, in, over or under land*”, or “*the making of any material change in the use of any structures or other land*”.

Section 2(1) of the Act provides an interpretation of ‘works’ as “*the carrying out of any works on, in over, or under land*” including “*any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal...*”.

The permitted and established use of the building as a hotel is not in dispute. The subject use to accommodate either displaced persons or persons seeking international protection constitutes a material change in the use of the building and would therefore constitute development having regard to Section 3(1) of the Planning and Development Act 2000, as amended.

Is or is not exempted development

I have considered all relevant exemptions available under the Planning and Development Act 2000, as amended, and the Planning and Development Regulations 2001, as amended. In my assessment of this application, I have had regard to the submitted application documentation and to the planning history of the subject site. The Planning Authority is aware that the subject premises is currently being used to accommodate displaced persons or persons seeking international protection.

Section 3 (1) of the Planning and Development Act, 2000, as amended, states that 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 over land*”. It does not appear from the documentation submitted that the proposed change of use will involve the carrying out of any works, which is relevant having regard to the protected structure status of the subject premises.

The subject matter of this application for a declaration under Section 5 of the Planning and Development Act 2000, as amended, relates to the nature of the occupation of the hotel which has changed from that assumed to be short stay duration by guests (providing tourist accommodation), to now providing accommodation on a longer term basis for persons seeking international protection and notwithstanding the length of duration that has passed since the subject premises ceased trading to its more recent redevelopment. This would also include all meals being provided in a manner inconsistent with conventional hotel stays, akin to full board.

The provisions of Class 14(h) and Class 20F of Schedule 2 of Part 1 to the Planning and Development Regulations 2001, as amended, relating to the exemptions available for a change of use from use as a hotel to use as accommodation for protected persons or displaced persons or persons seeking international protection respectively, are clearly relevant in the case of this subject referral.

Article 10 (1) of the Planning and Development Regulations, 2001, as amended states that 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.

I am conscious of the judgment of Mr. Justice Humphreys in *Leitrim County Council vs. Dromaprop Ltd.* [2024] IEHC 233 in relation to the possible hollowing out of the intention of the Minister by a narrow interpretation of these provisions. I am satisfied that the subject change of use is not affected by any of the provisions or considerations of Article 10.

Having examined the planning history which confers a hotel use to the building, to the provisions of Class 14(h) and Class 20F of Schedule 2 of Part 1 to the Planning and Development Regulations 2001, as amended, (‘Exempted Development – General’), to the documents submitted with this application, I am satisfied that the subject change of use is development and is exempted development.

Appropriate Assessment

The subject development has been assessed having regard to the requirements of the EU Habitats Directive. Regard is had to the provisions of Section 5.5.1 of *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities* (Department of Environment, Heritage and Local Government, 2009) which states the following:

“Applications for permission where, from the description of the development, it is clear that an AA is not required whether or not the proposal is located within or without a Natura 2000 site. Examples of this would be involving changes to the external appearance of buildings, (such as shop fronts, change of house design/ appearance, domestic extensions) or changes of use that do not involve any extra loading on waste water, water systems or erosion of habitats”.

Having regard to the above, the information on file, and the nature and scale of the subject development, it is concluded that the subject development, either alone or in-combination with other developments, is not likely

to have any significant effects on any European site in view of its conservation objectives. See Appropriate Assessment (AA) screening report attached.

Environmental Impact Assessment

Having regard to the limited nature and scale of the subject development and the fact that the subject development is not of a development type or class set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations 2001, as amended, it is concluded that there is no real likelihood of significant effects on the environment arising from the subject development having regard to the criteria set out in Schedule 7 to the Planning and Development Regulations 2001, as amended. It is therefore concluded that EIA is not required.

Recommendation

Having regard to the foregoing, I recommend that the Planning Authority issue the following Declaration under Section 5 of the Planning and Development Act 2000, as amended:

WHEREAS a question has arisen as to whether the change of use from hotel to accommodate or support displaced persons or persons seeking international protection, in accordance with S.I. No. 605 of 2022 – Planning and Development (Exempted Development) (No. 4) Regulations 2022, and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023, Class 20F as previously notified to the authority and similarly with Class 14(h) inserted by article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No.4) Regulations 2015, at Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim F91 AT22 is or is not development and whether it is or is not exempted development;

AND WHEREAS the said question was referred to Leitrim County Council by Dromaprop Limited on the 7th of May 2026;

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

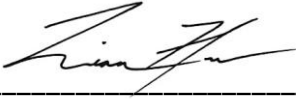
- (a) Sections 2(1), 3(1), 4(1) and (2) of the Planning and Development Act, 2000, as amended,
- (b) Articles 6(1), 9(1) and 10(1) of the Planning and Development Regulations 2001, as amended,
- (c) Class 14(h) and Class 20F of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended,
- (d) the documentation submitted as part of the referral
- (e) the planning history and permitted use of the building,
- (f) the decision of the High Court in Leitrim County Council v Dromaprop Ltd. [2024] IEHC 233, and;
- (g) the report of the assigned planning officer;

AND WHEREAS Leitrim County Council has concluded that:

- (a) the change of use from hotel to accommodate or support displaced persons or persons seeking international protection, in accordance with S.I. No. 605 of 2022 – Planning and Development (Exempted Development) (No. 4) Regulations 2022, and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023, Class 20F as previously notified to the authority and similarly with Class 14(h) inserted by article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No.4) Regulations 2015, at Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim F91 AT22 constitutes development under Section 3(1) of the Planning and Development Act 2000, as amended, and;
- (b) the change of use from hotel accommodation to accommodate or support displaced persons or persons seeking international protection would constitute exempt development and would fall within the scope of both Class 14(h) and Class 20F of Schedule 2 of Part 1 of the Planning and Development Regulations 2001, as amended.

NOW THEREFORE Leitrim County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the 2000 Act, as amended, hereby declares that:

The change of use from hotel to accommodate or support displaced persons or persons seeking international protection, in accordance with S.I. No. 605 of 2022 – Planning and Development (Exempted Development) (No. 4) Regulations 2022, and substituted by article 2 of S.I. No. 376/2023 Planning and Development (Exempted Development) (No. 4) Regulations 2023, Class 20F as previously notified to the authority and similarly with Class 14 (h) inserted by article 4 of S.I. No. 582/2015 Planning and Development (Amendment) (No.4) Regulations 2015, at Abbey Manor Hotel, Main Street, Dromahair, Co. Leitrim F91 AT22 is development and is exempted development.



Liam Flynn
Senior Executive Planner
Date: 03/06/2026



Appropriate Assessment Screening and Determination

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

(a) File Reference No:	ED26-31
(b) Brief description of the project or plan:	As per planning report
(c) Brief description of site characteristics:	As per planning report
(d) Relevant prescribed bodies consulted: e.g. DHLGH (NPWS), EPA, OPW	No
(e) Response to consultation:	N/A

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	Distance from proposed development (km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Lough Gill SAC (001976)	https://www.npws.ie/protected-sites/sac/0001976	Adjacent	From site	No
Please Select				

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. - 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 significant potential impacts.
Operational phase e.g. - 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	No significant potential impacts.

- Physical presence of structures (e.g. collision risks) - Potential for accidents or incidents													
In-combination/Other	No significant potential impacts.												
(b) Describe any likely changes to the European site:													
- Examples of the type of changes to give consideration to include: - 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	No significant potential impacts.												
(c) Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? ☐ Yes ☒ 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.													
Regard is had to the provisions of Section 5.5.1 of <i>Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities</i> (Department of Environment, Heritage and Local Government, 2009) which states the following: <i>“Applications for permission where, from the description of the development, it is clear that an AA is not required whether or not the proposal is located within or without a Natura 2000 site. Examples of this would be involving changes to the external appearance of buildings, (such as shop fronts, change of house design/ appearance, domestic extensions) or changes of use that do not involve any extra loading on waste water, water systems or erosion of habitats”.</i> Having regard to the above, the information on file, and the nature and scale of the subject development, it is concluded that the subject development, either alone or in-combination with other developments, is not likely to have any significant effects on any European site in view of its conservation objectives.													
Conclusion:													
	<table border="1"> <thead> <tr> <th></th> <th>Tick as Appropriate:</th> <th>Recommendation:</th> </tr> </thead> <tbody> <tr> <td>(i) It is clear that there is no likelihood of significant effects on a European site.</td> <td>☒</td> <td>The proposal can be screened out: Appropriate assessment not required.</td> </tr> <tr> <td>(ii) It is uncertain whether the proposal will have a significant effect on a European site.</td> <td>☐</td> <td> ☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission </td> </tr> <tr> <td>(iii) Significant effects are likely.</td> <td>☐</td> <td>☐ Request NIS</td> </tr> </tbody> </table>		Tick as Appropriate:	Recommendation:	(i) It is clear that there is no likelihood of significant effects on a European site.	☒	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.	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission	(iii) Significant effects are likely.	☐	☐ Request NIS
	Tick as Appropriate:	Recommendation:											
(i) It is clear that there is no likelihood of significant effects on a European site.	☒	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.	☐	☐ Request further information to complete screening ☐ Request NIS ☐ Refuse planning permission											
(iii) Significant effects are likely.	☐	☐ Request NIS											

		☐ Refuse planning permission
Signature of Recommending Planner:		Date: 03/06/2026



Environmental Impact Assessment (EIA) Pre-Screening

Establishing if the proposal is a 'sub-threshold development'

File Reference No:	ED26-31
Development Summary:	As per Planning Report
Was a Screening Determination carried out under Section 176A-C?:	☐ Yes – No further action required ☒ No – Proceed to Part A

Part 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)

☐ Yes – specify class:	EIA is mandatory No screening required
☒ No	Proceed to Part B

Part 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)

☒ No, the development is not a project listed in Schedule 5, Part 2	No screening required
☐ 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
☐ Yes, the project is of a type listed but is <i>sub-threshold</i> :	Proceed to Part C

Part C – If yes, has Schedule 7A information/screening report been submitted?

☐ Yes, Schedule 7A information/screening report has been submitted by the applicant	Screening Determination required
☐ No, Schedule 7A information/screening report has not been submitted by the applicant	Preliminary Examination required

EIA Preliminary Examination:

The Planning Authority shall carry out a preliminary examination of, at the least, the nature, size or location of the development.

	Comment:	Yes/No/Uncertain:
Nature of the development: <i>Is the nature of the proposed development exceptional in the context of the existing environment?</i> <i>Will the development result in the</i>		

<i>production of any significant waste, or result in significant emissions or pollutants?</i>			
Size of the development: Is the size of the proposed development exceptional in the context of the existing environment? Are there cumulative considerations having regard to other existing and/or permitted projects?			
Location: <i>Is the proposed development located on, in, adjoining or does it have the potential to impact on an ecologically sensitive site or location?</i> <i>Does the proposed development have the potential to affect other significant environmental sensitivities in the area?</i>			
Preliminary Examination Conclusion:			
Based on a preliminary examination of the nature, size or location of the development. (Tick as appropriate)			
☐ There is no real likelihood of significant effects on the environment. EIA is not required.	☐ There is real likelihood of significant effects on the environment. An EIAR is required.	☐ There is significant and realistic doubt regarding the likelihood of significant effects on the environment. Request the applicant to submit the Information specified in Schedule 7A for the purposes of a screening determination. Proceed to Screening Determination.	
Signature of Recommending Planner:			Date: 03/06/2026